

Hill Ranch Landowner Meeting March 7th

Public Comment/Questions:

- How can property be purchased without covenant if it is in the Hill Ranch Area?
- “Not Dried Up” –How to dry it up if Sub-irrigation exists? (PW: Approximately 70% of the land is considered Dried up)
- Mitigation by parcel? Or total project area? (A: Parcel)
- “Too deep of Peat” is an excuse and easy way for PW to opt-out of their responsibilities.
- Will Agricultural Tax status be in jeopardy by removing grazing livestock for the duration of the restoration? (Greg F: Ag exemptions will be retained if they are legitimate.)
- The no-grazing requirement has an expense associated with it for landowners. Is there any compensation for grazing removal?
- Herbicide Use: Concerns exist regarding water quality due to individual wells that service homes.
- Are the use of goats or sheep appropriate for weed control (A: No grazing will be allowed on restoration sites during revegetation.)
- Has Pueblo West received any credits? (A: No)
- If a landowner decides to Opt-out, will they get any water? (A: No)
- When this was a working ranch, was the peat natural? What is the desired ecosystem? (A: Self-sustaining with natural rainfall; PW: Peat developed as a result of the highway)
- If you opt-out, it is over. No water will be available.
- Long-term Failure; Staged Opt-in w/ test plots.
- Elk Migration; What are the grazing impacts from the Elk, and how will PW mitigate these impacts? (A: Grass needs best management for at least the first year)
- Will the Elk affect success (A: Yes, but it is uncontrollable)?
- Revegetation should support the Elk in the long-term.
- Test Plots: Where are the test plots going to be located? Do you have permissions yet?
- Are you interested in volunteers for test plots?
- What size does an area need to be for a test plot (A:10-20 Acres)
- For peat mitigation: Mining or surface removal?
- What do you consider “Deep peat”? (A: 4” or more)
- Need a follow-up transparent process.
- The peat moss clause allows for easy relief of responsibility.
- What does mitigation mean?
- If we don’t know what mitigation even mean so, how can landowners understand what they are agreeing to?
- Opt-in/opt-out after test plots for landowners; good process.
- Request for transparency & to see all public comment.
- What is the total acreage vs the total peat coverage and depth?
- Are there any results from previous work? Would like to see reports from past work.
- Weren’t test plots already done? (A: yes, but poorly documented, and previous evaluated as “successful” when they were not).
- Request for transparency in the test-plot methods and procedures.
- Risk: Landowner- need additional communication tools; website; forum; test plot updates; need more than just emails

- Are you hiring local ranchers?
- Huge financial investment from PW, are there other options? Would they want to sell the water back and start a ditch company?
- Thanks to ranchers for keeping the water in the valley.

NOTES FROM Kim LeTourneau:

Those in attendance: Reps from Pueblo West Metro District, Chaffee Co. Commissioners (Felt and Granzella for entire meeting, Baker joined when he could), owners/interested parties from the former Hill Ranch, now subdivided into smaller parcels.

Felt started the meeting by sharing the plans for the evening, and noting that his hope is that we can find a path forward together that provides successful re-vegetation of the subdivided properties that once made up the Hill Ranch property, and allows Pueblo West to move forward as the current owners of the water rights, formerly attached to the ranch.

The evening started with a review of the history that led us to the current situation. In 1986 the water rights associated with the Hill Ranch property were sold to a water broker, and for a time were leased back to the ranch. In the paperwork from that sale, there is a requirement of the landowner and its successors be responsible for "any conditions imposed by the decree resulting from the change of Water Rights Case", potentially unknown to many of the current landowners. In 2001 Pueblo West purchased the water from the water broker, with a clear outline of operations and obligations for being able to use the water (including making sure that the property is re-vegetated and "weed free"). While Pueblo West has the requirement to re-vegetate the land, the current landowners are under a historic expectation of being responsible for irrigating the land.

But, to date, the efforts to re-vegetate the Hill Ranch parcels have been a failure.

A new contractor has been hired with the hopes that the project can move forward, the land can be successfully re-vegetated with native plants, help the land both visually and functionally, and allow Pueblo Water move on with plans for the adjustment of the water from an agricultural use to a municipal one.

Representatives from Pueblo West Metro, their new contractor and Chaffee County have sat down and want to reach out to landowners for approval of a plan that will hopefully move everyone towards a final resolution. The proposal to the landowners includes: New documents (currently in draft status) that would amend the settlement agreement removing the responsibility of the landowners to conduct the irrigation of their parcels, and an updated re-vegetation agreement that would clarify the "weed free" reference and more clearly identify "noxious weed free" instead. Copies of both draft documents were provided.

Pueblo West and their contractors then shared their proposal for the summer of 2019. They want to start with several test plots, totally 100-150 acres, in a variety of different soil types (including the peat that has caused problems in the past), and a variety of different seed mixes. They would like to evaluate

different irrigation types and find the method that works best for this situation (looking at gated pipe, sprinklers, current systems, etc.) as well as options for water delivery. They plan to assess the weed control needs, and ways to manage the noxious weeds during the re-vegetation process, and will evaluate mowing, herbicide, and others. At the end of the growing season they plan to evaluate the test plots and plan for the future of the restoration process. Proposed plans include another meeting with homeowners in the fall, potentially the 3rd week in October. At this meeting the agenda would likely include a review of the '19 test plots, final drafts of the new documents, plans for 2020 and finalized agreements/documents shortly after that meeting. One option that hadn't been discussed in the past is if there can be an option for landowners to opt-out of the re-vegetation efforts. The current proposal would require that landowners wouldn't be allowed to graze their animals in places where re-vegetation efforts are in process. More about this later. The floor was then opened for Q&A. The following questions/topics were brought up by those in attendance.

* Will the final determination of "re-vegetated" be made by evaluating each individual parcel, or the entirety of the form Hill Ranch property? Initial thoughts are this would be done by parcel.

* What about the peat moss? The peat layer that covers parts of the property has been a major issue, both for efforts to re-vegetate and as a safety issue (a fire started several years ago that crept through the peat and would pop up in other locations and was very challenging to extinguish). The peat, once kept moist through the irrigation of ranch lands, is now dry and leaves a number of questions, including how deep it goes, how many acres does it cover, what types of seeds/plants will grow and survive in it and how to deal with it going forward. The issue of the peat will be explored by the new contractor to understand the best way to proceed.

*What about ag status while the re-veg is in process and the land can't be grazed? Re-vegetation is considered to be an agricultural activity, and the county promises to retain ag status while the process is happening.

* Will there be support (funding, hay, etc) for those who can't graze their animals? Will hay or funds be provided to feed animals that otherwise would be grazing?

* Herbicide - there are several concerns about the potential use of herbicides for the use of noxious weed management, including effects on water/well, health and wellness of families, pets, livestock, insects (including honeybees), and long-term effectiveness.

* If a landowner wanted to use a different seed mix would PW still provide water to help get it started? No - the water only comes with an agreement with PW and their contractors.

* Is there a deadline for deciding if a landowner wants to opt in or out? Can it wait until the end of the test plots in 2019? Currently, PW feels that if you opt out at the start, you don't get to opt in later in the process.

* Concerns about the elk - because landowners wouldn't be able to graze their animals on the land, would the contractor try to prevent the elk from grazing? No - the elk will be allowed to come and go as they please.

* How will test plots be decided on? They will only be put on land with landowner approval. PW won't force someone to have a test plot on their parcel Paul is hoping for volunteers willing to allow

PW/Contractor to test 10-20 acres, and are looking for a total of 100-150 acres featuring a variety of different conditions.

* Any questions about plans for 2019 can be directed to Paul and Jerry (sp?), leads for the contractors.

* How many total acres are involved in the re-veg process? How many of those are peat? Unknown at this time. Hopefully, following the 2019 season, there will be a better estimate of the amount of peat in the project.

* Is there anywhere the public/landowners can see results from previous efforts at re-vegetating the Hill Ranch, or other information about the project? Not currently. Potential options for communication between PW, Chaffee Co. and Hill Ranch landowners were discussed. Possibilities include a website (either a stand-alone or a sub-page on PW's website), letters, social media (closed/private Facebook page?), email or??? Please reach out with any other ideas - there is significant interest in building a process where all voices are heard and feel they are being included in the discussion.

(I think that captures most of the questions - when a topic came up a second time I tried to keep the similar information together - so, not necessarily in chronological order. . .)

PW and the new contractor also noted that they are looking to hire a full-time person to be the "boots on the ground" so to speak. Ideally, someone who has a background in ranch management/irrigation. If you know someone, reach out to the county or PW for more information.