



Parks, Recreation & Cultural Services
Agenda
TOPS Working Committee
Please silence your phone during the meeting.

Wednesday, October 7, 2015

7:30am

Open Space Room

Agenda Preview

Committee and Staff

Announcements

Approval of Minutes – September 2, 2015

Citizen Discussion

Citizens

Presentation Items (All presented by Chris Lieber)

Chris Lieber

1. Colorado Natural Area Designation
 2. Update on Sand Creek Trail – Las Vegas Street to Hancock Blvd
-

Staff Reports (All presented by Chris Lieber)

Chris Lieber

1. TOPS Policies and Procedures Review Process
 2. Venezia Community Park – Construction Progress Report
 3. South Slope; Season-end Report
 4. Rock Island Trail Corridor Acquisition Update
-

COLORADO SPRINGS PARKS AND RECREATION DEPARTMENT

TOPS WORKING COMMITTEE

Date: September 7, 2015

Item Name: Presentation Item: Corral Bluffs: Colorado Natural Areas Designation

SUMMARY: The City of Colorado Springs acquired the Corral Bluffs Open Space in 2008 with Trails, Open Space and Parks (TOPS) funds. In accordance with the TOPS Ordinance, the Corral Bluffs Open Space was purchased with the express purpose of protecting the property's extensive significant natural, cultural, archeological, and paleontological resources. Numerous archeological and paleontological experts have stated that the property boasts resources of state-wide and national significance. The TOPS Program has been pursuing formal designation of Corral Bluffs as a Colorado Natural Area for the past 5 years, via the State's two step process. In 2012 the first step was achieved as Corral Bluffs was *Registered* as a Colorado Natural Area. Staff will provide and update on the second step in the process to formally *Designate* Corral Bluffs as a Colorado Natural Area.

PREVIOUS COUNCIL ACTION: City Council approved a Resolution on September 11, 2012 supporting Registration and Designation of Corral Bluffs as a Colorado Natural Area.

BACKGROUND: The Colorado Natural Areas Program (CNAP) works in partnership with local, state and federal agencies and private citizens to identify, register and designate natural areas to protect unique natural resources throughout the state of Colorado. CNAP was created in 1977 by the Colorado Legislature and operates under the oversight of the Board of Parks and Outdoor Recreation. The Natural Areas Council advises program staff and consists of four members appointed by the Governor as well as three members from state boards and commissions.

A property's designation as a Colorado Natural Area is accomplished through a non-binding voluntary agreement between the landowner or public land manager and CNAP. The agreement establishes management guidelines designed to preserve the natural values of the site. Official designation provides opportunities to engage the State's assistance in developing management strategies for preserving unique resources. The CNAP has an extensive volunteer program, consisting of experts in geology, biology, archeology, and paleontology, to provide guidance in developing sustainable management strategies. The organization works cooperatively with public and private property owners to assist in conservation efforts on lands of state-wide significance. State designation can also elevate a property's status when applying for grants or seeking private funding. The program currently monitors and protects over 100 designated and registered natural areas across Colorado. In El Paso County, Aiken Canyon and Hurricane Ridge are officially designated as Colorado Natural Areas.

The Corral Bluffs Alliance has requested that Corral Bluffs Open Space be formally considered for designation as a Colorado Natural Areas Program. The Corral Bluffs area has a rich history and has been enriching our knowledge base about the planet and the Colorado area for over a century, be it from the fossil discoveries, from the archeological artifacts, or the pristine flora and fauna communities. The almost limitless discoveries to be made are an enticement to researchers and academia.

- *The escarpment of Corral Bluffs is, in itself, a unique landscape of the Colorado high plains and its geologic layers contain significant paleontological value; the bluffs lie close to*

urbanization yet still preserve delicate landforms because of historical private ownership that has limited the impact of people. – **Dr. Ken Weissenburger, Geologist and Adjunct Instructor at Pikes Peak Community College, Colorado Springs**

- *The exposures at Jimmy Camp Creek and adjacent Corral Bluffs are extremely important for the following reasons: 1) The narrows at Jimmy Camp Creek contain one of the three best exposures of the Cretaceous-Tertiary (K-T) boundary in the Denver Basin and one of the top 25 in the world; 2) both the Jimmy Camp Creek Valley and the adjacent Corral Bluffs include some of the most extensive surface exposures and badland outcrops in the Denver Basin; 3) this area is extremely fossiliferous and contains fossil mammals dinosaurs, fossil leaves, and very large petrified trees from the Late Cretaceous and early Paleocene time periods.* – **Dr. Kirk Johnson, Paleobotanist, Chief Curator & Vice President of Research and Collections at Denver Museum of Nature and Science**
- *These rocks in Corral Bluffs span the Cretaceous-Tertiary (K-T) boundary (65.5 million years B.P.), which marks one of the most important evolutionary events in the history of life - dinosaurs go extinct and soon after, mammals rapidly diversify and become larger. Very few places in the world preserve this explosive evolution of mammals wherein the roots of most modern mammalian groups were born. The Denver Basin, in particular Corral Bluffs, is one such place.* – **Dr. Jaelyn Eberle, Curator of Vertebrate Paleontology, University of Colorado Museum of Natural History (UCM) at Boulder**
- *Archaeological investigations suggest human presence for the past 12,000 years. The bluffs' shifting soils constantly expose buried artifacts and features. The entire area should be considered a significant Cultural Resources area. Archaeological presence is recommended to periodically resurvey and collect diagnostic artifacts and document features when exposed.* – **Steve Snyder, Consulting Archeologist at CBOS**
- *The County experts say there's the potential for Paleoindian ... occupation and projectile points based on finds at Jimmy Camp Creek, where significant cultural materials have been found dating from the Paleoindian through historic periods. Ceramics from the Late Prehistoric Period (200 - 1540 A.D.) have also been found at Jimmy Camp Creek.* – **El Paso County reports of Corral Bluffs area**
- *Spectacular vistas and extensive wildlife, to include more than 70 different species of birds, coyotes, fox, mountain lion, bobcat, turtles, fence lizards, snakes, porcupines, raccoons, and two pair of nesting golden eagles.* – **Jackie Hilaire, President of Corral Bluffs Alliance (CoBA)**
- *The area surveyed consisted of 3 different plant communities, all in good condition with relatively few non-native or noxious weed species; these communities interfinger somewhat and differ in the amounts and types of certain species: the upper grasslands have more shortgrass prairie species and forbs, the cliff faces have more shrub cover and only scattered forbs and grasses, and the lower portions had a higher component of tall to midgrass species that are typical of moister and/or deeper sandy soils, along with sand specialist species.* – **Dr. Tass Kelso, Colorado College professor**
- *Corral Bluffs gained its name from ranchers who from 1867 to 1890 routinely corralled their cattle for a night at Corral Bluffs during their cattle drive from Texas to Denver on the The Goodnight-Loving Trail. An estimated 10 million cattle were herded during this period.* – **Colorado Historic Society**
- *Fossils of this kind are always rare; fossil localities in a situation where they record the recovery from a major catastrophe (the end Cretaceous event; extinction of the dinosaurs) are rarer yet. The Denver Basin has few good fossil vertebrate localities. Corral Bluffs is one of the*

best and should be recognized as such, and hopefully preserved. – **Dr. Peter Robinson, Curator Emeritus, University of Colorado Museum**

Representatives from the Colorado Natural Areas Program toured the Corral Bluffs Open Space on September 22, 2011 and determined that the property is qualified for formal consideration to the Registry. In 2012, Corral Bluffs was added to the State's Registry. On September 25, 2015 Representatives from the CNAP Council toured the property in advance of taking action to formally Designate the Property as a Colorado Natural Area. Staff has received draft Articles of Designation for Corral Bluffs (see attached). Staff will provide a brief overview of the next steps in the process.

FINANCIAL IMPLICATIONS: None

BOARD/COMMISSION RECOMMENDATION:

In 2012 the TOPS Working Committee and the Parks and Recreation Advisory Board unanimously support the designation of Corral Bluffs Open Space as a Colorado Natural Area.

STAKEHOLDER PROCESS:

N/A

ALTERNATIVES:

N/A

RECOMMENDATION:

N/A – Information Item Only

PROPOSED MOTION:

N/A – Information Item Only

c: Kurt Schroeder, Park Operations and Development Manager

Attachments:

Previously approved City Council resolution supporting the registry and designation of the Corral Bluffs Open Space as a Colorado Natural Area

**A RESOLUTION SUPPORTING THE REGISTRY AND DESIGNATION OF THE
CORRAL BLUFFS OPEN SPACE AS A COLORADO NATURAL AREA**

WHEREAS, the City of Colorado Springs owns the property known as the Corral Bluffs Open Space; and

WHEREAS, the Corral Bluffs Open Space contains unique natural, biological, archeological and paleontological resources of state-wide significance; and

WHEREAS, representatives from the Colorado Natural Areas Program have toured the Corral Bluffs Open Space and determined that the open space is qualified for registry as a Colorado Natural Area; and

WHEREAS, designation of the Corral Bluffs Open Space as a Colorado Natural Area will elevate the status of the property and encourage long term partnerships in the management of unique resources; and

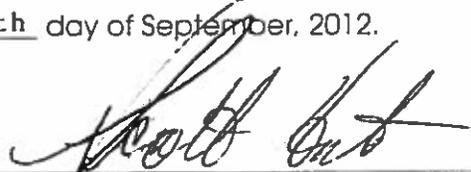
WHEREAS, the registry and designation of the Corral Bluffs Open Space as a Colorado Natural Area is in the best interest of the City of Colorado Springs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Council hereby supports the registry and designation of the Corral Bluffs Open Space as a Colorado Natural Area.

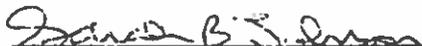
Section 2. Council hereby authorizes the Director of Parks, Recreation and Cultural Services to enter into, execute, and record all documents necessary to register and designate the Corral Bluffs Open Space as a Colorado Natural Area.

DATED at Colorado Springs, Colorado, this 11th day of September, 2012.



Scott Hente, Council President

ATTEST:



Sarah B. Johnson, City Clerk

**COLORADO NATURAL AREAS PROGRAM
COLORADO PARKS AND WILDLIFE
DEPARTMENT OF NATURAL RESOURCES
STATE OF COLORADO**

**CORRAL BLUFFS NATURAL AREA
ARTICLES OF DESIGNATION**

These Articles of Designation, (“Articles”) made this ___ day of _____, 2015, by and between the Parks and Wildlife Commission (the “Commission”), acting through the State of Colorado, Department of Natural Resources, Division of Parks and Wildlife (the “Division”), located at 1313 Sherman Street, Denver, Colorado 80223, hereinafter referred to as the “Division”; and the City of Colorado Springs, a home rule city and Colorado municipal corporation, through its Department of Parks, Recreation & Cultural Services, 1401 Recreation Way, Colorado Springs, CO 80905-1975, hereinafter referred to as the “City”.

WHEREAS, the Colorado Natural Areas Act as set forth at C.R.S. §33-33-101, et seq. (the “Act”) established a statewide Colorado Natural Areas Program, (the “Program”), to provide a means by which specific examples of Colorado’s natural features and ecological phenomena can be identified, evaluated, and protected through a statewide system of designated natural areas; and

WHEREAS, the Commission is authorized to conduct and administer the provisions of the Act; and

WHEREAS, the Act established a Colorado Natural Areas Council,(the “Council”) which advises the Commission on administration of the Program and which recommends the designation of Natural Areas by the Commission; and

WHEREAS, the Act shall be administered through the Division with the advice of the Council, and

WHEREAS, The City owns and manages certain lands totaling 598 acres situated in El Paso County, Colorado, as described in Exhibit A and shown for illustrative purposes only in Exhibit B, known as the Corral Bluffs Natural Area (the “Property”); and

WHEREAS, as a result of the attributes of the Property, the Property provides one or more of the benefits described in the Act at C.R.S. §33-33-104 (2); and

WHEREAS, at its meeting dated _____, the Commission has determined, pursuant to its criteria, that the Property is a Natural Area and that it would be desirable to include the Property within the Colorado Natural Areas System as a designated Colorado Natural Area; and

WHEREAS, pursuant to the Act at C.R.S. §33-33-105(1)(j), the Board of Commissioners of El Paso County was notified of the proposed designation of the Property. The Board of Commissioners of El Paso County did/did not request a local public hearing which was held by the

Commission, for the purpose of evaluating any local concerns regarding the proposed designation and a hearing was held at _____ on _____ 20__, and a motion was passed in support of the designation; and

WHEREAS, the City agrees that the Property should be preserved and protected as a Natural Area.

NOW THEREFORE, it is hereby agreed that:

1. **Designation of Property as a Natural Area.** Upon filing of these Articles with, and the acceptance of same by the Commission, with the advice and approval of the Council, the Property shall become a designated Natural Area and part of the Colorado Natural Areas System. Said designated Natural Area shall be known as the Corral Bluffs Natural Area.
2. **Management Agreement.** Pursuant to CRS §33-33-108(2)(a), these Articles shall constitute a management agreement for the Property, and may be supplemented by other management agreements developed for the Property and mutually agreed to by the Parties.
3. **Purpose of Designation.** This designation evidences the desire of the Commission that the Property be protected from impacts adversely affecting the attributes for which the Property is designated, together with the Commission's desire that the Property shall be maintained as a Natural Area, for scientific, education, and other purposes Pursuant to CRS §33-33-108(2)(b), the Commission has determined, upon recommendation by the Council, that the Property qualifies as a Natural Area to be included in the Colorado Natural Areas System due to the following:
 - A. The Property is considered one of the best sites in both Colorado and the world to find mammals from the first one million years of the Age of Mammals in the Paleocene epoch. Twelve mammalian taxa and several lower vertebrates are currently known from the site (see Exhibit C).
 - B. The Property contains the best location in the Denver Basin to study the floral response to the K-T boundary. Fossil plant compressions occur ubiquitously as prints of leaves, twigs, seeds, fruits, and cones. This property also contains one of the finest fossil forests in Colorado.
 - C. Nesting habitat for raptor species including prairie falcons, golden eagles, and historically peregrine falcons.
 - D. As a result of these attributes, the Property provides, among other benefits, the following benefits:
 - i. It serves as a resource from which new knowledge may be derived and as a reservoir of genetic material which has present and future value to scientific inquiry; and

- ii. It serves as an outdoor classroom and laboratory for scientific research and study in the paleontological, biological, and ecological sciences.

- 4. **Rights and Duties of the Division.** The Division shall list the Property as a designated Natural Area of the Colorado Natural Areas System, record the Articles of Designation with the El Paso County Clerk and Recorder, and shall provide the City with a Certificate of Designation and a signed copy of the Articles of Designation indicating said designation.
 - A. The Division has no authority to grant access to the Property without the consent of the City. Consent may be given when access would be consistent with and promote the purposes of these Articles.
 - B. The Division may visit the Property at any time to evaluate current uses and conditions for consistency with these Articles. Prior to visiting, the Division will give advance notice to the City. Following the visit, the Division will consult with, and provide any resulting reports to the City.
 - C. The Division shall cooperate with the City to assist in any inventory, mapping, monitoring, and protection of the significant features on the Property in which the City may engage.
 - D. The Division shall produce a periodic report on the condition of the Property and the status of the significant features on the Property. The periodic report shall be written in cooperation with and reviewed by the City.

- 5. **Rights and Duties of the City.** The management of the Property shall be the responsibility of the City, which agrees to maintain the Property as a Natural Area, for scientific and educational purposes. Management of the Property shall be in consonance with all applicable federal and state laws and City of Colorado Springs planning documents, their amendments and revisions.
 - A. User access to the Property will be the responsibility of the City. The City may approve access to the site and the undertaking of scientific research by qualified persons, if said research is deemed important and is compatible with the preservation of the natural qualities within the boundaries of the Property.
 - B. The City may prohibit motorized access. The City may determine that no motorized vehicles, other than those necessary for maintenance, emergencies or safety, may be permitted on trails, open space or parks located on this property and no right-of-way for new roadways or utility corridors shall be assumed.

- C. The Property will be managed to maintain and protect its biological diversity, natural hydrological regimes, scenic qualities, and prehistoric and cultural resources.
 - D. The City will cooperate with the Division to assist in inventorying and monitoring significant features on the Property.
 - E. The City will cooperate with the Division in producing a periodic report on the condition and use of the site.
 - F. The City shall notify the Division of plans for and/or actions on the Property prior to their implementation and a copy of any documents affecting the Property executed by the City shall be submitted to the Division.
6. **Binding Effect.** These Articles shall run with the Property and be binding upon the parties hereto and upon any successors in interest to the Property. Any sale or transfer of the Property by the City, whether by gift, device, operation of law or otherwise, shall be subject to these Articles which shall be attached to any document of purchase or transfer and incorporated therein by reference. The purchaser or transferee shall succeed to the City's rights and duties hereunder.
7. **Violation.** If either party reasonably believes that the other party has violated any of its obligations under these Articles, it shall give the other party written notice. Within 30 days of receipt of notice, the parties shall confer and make a good faith effort to correct the alleged violations and to resolve any difference of opinion, which may exist as to the respective rights and duties under these Articles. In the event that alleged violations are not cured, notice of alleged violations shall constitute notice for purposes of termination. Violations of these Articles by the City may result in the removal of the Property from the Colorado Natural Areas System.
7. **Termination.** If either party desires to terminate these Articles, it shall so notify the other party and give said other party an opportunity to confer regarding the reasons for termination. No less than 90 days after said initial notice, the notifying party may terminate these Articles by an additional notice to said other party.
8. **Notice.** All notices to be given pursuant to these Articles shall be in writing and shall be by registered or certified mail, return receipt requested, to the address listed above or to such other person or address as the party to be notified may have designated by written notice to the other party. Any notice so mailed shall be effective upon receipt.
9. **Amendments.** These Articles may be amended in writing by the parties hereto with approval of the Commission and Council.
10. **Notice of Designation.** The Commission will certify a Notice of Designation by separate document which will be recorded with Clerk and Recorder of El Paso County, Colorado.

IN WITNESS THEREOF, the parties hereto have executed these Articles as of the first day written above.

Parks and Wildlife Commission, acting through the
STATE OF COLORADO
Department of Natural Resources
Division of Parks and Wildlife

Bob Broscheid
Director

Date

CITY OF COLORADO SPRINGS:

Mayor
Colorado Springs, Colorado

Date

Assistant City Attorney

Date

EXHIBIT A

**LEGAL DESCRIPTION OF THE PROPERTY
CORRAL BLUFFS NATURAL AREA**

Township 14 South, Range 64 West, 6th Principle Meridian

Section 5: W $\frac{1}{2}$

Section 6: FP NE $\frac{1}{4}$; FP W $\frac{1}{2}$ SE $\frac{1}{4}$; FP E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 7: FP NE $\frac{1}{4}$ NW $\frac{1}{4}$; FP NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 8: FP N $\frac{1}{4}$ NW $\frac{1}{4}$

County of El Paso

State of Colorado

Contains 598 acres

EXHIBIT B

CORRAL BLUFFS NATURAL AREA BOUNDARY MAP

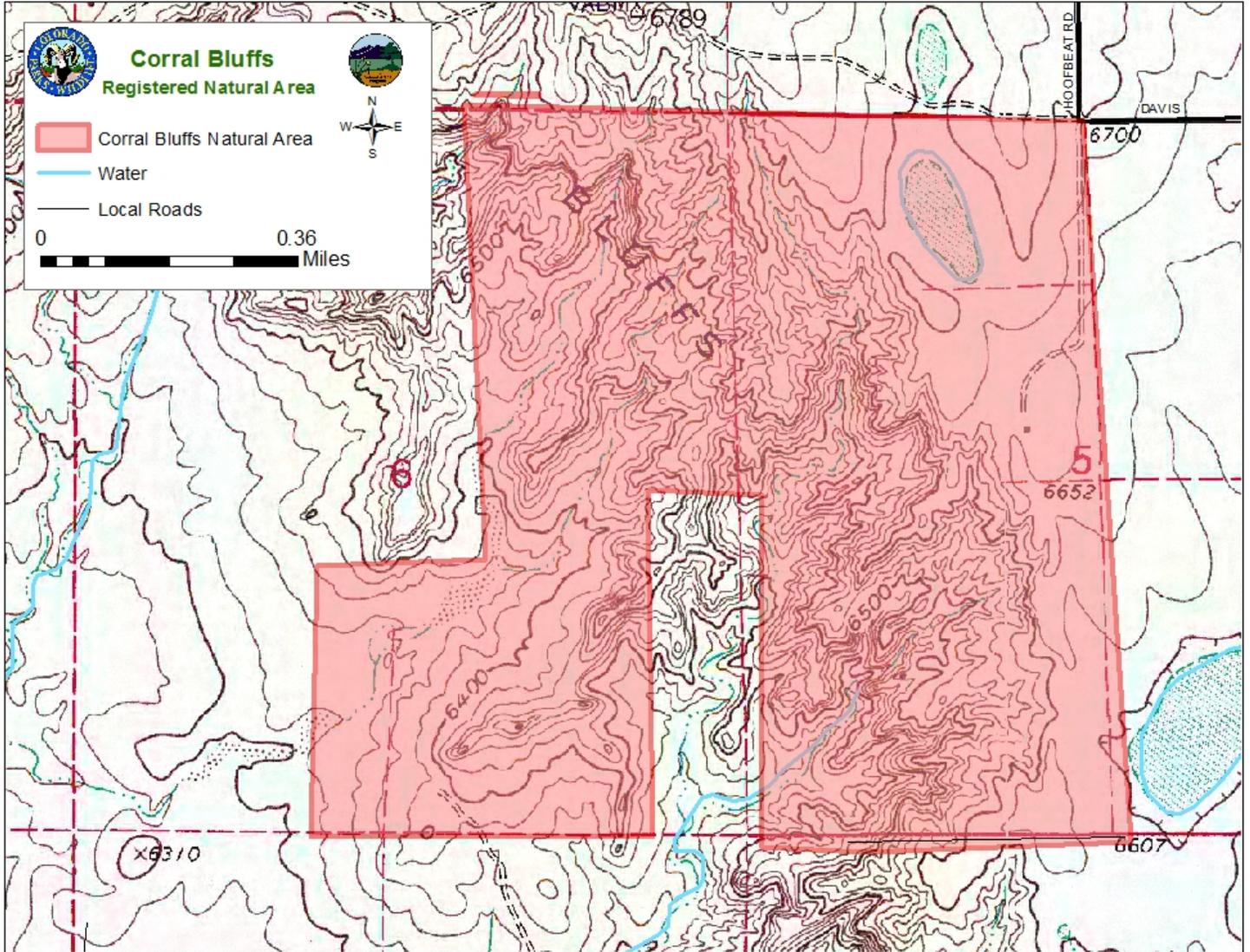


EXHIBIT C

CORRAL BLUFFS FOSSIL LIST

Fossils found in Corral Bluffs include:

Mammals:

MULTITUBERCULATA

- *Neoplagiaulacidae*

CONDYLARTHRA

- *Oxyclaenus* cf. *O. cuspidatus*
- *Loxolophus hyattianus*
- *Loxolophus* aff. *L. hyattianus*
- *Loxolophus faulkneri*
- *Desmatoclaenus* cf. *D. protogoniodes*
- *Mioclaididae*
- partial skull of *Periptychus coarctatus* (dog-sized Condylarth among the largest mammals of its time)
- *Conacodon entoconus*
- *Conocodon* aff. *C. entoconus*
- *Conacodon delphae*

Lower Vertebrates:

- turtles
- chamosaur
- fishes
- partial skull of a crocodylian and right dentary referred to as Alligatoroidea
- an extremely rare bird feather
- highly unusual salamander footprints

Source: Eberle, J. (2003). Puercan mammalian systematics and biostratigraphy in the Denver Formation, Denver Basin, Colorado. *Rocky Mountain Geology*, 38 (1) p.143.