



OST Memorandum

TO: Open Space and Trail Board
FROM: Paul Holsinger, Agriculture and Conservation Easement Administrator
SUBJECT: Emma Open Space Structure Update and Public Process
DATE: June 7, 2018
CC: OST Staff

Development of an agricultural structure on the Schoolhouse Lease Area of Emma Open Space is being considered on this Pitkin County Open Space and Trails property. An online public survey was conducted on the proposal; the survey concluded April 25. The Emma Caucus was allowed an extension to gather further comment and submitted their comments on May 9th. OST staff have now compiled the comments and are seeking a recommendation from the OSTB.

Background

Two Roots Farm was awarded the lease for the South Lease Area and Schoolhouse Lease Area for a term of 10 years earlier this year. Two Roots is planning on producing vegetables on the Schoolhouse Lease and has already created a fenced-in garden plot and erected a caterpillar tunnel for this purpose. The lessee will need access to a structure and utilities to clean, pack and store produce and for protection from the elements, cold storage, a hand-washing sink, seed storage, animal feed storage, tool and equipment storage, and office space.

Two Roots Farm requested an on-site structure to allow them to grow and supply their product to the community. Many public comments received through the Emma Open Space Management Plan process highlighted local agricultural, organic production, and young and beginning farmers. OST staff anticipated that infrastructure would be needed to fulfill this public desire and specifically addressed this in the management plan approved by the OSTB under section 4.2.2:

4.2.2 Agricultural Structures and Improvements

Agricultural Structures - The conservation easement for Emma Open Space allows for the installation, repair and maintenance of water wells, irrigation systems, ponds, streams and irrigation ditches and agricultural outbuildings, such as a livestock or hay barns, tool sheds and greenhouses, with grantee approval. OST staff and the lessees will work with the Roaring Fork Conservancy (conservation easement grantee) to determine locations and allow the lessees to develop the listed improvements on their lease areas to fit their needs. Permanent improvements proposed by lessees may be cost-shared by OST on a case-by-case basis. Maintenance of improvements will be included in the lessee's annual operating plan.

Food Safety and Modernization Act (FSMA) will require producers at Two Roots Farm size scale to comply with FSMA regulations starting in 2020. These provisions include safe and adequate sanitary water and buildings that “facilitate maintenance and sanitary operations”, i.e. washable surfaces and adequate drainage.

The structure and infrastructure is needed for an organic produce operation and to comply with FSMA include a well, electricity, and barn. The well and electricity have already been approved since they will be utilized regardless of whether a permanent structure is built on the property. OST staff conceptually evaluated the structure for compliance with the guiding documents and found that the structure was not prohibited in the Conservation Easement overlaying the property and is allowed in the management plan. Since this development is an OST project, the normal path to having structures approved for development is a Location and Extent Review by the Pitkin County Community Development Department (Com Dev) and the Planning and Zoning Commission. This type of development has never been pursued by the OST department or an agricultural lessee. OST board and staff decided to undergo an additional public process before a Location and Extent was complete to educate and gauge public support. An online public survey was conducted on the proposal starting March 12 and concluded April 25.

There are current agricultural structures on existing properties, Lazy Glen, Glassier, and Coke Ovens Open Space, but those structures were present when OST purchased the properties. OST property development is guided by property specific management plans which set out action items to guide property programming. The OST staff feel that the management plan process is sufficient in identifying suitable properties for expanded agricultural and structures.

Public Comment

The public comment period was open for 45 days and allowed the public to comment through the Pitkin OST Projects website. OST received 109 comments through the website and accepted further comment from the Emma Caucus on May 9th.

- **Survey Results**

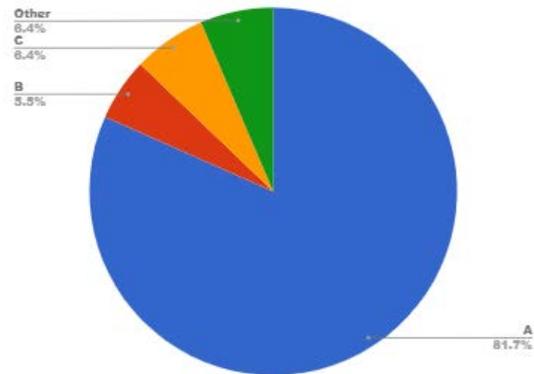
The survey presented to the public allowed a participant to support one of four options; Option A location, Option B location, Option C (no structure), or Other (open ended option allowing the participant to offer other locations or other thoughts). The participant was also given the option to provide a written explanation of why they chose the option and an additional text box for comment. A complete spreadsheet of the survey results and comments are attached to this memo with the names and emails of the participants removed (Attachment A).



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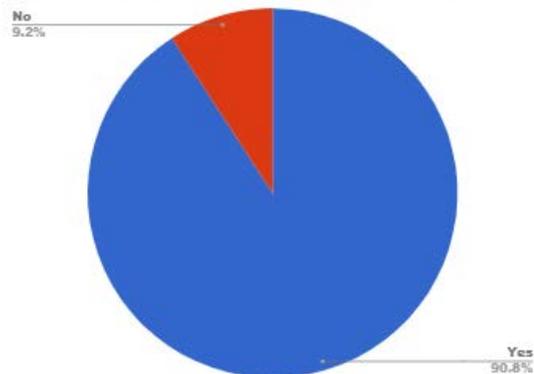
- **Option A** - 89 participants preferred Option A. The comments focused on supporting the needs of the lessee and in support of a structure that was within the lease area and in a logical location and orientation.
- **Option B** – 6 participants preferred Option B. The comments focused on supporting the location because it was more out of view from Sopris Road.
- **Option C** – 7 participants preferred Option C (No structure). The comments focused on keeping open space open and objecting to the use of tax dollars to fund structures and subsidizing agriculture.
- **Other** – 7 participants preferred to offer their own option. There were comments supporting an agricultural structure and not supporting a structure in this option. Three (3) comments support either option for a structure as long it met the needs of the lessee; One (1) proposed a building site in the southeast corner of the property near a cottonwood stand, one (1) proposed using the historic buildings across the highway, two (2) were against structures on open space.

Count of Preferred Option



OST staff broke the survey results into two categories based on if the participant was in favor of a structure or not in favor. When broken down this way 90.8% of respondents are in favor of a structure on the property and 9.2% are not in favor. *Staff placed the comment in support of using the Emma town building in the not in favor category.

Count of Supportive of Structure Overall



- **Emma Caucus Comments**

The Emma caucus submitted an official comment after a site visit on March 29th and special caucus meeting to discuss the options and process on April 30th. The comment (Attachment B) states “An email survey was also conducted following the meeting, informing all Caucus members of the discussion and asking for input. The final tally of Caucus member comments resulted in a total of 8 comments FOR a barn compared to 6 comments AGAINST a permanent structure, and 4 comments FOR a barn as long as NOT financed with public money.” The caucus comments include similar themes OST received through the survey. Those that were supportive of a structure were focused on providing a functional structure

that would support the agricultural operation; those against wanted the open space to remain open; and an additional theme was represented supporting a structure but only if it was either paid for by the lessee.

The Emma Caucus summary states;

The Emma Caucus was asked to notify our members of this proposal coming before the OST board and the BOCC, and solicit comments for a general opinion on the different barn options being considered. Given that very little detail has been developed at this stage, we are unable to comment on the ultimate opinions of our members for a possible final structure. It is our understanding that if OST chooses to further pursue a permanent barn on the Emma Schoolhouse open space, a more formal proposal with design and cost details, among others, will be put forward for the caucus to consider and comment on, as part of the approval process. We urge OST and the BOCC to carefully consider all points made in our Emma Caucus Master Plan, and the special character of our community.

Recommendation

Based on the comments received through the online survey and Emma Caucus the public are generally supportive of placing a structure on the lease area to support agricultural activities.

OST staff is recommending the following next steps to move forward with this process;

- OSTB recommend a budget supplemental not to exceed \$10,000 to contract a firm to design options and develop a cost estimates for a range of scenarios.
- OST staff will research funding strategies including county funded and leased back to the lessee, privately funded, and/or a combination of funding sources.

The information gathered above will be presented to OSTB for further discussion at a meeting in late summer with the goal to get a recommendation on a permanent structure to the BOCC in the fall.

Attachments

- A. Public Comments Received through Pitkin OST Projects
- B. Emma Caucus Comments
- C. Information Presented on Website