



# COLORADO

## Parks and Wildlife

Department of Natural Resources

Colorado Natural Areas Program  
6060 Broadway  
Denver, CO 80216

**TO:** Colorado Parks and Wildlife Commission

**FROM:** Raquel Wertsbaugh, CNAP Coordinator

**DATE:** June 7, 2023

**SUBJECT:** CNAP Mailing Materials for June 2023 PWC Meeting

Greetings Parks and Wildlife Commissioners,

As the coordinator of the Colorado Natural Areas Program, I will be presenting at the June 2023 PWC meeting. The presentation will serve multiple purposes: (1) provide background information on the Colorado Natural Areas Program, (2) seek approval on the designation of Coal Creek Tallgrass Prairie State Natural Area, (3) seek approval on the expansions of White Rocks and Colorado Tallgrass Prairie State Natural Areas, and (4) seek replacement for the PWC representative on the Colorado Natural Areas Council.

The mailing materials included are intended to provide necessary and helpful background information associated with the following:

- 1) CNAP background information: CNAP fact sheet
- 2) **(ACTION ITEM)** Coal Creek Tallgrass Prairie State Natural Area designation: Articles of Designation, informational handout
- 3) **(ACTION ITEM)** White Rocks and Colorado Tallgrass Prairie State Natural Area expansions):Articles of Designation, informational handout
- 4) Colorado Natural Areas Council PWC representative: CNAC informational handout

I look forward to presenting to you at the June PWC meeting. Please reach out if you have any questions.

Sincerely,

Raquel Wertsbaugh  
Colorado Natural Areas Program Coordinator

[raquel.wertsbaugh@state.co.us](mailto:raquel.wertsbaugh@state.co.us)

719-207-1202



# Colorado Natural Areas Program



PROTECTING COLORADO'S UNIQUE NATURAL FEATURES

May 2023

## About CNAP

The Colorado Natural Areas Program was established in statute in 1977 by the Colorado Natural Areas Act. CNAP is a statewide conservation program that provides a system for recognizing places with unique natural features, including rare plants, plant communities, wildlife, insects, geologic, and fossil resources. CNAP is supported by a 7-member Governor-appointed advisory council, the Colorado Natural Areas Council (CNAC).



## What are State Natural Areas?

State Natural Area designations are accomplished through voluntary conservation agreements with landowners including federal, state, local, and private landowners. There are currently 95 State Natural Areas across Colorado, helping to protect over 125 Species of Greatest Conservation Need and their habitat. Landowners retain all management rights and agree to protect the natural features. Dozens of volunteer stewards assist CNAP staff and landowners in monitoring State Natural Areas to ensure their valuable features are cared for well into the future.



## Focus on rare plants

CNAP is the only state government program in Colorado with an emphasis on rare plant conservation. The State Wildlife Action Plan, which guides conservation actions throughout CPW, includes a Rare Plant Addendum. This highlights Species of Greatest Conservation Need, which guide CNAP's efforts monitoring plants. CNAP works closely with conservation partners to monitor, research, and protect rare plants.



## Learn More Here:

[cpw.state.co.us/aboutus/Pages/CNAP.aspx](http://cpw.state.co.us/aboutus/Pages/CNAP.aspx)



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

**COAL CREEK TALLGRASS PRAIRIE NATURAL AREA  
ARTICLES OF DESIGNATION**

These Articles of Designation (“Articles”) made this \_\_\_ day of \_\_\_\_\_, 20\_ by and between the State of Colorado acting by and through the Department of Natural Resources, Division of Parks and Wildlife (the “Division”), located at 6060 Broadway, Denver, Colorado 80216, and the City of Boulder, a Colorado home rule city, through its Open Space and Mountain Parks Department (the “City”), located at 1777 Broadway, Boulder, Colorado 80302, (the Division and the City are collectively referred to as the “Parties”).

**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 Colorado Parks and Wildlife Commission (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 approximately 1,470 acres situated in Jefferson County, Colorado, as described in Exhibit A and shown for illustrative purposes only in Exhibit B (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 June 22 2023, 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 County Commissioners of Jefferson County was notified of the proposed designation of the Property. The Board of County Commissioners of Jefferson County may request a local public hearing for the purpose of evaluating any local concerns regarding the proposed designation. The Board of County Commissioners of Jefferson County did request such hearing which was held in Jefferson County

on May 4, 2023.

**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 recommendation 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 Coal Creek Tallgrass Prairie Natural Area.
2. **Management Agreement.** Pursuant to C.R.S. § 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 in writing 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 and that the Property shall be maintained as a Natural Area, for scientific, education, and other purposes pursuant to C.R.S. § 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 contains a high-quality remnant of a once-extensive area of tallgrass prairie on the glacial outwash surfaces that dot portions of the Front Range. The tallgrass prairie remnant contains a unique and distinctive blend of Great Plains and Southern Rocky Mountain montane plant communities that are rare and sensitive in the state and global context. Undisturbed examples of glacial outwash features are rare today along Colorado's Front Range. The alluvial geologic surface on the Rocky Flats Mesa, stable for over one million years, provides conditions for tallgrass prairie and montane plant species to thrive in an otherwise semi-arid climate. See Exhibit C for a complete list of tracked plant communities known to occur on the Property.
  - B. The Property contains rare plant species including grassy slope sedge (*Carex oreocharis*) and slimleaf milkweed (*Asclepias stenophylla*). See Exhibit C for a complete list of rare plants known to occur on the Property.
  - C. The Property contains numerous wildlife species of greatest conservation need associated with the tallgrass prairie community and other habitats, including: golden eagle, prairie falcon, grasshopper sparrow, lazuli bunting, and northern leopard frog. See Exhibit C for a complete list of wildlife species of greatest conservation need known to occur on the Property.

- D. The Property contains numerous rare butterfly species associated with the tallgrass prairie communities, including: Ottoe skipper, regal fritillary, and two-spotted skipper. See Exhibit C for a complete list of rare insects known to occur on the Property.
- E. As a result of these attributes, the Property provides the following benefits, among others:
  - i. It serves as an example of the native condition in studies related to plant communities, soil quality, and habitat productivity and can serve as a baseline for re-establishing or restoring native condition.
  - ii. 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
  - iii. It provides habitat for species of greatest conservation need; and
  - iv. It serves as an outdoor classroom and laboratory for scientific research and study in the geological, biological, and ecological sciences.

4. **Rights and Duties of the Division.**

- A. The Division shall list the Property as a designated Natural Area of the Colorado Natural Areas System, provide the City with a signed Certificate of Designation and a signed copy of the Articles of Designation indicating said designation, and record the Articles of Designation with the Jefferson County Clerk and Recorder.
- B. The Division has no authority to grant access to the Property without the consent of the City.
- C. 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.
- D. 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.
- E. 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 consistent with all applicable federal and state laws and City planning documents and ordinances, and any future amendments and revisions thereto.

- 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 City will manage the Property 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 assume 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.
8. **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.

9. **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.
10. **Amendments.** These Articles may be amended in writing by the parties hereto with approval of the Commission and Council pursuant to C.R.S. § 33-33-108(3).
11. **Counterparts.** These Articles may be executed in multiple identical and original counterparts, all of which shall constitute one agreement.

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

**STATE OF COLORADO**

acting through the  
Department of Natural Resources  
Division of Parks and Wildlife

\_\_\_\_\_  
Jeff Davis  
Director

\_\_\_\_\_  
Date

**CITY OF BOULDER,  
a Colorado home rule City**

By: \_\_\_\_\_  
Nuria Rivera-Vandermyde, City Manager

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney's Office

**COLORADO NATURAL AREAS COUNCIL**

\_\_\_\_\_  
Name of signatory  
Chair

\_\_\_\_\_  
Date



**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY  
COAL CREEK TALLGRASS PRAIRIE NATURAL AREA**

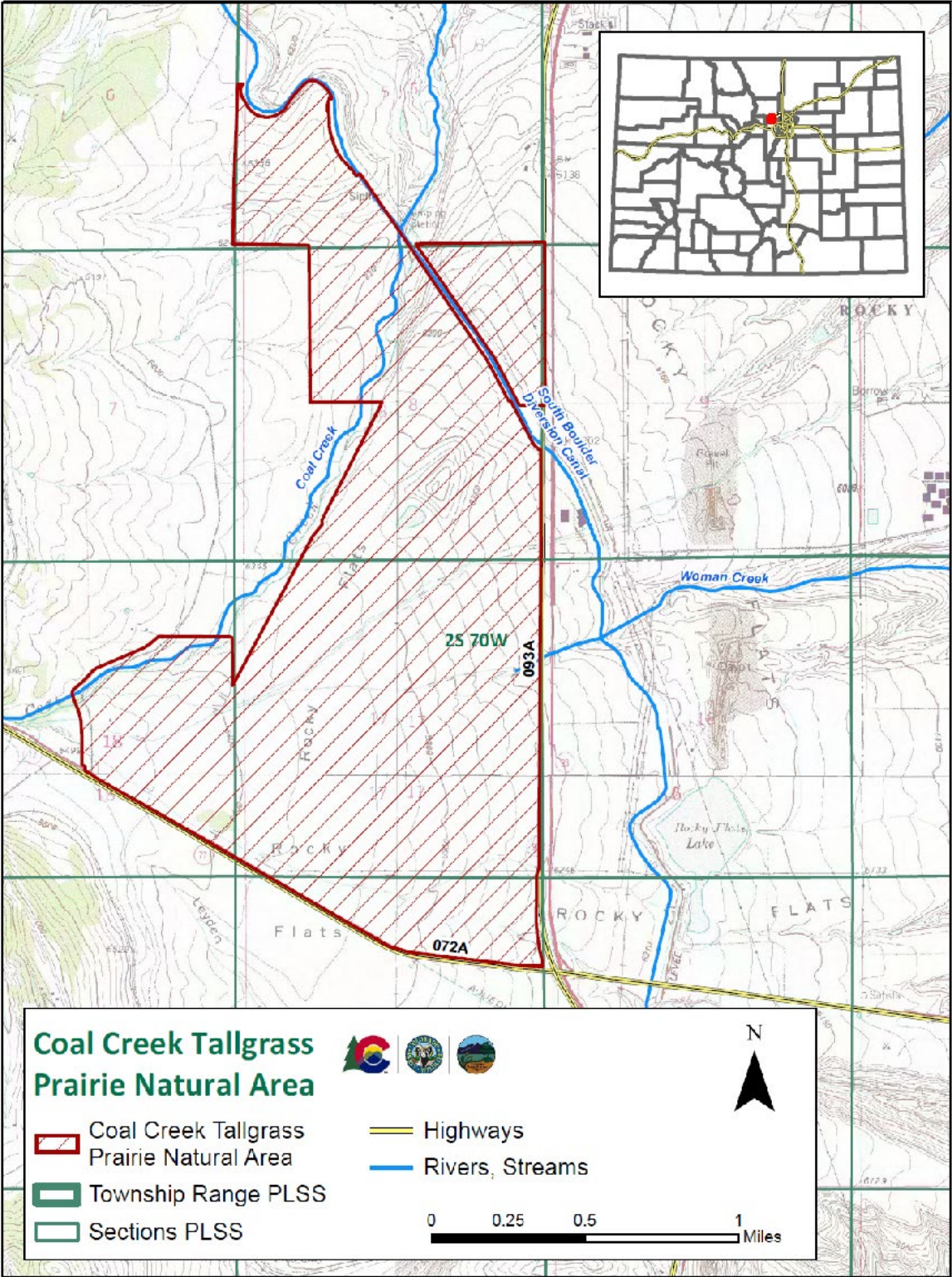
**Township 2S, Range 70W, 6<sup>th</sup> Prime Meridian**

<b>Section 5:</b> SW ¼ of the SW ¼; Portion of the SE ¼ of the SW ¼; Portion of the NW ¼ of the SW ¼; Portion of the NE ¼ of the SW ¼; Portion of the SE ¼ of the NW ¼; Portion of the SW ¼ of the NW ¼; Portion of the SW ¼ of the SE ¼	119.96 acres
<b>Section 8:</b> NE ¼; SE ¼; E ½ of the NW ¼; Portion of the NE ¼ of the SW ¼; Portion of the SE ¼ of the SW ¼; Portion of the SW ¼ of the SW ¼	454.85 acres
<b>Section 17:</b> NE ¼; SE ¼; SW ¼; E ½ of the NW ¼; Portion of the SW ¼ of the NW ¼; Portion of the NW ¼ of the NW ¼	592.61 acres
<b>Section 18:</b> SE ¼ of the NE ¼; Portion of the SW ¼ of the NE ¼; NE ¼ of the SE ¼; Portion of the SE ¼ of the SE ¼; Portion of the SW ¼ of the SE ¼; Portion of the NW ¼ of the SE ¼; Portion of the SE ¼ of the NW ¼	167.85 acres
<b>Section 20:</b> N ½ of the NE ¼; Portion of the SE ¼ of the NE ¼; Portion of the SW ¼ of the NE ¼; Portion of the NE ¼ of the NW ¼; Portion of the NW ¼ of the NW ¼	134.79 acres

**County of Jefferson  
State of Colorado**

**Contains 1470.06 acres**

**EXHIBIT B  
COAL CREEK TALLGRASS PRAIRIE NATURAL AREA BOUNDARY MAP**



**EXHIBIT C**

**NATURAL FEATURES KNOWN TO OCCUR ON COAL CREEK TALLGRASS PRAIRIE  
NATURAL AREA (AS OF 2022)**

Natural Feature/Element Scientific Name	Natural Feature/Element Common Name	CNHP/ NatureServe Rank	State Wildlife Action Plan (SWAP) Rank
<b>Rare and Sensitive Plant Species</b>			
<i>Asclepias stenophylla</i>	Slimleaf milkweed	G4/G5 S2	
<i>Carex oreocharis</i>	Grassy slope sedge	G3/S2	
<b>Rare and Sensitive Wildlife Species</b>			
<i>Haliaeetus leucocephalus</i>	Bald eagle	G5/S1B, S3N	Tier 2
<i>Aquila chrysaetos</i>	Golden eagle	G5/S3S4B,S4N	Tier 1
<i>Falco mexicanus</i>	Prairie falcon	G5/S4B,S4N	Tier 2
<i>Falco peregrinus</i>	Peregrine falcon	G4S2	Tier 2
<i>Circus cyaneus</i>	Northern harrier	G5S3	Tier 2
<i>Ammodramus savannarum</i>	Grasshopper sparrow	G4S4	Tier 2
<i>Passerina amoena</i>	Lazuli bunting	G5S5	Tier 2
<i>Lithobates pipiens</i>	Northern leopard frog	G5S3	Tier 1
<i>Cynomys ludovicianus</i>	Black-tailed prairie dog	G4S3	Tier 2
<b>Rare/Sensitive Insect Species</b>			
<i>Hesperia ottoe</i>	Ottoe Skipper	G3G4/S2	Tier 2
<i>Euphyes bimacula</i>	Two-spotted skipper	S2G4	Tier 2
<i>Speyeria idalia</i>	Regal fritillary	G3S1	Tier 2
<i>Hesperia leonardus pawnee</i>	Leonard's Pawnee skipper	G5S1	
<i>Polites origenes</i>	Crossline skipper	G5S3	
<b>Rare/Sensitive Plant Communities</b>			
<i>Andropogon gerardii</i> - <i>Sorghastrum nutans</i> Western Great Plains Herbaceous Vegetation	Mesic Tallgrass Prairie	G2S2	
<i>Andropogon gerardii</i> - <i>Schizachyrium scoparium</i> Western Great Plains Herbaceous Vegetation	Xeric Tallgrass Prairie	G2?S2	
<i>Andropogon gerardii</i> - <i>Sporobolus heterolepis</i> Western Foothills Grassland	Xeric Tallgrass Prairie	G2S1	
<i>Pascopyrum smithii</i> - <i>Nassella viridula</i> Grassland	Western wheatgrass-green needlegrass Great Plains Mixed Grass Prairie	G3G4/S1	
<i>Pascopyrum smithii</i> - <i>Bouteloua gracilis</i> Grassland	Western wheatgrass-blue grama Mixed Grass Prairie	G5S5 (partial tracking)	
<i>Prunus virginiana</i> – ( <i>Prunus Americana</i> ) shrubland	Foothills Riparian Shrubland	G4QS1	
<i>Symphoricarpos occidentalis</i> Shrubland	Snowberry Shrubland	G4G5/S4 (partial tracking)	

<i>Populus deltoides</i> - ( <i>Salix amygdaloides</i> )/ <i>Salix (exigua, interior)</i> Floodplain Woodland	Plains Cottonwood Riparian Woodland	G3G4S3	
<i>Populus angustifolia</i> / <i>Salix irrorata</i> Riparian Woodland	Foothills Riparian Woodland	G2S2	



## Coal Creek Tallgrass Prairie Natural Area: CNAP Designation Information

### **What is the Colorado Natural Areas Program?**

The Colorado Natural Areas Program (CNAP) is a statewide conservation program created in 1977 by the Colorado Natural Areas Act (C.R.S. 33-33). The Program is housed within Colorado Parks and Wildlife (CPW) and is advised by the Colorado Natural Areas Council (CNAC), a seven member Governor appointed board. CNAP's statewide system of natural areas highlights and supports the protection of Colorado's most rare and unique natural features. State natural area designations are accomplished through voluntary conservation agreements with landowners. In addition, CNAP serves as Colorado state government's lead in rare plant conservation.

### **Where is Coal Creek Tallgrass Prairie Natural Area located?**

Coal Creek Tallgrass Prairie Natural Area includes 1,470 acres and is located in Jefferson County. It is directly to the west of Rocky Flats National Wildlife Refuge with Highway 93 as the eastern border and Highway 72 on the south border. Coal Creek runs adjacent to the west. The property is owned and managed by the City of Boulder Open Space and Mountain Parks (OSMP).

### **Why is Coal Creek Tallgrass Prairie being considered for State Natural Area designation?**

Coal Creek Tallgrass Prairie contains multiple natural features that are considered significant in Colorado. The property contains a high-quality remnant of a once-extensive area of tallgrass prairie on the glacial outwash surfaces that dot portions of the Front Range. The tallgrass prairie remnant contains a unique and distinctive blend of Great Plains and Southern Rocky Mountain montane plant communities. The property also contains numerous rare plant species, wildlife species of greatest conservation need, and rare butterfly species associated with the tallgrass prairie plant community.

### **What would designation as a State Natural Area mean for Coal Creek Tallgrass Prairie?**

State Natural Area designation would add Coal Creek Tallgrass Prairie to the statewide Natural Areas System and recognize the site for its significant natural features and value in Colorado's rich natural heritage. The Colorado Natural Areas Program and City of Boulder OSMP would enter into a voluntary conservation agreement through Articles of Designation stating that the parties would work together to collaboratively monitor and report on the site's natural features. The City of Boulder OSMP retains all ownership and management authority. All management including access to the property are entirely the responsibility of the City of Boulder. Through the Articles of Designation, the City of Boulder agrees to manage the property to conserve and protect the natural features for which the property is designated for.

### **What are the next steps in the designation process?**

Coal Creek Tallgrass Prairie is currently a Registered State Natural Area, meaning that the City of Boulder and the Colorado Natural Areas Program (CNAP) has agreed that the property meets the criteria to

become a designated State Natural Area. CNAP and the City of Boulder OSMP are currently pursuing designation of the property. The Jefferson County Board of Commissioners was notified at least 90 days prior to final designation approval, pursuant to C.R.S 33-33-105(1)(j). The Jefferson County Board of County Commissioners requested a public hearing which was held on May 4<sup>th</sup>, 2023 at a Jefferson County Open Space Advisory Committee Hearing. CNAP and City of Boulder OSMP staff presented at that public meeting. The Articles of Designation need to be approved by the Colorado Parks and Wildlife Commission, which will take place at the June 2023 meeting, where public input may be given. After approval by the Colorado Parks and Wildlife Commission, the Articles of Designation will be signed by both parties, a Certificate of Designation will be signed by both the Governor of Colorado and Executive Director of the Colorado Department of Natural Resources, and a Notice of Designation will be filed with the Jefferson County Clerk and Recorder.

**Where can I find more information on the Colorado Natural Areas Program?**

Additional information about CNAP and State Natural Areas can found on [CNAP's website](https://cpw.state.co.us/aboutus/Pages/CNAP.aspx) (<https://cpw.state.co.us/aboutus/Pages/CNAP.aspx>). Helpful resources within the website include: storymaps to [introduce you to CNAP](#), [explore State Natural Areas](#), [latest triennial report](#), learn about [sites open to visitation](#), [benefits of designation](#), [volunteer monitoring program](#), and the seven member Governor-appointed [Colorado Natural Areas Council](#).

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

**WHITE ROCKS NATURAL AREA  
ARTICLES OF DESIGNATION  
(Amended and Restated)**

These Articles of Designation (“Articles”) made this \_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the State of Colorado acting by and through the Department of Natural Resources, Division of Parks and Wildlife (the “Division”), located at 6060 Broadway, Denver, Colorado 80216, and the City of Boulder, a Colorado home rule city, through its Open Space and Mountain Parks Department (the “City”), located at 1777 Broadway, Boulder, Colorado 80302, (the Division and the City are collectively referred to as the “Parties”).

**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 Colorado Parks and Wildlife Commission (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 approximately 1,477 acres situated in Boulder County, Colorado, as described in Exhibit A and shown for illustrative purposes only in Exhibit B. A portion of this acreage, 104.62 acres, is known as the White Rocks Natural Area, which was originally designated as a Natural Area on June 26, 1979; and

**WHEREAS** the Parties are modifying the boundary of the existing White Rocks Natural Area by adding 1,372 acres to include additional geologic formations and other natural features, which area is further described and illustrated in Exhibits A and B (the existing White Rocks Natural Area and the additional acreage, for a total of 1476.62 acres, are referred to herein as 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** the original White Rocks Natural Area Articles of Designation can be amended as declared in paragraph nine of the White Rocks Articles of Designation dated June 26, 1979.

**WHEREAS** the original White Rocks Natural Area was designated in 1979 prior to the enactment of C.R.S. § 33-33-105(1)(j). However, the Division notified the Board of County Commissioners of Boulder County of the proposed amendments to the designation of the White Rocks Natural Area on February 10, 2023 and the Board of County Commissioners did not request a public hearing.

**WHEREAS** at its meeting dated June 22, 2023, the Commission has determined, pursuant to its criteria, that the additional acreage is a Natural Area and that it would be desirable to include the additional acreage within the Colorado Natural Areas System, such that the Property will be designated as one Colorado Natural Area; 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 recommendation of the Council, the Property shall become a designated Natural Area and part of the Colorado Natural Areas System. Said designated Natural Area, including the amended acreage, shall be known as the White Rocks Natural Area.
2. **Management Agreement.** Pursuant to C.R.S. § 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 in writing 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, and that the Property shall be maintained as a Natural Area, for scientific, education, and other purposes pursuant to C.R.S. § 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 contains an outstanding geologic feature known as the White Rocks, a large outcropping of Fox Hills Sandstone originating from the late Cretaceous period; exhibits especially well manifested polygonal jointing, and unusual topographic characteristic known as “turtlebacks”; and fossilized burrows of marine shrimp dated from the late Cretaceous period.
  - B. The Property contains four state rare plant species including: black spleenwort (*Asplenium adiantum-nigrum*), forked three-awn grass (*Aristida basiramea*), American groundnut (*Apios americana*), and smooth hornwort (*Phaeceros laevis*). The federally threatened Ute ladies’-tresses (*Spiranthes diluvialis*) also occurs on the Property. See Exhibit C for a complete list of rare plant species known to occur on the Property.



- C. The Property contains numerous wildlife species of greatest conservation need and their habitat, including: bald eagle, northern harrier, prairie falcon, grasshopper sparrow, northern leopard frog, and plains topminnow. See Exhibit C for a complete list of known wildlife species of greatest conservation need known to occur on the Property.
- D. The Property contains a unique assemblage of plant communities, many of which are tracked plant communities, including: *Carex pellita* Wet meadow, *Spartina pectinata* Western wet meadow, and *Hesperostipa comata* Colorado Front Range grassland. See Exhibit C for a complete list of tracked plant communities known to occur on the Property.
- E. As a result of these attributes, the Property provides the following benefits, among others:
  - 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 provides habitat for species of greatest conservation need; and
  - iii. It serves as an area having outstanding geologic formations and features illustrating geological processes; and
  - iv. It serves as an outdoor classroom and laboratory for scientific research and study in the geological, biological, and ecological sciences.

4. **Rights and Duties of the Division.**

- A. The Division shall list the Property as a designated Natural Area of the Colorado Natural Areas System, provide the City with a signed Certificate of Designation and a signed copy of the Articles of Designation indicating said designation, and record the Articles of Designation with the Boulder County Clerk and Recorder.
- B. The Division has no authority to grant access to the Property without the consent of the City.
- C. 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.
- D. 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.

- E. 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 consistent with all applicable federal and state laws and City planning documents and ordinances and any future amendments and revisions thereto.
- 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 City will manage the Property 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 assume 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.

8. **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.
9. **Notice**. All notices to be given pursuant to these Articles shall be in writing and shall be by electronic mail or 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.
10. **Amendments**. These Articles may be amended in writing by the parties hereto with approval of the Commission and Council pursuant to C.R.S. § 33-33-108(3).
11. **Counterparts**. These Articles may be executed in multiple identical and original counterparts, all of which shall constitute one agreement.
12. **Entire Understanding**. These Articles amend, restate, and replace in their entirety the original articles of designation for the White Rocks Natural Area, dated June 26, 1979. These Articles represent the entire agreement and understanding of the parties hereto and supersede the prior articles of designation and any other prior agreements, representations, and understandings related to the White Rocks Natural Area.

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

**STATE OF COLORADO**

acting through the  
Department of Natural Resources  
Division of Parks and Wildlife

\_\_\_\_\_  
Jeff Davis  
Director

\_\_\_\_\_  
Date

**CITY OF BOULDER,  
a Colorado home rule City**

By: \_\_\_\_\_  
Nuria Rivera-Vandermyde, City Manager

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney's Office

Reviewed and recommended by the Colorado Natural Areas Council in its advisory capacity:

**COLORADO NATURAL AREAS COUNCIL**

\_\_\_\_\_  
Name of signatory  
Chair

\_\_\_\_\_  
Date

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY  
WHITE ROCKS NATURAL AREA**

**Township 14S, Range 70W, 6<sup>th</sup> Prime Meridian**

**Section 13:** SE  $\frac{1}{4}$ ; SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; Portion of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; Portion of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; Portion of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  258.10 acres

**Section 17:** 17: N  $\frac{1}{2}$  of the SE  $\frac{1}{4}$ ; S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ ; NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; Portion of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ ; NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Portion of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ; Portion of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; Portion of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  537.20 acres

**Section 18:** N  $\frac{1}{2}$  of Section 18; N  $\frac{1}{2}$  of the SE  $\frac{1}{4}$ ; Portion of SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; Portion of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ; SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; Portion of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  637.21 acres

**Section 19:** Portion of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Portion of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  4.98 acres

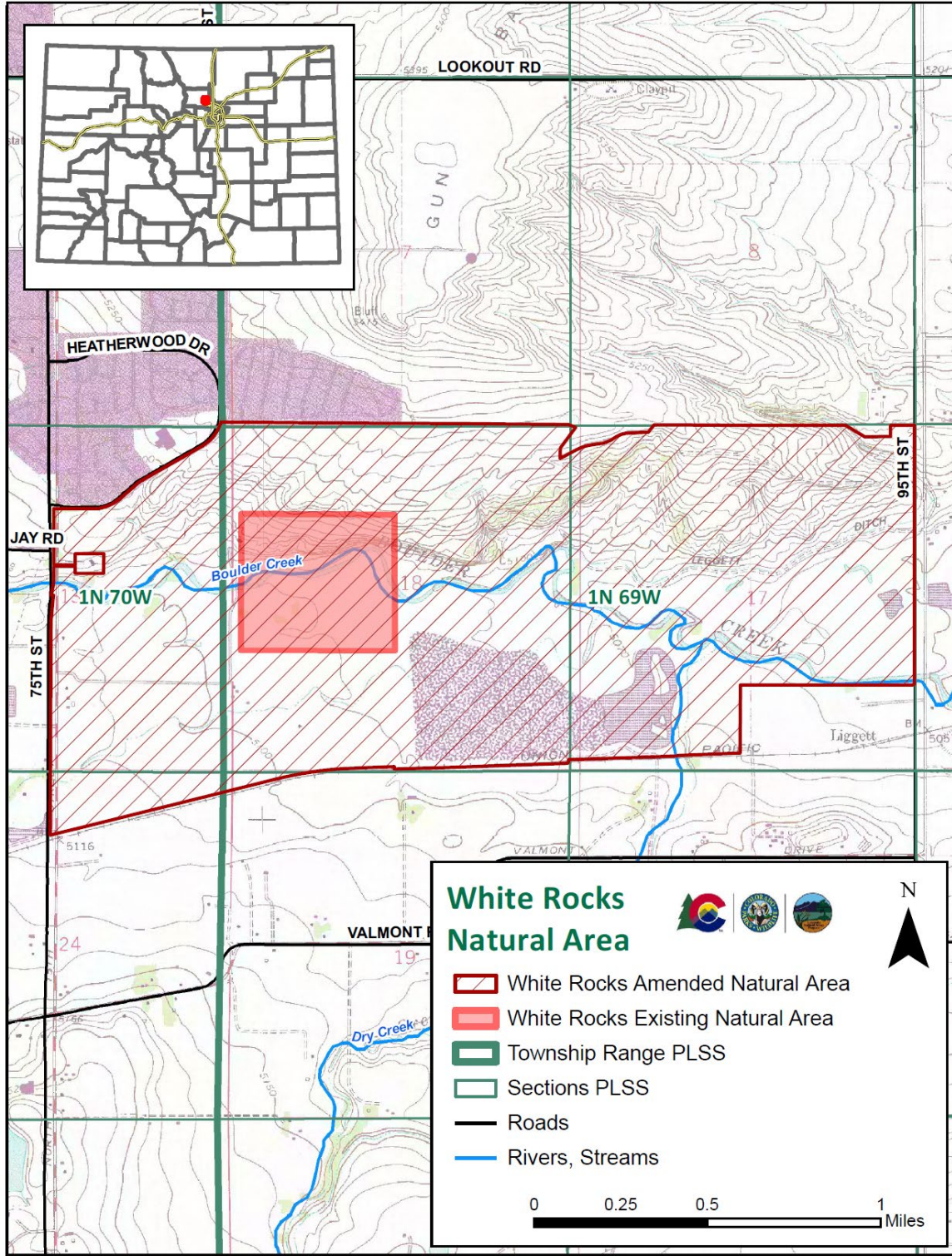
**Section 24:** Portion of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; Portion of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  39.25 acres

**County of Boulder  
State of Colorado**

**Contains 1476.62 acres**

**EXHIBIT B**

**WHITE ROCKS NATURAL AREA BOUNDARY MAP**



## EXHIBIT C

### NATURAL FEATURES KNOWN OCCUR AT WHITE ROCKS NATURAL AREA (as of 2022)

Natural Feature/Element Scientific Name	Natural Feature/Element Common name	CNHP/ NatureServe Rank	State Wildlife Action Plan (SWAP) Rank	Federal ESA Rank
<b>Rare/Sensitive Plant Species</b>				
<i>Asplenium adiantum-nigrum</i>	Black spleenwort	G5/S1		
<i>Aristida basiramea</i>	Forked three-awn grass	G5/S1		
<i>Apios americana</i>	American groundnut	G5/S1		
<i>Spiranthes diluvialis</i>	Ute ladies'-tresses	G2G3/S2	Tier 1	Threatened
<i>Eustoma grandiflorum</i>	Showy prairie gentian	G5T5/S3S4; Watchlisted only		
<i>Phaeoceros laevis</i>	Smooth hornwort	GNR/S1S3		
<b>Rare/Sensitive Wildlife Species</b>				
<i>Haliaeetus leucocephalus</i>	Bald eagle	G5/S1B,S3N	Tier 2	
<i>Circus cyaneus</i>	Northern harrier	G5/S3	Tier 2	
<i>Ammodramus savannarum</i>	Grasshopper sparrow	G4/S4	Tier 2	
<i>Falco mexicanus</i>	Prairie falcon	G5/S4B,S4N	Tier 2	
<i>Cynomys ludovicianus</i>	Black-tailed prairie dog	G4/S3	Tier 2	
<i>Lithobates pipiens</i>	Northern leopard frog	G5/S3	Tier 1	
<i>Fundulus sciadicus</i>	Plains topminnow	G4/SH	Tier 1	
<b>Rare and Sensitive Plant Communities</b>				
<i>Carex emoryi</i> Herbaceous Vegetation	Emory Sedge Herbaceous Vegetation	G4G5/SU		
<i>Carex pellita</i> Wet Meadow	Woolly Sedge Herbaceous Vegetation	G3/S2		
<i>Carex praeegracilis</i> Wet Meadow	Clustered Field Sedge Herbaceous Vegetation	G3G4/S2		
<i>Spartina pectinata</i> Western Wet Meadow	Prairie Cordgrass Herbaceous Vegetation	G3?/S2		
<i>Schoenoplectus pungens</i> Marsh	Threesquare Wet Meadow Herbaceous Vegetation	G3G4/S3		
<i>Prunus virginiana</i> – ( <i>Prunus Americana</i> ) shrubland	Foothills Riparian shrubland	G4Q/S1		
<i>Populus deltoides</i> - ( <i>Salix amygdaloides</i> ) / <i>Salix (exigua, interior)</i> Floodplain Woodland	Eastern Cottonwood - (Peachleaf Willow) / (Coyote Willow, Sandbar Willow) Woodland	G3G4/S3		
<i>Andropogon gerardii</i> - <i>Schizachyrium scoparium</i> Western Great Plains Herbaceous Vegetation	Big Bluestem - Little Bluestem Western Great Plains Herbaceous Vegetation	G2?/S2		

<i>Hesperostipa comata</i> Colorado Front Range Grassland	Needle-and-Thread Colorado Front Range Herbaceous Vegetation	G1G2/S2		
<b>Rare/Sensitive Insect Species</b>				
<i>Aphaenogaster huachucana</i>		G2		
<b>Significant Geologic/Paleontological Features</b>				
Outcropping of Fox Hills Sandstone	Description: Large Foxhill sandstone outcrop from late Cretaceous period (about 65 MYA); fossilized burrows of marine shrimp (60-65 MYA); two smaller outcrops of Pierre shale; large tubular rocks thought to be created from groundwater channels where harder minerals were deposited from the water; humps of rocks with polygonal joints (turtlebacks)			



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

**COLORADO TALLGRASS PRAIRIE NATURAL AREA  
ARTICLES OF DESIGNATION  
(Amended and Restated)**

These Articles of Designation (“Articles”) made this \_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the State of Colorado acting by and through the Department of Natural Resources, Colorado Division of Parks and Wildlife (the “Division”), located at 6060 Broadway, Denver, Colorado 80216, and the City of Boulder, a Colorado home rule city, through its Open Space and Mountain Parks Department (the “City”), located at 1777 Broadway, Boulder, Colorado 80302, (the Division and the City are collectively referred to as the “Parties”).

**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 Colorado Parks and Wildlife Commission (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 approximately 1,347 acres situated in Boulder County, Colorado, as described in Exhibit A and shown for illustrative purposes only in Exhibit B. A portion of this acreage, 268.48 acres, is known as the Colorado Tallgrass Prairie Natural Area, which was originally designated as a Natural Area on November 20, 1984; and

**WHEREAS** the Parties are modifying the boundary of the existing Colorado Tallgrass Prairie Natural Area by adding 1,078 acres to include additional examples of high-quality tallgrass prairie, which area is further described and illustrated in Exhibits A and B (the existing Colorado Tallgrass Prairie Natural Area and the additional acreage, for a total of 1346.48 acres, are referred to herein as 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** the Colorado Tallgrass Prairie Natural Area Articles of Designation can be amended

as declared in paragraph eight of the Colorado Tallgrass Prairie Articles of Designation dated November 20, 1984.

**WHEREAS** the original Colorado Tallgrass Prairie Natural Area was first designated in 1979, prior to the enactment of C.R.S. § 33-33-105(1)(j). However, the Division notified the Board of County Commissioners of Boulder County of the proposed amendments to the designation of the Colorado Tallgrass Prairie Natural Area on February 10, 2023 and the Board of County Commissioners did not request a public hearing.

**WHEREAS** at its meeting dated June 22, 2023, the Commission has determined, pursuant to its criteria, that the additional acreage is a Natural Area and that it would be desirable to include the additional acreage within the Colorado Natural Areas System, such that the Property will be designated as one Colorado Natural Area; 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 recommendation of the Council, the Property shall become a designated Natural Area and part of the Colorado Natural Areas System. Said designated Natural Area, including the additional acreage, shall be known as the Colorado Tallgrass Prairie Natural Area.
2. **Management Agreement.** Pursuant to C.R.S. § 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 in writing 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, and that the Property shall be maintained as a Natural Area for scientific, education, and other purposes pursuant to C.R.S. § 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 contains high-quality examples of globally imperiled mesic and xeric tallgrass prairie community remnants. See Exhibit C for a complete list of tracked plant communities known to occur on the Property.
  - B. The Property contains numerous rare plant species including Ute ladies'-tresses (*Spiranthes diluvialis*, federally threatened), prairie violet (*Viola pedatifida*), slimleaf milkweed (*Asclepias stenophylla*), and dwarf leadplant (*Amorpha nana*). See Exhibit C for a complete list of rare plants known to occur on the Property.

- C. The Property contains numerous wildlife species of greatest conservation need associated with the tallgrass prairie communities and other associated habitat including: golden eagle, prairie falcon, grasshopper sparrow, bobolink, burrowing owl, Preble's meadow jumping mouse, and northern leopard frog. See Exhibit C for a complete list of wildlife species of greatest conservation need known to occur on the Property.
- D. The Property contains numerous rare butterfly species associated with the tallgrass prairie communities including: Ottoe skipper, regal fritillary, and two-spotted skipper. See Exhibit C for a complete list of rare insects known to occur on the Property.
- E. As a result of these attributes, the Property provides the following benefits, among others:
  - i. It serves as an example of the native condition in studies related to plant communities, soil quality, and habitat productivity and can serve as a baseline for re-establishing or restoring native condition.
  - ii. 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
  - iii. It provides habitat for species of greatest conservation need; and
  - iv. It serves as an outdoor classroom and laboratory for scientific research and study in the geological, biological, and ecological sciences.

4. **Rights and Duties of the Division.**

- A. The Division shall list the Property as a designated Natural Area of the Colorado Natural Areas System, provide the City with a signed Certificate of Designation and a signed copy of the Articles of Designation indicating said designation, and record the Articles of Designation with the Boulder County Clerk and Recorder.
- B. The Division has no authority to grant access to the Property without the consent of the City.
- C. 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.
- D. 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.

- E. 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 consistent with all applicable federal and state laws and City planning documents and ordinances and any future amendments and revisions thereto.
- 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 City will manage the Property 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 assume 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.

8. **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.
9. **Notice**. All notices to be given pursuant to these Articles shall be in writing and shall be by electronic mail or 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.
10. **Amendments**. These Articles may be amended in writing by the parties hereto with approval of the Commission and Council pursuant to C.R.S. § 33-33-108(3).
11. **Counterparts**. These Articles may be executed in multiple identical and original counterparts, all of which shall constitute one agreement.
12. **Entire Understanding**. These Articles amend, restate, and replace in their entirety the original articles of designation for the Colorado Tallgrass Prairie Natural Area, dated November 29, 1984. These Articles represent the entire agreement and understanding of the parties hereto and supersede the prior articles of designation and any other prior agreements, representations, and understandings related to the Colorado Tallgrass Prairie Natural Area.

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

**STATE OF COLORADO**  
**acting by and through the**  
Department of Natural Resources

Division of Parks and Wildlife

\_\_\_\_\_  
Jeff Davis  
Director

\_\_\_\_\_  
Date

**CITY OF BOULDER,**  
**a Colorado home rule City**

By: \_\_\_\_\_  
Nuria Rivera-Vandermyde, City Manager

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney's Office

Reviewed and recommended by the Colorado Natural Areas Council in its advisory capacity:

**COLORADO NATURAL AREAS COUNCIL**

\_\_\_\_\_  
Name of signatory  
Chair

\_\_\_\_\_  
Date

## EXHIBIT A

### LEGAL DESCRIPTION OF THE PROPERTY COLORADO TALLGRASS PRAIRIE NATURAL AREA

#### Township 1S, Range 70W, 6<sup>th</sup> Prime Meridian

<b>Section 10:</b> 10: Portion of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ ; Portion of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ ; Portion of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ ; Portion of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ ; Portion of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$	62.76 acres
<b>Section 11:</b> Portion of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ ; Portion of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ ; Portion of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ ; Portion of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$	92.11 acres
<b>Section 14:</b> Portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$	115.38 acres
<b>Section 15:</b> NE $\frac{1}{4}$ ; Portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ ; Portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ ; Portion of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$	289.99 acres
<b>Section 16:</b> Portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ ; Portion of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ ; Portion of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$	124.81 acres
<b>Section 17:</b> Portion of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ ; Portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ ; Portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ ; Portion of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ ; SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ ; Portion of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ ; Portion of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ ; Portion of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ ; Portion of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$	250.83 acres
<b>Section 20:</b> NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ ; Portion of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ ; Portion of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ ; Portion of the NE of the SE $\frac{1}{4}$ ; NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ ; Portion of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ ; Portion of the SE $\frac{1}{4}$ of	355.65 acres

the SW  $\frac{1}{4}$ ; Portion of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; Portion  
of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$

**Section 21:** Portion of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Portion of the  
SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Portion of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ;  
SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$

55.31 acres

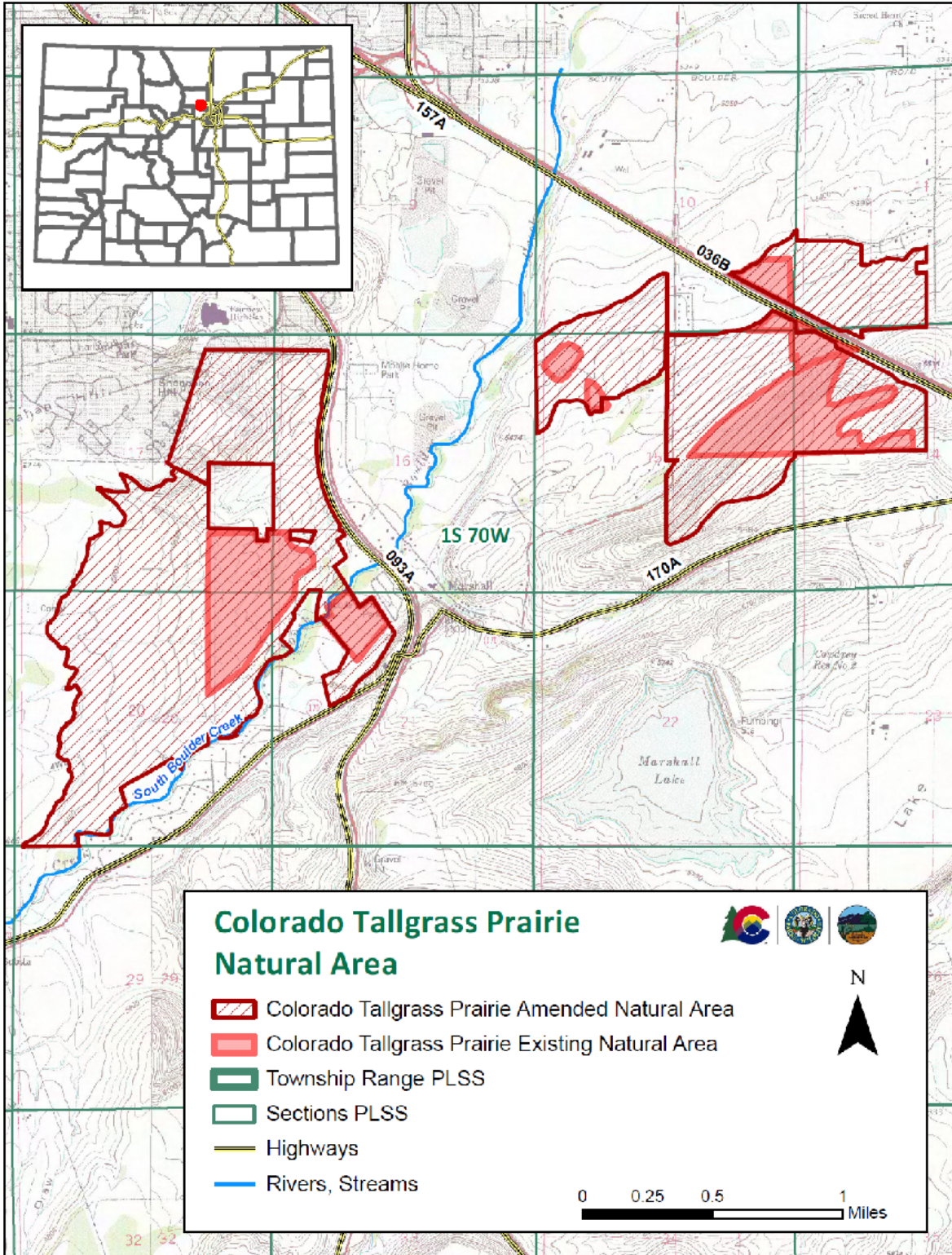
**County of Boulder**  
**State of Colorado**

**Contains 1346.84 acres**



**EXHIBIT B**

**COLORADO TALLGRASS PRAIRIE NATURAL AREA BOUNDARY MAP**



**EXHIBIT C**

**NATURAL FEATURES KNOWN OCCUR AT COLORADO TALLGRASS PRAIRIE  
NATURAL AREA  
(as of 2022)**

<b>Natural Feature/Element Scientific Name</b>	<b>Natural Feature/Element Common name</b>	<b>CNHP/ NatureServe Rank</b>	<b>State Wildlife Action Plan (SWAP) Rank</b>	<b>Federal ESA Listing</b>
<b>Rare/Sensitive Plant Species</b>				
<i>Amorpha nana</i>	Dwarf leadplant	G5/S2		
<i>Apios americana</i>	American groundnut	G5/S1 (potential occurrence)		
<i>Aristida basiramea</i>	Forked three-awn grass	G5/S2 (potential occurrence)		
<i>Asclepias stenophylla</i>	Slimleaf Milkweed	G4/G5 S2		
<i>Carex crawei</i>	Craw sedge	G5/S1		
<i>Spiranthes diluvialis</i>	Ute ladies'-tresses	G2G3/S2	Tier 1	Threatened
<i>Viola pedatifida</i>	Prairie Violet	G5/S2		
<b>Rare/Sensitive Wildlife Species</b>				
<i>Dolichonyx oryzivorus</i>	Bobolink	G5/S3B	Tier 2	
<i>Zapus hudsonius preblei</i>	Preble's meadow jumping mouse	G5T2/S1	Tier 1	Threatened
<i>Haliaeetus leucocephalus</i>	Bald eagle	G5/S1B, S3N	Tier 2	
<i>Aquila chrysaetos</i>	Golden eagle	G5/S3S4B,S4N	Tier 1	
<i>Athene cunicularia</i>	Burrowing owl	G4/S4B	Tier 1	
<i>Falco mexicanus</i>	Prairie falcon	G5/S4B,S4N	Tier 2	
<i>Falco peregrinus</i>	Peregrine falcon	G4/S2	Tier 2	
<i>Circus cyaneus</i>	Northern harrier	G5/S3	Tier 2	
<i>Ammodramus savannarum</i>	Grasshopper sparrow	G4/S4	Tier 2	
<i>Fundulus sciadicus</i>	Plains topminnow	G4/SH	Tier 1	
<i>Lithobates pipiens</i>	Northern leopard frog	G5/S3	Tier 1	
<i>Cynomys ludovicianus</i>	Black-tailed prairie dog	G4/S3	Tier 2	
<b>Rare/Sensitive Insect Species</b>				
<i>Hesperia ottoe</i>	Ottoe Skipper	G3G4/S2	Tier 2	
<i>Euphyes bimacula</i>	Two-spotted skipper	G4/S2	n/a	
<i>Speyeria idalia</i>	Regal fritillary	G3/S1	n/a	
<i>Hesperia leonardus pawnee</i>	Leonard's Pawnee skipper	G5/S1	n/a	
<i>Polites origenes</i>	Crossline skipper	G5/S3	n/a	
<b>Rare/Sensitive Plant Communities</b>				

<i>Andropogon gerardii</i> - <i>Sorghastrum nutans</i> Western Great Plains Herbaceous Vegetation	Mesic Tallgrass Prairie	G2/S2		
<i>Andropogon gerardii</i> - <i>Schizachyrium scoparium</i> Western Great Plains Herbaceous Vegetation	Xeric Tallgrass Prairie	G2?/S2		
<i>Andropogon gerardii</i> - <i>Sporobolus</i> <i>heterolepis</i> Western Foothills Grassland	Xeric Tallgrass Prairie	G2/S1		
<i>Pascopyrum smithii</i> - <i>Nassella</i> <i>viridula</i> Grassland	Western wheatgrass-green needlegrass Great Plains Mixed Grass Prairie	G3G4/S1		
<i>Carex pellita</i> Wet Meadow	Woolly sedge Montane Wet Meadows	G3/S2		
<i>Carex praegracilis</i> Wet Meadow	Clustered Sedge Wetland	G3G4/S2		
<i>Schoenoplectus pungens</i> Marsh	Common Threesquare Marsh	G3G4/S3		
<i>Spartina pectinata</i> Western Wet Meadow	Prairie Slough Grass	G3?/S2		
<i>Prunus virginiana</i> – ( <i>Prunus</i> <i>Americana</i> ) shrubland	Foothills Riparian Shrubland	G4Q/S1		
<i>Populus deltoides</i> - ( <i>Salix</i> <i>amygdaloides</i> ) / <i>Salix (exigua,</i> <i>interior)</i> Floodplain Woodland	Plains Cottonwood Riparian Woodland	G3G4/S3		
<i>Populus angustifolia</i> / <i>Salix</i> <i>irrorata</i> Riparian Woodland	Foothills Riparian Woodland	G2/S2		



## Colorado Tallgrass Prairie & White Rocks Natural Areas: Amendment Information

### **What is the Colorado Natural Areas Program?**

The Colorado Natural Areas Program (CNAP) is a statewide conservation program created in 1977 by the Colorado Natural Areas Act (C.R.S. 33-33). The Program is housed within Colorado Parks and Wildlife (CPW) and is advised by the Colorado Natural Areas Council (CNAC), a seven member Governor appointed board. CNAP's statewide system of Natural Areas highlights and supports the protection of Colorado's most rare and unique natural features. State Natural Area designations are accomplished through voluntary conservation agreements with landowners. In addition, CNAP serves as Colorado state government's lead in rare plant conservation.

### **Where are Colorado Tallgrass Prairie and White Rocks State Natural Areas located?**

The original Colorado Tallgrass Prairie Natural Area was designated in 1984, includes 269 acres, and is located southeast of Boulder near Hwy 36 and Davidson Mesa. The proposed boundary amendment for Colorado Tallgrass Prairie Natural Area includes an additional 1,078 acres. White Rocks Natural Area was originally designated in 1979, includes 105 acres, and is located just east of Boulder. The proposed boundary amendment for White Rocks Natural Area includes an additional 1,372 acres. Maps of the original and proposed acreage can be found within the Articles of Designation for the properties. Both properties are owned and managed by the City of Boulder Open Space and Mountain Parks (OSMP).

### **Why are there proposed boundary amendments for Colorado Tallgrass Prairie and White Rocks Natural Areas and what are the benefits of proposed boundary amendments?**

The original parcels for the Colorado Tallgrass Natural Area are relatively small and expanding the acreage will better highlight and conserve Boulder's remnant tallgrass prairies through a more meaningful natural area design. The new boundaries will help protect the imperiled tallgrass prairie communities and the associated flora and fauna species. Additionally, the proposed additions will increase connectivity between existing State Natural Areas (South Boulder Creek and Boulder Mountain Park).

Expanding the acreage for White Rocks Natural Area will include a larger portion of the White Rocks formation, an outstanding geologic feature of Fox Hills sandstone originating from the Cretaceous period and known as "turtlebacks". The expansion will also encompass additional habitat for rare plant species, unique assemblages of plant communities, and numerous wildlife species of greatest conservation need. The expansion of the State Natural Area will better highlight and protect White Rocks and the adjacent Boulder Creek riparian area through a more meaningful natural area design.

Through the amended Articles of Designation, the City of Boulder agrees to manage the properties to conserve and protect the natural features for which the properties are designated for. The City of

Boulder continues to retain all ownership and management authority, including access to the properties.

### **What are the next steps in the amendment process?**

CNAP and the City of Boulder OSMP are currently pursuing the expansion of both Colorado Tallgrass Prairie and White Rocks Natural Areas. Because these are significant boundary expansion amendments to the current designations, we have notified the Boulder County Board of Commissioners prior to final approval. The Boulder County Board of County Commissioners did not request to hold a public hearing. The amended Articles of Designation for both properties need to be approved by the Colorado Parks and Wildlife Commission which will take place at the June 2023 meeting, where public input may be given. After approval by the Colorado Parks and Wildlife Commission, the amended Articles of Designation will be signed by both parties, new Certificates of Designation will be signed by both the Governor of Colorado and Executive Director of the Colorado Department of Natural Resources, and a Notice of Designation will be filed with the Boulder County Clerk and Recorder for both properties.

### **Where can I find more information about the Colorado Natural Areas Program?**

Additional information about CNAP and State Natural Areas can found on [CNAP's website \(https://cpw.state.co.us/aboutus/Pages/CNAP.aspx\)](https://cpw.state.co.us/aboutus/Pages/CNAP.aspx). Helpful resources within the website include: storymaps to [introduce you to CNAP](#), [explore State Natural Areas](#), [latest triennial report](#), learn about [sites open to visitation](#), [benefits of designation](#), [volunteer monitoring program](#), and the seven member Governor-appointed [Colorado Natural Areas Council](#).



## 2023 Colorado Natural Areas Council Information

### **Summary:**

The Colorado Natural Areas Council was established by the [Colorado Natural Areas Act \(C.R.S. 33-33\)](#) in 1977 and serves as an advisory council to the [Colorado Natural Areas Program \(CNAP\)](#).

### **Members:**

The Colorado Natural Areas Council consists of the following members: One member each from the membership of the Parks and Wildlife Commission and the Board of State Land Commissioners, appointed by their respective boards or commissions; and five members appointed by the Governor, who shall be individuals with a substantial interest in the protection of natural areas and who shall serve for four-year terms. No member appointed by the Governor will serve longer than two successive terms.

- More info: [Current member information and bios](#)

### **Duties:**

The Council advises the Parks and Wildlife Commission on the administration of the Colorado Natural Areas Program and recommends the designation of Natural Areas by the Commission (C.R.S. 33-33-106 et seq.). The Council also helps provide strategic direction for the Colorado Natural Areas Program including collaboration on the creation and implementation of a programmatic strategic plan.

- More info: [CNAP strategic plan and vision statement](#)

### **Meetings:**

Members are requested to attend quarterly meetings during the calendar year. The meetings are held in March, June, September and December. The meetings are typically held at the Colorado Parks and Wildlife Headquarters office in Denver and may be in-person, remote, and/or hybrid. The September meeting may be held in conjunction with a field visit to a current or proposed State Natural Area. The meeting length ranges from half to full-day.

- Upcoming 2023 meetings are scheduled for September 28 and December 5
- More info: [Upcoming meetings and past minutes](#)