

Mar. 5, 2013 -- Property Transaction Proposal
Division of Parks and Wildlife

McCluskey State Wildlife Area Hoffman Inholding Perpetual Access and Conservation Easements

Delta County

20 acres

4 miles south of Paonia

Section 33-1-105 (3)(a), C.R.S. states:

In the event that the [Parks and Wildlife] Commission plans to acquire the fee title to any real property or to acquire an easement for a period to exceed 25 years or at a cost to exceed \$100,000 or to enter into any lease agreement for the use of real property for a period to exceed 25 years or at a cost to exceed \$100,000, or to sell or otherwise dispose of the fee title to any real property which has a market value in excess of \$100,000, the Commission shall first submit a report to the Capital Development Committee [CDC] which outlines the anticipated use of the real property, the maintenance costs related to the property, the current value of the property, any conditions or limitations which may restrict the use of the property, and, in the event real property is acquired, the potential liability to the state which will result from such acquisition. The CDC shall review the reports submitted by the Commission and make recommendations to the Commission concerning the proposed land transaction within 30 days from the day on which the report is received. The Commission shall not complete such transactions without considering the recommendations of the CDC, if such recommendations are timely made.

The required report is attached. CDC staff questions about the report are listed below.

Action Required

Recommend support for the acquisition of conservation and perpetual hunting access easements on the McCluskey State Wildlife Area Hoffman Inholding property (\$25,000 CF for 20 acres).

CDC Staff Questions

1. Since the property is an inholding and placing the easements on the property would prevent any development, why is the property owner willing to hold on to the property with the easements rather than sell it in fee title? What use could the owner have for 20 acres of undeveloped land surrounded by a state wildlife area?

The owner is more than willing to convey fee title, because the property will have very little utility once the two easements (conservation and public access) are in place other than as isolated grazing land. However, acquiring these two perpetual easements accomplishes the Parks and Wildlife Division's purposes of protecting the wildlife habitat and opening the property up to the public for hunting opportunities.

Colorado Parks and Wildlife Commission policy directs the division to acquire the minimum interest in real property necessary to accomplish its objectives, and to exhaust other alternatives before seeking a fee title interest in real property.

2. Since the property is currently listed for sale, what is the listed sale price?

The latest asking price of which the division is aware was \$27,000.

Capital Development Committee

February 2013—Property Transaction Proposal

Department of Natural Resources
Division of Parks and Wildlife

Action Required	Pursuant to C.R.S. 33-1-105(3)(a) and C.R.S. 33-10-107(2) recommend to the Colorado Parks and Wildlife Commission support for the Division of Parks and Wildlife's proposal to acquire a perpetual public access easement for hunting and a separate perpetual conservation easement on a 20-acre inholding within McCluskey State Wildlife Area.		
General Information			
Name	McCluskey SWA – Hoffman Inholding AE and CE		
Number of acres	20		
Location	Four miles south of Paonia		
County	Delta		
Costs / Source of Funding			
Purchase Price	\$25,000	Funding Source*	Habitat Stamp Funds
Wildlife Cash – Habitat Stamp	Spending authority has already been approved for this project in the Long Bill		
	Fiscal Year	2012-13	
	Line Item	Land and Water Acquisitions	
	Appropriation	\$6,500,000	
	Remaining Unexpended Balance	\$2,824,129	
Annual Monitoring and Operation Costs	\$334.00	Funding for the monitoring of the property will come from Wildlife Management Line Item under the Division Operations Group in the Long Bill. Amount is based on the cost of an average DWM which includes vehicle costs.	
Development Costs	None	N/A	

Summary of Proposal

Colorado Parks and Wildlife (CPW) wishes to acquire two separate perpetual easements - a public access easement for hunting and a conservation easement - from Patricia K. Hoffman, the landowner of a 20-acre inholding within McCluskey State Wildlife Area. The Hoffman property currently is listed for sale. It currently is undeveloped. If CPW is unable to acquire these easements, this property will likely be sold for development which would require a new road access cutting through McCluskey SWA. The conservation easement would prevent development of the property, preserve the current high quality wildlife habitat, and, most likely, prevent development of a road through the State Wildlife Area to the Hoffman property.

In 1983 the Division of Wildlife was granted, by William H. McCluskey, a conservation easement and a separate public access easement on 1,600 acres in Delta County, now known as McCluskey State Wildlife Area and currently owned by Norman Smith. Located within McCluskey SWA, and completely surrounded by it, are 20 acres of undeveloped land owned by Patricia K. Hoffman. The property is very high quality deer winter habitat. Ms. Hoffman has listed her property for sale. After discussion, Ms. Hoffman is willing to convey a perpetual public access easement for hunting on the property for \$25,000. She also is willing to convey to CPW, for no additional monetary consideration, a perpetual conservation easement on the same property.

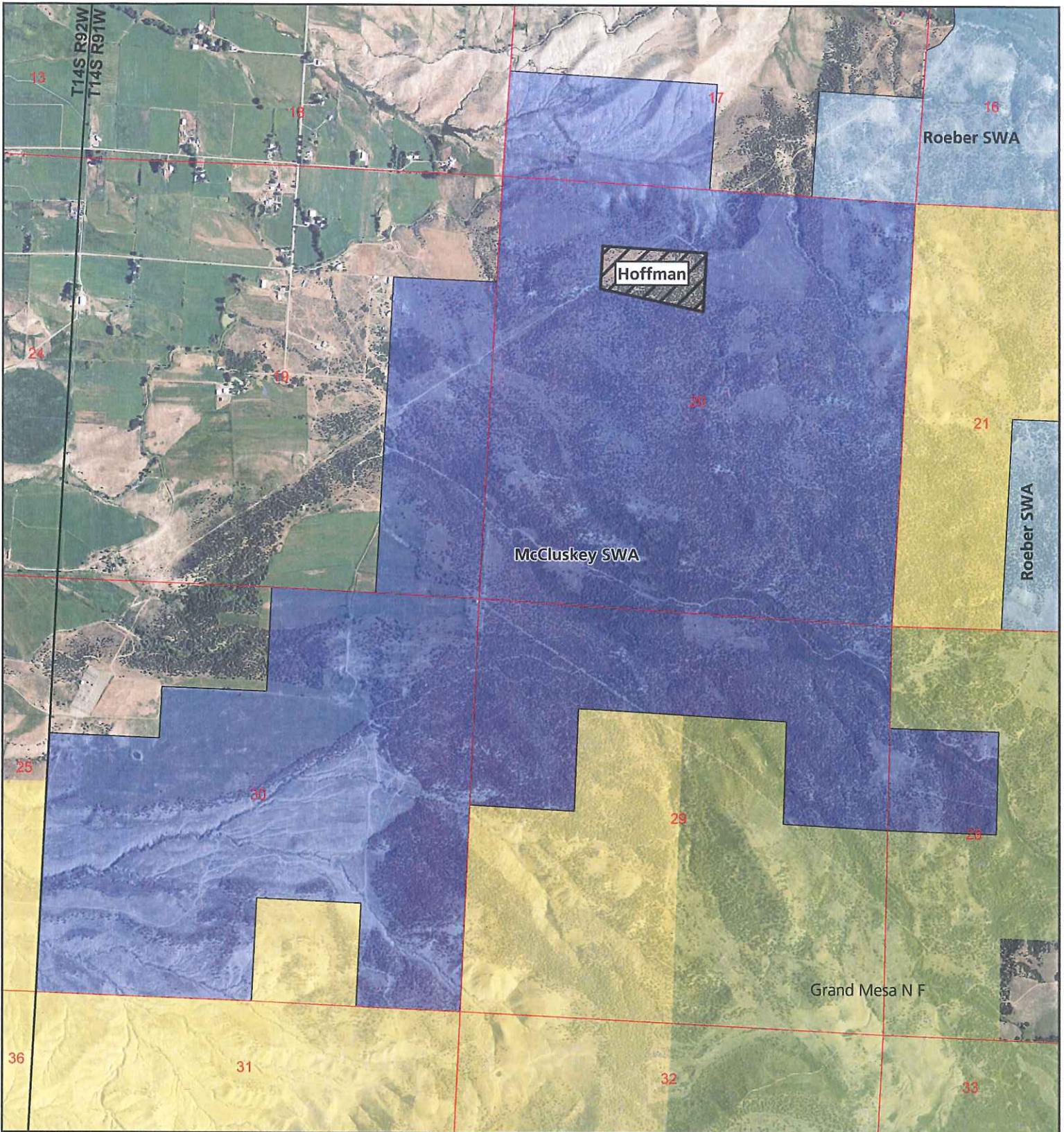
According to a review of the first map referenced below, the Property lies outside the scope of regions of known or potential geothermal resources. Also, according to a review of the second map referenced below, the Property lies outside the Central Solar Power and the Wind Resource Generation Development areas.

Geothermal: November, 2003 US Department of Energy, Office of Energy Efficiency and Renewable Energy, Geothermal Technologies Program.

Wind and Solar: A map entitled "SB07-91 Renewable Resource Generation Development Areas" from "Renewable Energy Development Structure," a report of the Colorado Governor's Energy Office dated December 2009.

Attachments:

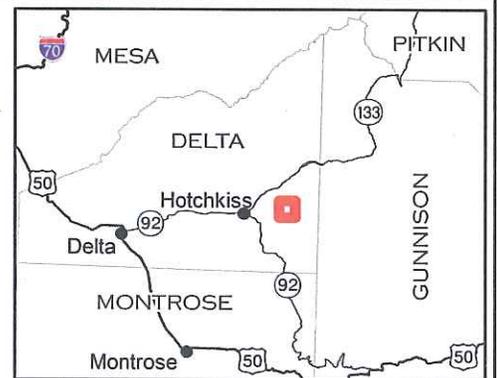
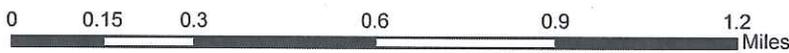
- Map
- Concurrence letters



McCluskey SWA - Hoffman Easements 12-042-SW Delta County



-  Hoffman Easement
-  Bureau of Land Management
-  McCluskey SWA
-  US Forest Service
-  CPW Property





COLORADO PARKS & WILDLIFE

300 W New York Ave • Gunnison, Colorado 81230

Phone (970) 641-7060 • FAX (970) 641-7883

wildlife.state.co.us • parks.state.co.us

PO Box 6578

Snowmass Village, CO 81615

gail.schwartz.senate@gmail.com

December 6, 2012

RE: McCluskey SWA and Hoffman In-holding

Dear Senator Schwartz,

Colorado Parks and Wildlife (CPW) is working with Ms. Patricia Hoffman to acquire a perpetual conservation easement and a perpetual public access easement on a 20 acre parcel she owns within the McCluskey State Wildlife Area (SWA), located approximately 6 miles south of Paonia in Delta County.

The McCluskey SWA was acquired in 1983 as a conservation and public access easement for its big game winter habitat values and hunting access. The property is approximately 1600 acres in size and completely surrounds Ms. Hoffman's 20 acre property. CPW is concerned that future sale and development of the property could negatively impact the big game values of the surrounding SWA. Ms. Hoffman expressed interest and has since been working with CPW to place her 20 acre in-holding in a similar conservation and public access easement. These two easements and associated management plan will provide consistent management of the entire State Wildlife Area and in-holding and provide significant protections for the big game winter range on the property.

Agreements have been reached between the property owner and the CPW. To facilitate the protection of the property, we are requesting concurrence from you for the purchase of the easements. This concurrence, indicated below by your signature and return, will be included in the real estate package sent to members of the Capital Development Committee for their consideration. I have also sent a similar request to Representative Wilson and the Delta Board of County Commissioners.

If you concur, this letter can be returned to:

Jay Cooper, Real Estate Specialist
Colorado Parks & Wildlife
6060 Broadway
Denver, CO 80216
Fax: (303) 291-7456

STATE OF COLORADO

John W. Hickenlooper, Governor • Mike King, Executive Director, Department of Natural Resources

Rick D. Cables, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: Robert W. Bray • Chris Castilian • Jeanne Horne

Bill Kane, Vice-Chair • Gaspar Perricone • James Pribyl • John Singletary, Chair

Mark Smith, Secretary • James Vigil • Dean Wingfield • Michelle Zimmerman

Ex Officio Members: Mike King and John Salazar

It would be extremely helpful in meeting timetrames if the letter were to Jay Cooper by December 24, 2012. In lieu of mailing, a pdf of your signed letter may be emailed to jay_cooper@state.co.us.

Please remember that with conservation easements the land stays in private ownership, but has limitations placed on development and uses of the land. The total consideration for the conservation easement and the public access easement is \$25,000.

If you have any questions or need additional information please contact me at (970) 644-7069. Thank you for your consideration of this important wildlife habitat protection effort.

Sincerely,



J Wenum
Area Wildlife Manager-Gunnison

I, Senator Gail Schwartz, concur with the acquisition of a conservation easement and a public access easement on 20 acres of land, owned by Patricia Hoffman, south of Paonia in Delta County.

Signature



Date 12-17-12



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300 W New York Ave • Gunnison, Colorado 81230
Phone (970) 641-7060 • FAX (970) 641-7883
wildlife.state.co.us • parks.state.co.us

Representative Millie Hamner
District 61
200 E. Colfax
Denver, CO 80203
millie.hamner.house@state.co.us

January 8, 2013

RE: McCluskey SWA and Hoffman In-holding

Dear Representative Hamner,

Colorado Parks and Wildlife (CPW) is working with Ms. Patricia Hoffman to acquire a perpetual conservation easement and a perpetual public access easement on a 20 acre parcel she owns within the McCluskey State Wildlife Area (SWA), located approximately 6 miles south of Paonia in Delta County. The McCluskey SWA was acquired in 1983 as a conservation and public access easement for its big game winter habitat values and hunting access. The property is approximately 1600 acres in size and completely surrounds Ms. Hoffman's 20 acre property. CPW is concerned that future sale and development of the property could negatively impact the big game values of the surrounding SWA. Ms. Hoffman expressed interest and has since been working with CPW to place her 20 acre in-holding in a similar conservation and public access easement. These two easements and associated management plan will provide consistent management of the entire State Wildlife Area and in-holding and provide significant protections for the big game winter range on the property.

Agreements have been reached between the property owner and the CPW. To facilitate the protection of the property, we are requesting concurrence from you for the purchase of the easements. This concurrence, indicated below by your signature and response, will be included in the real estate package sent to members of the Capital Development Committee for their consideration. I have also sent a similar request to the Senator Schwartz and the Delta Board of County Commissioners and both have responded in support of the easements.

If you concur, this letter can be returned to:

Jay Cooper, Real Estate Specialist
Colorado Parks & Wildlife
6060 Broadway
Denver, CO 80216
Fax: (303) 291-7456

STATE OF COLORADO

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Mark Smith, Secretary • James Vigil • Dean Wingfield • Michelle Zimmerman
Ex Officio Members: Mike King and John Salazar

It would be extremely helpful in meeting timeframes if the letter were to Jay Cooper by January 22, 2013. In lieu of mailing, a pdf of your signed letter may be emailed to jay.cooper@state.co.us.

Please remember that with conservation easements the land stays in private ownership, but has limitations placed on development and uses of the land. The total consideration for the conservation easement and the public access easement is \$25,000.

If you have any questions or need additional information please contact me at (970) 641-7069. Thank you for your consideration of this important wildlife habitat protection effort.

Sincerely,

J Wenum
Area Wildlife Manager-Gunnison

I, Representative Millie Hamner, concur with the acquisition of a conservation easement and a public access easement on 20 acres of land, owned by Patricia Hoffman, south of Paonia in Delta County.

Signature: Millie Hamner

Date: Jan 25, 2013



COLORADO PARKS & WILDLIFE

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wildlife.state.co.us • parks.state.co.us

RECEIVED

DEC 10 2012

Delta County Commissioners
501 Palmer #227
Delta, CO 81416

December 6, 2012

RE: McCluskey SWA and Hoffman In-holding

Dear Delta County Commissioners,

Colorado Parks and Wildlife (CPW) is working with Ms. Patricia Hoffman to acquire a perpetual conservation easement and a perpetual public access easement on a 20 acre parcel she owns within the McCluskey State Wildlife Area (SWA), located approximately 6 miles south of Paonia in Delta County.

The McCluskey SWA was acquired in 1983 as a conservation and public access easement for its big game winter habitat values and hunting access. The property is approximately 1600 acres in size and completely surrounds Ms. Hoffman's 20 acre property. CPW is concerned that future sale and development of the property could negatively impact the big game values of the surrounding SWA. Ms. Hoffman expressed interest and has since been working with CPW to place her 20 acre in-holding in a similar conservation and public access easement. These two easements and associated management plan will provide consistent management of the entire State Wildlife Area and in-holding, and provide significant protections for the big game winter range on the property.

Agreements have been reached between the property owner and the CPW. To facilitate the protection of the property, we are requesting concurrence from you for the purchase of the easements. This concurrence, indicated below by your signatures and return, will be included in the real estate package sent to members of the Capital Development Committee for their consideration. I have also sent a similar request to Senator Schwartz and Representative Wilson.

If you concur, this letter can be returned to:

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STATE OF COLORADO

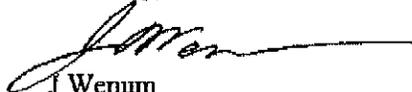
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It would be extremely helpful in meeting timeframes if the letter were to Jay Cooper by December 24, 2012. In lieu of mailing, a pdf of your signed letter may be emailed to jay.cooper@state.co.us.

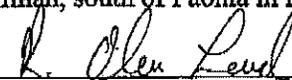
Please remember that with conservation easements the land stays in private ownership, but has limitations placed on development and uses of the land. The total consideration for the conservation easement and the public access easement is \$25,000.

If you have any questions or need additional information please contact me at (970) 641-7069. Thank you for your consideration of this important wildlife habitat protection effort.

Sincerely,


J Wenum
Area Wildlife Manager-Gunnison

We, the Delta Board of County Commissioners, concur with the acquisition of a conservation easement and a public access easement on 20 acres of land, owned by Patricia Hoffman, south of Paonia in Delta County.

Signature:  Chair Date: 12-31-2012

Signature:  Date: 12/31/2012

Signature:  Date: 12-31-12