



OST Memorandum

TO: Open Space & Trails Board
FROM: Drew Walters and Paul Holsinger
SUBJECT: Wheatley Open Space Agricultural Lease
DATE: November 3, 2022
CC: OST Staff

Introduction

A seven-year lease for Wheatley Open Space was obtained by Woody Creek Distillery in 2016. The agricultural manager for the distillery let OST staff know that they would not be growing their own product and would like to terminate their lease early. A request for proposals was advertised for the lease area, have been received and is in the process of being scored by a selection committee per the Agriculture Policy and Process.

There was a total of three proposals submitted by the October 31, 2022 deadline.

Background

Agriculture Policy and Process

The OSTB adopted a new Agriculture Policy and Process (the “Policy”) on January 6, 2022, to lease County owned land for agriculture in a competitive way that was fair and transparent and guide staff in management of the program. The Policy now includes a purpose statement with program goals, an expansion of guidance related to the evaluation criteria, annual lease review, end of lease review and possible lease renewal, guidance on appeals, elimination of lease rate from evaluation criteria, and guidance on equity and outreach. During the process to update the Policy

Since the introduction of a formal policy to lease OST land in 2014, interest in land leasing has steadily increased. OST leased land now totals approximately 780 acres, up from 240 acres at the advent of the lease bid process, with individual lease areas ranging from 10 acres to 100 acres.

2022 Wheatley Lease Process

The Wheatley Open Space Management Plan, adopted December 2015 (the “Management Plan”), identified 24 acres of the property available for leasing. As per the Policy, the lease area of Wheatley Open Space was publicly advertised in the Aspen Daily News, via social media outlets, and direct email to agricultural producers. The RFP was also made available in Spanish. Bids were received October 31, 2022.

A selection committee was created to score the proposals based on the scoring criteria within the Policy. In addition to the scoring criteria, the committee evaluated the proposals based on priorities and action items within the Management Plan and in consideration of the conservation easement held by AVLTL. The Policy specifies that the selection committee will be comprised of

three (3) OST staff familiar with the property and management plan action items and one (1) member from an outside agency familiar with agricultural operations. The selection committee included Drew Walters (OST Agriculture Specialist), Paul Holsinger (OST Agriculture and Conservation Easement Manager), Gary Tennenbaum (OST Director), and Bud Tymczyszyn (*pronounced Tim-Chiz-In* AVLST Stewardship Director).

Proposals

Three proposals were received by the October 31, 2022 deadline. Brief descriptions of the proposals are described below:

Name	Summary of Proposal
Matt Rome	Matt is proposing to maintain the irrigated pastures, with some additional alfalfa and grass planting. He would use the pastures for light grazing and hay production. Any grazing would use temporary fencing to ensure wildlife access to the grazing habitat.
Randy Chase	Randy is proposing to use the lower field as an orchard or potato patch and to maintain the upper field as a pasture. He would flood irrigate without use of mechanical components. He is also proposing to have animals, such as goats on the property.
Laurie Adams	Laurie is proposing a vegetable plot (~1 acre), sunflower plot, maintaining pasture, and animal production (meat rabbits). She is planning to utilize side roll irrigation to accomplish this.

Staff Recommendation

The selection committee is in the process of scoring the proposals and plans to have a recommendation for the December OSTB meeting. Due to multiple proposals that involve different uses, we are taking the necessary time to fully assess each proposal to determine the best fit. We enjoy the thought and ideas that were highlighted in the proposals, however as a selection committee, we will seek to better understand if the proposals are feasible and if the proposers have the necessary expertise and organization to successfully implement their plan.

Attachments

- A. Agricultural Policy and Process
- B. Wheatley Open Space RFP (English)

Agriculture Policy and Process

ADOPTED MONTH XX, 2022



ACKNOWLEDGMENTS



Pitkin County
Open Space and Trails
530 East Main Street
Aspen, CO 81611

PITKIN COUNTY OPEN SPACE AND TRAILS BOARD OF TRUSTEES MISSION STATEMENT

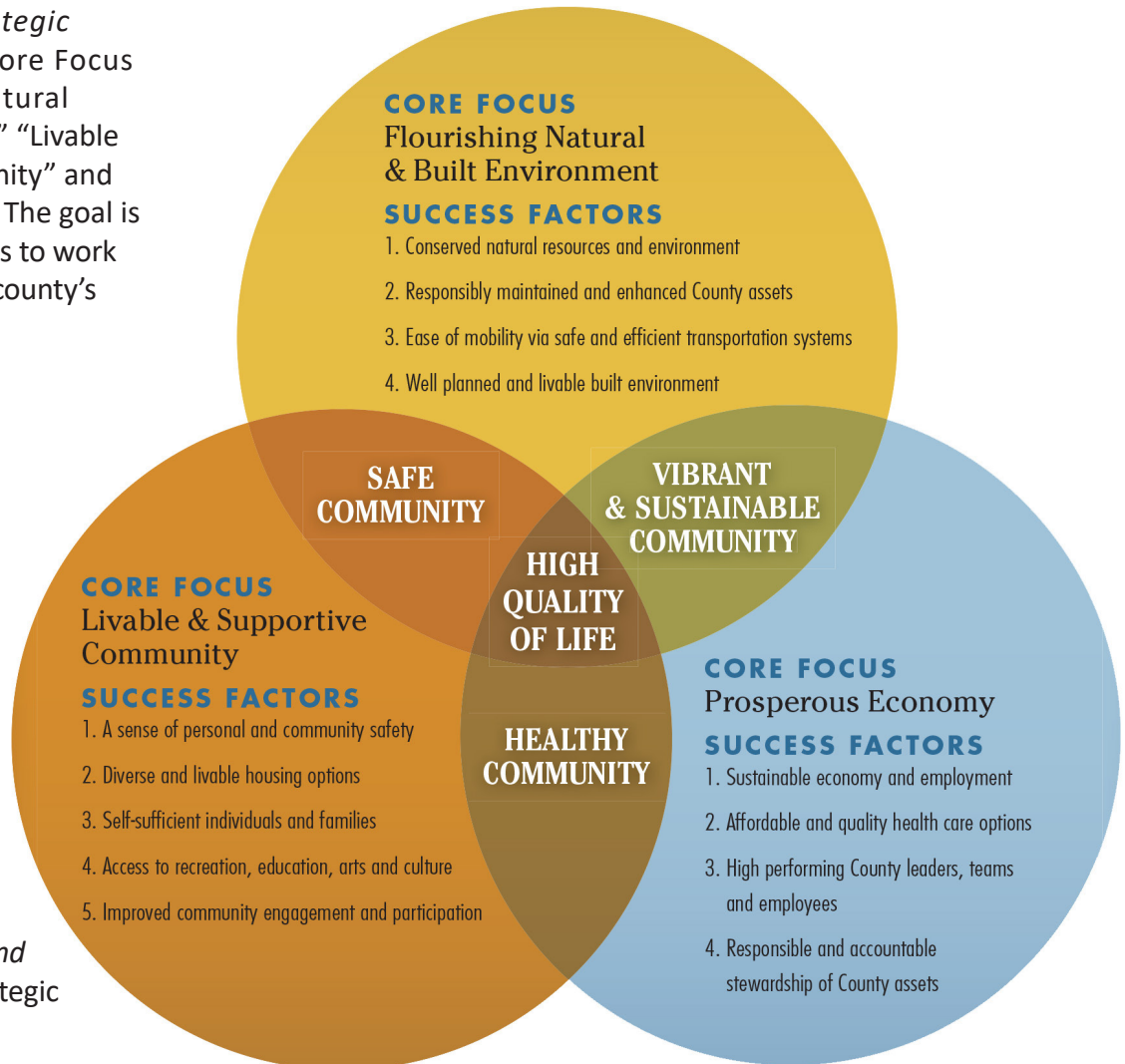
The mission of the Pitkin County Open Space and Trails Board of Trustees is to acquire, preserve, maintain and manage open space properties for multiple purposes including, but not limited to, recreational, wildlife, agricultural, scenic and access purposes; and to acquire, preserve, develop, maintain and manage trails for similar purposes.

The Pitkin County Home Rule Charter provision authorizing the Open Space and Trails Program defines open space and trails as follows:

“Open Space” shall be defined as primarily undeveloped lands and waters which meet one or more of the following criteria: Within public scenic view planes; bounding or within urbanized areas; incorporating or protecting significant wildlife habitat; preserving historic agricultural and ranching activities; protecting riparian or wetlands areas; protecting other public lands from the impacts of development, and preserving cultural, historic, and archaeological resources lying within properties which are otherwise acquired for their customary Open Space characteristics.

PITKIN COUNTY HOME RULE CHARTER AND 2011 PITKIN COUNTY STRATEGIC PLAN

The *Pitkin County Strategic Plan* identifies three core Focus Areas: “Flourishing Natural and Built Environment,” “Livable and Supportive Community” and “Prosperous Economy.” The goal is for the three Focus Areas to work together to achieve the county’s vision and mission.



The *Agricultural Policy and Process* fits with the Strategic Plan in various aspects:

FLOURISHING NATURAL AND BUILT ENVIRONMENT

Success Factor 1: Conserved natural resources and environment

The OST agricultural properties are managed to conserve soil and water, as well as, preserve native plant communities and support wildlife.

Success Factor 2: Responsibly maintained and enhanced county assets

This process update builds upon actions identified within property specific management plans, focusing on stewardship and maintenance and describes appropriate revenue for the use of agricultural properties.

LIVABLE AND SUPPORTIVE COMMUNITY

Success Factor 4: Access to recreation, education, arts and culture

The process support continued access and new educational partnerships to support and expand agricultural leasing to a larger cross-section of the community.

PROSPEROUS ECONOMY

Success Factor 4: Responsible and accountable stewardship of County assets.

OST strives to maintain and enhance the health, function and resiliency of the natural resources and ecosystems of agricultural lands.

INTRODUCTION

Pitkin County Open Space and Trails (OST) has acquired several properties with an active agricultural component and will continue evaluating agricultural properties as possible acquisitions to fulfill the mission of the program. Prior to the implementation of the Agricultural Lease Bid Process and Policy (the “Policy”), OST properties were leased purely in exchange for general management and stewardship. OST now receives a monetary lease rate and stewardship for an OST agricultural lease. OST wishes to stimulate interest in local production while continuing to maintain and enhance our agricultural resources. To that end, we invite a competitive process to determine the best lessees for our agricultural lands as specified in the individual property’s management plans.

HISTORY

With the purchase and initial programming of Glassier Open Space, Pitkin County OST significantly increased the acreage of fee-owned agricultural land. In response to this increase in lease potential and an increased interest in leasing from valley residents, staff drafted an agricultural lease bid process to set a uniform and transparent process for obtaining an agricultural lease on OST property. The Agricultural Lease Bid Process and Policy was initially adopted by the Open Space and Trails Board on Oct. 10, 2014. The Policy was amended and updated Sept. 21, 2017 to remove redundancy in the selection criteria and include guidance on subleases and infrastructure improvements. OST staff have relied on the Pitkin County Procurement Code as the technical backbone throughout the life of the formal lease bid process and policy. While this was adequate in the past, the growth and progress of the agricultural leasing program can now be further refined through updates

to the Policy. The selection criteria used to score lease applications has also been reviewed by staff and identified as an area for improvement. The criteria drive the progress of the program by guiding OST in selecting the most appropriate lessee for the specific OST property. The selection criteria and policies must evolve in concert with the progress of the agricultural community it serves.

This Policy was developed with public input to ensure the process works for a variety of users, including established farmers and ranchers, and new and beginning farmers and ranchers. This process shall be periodically reviewed and revised as needed to account for newly acquired unique properties, developments and new techniques for farming and ranching, desires of the community, and other similar reasons.

This Policy describes updated evaluation criteria to assist staff in selecting the most appropriate lessee, process steps, and increased oversight measures to ensure the proper stewardship of the agricultural leased land. The Policy uses the Pitkin County Procurement Code as a guide, but the Agricultural Leasing Program is not bound by the Procurement Code. Both iterations of the Policy went through a public review and comment period to ensure the public was involved in the process to create and update this Policy. The decision to include a property in the Agricultural Lease Program is completely voluntary. OST strives to lease properties consistent with the policy, but the decision to include or exclude a property, or portion of a property, from the program can be made at any time and the decision to lease a property can be made without utilization of the Policy. In instances where a property is leased without utilization of the Policy, a public recommendation is made to the Open Space Board and the lease is made as an interim management action.



OUTREACH HIGHLIGHTS

AGRICULTURE TASK FORCE

At the end of May 2021, Gwen Garcelon, director of the Roaring Fork Food Alliance and a civic leadership consultant, convened a group of agricultural producers and community members to review the Policy and make recommendations to OST staff and board. The Agriculture Task Force met several times between June and September, and discussed updates to the selection criteria and overall agricultural policy. A full list of the recommendations was presented to the Open Space and Trails Board (OSTB) on Sept. 7, 2021. The OSTB directed staff to incorporate the recommendations into an updated process and policy.

The updated Policy was presented to the OSTB on Nov. 4, 2021 for comments. No further edits were requested and the Policy was made available to the public for further comment until December 17, 2021. A handful of comments were collected and incorporated. This Policy was adopted on January 6, 2022, by the Open Space and Trails Board.

PURPOSE

The purpose of the Agriculture Policy and Process is to guide OST staff in selecting an appropriate tenant, or lessee, to manage OST fee-owned lands in a transparent and consistent manner and develop goals for the agricultural program. The goals of the policy and agricultural program include;

- Supporting new and existing farmers and ranchers through land access and long-term (5 or more years) leases.
- Foster a system that maintains a healthy ecosystem while allowing for the production of agricultural products and integrate practices that conserve water and improve soil health.
- Support a diversity of local food production for the Roaring Fork Valley.
- Develop measurable outcomes for properties based on stewardship i.e. soil health, weed occurrences, diversity of species, carbon sequestration, local food distribution, etc.
- Minimize the use of chemical fertilizers and herbicides on agricultural lands.

In addition, the Policy clearly describes criteria and process so current and potential lessees have an accurate expectation.

QUICK FACTS

Agricultural Acreage:

Emma OS	
- North Lease	19.1
- South	10.9
- Schoolhouse	12.5
Grace OS	10
Grace-Shehi OS	5.1
Glassier OS	
- Lease A	44.5
- Lease B	81.2
-Lease E	0.6
- Lease F	3
Thompson Creek OS	50
Cozy Point South	28
Wheatley OS	24
Deer Creek OS	10
Coke Ovens OS	26
Lazy Glen OS	10
Shippee OS	36
Thompson Divide Ranch	409
TOTAL	779.9

PROCUREMENT PROCESS

In creating a competitive process, OST is guided by the Pitkin County Procurement Code, which is intended to:

“...provide procurement procedures that will promote competition and maximize the purchasing power of public funds, increase organizational effectiveness, efficiency and accountability, and fair and equitable treatment of all persons participating...”

The Pitkin County Procurement Code generally guides the agricultural lease processes. As provided for in the Procurement Code, a Request for Proposals (RFP) will be used to solicit bids for available agricultural properties as identified by OST staff.

The RFP will include information regarding the sample lease language, boundaries, existing infrastructure, water rights, agricultural history, etc., of the agricultural parcel being offered. Lease language will vary from tenant to tenant based on the operation proposed, and the parcel.

Potential lessees will be evaluated on a set of criteria developed by OST staff and Board with public input. The criteria are intended to supply enough information to the selection committee to determine that the practices and operation proposed will be the best fit for the property and enhance conservation values.

If necessary, OST staff will seek input from a Community Development representative and outside agencies to determine feasibility of applicant’s proposed operation. Acceptable outside agencies include, but are not limited to, the Natural Resource Conservation Service (NRCS), Mount Sopris Conservation District, and the Colorado State University Agricultural Extension Agent.



PROCESS STEPS

Identify property/properties that are eligible for leasing due to new property acquisition or existing leases within one year of expiration.



Develop a Request for Proposals (RFP) for leasing of property following the County procurement code and process.



Publicly advertise and send announcements to interested parties.



Pre-bid presentation and Q&A hosted on site at subject property or at nearby location for potential lessees.



Receive rfps and select successful lessee and notify all parties who submitted an RFP of decision.



OSTB and BOCC Presentation of bids and decision



LEASE IS FINALIZED

SELECTION COMMITTEE

A selection committee will be convened to evaluate proposals and determine if practices and operation proposed will be the best fit for the property and enhance conservation values. The selection committee will be comprised of three (3) OST staff familiar with the property and management plan action items and one (1) member from an outside agency familiar with agricultural operations. Non-voting counsel to the selection committee include

the Pitkin County Attorney and Pitkin County Procurement staff. Communications between proposer and any member of the selection committee during the selection process except when and in the manner expressly authorized by the Request for Proposals, is prohibited. Violation of this restriction is grounds for disqualification from the process. The members of the selection committee will be listed in the RFP documents so proposers do not inadvertently get disqualified. A point of contact will be listed for proposers.

EVALUATION CRITERIA

Standard evaluation criteria have been developed. The evaluation criteria is publicly available to allow potential lessees to craft a proposal with the proper information to ensure accurate scoring. Members of the selection committee will evaluate each proposal with the same criteria.

1

EXPERIENCE (25%)

Proposer has clearly demonstrated high quality and successful past performance in the commercial agricultural business and experience in operating practices related to the type of operation proposed.

2

COMPATIBILITY (25%)

Proposed operation supports the Pitkin County Open Space and Trails mission and management plan associated with the leased land and would be able to reasonably accommodate multiple management objectives such as wildlife values, current / future trails, and requests for public tours, etc., that are frequently requested of OST tenants.

3

ORGANIZATION AND EQUIPMENT (20%)

Proposer's current agricultural operation is demonstrably well maintained and organized, the property meets county code (e.g., storage of materials, weed management), etc. If proposer does not meet the standard with a current operation, the proposer may document other past activities or jobs where those standards have been met. Each proposer is encouraged to provide affidavits from neighbors to attest to their maintenance of the property.

Equipment is either owned by or demonstrably available to the proposer and is adequate to the proposed operation. The proposer is strongly encouraged to submit a list with photographs of equipment if owned and/or affidavits of availability of equipment as part of the proposal if not owned. All equipment should be operable and well maintained.

4

PRACTICES AND SUSTAINABILITY (30%)

Proposer declares the style of farming or ranching practices that will be used and how well they fit with the county's agricultural sustainability focus. Classifications include, but are not limited to: Regenerative, Certified NOP Organic, Pesticide Free, Natural, Integrated Pest Management (IPM) and soil health improvements per county goals.

EVALUATION CRITERIA

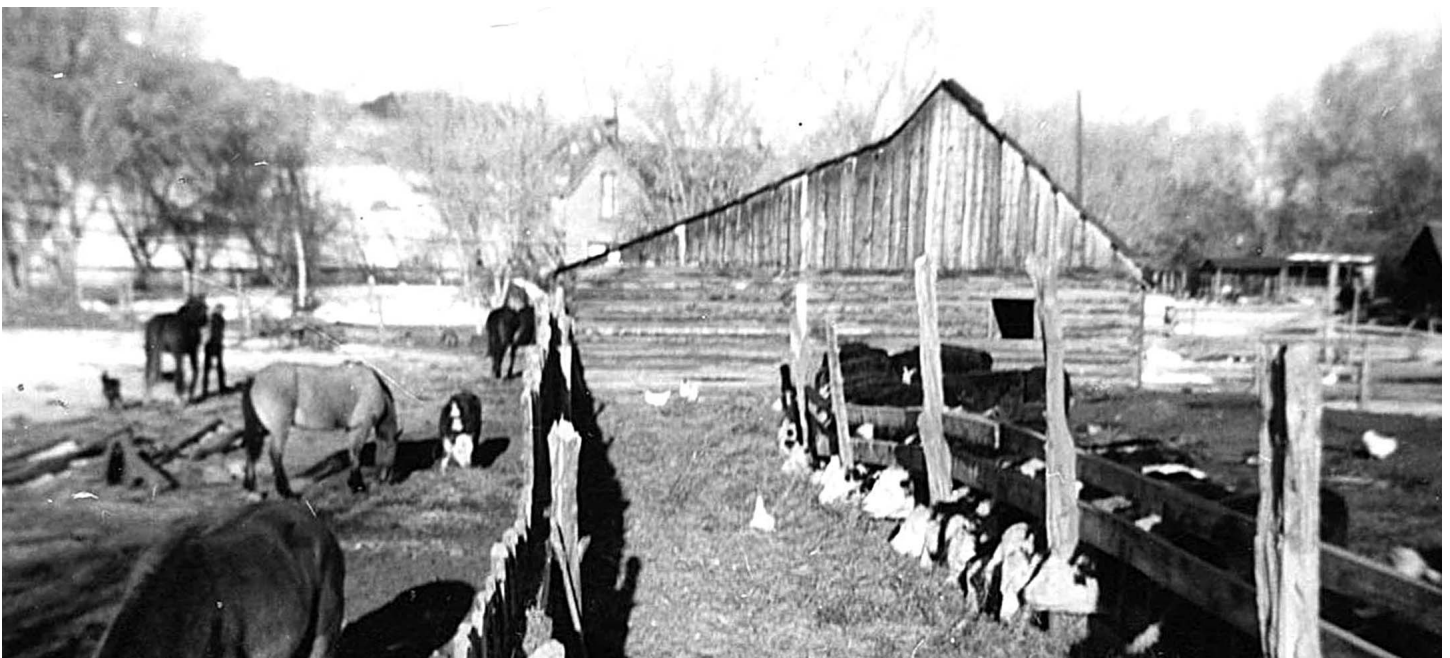
1

EXPERIENCE (25%)

Experience is an assessment of relevant past agricultural experience. This is important because ranching and farming in the Roaring Fork Valley is difficult, and the county would like to minimize the risk of operational failure of agricultural operations on its properties. This criterion will be evaluated and scored based on the following information as available via public record as well as information and references provided in the proposal; experience that the county has had with the proposer; interview with the proposer (as needed); and/or staff direct and indirect evaluation of the proposer's current operation. Guidance for scoring is provided below.

EXPERIENCE CRITERION		Point Allocation
Good	Proposer has commercially ranched or farmed in the Roaring Fork Valley, or similar area, full-time in a manner similar to the proposed operation with demonstrated knowledge of best agricultural practices, stewardship, and markets relevant to the proposed operation and property.	20 - 25
Moderate	Proposer has commercial farming or ranching experience but, for example, less than five years or part-time, in locations other than Roaring Fork Valley; with approaches different than the proposed operation; or with lesser demonstrated knowledge of best agricultural practices, stewardship, and markets relevant to the proposed operation and property.	10 - 20
Poor	Proposer's commercial farming or ranching experience may be academic, part-time, unproven, unsuccessful or poorly demonstrated.	1 - 10
Not Addressed	Unable to be evaluated.	0

*Note: This is guidance and other factors may be evaluated within this criterion



EVALUATION CRITERIA

2

COMPATIBILITY (25%)

Compatibility is an assessment of how well the proposed operation fits OST's objectives and any management action items for the property. This includes a consideration of how the proposed operation might support the goals of this Policy and the management plan associated with the lease area. This criterion will be evaluated and scored based on the following information, as available: information provided in the proposal; experience that the county has had with the proposer in terms of understanding the proposed operation; and/or interview with the proposer (as needed). Guidance for scoring is provided below:

COMPATIBILITY CRITERION		Point Allocation
Good	Proposed operation supports multiple goals of the management plan specific to the property including wildlife habitat and recreation; proposed operation shares several of the same goals of the Policy; proposed operation is a priority according to the management plan.	20 - 25
Moderate	Proposed operation appears to be a good fit, but also some evident qualities of a poor level of fit. For example, operation is considered a priority but may interfere with a recreation trail.	10 - 20
Poor	Proposed operation does not take into account OST's management plan and action items; proposed operation minimally supports goals of the Policy.	1 - 10
Not Addressed	Unable to be evaluated.	0

*Note: This is guidance and other factors may be evaluated within this criterion



EVALUATION CRITERIA

3

ORGANIZATION AND EQUIPMENT (20%)

Organization and equipment is an assessment of whether the proposed operation reflects proper appearance and resources to manage the lease area. Organization and appearance is important to OST due to the time and energy associated with addressing citizen complaints and OST's mission to protect scenic view planes. Owning or demonstrating the ability to easily secure equipment is important because it shows the necessary resources to be successful in the proposed operation. This criterion will be evaluated and scored based on the following information, as available: photographs and descriptions of equipment and previous operations provided in the proposal; any references or affidavits obtained by staff from neighbors; and, if possible, staff direct evaluation of a current operation. Guidance for scoring is provided below:

ORGANIZATION AND EQUIPMENT CRITERION		Point Allocation
Good	List of machinery and equipment is complete and appropriate to the proposed operation; proposal describes or shows an operation that is clean and well-organized; references and/or neighbor affidavits describe a well-maintained operation that is irrigated properly and relatively weed free.	15 - 20
Moderate	Operation has some evident qualities of excellent equipment alignment and availability, but also some qualities of poor level of fit; references and/or neighbor affidavits describe a well-maintained operation but also express areas in need of improvement.	10 - 15
Poor	List of machinery and equipment is incomplete or not entirely appropriate to the proposed operation; proposer does not demonstrate ownership or reliable access to necessary equipment; proposer does not demonstrate experience with necessary equipment; neighbors or previous landlords report significant issues.	1 - 10
Not Addressed	Unable to be evaluated.	0

***Note: This is guidance and other factors may be evaluated within this criterion**



EVALUATION CRITERIA

4

PRACTICES AND SUSTAINABILITY (30%)

Practices and sustainability is an assessment of the “style” of farming or ranching practices that the proposer intends to use and how well they fit with OST's focus on sustainable agriculture and improving/maintaining soil health. OST recognizes that there are many different styles and approaches to agricultural operations and OST wishes to encourage practices that are more sustainable in terms of economic, social, water conservation and environmental outcomes. Guidance for scoring is provided below:

PRACTICES AND SUSTAINABILITY CRITERION		Point Allocation
Good	Proposer declares an intent to farm/ranch using regenerative or sustainable practices and describes the specific practices and how they will improve the leased ground. Practices include actions that minimize disturbance; leave no bare soil; maximize diversity; keep a living root in the soil for as long as possible; supports wildlife; and livestock integration. Proposer declares and describes water conservation techniques that will be utilized on the property.	25 - 30
Moderate	Proposed operation has some evident qualities of a good fit, but also some evident qualities of a poor level of fit.	15 - 25
Poor	Proposer declares an intent to farm/ranch using best practices but uses synthetic fertilizers and pesticides; proposed operation does not further water conservation or exhibit willingness pursue improvements.	1 - 15
Not Addressed	Unable to be evaluated.	0

*Note: This is guidance and other factors may be evaluated within this criterion



LEASE REVIEW

ANNUAL REVIEW

Annual lease review will take place at the end of every growing season at a time when OST staff can assess the condition of the lease property. Staff will supply the the review to the lessee so they are aware of any issues and OST's expectations.

Probationary Period

If a lessee receives a report with areas for improvement or issues and does not correct or address them by the end of the following year the lessee will be noticed that they are on probation for one year. If the issues are further not addressed during the probation the lease will be terminated.

END OF LEASE REVIEW

OST recognizes the importance of stability in agricultural land tenure and consistent stewardship. At the beginning of a lessee's last growing season, the OST staff will review the lease terms and property and deliver a report detailing any areas that are not meeting the County's expectations. Selection committee, OST staff, and / or additional agricultural experts will review the lease terms and the lease area and either:

- Allow lease to terminate and undergo competitive bid process to select a new lessee. This would occur if the lessee has not performed necessary stewardship or fulfilled their obligations with the County
- Renew lease with existing lessee. This would occur if the lessee has stewarded the property appropriately and



there is no need to change the control of the leased area.

- Renew the lease for one more year with a clear list of objectives and action items if the lease area has areas of improvement that do not warrant lease termination. This is a kind of “probation” option.

APPEALS

All appeals will be referred to the Pitkin County Hearing Officer. If the hearing officer determines the process was adhered to, the determination will be presented to the OSTB concurrent with the presentation describing the selected proposer. If the determination finds that the process was not adhered to, the process will begin again.

LEASE RATE

The lease rate will be set by OST staff based on U.S. Department of Agricultural-National Agriculture Statistics Service data and private market rates investigated by staff. The lease rate will be included in the RFP. The lease rate is negotiable based on the proposer's operation.

LEASE TERM

As stated in the goals of this Policy, OST recognizes that length of an agricultural lease can result in a return on investment both to the County and the lessee. Lease terms will be no less than (five) 5 years so lessees have an opportunity to prove their proposal and take advantage of outside funding sources. Leases may be offered longer depending on investment and infrastructure the proposer is planning or if they have proven exceptional stewardship of a County lease.



MANAGEMENT PLAN PRIORITIES

In most cases, a management plan developed for an OST property will further prioritize the type of agricultural operation and lessee. These priorities may include: organic or natural production; new and beginning farmers; vegetable production; fruit production; hay production; cattle grazing; small-animal husbandry; diverse production; etc. If the agricultural lease area has been identified with a priority, any application meeting the priority use will be scored and evaluated as a potential lessee first. If the priority applications are not viable or sufficient in stewarding the OST land, as determined by the selection committee, then all applications will be evaluated.

GROWERS' ASSOCIATIONS / COOPERATIVE AGRICULTURAL LEASES

OST staff recognizes that in some cases, several individuals with the same goal may come together to form “Growers’ Associations” or a “Cooperative” to lease a portion of an OST property for agricultural production.

Growers’ Associations will be evaluated on the same evaluation criteria as individual lease

applicants. Growers’ Associations must also submit bylaws and each member’s contact information and qualifications (i.e. agricultural experience, proposed product, etc.) within their RFP application. Growers’ Associations chosen as lessees must notify OST staff of association meetings and make available the minutes from association meetings. One point of contact must be assigned from the association to facilitate communication between OST and association members.

SUBLEASING / ASSIGNMENT

OST agricultural leases state, “Tenant agrees not to assign or sublease any part of the Property without the written consent of the Landlord.” OST staff will evaluate assignments or subleases on a case-by-case basis. Legitimate circumstances for assignment include, but are not limited to:

- Original lessee is forming a cooperative or association in which they are involved.
- Lessee would like to sublease a portion of the lease area to complement their operation.
- Lessee would like to maintain profitability of cover crop by leasing as grazing ground.

Lessees may be compensated



for subleasing so long as the compensation does not exceed the annual lease rate paid to Pitkin County. Goods and services estimated to be above the monetary annual lease rate may be considered acceptable compensation if the service improves the condition of the County-owned property or improves the County-owned infrastructure.

PROPERTY MANAGEMENT

By inviting more public to participate in the procurement process, the potential for diverse uses on fee properties will be presented. To ensure lessee management and activities are compatible with open space properties, comprehensive record keeping of agricultural inputs and oversight of agricultural operations will be required from all lessees. At a minimum, all lessees will be required to keep irrigation, fertilizer and seeding, and yield records. An annual operating plan will be developed for each lease to assist OST staff in assessing proper property management and to ensure compliance with any existing management plans and conservation easements associated with the leased ground. OST staff will also make regular site visits to leased properties to facilitate communication. Any structures associated with an agricultural lease will be managed in accordance with the management plan for that OST property.

The terms of the agricultural lease will list lessee management and stewardship obligations. If a contemplated activity is not addressed within the agricultural lease, the lessee must contact OST staff to determine if the activity is compatible before any aspect of the activity is undertaken.

PEST MANAGEMENT

OST recognizes that farmers and ranchers must manage properties to control unwanted animal, fungus, plant and insect pests. Lessees are required to control noxious weeds and will prioritize non-chemical options for pest control and will be encouraged to work with adjacent landowners and lessees to coordinate efforts. OST staff will regularly monitor any noxious weed issues and help lessees develop management strategies.

If all natural or holistic options have been exhausted a lessee may be authorized to use chemical application upon consultation and approval from OST staff. OST staff will review the agricultural lease, annual operating plan, noxious weed and/or pest species, and proposed chemical application to ensure compliance and if it is the best course of action for the area. If a chemical is approved, the lessee shall post signage prior to application with application date(s), type of pesticide/herbicide, and objective of use to inform the public.

POLICIES

Agricultural leases will be managed and operated in accordance with the OST Statement of Policies and Objectives. Notable objectives and policies that are specifically applicable to agricultural lease program include:

- Stewardship Objective – Stewardship practices seek to preserve and enhance the ecological, scenic, recreational and cultural values of the open space and trails acquired by Open Space and Trails.
- Stewardship Policy #3 - Neighborliness – Being a good steward of the land means being a good

neighbor. Every reasonable effort is made to minimize or eliminate the impacts of trespassing, noise, fire hazard, livestock harassment, or other inappropriate behaviors on neighboring landowners.

- **Stewardship Policy #4 – Retain Agricultural Lands** – It is the policy of the Open Space Board to cooperate with the county's agricultural community in strategies designed to retain and continue production on the large tracts of farm and ranchlands which provide important open space buffers between the communities of the Roaring Fork and Crystal River valleys. As a corollary policy, the Open Space Board also supports the responsible use of public lands for agricultural and ranching purposes.

PROPERTY IMPROVEMENTS

Updates to infrastructure may be necessary to accomplish the goals of an OST lessee. Permanent and temporary enhancements including headgate replacement, ditch lining, utility updates, structures, etc., and enhancements identified in property management plans, will be completed by OST staff or contractors. If a permanent or temporary enhancement is specific to the lessee's operation, OST staff will work on cost sharing the item as it will be retained by Pitkin County at the time of lease termination.

INTERGOVERNMENTAL MANAGEMENT

In certain cases, OST partners with other governmental agencies or organizations to manage properties. OST may defer lease procurement and management to the partner organization. In these cases, an intergovernmental agreement will be prepared to ensure the OST property will be properly stewarded.

EQUITY AND OUTREACH

The Agricultural Task Force specifically recommended, "Increase outreach to the LatinX community, as well as create and communicate about available supports with the application process (like a pre-app consult to understand the Management Plan, translation and writing help, business planning help, etc.)." In addition, the group expressed a desire for equity for different education levels and increased assistance for potential lease bid proposers.

OST staff will consult with outside organizations or agencies to increase outreach with non-English speaking members of the public. Organizations include Valley Settlement, English in Action, Manaus, etc.

OST will increase capacity within the agricultural program by hiring full-time staff to ensure compliance with agricultural leases and increase education and assistance for landowners. The Agricultural Specialist position will begin in Spring of 2022.



REQUEST FOR PROPOSALS
PITKIN COUNTY AGRICULTURAL LEASE



WHEATLEY OPEN SPACE

Proposal Due Date	4:00PM MST, October 31, 2022
Leased Acres	24 acres
Water Right	3 cfs / side-roll irrigated
Annual Lease Rate	\$21.88/acre (\$525 total)



Pitkin County Open Space & Trails Program
530 East Main Street, Suite 301
Aspen, Colorado 81611
(970) 319-0475

Background

Wheatley Open Space is a 105-acre property that contains a 24-acre parcel of pasture that is leased for agricultural purposes. Currently, the pasture has approximately 8 acres of 100% alfalfa (3 yo) and the remaining 16 acres of pasture grass. The water right of the property is 3 cfs. The agricultural lease is divided into two pastures, separated by the Rio Grande Trail. The northern pasture is approximately 18 acres, w/ 8 acres of alfalfa, and a side roll for irrigation. The southern pasture is approximately 6 acres, with pasture grass and irrigation system is TBD.



Figure 1. Wheatley Open Space Agricultural Lease Area. Both fields, shown above, are included in this lease.

Request for Proposal – Wheatley Open Space Agricultural Lease

Lessee Responsibilities

The lessee will be required to oversee the management of Pitkin County's water right on the property. All agricultural activities must also comply with the agriculture provisions of the conservation easement on Wheatley Open Space. The conservation easement of the property requires control of noxious weeds and invasive plant species in accordance with the Colorado Noxious Weed Act. The lessee will also be responsible to comply with lease terms.

Pre-Proposal Meeting and Site Visit

A **mandatory** pre-proposal meeting and site visit is scheduled for 10:00AM MST on Friday, October 21, 2022 at Wheatley Open Space to allow potential lessees to gain a better understanding of the property and answer general questions. Potential lessees or representatives of potential lessees must be present at the meeting. **Any proposals received from potential lessees not in attendance will not be considered.**

If another date is required for a pre-proposal meeting, it must be requested by 4:00PM MST on Friday, October 14, 2022. Please contact Pitkin County Open Space and Trails (OST) Agriculture Specialist, Drew Walters, at (970) 319-0475 or drew.walters@pitkincounty.com to reschedule.

Inquiries

All inquiries regarding this Request for Proposal (RFP) shall be submitted via email to Pitkin County OST Agriculture Specialist, Drew Walters, at drew.walters@pitkincounty.com or by phone at (970) 319-0475.

Submittal Instructions

RFPs are due no later than 4:00PM MST on October 31, 2022 via email (preferred) to the Pitkin County OST Agriculture Specialist, Drew Walters, at drew.walters@pitkincounty.com or hand delivered to the Open Space and Trails office 530 East Main Street, Suite 202, Aspen, CO 81611.

Agricultural Lease Application

Wheatley Open Space

Please complete the following application. We recommend that you review the Pitkin County Agriculture Policy and Process to better understand the process and scoring criteria:

<https://pitkincounty.com/DocumentCenter/View/8713/Agricultural-Policy-and-Process-2022>

Applicant Information	
Organization Name	
Primary Contact	
Address	
Phone Number	
Email Address	

All applicants must address each of the questions within the Evaluation Criteria. Attach additional pages, if needed. Scoring criteria will be weighted as follows below:

- 1) Experience (25%)
- 2) Compatibility (25%)
- 3) Organization and Equipment (20%)
- 4) Practices and Sustainability (30%)

Section 1. Experience

Evaluation Criteria – Experience 25%

Experience is an assessment of relevant past agricultural experience. This is important because ranching and farming in the Roaring Fork Valley is difficult, and the county would like to minimize the risk of operational failure of agricultural operations on its properties. This criterion will be evaluated and scored based on the following information as available via public record as well as information and references provided in the proposal; experience that the county has had with the proposer; interview with the proposer (as needed); and/or staff direct and indirect evaluation of the proposer's current operation. Guidance for scoring is provided below:

Evaluation Criteria		Point Allocation
Good	Proposer has commercially ranched or farmed in the Roaring Fork Valley, or similar area, full-time in a manner similar to the proposed operation with demonstrated knowledge of best agricultural practices, stewardship, and markets relevant to the proposed operation and property.	20-25
Moderate	Proposer has commercial farming or ranching experience but, for example, less than five years or part-time, in locations other than Roaring Fork Valley; with approaches different than the proposed operation; or with lesser demonstrated knowledge of best agricultural practices, stewardship, and markets relevant to the proposed operation and property.	10-20
Poor	Proposer's commercial farming or ranching experience may be academic, part-time, unproven, unsuccessful or poorly demonstrated.	1-10
Not Addressed	Unable to be evaluated.	0
<i>Note: this is guidance and other factors may be evaluated within this criterion</i>		

Using the above Evaluation Criteria as a guide, please describe your agricultural experience. Please also include:

- Experience with side-roll or similar types of irrigation systems.
- Managing noxious weeds.

Section 1. Experience

Section 2. Compatibility

Evaluation Criteria – Compatibility 25%

Compatibility is an assessment of how well the proposed operation fits OST's objectives and any management action items for the property. This includes a consideration of how the proposed operation might support the goals of this Policy and the management plan associated with the lease area. This criterion will be evaluated and scored based on the following information, as available: information provided in the proposal; experience that the county has had with the proposer in terms of understanding the proposed operation; and/or interview with the proposer (as needed). Guidance for scoring is provided below:

Evaluation Criteria		Point Allocation
Good	Proposed operation supports multiple goals of the management plan specific to the property including wildlife habitat and recreation; proposed operation shares several of the same goals of the Policy; proposed operation is a priority according to the management plan.	20-25
Moderate	Proposed operation appears to be a good fit, but also some evident qualities of a poor level of fit. For example, operation is considered a priority but may interfere with a recreation trail.	10-20
Poor	Proposed operation does not take into account OST's management plan and action items; proposed operation minimally supports goals of the Policy.	1-10
Not Addressed	Unable to be evaluated.	0
<i>Note: this is guidance and other factors may be evaluated within this criterion</i>		

Using the above Evaluation Criteria as a guide, please describe how your proposed operation will be compatible with the property. Please also address the below aspects:

- Your proposed operation and crop plan. If you are planning on planting a different crop, please explain the methods you would use to transition from the current crop into your new crop. If you are planning to continue the current crop, please explain what methods you would use to maintain a healthy grass and alfalfa pasture.
- The current property has a side-roll irrigation system on the northern pasture, we plan to work with the future lessee to determine the best irrigation system to implement on the southern pasture. Based on your proposed use, what would your recommendation be for the southern field irrigation?

Section 2. Compatibility

Section 3. Organization and Equipment

Evaluation Criteria – Organization and Equipment 20%

Organization and equipment is an assessment of whether the proposed operation reflects proper appearance and resources to manage the lease area. Organization and appearance is important to OST due to the time and energy associated with addressing citizen complaints and OST's mission to protect scenic view planes. Owning or demonstrating the ability to easily secure equipment is important because it shows the necessary resources to be successful in the proposed operation. This criterion will be evaluated and scored based on the following information, as available: photographs and descriptions of equipment and previous operations provided in the proposal; any references or affidavits obtained by staff from neighbors; and, if possible, staff direct evaluation of a current operation. Guidance for scoring is provided below:

Evaluation Criteria		Point Allocation
Good	List of machinery and equipment is complete and appropriate to the proposed operation; proposal describes or shows an operation that is clean and well-organized; references and/or neighbor affidavits describe a well-maintained operation that is irrigated properly and relatively weed free.	15-20
Moderate	Operation has some evident qualities of excellent equipment alignment and availability, but also some qualities of poor level of fit; references and/or neighbor affidavits describe a well-maintained operation but also express areas in need of improvement.	10-15
Poor	List of machinery and equipment is incomplete or not entirely appropriate to the proposed operation; proposer does not demonstrate ownership or reliable access to necessary equipment; proposer does not demonstrate experience with necessary equipment; neighbors or previous landlords report significant issues.	1-10
Not Addressed	Unable to be evaluated.	0
<i>Note: this is guidance and other factors may be evaluated within this criterion</i>		

Using the above Evaluation Criteria as a guide, please describe how your proposed operation will be organized and have necessary equipment for operation. Please also address the below aspects:

- Please describe the labor demands for your proposed operation and how you plan to meet those demands.
- List the equipment/machinery that will be required for your proposed operation and how you will meet those needs (own, lease, borrow, contract, etc.). Please also describe how you will store the equipment and if any additional infrastructure is needed for your operation (barn, electrical, irrigation, etc.).

Section 3. Organization and Equipment

Section 4. Practices and Sustainability

Evaluation Criteria – Practices and Sustainability 30%

Practices and sustainability is an assessment of the “style” of farming or ranching practices that the proposer intends to use and how well they fit with OST's focus on sustainable agriculture and improving/maintaining soil health. OST recognizes that there are many different styles and approaches to agricultural operations and OST wishes to encourage practices that are more sustainable in terms of economic, social, water conservation and environmental outcomes. Guidance for scoring is provided below:

Evaluation Criteria		Point Allocation
Good	Proposer declares an intent to farm/ranch using regenerative or sustainable practices and describes the specific practices and how they will improve the leased ground. Practices include actions that minimize disturbance; leave no bare soil; maximize diversity; keep a living root in the soil for as long as possible; supports wildlife; and livestock integration. Proposer declares and describes water conservation techniques that will be utilized on the property.	25-30
Moderate	Proposed operation has some evident qualities of a good fit, but also some evident qualities of a poor level of fit.	15-25
Poor	Proposer declares an intent to farm/ranch using best practices but uses synthetic fertilizers and pesticides; proposed operation does not further water conservation or exhibit willingness pursue improvements.	1-15
Not Addressed	Unable to be evaluated.	0
<i>Note: this is guidance and other factors may be evaluated within this criterion</i>		

Using the above Evaluation Criteria as a guide, please describe how your proposed operation’s practices will implement sustainable agricultural practices and improve/maintain soil health.

Please also address the below aspects:

- Where do you see your proposed operation in five years? How will the land and community have benefited from your use?
- Please describe the agriculture product/s that you are proposing to produce, the market for the product/s, and the need the product fills in Pitkin County.

Section 4. Practices and Sustainability