

***MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
AND COORDINATION TO IMPROVE FOREST HEALTH AND  
REDUCE WILDFIRE RISK IN BOULDER COUNTY, COLORADO***

**Between  
BOULDER COUNTY  
AND  
COLORADO PARKS &  
WILDLIFE  
AND  
THE COLORADO STATE  
FOREST SERVICE  
AND  
THE CITY OF LONGMONT  
AND  
THE CITY OF BOULDER  
AND  
THE BOULDER COUNTY  
COMMUNITIES OF  
NEDERLAND, GOLD HILL  
AND LYONS  
AND  
THE LONGMONT CONSERVATION  
DISTRICT  
AND  
THE BOULDER VALLEY  
CONSERVATION DISTRICT  
AND  
THE BOULDER COUNTY  
FIREFIGHTERS ASSOCIATION  
AND  
THE COLORADO FOREST  
RESTORATION INSTITUTE AT  
COLORADO STATE UNIVERSITY  
AND THE  
UNITED STATES DEPARTMENT OF  
AGRICULTURE, FOREST SERVICE,  
ROCKY MOUNTAIN REGION,  
ARAPAHO ROOSEVELT NATIONAL  
FOREST AND PAWNEE NATIONAL  
GRASSLAND**

**Forest Service Agreement Number 20-MU-11021000-033**

THIS MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between Boulder County, hereinafter referred to as "Boulder County," Colorado Parks & Wildlife, hereinafter "CPW," The Colorado State Forest Service, hereinafter referred to as "CSFS," the City of Longmont, hereinafter referred to as "Longmont," the City of Boulder, hereinafter referred to as "Boulder," the town of Nederland, hereinafter referred to as "Nederland," the town of Lyons, hereinafter referred to as "Lyons," the community of Gold Hill, hereinafter referred to as "Gold Hill," the Longmont Conservation District and the Boulder Valley Conservation District, hereinafter referred to together as the "Conservation Districts," the Boulder County Firefighters Association, hereinafter referred to as "BCFFA," the Colorado Forest Restoration Institute at Colorado State University, hereinafter referred to as "CFRI," and the United States Department of Agriculture (USDA), Forest Service, Rocky Mountain Region, Arapaho and Roosevelt National Forests and Pawnee National Grassland, hereinafter referred to as the "U.S. Forest Service," and individually as a "Party," and collectively as "the Parties."

**Background:**

The total area of Boulder County, Colorado is approximately 740 square miles or 473,600 acres. 207,731 acres fall within the lower and upper montane life zones where the risk for catastrophic forest fires are the highest. This forested landscape includes significant communities and businesses, provides water supply to over 300,000 downstream residents as well as agricultural interests, hosts extensive outdoor recreation infrastructure and opportunities, and provides habitat for over 90 species of birds, large mammals, and native plants.

Boulder County has witnessed several major destructive wildfires over the last 30 years. These fires have collectively destroyed more than 260 homes, burned an area of more than 16,000 acres and threatened the lives and properties of thousands of mountain residents. Wildfires have always been a natural occurrence in Boulder County, but various land management practices, including fire suppression, over the last century has resulted in forests with vegetation densities 10 to 100 times their natural state. Combine this with factors such as steep terrain, drought, high summertime temperatures, seasonal high winds, and an increased human presence in the form of development and recreational use, and the result is an environment prone to extreme wildfire behavior. These very dangerous conditions have led to fires which are more numerous and devastating than ever before, challenging the abilities and resources of agencies that fight fire.

As stated by the Colorado Forest Restoration Institute, a Party to this MOU, in its 2018 Annual Report,

Fire is an essential part of how forests renew and sustain. However, historic land uses and decades of fire suppression has excluded fire from millions of forested acres of in Colorado and across the western United States. Since the early 1990s, the size and severity of wildfires have increased; human land use and development in fire-prone forests have also expanded. This combination of factors has resulted in the loss of life, property, and highly-valued natural, social, and economic assets

from wildfires. This is forecasted to continue due to increases in average annual temperatures and the frequency, duration, and severity of drought.

Boulder County and the U.S. Forest Service together convened a number of government and non-government entities in 2019 to consider how they all could better align their efforts to enhance forest health in Boulder County and minimize the real potential for catastrophic wildfire. Improving forest health and community protection across the ownership and management boundaries of large landscapes by better aligning collaborative efforts is supported by a number of county, state and federal policies.

For example, the National Cohesive Wildland Fire Management Strategy adopted in 2014 by federal agencies, states, counties, fire chiefs and others, calls for a collaborative process with active involvement of all levels of government and non-governmental organizations, as well as the public, to seek national, public and private land solutions to wildland fire management issues. The Boulder County Comprehensive Plan states that the County should encourage interjurisdictional and interagency cooperation to further the goals of protection of life and property from wildfires. Additionally, in October 2019, Colorado Governor Jared Polis signed a Shared Stewardship agreement with the U.S. Department of Agriculture that oversees the U.S. Forest Service. The agreement establishes a framework for federal and state agencies to collaborate better, focus on accomplishing mutual goals, align their efforts, and respond to ecological, natural resource, and recreational challenges and concerns across the 24 million acres of forest lands in Colorado.

Finally, as a result of the threat of catastrophic wildfire and the multi-jurisdictional/ownership landscape in Boulder County, local forestry-related collaboratives (the “Collaboratives”) have been established to help bring the Parties and others together to better align their efforts:

*The Left Hand Watershed Center (the “Watershed Center”)* works to protect and restore watersheds in Boulder County using a collaborative and science-based approach. The Watershed Center leads the St. Vrain Forest Health Partnership to bring together diverse stakeholders and community members to collaboratively plan and implement cross-jurisdictional landscape-scale forest restoration projects that prepare the landscape and community to receive wildland fire as a natural part of the ecosystem. The Partnership involves over 30 stakeholders including the local towns of Ward, Jamestown, Lyons, and Allenspark.

*The Boulder County Forest Collaborative (the “Forest Collaborative”)* was formed in 2019 as an effort to increase and improve the resiliency of Boulder County’s forested landscapes and communities. The Forest Collaborative strives to facilitate the engagement of agencies and communities in collaborative, cross jurisdictional planning and implementation of forest health and fire mitigation projects, to increase networking opportunities and to leverage resources, funding and expertise to accomplish landscape scale projects.

*The Boulder Watershed Collective (the “BWC”)*, formerly the Fourmile Watershed Coalition, works to protect and restore the health, function and resiliency of the Boulder Creek watershed and to support the communities within it. BWC works alongside many local, state and federal partners similarly committed to cultivating environmental leadership, healthy ecosystems, community vitality and an inclusive vision for the future of Colorado’s watersheds.

Parties and Their Current Efforts:

In the over 200,000 forested acres in Boulder County, the Parties actively work to improve forest health and reduce wildfire risk as follows:

**Boulder County**, through its Parks & Open Space Department, manages over 30,000 acres of forestland in these higher risk areas. Boulder County owned forests are adjacent to many mountain residents and US Forest Service land and include 70+ miles of scenic and recreational trails in the foothills and to the west.

The County’s Comprehensive Plan, Land Use Code and Building Code recognize the importance of preparing for wildfires and require wildfire mitigation for new homes and additions. Boulder County’s Wildfire Partners, Community Forestry Sort Yards and community chipping programs help support resident efforts to reduce wildfire risk on private lands. Boulder County is working closely with private landowners through Wildfire Partners, a mitigation program helping homeowners prepare for wildfire. Wildfire Partners is a nationally recognized model for wildfire mitigation that is incorporated into the county's building code.

**The United States Forest Service Arapaho and Roosevelt National Forest Pawnee National Grasslands** Boulder Ranger District encompasses over 100,000 acres of the Front Range in western Boulder and northern Gilpin counties. The district includes Indian Peaks and James Peak Wilderness Areas and the Peak to Peak Scenic Byway. **The Rocky Mountain Region of the Forest Service** is headquartered in Golden, Colorado and comprises 17 national forests and 7 national grasslands across Colorado, Kansas, Nebraska, South Dakota and most of Wyoming.

**The City of Longmont** manages Button Rock Preserve, an approximately 3,000 acre property encompassing Ralph Price Reservoir, Longmont Dam, a section of North St. Vrain Creek, and forested foothills in the Saint Vrain Creek watershed. The area is adjacent to private lands, Boulder County, and USFS land. The Preserve protects Longmont’s primary drinking water source, providing water to more than 100,000 residents.

Forestry mitigation efforts at the Preserve started in 2004 and continue annually. Longmont’s Forest Stewardship Plan and Button Rock Preserve Management Plan (anticipated completion in December 2020) highlight the importance of restoring and managing forest health to promote resiliency, to better protect nearby homes, and to protect water infrastructure by mitigating erosion and sedimentation risks occurring after floods and wildfires.

**The City of Boulder** directly manages over 10,000 acres of forestland in the Wildland/Urban interface and depends on healthy functioning forests on an additional 44,000 acres in Boulder County for drinking water quality and quantity. City of Boulder-owned forests are a diverse and complex mix of ecosystems that provide a unique combination of resources. A large portion of the city owned forestland is a designated State Natural Area due to its unique natural resources and there are over 70 miles of trails and diverse recreational opportunities that are an essential part of the Boulder community.

The City's Forest Ecosystem Management Plan, Community Wildfire Protection Plan, Open Space and Mountain Parks Master Plan, and Source Water Protection Plan all recognize and work to protect the important forest resources managed by the City of Boulder, Boulder County and the USFS. The city has been actively and adaptively managing and improving forest health in City owned forests through prescriptive burning and thinning for over 25 years.

The Boulder County communities of **Nederland, Gold Hill and Lyons** focus on forest health and community protection efforts in and nearby their jurisdictions. They also participate in one or more of the collaboratives operating in the county: The Watershed Center's St. Vrain Forest Health Partnership, the Boulder County Forest Collaborative, and/or the Boulder Watershed Collective.

**Colorado Parks & Wildlife's** mission is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. CPW is a nationally recognized leader in conservation, outdoor recreation and wildlife management. The agency manages 42 state parks, all of Colorado's wildlife, more than 300 state wildlife areas and a host of recreational programs.

**The Colorado State Forest Service's** mission is to achieve stewardship of Colorado's diverse forest environments for the benefit of present and future generations. The Colorado State Forest Service is a service and outreach agency of the Warner College of Natural Resources at Colorado State University. The Boulder Field Office serves landowners and communities in Boulder and Gilpin Counties and the surrounding areas.

The Colorado State Forest Service provides assistance to the citizens and communities of Colorado through the development and delivery of fuels and forest management programs, outreach, publications, and project implementation with a focus on improving forest health and resiliency and reducing the threat of catastrophic wildfire. Activities that contribute to modified fuel profiles and improved forest condition that makes stands of trees and forests more resistant to wildfire and forest pests are critical focus areas for the Colorado State Forest Service. Partnerships and collaboration provide the Colorado State Forest Service with the opportunity to affect the necessary changes in forest health to target resilient landscapes and ecosystems.

**Boulder County Fire Fighter Association (Mountain Chiefs)** is a 501(c)(3) educational group, comprised largely of fire districts and rescue agencies that operate in Western Boulder County. Its mission is to provide a forum for education and operation guidance for emergency response in Boulder County. BCFFA has become a platform as well for wildfire prevention by way of community education, cross boundary mitigation support and an arena for frank discussion on effective and ineffective mitigation methods as well as methods to gain public support.

**The Boulder Valley and Longmont Conservation Districts** are two of 76 conservation districts in Colorado created out of the dust bowl era to champion locally-led natural resources conservation. Partnerships with the Natural Resources Conservation Service (NRCS) and the Colorado State Conservation Board allow conservation districts to offer technical and financial assistance to private landowners addressing natural resource concerns on all land uses.

The Conservation Districts, in partnership with the National Association of Conservation Districts and the NRCS, have created a Forest and Watershed Program to address resource concerns on forested private lands in Boulder County. The program is staffed by a Conservation Forester who provides technical assistance to complete forest assessments which identify the suite of resource concerns, develop forest management plans, identify and secure funding, and implement projects. The program also offers technical assistance to collaborative groups, watershed coalitions, communities, and others to assist with data/analysis, strategic planning, community engagement, workshops and education.

**Colorado Forest Restoration Institute, Colorado State University (CSU)** was established through the Southwest Forest Health and Wildfire Prevention Act passed by Congress in 2004 and chartered by the Western Governors' Association and the CSU president in 2005. CFRI's mission is to develop, compile, translate, and apply locally-relevant scientific knowledge to achieve forest restoration and wildfire risk mitigation goals in the Intermountain West. At the request of several entities in Boulder County, CFRI has been supporting science-based and collaborative decision-making and adaptive management for forest restoration and wildfire risk management for over a decade.

The Parties and others at the initial 2019 Boulder County meetings agreed that it would be helpful to capture their views on what they collectively seek to achieve across the forested areas of the county. It was also recognized and unanimously agreed upon that forested communities, downstream communities and stakeholders directly or indirectly impacted by declining forest health and potential catastrophic wildfire should be part of the process over time to refine a vision for the future of forests in the county.

#### Vision and Outcomes

The Parties together preliminarily agreed on the following vision and outcomes:

- Meaningful and ongoing engagement of stakeholders located in the forest and downstream in the development of strategies to achieve the outcomes and foster support for the implementation of those strategies.
- A regional network of resilient forests that are better able to absorb and recover from current and future stressors and disturbances.
- A collaboratively developed and supported fire management strategy (wildland and prescribed) so that wildfires are safely and effectively extinguished when and where needed, but also in the right circumstances, permits wildland fire to be more flexibly managed in order to reduce future risks to life, property, and wildlife habitat.
- Resilient forest ecosystems that support water quality and quantity needs, habitat for robust and healthy flora and fauna as well as recreation opportunities for Boulder County residents and visitors to enjoy now and in the future.
- Active management to enhance forest health and reduce wildfire risk based on the best available data and contemporary science to inform the development and application of on-the-ground activities including landscape scale and cross boundary projects where needed. This includes the use of the best available climate science that will help stakeholders understand how a changing climate will impact our forests.
- Promoting the personal responsibility of residents who live in wildfire risk areas to prepare as follows: homes are built or improved to best resist wildfire, defensible space around homes is created and maintained, insurance policies are regularly updated, emergency alerts are receivable and acted upon, evacuation plans are learned and understood, community mitigation initiatives are engaged in and, Wildfire Partners Certificates, issued by Boulder County, are sought.

## **I. PURPOSE:**

This MOU establishes a collaborative framework for the Parties to set mutual goals and priorities where necessary, utilize existing forest management tools and legal authorities, and align their decisions on where to make the investments needed to achieve the vision and outcomes set forth above on the forested landscapes in Boulder County.

## **II. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:**

The Parties recognize, accept, and respect the differences in missions, goals, and objectives of each other and among landowners in the county. However, wildfires, insect outbreaks, flood events and other disturbances do not recognize or respect landownership boundaries. The Parties therefore will work collaboratively and in a coordinated fashion to achieve the outcomes sought and described above.

The Parties acknowledge that any Party to this MOU may participate in local activities or implement decisions related to forestry management as part of their site-specific obligations, responsibilities and authorities. This MOU is not meant to supplant any Party's discretionary authority to make decisions about forest management or wildfire response associated with their individual jurisdictions. This MOU does not obligate funds of any of the Parties.

In consideration of the premises set forth above, each of the Parties commits to:

- A. Work within their own statutory and regulatory authorities, including planning, National Environmental Policy Act and decision-making requirements, where applicable.
- B. Collaborate and coordinate to implement this MOU to achieve the vision and objectives expressed herein.

**III. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:**

- A. As funding and resources are available and authorized (as determined in each Party's sole discretion), the Parties will provide technical, human and financial support to achieve the vision and outcomes of this MOU (consistent with provision 3(H) below as the MOU is a non-binding agreement), including, but not limited to:
  - 1. Support and work with existing and future forest-focused collaborative organizations to outreach and engage stakeholders to increase understanding and together refine the vision and outcomes detailed herein.
  - 2. Expeditiously create a Boulder County map of forested lands that will be a basis for Parties to do outreach, priority setting and decision making. Consider on-going data management and governance needs, costs, and seek to maximize public facing information.
  - 3. Establish and support a multi-disciplinary Science Team of the Parties and other representatives with varying perspectives that identifies priority areas (regardless of boundaries) in need of active forest management. The Science Team should consider creating a cross boundary treatment prescriptions "playbook" for ease of planning, approvals and grant seeking. The Science Team is to develop protocols and methods to support monitoring and adaptive management of on-the-ground cross-boundary forest management actions.
  - 4. Establish and support a Communications and Education Team of the Parties and others to use the information developed by the Science Team

and otherwise support the work of the collaborative organizations and ensure consistent messaging to the public and media by the Parties. Public education focused on proper and improper forest uses related to wildfire prevention and stewardship should also be a focus of the Communications and Education Team.

5. Through the Collaboratives, the Parties and others will together initiate stakeholder outreach, planning, and fundraising on a cross boundary landscape scale forest health and/or community protection project that meets the objectives of this agreement with implementation to commence in 2021/22.
  6. The Parties will build, continually improve and host a map of Potential Operational Delineations (PODs) that spans the entire county. A PODs map identifies the safest and most effective control lines used to contain wildfire and can assist in integrating land management objectives and incident response while improving outreach to and education of the public.
  7. The Parties will seek to increase the capacity of county fire districts so that they can play a greater role in outreach and engagement with stakeholders and in the implementation of small and large scale projects that include private land and defensible space/home improvements.
  8. An Executive Committee of the Parties will meet no less than twice a year to gauge progress under this MOU. Goals, measures and timelines should be provided to the Executive Committee by each of the Science, Communications/Education and project teams once they have been established. The Executive Committee will also oversee progress on creating and maintaining a map of the county's forested lands and PODs.
- B. Consider entering into separate agreements, as resources allow, to accomplish agreed upon projects to help achieve the vision and outcomes in this MOU.
- C. Review, revise, update and re-adopt this MOU every five years after its initial adoption. If all the current Parties to the MOU concur, new signatories may become a Party to the MOU at any time in accordance with provision III.R. Modifications.
- D. PRINCIPAL CONTACTS – Individuals listed below are authorized to act in their respective areas for matters related to this agreement.

**Principal Boulder County Contacts:**

<b>Boulder County Program Contact</b>	<b>Boulder County Administrative Contact</b>
Name: Deb Gardner Address: P.O. Box 471 City, State, Zip: Boulder, CO 80306 Telephone: (303) 441-3500 FAX: n/a Email: dgardner@bouldercounty.org	Name: Michelle Krezek Address: P.O. Box 471 City, State, Zip: Boulder, CO 80306 Telephone: (303) 441-3561 FAX: n/a Email: mkrezek@bouldercounty.org

**Principal U.S. Forest Service Contacts:**

<b>U.S. Forest Service Program Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
Name: Kevin McLaughlin Address: 2150 Centre Avenue, Building E City, State, Zip: Fort Collins, CO 80526 Telephone: 970-295-6646 FAX: n/a Email: kevin.mclaughlin2@usda.gov	Name: Rebecca Cuthbertson Address: 1617 Cole Blvd., Bldg. 17 City, State, Zip: Lakewood, CO 80401 Telephone: 303-275-5068 FAX: 303-275-5453 Email: Rebecca.cuthbertson@usda.gov

**Principal City of Boulder Contacts:**

<b>City of Boulder Program Contact</b>	<b>City of Boulder Administrative Contact</b>
Name: Chris Wanner, Vegetation Stewardship Supervisor Address: 2520 55th Street City, State, Zip: Boulder, CO 80301 Telephone: 303-579-0482 FAX: n/a Email: wannerc@bouldercolorado.gov	Name: Chris Wanner, Vegetation Stewardship Supervisor Address: 2520 55th Street City, State, Zip: Boulder, CO 80301 Telephone: 303-579-0482 FAX: n/a Email: wannerc@bouldercolorado.gov

**Principal City of Longmont Contacts:**

<b>City of Longmont Program Contact</b>	<b>City of Longmont Administrative Contact</b>
Name: David Bell Address: 7 South Sunset Street City, State, Zip: Longmont, CO 80501 Telephone: (303) 651-8992 FAX: (303) 651-8759 Email: david.bell@longmontcolorado.gov	Name: Danielle Levine Address: 7 South Sunset Street City, State, Zip: Longmont, CO 80501 Telephone: (303) 651-8448 FAX: (303) 651-8759 Email: danielle.levine@longmontcolorado.gov

**Principal Towns of Nederland, Gold Hill, and Lyons Contacts:**

<b>Boulder Watershed Collective Program/Administrative Contact</b>	<b>Left Hand Watershed Center Program/Administrative Contact</b>
Name: Maya MacHamer Address: 1740 Four Mile Canyon Drive City, State, Zip: Boulder, CO 80302 Telephone: (303) 449-3333 FAX: n/a Email: fourmilewatershed@gmail.com	Name: Jessica Olson Address: 6800n Nimbus Road City, State, Zip: Longmont, CO 80503 Telephone: (303) 530-4200 FAX: n/a Email: jolson@watershed.center

**Principal Colorado Parks & Wildlife Contacts:**

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**Principal Colorado State Forest Service Contacts:**

<b>CSFS Program Contact</b>	<b>CSFS Administrative Contact</b>
Name: Ben Pfohl, Forester Address: 5625 Ute Highway City, State, Zip: Longmont, CO 80503 Telephone: 303-823-5774 FAX: n/a Email: ben.pfohl@colostate.edu	Name: Carmen Morales Address: 2002 Sponsored Programs, CSU City, State, Zip: Fort Collins, CO 80523 Telephone: (970) 491-6684 FAX: (970) 491-6754 Email: carmen.morales@colostate.edu

**Principal Boulder County Firefighters Association Contacts:**

<b>BCFFA Program Contact</b>	<b>BCFFA Administrative Contact</b>
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**Principal Boulder Valley and Longmont Conservation District Contacts:**

<b>Conservation Districts Program Contact</b>	<b>Conservation Districts Administrative Contact</b>
Name: Chad Julian, Conservation Forester Address: 9595 Nelson Road, Box D City, State, Zip: Longmont, CO 80501 Telephone: 303-579-7957 FAX: n/a Email: chad.julian@co.nacdnet.net	Name: Vanessa McCracken, District Mgr. Address: 9595 Nelson Road, Box D City, State, Zip: Longmont, CO 80501 Telephone: 720-378-5521 FAX: n/a Email: bldrvalleyandlongmontcds@gmail.com

**Principal Colorado Forest Restoration Institute Contacts:**

<b>CFRI Program Contact</b>	<b>CFRI Administrative Contact</b>
Name: Tony Cheng Address: 1472 Forest & Rangeland, Colorado State University City, State, Zip: Fort Collins, CO 80523 Telephone: (970) 491-1900 FAX (970) 491-6754 Email: chengt@colostate.edu	Name: Carmen Morales Address: 2002 Sponsored Programs, Colorado State University City, State, Zip: Fort Collins, CO 80523 Telephone: (970) 491-6684 FAX: (970) 491-6754 Email: carmen.morales@colostate.edu

E. **NOTICES.** Any communications affecting the operations covered by this agreement given by the U.S. Forest Service or Parties is sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the U.S. Forest Service Program Manager, at the address specified in the MOU.

To Parties, at Party’s address shown in the MOU or such other address designated within the MOU.

Notices are effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

F. **PARTICIPATION IN SIMILAR ACTIVITIES.** This MOU in no way restricts the U.S. Forest Service or other Parties from participating in similar activities with other public or private agencies, organizations, and individuals.

G. **ENDORSEMENT.** Contributions of Parties made under this MOU do not by direct reference or implication convey U.S. Forest Service endorsement of Parties products or activities.

H. **NONBINDING AGREEMENT.** This MOU creates no right, benefit, or trust

responsibility, substantive or procedural, enforceable by law or equity. The Parties shall manage their respective resources and activities in a separate, coordinated and mutually beneficial manner to meet the purpose(s) of this MOU. Nothing in this MOU authorizes any of the Parties to obligate or transfer anything of value.

Specific, prospective projects or activities that involve the transfer of funds, services, property, and/or anything of value to a Party requires the execution of separate agreements and are contingent upon numerous factors, including, as applicable, but not limited to: agency availability of appropriated funds and other resources; Party availability of funds and other resources; agency and Party administrative and legal requirements (including agency authorization by statute); etc. This MOU neither provides, nor meets these criteria. If the Parties elect to enter into an obligation agreement that involves the transfer of funds, services, property, and/or anything of value to a Party, then the applicable criteria must be met. Additionally, under a prospective agreement, each Party operates under its own laws, regulations, and/or policies, and any U.S. Forest Service obligation is subject to the availability of appropriated funds and other resources. The negotiation, execution, and administration of these prospective agreements must comply with all applicable law.

Nothing in the MOU is intended to alter, limit or expand the agency's statutory and regulatory authority. Nothing herein shall be construed or interpreted as a waiver, express or implied, of any of the notice requirements, defenses, immunities and limitations of liability that the Parties and their respective officers and employees may have under the Colorado Governmental Immunity Act (C.R.S. Section 24-10-101, et seq.) and under any other law.

- I. USE OF U.S. FOREST SERVICE INSIGNIA. In order for the Parties to use U.S. Forest Service insignia on any published media such as Web pages, printed publications or audiovisual production, permission must be granted in writing from the U.S. Forest Service Office of Communications (Washington Office) prior to use of the insignia.
- J. MEMBERS OF U.S. CONGRESS. Pursuant to 41 U.S.C. 22, no U.S. member of, or U.S. delegate to, Congress shall be admitted to any share or part of this agreement, or benefits that may arise therefrom, either directly or indirectly.
- K. COLORADO OPEN RECORDS ACT. Nothing in the agreement shall be deemed to waive or modify any public access or provision of the Colorado Open Records Act.
- L. FREEDOM OF INFORMATION ACT (FOIA). Public access to MOU or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552) or the Colorado Open Records Act, as applicable.
- M. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order 13513, "Federal Leadership on Reducing Text Messages While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned

vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All Parties, their employees, volunteers, and contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.

- N. U.S. FOREST SERVICE ACKNOWLEDGED IN PUBLICATION, AUDIOVISUAL AND ELECTRONIC MEDIA. Parties shall acknowledge U.S. Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this MOU.
- O. NONDISCRIMINATION STATEMENT – PRINTED, ELECTRONIC OR AUDIOVISUAL MATERIAL. Parties shall include the following statement, in full, in any printed, audiovisual material, or electronic media for public distribution developed or printed with any Federal funding.

*In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)*

**To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.**

If the material is too small to permit the full statement to be included, the material must, at minimum, include the following statement, in print size no smaller than the text:

***"This institution is an equal opportunity provider."***

- P. TERMINATION. Any of the Parties, in writing, may terminate their commitment to this MOU at any time before the date of expiration. Termination by a Party or Parties will not result in termination of the MOU itself.
- Q. DEBARMENT AND SUSPENSION. Parties shall immediately inform the U.S. Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should Parties or any of their principals receive a transmittal letter or other official Federal notice of debarment or suspension, then they shall notify the U.S. Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary.
- R. MODIFICATIONS. Modifications within the scope of this MOU must be made by mutual consent of the Parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being accepted. Requests for modification should be made, in writing, at least 30 days prior

to implementation of the requested change.

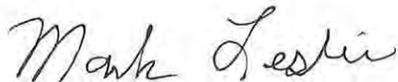
- S. COMMENCEMENT/EXPIRATION DATE. This MOU is executed as of August 13, 2020 and is effective through five years from that date at which time it will expire unless it is renewed.
- T. AUTHORIZED REPRESENTATIVES. By signature below, each Party certifies that the individuals listed in this document as representatives of the individual Parties are authorized to act in their respective areas for MOU related matters.

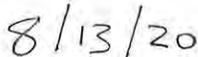
In witness whereof, the Parties hereto have executed this MOU as of August 13, 2020.

(\*see separate signature page\*)

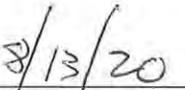
\_\_\_\_\_  
DEB GARDNER  
County Commissioner, Boulder County

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
MARK LESLIE  
Northeast Regional Manager, Colorado Parks & Wildlife

  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
ALLEN GALLAMORE  
Northeast Area Manager, Colorado State Forest Service

  
\_\_\_\_\_  
DATE

(\*see separate signature page\*)

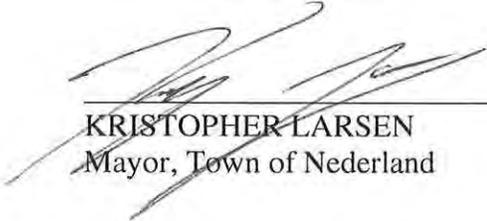
\_\_\_\_\_  
BRIAN BAGLEY  
Mayor, The City of Longmont

\_\_\_\_\_  
DATE

(\*see separate signature page\*)

\_\_\_\_\_  
JANE BRAUTIGAM  
City Manager, The City of Boulder

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
KRISTOPHER LARSEN  
Mayor, Town of Nederland

  
\_\_\_\_\_  
DATE

(\*see separate signature page\*)

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MARIELLE SIGELLE  
Council Chair, Town of Gold Hill

DATE

(\*see separate signature page\*)

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NICHOLAS ANGELO  
Mayor, Town of Lyons

DATE



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BRET GIBSON  
President, Boulder County Firefighters Association

8/13/20

DATE



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ANNE HANSEN  
President, Longmont Conservation District

8-13-20

DATE



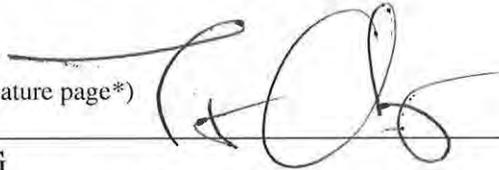
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DAN LISCO  
President, Boulder Valley Conservation District

8-13-20

DATE

(\*see separate signature page\*)



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TONY CHENG  
Director, Colorado Forest Restoration Institute

8/13/2020

DATE



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MONTE WILLIAMS  
Forest Supervisor, Arapaho and Roosevelt National Forest and  
Pawnee National Grassland, U.S. Forest Service

8-13-20

DATE

The authority and format of this instrument have been reviewed and approved for signature.

**KARLA SWENSON** Digitally signed by KARLA SWENSON  
Date: 2020.08.11 16:41:56 -06'00'

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KARLA SWENSON  
US Forest Service, Grants Management Specialist

#### Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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**MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
AND COORDINATION TO IMPROVE FOREST HEALTH AND  
REDUCE WILDFIRE RISK IN BOULDER COUNTY, COLORADO**

*August 13, 2020*

Forest Service Agreement Number 20-MU-11021000-033

Separate Signature Page



Aug. 13, 2020

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DEB GARDNER  
County Commissioner, Boulder County

DATE



Aug. 13, 2020

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MATT JONES  
County Commissioner, Boulder County

DATE



Aug. 13, 2020

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ELISE JONES  
County Commissioner, Boulder County

DATE

MEMORANDUM OF UNDERSTANDING FOR COLLABORATION AND COORDINATION TO  
IMPROVE FOREST HEALTH AND REDUCE WILDFIRE RISK IN BOULDER COUNTY,  
COLORADO

The City of Longmont

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

7/29/2020  
DATE



APPROVED AS TO FORM:

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY

07/21/2020  
DATE

  
\_\_\_\_\_  
PROOFREAD

07/23/2020  
DATE

APPROVED AS TO FORM AND SUBSTANCE:

  
\_\_\_\_\_  
ORIGINATING DEPARTMENT

7/28/2020  
DATE

CA File: 20-000809

76

**MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
AND COORDINATION TO IMPROVE FOREST HEALTH AND  
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*August 13, 2020*

Forest Service Agreement Number 20-MU-11021000-033

Separate Signature Page

CITY OF BOULDER,  
a Colorado home rule City

By: *Jane S Brautigam*  
Jane S. Brautigam, City Manager

Attest:

*Debbie L Stamp*  
City Clerk

Approved as to form:

*Janet T Michels*  
City Attorney's Office      08-12-2020

**MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
AND COORDINATION TO IMPROVE FOREST HEALTH AND  
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*August 13, 2020*

Forest Service Agreement Number 20-MU-11021000-033

Separate Signature Page



08.13.2020

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Emma Salmon  
Chair, Gold Hill Town Meeting

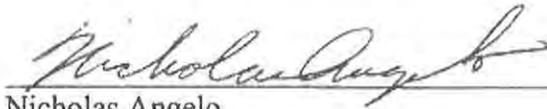
DATE

**MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
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*August 13, 2020*

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Separate Signature Page



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Nicholas Angelo  
Mayor, Town of Lyons

*8/10/20*

DATE

**MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
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*August 13, 2020*

Forest Service Agreement Number 20-MU-11021000-033

Separate Signature Page

Colorado State University, Office of Sponsored Programs



Digitally signed by Carmen N.  
Morales  
Date: 2020.08.13 15:48:30 -06'00'

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CARMEN MORALES

DATE

Senior Research Administrator, Office of Sponsored Programs, Colorado State University