



**TOWN OF  
BRECKENRIDGE**

**Town Council Regular Meeting**

Tuesday, July 10, 2018, 7:00 PM

Council Chambers

150 Ski Hill Road

Breckenridge, Colorado

\*Report of the Town Manager, Report of the Mayor and Council Members, Scheduled Meetings, and Other Matters are topics listed on the 7:00 pm Town Council Agenda. If time permits at the afternoon work session, the Mayor and Council may discuss these items.

**I. CALL TO ORDER, ROLL CALL**

**II. APPROVAL OF MINUTES**

A. TOWN COUNCIL MINUTES - JUNE 26, 2018

**III. APPROVAL OF AGENDA**

**IV. COMMUNICATIONS TO COUNCIL**

A. CITIZEN'S COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)

B. BRECKENRIDGE TOURISM OFFICE UPDATE

**V. CONTINUED BUSINESS**

A. SECOND READING OF COUNCIL BILLS, SERIES 2018 - PUBLIC HEARINGS

1. *COUNCIL BILL NO. 16, SERIES 2018 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH LIONHEART BGV VENTURES, LLC, A COLORADO LIMITED LIABILITY COMPANY*

2. *COUNCIL BILL NO. 17, SERIES 2018 - AN ORDINANCE AMENDING POLICY 3 (ABSOLUTE) (“DENSITY/INTENSITY”) OF SECTION 9-1-19 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE “BRECKENRIDGE DEVELOPMENT CODE,” CONCERNING THE AMOUNT OF DENSITY TO BE TRANSFERRED BY THE TOWN IN CONNECTION WITH THE DEVELOPMENT OF AN ATTAINABLE WORKFORCE HOUSING PROJECT; AND MAKING A CONFORMING AMENDMENT TO THE BRECKENRIDGE TOWN CODE*

**VI. NEW BUSINESS**

A. FIRST READING OF COUNCIL BILLS, SERIES 2018

1. *COUNCIL BILL NO. 18, SERIES 2018 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE BUILDING CODES OF THE TOWN OF BRECKENRIDGE BY ADOPTING BY REFERENCE THE NATIONAL ELECTRICAL CODE, 2017 EDITION*

**B. RESOLUTIONS, SERIES 2018**

1. *RESOLUTION NO. 12, SERIES 2018 - A RESOLUTION ADOPTING THE "BLUE RIVER WATERSHED REGIONAL WATER EFFICIENCY PLAN" AND THE "TOWN OF BRECKENRIDGE WATER EFFICIENCY PLAN"*

**C. OTHER**

**VII. PLANNING MATTERS**

- A. PLANNING COMMISSION DECISIONS

**VIII. REPORT OF TOWN MANAGER AND STAFF**

**IX. REPORT OF MAYOR AND COUNCIL MEMBERS**

- A. CAST/MMC (MAYOR MAMULA)
- B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (MR. BERGERON)
- C. BRECKENRIDGE TOURISM OFFICE (MS. WOLFE)
- D. BRECKENRIDGE HERITAGE ALLIANCE (MS. GIGLIELLO)
- E. WATER TASK FORCE (MR. GALLAGHER)
- F. BRECKENRIDGE CREATIVE ARTS (MS. LAWRENCE)
- G. BRECKENRIDGE EVENTS COMMITTEE (MS. GIGLIELLO)

**X. OTHER MATTERS**

**XI. SCHEDULED MEETINGS**

- A. SCHEDULED MEETINGS FOR JUNE AND JULY

**XII. ADJOURNMENT**

**D) CALL TO ORDER, ROLL CALL**

Mayor Mamula called the meeting of June 26, 2018 to order at 7:01 pm. The following members answered roll call: Mr. Carleton, Mr. Bergeron, Ms. Gigliello, Ms. Wolfe, Mr. Gallagher and Mayor Mamula. Ms. Lawrence was absent.

**II) APPROVAL OF MINUTES**

**A) TOWN COUNCIL MINUTES - JUNE 5, 2018**

With no changes or corrections to the meeting minutes of June 5, 2018, Mayor Mamula declared they would stand approved as submitted.

**III) APPROVAL OF AGENDA**

Mr. Holman stated there were no changes to the agenda. Mayor Mamula declared the agenda approved.

**IV) COMMUNICATIONS TO COUNCIL**

**A) CITIZEN'S COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)**

Mayor Mamula opened Citizen's Comment.

Mr. Mark Wimberly, a resident of Peak 7 in Breckenridge, asked the Town to consider annexing the homes on the south side of Peak 7, including American Way, Lone Hand Way and Ski Hill Road, as well as the cul-de-sacs and roads off that road. Mr. Wimberly noted that these homes are on the Town water system. Mr. Wimberly stated he was the president of the homeowners' association for Warriors Mark when it was annexed by the Town. He further stated the traffic on Peak 7 roads has increased since Grand Lodge on Peak 7 was built, and he believes people staying in that area, as well as service vehicles, are using Peak 7 to avoid town traffic. Mr. Wimberly indicated that a Local Improvement District was formed in the past to take care of the roads, but residents decided they did not want to pay for road improvements. He added that when Red, White and Blue Fire Station 5 was added on Peak 7 that impacted the roads also.

Mr. Berry explained some of the process needed to annex Peak 7 into the Town and Mr. Holman and Mayor Mamula recommended that Mr. Wimberly ask his neighborhood about their thoughts on this annexation request before returning to Council.

Ms. Bailey Epperson, a Breckenridge resident, stated she read the municipal code, and cited the noise sections and land use sections of the code as she believes they may relate to the construction of a future parking garage. She stated she is interested to see what the traffic noise levels would be, as well as other adverse effects of a structure, including impacts to residential setbacks, state constitutional noise standards and Tabor funding. Ms. Epperson also stated she would like to see an advisory election question for this project. Mayor Mamula clarified that there is no current plan to construct a parking garage at this point as the project has been put on hold by the Council.

Mr. Eric Buck, a Breckenridge resident, stated he believes the Satellite Parking Lot on Airport Road needs clearer signage for overnight and day use vehicles. He further stated that the alley behind his office on the 200 block of Main Street is being used by delivery vehicles and others who seem to be continuously blocking the alley, so he asked if someone could please speak to the businesses about their deliveries. In addition, Mr. Buck stated he would like Council to consider asking any new construction to provide adequate parking as part of their project.

There were no additional comments and Citizen's Comment was closed.

**V) CONTINUED BUSINESS**

**A) SECOND READING OF COUNCIL BILLS, SERIES 2018 - PUBLIC HEARINGS**

**1) COUNCIL BILL NO. 14 SERIES 2018 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH M. K. DEVELOPMENT CORPORATION, A COLORADO CORPORATION**

Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance would approve a development agreement with M.K. Development, and the memo included with the ordinance in the packet explains the changes from the first reading.

Mayor Mamula opened the public hearing.

Ms. Carol Rockne, a Breckenridge resident, stated the Town owns some of this property for this development, and asked if this property will pay property taxes or be exempted? Mayor Mamula stated the Town is trading the property for employee housing, so this will be a private property with some restricted units and the owner will pay full property taxes.

There were no additional comments and the public hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 14, SERIES 2018 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH M.K. DEVELOPMENT CORPORATION, A COLORADO CORPORATION. Ms. Gigliello seconded the motion.

The motion passed 6-0. Ms. Lawrence was absent.

2) COUNCIL BILL NO. 15, SERIES 2018 - AN ORDINANCE AMENDING CHAPTER 13 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE CONCERNING SPECIAL EVENTS

Mayor Mamula read the title into the minutes. Ms. Shannon Haynes stated this ordinance is the same as what was presented for first reading other than the changes explained in the memo included in the packet.

Mayor Mamula opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 15, SERIES 2018 - AN ORDINANCE AMENDING CHAPTER 13 OF TITLE 14 OF THE BRECKENRIDGE TOWN CODE CONCERNING SPECIAL EVENTS. Ms. Wolfe seconded the motion.

The motion passed 6-0. Ms. Lawrence was absent.

**VI) NEW BUSINESS**

A) FIRST READING OF COUNCIL BILLS, SERIES 2018

1) COUNCIL BILL NO. 16, SERIES 2018 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH LIONHEART BGV VENTURES, LLC, A COLORADO LIMITED LIABILITY COMPANY

Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance would approve a development agreement with Lionheart BGV Ventures, LLC. He further stated the first step in this process is to review the agreement at a work session, and this is the second step. Mr. Berry stated this ordinance would approve the agreement, and allow the developer to move forward with the Planning Commission. Mr. Berry further stated the redline version of the agreement was handed out at the work session and there will be a public hearing in 2 weeks if it passes tonight. He added that other minor changes to the agreement are anticipated to be made between the two meetings.

Mayor Mamula opened the public hearing.

Ms. Jane Hamilton, a Breckenridge resident, stated she owns a property on Sawmill Run Road that hosts guests throughout the year. She stated she is not opposed to the development, but her property is ski-in/ski-out now and will be walk-in/walk-out when the project is finished. She further stated she is working with Mr. Dudick on this issue and others.

Mr. Tim Casey, chair of Breckenridge Outdoor Education Center (BOEC), stated this project would benefit the BOEC with a generous offer to house some of their winter operations, and would expand the BOEC's ability to serve its clients.

Ms. Carol Rockne, a Breckenridge Resident, stated she is in support of this project, and it has come a long way. Ms. Rockne stated she believes the community benefits should never sunset, and the EIF should have happened a long time ago, and it should be expanded into other locations, such as 4 O'Clock and the Griffith Lodge areas. Ms. Rockne stated the Ski Area in general should be responsible for the environmental impact. Ms. Rockne also requested that the property tax exemption not be allowed for this property. Mayor Mamula and Mr. Holman stated the property tax exemption would not be used in this situation.

Mr. Mike Dudick, representing BGV, stated he appreciates where BGV and the Town landed with this development agreement, and he thanked Council for its time on this project. Mr. Dudick stated he wants to do the right thing for the community, and what BGV and Lionheart are doing is setting a new bar for negotiations with the Town on future projects.

There were no additional comments and the public hearing was closed.

Ms. Wolfe stated she appreciates how far this process has come, and especially the support from the community. She further stated that one of Council's requests was to outreach to the community, and they delivered in that regard. She stated she is proud to watch and be a part of this process, and is happy to support the project.

Ms. Bergeron stated he's never made a motion in support of a development project before, and this is an example of good government.

Ms. Gigliello stated this project sets a new precedent, and if the Town did this with the other projects presented, we wouldn't be facing some of the current challenges we face.

Mr. Carleton stated he expressed concerns when this project came up before Council the last time, and the partnership with the BOEC is significant.

Mr. Gallagher stated we are fortunate to have BGV and Lionheart running this project, and he thanked Council for digging in its heels on some big issues, and to the developer for stepping up to the challenge.

Mayor Mamula stated it was difficult to have Mr. Dudick on Council during this time, and in the end it was the right decision for him to step down. The Mayor further stated Mr. Dudick was a great Councilman, and he still did everything Council asked him to do for this project.

Mr. Bergeron moved to approve COUNCIL BILL NO. 16, SERIES 2018 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH LIONHEART BGV VENTURES, LLC, A COLORADO LIMITED LIABILITY COMPANY. Ms. Gigliello seconded the motion.

The motion passed 6-0. Ms. Lawrence was absent.

- 2) COUNCIL BILL NO. 17, SERIES 2018 - AN ORDINANCE AMENDING POLICY 3 (ABSOLUTE)("DENSITY/INTENSITY") OF SECTION 9-1-19 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE," CONCERNING THE AMOUNT OF DENSITY TO BE TRANSFERRED BY THE TOWN IN CONNECTION WITH THE DEVELOPMENT OF AN ATTAINABLE WORKFORCE HOUSING PROJECT; AND MAKING A CONFORMING AMENDMENT TO THE BRECKENRIDGE TOWN CODE

Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance would change the density ratio from 1-4 to 1-2.

Mayor Mamula opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 17, SERIES 2018 - AN ORDINANCE AMENDING POLICY 3 (ABSOLUTE)("DENSITY/INTENSITY") OF SECTION 9-1-19 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS

THE "BRECKENRIDGE DEVELOPMENT CODE," CONCERNING THE AMOUNT OF DENSITY TO BE TRANSFERRED BY THE TOWN IN CONNECTION WITH THE DEVELOPMENT OF AN ATTAINABLE WORKFORCE HOUSING PROJECT; AND MAKING A CONFORMING AMENDMENT TO THE BRECKENRIDGE TOWN CODE. Mr. Carleton seconded the motion.

Ms. Wolfe stated she will be voting "no" on this ordinance because she would not like to deplete an asset of the Town.

The motion passed 5-1. Ms. Wolfe voted no. Ms. Lawrence was absent.

- B) RESOLUTIONS, SERIES 2018
- C) OTHER

**VII) PLANNING MATTERS**

- A) PLANNING COMMISSION DECISIONS

Mayor Mamula declared the Planning Commission Decisions would stand approved as presented.

**VIII) REPORT OF TOWN MANAGER AND STAFF**

Mr. Holman stated staff is looking for direction from Council on the fireworks decision. Ms. Haynes stated she was hoping for a definitive decision from Red, White and Blue Fire District, but they have not yet made a decision. She further stated the weather report doesn't show significant moisture between now and July 4th, and the potential for fire danger is high and expected to go to very high by the end of the week. Ms. Haynes stated we do feel we can pull off a successful display without causing a fire, however, we worry about the perception around having fireworks, as it might encourage people to have their own and also potentially put a strain on First-Responder resources in the core of town. Ms. Haynes suggested we could entertain people in the evening with something else.

Ms. Wolfe asked if it's a windy evening, wouldn't we be taking a chance? Ms. Haynes stated yes, we would be taking a chance.

Ms. Gigliello asked about other towns cancelling their fireworks. Ms. Haynes stated Frisco's show is over water so it is still planned, and Steamboat, Telluride, Glenwood Springs and others have cancelled.

Mr. Gallagher stated the years are getting drier and hotter, he would like to see us lead by example, and we should look for other alternatives in the future, such as a laser light show.

Mr. Carleton further stated we can't take a chance with these conditions, and Ms. Wolfe, Ms. Gigliello and Mr. Bergeron agreed.

Mayor Mamula stated maybe we could do a firework take-back program for something in exchange, like a recreation center pass.

Council agreed to cancel the fireworks this year.

Mr. Holman stated, regarding the Tiger Road truck traffic that Council has discussed before, that the County plans to hold a hearing on July 10th about the new crushing permit. He further stated that we have learned more about what is being imported, and he's not getting a sense that we are going to see anything that would change the scope of what's there. He further stated we are disappointed that Peak Materials didn't step up to compromise on the traffic issues, and while we are looking at speed limit changes, that's not really the issue.

Mr. Gallagher stated it's the truck traffic that is really the problem, and people weren't paying attention to the importation of other materials causing more traffic. Also, we asked Peak Materials about waiting to haul after a year of crushing, to reduce traffic on the road, but that's probably not going to happen. Mr. Gallagher explained there's a state mining permit that supersedes the County's permit, and it looks like the

County will approve the permit because they will benefit from other things in the agreement. He stated that perhaps there will be more focus on the importation and the traffic count, which could be as much as 400 trips a day with the additional permit. Mr. Gallagher stated we can still send the letter asking the County to uphold the appeal, but there doesn't look like there is much more we can do.

Mr. Holman stated the concern at this point is the other crusher request that could go on for years. He recommended that we define success by how we mitigate or impose conditions on the current operations, and we ask the county to do this in the letter we send. Mr. Holman also clarified that there is no operation on Saturdays, and the hauling is 7am-5:30pm Monday through Friday.

Ms. Gigliello stated she thinks Council should send the letter. Ms. Wolfe stated the County needs to fix the road sooner than later, and sooner would help. Mr. Carleton asked about an impact fee to help repair the road.

Council agreed to send a letter to the County that includes a recommendation for conditions on the crusher permit operation.

**IX) REPORT OF MAYOR AND COUNCIL MEMBERS**

**CAST/MMC**

Mayor Mamula stated he attended the CAST meeting, where members appointed the Vail Town Manager as the president of CAST. He noted that Breckenridge has a strong presence on that committee.

**Breckenridge Open Space Advisory Committee**

Mr. Bergeron stated the committee visited Pinball Alley trail and Mountain Pride Mine for a site visit, and trail maintenance day is on Saturday. In addition, he stated he attended a county-wide sustainability meeting, with the goal of having a county-wide program in the future.

**Breckenridge Tourism Office**

Ms. Wolfe stated there was no update.

**Breckenridge Heritage Alliance**

Ms. Gigliello stated she sent notes from the meeting to Council for review.

**Water Task Force**

Mr. Gallagher stated there was no update.

**Breckenridge Creative Arts**

Ms. Lawrence stated there was no update.

**Breckenridge Events Committee**

Ms. Gigliello stated the committee report was in the packet.

**X) OTHER MATTERS**

Ms. Wolfe asked about the Sawmill Lot sign for the Zip Car that is no longer there, and staff stated the sign will be removed.

Ms. Wolfe stated several council members had meetings with the County Commissioners about the bundling of ballot issues for the November election. She further stated the County is considering bundling 5 questions in November, and is resistant to separating them. Ms. Wolfe stated she is concerned about adding the County's CIP budget ask to the bundle of other critical issues, and what the voter response will be. Mayor Mamula stated he had a discussion with the County about how people feel about voting for multiple issues at once, and he also doesn't feel they should be bundled. Mr. Gallagher agreed with the Mayor, and stated he also doesn't like how many of the issues have sunset clauses. Ms. Gigliello stated bundling doesn't bother her too much, and she feels like these are all things that we as a Town support. Mr. Bergeron stated he is concerned that the things that matter to him most might not pass because of the other issues included in the bundle. Mr. Carleton stated he agrees with Ms. Gigliello and it is harder for the County to get things like CIP projects funded. Mayor Mamula stated Council should continue to talk to the County about it prior to the next election.

Ms. Gigliello requested that the Town's running races promote the use of the Free Ride buses to attend the races, if possible.

Mr. Holman stated there is a Wellington Neighborhood bike rodeo tomorrow afternoon, and there is also a recycling event at the Recreation Center on Thursday.

After brief public comment, Council expressed concern about recycling in the downtown dumpsters. Staff will look into this issue and report back to Council.

**XI) SCHEDULED MEETINGS**

**A) SCHEDULED MEETINGS FOR JUNE AND JULY**

**XII) ADJOURNMENT**

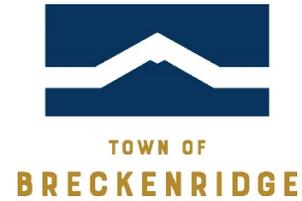
With no further business to discuss, the meeting adjourned at 8:47pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

\_\_\_\_\_  
Helen Cospolich, CMC, Town Clerk

\_\_\_\_\_  
Eric S. Mamula, Mayor

DRAFT



# Memo

**To:** Breckenridge Town Council Members

**From:** Chris Kulick, AICP, Planner III

**Date:** 7/10/2018

**Subject:** Council Bill No. 16, East Peak 8 Parcel (1599 Ski Hill Road) - Lionheart BGV Ventures Hotel Development Agreement Ordinance

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The second reading of the Lionheart BGV Ventures Hotel Development Agreement Ordinance is attached. There are no changes to the Ordinance from First Reading approved on June 26. Changes to the Development Agreement have been marked in the attachment

Key changes to the Development Agreement Include:

- All approved temporary structures shall be removed not later than the first to occur of: (i) the end of 60 days after the issuance of any final certificate of occupancy for the Proposed Development, or (ii) 7 years after the date of initial substantial construction (as defined in the Town Code) of the Proposed Development.
- The applicants are now being credited, as a public benefit, for only the amount of deed restricted employee housing beyond which the proposed development is gaining positive points under Policy 24/R during the Development Permit review (x SF).
- The environmental improvement fund, dedicated to drainage and similar protection improvements in Cucumber Gulch will be funded by a fee of \$2.00 per paid room night of hotel room rentals, for a period of twenty (20) years from the date a certificate of occupancy is issued for the hotel component of the Proposed Development.
- All of the Developer's obligations in the Development Agreement will extend beyond completion of the Proposed Development in one or more restrictive covenants as conditions of approval with an approved development permit.

Staff will be available to answer any questions at the meeting.

1 **FOR WORKSESSION/SECOND READING – JULY 10**

2  
3 **NO CHANGE TO ORDINANCE FROM FIRST READING;**  
4 **CHANGES TO DEVELOPMENT AGREEMENT ARE MARKED**

5  
6 COUNCIL BILL NO. 16

7  
8 Series 2018

9  
10 AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH  
11 LIONHEART BGV VENTURES, LLC, A COLORADO LIMITED LIABILITY COMPANY

12  
13 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,  
14 COLORADO:

15  
16 Section 1. Findings. The Town Council of the Town of Breckenridge finds and  
17 determines as follows:

18  
19 A. Vail Summit Resorts, Inc. (“Owner”) is the owner of the Remainder of Tract C,  
20 Peak 8 Subdivision according to the Third Resubdivision Plat of The Remainder of Tract C, Peak  
21 8 Subdivision Filing No. 1 recorded September 19, 2016 at Reception No. 1121860, Summit  
22 County, Colorado (the “Property”).

23  
24 B. The Property is subject to the Amendment to Amended Peaks 7 & 8 Master Plan  
25 approved by Development Permit PL-2015-0444 on January 12, 2016, the Notice of Approval of  
26 Master Plan for which Amendment was recorded August 30, 2016 at Reception No. 1120265 of  
27 the Summit County, Colorado records (the “Master Plan”).

28  
29 C. Lionheart BGV Ventures, LLC, a Colorado limited liability company,  
30 (“Developer”) is an affiliate of Lionheart Capital, LLC.

31  
32 D. Owner and Lionheart Capital, LLC have entered into an agreement for the potential  
33 sale of the portion of the Property located to the east of One Ski Hill Place and representing the  
34 remainder of the developable area of Planning Area B, Peak 8 Base of the Master Plan (the “Sale  
35 Parcel”) for Developer to develop a hotel, condominiums, commercial facilities, amenities and  
36 space for Owner’s use (the “Proposed Development”). On February 6, 2018 the agreement was  
37 assigned by Lionheart Capital, LLC to Developer.

38  
39 E. As owner of the Property, Owner has the right to authorize and has provided to the  
40 Town written authorization for the Developer to propose an amendment to the Master Plan, to  
41 request a density transfer to the Sale Parcel, to request Town approval for the gross density  
42 recommended by the Town’s Land Use Guidelines (“Guidelines”) to be exceeded as provided for  
43 in Subsection 9-1-19-39A:I.(2) of the Breckenridge Town Code, and to enter into agreements  
with the Town concerning such amendment to the Master Plan, such a density transfer, such

1 density in excess of that recommended by the Guidelines, and such other matters as the Town and  
2 the Developer may agree is appropriate.

3  
4 F. Pursuant to Chapter 9 of Title 9 of the Breckenridge Town Code the Town Council  
5 has the authority to enter into a development agreement. Further, in connection with a master  
6 plan amendment, there is no process in the Town’s Development Code for approval of density in  
7 excess of that recommended by the Guidelines and a transfer of density to support such excess  
8 density, and, therefore, a development agreement provides a means for such an approval and  
9 transfer.

10 G. In order for Developer to develop the Sale Parcel in a manner that will include a  
11 four star, flagged, luxury hotel containing approximately 150 rooms and approximately 110,000  
12 square feet of condominiums, with the amenities and commercial services required for such a  
13 project, up to an additional 58 SFEs of density, which may include up to 2.0 SFEs of commercial  
14 density, will be required and an amendment to the Master Plan and authorization to acquire and  
15 transfer such additional SFEs will be required.

16 H. Because there is no provision in the Breckenridge Town Code allowing site work  
17 to begin prior to issuance of a building permit, in order to facilitate the beginning of vertical  
18 construction of Developer’s proposed project in the spring of 2020, the Town is prepared to  
19 authorize its Department of Community Development (“Department”) to grant permission for the  
20 commencement of infrastructure improvements, including, but not limited to, demolition of  
21 Owner’s administration office building and ski patrol locker building located on the Sale Parcel  
22 (“Administration Facilities”), construction of storm water management facilities, relocation of  
23 utilities, and site excavation prior to issuance of a building permit, but subject to receipt of  
24 assurances of completion deemed satisfactory by the Department.

25 I. In order to accommodate Owner’s administration functions necessary or  
26 appropriate for the operation of the Breckenridge Ski Resort, which currently occur in the  
27 Administration Facilities, the Town acknowledges and understands that one or more temporary  
28 structures will need to be placed in locations acceptable to the Owner, Developer, and the Town  
29 on the Sale Parcel or elsewhere within the Property as determined by Owner, Developer, and the  
30 Town and maintained in such locations until the proposed Guest Services (as defined in the  
31 Master Plan) spaces to be included in Developer’s proposed development on the Sale Parcel (the  
32 “Guest Services Spaces”) are completed and ready for occupancy by Owner and a temporary  
33 permit will need to be issued. Such permit must be reviewed and approved by the Town’s  
34 Planning Commission and Town Council as provided for in subparagraph 1(a)(v) of the proposed  
35 Development Agreement, and nothing in the Agreement requires the Planning Commission or  
36 Town Council to approve such a permit if the permit application does not meet the applicable  
37 requirements of the Town’s Development Code.

38 J. The commitments encouraged to be made in connection with an application for a  
39 development agreement in accordance with Section 9-9-4 of the Breckenridge Town Code,  
40 Developer are set forth in the Agreement.

41

1 K. The Town Council has received a completed application and all required submittals  
2 for a development agreement, had a preliminary discussion of the application and this Agreement,  
3 determined that it should commence proceedings for the approval of this Agreement and, in  
4 accordance with the procedures set forth in Subsection 9-9-10:C of the Breckenridge Town Code,  
5 has approved this Agreement by non-emergency ordinance.

6  
7 L. A proposed development agreement between the Town and the Owner addressing  
8 the topics described above has been prepared, a copy of which is marked **Exhibit “A”**, attached  
9 hereto and incorporated herein by reference (“Development Agreement”).

10  
11 M. The Town Council had a preliminary discussion of the development agreement  
12 application, and the proposed Development Agreement, as required by Section 9-9-10(A) of the  
13 Breckenridge Town Code.

14 N. The Town Council determined that request for a development agreement need  
15 not be referred to the Breckenridge Planning Commission for its review and recommendation.

16 O. The Town Council has reviewed the Development Agreement.

17 P. The approval of the Development Agreement is warranted in light of all relevant  
18 circumstances.

19 Q. The procedures to be used to review and approve a development agreement are  
20 provided in Chapter 9 of Title 9 of the Breckenridge Town Code. The requirements of such  
21 Chapter have substantially been met or waived in connection with the approval of the  
22 Development Agreement and the adoption of this ordinance.

23 Section 2. Approval of Development Agreement. The Development Agreement between  
24 the Town and Lionheart BGV Ventures, LLC, a Colorado limited liability company (**Exhibit**  
25 **“A”** hereto) is approved, and the Town Manager is authorized, empowered, and directed to  
26 execute such agreement for and on behalf of the Town of Breckenridge.

27  
28 Section 3. Notice of Approval. The Development Agreement must contain a notice in the  
29 form provided in Section 9-9-13 of the Breckenridge Town Code. In addition, a notice in  
30 compliance with the requirements of Section 9-9-13 of the Breckenridge Town Code must be  
31 published by the Town Clerk one time in a newspaper of general circulation in the Town within  
32 fourteen days after the adoption of this ordinance. Such notice shall satisfy the requirement of  
33 Section 24-68-103, C.R.S.

34  
35 Section 4. Inapplicable Code Provision. Because the Development Agreement involves  
36 constitutionally protected property rights, the Town Council finds, determines, and declares that  
37 Section 1-16-15 of the Breckenridge Town Code does not apply to the Development Agreement.  
38 If Section 1-16-15 of the Breckenridge Town Code is ever determined to apply to the  
39 Development Agreement, the Town Council irrevocably waives any right it might have to seek  
40 to void the Development Agreement based upon such determination.



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APPROVAL OF THIS DEVELOPMENT AGREEMENT CONSTITUTES A VESTED  
PROPERTY RIGHT PURSUANT TO ARTICLE 68 OF TITLE 24, COLORADO REVISED  
STATUTES, AS AMENDED

Additions To The Version of the Agreement Approved on First Reading Are  
Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

DEVELOPMENT AGREEMENT

This Development Agreement (“Agreement”) is made as of the \_\_\_\_ day of \_\_\_\_\_,  
2018 (the “Effective Date,” which shall be the date when the ordinance approving this Agreement  
becomes effective) between the TOWN OF BRECKENRIDGE, a municipal corporation of the  
State of Colorado, (the “Town”) and LIONHEART BGV VENTURES, LLC, a Colorado limited  
liability company (the “Developer”).

Recitals

A. Vail Summit Resorts, Inc. (“Owner”) is the owner of the Remainder of Tract C,  
Peak 8 Subdivision according to the Third Resubdivision Plat of The Remainder of Tract C, Peak  
8 Subdivision Filing No. 1 recorded September 19, 2016 at Reception No. 1121860, Summit  
County, Colorado (the “Property”).

B. The Property is subject to the Amendment to Amended Peaks 7 & 8 Master Plan  
approved by Development Permit PL-2015-0444 on January 12, 2016, the Notice of Approval of  
Master Plan for which Amendment was recorded August 30, 2016 at Reception No. 1120265 of  
the Summit County, Colorado records (the “Master Plan”).

C. ~~Lionheart BGV Ventures, LLC, a Colorado limited liability company,~~  
 (“Developer”) is an affiliate of Lionheart Capital, LLC.

D. Owner and Lionheart Capital, LLC have entered into an agreement for the potential  
sale of the portion of the Property located to the east of One Ski Hill Place and representing the  
remainder of the developable area of Planning Area B, Peak 8 Base of the Master Plan (the “Sale  
Parcel”) for Developer to develop a hotel, condominiums, commercial facilities, amenities and  
space for Owner’s use (the “Proposed Development”). On February 6, 2018 the agreement was  
assigned by Lionheart Capital, LLC to Developer.

E. As owner of the Property, Owner has the right to authorize and has provided to the  
Town written authorization for the Developer to propose an amendment to the Master Plan, to  
request a density transfer to the Sale Parcel, to request Town approval for the gross density  
recommended by the Town’s Land Use Guidelines (“Guidelines”) to be exceeded as provided for  
in Subsection 9-1-19-39A:I.(2) of the Breckenridge Town Code, and to enter into agreements

1 with the Town concerning such amendment to the Master Plan, such a density transfer, such  
2 density in excess of that recommended by the Guidelines, and such other matters as the Town and  
3 the Developer may agree is appropriate.  
4

5 F. Pursuant to Chapter 9 of Title 9 of the Breckenridge Town Code the Town Council  
6 has the authority to enter into a development agreement. Further, in connection with a master  
7 plan amendment, there is no process in the Town’s Development Code for approval of density in  
8 excess of that recommended by the Guidelines and a transfer of density to support such excess  
9 density, and, therefore, a development agreement provides a means for such an approval and  
10 transfer.

11 G. In order for Developer to develop the Sale Parcel in a manner that will include a  
12 four star, flagged, luxury hotel containing approximately 150 rooms and approximately 110,000  
13 square feet of condominiums, with the amenities and commercial services required for such a  
14 project, up to **the total of** an additional 58 SFEs of density, which may include up to 2.0 SFEs of  
15 commercial density, will be required and an amendment to the Master Plan and authorization to  
16 acquire and transfer such additional SFEs will be required.

17 H. Because there is no provision in the Breckenridge Town Code allowing site work  
18 to begin prior to issuance of a building permit, in order to facilitate the beginning of vertical  
19 construction of Developer’s proposed project in the spring of 2020, the Town is prepared to  
20 authorize its Department of Community Development (“Department”) to grant permission for the  
21 commencement of infrastructure improvements, including, but not limited to, demolition of  
22 Owner’s administration office building and ski patrol locker building located on the Sale Parcel  
23 (“Administration Facilities”), construction of storm water management facilities, relocation of  
24 utilities, and site excavation prior to issuance of a building permit, but subject to receipt of  
25 assurances of completion deemed satisfactory by the Department.

26 I. In order to accommodate Owner’s administration functions necessary or  
27 appropriate for the operation of the Breckenridge Ski Resort, which currently occur in the  
28 Administration Facilities, the Town acknowledges and understands that one or more temporary  
29 structures will need to be placed in locations acceptable to the Owner, Developer, and the Town  
30 on the Sale Parcel or elsewhere within the Property as determined by Owner, Developer, and the  
31 Town, and maintained in such locations until the proposed Guest Services (as defined in the  
32 Master Plan) spaces to be included in Developer’s proposed development on the Sale Parcel (the  
33 “Guest Services Spaces”) are completed and ready for occupancy by Owner and a temporary  
34 permit will need to be issued. The permit referenced in this paragraph must be reviewed and  
35 approved by the Town’s Planning Commission and Town Council as provided for in  
36 subparagraph 1(a)(v) below, and nothing in this Agreement requires the Planning Commission or  
37 Town Council to approve such a permit if the permit application does not meet the applicable  
38 requirements of the Town’s Development Code.

1 J. The commitments encouraged to be made in connection with an application for a  
2 development agreement in accordance with Section 9-9-4 of the Breckenridge Town Code,  
3 Developer are as hereafter set forth in this Agreement.

4 K. The Town Council has received a completed application and all required submittals  
5 for a development agreement, had a preliminary discussion of the application and this Agreement,  
6 determined that it should commence proceedings for the approval of this Agreement and, in  
7 accordance with the procedures set forth in Subsection 9-9-10:C of the Breckenridge Town Code,  
8 has approved this Agreement by non-emergency ordinance.

9 Agreement

10 1. Upon:

11  
12 (a) final approval of all of the following by the Town:

- 13  
14 (i) such permits or approvals necessary for the transfer of density consisting of up to  
15 **a total of** 58 SFEs, including up to two (2) commercial SFEs, to the Sale Parcel  
16 by Owner from the density included under the Gondola Lots Master Plan;  
17  
18 (ii) a Class A development permit amending the Master Plan to allow for such  
19 transferred density in addition to the 71.6 residential SFEs and ~~8.89.0~~ commercial  
20 SFEs remaining available for the Sale Parcel under the Master Plan (the “Master  
21 Plan Amendment”);  
22  
23 (iii) (A) The maximum height of the buildings within the Proposed Development  
24 shall not exceed the elevation of the existing east cross gable of One Ski Hill  
25 Place, as shown on the Building Elevations exhibit attached hereto. This  
26 maximum height will serve as an “Absolute “ policy under the Town’s  
27 Development Code.  
28  
29 (B) Policy 6 (Relative) “Building Height” of the Town’s Development Code  
30 shall apply to the Town’s review of the Permit application. Pursuant to the Master  
31 Plan, for the purpose of assessing or awarding points under Policy 6 (Relative) the  
32 heights of the buildings to be constructed within the Proposed Development shall  
33 be evaluated against the height requirements of the Town’s Development Code  
34 and the recommended heights for Land Use District 39 as they were in effect at  
35 the time the most recent amendment to the Master Plan was approved on February  
36 26, 2013.  
37  
38 (C) Pursuant to the Master Plan, the height of buildings at the Peak 8 Base  
39 area only (including the site of the Proposed Development) are to be measured “to  
40 the proposed finished grade elevation at the exterior wall below,” and not to  
41 natural grade, which generally does not exist in the area, provided that such  
42 proposed finished grades shall not include artificial appearing berming or fill.

1 Artificial appearing berming or fill is characterized by excessive rise and steep  
2 grades in the vicinity of building foundations. (emphasis added). The height of the  
3 buildings within the Proposed Development shall be established in accordance  
4 with the Development Code and District 39 of the Guidelines, as they are in effect  
5 at the time of the execution of this Agreement; provided, however, that the Town  
6 and Developer shall establish a method for determining the finished grades above  
7 which heights shall be measured in order to account for the lack of natural grades  
8 and the anticipated filling of the lowered and generally flat grades currently  
9 existing at the Peak 8 base area.

10  
11 (iv) a Class A development permit acceptable to Developer consistent with the Master  
12 Plan Amendment and allowing for the development of the Sale Parcel to  
13 accommodate: a four star, flagged, luxury hotel containing approximately 150  
14 rooms; approximately 110,000 square feet of residential condominiums;  
15 approximately 11,000 square feet of commercial; and approximately 10,300  
16 square feet of Guest Services and Support Facilities (as defined in the Master  
17 Plan) space for acquisition and use by Owner (the "Permit");

18  
19 (v) such permit as may be required by the Town to allow one or more temporary  
20 structures accommodating Owner's administration functions necessary or  
21 appropriate for the operation of the Breckenridge Ski Resort to be placed in  
22 locations acceptable to Owner ~~and~~, Developer, **and Town** on the Sale Parcel or  
23 elsewhere within the Property as determined by Owner ~~and~~, Developer, **and**  
24 **Town** and maintained in such locations until the proposed Guest Services Spaces  
25 are completed and ready for occupancy by Owner; **provided, however, that all**  
26 **approved temporary structures shall be removed not later than the first to**  
27 **occur of: (i) the end of 60 days after the issuance of any final certificate of**  
28 **occupancy for the Proposed Development, or (ii) 7 years after the date of**  
29 **initial substantial construction (as defined in the Town Code) of the**  
30 **Proposed Development;** and

31  
32 (vi) a Class B subdivision permit approving the subdivision of the Property to create  
33 the Sale Parcel;

34  
35 and

36  
37 (b) the passage of any time periods within which any referendums, appeals or other  
38 challenges to such approvals must be brought, without any such referendums, appeals or other  
39 challenges having been filed, commenced or asserted, or, if filed, commenced or asserted, after  
40 any such appeal, referendum or challenge is resolved with affirmation that this Agreement is  
41 effective,

42  
43 then Developer shall:

- 1  
2 (A) pay \$125,000 to the Town to be applied to the improvement and maintenance of  
3 the Town's Cucumber Gulch property or as otherwise directed by the Town  
4 Council;  
5
- 6 (B) prior to the issuance of a building permit for the development of the Sale Parcel as  
7 contemplated by this Agreement, cause Owner, subject to (1) Owner's satisfaction  
8 that any existing approvals associated with the property covered by the Gondola  
9 Lots Master Plan and/or Development Permit PL-2016-0003 will remain fully  
10 effective except for a reduction of the density by the amount of density transferred  
11 and (2) Developer's satisfaction of all conditions to Owner's transfer of density to  
12 the Sale Parcel under any agreement relating thereto, to enter into a density  
13 transfer covenant with the Town, **in a form substantially similar to the previous**  
14 **density transfer covenant between Owner and the Town executed and**  
15 **recorded in connection with the Gondola Lots Master Plan,** to transfer from  
16 the property covered by the Gondola Lots Master Plan the density required to  
17 support the total residential and commercial density authorized by the Permit  
18 minus the residential density of 71.6 SFEs and the commercial density of 9.0  
19 SFEs remaining available for the Sale Parcel under the Master Plan; provided,  
20 however, **that** nothing in this Agreement requires the Town to renew the Gondola  
21 Lots Master Plan and/or Development Permit PL-2016-0003 when such  
22 documents expire.  
23
- 24 (C) prior to the issuance of any certificate of occupancy for the Proposed  
25 Development, provide standard form Town employee housing covenants  
26 restricting the use of 20,000 square feet of previously unrestricted residential  
27 **housing** units as employee housing, ~~provided that such portion of the~~ **in an**  
28 **amount equal to the difference between 20,000 square feet (the** total square  
29 **footage as is of employee housing Developer has committed to restrict) and**  
30 **that square footage of employee housing** applied by Developer ~~in connection~~  
31 **with the to obtain an** allocation of up to 10 positive points under Subsection 9-1-  
32 19-24R of the Town's Development Code ~~will be included as part of and not in~~  
33 ~~addition to such 20,000 square feet;~~ **The difference between 20,000 square feet**  
34 **of employee housing and that square footage of employee housing applied by**  
35 **Developer to obtain an allocation of up to 10 positive points under Subsection**  
36 **9-1-19-24R of the Town's Development Code shall be treated as a**  
37 **commitment to the Town under Section 9-9-4 of the Breckenridge Town**  
38 **Code.**  
39
- 40 (D) prior to issuance of a certificate of occupancy for the portion of the Proposed  
41 Development that includes the approximately 1,500 square feet of space for the  
42 BOEC, enter into a lease providing for a term of at least fifty (50) years and rent  
43 of \$1.00 per year and otherwise mutually acceptable to Developer and the BOEC;

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- (E) prior to the issuance of any certificate of occupancy for the Proposed Development, establish with the Town an environmental improvement fund dedicated to drainage and similar improvements to protect the Town’s Cucumber Gulch property funded by a fee of \$2.00 per paid room night to be added to the amount paid for rentals of the hotel rooms in the Proposed Development, and only those hotel rooms, for a period of ~~ten~~twenty (~~10~~20) years from the date a certificate of occupancy is issued for the hotel component of the Proposed Development. **Such funds shall be transferred to Town in accordance with a schedule to be established by the Finance Director of the Town;**
  
- (F) upon issuance of the final certificate of occupancy for the Proposed Development, to provide such document as is reasonably acceptable to the Town to provide for the abandonment of any right of access to the Sale Parcel from Saw Mill Run Road. The parties understand and acknowledge that to completely eliminate any potential public right of access to the Sale Parcel from Saw Mill Run Road (and the extension thereof across what has been denominated as “County Road 709”) it will be necessary for the Town to vacate County Road 709 in the manner provided by law. The Town agrees to consider a request to vacate County Road 709 pursuant to Chapter 4 of Title 11 of the Breckenridge Town Code;
  
- (G) upon and subject to completion of the Barton Landing Apartments, either to cause Peak 8 Properties, LLC, an affiliate of Developer, to comply with the terms of the Lease previously entered into by said Peak 8 Properties with Barton Creek Development, LLC for such apartments or to assume the rights and obligations under such Lease from Peak 8 Properties, LLC; and
  
- (H) prior to issuance of the final certificate of occupancy for the proposed development on the Sale Parcel, enter into such agreement as the Town reasonably may require to provide for the following: At the end of the first year after issuance of a final certificate of occupancy for the Proposed Development and every year thereafter for the first 5 years after issuance of such final certificate of occupancy, the Developer will provide a trip report to the Town. Trips will be defined as the number of trips into the garage plus the number of trip out of the garage on a daily basis. If during any single calendar month of each of such 5 years the number of trips exceeds an average of 1,600 trips per day, for every 100 trips in excess of 1,600 the Developer will acquire and transfer 1 additional shuttle van to the Breckenridge Mountain Master Association (“BMMA”). Until such time as the threshold described in the preceding sentence has been reached the residents and guests of the Proposed Development shall have access to the transportation (van) system operated by the BMMA in the same manner as is provided to other properties located within the boundaries of the BMMA. Prior to the issuance of a certificate of occupancy for the Proposed

1 Development a letter from the BMMA confirming the same shall be provided to  
2 the Town.  
3

4 **(c) All of the Developer's obligations set forth in this Section 1 that will extend**  
5 **beyond completion of the Proposed Development shall be set forth in one or more**  
6 **restrictive covenants to be executed by the Developer and the Town and recorded in the**  
7 **real property records of the Clerk and Recorder of Summit County, Colorado. The form of**  
8 **the restrictive covenants shall be acceptable to the Developer's counsel and the Town**  
9 **Attorney.**  
10

11 2. Pursuant to Subsection 9-1-19:39.I.(2) of the Development Code, the Town's  
12 Planning Commission is hereby authorized to review and approve, within 1 year of the Effective  
13 Date and subject to compliance with all other applicable development policies of the Town, both  
14 an application for the Master Plan Amendment and an application for the Permit allowing for the  
15 additional density and other terms and conditions provided for in this Agreement.  
16

17 3. Subject to the Department's receipt of adequate assurances of or security for  
18 completion of the authorized infrastructure improvements or return of the Sale Parcel generally to  
19 the condition it was in before the commencement of any work, the Department, after final approval  
20 of the Master Plan Amendment and the Permit, is hereby authorized to permit the demolition of  
21 Administration Facilities and the excavation for and construction of infrastructure improvements,  
22 including, but not limited to, construction of storm water management facilities, relocation of  
23 utilities, and site excavation, after issuance of the Permit but before issuance of a building permit.  
24

25 4. Except as provided in Section 24-68-105, C.R.S. and except as specifically  
26 provided for herein, the execution of this Agreement shall not preclude the current or future  
27 application of municipal, state or federal ordinances, laws, rules or regulations to the Property  
28 (collectively, "laws"), including, but not limited to, building, fire, plumbing, engineering, electrical  
29 and mechanical codes, and the Town's Development Code, Subdivision Standards and other land  
30 use laws, as the same may be in effect from time to time throughout the term of this Agreement.  
31 Except to the extent the Town otherwise specifically agrees, any development of the Sale Parcel  
32 which is the subject of this Agreement, the Master Plan Amendment and the Permit shall be done  
33 in compliance with the then-current laws of the Town.  
34

35 5. Nothing in this Agreement shall preclude or otherwise limit the lawful authority of  
36 the Town to adopt or amend any Town law, including, but not limited to the Town's: (i)  
37 Development Code, (ii) Master Plan, (iii) Land Use Guidelines and (iv) Subdivision Standards.  
38

39 6. Prior to any action against the Town for breach of this Agreement, Developer shall  
40 give the Town a sixty (60) day written notice of any claim by the Developer of a breach or default  
41 by the Town, and the Town shall have the opportunity to cure such alleged default within such  
42 time period.  
43

1           7.       The Town shall not be responsible for and the Developer shall have no remedy  
2 against the Town if the development of the Sale Parcel is prevented or delayed for reasons beyond  
3 the control of the Town.  
4

5           8.       Actual development of the Sale Parcel shall require the issuance of such other and  
6 further permits and approvals by the Town as may be required from time to time by applicable  
7 Town ordinances.  
8

9           9.       No official or employee of the Town shall be personally responsible for any actual  
10 or alleged breach of this Agreement by the Town.  
11

12           10.      Developer with respect to its interests or benefits provided for in paragraphs 1, 2,  
13 and 3 agrees to indemnify and hold the Town, its officers, employees, insurers, and self-insurance  
14 pool, harmless from and against all liability, claims, and demands, on account of injury, loss, or  
15 damage, including without limitation claims arising from bodily injury, personal injury, sickness,  
16 disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out  
17 of or are in any manner connected with such benefits under this Agreement, if such injury, loss, or  
18 damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the  
19 negligence or wrongful intentional act or omission of Developer; any subcontractor of Developer,  
20 or any officer, employee, representative, or agent of Developer or of any subcontractor of  
21 Developer, or which arise out of any worker's compensation claim of any employee of Developer,  
22 or of any employee of any subcontractor of Developer; except to the extent such liability, claim or  
23 demand arises through the negligence or intentional act or omission of Town, its officers,  
24 employees, or agents. Developer agrees to investigate, handle, respond to, and to provide defense  
25 for and defend against, any such liability, claims, or demands at the sole expense of the Developer.  
26 Developer also agrees to bear all other costs and expenses related thereto, including court costs  
27 and attorney's fees.  
28

29           11.      If any provision of this Agreement shall be invalid, illegal or unenforceable, it shall  
30 not affect or impair the validity, legality or enforceability of the remaining provisions of the  
31 Agreement.

32           12.      This Agreement constitutes a vested property right pursuant to Article 68 of Title  
33 24, Colorado Revised Statutes, as amended.

34           13.      No waiver of any provision of this Agreement shall be deemed or constitute a  
35 waiver of any other provision, nor shall it be deemed to constitute a continuing waiver unless  
36 expressly provided for by a written amendment to this Agreement signed by both Town and  
37 Developer; nor shall the waiver of any default under this Agreement be deemed a waiver of any  
38 subsequent default or defaults of the same type. The Town's failure to exercise any right under  
39 this Agreement shall not constitute the approval of any wrongful act by the Developer or the  
40 acceptance of any improvements.



1 shall not constitute  
2 notice) to:

John L. Palmquist, Esq.  
GC Legal Strategies  
2520 S. St. Paul Street  
Denver, CO 80210

6  
7 With a copy (which  
8 shall not constitute  
9 notice) to:

Vail Resorts Management Company  
390 Interlocken Crescent  
Broomfield, CO 80021  
Attn: Legal Department

10  
11  
12  
13

14 Notices mailed in accordance with the provisions of this paragraph shall be deemed to have been  
15 given upon delivery. Notices personally delivered shall be deemed to have been given upon  
16 delivery. Nothing herein shall prohibit the giving of notice in the manner provided for in the  
17 Colorado Rules of Civil Procedure for service of civil process.

18 19. This Agreement constitutes the entire agreement and understanding between the  
19 parties relating to the subject matter of this Agreement and supersedes any prior agreement or  
20 understanding relating to such subject matter.

21  
22 20. This Agreement shall be interpreted in accordance with the laws of the State of  
23 Colorado.

24  
25 IN WITNESS WHEREOF, the Town and the Developer have executed this Agreement as  
26 of the date first above set forth.

27  
28  
29

TOWN OF BRECKENRIDGE

30 Attest:

31  
32  
33

34 \_\_\_\_\_  
Helen Cospolich, CMC, Town Clerk

By: \_\_\_\_\_  
Rick G. Holman, Manager

35  
36  
37  
38  
39

1 STATE OF COLORADO )  
2 ) ss.  
3 COUNTY OF SUMMIT )  
4

5 The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
6 201\_\_ by Rick G. Holman as Town Manager and Helen Cospolich, CMC, as Town Clerk of the  
7 Town of Breckenridge.

8  
9 Witness my hand and official seal.  
10 My commission expires: \_\_\_\_\_  
11

12 \_\_\_\_\_  
13 Notary Public

14  
15 LIONHEART BGV VENTURES, LLC  
16 a Colorado limited liability company  
17

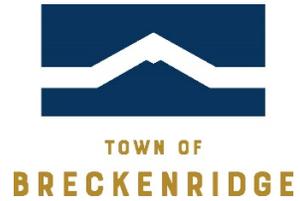
18  
19  
20 By: \_\_\_\_\_  
21 \_\_\_\_\_, Manager  
22  
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25 STATE OF COLORADO )  
26 ) ss.  
27 COUNTY OF SUMMIT )  
28

29 The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
30 201\_\_ by \_\_\_\_\_ as the Manager of Lionheart BGV Ventures, LLC, a Colorado  
31 limited liability company.

32  
33 Witness my hand and official seal.  
34 My commission expires: \_\_\_\_\_  
35

36 \_\_\_\_\_  
37 Notary Public  
38  
39  
40  
41  
42



# Memo

To: Breckenridge Town Council Members  
From: Tim Berry, Town Attorney  
Date: 7/2/2018  
Subject: Council Bill No. 17 (Amendment to Ratio for Density Provided by Town for Attainable Workforce Housing Projects)

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The second reading of the ordinance amending the ratio of Town-owned density that is provided for attainable workforce housing from 1:4 to 1:2 is scheduled for your meeting on July 10<sup>th</sup>. There are no changes proposed to ordinance from first reading.

I will be happy to discuss this matter with you on Tuesday.

1 **FOR WORKSESSION/SECOND READING – JULY 10**

2  
3 **NO CHANGE FROM FIRST READING**

4  
5 Additions To The Current Breckenridge Town Code Are  
6 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

7  
8 COUNCIL BILL NO. 17

9  
10 Series 2018

11  
12 AN ORDINANCE AMENDING POLICY 3 (ABSOLUTE)(“DENSITY/INTENSITY”) OF  
13 SECTION 9-1-19 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE  
14 “BRECKENRIDGE DEVELOPMENT CODE,” CONCERNING THE AMOUNT OF  
15 DENSITY TO BE TRANSFERRED BY THE TOWN IN CONNECTION WITH THE  
16 DEVELOPMENT OF AN ATTAINABLE WORKFORCE HOUSING PROJECT; AND  
17 MAKING A CONFORMING AMENDMENT TO THE BRECKENRIDGE TOWN CODE

18  
19 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,  
20 COLORADO:

21  
22 Section 1. Section 9-1-5 of the Breckenridge Town Code is amended by the addition of  
23 the following definition:

24  
25 **ATTAINABLE WORKFORCE HOUSING PROJECT:** **Has the meaning provided in Section 9-1-14 of this Code.**

26  
27 Section 2. Section (E)(1) of Policy 3(Absolute)(“Density/Intensity”) of Section 9-1-19 of  
28 the Breckenridge Town Code is amended to read in its entirety as follows:

29 E. Density for Attainable Workforce Housing Projects

30  
31 (1) When new attainable workforce housing projects are developed within the  
32 corporate limits of the Town, the Town government shall transfer density it owns  
33 to the attainable workforce housing project at a ~~4:4~~ **1:2** ratio (i.e., transfer one  
34 development right for every ~~four~~ **two** attainable workforce housing project units  
35 permitted to be built).

36  
37 Section 3. Except as specifically amended hereby, the Breckenridge Town Code, and the  
38 various secondary codes adopted by reference therein, shall continue in full force and effect.

39  
40 Section 4. The Town Council hereby finds, determines and declares that this ordinance is  
41 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and

1 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants  
2 thereof.

3  
4 Section 5. The Town Council hereby finds, determines and declares that it has the power  
5 to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act,  
6 Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal  
7 zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv)  
8 Section 31-15-401, C.R.S.(concerning municipal police powers); (v) the authority granted to  
9 home rule municipalities by Article XX of the Colorado Constitution; and (vi) the powers  
10 contained in the Breckenridge Town Charter.

11  
12 Section 6. This ordinance shall be published and become effective as provided by Section  
13 5.9 of the Breckenridge Town Charter.

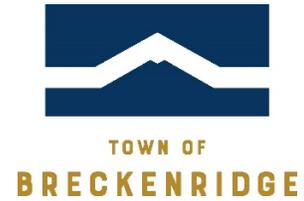
14  
15 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED  
16 IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2018. A Public Hearing shall be held at the regular meeting of  
17 the Town Council of the Town of Breckenridge, Colorado on the \_\_\_\_ day of \_\_\_\_\_, 2018, at 7:00  
18 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

19  
20 TOWN OF BRECKENRIDGE, a Colorado  
21 municipal corporation

22  
23  
24  
25 By: \_\_\_\_\_  
26 Eric S. Mamula, Mayor

27  
28 ATTEST:

29  
30  
31  
32 \_\_\_\_\_  
33 Helen Cospolich, CMC,  
34 Town Clerk



# Memo

To: Breckenridge Town Council Members  
From: Eli Johnston, Chief Building Official  
Date: 7/5/2018  
Subject: Request to Adopt the 2017 National Electrical Code

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The Town regularly adopts updates to its various building and electric codes, after national or international model codes are updated. The Town is currently operating under the 2014 National Electrical Code (NEC). The 2017 NEC has now been released. Our Building Division staff have analyzed the 2017 NEC and have held a builder's forum in conjunction with Summit County to give the public a chance to comment prior to adoption. No substantive comments or suggestions were provided at that public forum. Therefore, staff is recommending that the Council adopt the 2017 NEC without any amendments. The attached ordinance will adopt the 2017 NEC. Staff will be available for any questions Council may have.

1 **FOR WORKSESSION/FIRST READING – JULY 10**

2  
3 Additions To The Current Breckenridge Town Code Are  
4 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

5  
6 COUNCIL BILL NO. \_\_\_\_

7  
8 Series 2018

9  
10  
11 AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE  
12 TOWN CODE CONCERNING THE BUILDING CODES OF THE TOWN OF  
13 BRECKENRIDGE BY ADOPTING BY REFERENCE THE NATIONAL ELECTRICAL  
14 CODE, 2017 EDITION

15  
16 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,  
17 COLORADO:

18  
19 Section 1. Item F in the list of codes adopted by reference in Section 8-1-3 of the  
20 Breckenridge Town Code is amended as follows:

21  
22 F. National Electrical Code, ~~2014~~ 2017 Edition, published by the National Fire  
23 Protection Association.

24  
25 Section 2. Section 8-1-9 of the Breckenridge Town Code is amended to read as follows:

26  
27 8-1-9: AMENDMENTS TO THE NATIONAL ELECTRICAL CODE: There  
28 are no amendments to the National Electrical Code, ~~2014~~ 2017 edition.

29  
30 Section 3. Except as specifically amended hereby, the Breckenridge Town Code, and the  
31 various secondary codes adopted by reference therein, shall continue in full force and effect.

32  
33 Section 4. The Town Council finds, determines and declares that it has the power to  
34 adopt this ordinance pursuant to: (i) Section 31-15-601, C.R.S.; (ii) Section 5.13 of the  
35 Breckenridge Town Charter; and (iii) the powers granted to home rule municipalities by Article  
36 XX of the Colorado Constitution.

37  
38 Section 5. This ordinance shall be published and become effective as provided by Section  
39 5.9 of the Breckenridge Town Charter.

40  
41 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
42 PUBLISHED IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2018. A Public Hearing shall be held at the  
43 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the \_\_\_\_ day of  
44 \_\_\_\_\_, 2018, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the  
45 Town.

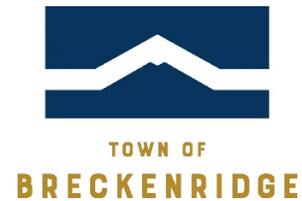
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TOWN OF BRECKENRIDGE, a Colorado  
municipal corporation

By: \_\_\_\_\_  
Eric S. Mamula, Mayor

ATTEST:

\_\_\_\_\_  
Helen Cospolich, CMC,  
Town Clerk



# Memo

To: Breckenridge Town Council  
Cc: Rick Holman, Shannon Haynes  
From: Jessie Burley - Sustainability Coordinator  
James Phelps - Director Public Works  
Date: July 5, 2018 (for July 10, 2018 meeting)  
Subject: Breckenridge Water Efficiency Plan (WEP) and Blue River Regional WEP

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## **2018 Town Council Goals and Objectives**

Area of Focus: Water Sustainability

Goal: Develop and maintain a reliable, sustainable, clean drinking water supply for the Town of Breckenridge and the surrounding service area in the Upper Blue Planning region.

Objective: 1. Develop and enhance the water conservation program by educating the users about water use and develop water conservation incentives to users.

## **Background**

In 2015, the State of Colorado adopted the [Colorado Water Plan](#) that outlined a “strategy roadmap” to understand where we are as a state and where we want to be with relation to our water resources. In an effort to implement the state plan, the Colorado Water Conservation Board (CWCB) allocated grant funding to communities to develop regional water efficiency plans at the local level. Although the Town of Breckenridge has remained below CWCB’s threshold for retail water sales that trigger a mandatory efficiency plan (2,000 ac-ft/yr), the Town, along with neighboring water providers, looks to set an example for other mountain communities in preserving the natural environment and promoting conservation values.

## **Town of Breckenridge and Blue River Regional Water Efficiency Plans**

The following water efficiency plans were developed in accordance with the State of [Colorado’s Municipal Water Efficiency Plan Guidance Document](#) and was funded in part through a CWCB Water Conservation Planning grant. The Town’s individual plan was developed in coordination with the Blue River Watershed regional water efficiency plan through a partnership that included two non-profit organizations, four municipal water providers, and more than 30 engaged stakeholders. This water efficiency plan serves to describe the Town’s history of water saving activities and future plans. The Town also seeks to leverage regional partnerships to effect change and encourage all residents and visitors to reduce water use. Adoption of these plans will allow the Town of Breckenridge to be eligible for future water efficiency implementation and infrastructure state funding.

## **Outcome of Planning Process**

*WEP Water Efficiency Goals*

- A 10% reduction in annual demands by 2025, compared to 2016 demands.

- A reduction in peak demands during the summer associated with outdoor water use.

To reach these goals, the WEP identifies future activities that were derived from multiple factors that included utility priorities, stakeholder input, opportunities for water savings, technical feasibility, and implementation capacity. When feasible, the efficiency activities were quantified in terms of their potential for water savings, customer sectors and end-uses impacted by the activities, and implementation costs. A summary of activities that the Town aims to implement over the next seven years begins on page 26 of the WEP.

### **Public Process**

A draft of this plan was presented to Council on February 6, 2018. The Water Conservation Act of 2004 (HB04-1365) requires that water efficiency plans be made publicly available for review and comment for a period of 60 days, and that the plans be locally adopted by the appropriate governing entity. Following the public comment period, CWCB conditionally approved the plans with the following changes to the February 6<sup>th</sup> Town of Breckenridge plan draft:

- Section 6.1.1 Annual Treated Water - added more data as requested.
- Section 8 Efficiency Activities – revised to estimate savings and added more detail re: indoor efficiency program; revised outdoor efficiency to reflect participation in Slow the Flow program; added more detail about the land use working group.
- Section 9.2 Plan Reviews and Updates – added “evidence” from public comment period.
- Appendix C Implementation Action Plans – updated to represent recent activity; combined indoor and outdoor groups into 1 “technical efficiency programs” group.
- Appendix D Plan Reviews and Comments – added CWCB comments and public responses.

Upon final adoption of the Breckenridge Water Efficiency Plan and the Blue River Regional Water Efficiency Plan Resolution, both plans will be submitted to CWCB for the State’s final approval. Once approved by CWCB, the Town will be eligible to apply for state funding towards implementing the goals outlined in the plan.

Staff will be present to answer questions of Town Council. Staff will be seeking support of resolution adoption of the two water efficiency plans.

1 **FOR WORKSESSION/ADOPTION – JULY 10**

2  
3 RESOLUTION NO. \_\_\_\_

4  
5 Series 2018

6  
7 A RESOLUTION ADOPTING THE “BLUE RIVER WATERSHED REGIONAL WATER  
8 EFFICIENCY PLAN” AND THE “TOWN OF BRECKENRIDGE  
9 WATER EFFICIENCY PLAN”

10  
11 WHEREAS, the Town of Breckenridge (“Town”) is supportive of wise water  
12 management and efficient use of water resources, and

13  
14 WHEREAS, the Town is committed to water resources sustainability and water  
15 conservation; and

16  
17 WHEREAS, the Town is also supportive of regional water planning and cooperation  
18 between jurisdictions in the realm of water management; and

19  
20 WHEREAS, a water efficiency plan is a valuable tool to implement sustainability  
21 through responsible water management and conservation measures; and

22  
23 WHEREAS, the Town was a full participant and funding partner in the development of  
24 the “Blue River Watershed Regional Water Efficiency Plan,” dated June 2018 (“Regional Plan”);  
25 and

26  
27 WHEREAS, the Regional Plan was authorized and funded through a Memorandum of  
28 Understanding between the Summit County’s five municipal water providers, including the  
29 Town, which outlined the goals, objectives, and purposes of the Regional Plan; and

30  
31 WHEREAS, the Town acknowledges that the “Regional Plan” has been produced in  
32 conformance with the understandings and agreements among the parties to the Memorandum of  
33 Understanding; and

34  
35 WHEREAS, the Town will continue to work cooperatively with other local agencies and  
36 interests to determine appropriate and timely water efficiency measures consistent with the  
37 Town's responsibilities to protect, deliver, treat and otherwise manage the Town's municipal  
water system; and

38  
39 WHEREAS, a copy of the Regional Plan is marked Exhibit “A”, attached hereto, and  
40 incorporated herein by reference; and

41  
42 WHEREAS, the Town Council has reviewed the Regional Plan, and is familiar with its  
43 contents; and

1           WHEREAS, Town Council was previously presented with a draft water efficiency plan  
2 entitled “Town of Breckenridge Water Efficiency Plan, dated June 2018” (“Town Plan”), which  
3 plan was specifically created for the Town by Town staff, the High Country Conservation  
4 Center, and the Brendle Group; and  
5

6           WHEREAS, a copy of the Town Plan is marked Exhibit “B”, attached hereto, and  
7 incorporated herein by reference; and  
8

9           WHEREAS, the Town Council has reviewed the Town Plan, and is familiar with its  
10 contents; and  
11

12           WHEREAS, the Town understands the needs and benefits of long term water  
13 conservation measures and is committed to implementation of the Town Plan; and  
14

15           WHEREAS, the Town Council desires to formally adopt both the Regional Plan and the  
16 Town Plan; and  
17

18           WHEREAS, the Town Council desires that both the Regional Plan and the Town Plan be  
19 submitted to the Colorado Water Conservation Board for approval.  
20

21 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF  
22 BRECKENRIDGE, COLORADO:  
23

24           Section 1. The Regional Plan is adopted as a guidance document to be consulted and  
25 implemented by the Town to the extent that such implementation is consistent with, and  
26 supportive of, Town assets, actions, programs, ordinances, policies, and procedures, and to the  
27 extent that implementation actions may be approved by the Town on a case by case basis.  
28

29           Section 2. The Town Plan is adopted, and shall be utilized as the primary resource for  
30 water efficiency in the Town of Breckenridge.  
31

32           Section 3. Both the Regional Plan and the Town Plan shall be submitted to the Colorado  
33 Water Conservation Board for approval.  
34

35           Section 4. This resolution is effective upon adoption.  
36

37           RESOLUTION APPROVED AND ADOPTED this \_\_\_ day of \_\_\_, 2018.  
38  
39  
40

TOWN OF BRECKENRIDGE

By: \_\_\_\_\_  
Eric S. Mamula, Mayor

ATTEST:

\_\_\_\_\_  
Helen Cospolich, CMC,  
Town Clerk

APPROVED IN FORM

\_\_\_\_\_  
Town Attorney                      Date

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HIGH COUNTRY  
CONSERVATION CENTER

# BLUE RIVER WATERSHED REGIONAL WATER EFFICIENCY PLAN

June 2018



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Developed in partnership with:



# BLUE RIVER WATERSHED REGIONAL WATER EFFICIENCY PLAN EXECUTIVE SUMMARY

## The Planning Process

In 2017, High Country Conservation Center and five water providers in Summit County:



partnered for the development of a regional water efficiency plan along with individual plans for four of the five providers (excluding Town of Silverthorne) to represent the unique needs and opportunities for each service area. This regional plan elevates common themes and water saving opportunities outside of the participating utility service areas and provides opportunities for partnership and collaboration among the participating utilities.

## Vision Statement

The vision of the Blue River Watershed Regional Water Efficiency Plan is to continue supplying **reliable, high quality water** to the residents and visitors of Summit County while also:

-  Protecting the natural environment upon which our economy and prosperity are based.
-  Ensuring the sustainability of our mountain lifestyle for current and future generations.
-  Fostering a culture of environmental and social responsibility through education and action.
-  Inspiring collaboration and responsible stewardship of water resources across the State of Colorado.



## Overview

The Blue River watershed is located on the western slope of the Continental Divide and its drainage boundaries are coincident with the political boundaries of Summit County.

- ✓ Water supply in the Blue River watershed relies on a combination of surface water diversions, groundwater withdrawals, and reservoir releases. **Surface water supplies 83% of the demands in the watershed.**
- ✓ There are **19 water providers in the Blue River watershed** within Summit County: four municipal providers and 15 special district water providers.
- ✓ Approximately **61% of the water use in the county is delivered by the 4 providers that have developed individual water efficiency plans** - Town of Breckenridge, Copper Mountain Consolidated Metropolitan District, Town of Dillon, and Town of Frisco and is additionally covered by the individual water efficiency plans developed by these providers.

Each water provider in the county is unique in their raw water sources, system size, mix of residential and commercial customers served, and staffing and financial resources. However, some general observations can be made across providers.

- ✓ Although the water providers are not large compared to many systems on the Front Range, they tend to be **advanced in terms of metering and systemwide leak detection programs.**
- ✓ Outdoor water use tends to be relatively low, ranging from **15-25% of average annual demands.**
- ✓ **The systems do experience high peak loads** from outdoor irrigation in the summer months, with demands doubling compared to winter months.
- ✓ The systems tend to run with a **small, but dedicated and engaged staff**, who cover multiple functions including water planning, operations, and efficiency.

**Through the variety of activities listed below, 377 acre-feet per year of water is projected to be saved by 2025.**

- ✓ Billing upgrades
- ✓ Advanced metering and water loss control
- ✓ Institutional collaboration
- ✓ Indoor and outdoor efficiency programs
- ✓ Improving land use ordinances and regulations
- ✓ Education and outreach

Implementation and monitoring will be conducted through standing working groups and in partnership with High Country Conservation Center. Plans will be revisited and updated every 7 years as per Colorado Water Conservation Board guidelines.





### 3 INTRODUCTION

---

The Blue River watershed is one of the most critical water supply headwaters in Colorado, serving both West Slope and East Slope users. However, the water resources are stressed by a number of factors, including:

- **Population growth:** Since 1970, the population of the Blue River watershed within Summit County has grown exponentially, from a population of 2,665 in 1970 to a population of 30,367 in 2016 (CO DOLA, 2018a). Population is expected to rise to more than 51,000 by 2050 (CO DOLA, 2018a). As the resident population has grown, so too has the visiting population, with tourists taking advantage of the natural resources and recreational opportunities in the watershed.
- **A changing climate:** Warming temperatures, declining snowpack, and earlier snowmelt seasons are all predicted outcomes from the changing climate (CWCB 2014a). Summit County residents are already seeing adverse effects on snowpack and skiing, with local pleas to “make May great again!” to express the importance of preserving the local snow culture and landscape.
- **Too many demands on the river:** In dry years, most recently in 2002 and 2012, streamflows are depleted and there is not enough water in the rivers to meet all demands for recreation, snowmaking, irrigation, and other beneficial uses appropriated under Colorado’s water law system (CWCB 2016). Although good progress has been achieved in some locations to maintain minimum streamflows for environmental benefits, there is much more to do. For many residents and visitors to the Blue River watershed, the purpose of water efficiency is to put more water back into the rivers.

Beyond this local context, the Blue River watershed is also critical to regional water supplies within the State of Colorado (

**Figure 1)** and the entire Colorado River Basin, which spans from Colorado to California. The Colorado River Compact of 1922 is a water-sharing agreement among the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming that dictates each State’s right to divert and use Colorado River water. Water conservation is one strategy that helps the State of Colorado put its share of the

Colorado River to maximum beneficial use with the intent of avoiding water shortages that could instigate legal conflicts among the signatory States.

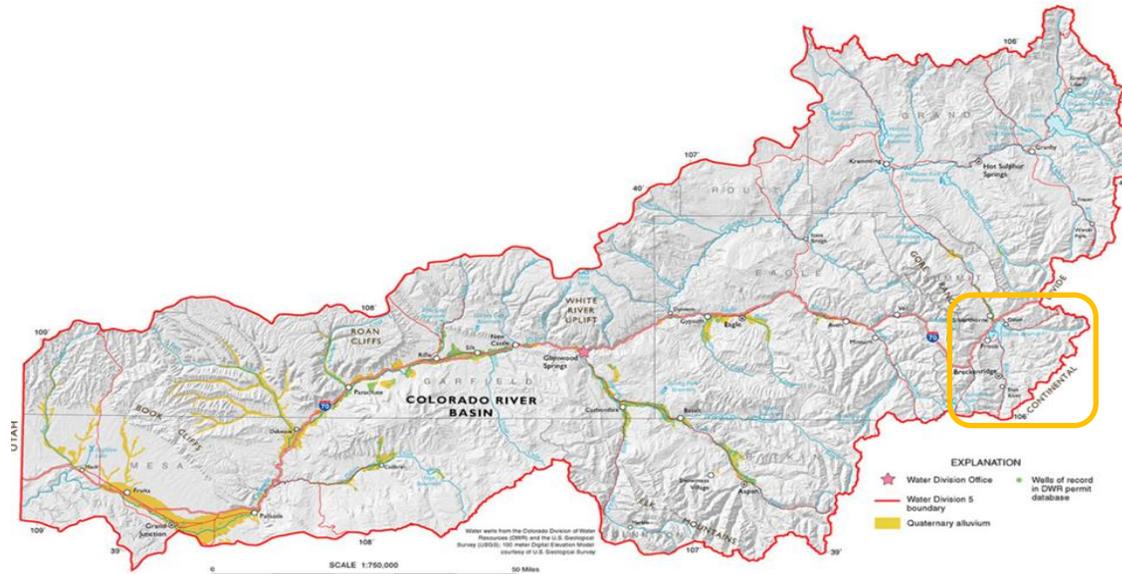


Figure 1. Map of the Colorado River Basin (Blue River watershed highlighted in yellow)

### 3.1 Why a water efficiency plan?

As a mountain community, home to world-class skiing, rafting, and fishing, water has long been a vital resource to the economy and culture of the Blue River watershed. The community seeks to be a leader in promoting conservation values and stewardship of natural resources. A recent study of the water supplies and demands in the Colorado River Basin lends urgency to these goals, finding that “high conservation, reuse, and linking water supply to land use are in the best interest of Colorado (CWCB 2014b).” The purpose of this regional water efficiency plan is to present the framework that residents, businesses, and communities will use to partner together to reduce water demands and to ease pressures on the natural environment.

### 3.2 The Planning Process

In 2017, High Country Conservation Center, Middle Park Conservation District, and five water providers in Summit County (Copper Mountain Consolidated Metropolitan District, Town of Breckenridge, Town of Dillon, Town of Frisco, and Town of Silverthorne) convened a project for the development of this regional water efficiency plan. Water efficiency plans were also developed for four of the individual water providers (excluding Town of Silverthorne) to represent the unique needs and opportunities for each service area. This regional water efficiency plan, developed for the Blue River Watershed within Summit County, elevates common themes and water saving opportunities outside of the participating service areas, and provides opportunities for partnership and collaboration amongst the participating utilities. Plan development was supported through a combination of grant funding from the Colorado Water Conservation Board (CWCB) under the Water Conservation Planning grant program, and cash and in-kind contributions from the participating providers.

The Water Conservation Act of 2004 (HB04-1365) requires all covered entities (defined as retail water providers that sell more than 2,000 ac-ft/yr) to have a State-approved water efficiency plan containing certain required minimum plan elements. While none of the water providers in Summit County currently meet the State’s definition of a covered entity, they support the spirit and intent behind water conservation planning. Therefore, the water efficiency plans were developed in accordance with the State of Colorado’s *Municipal Water Efficiency Plan Guidance Document* (CWCB 2012).

The plans were drafted using information and guidance provided by utility and planning staff in each community. Additionally, a diverse stakeholder group was formed to provide input on water savings goals, water efficiency activities, and implementation actions. In 2017, more than 30 stakeholders participated in a series of four planning workshops (baseline review, draft goals and efficiency activities, revised goals and efficiency activities, and implementation). Upon completion, the plans underwent a series of reviews by utility staff, the stakeholder group, the public, and CWCB staff. Finally, plans were submitted to the appropriate governing entity (town council or District board, as appropriate) for adoption.

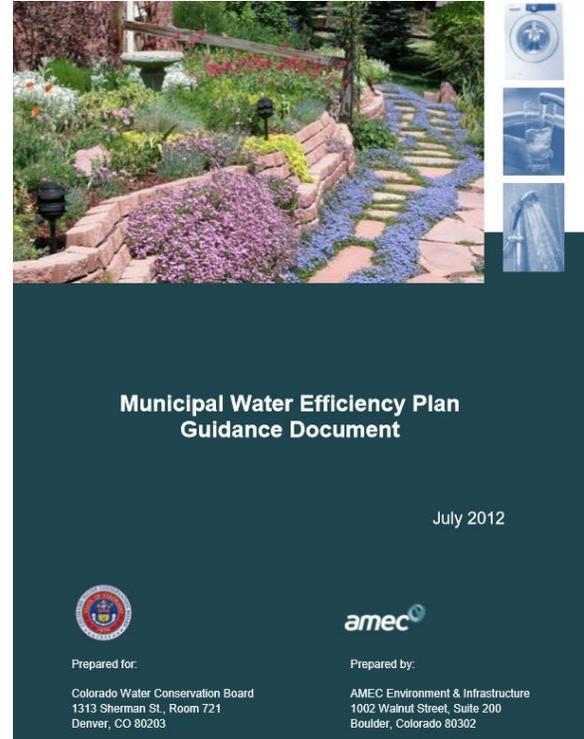


Figure 2. State of Colorado Municipal Water Efficiency Plan Guidance Document

### 3.3 Our Water Vision

The stakeholder group developed a vision statement to guide efforts in the Blue River Watershed towards regional water efficiency.

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#### VISION STATEMENT

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Our vision is for water providers to continue supplying reliable, high quality water to the residents and visitors of Summit County while also:

- Protecting the natural environment upon which our economy and prosperity are based.
- Ensuring the sustainability of our mountain lifestyle for current and future generations.
- Fostering a culture of environmental and social responsibility through education and actions.
- Inspiring collaboration and responsible stewardship of water resources across the State of Colorado.



## 4 RELATED STUDIES

---

This regional water efficiency plan builds on a number of collaborative plans that have been done previously in the Blue River Watershed within Summit County, many of which touch on water. A short description of related studies follows, starting with the most recent. The **References** section includes links to the plans that are available online.

- **An Energy Action Plan for Summit County, Colorado** (Xcel Energy, 2016) outlines goals and strategies for reductions in energy use and greenhouse gas emissions and increases in renewable energy sources. The plan is currently being implemented through a partnership among Xcel Energy, High Country Conservation Center, and a diverse stakeholder group.

### How it relates to this plan

Several of the energy efficiency and outreach initiatives will be leveraged for water efficiency education and outreach. This approach is discussed more in **Section 8**.

- The **Summit County Community Wildfire Protection Plan** (Summit County, 2016) states that 99% of the County's population lives in areas adjacent to or intermingled with undeveloped lands, where the wildfire risks are much higher than in developed areas. Summit County has been heavily impacted by the pine beetle infestation, which has significantly increased the number of standing dead trees and the risk of severe wildfires.

### How it relates to this plan

Water providers in Summit County have expressed concerns about the potential impacts of wildfires on water supply infrastructure and water quality. Among other goals, the wildfire protection plan recommends developing community maps that show the locations of water supplies for firefighting and implementing mitigation projects to protect water supply infrastructure.

- The **Colorado Basin Implementation Plan** (Colorado Basin Roundtable, 2015) evaluates water supplies and demands in the Colorado Basin and how water resources management affects ecosystem health, agriculture, safe drinking water, conservation, land use, and water administration.

### How it relates to this plan

The plan concludes that the Blue River watershed will likely be facing a gap of 22,000-48,000 acre-feet per year (ac-ft/yr) between water supplies and demands by 2050, and therefore cannot be relied upon to provide increased transbasin diversions for water users on the Eastern Slope.

- The **Blue River Watershed Source Water Protection Plan** (The Greenlands Reserve, 2014) identifies risks to the Blue River and strategies for mitigating those risks.

**How it relates to this plan**

Water providers in Summit County have expressed concerns about the potential for source water contamination. Risks identified in the source water protection plan include groundwater contamination from dry cleaning chemicals and surface water contamination from hazardous waste spills along Interstate 70. Mitigation strategies include improving water sharing during emergencies, analyzing storage and supply capacities during emergency conditions, and protecting water supply infrastructure.

- The **Summit County Multi-Hazard Mitigation Plan** (AMEC, 2013) describes the risks and potential impacts of a variety of natural and manmade disasters to communities in Summit County. The risks range from avalanches to hazardous material releases. The report describes the relative risk of each hazard and the steps that can be taken to mitigate the disaster’s impact.

**How it relates to this plan**

Identified hazards that would affect water supply include dam failures, droughts, floods, and wildfires. In response to the plan findings, several communities and water providers developed resiliency strategies:

- Summit County: Enhance flood protection of the Snake River collection system to prevent potential sanitary sewer overflows or inundation of critical facilities.
  - Town of Blue River: Augment water supply with new cisterns for firefighting water capacity.
  - Town of Silverthorne: Ensure continued water distribution during extended power outages.
  - Buffalo Mountain Metropolitan District: Obtain backup power for water pumping stations.
  - Hamilton Creek Metropolitan District: Establish a water supply interconnect.
  - Multiple communities: Establish backup power connections for water treatment plants.
- The **Summit County Countywide Comprehensive Plan** provides guidance for policy decisions related to land use, development, environmental protection, economic development, and other topics.

**How it relates to this plan**

The Comprehensive Plan is currently being updated by County staff, but the 2009 version includes a number of guiding principles and strategies affecting water use and supply, as shown in **Table 1**.

Table 1. Summit County Countywide Comprehensive Plan Guidelines around Water Supply and Conservation (shown in bold)  
(Summit County, 2009)

Community Aspect	Goal	Strategies
Environment	Protect and enhance the quality and quantity of water resources in the County.	<p>-Determine feasible water quality monitoring data that could be evaluated on an ongoing basis.</p> <p>-Identify opportunities to supplement stream flows and maximize water levels in Lake Dillon.</p> <p><b>-Work to develop and implement a countywide water conservation program.</b></p> <p>-Identify funding for reclamation of abandoned mines and mine tailings so that contaminant runoff into area streams and groundwater is eliminated or mitigated.</p>
Housing	Maintain and ensure an adequate and diverse supply of local resident and affordable workforce housing in the County.	Create incentives to facilitate and spur the construction of additional accessory apartments in the County, such as working jointly with water and sewer districts to reduce the cost of water and sewer tap fees.
Community and Public Facilities	Ensure infrastructure is planned, funded, and built to support new development.	<p>-Ensure that land uses in urban areas requiring sewer and water are served by public sewer and water systems. Urban development should be served by water systems and not by individual wells.</p> <p><b>-Develop stricter water conservation measures to be applied to new and existing development (e.g. xeriscape landscaping and installation of low-flow toilet requirements).</b></p> <p>-Develop incentives or ordinances to mitigate impacts on water resource infrastructure. These may include: receiving credit for water conservation, rain sensors, submetering, soil preparation, turf limitation, waste of water, median subsurface irrigation, or restrictive covenants ordinances.</p>
	Development of community facilities and the extension of services should be carefully planned and coordinated with the Towns, special districts, and appropriate agencies.	<p><b>-Design community and public facilities to conserve water and energy.</b></p> <p>-Continue to work cooperatively with the Northwest Colorado Council of Governments in determining water quality and quantity issues/needs.</p>

- The **White River National Forest Land and Resource Management Plan** (USDA, 2002) outlines the Forest Service’s goals and objectives for the management of the national forest.

#### How it relates to this plan

The Forest Service’s goals include the protection of water resources within the national forest, including Blue River, Straight Creek, and North Ten Mile Creek:

- **Ecosystem Health:** Improve and protect watershed conditions to provide the water quality and quantity and soil productivity necessary to support ecological functions and intended beneficial uses.
- **Multiple Benefits to People:** Improve the capability of the national forests and grasslands to provide diverse, high quality outdoor recreation opportunities. This goal includes maintaining appropriate stream levels to support fishing, boating, and other water related recreation activities.
- **Public Collaboration:** Cooperatively work with local governments to address issues of common concern and to the extent possible maintain consistency with locally adopted master plans.

## 5 ABOUT THE BLUE RIVER WATERSHED

The Blue River watershed’s drainage boundaries are coincident with the political boundaries of Summit County (**Figure 3**). The watershed, located on the western slope of the Continental Divide in central Colorado, is home to six municipalities (Blue River, Breckenridge, Dillon, Frisco, Montezuma, and Silverthorne) and four major ski resorts (Keystone/Vail Resorts, Breckenridge/Vail Resorts, Copper Mountain, and Arapahoe Basin). More than 80% of the watershed is public land associated with the Blue River State Wildlife Area, Arapahoe and White River National Forests, Eagles Nest Wilderness, Summit County Recreational Pathway System, and Top of the Rockies National Scenic Byway (Summit County, 2017a).

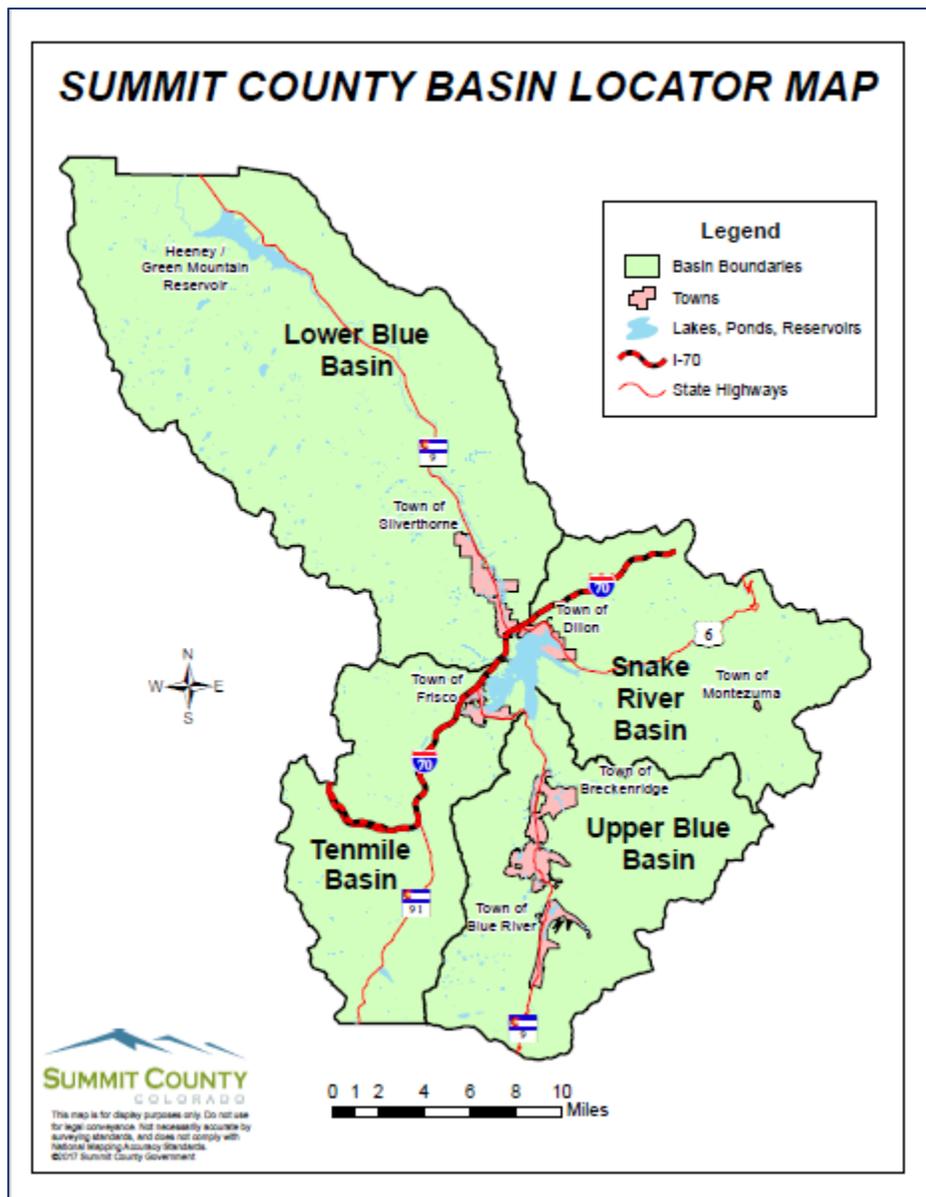


Figure 3. Map of the Blue River Watershed within Summit County (Summit County, 2017b)

## 5.1 Climate

The Blue River watershed within Summit County is situated at high elevations (ranging from 7,947 ft above mean sea level (amsl) at Green Mountain Reservoir to 14,270 ft amsl at Gray’s Peak) on the windward side of the Rocky Mountains (Summit County, 2017a). Because of these orographic factors, the climate in the watershed is cool (average annual temperature of 38°F), experiences heavy snowfall in the winter (average annual 111 in) and receives lesser amounts of rain in the summer (average annual 17 in) (USA.com, 2017).

## 5.2 Population

Since 1970, the Blue River watershed within Summit County has experienced rapid population growth, though the permanent resident population remains relatively small at 30,367 people (**Figure 4**). About 53% of the population lives in unincorporated Summit County, while 47% of the population lives in incorporated areas (Summit County, 2017c). Looking forward, permanent residents in Summit County are expected to grow by 2.6% on average year-over-year through 2050 (CO DOLA, 2018a).

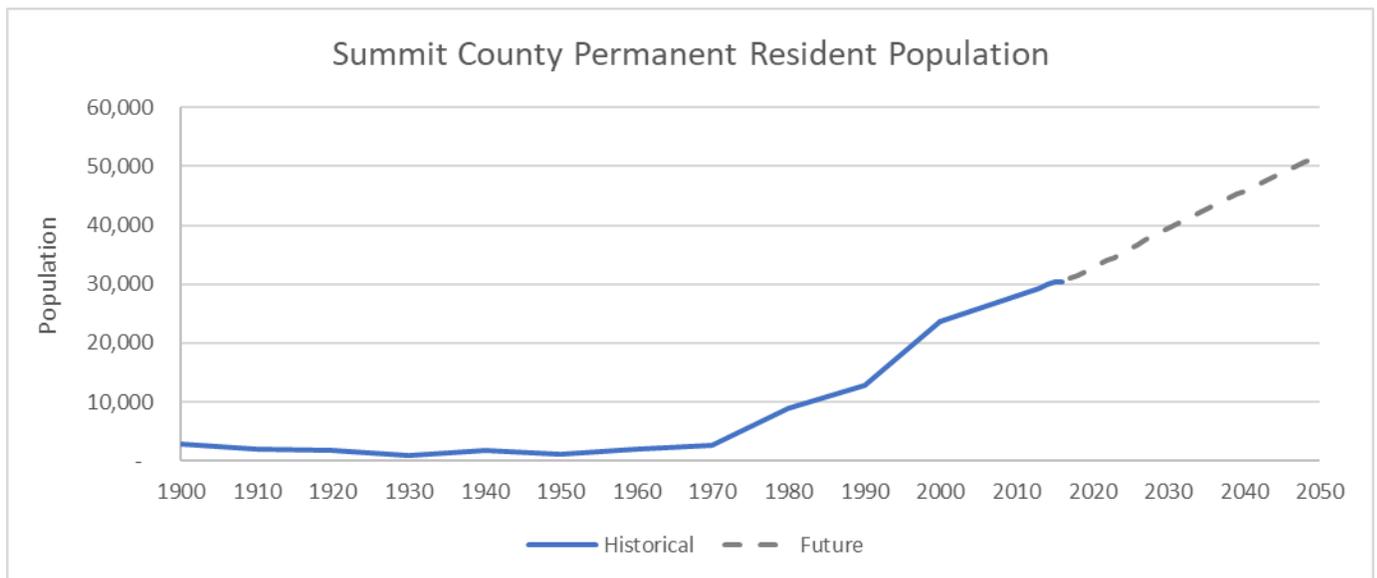


Figure 4: Summit County Permanent Resident Population Estimates (1900-2050) (CO DOLA, 2017)

In addition to the permanent residential population, the Blue River watershed within Summit County is home to many second homeowners and experiences a large influx of visitors due to the ski industry and other outdoor recreational opportunities.

## 5.3 Housing

Housing in the area reflects the characteristics of a recreational destination. One-third (33%) of the housing units are owner-occupied, 17% serve as long-term rental units, and 50% serve as short-term units intended for seasonal, recreational, or occasional use (ACS, 2015). Of the owner-occupied units, many are second homes that are occupied only occasionally throughout the year.

The average home age is about 30 years, with 80% of housing units built between 1979 and 1999 and 20% built from 2000 to present (ACS, 2015). Most of the housing units (57%) are designated as

multifamily properties with two or more units. The remaining 42% of housing units are designated as single-family detached and single-family attached homes.

The Summit County Planning Department analyzes the maximum number of residential housing units that are expected to be built based on current zoning and development feasibility. Current estimates are that residential development is at 73% of build-out in unincorporated areas of the County and at 83% of build-out in incorporated areas (Summit County, 2017d). These estimates are subject to change over time.

As relates to water efficiency, older buildings represent an opportunity for indoor water savings through the replacement of fixtures and appliances. The high proportion of multifamily units and the transient population characteristics represent challenges for water education and outreach efforts. To effect long-lasting water savings, the visiting population must be engaged and influenced.

## 5.4 Businesses and Employment

The Blue River watershed within Summit County is home to approximately 2,100 businesses and 18,600 jobs (ACS, 2015). Major employers include the four ski resorts – Keystone/Vail Resorts, Breckenridge/Vail Resorts, Copper Mountain, and Arapahoe Basin. Ski industry trends indicate continued gains in lodging revenue, summer business, and peak days boosted by holidays and special events (Summit Daily, 2015).

The remaining top ten employers include Summit County School District, Summit County, Town of Breckenridge, Breckenridge Grand Vacations, Centura Health, and Beaver Run (Bridge Hospitality LLC). There are also many food and service businesses that cater to the tourist economy.

Current estimates indicate that commercial development in unincorporated Summit County is at 62% of build-out, although the Summit County Planning Department does not currently conduct a detailed build-out analysis for the commercial sector (Summit County, 2017d).

## 6 WATER SUPPLY AND USES

### 6.1 Water Sources

Water supply in the Blue River watershed relies on a combination of surface water diversions, groundwater withdrawals, and reservoir releases (**Figure 5**). Surface water is by far the dominant source, supplying 83% of the demands in the watershed. The Blue River, Snake River, and Tenmile Creek are important tributaries in the watershed, formed by snowmelt runoff from the highest peaks of the Rocky Mountains on the western slope of the Continental Divide. These tributaries eventually discharge directly into Dillon Reservoir (see **Figure 3** for a map of these drainages). Releases from Dillon Reservoir into the Blue River channel flow downstream until entering another on-channel storage reservoir, Green Mountain Reservoir. Releases from Green Mountain Reservoir flow downstream out of Summit County and to the confluence with the Colorado River in Grand County, CO.

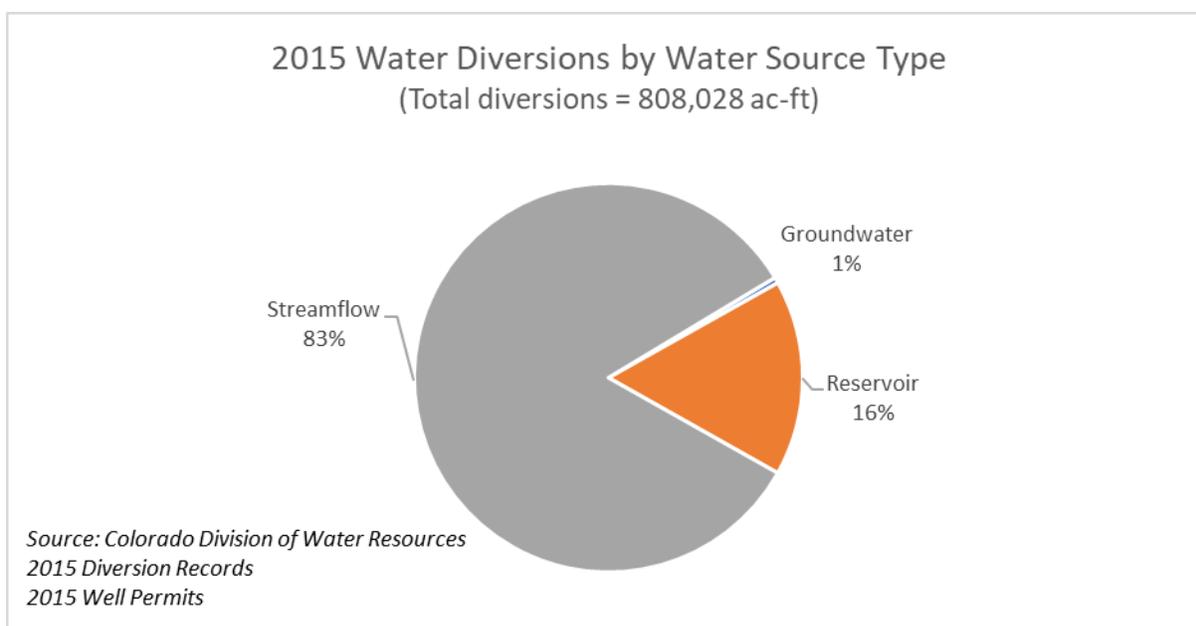


Figure 5. Water Diversions by Source Water Type (2015)

The Blue River watershed contains a number of storage reservoirs that supply water to meet 16% of the demands in the watershed. The water is used for irrigation, augmentation, snowmaking, and transbasin exports to the Front Range. The Dillon and Green Mountain Reservoirs are the largest storage reservoirs in the watershed, serving the additional purpose of hydropower generation.

Groundwater is a smaller, but still important, source of water in the watershed, supplying 1% of the total demands. The majority of groundwater supply wells are shallow alluvial wells, except in the valley where supply wells are deeper and tap into confined aquifers. Wells are classified as exempt or non-exempt, which indicates whether they are subject to administration under the prior appropriation water rights system. Owners of non-exempt wells (of which there are about 94 in the watershed) must replace out-of-priority groundwater depletions by participating in an augmentation plan. Residents in the Blue River watershed can purchase augmentation water from Summit County or from a private company

(Vidler Water). Based on the State’s well permit database, there are approximately 1,800 exempt wells in the watershed that are permitted for household and domestic (indoor) use only.

## 6.2 Beneficial Uses

Water in the Blue River watershed is put to a variety of beneficial uses allowable under State water law, and those beneficial uses vary greatly in their impacts on watershed health. Factors that can be used to assess watershed impact are the magnitude of the diversion, the amount of water returned to the watershed after use (also referred to as the return flows or non-consumptive use), and the amount of water lost from the watershed (also referred to as the consumptive use).

**Figure 6** presents a summary of beneficial uses in the Blue River watershed along with annual diversion volumes and relative impacts (low, medium, high) to the watershed as assessed by the fraction of water returned to the watershed. Hydropower generation is by far the largest use in the watershed, being served by about half of the annual diversions, but is categorized as having a relatively low impact to the watershed because almost all of the water is returned to the river. Other uses categorized as having a low watershed impact include water used for maintaining environmentally-beneficial lake levels and streamflows, fisheries, augmentation, recharge, and domestic and household only use. In these cases, the return flows are estimated to be 90-100% of the water diverted.

Uses that are categorized as having medium impact to the watershed (storage, municipal, snowmaking, industrial, commercial, and stock water) typically have return flows representing between 80-90% of the water diverted. The water that is used consumptively is primarily lost to evaporation, either from water surfaces or as a result of irrigation and snowmaking practices.

The high impact uses include transbasin exports, where water is diverted to Front Range water users and used to extinction. None of that water is returned to the West Slope. Similarly, all diversions ascribed to evaporation are considered lost from the watershed. Irrigation impacts are variable depending on the irrigation technique but can use 55-100% of the diverted water.

The “other” use category is used by the Colorado Division of Water Resources for water accounting purposes and captures a variety of potential situations, including but not limited to: return flows, exchanges, multiple uses, unauthorized uses, and winter uses such as icing. Because the “other” use category captures a number of different use scenarios, the impact to the watershed cannot be quantified.

## 2015 Water Diversions by Use Type

Total diversions = 808,028 ac-ft

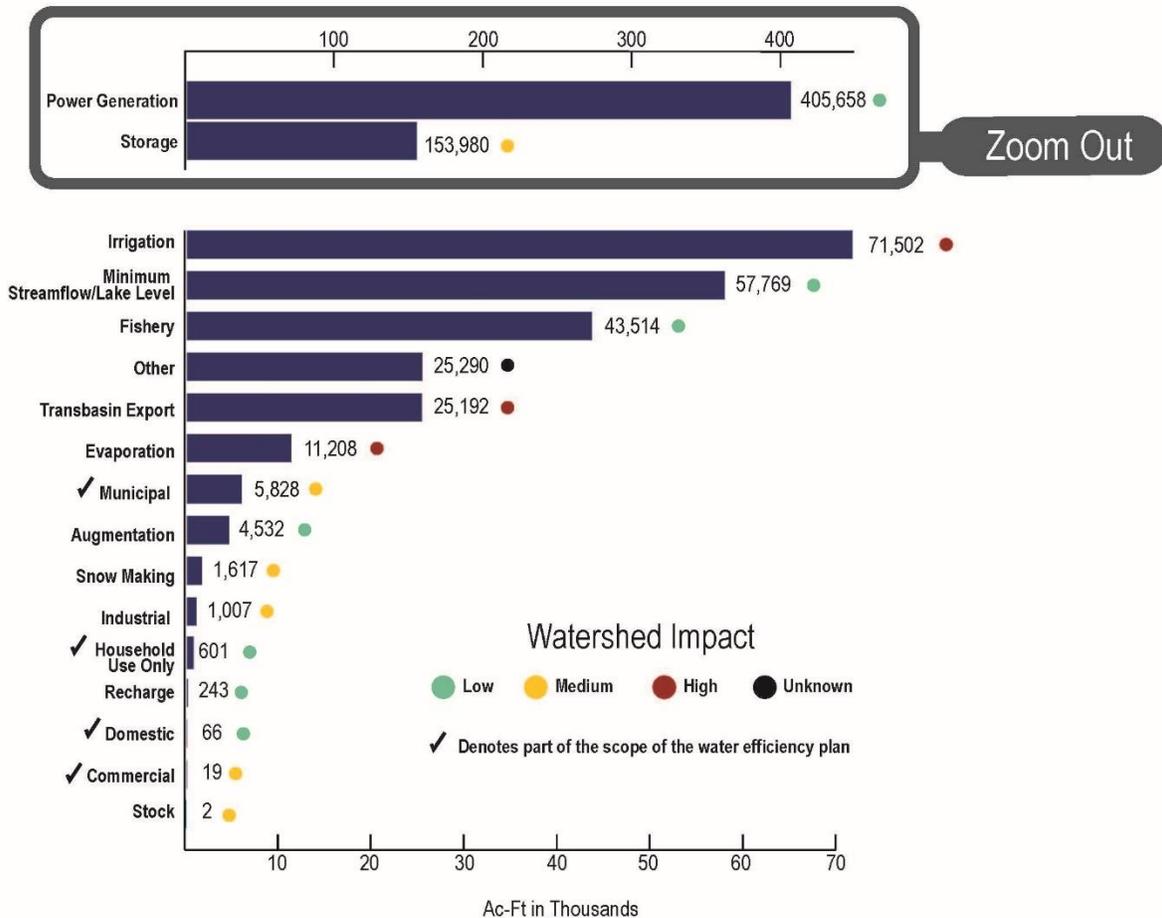
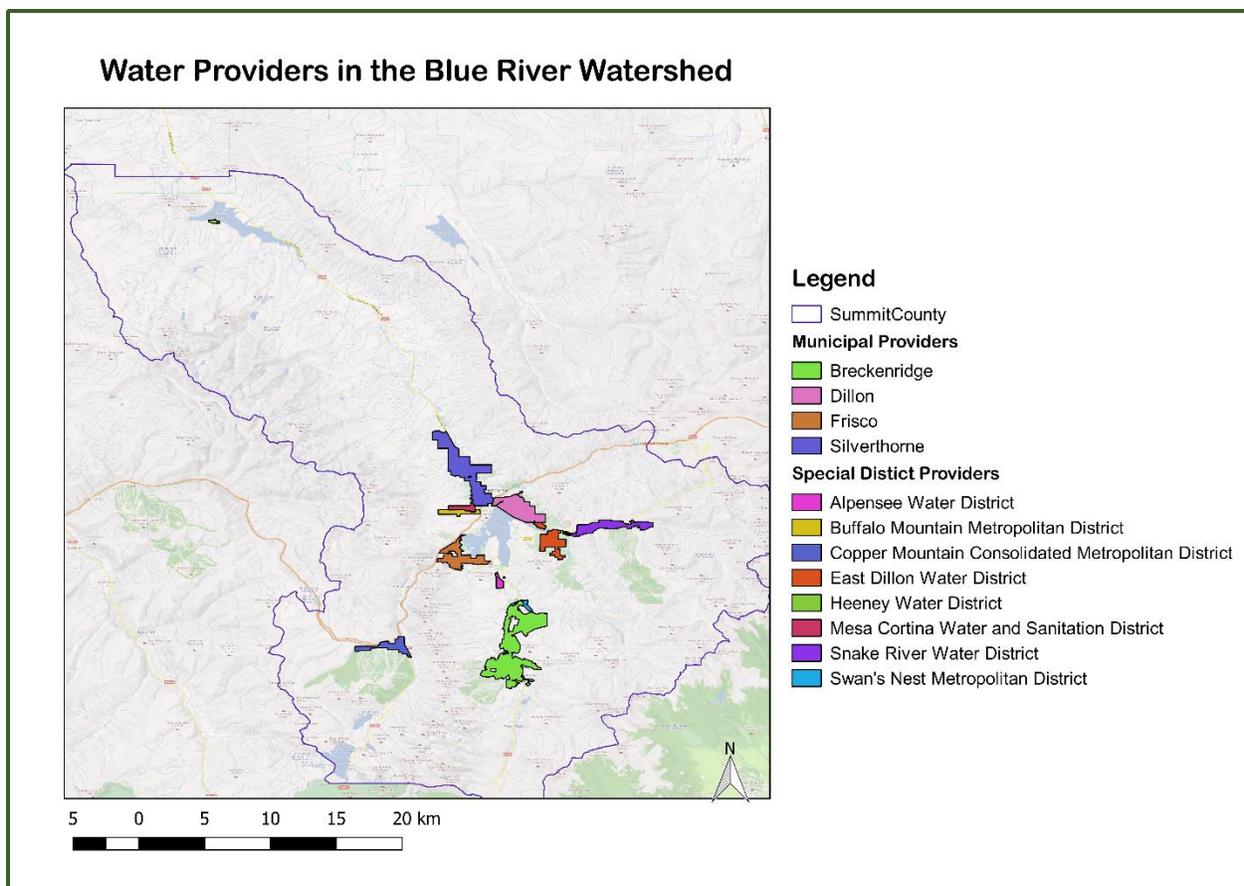


Figure 6. Water Diversions by Beneficial Use (2015)

### 6.3 Water Providers

There are 19 water providers in the Blue River Watershed within Summit County: four municipal providers and 15 special district water providers under Colorado Revised Statutes Title 32: Special Districts. **Figure 7** presents a map of the service areas for 13 of the water providers for which geographic data were available (CO DOLA, 2018b).



*Figure 7. Map of Water Providers in the Blue River Watershed*

Each water provider is unique in their raw water sources, system size, mix of residential and commercial customers served, and staffing and financial resources. However, some general observations can be made across providers:

- Although the water providers are not large compared to many systems on the Front Range, they tend to be advanced in terms of metering and systemwide leak detection programs.
- Outdoor water use tends to be relatively low, ranging from 15-25% of average annual demands. The systems do experience high peak loads from outdoor irrigation in the summer months, with demands doubling compared to winter months.
- The systems tend to run with a small, but dedicated and engaged, staff who cover multiple functions including water planning, operations, and efficiency.

**Figure 8** presents a summary of 2015 water use by provider. All systems fall below the definition of 2,000 ac-ft/yr of retail water used by the State to determine covered entities. The water use values reflect the unique characters of each provider's system, and large values do not necessarily indicate inefficient water use. For example, the Town of Breckenridge, which is shown as the largest water provider, serves the largest population and also provides approximately 400 ac-ft of raw water annually for snowmaking to the Breckenridge Ski Resort. In other cases, the ski resorts hold their own water rights for snowmaking, and those uses are not reflected in **Figure 8**.

# 2015 Water Use by Provider

Total diversions = 5,459 ac-ft

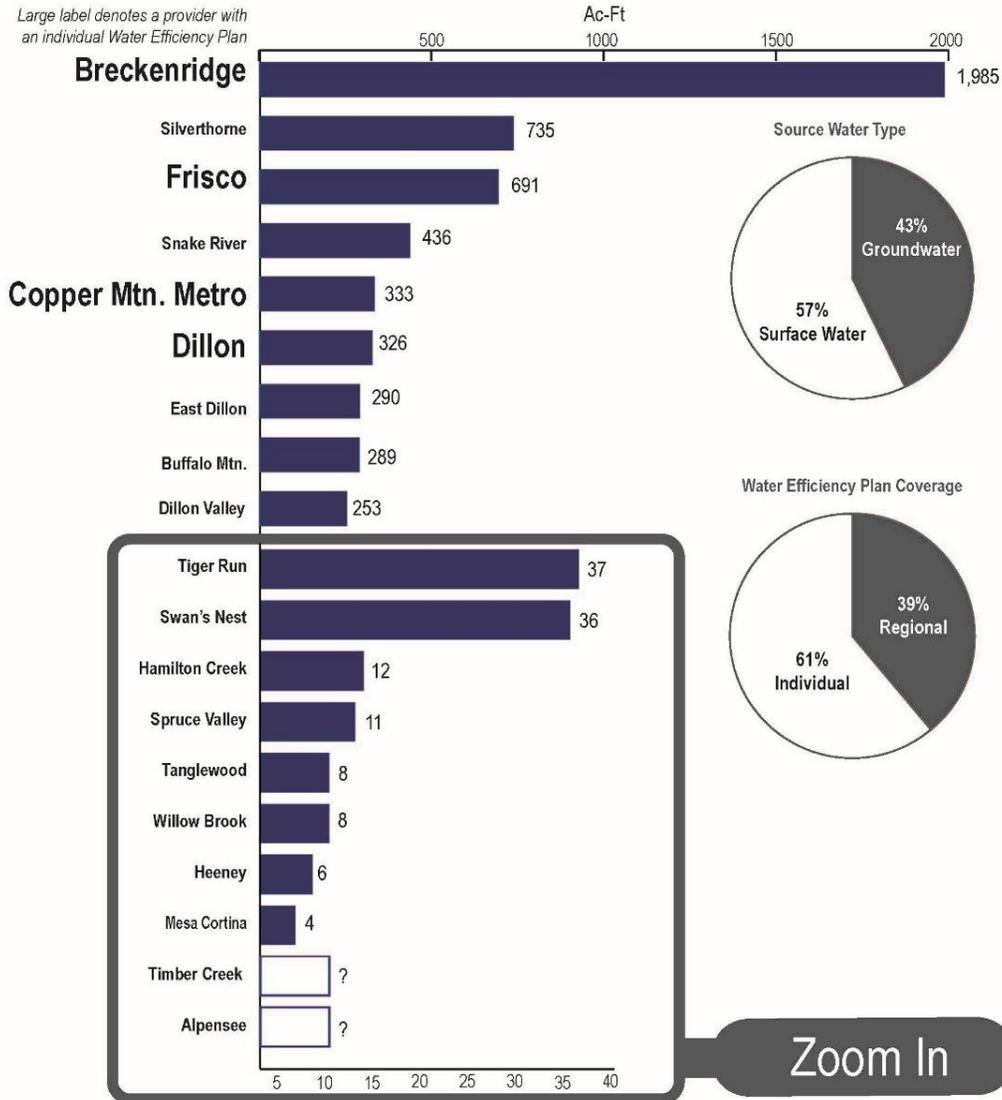


Figure 8. Water Use by Provider (2015)

The scope of this regional water efficiency plan covers the water use depicted in **Figure 8**, of which 57% is sourced from surface water and 43% is sourced from groundwater. Approximately 61% of the water use is delivered by Copper Mountain Consolidated Metropolitan District, Town of Breckenridge, Town of Dillon, and Town of Frisco. Though these four providers have developed individual water efficiency plans, this regional plan has a broader scope that covers municipal use, domestic, commercial, and household uses across all water users in the watershed.

## 6.4 Vulnerabilities

### 6.4.1 Wildfires

A common concern across the watershed is the risk from wildfires. When they do occur, wildfires create a triple threat to surface water quality:

- They increase the amount of rainfall during a storm event that is available for runoff. Wildfires burn vegetation whose canopy would normally intercept rainfall and whose roots would uptake water.
- They increase the surface runoff that occurs from subsequent storm events. Wildfires affect topsoil properties, making ground surfaces hydrophobic, so that water runs off rather than being infiltrated.
- They increase pollutant loads during subsequent storm events. Wildfires leave large amounts of debris and surface disturbances in their wake. In addition to the debris and sediment loads clogging intake infrastructure, source waters often experience spikes in turbidity, coliforms, total organic carbon, iron, manganese, and ammonia.

Wildfires can also affect the available quantity of water, if debris constricts water flow or alters the river channel.

As discussed previously in **Section 4 Related Studies**, actions that are being taken include identifying critical infrastructure, implementing mitigation projects to protect water infrastructure, and active forest management practices.

### 6.4.2 Droughts

Summit County has experienced significant periods of drought six times in the past 35 years, with the most recent occurring in 2002 and 2012 (AMEC 2013). While all providers in the watershed were able to meet demands during these dry period, some stream segments and groundwater supply wells ran dry. With the exception of the Town of Breckenridge, the providers in the watershed lack reservoir storage, and have to rely more heavily on demand reductions during times of drought.

As discussed previously in **Section 4 Related Studies**, actions that are being taken include establishing emergency interconnects among systems. Additionally, some providers have diversified their water supplies to include both groundwater and surface water supplies.

### 6.4.3 Flows and Lake Levels

Given the strong culture around outdoor recreation, for many the purpose of water efficiency is to put more water back into the rivers. There are two mechanisms by which environmentally-beneficial streamflows and lake levels are maintained in the watershed:

- **The State of Colorado's Instream Flow Program:** The Colorado Water Conservation Board is the only entity in the State authorized to hold water rights to protect streamflows and lake levels (CWCB 2005). When CWCB exercises an instream flow right, the water is left in the river or lake. Before this program was authorized, all appropriations were required to divert water out of the natural system.

Currently, there are approximately 260 miles of river in the watershed that are protected by instream flow rights (**Figure 9**). All of the principal drainages (including the Upper Blue, Lower Blue, Snake, and Tenmile) have seasonal, minimum instream flow values established. However, these water rights were typically appropriated in 1986-87, which makes them fairly junior water rights (Colorado Division of Water Resources, personal communication). This means that all water rights with more senior appropriation dates need to be satisfied before the instream flow rights can be exercised.

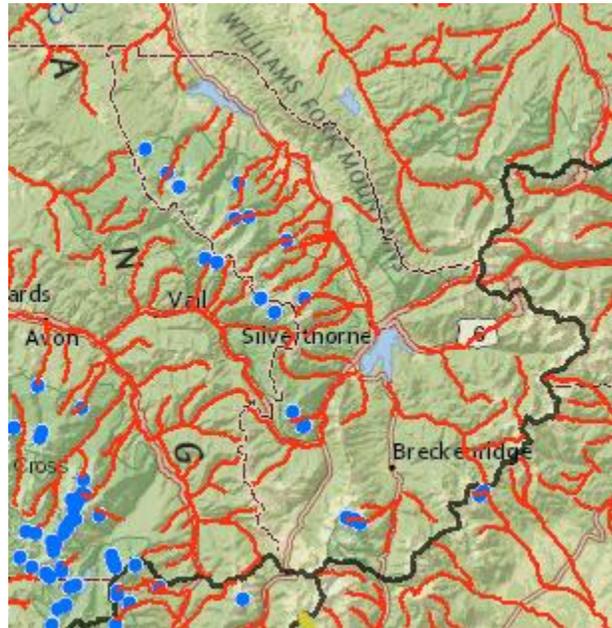


Figure 9. CWCB Instream Flow Rights (red lines = streams, blue dots = lakes) (CWCB 2018)

- **Voluntary Changes to Operations:** The second mechanism used to protect streamflows and lake levels includes voluntary operational changes. Recognizing the importance of maintaining healthy streamflows for a variety of reasons, several entities – including Town of Breckenridge, Town of Frisco, and Summit County – have voluntarily modified their water operations to maintain minimum streamflows.

## 7 PERCEPTIONS OF WATER EFFICIENCY

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### 7.1 Motivations

In 2016, High Country Conservation Center and Alpine Insights conducted a survey to better understand local perceptions of water efficiency (HC3, 2016). The key findings were:

- Environmental concerns were cited as the primary motivating factor (46%) for current water conservation efforts, followed by concerns about future water shortages (37%).
- The most commonly cited conservation activities included user behaviors (e.g., turning the water off while brushing teeth or washing dishes, taking shorter showers). Replacing indoor fixtures (13%), replacing landscaping (12%), and automatically-timed irrigation systems (7%) were less common.
- About one-half of respondents (52%) were aware that most residential water waste occurs outside the home from outdoor water use (HC3, 2016). Forty percent of respondents stated they would be willing to change their landscaping practices if the need for water conservation increases.
- For future conservation efforts, respondents overwhelming stated (72%) that awareness of future water shortages would increase their likelihood to conserve water.
- Less than 1% of respondents stated they were not motivated to conserve water.

### 7.2 Opportunities

During the planning process, stakeholders identified unique qualities and resources within the Blue River watershed that will be leveraged to achieve success with this regional water efficiency program:

- A youthful population motivated to protect the natural environment and economic vitality of the region.
- A history of regional collaboration, including sharing resources and ideas. Together, the region will be able to develop water efficiency programs and initiatives that could not be achieved individually.
- Engaged non-governmental organizations including High Country Conservation Center, Middle Park Conservation District, Blue River Watershed Group, and Friends of the Lower Blue River have the interest and the capacity to support implementation of this water efficiency plan and education and outreach efforts.

### 7.3 Challenges

Water efficiency programs rely on people to change their behaviors and to take actions to reduce their water use. During the planning process, the stakeholders identified a number of barriers that need to be recognized and overcome to achieve the vision of this plan:

- **Visiting population and seasonal housing:** The resident population in the Blue River watershed is small compared to the visiting population. Water conservation values need to be promoted in a positive way without adversely affecting tourism. In many cases, rental units are managed by property management companies that employ landscape companies for outdoor irrigation and

maintenance. Water conservation efforts need to target the appropriate decisionmakers with the right kind of messaging.

- **Use-it-or-lose it:** A common question that providers ask is whether water conservation efforts will affect their water rights. Colorado law recognizes the responsibility that providers have to serve customers and plan for the future, and in fact, water providers are the only entities in the State that are allowed to hold water rights in excess of their historical consumptive uses.
- **Lost revenues:** For water providers that rely heavily on volumetric water rates for operating funds, reduced water use can mean less revenue. Most water providers minimize this risk by conducting rate studies on a regular basis to assess their pricing structures and maintain financial stability while still encouraging water conservation.

## 8 WATER EFFICIENCY ACTIVITIES

During the stakeholder planning process, water efficiency activities were identified using multiple factors that included provider priorities, stakeholder input, opportunities for water savings, technical feasibility, and implementation capacity. When feasible, the efficiency activities were quantified in terms of their potential for water savings, customer sectors and end-uses impacted by the measure, and implementation costs. A summary of activities that are planned for implementation over the next seven years is shown in **Table 2**.

*Table 2. Summary of Planned Water Efficiency Activities*

Water Efficiency Activity	Provider-Led Program	Regional Program	Projected Water Savings in 2025
<b>Foundational Activities</b>			
Billing Upgrades	✓		2 ac-ft/yr
Advanced Metering Infrastructure and Enhanced Water Loss Control	✓		184 ac-ft/yr
Conservation-Oriented Rates	✓		168 ac-ft/yr
Institutional Collaboration		✓	Not Quantified
<b>Targeted Technical Assistance and Incentives</b>			
Indoor Water Efficiency		✓	6 ac-ft/yr
Outdoor Water Efficiency		✓	17 ac-ft/yr
<b>Ordinances and Regulations</b>			
Land Use Planning	✓		Not Quantified
<b>Education Activities</b>			
Education and Outreach		✓	Not Quantified
<b>Total Savings in 2025</b>			<b>377 ac-ft/yr</b>

The following sections summarize the efficiency activities. Some of the activities will be programs that are internal to participating providers, in which case more detail can be found in the individual water efficiency plans for the participating providers:

- Copper Mountain Consolidated Metropolitan District (CMCMD, 2018)
- Town of Breckenridge (TOB, 2018)
- Town of Dillon (TOD, 2018)
- Town of Frisco (TOF, 2018)

Other activities will be accomplished through collaboration in regional programs that are designed through three working groups (education and outreach; technical efficiency programs; and integrated water and land use planning). **Appendix C** contains implementation action plans for the three working groups.

## 8.1 Foundational Activities

### 8.1.1 Billing Upgrades

Billing upgrades are a provider-led program. Providers will partner with a contractor to provide customers with the WaterSmart Report Card. The report card will give customers more detailed information about their water usage, how their usage compares to similar customers, and suggestions for improving their efficiency. To estimate water savings, the top 5% of customers (in terms of annual water use) are assumed to reduce consumption by 1%. Program costs vary based on number of accounts that will receive the report card. In addition to water savings, the customer engagement associated with the report card will be extremely valuable.

### 8.1.2 Advanced Metering Infrastructure and Enhanced Water Loss Control

Metering and water loss control programs are specific to each provider. Water savings estimates are a function of current metering technology and water loss control programs:

- Potential water savings are estimated to be 7% of annual demands for new AMI implementations.
- Potential water savings are estimated to be 5% of annual demands for providers that have advanced meters installed but have the opportunity to improve leak detection programs.
- Potential water savings are estimated to be 2% of annual demands for existing AMI systems that have the opportunity to provide customers with direct access to their water use data.

### 8.1.3 Conservation-Oriented Rates

Pricing structures are specific to each provider. Although each participating provider has adopted inclining block rate structures, they vary in terms of how well the structure incentivizes conservation. Each provider intends to review their existing pricing structures as part of their next rate study, which entails an upfront cost (estimated at \$20,000) but no ongoing costs. Water savings estimates are a function of how well the current pricing structures incentivize conservation but are typically estimated at 7.5% of annual demands for small- and medium-sized utilities (Green and Maddaus, 2010).

### 8.1.4 Institutional Collaboration

During the planning process, High Country Conservation Center convened an “executive committee” that included representatives from each participating provider, Summit County, the Board of County Commissioners, Middle Park Conservation District, and Northwest Colorado Council of Governments, among other entities. Members of the executive committee will continue to meet as part of the implementation of this plan to exchange information.

## 8.2 Targeted Technical Assistance and Incentives

### 8.2.1 Indoor Water Efficiency

High Country Conservation Center intends to lead an indoor water efficiency program. The program is envisioned to include two components:

- Residential indoor water audits that include direct installation of some water-saving fixtures, specifically showerheads and faucet aerators, as well as customized recommendations for additional water savings.

- Commercial outreach through High Country Conservation Center’s Resource Wise sustainable business program (**Figure 10**). In addition to providing recommendations on opportunities to save water, High Country Conservation Center can provide direct installs of toilet bricks and pre-rinse spray valves and rebates covering 50% of the cost of water-saving projects up to \$400/business.

Additional information about the indoor water efficiency program is included in **Appendix C** in the implementation plan for the technical efficiency programs working group.

**BE RESOURCE WISE**

Resource Wise is a **free** program designed to help Summit County businesses decrease their environmental impacts. Services provided include:

- Energy and sustainability assessments
- Coaching
- Rebates for business improvements
- Local recognition
- **NEW FOR 2018: Installation of LED tubes, occupancy sensors, water-saving devices, and air sealing work**

To enroll, call the High Country Conservation Center at (970) 668 - 5703 and ask to speak with Jess.

The advertisement includes three images: a scenic view of a lake reflecting mountains under a blue sky with clouds; a close-up of several incandescent light bulbs, one of which is glowing; and a large pile of colorful plastic and paper trash.

Figure 10. Resource Wise Advertisement

### 8.2.2 Outdoor Water Efficiency

For at least the first two years of implementation, participating providers anticipate working with Resource Central’s “Slow the Flow” program to conduct outdoor irrigation assessments (**Figure 11**). An irrigation assessment consists of a 90-minute consultation that includes:

- A customized watering schedule
- Efficiency tests that measure water usage and coverage
- A visual inspection to check for problem areas that waste water
- Minor adjustments to sprinkler heads

For year 1 of implementation, Resource Central is providing 120 free outdoor irrigation assessments for customers of the five participating providers. The costs of these assessments are covered by a grant that Resource Central received from the Gates Family Foundation. In year 2 of implementation, the cost of the assessments will be cost-shared between the grant (50%) and the participating providers (50%).

In year 3 of implementation and beyond, the participating providers will evaluate whether to continue participation in the Slow the Flow program or to develop a new regional program based on estimated program costs and staff resources.

Additional information about the outdoor water efficiency program is included in **Appendix C** in the implementation plan for the technical efficiency program working group.

### 8.3 Ordinances and Regulations

In 2017, as part of the planning process, a regional land use planning group convened with the intent of reviewing design guidelines and landscaping codes for existing incentives and barriers to water savings. Working group members include representatives from Summit County, the municipalities, and the Northwest Colorado Council of Governments (NWCCOG). As such, the code reviews are intended to be conducted at multiple (county, local, regional) levels of government.

**Solve Your Sprinkler System**

**Get a FREE Sprinkler Check-Up!**

Just like a car, your sprinklers need an occasional check-up to make sure they're working as efficiently as possible. Take advantage of a free sprinkler consultation to **save thousands of gallons of water** every year! Brought to you by the Town of Silverthorne, High Country Conservation Center, and Resource Central, a non-profit with 40+ years of conservation experience. Appointments are limited and are scheduled on a first-come, first-served basis, so act quickly!

**90-Minute Consultation Includes:**

- A customized watering schedule that could **save thousands of gallons of water per year**
- Efficiency tests measuring water usage and coverage
- A visual inspection to check for any problem areas that waste your water
- Minor adjustments to sprinkler heads

**Benefits Include:**

- Reduce water usage and waste
- Save money on your water bill
- Gain practical, DIY sprinkler maintenance skills during the consultation
- Maintain a beautiful, healthy landscape while saving water

**Sign Up Today:**  
ResourceCentral.org/sprinkler  
(303) 999-3824

SILVERTHORNE COLORADO  
HIGH COUNTRY CONSERVATION CENTER  
RESOURCE central CONSERVATION MADE EASY

Figure 11. Silverthorne Slow the Flow Flyer

The working group will benefit from collaboration with NWCCOG, which was awarded a State Water Plan grant from the CWCB to develop model codes that incentivize water quality and water conservation objectives as well as funding to help five communities in the NWCCOG regional jurisdiction to amend their existing codes.

Additional information is included in **Appendix C** in the implementation plan for the integrated water and land use planning working group.

## 8.4 Educational Activities

High Country Conservation Center will lead the regional educational and outreach efforts. The top priorities for this group in 2018 include:

- Developing or assembling water conservation materials that are targeted to priority sectors in support of implementation efforts under this plan.
- Developing strategies for engaging the visiting and second homeowner population in Summit County.
- Promoting awareness around joint energy-water savings opportunities.
- Identifying key events and outreach channels for education and awareness efforts.

Additional information is included in **Appendix C** in the implementation plan for the education and outreach working group.

## 9 IMPLEMENTATION AND MONITORING PLANS

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### 9.1 Implementation

The general approach to implementing the water efficiency programs described in **Section 8** included the following steps:

- Determine the organization responsible for leading the activity.
  - Water providers are responsible for the implementation of the foundational activities (billing upgrades, AMI and enhanced water loss control, and conservation-oriented rates) and participation in Resource Central’s Slow the Flow program.
  - Land use planners at the local, County, and regional scale are responsible for initiating changes to ordinances and regulations.
  - High Country Conservation Center is responsible for leading institutional collaboration, the indoor water efficiency program, and education and outreach efforts.
- Work with other organizations and partners to develop implementation action plans, define funding needs, and exchange information about best practices and lessons learned.
- Determine funding needs and sources for the activity.
  - For activities to be funded entirely or in part by Town operating budgets, work within the annual budgeting cycle. This approach requires identifying budget priorities and estimates a year before the activity is to be implemented.
  - For activities to be funded by external sources, look for grant and other funding opportunities. **Appendix B** includes a summary of implementation resources that were identified during the planning process.

Three working groups were formed to guide implementation of the regional water efficiency activities:

- Education and outreach
- Technical water efficiency programs (indoor and outdoor)
- Integrated water and land use planning

As previously described, **Appendix C** includes implementation action plans that were developed for each working group to help transition from planning to implementation. The action plans will evolve as the working groups meet and take action.

### 9.2 Plan Reviews and Updates

The Water Conservation Act of 2004 (HB04-1365) requires that water efficiency plans be made publicly available for review and comment for a period of 60 days and that the plans be locally adopted by the appropriate governing entity. High Country Conservation Center complied with these requirements by posting the water efficiency plans on-line (**Figure 12**; HC3, 2018) and providing public notice of the plans in the February 1, 2018 newsletter. The public comment period lasted through April 4, 2018.

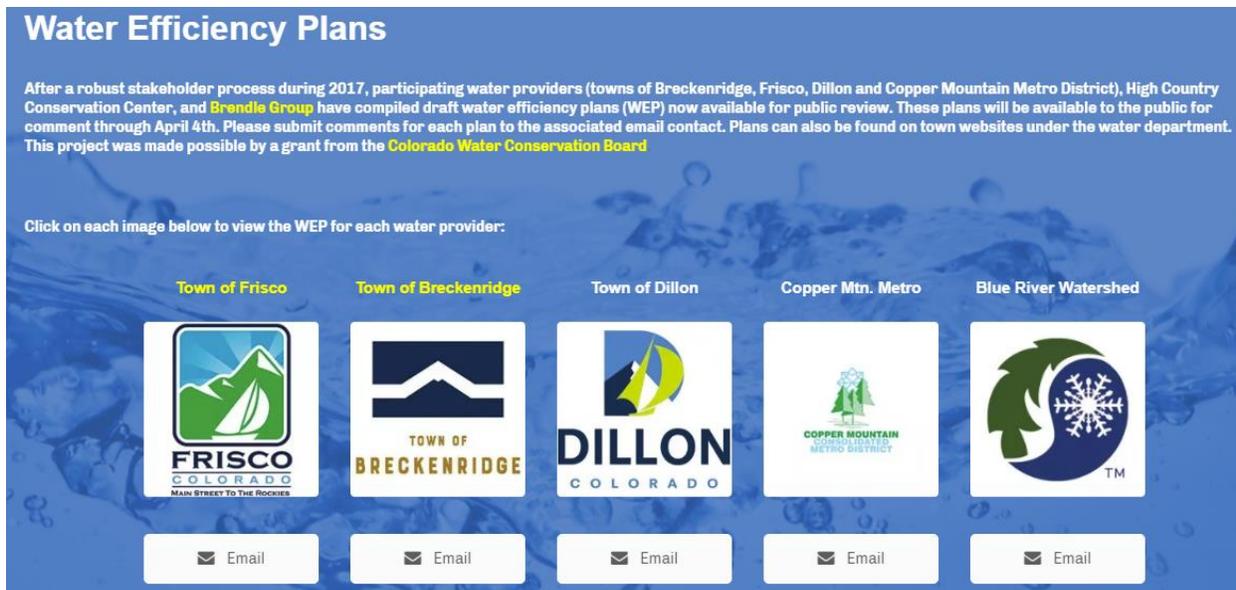


Figure 12. Screen Capture from the High Country Conservation Center website (HC3, 2018)

Concurrently with the public review and comment period, the draft plans were submitted to the Colorado Water Conservation Board for review. Review comments and responses to comments are included in **Appendix D**.

After the plan has been adopted by High Country Conservation Center’s Board of Directors, **Appendix E** will contain copies of the resolutions.

High Country Conservation Center intends to update this plan every seven years as required by The Water Conservation Act of 2004. Plan updates will incorporate new data and may include revisions to the planned activities, as appropriate.

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## APPENDIX A: PLAN DATA

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Provided in a separate document.

## APPENDIX B: IMPLEMENTATION RESOURCES

Organization / Individual	Implementation Resource	Resource Type	Additional Information
Aaron Clay	Water Law in a Nutshell Workshop	Education and Training	Contact High Country Conservation Center or Middle Park Conservation District
American Water Works Association	Topics area: water conservation programs, water loss control	Technical guidance	<a href="#">Website</a>
American Water Works Association Rocky Mountain Section	Topics: water conservation, tap fees	Training	<a href="#">Website</a>
Colorado Water Conservation Board	Water Conservation Implementation Grants	Grant Funding Source	<a href="#">Website</a>
Colorado Water Conservation Board	Water Resource Conservation Public Education and Outreach Grants	Grant Funding Source	<a href="#">Website</a>
Colorado Water Conservation Board	Water Plan Grants	Grant Funding Source	<a href="#">Website</a>
Colorado WaterWise	Live Like You Love It	Education and outreach materials	<a href="#">Website</a>
Irrigation Association	Topics: landscape water management	Training	Contact Northern Water (2018 training host)
Rural Communities Assistance Program	Topic areas: Water loss control, managerial, financial	Training and technical assistance	<a href="#">Website</a> Contact Jeff Oxenford (720-353-4242)
Sonoran Institute	Land Use and Water Planning Workshop	Education and Training	<a href="#">Website</a>
WaterNow	Project Accelerator Program	Technical and program assistance	<a href="#">Website</a>

## APPENDIX C: IMPLEMENTATION ACTION PLANS

### Education and Outreach Working Group

Last Updated: May 25, 2018

Working Group Role	Name and Organization
<b>Group coordinators</b> <i>(responsible for scheduling meetings and communications)</i>	Jessie Burley, High Country Conservation Center Hallie Jaeger, High Country Conservation Center
<b>Team members</b> <i>(responsible for helping with action items)</i>	Robert Buras, Town of Dillon Jed Callen, Resident Greg Hardy, Trout Unlimited Katlin Miller, Middle Park Conservation District Barry Rubenstein, High Country Conservation Center Dan Schroder, CSU Extension Julia Stennes, Town of Silverthorne

#### GOALS

- Initiate a coordinated education and outreach program for water conservation, including promoting all implementation activities

#### STRATEGIES TO ACHIEVE GOALS

##### Strategy 1: Develop targeted materials by sector

- Identify top priorities for education and outreach
  - Landscaper
  - Indoor
  - Outdoor
  - Commercial
  - Residential
- Inventory existing materials and resources
  - Water utility websites (Denver Water, Town of Breckenridge, etc.)
  - Colorado WaterWise (Live Like You Love It)
  - EPA Water Sense
  - Water audit and related service providers
- Adapt existing materials and develop new materials
- Identify outreach channels
  - Bill enclosures
  - Social media
  - Websites
  - Events
  - Summit Daily
  - Water Warriors program
  - HC3 Resource Wise sustainable business program
- Disseminate materials

**Strategy 2: Engage the visiting population and second homeowners**

- Come up with a message and then keep delivering the message because it's a changing population
- Compile a list of HOAs and contact information
- Prioritize 10 HOAs where working group members have personal connections

**Strategy 3: Leverage High Country Conservation Center's Energy Programs**

- Anytime talk about water, talk about energy, and vice versa

**Strategy 4: Aggregate and push out related information and events from other organizations**

- For example: EPA's Fix-a-leak week

**SUMMARY OF ACTION ITEMS**

Action Item	Responsible Team Member	Status
Compile contact list for HOAs	Dan	Complete
Prioritize 10 HOAs	All	In progress
Promote EPA's Fix-a-Leak Week	Hallie/HC3	Complete
Promote HC3's Resource Wise Sustainable Business Program	All	In progress
Promote participation in Resource Central's Slow the Flow program for outdoor audits for customers served by participating providers	HC3 and participating towns	In progress
Promote participation in Resource Central's Slow the Flow program for outdoor audits for customers NOT served by participating providers	Katlin/Dan	In progress
Work on marketing piece on water efficiency and leaks to supply during residential energy audits	All	In progress
Find a list of contractors/plumbers as a resource guide	Jed	In progress
Promote Blue River Explorer Hike	Greg	In progress

## Technical Water Efficiency Programs Working Group

Last Updated: May 25, 2018

Working Group Role	Name and Organization
<b>Group coordinator</b> <i>(responsible for scheduling meetings and communications)</i>	Laura Lynch, Town of Breckenridge
<b>Team members</b> <i>(responsible for helping with action items)</i>	Robert Buras, Town of Dillon Jeff Goble, Town of Frisco Jess Hoover, HC3 Hallie Jaeger, HC3 Cody Jensen, HC3 Zach Margolis, Town of Silverthorne Mike Nathan, A-Basin Ed Pankevicius, Copper Mountain Metro Karn Stiegelmeier, Board of County Commissioners Lane Wyatt, NWCCOG

### GOALS

- Pilot a residential indoor audit program
- Expand the HC3 Resource Wise sustainable business program to include more emphasis on water efficiency, including allowing water projects to qualify for rebates
- Promote Xcel Energy’s multi-family buildings program
- Reduce outdoor water use while maintaining aesthetics for visitor and resident appeal
- Focus on low-cost/no-cost water savings opportunities and customer education and outreach
- Design, pilot, and implement regional programs aimed at outdoor water efficiency, including outdoor water audits, irrigation system optimization, and landscaper certification

### STRATEGIES TO ACHIEVE GOALS

**Goal: Pilot a residential program that includes educational materials, audits, direct installs, and/or rebates/incentives.**

- Leverage HC3’s Energy Smart Colorado program for indoor energy efficiency.
  - At a minimum, assess energy program for best practices and lessons learned to inform water efficiency program design.
  - Consider leveraging energy program as an education and outreach channel (e.g., leave materials on water efficiency with residents when conducting an energy assessment).
- Research existing residential information and audit programs
  - Evaluate existing residential programs, with an emphasis on comparable mountain communities. For example, Resource Central has a “Slow the Flow” program that includes a residential indoor audit program.
  - Evaluate rebate structures/incentives. Find biggest water savings potential for each potential rebate measure.
  - Evaluate types of direct installs needed. At a minimum, include direct installs of showerheads and faucet aerators.
  - Compile effective educational materials.
- Design a pilot program

- Identify water providers interested in participating in the pilot program.
- Determine funding needs and sources for pilot program.
- Execute the pilot program.
- Assess performance of the pilot program to inform larger-scale implementation.

**Goal: Develop a commercial outreach channel**

- Leverage HC3's Resource Wise green business program to connect with businesses and find water savings opportunities.
  - Use the program as an education and outreach channel
    - Leave sector-specific materials on water efficiency with businesses as part of engagement.
    - Hold a Business Lunch n' Learn workshop on water in 2018.
  - Expand the program in offering and implementing recommendations for improving water efficiency based on the results from the sustainability assessment.
    - Add information about the energy-water nexus on summary reports
    - Provide water efficiency recommendations to businesses with low water scores
    - Use available funding (\$400/business) towards water-saving upgrades and projects
    - Direct installs of toilet bricks and pre-spray rinse valves

**Goal: Focus on low-cost/no-cost water savings opportunities and customer education and outreach**

- Identify largest users (for example, HOAs) and work with customers to better schedule their water use
- Work with landscape companies
  - Create a list of water-efficiency minded landscapers
  - Educate additional landscape companies
- Identify educational events, for example one county-wide meeting
  - Annual State of the River
  - NWCCOG QQ meetings
- Educate about joint energy-water savings opportunities
- Develop water budgets using GIS and irrigated lands analysis for customer outreach about the amount of water customers should be using
- Work with City Parks staff on water savings opportunities
- Send out a mailer to contract holders about metering and plantings

**Goal: Design, pilot, and implement regional programs aimed at outdoor water efficiency, including outdoor water audits, irrigation system optimization, and landscaper certification**

- Years 1-2 of implementation: Take advantage of grant funding available from Resource Central to make Slow the Flow outdoor irrigation assessments available to 120 customers
- Years 3 and beyond: Determine continued participation in the Slow the Flow program versus developing a separate regional program. Expand services beyond audits to system optimization and landscaper certification.
  - Evaluate existing programs for best practices and lessons learned (for example, Denver Water)
  - Identify potential service providers (for example, Resource Central Slow the Flow program)
  - Design and implement a pilot program
  - Implement a regional program

**Goal: Reduce outdoor water use while maintaining aesthetics for visitor and resident appeal**

- Coordinate efforts with the land use planning working group to evaluate municipal code for updates regarding vegetation requirements

**SUMMARY OF ACTION ITEMS**

Action Item	Responsible Team Member	Status
Identify fixtures/appliances to target for incentives based on water savings potential	Mike	In progress
Research existing residential water efficiency programs	Laura	In progress
Flesh out potential to leverage existing HC3 programs, resource needs, etc.	Jen	In progress
Evaluate opportunities for leveraging Resource Wise	Jess and Jessie	In progress

# Integrated Water and Land Use Planning

Last Updated: May 17, 2018

Working Group Role	Name and Organization
<b>Group coordinator</b> <i>(responsible for scheduling meetings and communications)</i>	Joyce Allgaier, Town of Frisco
<b>Invited team members</b>	Joyce Allgaier, Town of Frisco Graeme Bilenduke, Copper Mountain ski resort Robert Buras, Town of Dillon Jed Callen, Resident Allison Fulton, Copper Mountain Metro Jeff Goble, Town of Frisco Peter Grosshuesch, Town of Breckenridge Torie Jarvis, NWCCOG Katie Kent, Town of Frisco Susan Lee, Town of Frisco Zach Margolis, Town of Silverthorne Mike Nathan, A-Basin Pete Oltman, North Line GIS Ed Pankevicius, Copper Mountain Metro Don Reimer, Summit County Elena Scott, Norris Design Ned West, Town of Dillon Lane Wyatt, NWCCOG

## GOALS

- Conserve water through collaboration and actions that support all agencies in our region

## STRATEGIES TO ACHIEVE GOALS

### Strategy 1: Code Amendments

- Engage and/or stay informed about NWCCOG efforts under their Colorado State Water Plan grant.
- Audit codes and additional regulations to identify existing barriers and incentives to water conservation (Joyce and regional planners)
- Amend water standards, codes (require certain irrigation materials and systems) - Jeff
- Look at tap fees and tying to/paying more for landscaping (Mark)
  - See Castle Rock and Aurora programs, to be presented at June 14 RMSAWWA conservation committee meeting
  - Schedule an educational workshop
  - Share literature
- Look at stormwater management regulations (bioswales, tree gardens)
- Land use typology
  - Apply budgets to different types of land uses (e.g. – ballfields vs. aesthetic landscape areas) – for example, Denver Water

**Strategy 2: Collaboration and Engagement**

- Evaluate learning opportunity through Sonoran Institute.
- Engage all special and metro districts to implement plan
- Set common goals among towns, districts, others to coalesce efforts (even if done at different times)
- Tap informational and regulation resources to raise the bar, give guidance, help share information and information about grants and capacity building (NWCCOG)
- Engage large water users

**Strategy 3: Advance water reuse programs, especially for golf courses and snowmaking parks (Lane Wyatt and Torie Jarvis from NWCCOG QQ)**

SUMMARY OF ACTION ITEMS

Action Item	Responsible Team Member	Date	Status
Evaluate learning opportunity through Sonoran Institute.	All	June 1, 2018	In progress
Convene planners to initiate code audits	Joyce	Summer 2018	Not started
Schedule an educational session on tap fees	Mark	June 14, 2018	Complete (Scheduled through AWWA RMS conservation committee)

## APPENDIX D: PLAN REVIEWS AND COMMENTS

### REVIEW COMMENTS FROM THE COLORADO WATER CONSERVATION BOARD

Conservation Plan Submittal Required Plan Elements Checklist

Name of Entity: Blue River Regional WEP

Date Submitted: 3/16/18

Required Conservation Plan Elements	Completed?	Response to Comments
1. Name and contact information	Yes ___ No <u>x</u> Comment: Put final cover letter	Cover letter added
2. Organizations and individuals assisting with plan development	Yes <u>x</u> No ___ Comment: pg. 6	No action required
3. Quantified annual retail water delivery?	Yes <u>x</u> No ___ Comment:	No action required
4. Identified population served by retail water delivery?	Yes <u>x</u> No ___ Comment: Summit County 2016-30,367; 2050- 51,000 state demographer; permanent residents	No action required
5. Public comment period completed? (60 days or local regulation)	Yes ___ No <u>x</u> Comment: after review	Section 9.2 (Plan Review and Updates) and Appendix D (Plan Reviews and Comments) updated after public comment period was completed
6. Signature with authority to commit resources of the submitting entity?	Yes ___ No <u>x</u> Comment: Put in final cover letter	Cover letter added
7. All required water saving measures and programs considered?	Yes <u>x</u> No ___ Comment:	No action required
I. Fixtures and appliances – toilets, urinals, showerheads, faucets, etc.?	Yes <u>x</u> No ___ Comment: HCC will lead indoor residential audits with install of fixtures	No action required
II. Waterwise landscapes, drought resistant vegetation, removal of phreatophytes, efficient irrigation, etc.?	Yes <u>x</u> No ___ Comment: Outdoor water audit program to evaluate system efficiencies and implement fixes through rebates	No action required

Required Conservation Plan Elements		Completed?	Response to Comments
III.	Water efficient industrial and commercial processes?	Yes <input checked="" type="checkbox"/> No _____ Comment: Commercial outreach through HCC sustainable business program and will put financial resources towards upgrades	No action required
IV.	Water reuse systems?	Yes _____ No _____ Comment: N/A	No action required
V.	Distribution system leak ID and repair?	Yes <input checked="" type="checkbox"/> No _____ Comment: Individual plans will detail	No action required
VI.	Information, public education, audits, demos?	Yes <input checked="" type="checkbox"/> No _____ Comment: Priorities in 2018 are to: <ul style="list-style-type: none"> <li>• Develop or assemble water conservation materials that are targeted to priority sectors in support of implementation efforts under this plan.</li> <li>• Develop strategies for engaging the visiting and second homeowner population in Summit County.</li> <li>• Promote awareness around joint energy-water savings opportunities.</li> <li>• Identify key events and outreach channels for education and awareness efforts.</li> </ul>	No action required
VII.	Conservation oriented rate structure and billing system?	Yes <input checked="" type="checkbox"/> No _____ Comment: All providers have inclining block rates but will evaluate all of them through rate studies. Individual plans will detail	No action required
VIII.	Regulatory measures designed to encourage water conservation?	Yes <input checked="" type="checkbox"/> No _____ Comment: See land use and comments below	No action required
IX.	Incentives, rebates to encourage conservation implementation?	Yes <input checked="" type="checkbox"/> No _____ Comment: See below	No action required
8.	Role of water conservation plan in overall water supply planning?	Yes <input checked="" type="checkbox"/> No _____ Comment: Section 3.3 Vision statement; Section 4 shows nexus between the water efficiency plan and other plans/studies	No action required

Required Conservation Plan Elements	Completed?	Response to Comments
9. Steps to implement, monitor, review, and revise conservation plan including time period not to exceed 7 years?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment: pg. 29; Great idea for the working groups!	No action required
10. Estimates of water saved through previous conservation efforts AND water saved through plan implementation?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment: 371 af through regional and individual planning efforts; 17 af coming from regional; much of regional efforts are not quantified due to nature of programs and initiatives	No action required
11. Best management practices for water demand management, water efficiency, and water conservation that may be implemented through land use planning efforts	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment: Ordinances: Convened a regional land use planning group in 2017 to review design guidelines and landscaping codes for existing incentives and barriers to water savings; one of four working groups formed for the plan is an "Integrated water and land use planning" group	No action required

**Plan Review Findings**

Approved

Conditional Approval

Disapproval with Modifications

**Plan review comments:**

*This plan review was completed by Kevin Reidy of the Colorado Water Conservation Board. Questions about the review, comments provided, the plan review process and the statutory requirements can be directed to Kevin.*

**Details on programs:** In the body of the plan, refer to the Appendix C where the working group plans are. I didn't see it until Section 9 and when I read through the plan the first time, I was wanting more details on each program but didn't find it until I got to the Appendix C with the working group plans. I really like the working group plans though. Not sure if you want to have a blanket statement at the beginning of Section 8 directing readers to Appendix C or in each activity where it is relevant.

**Response to Comment:** Added references to Appendix C in Section 8 when discussing regional efficiency programs.

**Ordinances and Regulations:** Are those county landscape codes and regs you identify in section 8.3? It would be good to describe them as such so that the reader knows they apply across all providers/communities and also state that all the individual communities have their own ordinances that do not translate across all the other communities.

**Response to Comment:** Clarified section 8.3 to make clear that county, local, and regional representatives are participating in the working group and that the proposed code audit will target multiple levels of government.

**Indoor/Outdoor Water Efficiency:** Would like to see more detail on the rebates, incentives and fixtures that will be implemented in the Indoor and Outdoor water efficiency sections.

**Response to Comment:** Edited section 8.2.1 to clarify that the residential indoor audit program will include direct installs of showerheads and faucet aerators. The initial program incarnation will not include rebates or incentives. Edited section 8.2.1 to clarify that the commercial audit program includes direct installs of toilet bricks and pre-rinse spray valves and rebates covering 50% of the cost of water-saving projects up to \$400/business.

Why isn't the indoor water efficiency programs quantified? That would seem to be the easiest to do so. If not sure of the total scope of this, put in a placeholder savings amount that would act as a baseline.

**Response to Comment:** Agreed. Quantified the estimated water savings based on the direct installs and assumed program participation. Edited the executive summary and Table 2 to reflect updated water savings estimates.

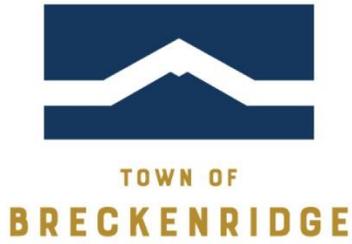
#### PUBLIC REVIEW COMMENTS

From Katlin Miller:

- Should we mention Summit County's involvement as a stakeholder and executive committee member?
  - **Response to Comment:** Thanks for your comments. Stakeholder participation from Summit County representatives is included in Section 2 Acknowledgements. Participation as an executive committee member is described in Section 8.1.4.
- Section 6.2, Figure 6 - what does the other category represent?
  - **Response to Comment:** Added a paragraph to Section 6.2 explaining the "other" use category.
- Do we say anything in the plan about the bigger picture and the importance of saving water as an insurance policy for the Colorado River Compact? I think it would be good to have a paragraph or two in the introduction about the Colorado River Compact and why we need to be conscientious about water conservation relevant to the Compact.
  - **Response to Comment:** Agree. Added a paragraph on the Compact to Section 3 Introduction.

APPENDIX E: RESOLUTION TO ADOPT PLAN

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# WATER EFFICIENCY PLAN

June 2018



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Developed in partnership with:



# 1 EXECUTIVE SUMMARY

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In 2017, High Country Conservation Center and five water providers in Summit County (Copper Mountain Consolidated Metropolitan District, Town of Breckenridge, Town of Dillon, Town of Frisco, and Town of Silverthorne) partnered for the development of water efficiency plans. A diverse stakeholder group developed a vision statement to guide efforts in the Blue River Watershed towards regional water efficiency:

*Our vision is for water providers to continue supplying reliable, high quality water to the residents and visitors of Summit County while also:*

- *Protecting the natural environment upon which our economy and prosperity are based.*
- *Ensuring the sustainability of our mountain lifestyle for current and future generations.*
- *Fostering a culture of environmental and social responsibility through education and actions.*
- *Inspiring collaboration and responsible stewardship of water resources across the State of Colorado.*

The Town of Breckenridge's water efficiency plan is an update to the Town's 2004 water conservation plan and documents the Town's existing and planned actions to ensure system reliability and the efficient use of available water supplies.

## 1.1 WHERE WE ARE NOW

The Town of Breckenridge receives its water supplies from the Blue River and its tributaries. The Town is committed to maintaining flows in the Blue River that are environmentally beneficial, while continuing to serve customers efficiently and effectively.

The Town sells potable water to residential and commercial customers and raw water to the ski resort. Non-revenue water uses include firefighting, municipal uses (golf course and park irrigation, Town projects, street sweeping), hydrant flushing, system leaks, construction water, and other bulk water that is metered but not billed.

Outdoor water use represents a relatively small percentage (15%) of total annual demands, but results in high demand peaks during summer months. The Town also experiences a slight increase in demands from November - March due to the influx of transient residents and day visitors during ski season.

Historically, the Town has had issues with system leaks, which, in combination with hydrant flushing, non-metered use, and malfunctioning meters, have led to relatively high amounts of non-revenue water. For example, in 2015-2016, estimates of non-revenue water ranged from 13-21% annually.

In 2016, the Town produced 1,815 ac-ft of potable water. Almost three-quarters of the annual potable water sales served the residential sector, while 20% served commercial customers and the remaining sales served government and irrigation accounts. Since 2000, the Town has experienced an average decline of 1.4% year-over-year in annual water production volumes. Normalizing for population growth, the Town has seen a 3.1% decline on average year-over-year, with systemwide water use of 146 gallons per single family equivalent in 2016. Non-potable sales for snowmaking are relatively constant at 400 ac-ft/yr.

The Town has achieved past reductions in water use through the implementation of various demand management activities, including:

- An automatic meter reading system installed in 2005
- A system water loss and management control program, including leak detection audits

- An inclining block rate structure that provides some incentive for conservation
- An outdoor water conservation ordinance
- Indoor efficiency through local plumbing codes and State fixture requirements
- Conservation efforts at Town facilities, including turf replacement at the recreation center
- A business recognition program that encourages sustainable actions by local businesses
- Public outreach and education efforts

## 1.2 WHERE WE WANT TO GO

This water efficiency plan was developed using a 2025 planning horizon, providing enough time to gain traction on new efficiency activities, and with an emphasis on successful implementation. Over the period 2018-2025, the Town aims to implement additional water efficiency activities to supplement existing activities to achieve the following goals:

- A 10% reduction in annual demands by 2025, compared to 2016 demands.
- A reduction in peak demands during the summer associated with outdoor water use.

## 1.3 HOW WE WILL GET THERE

New water efficiency activities were selected using multiple factors that included utility priorities, stakeholder input, opportunities for water savings, technical feasibility, and implementation capacity. When feasible, the efficiency activities were quantified in terms of their potential for water savings, customer sectors and end-uses impacted by the measure, and implementation costs.

Water Efficiency Activity	Sectors Impacted	Implementation Period	Projected Water Savings in 2025
<b>Foundational Activities</b>			
Billing Upgrades	All Customers	2018-Ongoing	2 ac-ft/yr
Advanced Metering Infrastructure and Enhanced Water Loss Control	All Customers	2020-Ongoing	115 ac-ft/yr
Conservation-Oriented Rates	All Customers	2019-Ongoing	123 ac-ft/yr
Institutional Collaboration	Utility	2017-Ongoing	Not Quantified
<b>Targeted Technical Assistance and Incentives</b>			
Indoor Water Efficiency	Residential	2018-Ongoing	1 ac-ft/yr
Outdoor Water Efficiency	Residential & HOA	2019-Ongoing	10 ac-ft/yr
<b>Ordinances and Regulations</b>			
Land Use Planning	All Customers	2017-Ongoing	Not Quantified
<b>Education Activities</b>			
Education and Outreach	All Customers	2018-Ongoing	Not Quantified
<b>Total Savings in 2025</b>			<b>251 ac-ft/yr</b>

## 1.4 HOW WE WILL STAY ON TRACK

This water efficiency plan includes implementation action plans for the planned water efficiency activities to help the Town achieve its goals. The action plans specify goals, strategies, action items, timelines, and resources for each activity.





## 3 INTRODUCTION

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Water has long been a vital resource to the economy and the culture of the Town of Breckenridge (Town) and surrounding areas:

- In 1859, gold was discovered along the Blue River, kicking off the gold rush in Summit County.
- In 1961, the Breckenridge Ski Area officially opened.
- In 2004, the Town developed its first water conservation plan (TOB 2004).
- In 2011, the Town adopted the SustainableBreck Plan to “further the goals of the Town’s Vision Plan through developing recommendations for environmental, economic, and social sustainability (TOB 2017a)”. For water, the Town seeks to conserve water, maintain high standards of water quality, and increase its ability to fully store available water rights to ensure an adequate water supply for future generations.
- In 2014, the Town Council identified water conservation as one of five top priorities for the year.

This water efficiency plan is an update to the previous water conservation plan in documenting the Town’s existing and planned actions to ensure system reliability and the efficient use of available water supplies. Related planning efforts for the Town include:

- A feasibility study for a new water treatment plant that included examination of the Town’s current and expected water demands compared to the capacity of the existing system. A second water treatment plant and distribution system upgrades were recommended for the Town from this study (HDR 2014).
- A five-year capital improvement plan that includes infrastructure improvements for the water system (TOB 2017b).
- A Water Master Plan that the Town’s Water Division updates each year to document water production and changes to the service population.

### 3.1 WHY A WATER EFFICIENCY PLAN?

The Water Conservation Act of 2004 (HB04-1365) requires all covered entities, defined as retail water providers that sell more than 2,000 ac-ft/yr, to have a State-approved water efficiency plan. Although the Town of Breckenridge has remained below that threshold in recent years, the Town, along with neighboring water providers, looks to set an example for other mountain communities in preserving the natural environment and promoting conservation values. This water efficiency plan serves to describe the Town’s history of water saving activities and future plans. The Town also seeks to leverage regional partnerships to effect change and encourage all residents and visitors to reduce water use.

### 3.2 THE PLANNING PROCESS

In 2017, High Country Conservation Center, Middle Park Conservation District, and five water providers in Summit County (Copper Mountain Consolidated Metropolitan District, Town of Breckenridge, Town of Dillon, Town of Frisco, and Town of Silverthorne) convened a project for the development of a regional water efficiency plan. Water efficiency plans were also developed for four of the individual water providers (excluding Town of Silverthorne) to represent the unique needs and opportunities for each service area. The regional water efficiency plan, developed for the Blue River Watershed within Summit County, elevates common themes and water saving opportunities outside of the participating service areas, and

provides opportunities for partnership and collaboration amongst the participating utilities. Plan development was supported through a combination of grant funding from the Colorado Water Conservation Board (CWCB) under the Water Conservation Planning grant program, and cash and in-kind contributions from the participating providers.

The water efficiency plans were developed in accordance with the State of Colorado's *Municipal Water Efficiency Plan Guidance Document* (CWCB 2012). The plans were drafted using information and guidance provided by utility and planning staff in each community. Additionally, a diverse stakeholder group was formed to provide input on water savings goals, water efficiency activities, and implementation actions. In 2017, more than 30 stakeholders participated in a series of four planning workshops (baseline review, draft goals and efficiency activities, revised goals and efficiency activities, and implementation). Upon completion, the plans underwent a series of reviews by utility staff, the stakeholder group, the public, and CWCB staff. Finally, plans were submitted to the appropriate governing entity (town council or District board, as appropriate) for adoption.

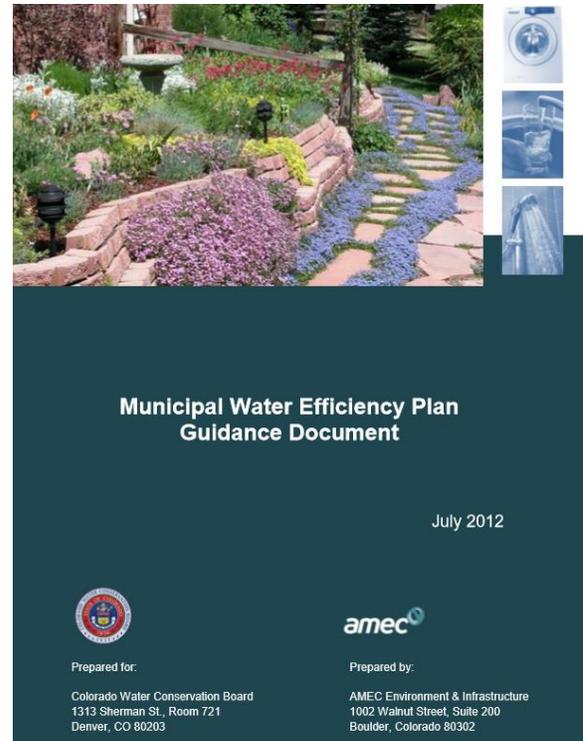


Figure 1. State of Colorado Municipal Water Efficiency Plan Guidance Document



### 3.3 OUR WATER VISION

The stakeholder group developed a vision statement to guide efforts in the Blue River Watershed towards regional water efficiency.

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#### VISION STATEMENT

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Our vision is for water providers to continue supplying reliable, high quality water to the residents and visitors of Summit County while also:

- Protecting the natural environment upon which our economy and prosperity are based.
- Ensuring the sustainability of our mountain lifestyle for current and future generations.
- Fostering a culture of environmental and social responsibility through education and actions.
- Inspiring collaboration and responsible stewardship of water resources across the State of Colorado.

## 4 SERVICE AREA CHARACTERISTICS

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### 4.1 BOUNDARIES

The Town of Breckenridge was founded as a small mining camp in 1860 during the gold rush but has since evolved into a popular destination for skiers and summer recreationalists. The Town encompasses 5.3 sq mi in the Upper Blue River watershed on the west slope of the Continental Divide.

The Town provides water services to its incorporated area and adjacent unincorporated areas (including Summit County High School). In December 1995, the Blue River Water District was consolidated into the Town of Breckenridge. The District's water rights, facilities, and service area were transferred to the Town at that time (NWCCOG 2004). **Figure 2** shows a map of the current water service area.

Due to the proximity of federal lands, and the high degree of buildout on the surrounding unincorporated areas, there is limited potential for the Town to expand its borders. Projected growth is expected from infill and redevelopment more than expansion.

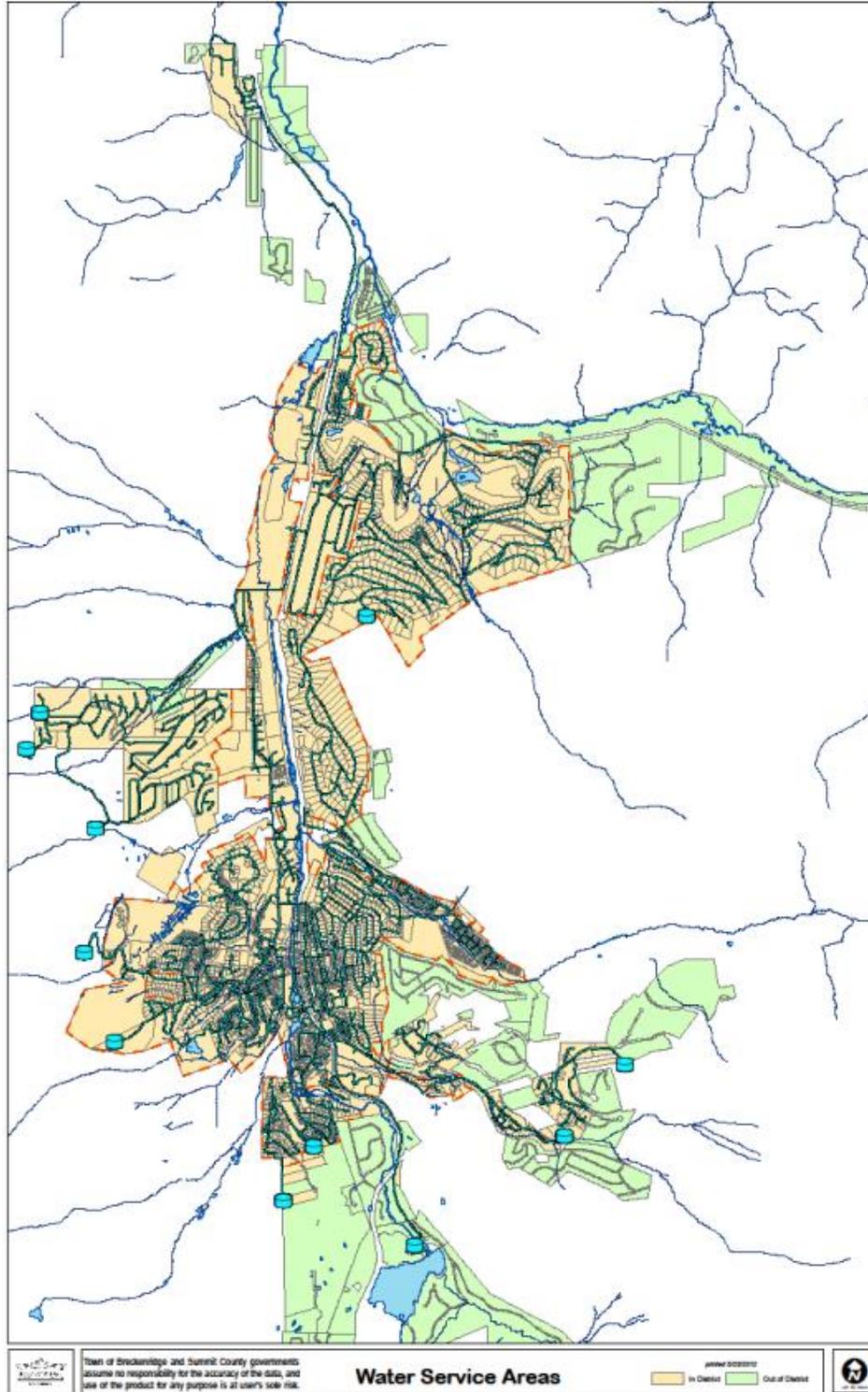


Figure 2: Town of Breckenridge Water Utility Service Area

## 4.2 POPULATION

Breckenridge is best known for the ski resort and attracts many visitors. As such, tourism in the area introduces a high degree of seasonality and variability into the service population. The Town estimates three service population pools:

- The permanent service population, which includes Town residents plus people living outside Town limits but served by the municipal water supply system.
- Day visitors, which are defined as visitors that do not stay overnight.
- The transient population, which is defined as visitors that stay overnight.

It is difficult for the Town to estimate the visiting population served. **Figure 3** presents a breakdown of the 2010 estimated service population of 42,547 into these three population pools. Looking forward, the Town anticipates that the permanent service population and transient population will grow on average by 2.2% each year (HDR 2014). The Town assumes 0.3% average annual growth in the day visitor population served.

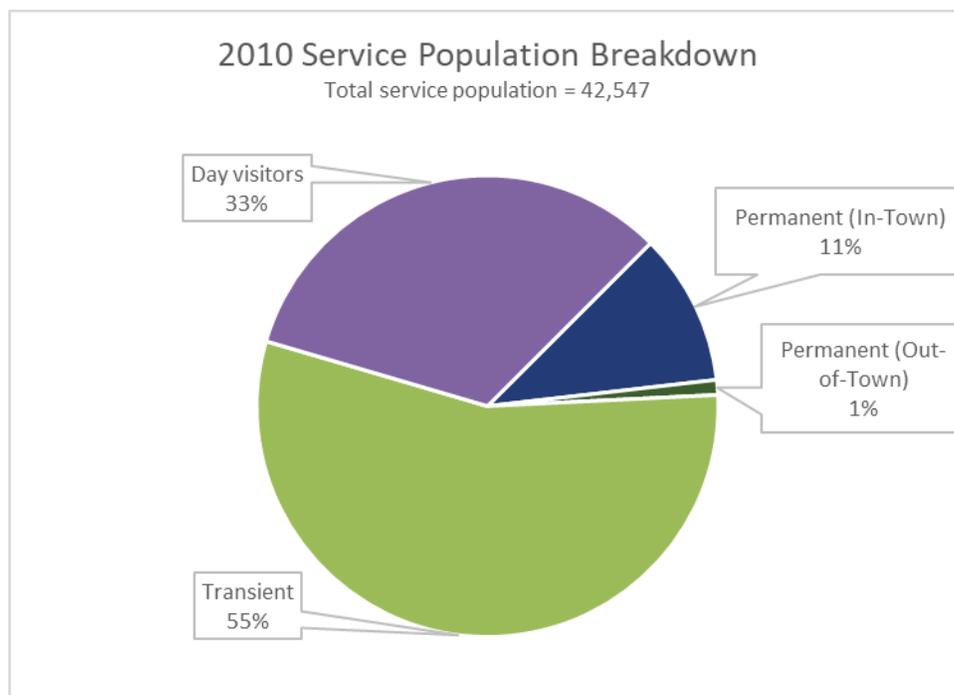


Figure 3. 2010 Service Population Breakdown

The Town also uses Single-Family Equivalents (SFE) as the basis for utility capacity planning efforts and as another measure of service area growth. For the residential sector (including single-family homes and duplexes), 1 SFE covers up to 2,000 sq ft. Each additional square foot adds 0.00016 SFE. In the residential sector, a good rule of thumb is 3 people/SFE to approximately convert between population and SFE. In the commercial sector, buildings are assigned SFE values based on a variety of factors depending on the business type (TOB 2017d). Since 2003, total SFE values in the Town have increased by 1.8% on average year-over-year (**Figure 4**).

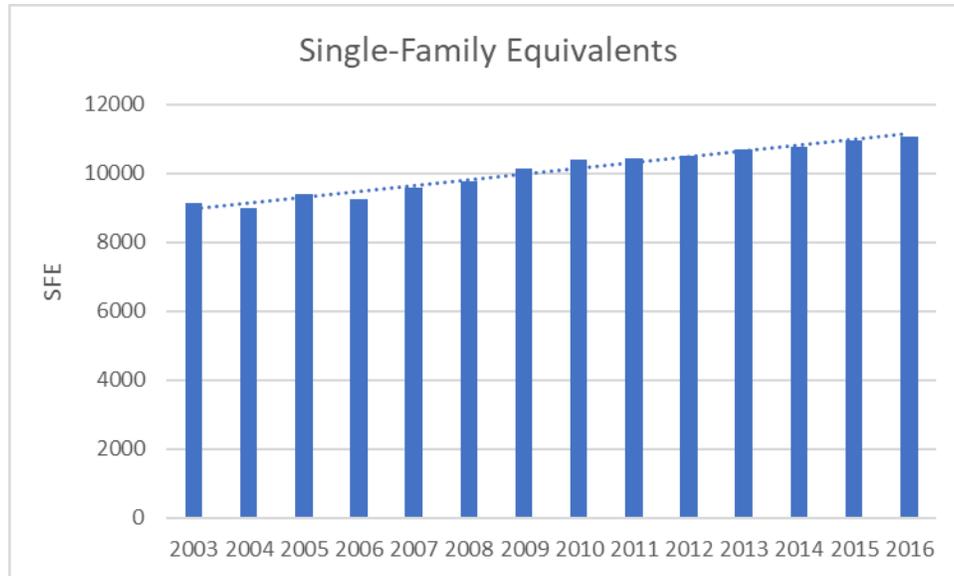


Figure 4. Total (Residential and Commercial) Single-Family Equivalents (2003-2016)

### 4.3 RESIDENTIAL SECTOR

Housing in the Town reflects the characteristics of a recreational destination. Approximately 69% of the available housing units are designated as multifamily housing (ACS 2015). The remaining housing units are single-family detached (22%) and single-family attached (9%) homes. The average home age is about 30 years old.

Older buildings in the Town represent an opportunity for indoor water savings through the replacement of indoor fixtures and appliances. The high proportion of multifamily units and the transient population represent challenges for water education and outreach efforts. The Town aims to engage and influence the visiting population to effect long-lasting water savings.

### 4.4 COMMERCIAL AND INDUSTRIAL SECTOR

The largest employment sectors in Breckenridge are the entertainment, food services, and accommodations associated with the ski resort, which provides about 40% of the 2,819 jobs in the Town (ACS 2015).

## 5 EXISTING WATER AND WASTEWATER SYSTEM

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### 5.1 RAW WATER SUPPLIES

The Town of Breckenridge has a diverse portfolio of water rights that includes direct streamflow rights, storage rights, and augmentation water. All water supplies come from the Blue River and its tributaries. The Town has three points of diversion:

- Water diverted from the Blue River at Goose Pasture Tarn (an 800 ac-ft reservoir located on the Blue River upstream of Town) is sent to the primary water treatment plant and serves most of the service area demands, including snowmaking deliveries to the ski area. The Town has senior water rights dating back to 1885 to divert 4.87 cfs at this location.
- The Town has junior rights to divert water from South Barton Gulch to the Peak Seven Water Treatment Plant, which was acquired from the Blue River Water District and serves the former District's service area. The plant has been inactive since 2004 but can be operated to provide water in an emergency if needed.
- Water diverted from the Swan River near its confluence with the Blue River is used for irrigation water for the Town's golf course.
- The Town will have an alternate point of diversion on the Blue River near Swan Mountain Road for the new water treatment plant that will be online in 2020.

For storage rights, the Town owns (NWCCOG 2004):

- 400 ac-ft of storage in the Goose Pasture Tarn
- 50 ac-ft of water in the Upper Blue River Reservoir, upstream of the Tarn, that is available for use between April and November
- 12 ac-ft in Sawmill Reservoir
- 800 ac-ft in Green Mountain Reservoir
- 130 ac-ft in Clinton Reservoir
- 100 ac-ft in Windy Gap Reservoir

Based on current development projections, the Town estimates that treated water demands at buildout will be 3,506 ac-ft/yr and that raw water demands will be continue at current levels of approximately 520 ac-ft/yr for snowmaking and golf course irrigation (NWCCOG 2004). The Town's current water rights portfolio is sufficient to meet demands through buildout.

The Town of Breckenridge is committed to maintaining flows in the Blue River that are environmentally beneficial and has signed an agreement with the CWCB to establish minimum instream flow levels. To help the Town meet the instream flow requirements, while still being able to maximize use of water rights during low flow periods, the Town obtained a conditional decree for 2 cfs that allows water to be diverted from the Miners Creek Ditch to the Blue River upstream of the instream flow gage.

## 5.2 TREATMENT AND DISTRIBUTION

### 5.2.1 Potable Water

The Town's primary water treatment plant (Gary Roberts WTP) was built in the 1970s and has the capacity to produce 5 MGD. Conventional treatment processes are used to produce water that meets drinking water standards. This plant is expected to meet the needs of the Town through at least 2026 (HDR 2014).

The Peak Seven WTP has historically been used to provide water to the Peak Seven neighborhood, but the water source is unreliable during low flows. As a result, the plant has been inactive since 2004 but can be operated to provide water in an emergency if needed. The plant's capacity is 0.5 MGD, although production is generally limited to 0.25 MGD from October-April based on streamflow availability (NWCCOG 2004).

The water system is gravity fed from the Goose Pasture Tarn Reservoir, with the option to pump into the Gary Roberts WTP from the reservoir spillway pool. The distribution system comprises 100 miles of pipeline in 16 pressure zones (**Figure 5**). The pressure zones are served by 10 pumping stations, eight of which are associated with storage tanks and two of which are used to augment system pressures. Each of the pumping stations has operational redundancy. Because of the elevation change, the system can have some issues with high pressures in the lower valley neighborhoods. The distribution mains are equipped with pressure-reducing valves. All customers in these areas are required to have pressure-reducing valves as well.

The Town has a total treated water storage capacity of 7.5 MG in eight storage tanks. The combined storage is sufficient to meet system needs for 24 hours on a peak day with fire demand and to meet peak hourly demands (TOB 2004).

### 5.2.2 Non-Potable Water

The Town distributes raw (non-potable) water for snowmaking and municipal golf course irrigation. Snowmaking is limited to 400 ac-ft/yr and by water rights can only be used between October 1st and January 31st of each year.



Figure 5: Water Distribution System

### 5.3 WATER SALES AND NON-REVENUE WATER USES

The Town of Breckenridge sells potable water to residential and commercial customers and raw water to the ski resort. Non-revenue water uses include firefighting, municipal uses (golf course and park irrigation, Town projects, street sweeping), hydrant flushing, system leaks, construction water, and other bulk water that is metered but not billed. More information on non-revenue water is included in **Section 0** as part of the discussion on historical system demands.

### 5.4 WATER RATES AND BILLING

In 2001, the Town adopted an inclining block rate structure to discourage excessive water use. The water pricing structure was last adjusted in 2014 to reduce the base usage allotment (from 12,000 gal to 10,000 gal) and to increase the price for use above the base allotment. Both changes were intended to encourage water conservation.

The price that customers pay for their water is a function of customer type (residential or non-residential), building size, and service location. The pricing structure is based on SFE values. Non-residential (commercial) rates and usage allowances are defined additionally by the water tap size. Customers outside of Town limits pay more than customers within Town limits. The 2017 water rates for residential and commercial customers are shown in **Table 1** and **Table 2**, respectively. Customers are billed every two months for their water use. Rates are adjusted each year based on debt, operations, and capital obligations.

*Table 1: 2017 Residential Water Rates*

Pricing Tier	Pricing Rate (per SFE per billing period)	
	In-Town	Out-of-Town
Base Rate (Use < 10 kgal)	\$36.17	\$54.26
Use > 10 kgal	\$5.51/kgal	\$8.27/kgal

*Table 2: 2017 Non-Residential (Commercial) Water Rates*

Pricing Tier	Tap Size	Usage allowance	Pricing Rate (per SFE per billing period)	
			In-Town	Out-of-Town
Base Rate (based on tap size)	<1"	13 kgal	\$41.43	\$62.15
	1"	20 kgal	\$62.15	\$93.23
	1.5"	35 kgal	\$108.45	\$162.68
	2"	54 kgal	\$170.77	\$256.16
	3"	105 kgal	\$328.36	\$492.54
	4"	162 kgal	\$507.60	\$761.40
	6"	318 kgal	\$997.33	\$1,493.00
Use over allowance			\$3.11/kgal	\$4.66/kgal

The Town has a contractual agreement with the Breckenridge ski area that sets the terms for storage of 100 ac-ft and delivery of an additional 300 ac-ft of snowmaking water, for a total of 400 ac-ft. The contract expires in 2025.

## 5.5 WASTEWATER COLLECTION AND TREATMENT

Most of the Town's wastewater flows are treated by the Upper Blue Sanitation District (formerly the Breckenridge Sanitation District), a special district that is independent of the Town of Breckenridge.

## 5.6 SYSTEM RELIABILITY, LIMITATIONS, AND FUTURE NEEDS

### 5.6.1 Reliability

The Town's water system is highly reliable. The Town has never suffered from a loss of water supply or a failure to meet system demands, even during the significant droughts that occurred in 2002 and 2012. The Town's water rights portfolio and current treatment and distribution system have the capacity to serve 104% of the projected system demands at buildout during a dry year in the winter at peak population (TOB 2004). The pumping stations and treatment plant have redundancy with the pumps and other mechanical equipment.

### 5.6.2 Vulnerabilities

#### 5.6.2.1 Wildfire

The Town's sole source of water is surface water, which is vulnerable to the effects of wildfires. When they do occur, wildfires create a triple threat to surface water quality:

- They increase the amount of rainfall during a storm event that is available for runoff. Wildfires burn vegetation whose canopy would normally intercept rainfall and whose roots would uptake water.
- They increase pollutant loads during subsequent storm events. Wildfires leave large amounts of debris and surface disturbances in their wake. In addition to the debris and sediment loads clogging intake infrastructure, source waters often experience spikes in turbidity, coliforms, total organic carbon, iron, manganese, and ammonia.
- They increase the surface runoff that occurs from subsequent storm events. Wildfires affect topsoil properties, making ground surfaces hydrophobic, so that water runs off rather than being infiltrated.

Wildfires can also affect the available quantity of water, if debris constricts water flow or alters the river channel.

The WTP feasibility study conducted for the Town recommended the development of a wildfire response plan (HDR 2014). A follow-up study found that two factors may help protect the Town's water supply system in the event of a wildfire (Tetra Tech 2015):

- There is generally enough time between wildfire season and spring runoff season to implement measures that mitigate runoff and erosion.
- The availability of a second WTP downstream of the current WTP may allow for additional sediment and debris settling in the river channel, reducing influent contamination.

In 2017, the Town entered into a memorandum of understanding with the US Forest Service for the development and implementation of a pre-fire vegetation management plan (TOB 2017e). The plan will identify forest health and restoration treatments aimed at reducing wildfire risks and protecting source water quality.

#### 5.6.2.2 Drought

Summit County has experienced significant periods of drought six times in the past 35 years, with the most recent occurring in 2002 and 2012 (AMEC 2013). While the Town has been able in the past to

provide sufficient water supplies to meet demands, droughts have highlighted the need for utility planning to avoid shortages in the future, particularly if a severe, multi-year drought were to occur.

The Town feels confident using Blue River as the sole source of water due to its reliability. Even in recent drought years, the flow rate in the Blue River has been sufficiently high to provide a reliable water source. If needed, the Town of Breckenridge does have raw water storage that serves as a drought mitigation measure. The Town has not had to draw upon these reserves since the WTP was built in the 1970s.

During the 2002 drought, the Town was concerned that low flows in the North Fork of the South Barton Creek would drop too low to continue operating the Peak Seven WTP. Due to this concern, the Town added a pumping station that allows the Peak Seven service area to be served by the Gary Roberts WTP. The Peak Seven WTP was shut down and has been designated as an emergency plant in case of a main break interrupting water delivery from the Roberts WTP.

### 5.6.3 Future Needs

The Town's capital improvement plan includes several projects to maintain and improve the water system. These projects include:

- **Repairing the Goose Pasture Tarn dam.** Concerns about the dam's safety have reduced the working capacity of the reservoir from 800 ac-ft to 567 ac-ft. Dam repairs are the highest priority for the Town and should be completed by 2022.
- **Repairing storage tanks.** In 2017-2021, the Town will work to rehabilitate several storage tanks.
- **Building a second water treatment plant.** The Town intends to build a second WTP to augment the Gary Roberts WTP to improve system redundancy. The new plant is expected to be completed by 2020. The treatment plant will be located downstream of the Gary Roberts WTP and also downstream of the confluences of several tributaries with the Blue River. This location is expected to provide additional resilience to the system in response to drought and climate change impacts. The new plant will have a capacity of 3 MGD, with the possibility of increasing to 4.5 MGD in the future and can serve the needs of the entire system if needed during certain times of the year. As the new treatment plant comes online, potential customers outside of the current service area who are near water mains will be able to apply to be on the Town's water service. Petitions will be considered by Town Council on a case-by-case basis.
- **Rehabilitating the existing water treatment plant.** The Gary Roberts WTP is currently being serviced to repair a leaking flocculation chamber. After the new WTP begins operating, the Town intends to shut down the plant for a full rehabilitation that will take approximately five years, estimated to take place from 2021-2025.
- **Replacing cast iron mains.** When the Town took over Blue River Water District, part of the acquisition included cast iron water mains that were installed without proper bedding. The Town typically experiences 3-5 leaks per year from these mains. The Town has already replaced or lined some of these mains and intends to continue replacing the mains over a five-year period starting in 2022.

## 6 HISTORICAL WATER DEMANDS AND DEMAND MANAGEMENT

### 6.1 HISTORICAL WATER DEMANDS

The Town tracks several measures of system production, system efficiency, and water use patterns. The following sections present information that describes historical systemwide demands. All readily available information is presented; it should be noted that the period of available data varies among metrics.

**Appendix A** contains a summary of all data presented in this plan.

#### 6.1.1 Annual Water Use

Annual water production volumes for the period 2000-2016 are shown in **Figure 6** (TOB 2017c). The values have not been normalized for weather or other factors that affect water demands from year to year. The Town has experienced an average decline of 1.4% year-over-year in annual water production volumes over this period. Peak annual production occurred in 2008 at about 2,400 ac-ft and has been consistently lower since then.

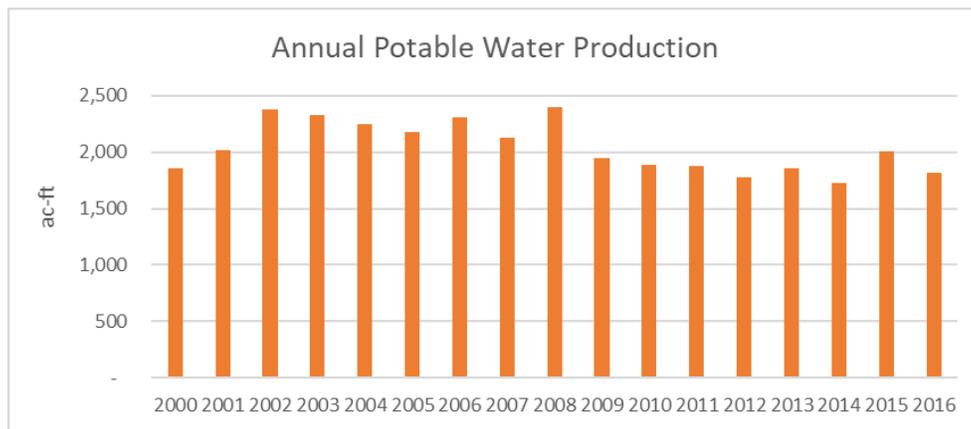


Figure 6. Annual Potable Water Production (2000-2016)

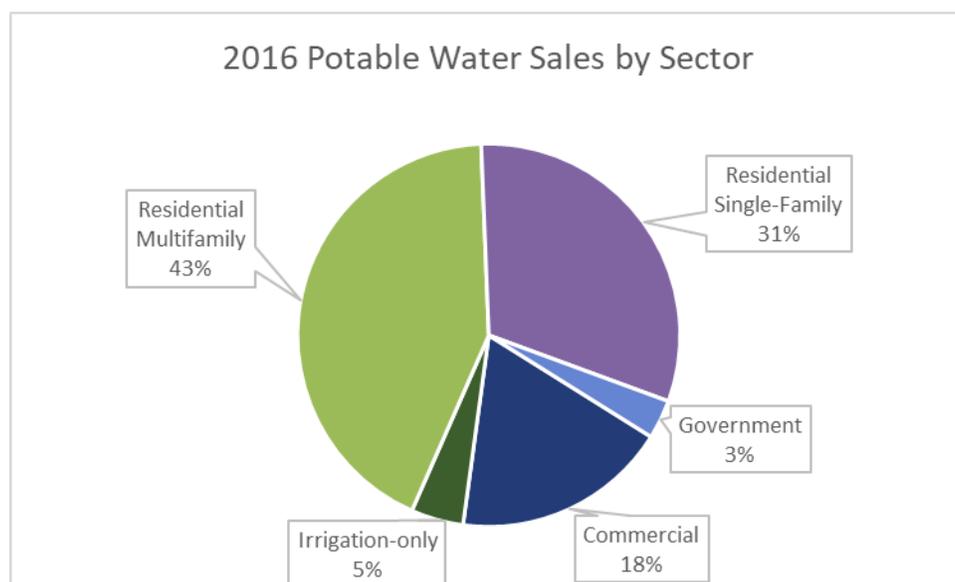


Figure 7: 2016 Potable Water Sales by Sector

**Figure 7** presents a breakdown of water production by customer type for 2016. The Town tracks water uses in six sectors:

- **Residential Single-Family:** Total residential use represents 74% of the total water use in Breckenridge. Water use in the single-family sector accounts for 31% of the total use.
- **Residential Multi-Family:** Water use in the multifamily sector accounts for 43% of the total use. Condominiums and the resorts at the base of the ski mountain are billed under the multi-family residential rates, even though there may be small commercial spaces included on the water meter. The largest water users in the residential sector tend to be multi-family buildings, especially if the buildings are mixed use and include restaurants.
- **Irrigation-only:** The irrigation-only sector (5% of total water use) represents outdoor use that is on a separate irrigation meter, including the Town’s irrigation and some irrigation demands from multifamily housing. While the Town encourages all developments to install separate irrigation meters, most irrigation use is captured in the residential and commercial sector values.
- **Commercial:** Commercial customers account for about 18% of the total water use. The largest water users in the commercial sector include multi-use or multi-tenant commercial buildings, especially those that include restaurants, laundry facilities, or public restrooms. Other top commercial users include stand-alone restaurants and laundry facilities.
- **Government:** The Town tracks government use separately (3% of total water use). This sector includes use by the Town of Breckenridge and Summit County.

Annual production volumes, potable water sales, and potable sales by sector for the period 2011-2016 are summarized in **Table 3**. Additional data are included in **Appendix A: Plan Data**.

*Table 3: Summary of Production, Total Potable Sales, and Potable Sales by Sector*

Year	Total Production (ac-ft)	Total Sales (ac-ft)	Residential Single-Family Sales (ac-ft)	Residential Multi-Family Sales (ac-ft)	Irrigation-only Sales (ac-ft)	Commercial Sales (ac-ft)	Government Sales (ac-ft)
2011	1,878	n/a		1,196	n/a	n/a	n/a
2012	1,779	n/a		1,226	n/a	n/a	n/a
2013	1,853	n/a		1,310	n/a	n/a	n/a
2014	1,731	1,596	747	478	63	308	0
2015	2,006	1,582	654	566	63	299	0
2016	1,815	1,640	512	701	73	300	54

\*n/a = data not available

\*\*only combined residential sales data are available for the period 2011-2013

\*\*\*The Town also provides 400 ac-ft/yr of raw water for snowmaking.

### 6.1.2 Seasonal Water Use Patterns

Since 2014, outdoor water use has represented a relatively small percentage (15%) of annual demands. This estimate includes billed use from dedicated irrigation meters plus a seasonal analysis of combined meters to estimate outdoor use (**Figure 8**). Small increases in water use that occur November-March (7% of annual demands) are driven by the influx of transient residents and day visitors during ski season. More than 77% of annual demands represent indoor water use by commercial and residential customers.

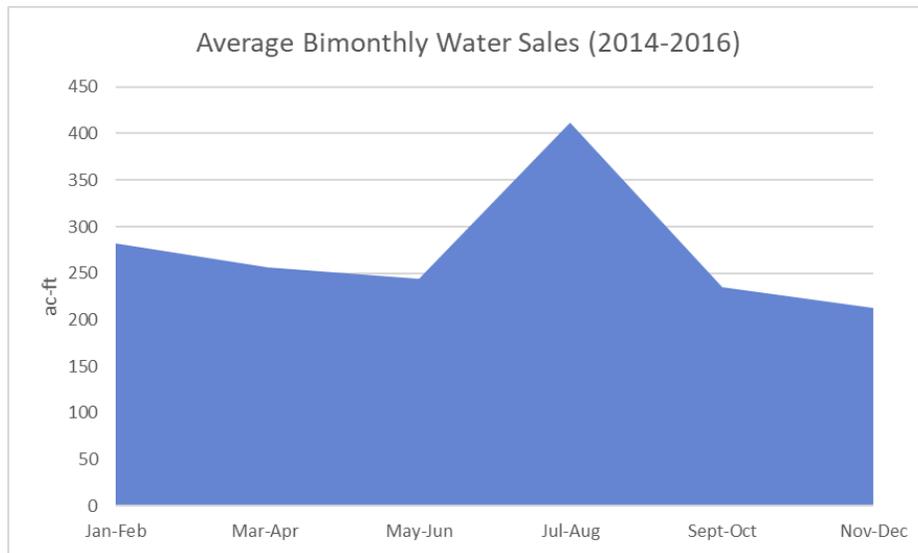


Figure 8: Average Bimonthly Water Sales (2014-2016) – Excluding Snowmaking

### 6.1.3 System Consumptive Uses and Return Flows

Consumptive use represents the portion of the water demands that are removed from available supplies without returning to the watershed. Examples of consumptive use include evapotranspiration from irrigated lands and evaporation from indoor appliances. **Table 4** presents a summary of monthly consumptive use estimates for the Town’s water supply (NWCCOG 2004).

Table 4. Monthly Consumptive Use (CU) and Return Flow (RF) Estimates (NWCCOG 2004)

Month:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
% CU	5%	5%	5%	5%	17%	21%	23%	22%	14%	5%	5%	5%
% RF	95%	95%	95%	95%	83%	79%	77%	78%	86%	95%	95%	95%

Consumptive uses and relative impacts to the watershed were considered during the planning process when selecting future efficiency activities.

### 6.1.4 Non-Revenue Water

Historically, the Town has had trouble with system leaks, including multiple main breaks each year and a long-running line leak under one of the pumping stations that was repaired in October 2017. These leaks, the Town’s hydrant flushing program, and other contributors have led to relatively high amounts of non-revenue water, which is the portion of the water produced but not sold to customers. In 2015-2016, monthly estimates of non-revenue water have ranged from 5-30% per billing period (**Figure 9**), with annual losses of 13-21%. Other contributors to non-revenue water include hydrant flushing, non-metered water use, and malfunctioning meters that don’t properly record water use.

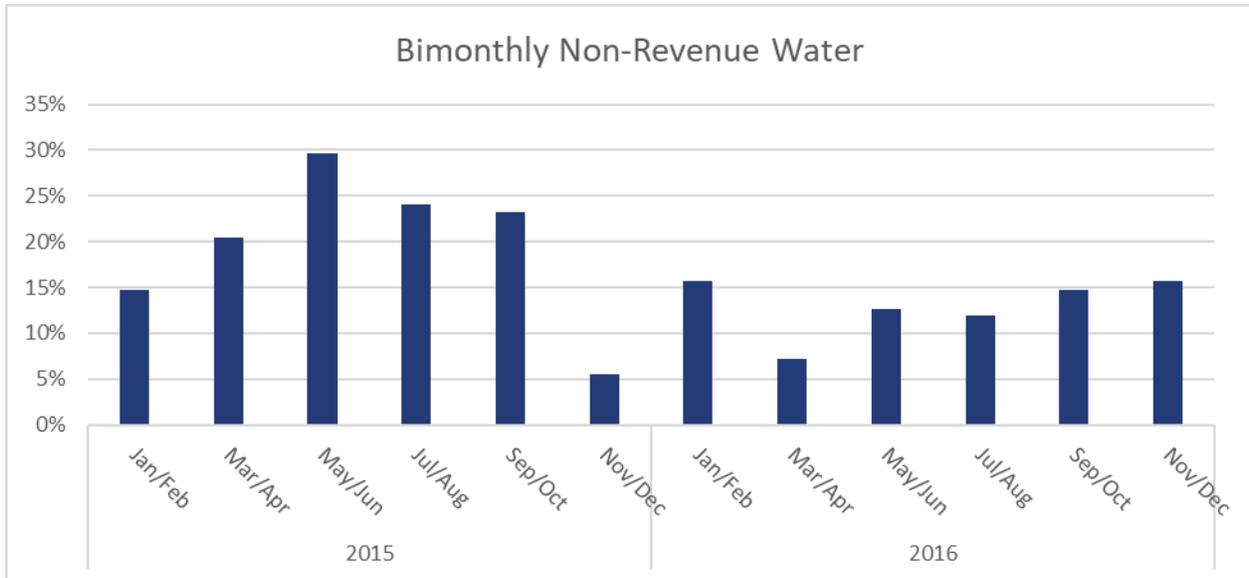


Figure 9: Bimonthly Non-Revenue Water (2015-2016)

### 6.1.5 System-Wide Water Use Metrics

The Town uses system-wide water use metrics to inform water savings estimates and demand forecasts. The Town’s primary metric for assessing system-wide water use is water produced per single-family equivalent per day. As the metric is currently calculated, it includes non-revenue water. Over the period 2003-2016, system-wide per SFE water use in the Town has declined by 3.1% on average year-over-year (Figure 10). The declines experienced in total production and system-wide per SFE water use, having occurred during a time of service population growth, indicate improved water efficiency trends.

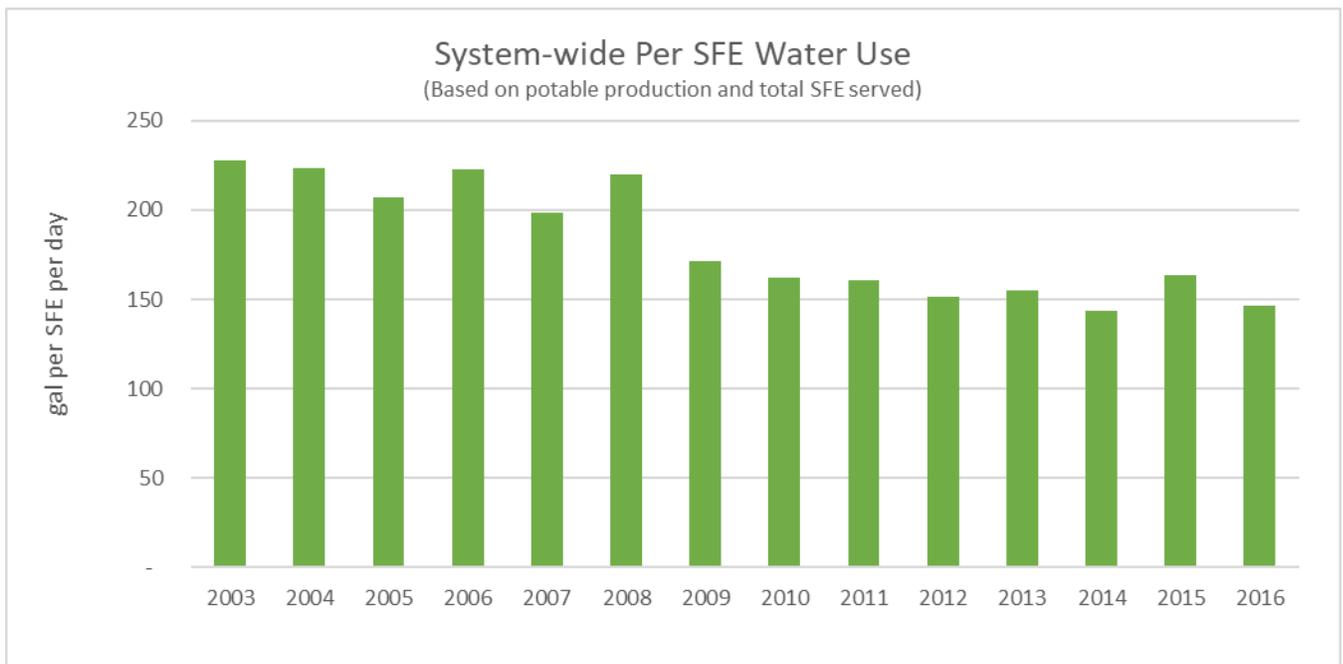


Figure 10: System-wide Per SFE Water Use (2003-2016)

It's worth noting that normalized water use metrics are most useful for assessing trends internal to a system rather than comparing across water providers. As noted in the Municipal Water Efficiency Plan Guidance document (CWCB 2012):

*[Normalized water use metrics] should not be used as a means to compare water usage between other providers. This is partially attributed to [...] the fact that there are many other factors that can skew the data, negating an "apples-to-apples" comparison. Such factors include large commercial and industrial sectors that can significantly influence system-wide per capita water demands. Additionally, resort communities can experience difficulties in developing representative annual per capita water demands. The numbers of visitors often vary seasonally (e.g. ski season) and are also impacted by economic conditions and weather.*

### 6.1.6 Residential Water Use Metrics

The Town's primary metric for assessing residential water use is per capita water use. The Town calculates per capita water use values using residential sales (including both the single-family and multifamily sectors) and the average residential population served, which is estimated at twice the permanent service population to account for the visiting population.

**Figure 11** presents the per capita water use values for the period 2011-2015, which have averaged 104 gpcd during this period.

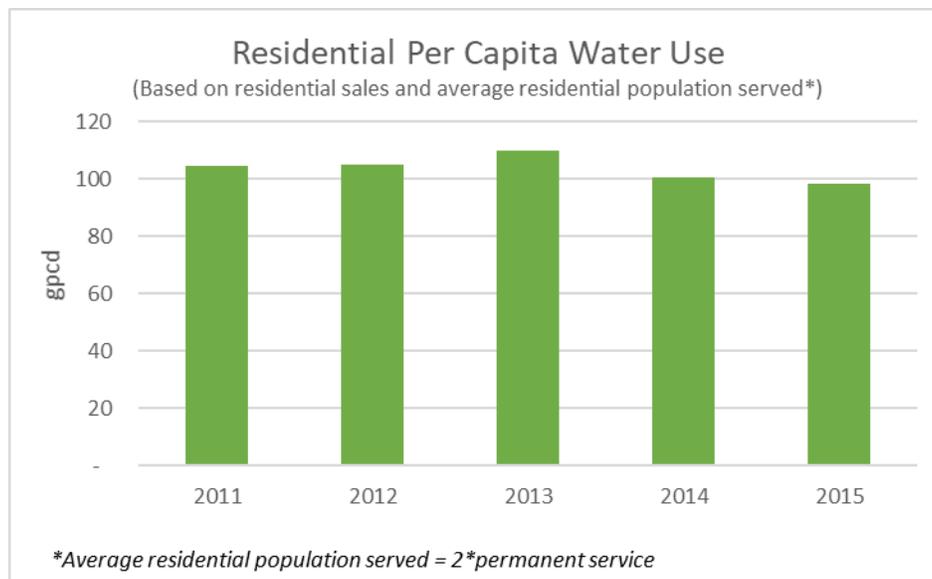


Figure 11: Residential Per Capita Water Use (2011-2015)

## 6.2 PAST AND CURRENT DEMAND MANAGEMENT ACTIVITIES

### 6.2.1 Metering and Data Collection

In 2005, the Town installed an automatic meter reading (AMR) system and replaced all water meters. The meters are read bimonthly to align with the billing cycle.

The Town encourages residential and commercial developments to install separate meters for indoor and outdoor water use to better monitor irrigation use, but only a small number of properties currently have a separate meter. Separate meters for separate uses are also encouraged for mixed-use buildings.

## 6.2.2 System Water Loss Management and Control

Since 1978, the Town has conducted annual system-wide leak detection audits (TOB 2004). Many of these leaks can be difficult to address. Depending on the time of year, ground heaters must be deployed before the pipe can be accessed and repaired. There are also smaller leaks in inaccessible areas (e.g., under pumping stations), that may take several months to access and repair. Because of the relatively high system losses from leaks, the Town invests significant resources in leak detection and upgrading the water mains through linings and replacements. This effort has resulted in fewer leaks – the Town used to get 5-7 leaks per year but now experiences about 3 leaks per year.

Since 2005 when the AMR system was installed, the Town has evaluated customer leaks every two months based on abnormally high bills. Leaking toilets are the most common source of customer leaks.

## 6.2.3 Efficiency-Oriented Rates and Fees

As discussed in Section 5.4, the Town has adopted an inclining block rate structure to encourage water efficiency.

The Town also charges a Plant Investment Fee (PIF) anytime a new structure is built, or an existing structure is substantially remodeled. This fee represents the cost to connect to the Town's water system. The PIF for 2017 is \$7,703 per SFE within Town limits, or \$9,629 per SFE outside of Town limits. The Town's PIF is structured to encourage water efficiency by using building size to determine the total fee. As an additional water-saving incentive, fees for self-service car washes that use recirculating systems are one-half the regular fee (TOB 2004).

## 6.2.4 Water Use Regulations

### 6.2.4.1 Outdoor Water Use

In 2014, the Town of Breckenridge adopted a water conservation ordinance governing outdoor water use (TOB 2014a):

- Outdoor watering for non-drip systems is limited to three days per week at night (during the hours of 5 pm-9 am).
- Car and pavement washing is permitted anytime as long as a hose with a shutoff nozzle is used.
- Exceptions include outdoor watering:
  - By drip irrigation, watering can, or hose with a shutoff nozzle.
  - Of new lawns and landscaping within two years of installation.
  - Of public school property, including athletic fields.
  - Within the Town's public parks.
  - At the Town's municipal golf course.
- Violations of these policies will result in the following fines:
  - 1st violation: Warning only (no fine)
  - 2nd violation: \$250 fine
  - 3rd violation: \$500 fine
  - 4th & each additional violation: \$750 fine

Additionally, the Town's landscape policy in the development code includes incentives for landscaping with native species that can tolerate high-altitude conditions and require little irrigation once established (TOB 2018a). Some of the policy guidelines include:

- Landscaping materials should consist of native species appropriate for the high altitude.

- Landscaping materials should consist of those species that need little additional water (beyond natural precipitation) to survive.
- Native species are the most drought tolerant after establishment. Xeriscaping with native species is encouraged.
- At least 50% of the site area not being used for buildings or other impervious surfaces should be kept in a natural/undisturbed state. Native grasses, wildflowers, and native shrubs are desirable features to maintain.

The Town discourages the use of large areas of sod or other nonnative grasses that require excessive irrigation and do not fit the character of the area, the use of excessive amounts of exotic landscape species, and the removal of specimen trees that could be avoided with an alternative design layout.

#### **6.2.4.2 Indoor Water Use**

The Town encourages indoor water use efficiency through local and State regulations:

- In March 2014, the Town adopted the 2012 Edition of the International Plumbing Code, International Building Code, and International Residential Code (TOB 2014b). The International Plumbing Code specifies maximum flow rate requirements for water fixtures installed during new construction or major redevelopment. The Town has adopted the plumbing codes to apply to any alternation, repair, or replacement of existing systems.
- Additionally, in 2016, the State of Colorado passed SB14-103, also known as Colorado's Indoor WaterSense Fixture Requirement, requiring that only certified WaterSense fixtures be sold in the State of Colorado.

#### **6.2.5 Turf Replacement**

In 2013, the Town replaced the turf on the athletic fields at the Town's recreation center with artificial turf. While the motivation was to make the fields more resilient to heavy use, the replacement also reduced irrigation use at the recreation center.

#### **6.2.6 Business Recognition Program**

In 2013, as part of the SustainableBreck initiative, the Town started a voluntary business certification program to help local businesses become more sustainable while also saving money (TOB 2013). To participate, interested businesses conduct a self-assessment around water use (in addition to energy, waste, transportation, etc.) and then apply to the Town to become a Certified Green Business. In 2016, 38 businesses were actively participating in the program, and 24 businesses had been certified, with six achieving Gold Level certification (TOB 2017a).

#### **6.2.7 Public Outreach and Education Activities**

The Town's website provides water conservation tips including resource links to help customers understand and reduce their water footprint, check for water leaks, and reduce outdoor water use. The Town's Water Division staff also help educate customers about ways to reduce their water use when contacted, usually after receiving a high bill.

#### **6.2.8 Historical Water Savings**

In 2007, the Town conducted an extensive capacity analysis to establish baselines for a number of indicators, including water production. Since the 2007 baseline, the Town has experienced an average reduction of almost 2% on average each year in water production, for a total water savings of 15% over the period 2007-2016 (TOB 2017a).

## 7 WATER EFFICIENCY GOALS AND DEMAND FORECASTS

The Town of Breckenridge is currently using two planning horizons: through 2025 (for the purposes of this water efficiency plan), and through the period 2019-2040, when buildout is expected to occur (HDR 2014).

As part of the preparation of this water efficiency plan, three demand forecasts were developed (**Figure 12**):

- **High growth.** This is a high growth forecast developed using the following assumptions:
  - System-wide per SFE water use of 160 gal/SFE/day.
  - Growth in the service population by 159 SFE/year.
- **Business-as-usual.** This forecast accounts for population growth as well as the trend of historically declining water demands.
- **Active efficiency measures.** With additional efficiency activities implemented in the future, the Town anticipates that a reduction in demands could be achieved, on the order of -2% on average year-over-year.

The demand forecasts diverge in 2018, when implementation of new efficiency activities is assumed to begin. **Appendix A: Plan Data** includes tabular summaries of the demand forecasts.

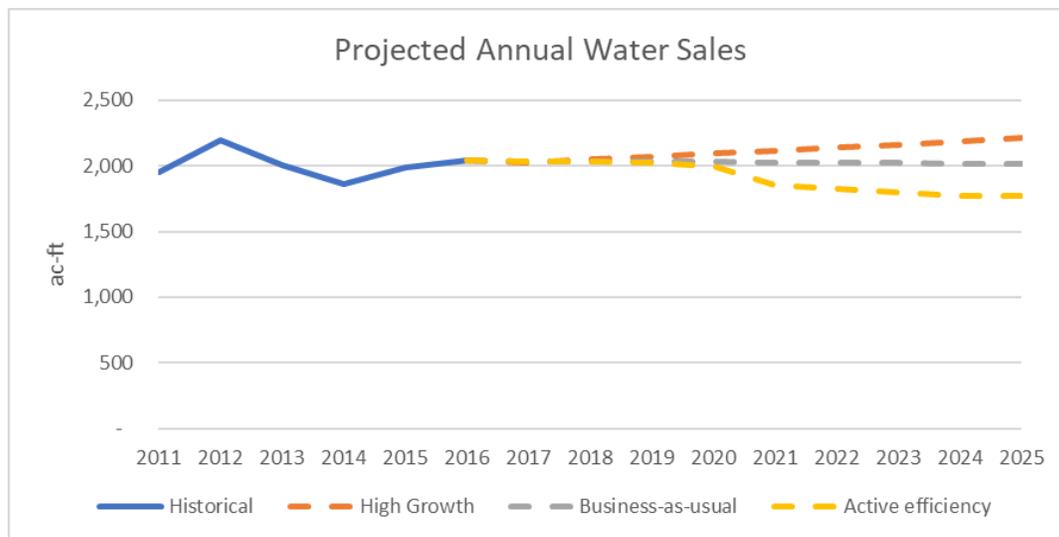


Figure 12: Projected Annual Water Sales (through 2025)

### TOWN OF BRECKENRIDGE WATER EFFICIENCY GOALS

Over the period 2018-2025, the Town aims to implement additional efficiency activities that will build on the downward trend in water use to achieve:

- A 10% reduction in annual demands by 2025, compared to 2016 demands.
- A reduction in peak demands during the summer associated with outdoor water use.

While explicit water quality goals have not been set in relation to these water conservation goals, the Town aims to maintain or enhance existing water quality.

## 8 SELECTION OF ADDITIONAL WATER EFFICIENCY ACTIVITIES

The Town plans to implement additional water conservation measures to supplement current activities and achieve the water efficiency goals presented in **Section 7**. Future activities were identified using multiple factors that included utility priorities, stakeholder input, opportunities for water savings, technical feasibility, and implementation capacity. When feasible, the efficiency activities were quantified in terms of their potential for water savings, customer sectors and end-uses impacted by the measure, and implementation costs. A summary of activities that the Town aims to implement over the next seven years is shown in **Table 5**.

*Table 5. Summary of Planned Water Efficiency Activities*

Water Efficiency Activity	Sectors Impacted	Implementation Period	Projected Water Savings in 2025
<b>Foundational Activities</b>			
Billing Upgrades	All Customers	2018-Ongoing	2 ac-ft/yr
Advanced Metering Infrastructure and Enhanced Water Loss Control	All Customers	2020-Ongoing	115 ac-ft/yr
Conservation-Oriented Rates	All Customers	2019-Ongoing	123 ac-ft/yr
Institutional Collaboration	Utility	2017-Ongoing	Not Quantified
<b>Targeted Technical Assistance and Incentives</b>			
Indoor Water Efficiency	Residential	2018-Ongoing	1 ac-ft/yr
Outdoor Water Efficiency	Residential & HOA	2019-Ongoing	10 ac-ft/yr
<b>Ordinances and Regulations</b>			
Land Use Planning	All Customers	2017-Ongoing	Not Quantified
<b>Education Activities</b>			
Education and Outreach	All Customers	2018-Ongoing	Not Quantified
<b>Total Savings in 2025</b>			<b>251 ac-ft/yr</b>

### 8.1 FOUNDATIONAL ACTIVITIES

#### 8.1.1 Billing Upgrades

The Town intends to partner with a contractor to provide customers with the WaterSmart Report Card. The report card will give customers more detailed information about their water usage, how their usage compares to similar customers, and suggestions for improving their efficiency. The Town assumes that the top 5% of customers (in terms of annual water use) will reduce consumption by 1%. The program is expected to start in 2018 with an estimated cost of \$12,000 per year. Once fully implemented, it is expected to help the Town conserve 2 ac-ft/yr of water. In addition to the quantified water savings, public engagement associated with the report card will be extremely valuable.

#### 8.1.2 Advanced Metering Infrastructure and Enhanced Water Loss Control

Upgrades from AMR to AMI meters are included in the Town’s list of capital improvement projects. Once all meters have been upgraded, the Town should be able to realize additional revenues and to identify customer leaks more effectively. The Town assumes that the program will lead to annual water savings representing 7% of residential and commercial use (115 ac-ft/yr). Most of these savings will be realized

through improved leak detection, while the remainder will be through enhanced customer engagement. The program is expected to cost approximately \$365,000 per year from 2020 to 2025. These costs include capital expenditures as well as increased staff costs associated with customer engagement.

### 8.1.3 Conservation-Oriented Rates

In 2019, the Town will evaluate potential changes to the pricing structure to better incentivize water conservation. The rate study is estimated to cost \$20,000 as an upfront cost with no ongoing costs. Updates to the pricing structure are expected to have the potential to help the Town conserve 123 ac-ft/yr of water. These water savings estimates assume that customers will reduce consumption by an average of 7.5% per year. The Town will only adjust the pricing structure if the changes won't jeopardize revenues or affect financing for the new water treatment plant. Changes to the pricing structure, if made, would take effect in 2020.

### 8.1.4 Institutional Collaboration

This planning process offered an opportunity for Town departments to align around water supply and water conservation planning. In the future, the Town seeks to continue interdepartmental communications and will continue to participate in a regional water conservation committee convened by High Country Conservation Center. Additionally, the Town will work with the Water Task Force to evaluate the impact of water conservation activities.

## 8.2 TARGETED TECHNICAL ASSISTANCE AND INCENTIVES

### 8.2.1 Indoor Water Efficiency

The Town intends to promote a regional indoor water efficiency program being developed by a working group and led by High Country Conservation Center. The program is envisioned to include two components:

- Residential indoor water audits that include direct installation of some water-saving fixtures, specifically showerheads and faucet aerators, as well as customized recommendations for additional water savings.
- Commercial outreach through High Country Conservation Center's Resource Wise sustainable business program (**Figure 13**). In addition to providing recommendations on opportunities to save water, High Country Conservation Center can provide direct installs of toilet bricks and pre-rinse spray valves and rebates covering 50% of the cost of water-saving projects up to \$400/business.

Additional information about the indoor water efficiency program is included in **Appendix C**. Once implemented, the indoor water efficiency programs are expected to save the Town 1.2 ac-ft/yr of water.

# BE RESOURCE WISE



Resource Wise is a **free** program designed to help Summit County businesses decrease their environmental impacts. Services provided include:

- Energy and sustainability assessments
- Coaching
- Rebates for business improvements
- Local recognition
- **NEW FOR 2018: Installation of LED tubes, occupancy sensors, water-saving devices, and air sealing work**

To enroll, call the High Country Conservation Center at (970) 668 - 5703 and ask to speak with Jess.



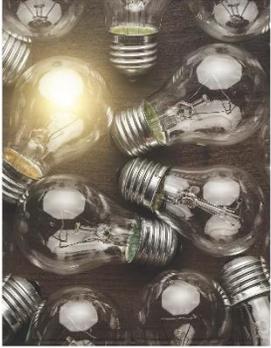


Figure 13. Resource Wise Advertisement

### 8.2.2 Outdoor Water Efficiency

For at least the first two years of implementation, the Town anticipates working with Resource Central’s “Slow the Flow” program to conduct outdoor irrigation assessments. An irrigation assessment consists of a 90-minute consultation that includes:

- A customized watering schedule
- Efficiency tests that measure water usage and coverage
- A visual inspection to check for problem areas that waste water
- Minor adjustments to sprinkler heads

For year 1 of implementation, Resource Central is providing 120 free outdoor irrigation assessments for Summit County residents. The costs of these assessments are covered by a grant that Resource Central received from the Gates Family Foundation. In year 2 of implementation, the cost of the assessments will be cost-shared between the grant (50%) and the Town (50%).

In year 3 of implementation and beyond, the Town will evaluate whether to continue participation in the Slow the Flow program or to develop a new regional program based on estimated program costs and staff resources. To achieve the estimated water savings of 10 ac-ft/yr, the outdoor water efficiency program will need to be expanded to offer audits to more customers or to include additional services such as irrigation optimization and/or a landscaper certification program.

Additional information about the outdoor water efficiency program is included in **Appendix C**.

### 8.3 ORDINANCES AND REGULATIONS

In 2017, as part of the planning process, the Town began participating in a regional land use planning group convened with the intent of reviewing design guidelines and landscaping codes for existing incentives and barriers to water savings. Working group members include representatives from Summit County, municipalities, and the Northwest Colorado Council of Governments (NWCCOG). As such, the code reviews are intended to be conducted at multiple (county, local, regional) levels of government.

The working group will benefit from collaboration with NWCCOG, which was awarded a State Water Plan grant from the CWCB to develop model codes that incentivize water quality and water conservation objectives as well as funding to help five communities in the NWCCOG regional jurisdiction to amend their existing codes.

As the working group is only now being convened, the opportunities for water savings have not yet been identified or quantified. Additional information is included in **Appendix C**.

### 8.4 EDUCATIONAL ACTIVITIES

Educational efforts are being led regionally by High Country Conservation Center. The top priorities for this group in 2018 include:

- Developing or assembling water conservation materials that are targeted to priority sectors in support of implementation efforts under this plan.
- Developing strategies for engaging the visiting and second homeowner population in Summit County.
- Promoting awareness around joint energy-water savings opportunities.
- Identifying key events and outreach channels for education and awareness efforts.

Additional information is included in **Appendix C**. Water savings from the planned educational programs have not been quantified and are not relied upon to meet the Town's water conservation goals.

## 9 IMPLEMENTATION AND MONITORING PLANS

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### 9.1 IMPLEMENTATION

The Town's approach to implementing the new water efficiency activities described in **Section 8** includes the following steps:

- Determine the organization responsible for leading the activity.
  - The Town is responsible for the implementation of the foundational activities (billing upgrades, AMI and enhanced water loss control, and conservation-oriented rates) and participation in Resource Central's Slow the Flow program.
  - Land use planners at the local, County, and regional scale are responsible for initiating changes to ordinances and regulations.
  - High Country Conservation Center is responsible for leading institutional collaboration, the indoor water efficiency program, and education and outreach efforts.
- Work with other organizations and partners to develop implementation action plans, define funding needs, and exchange information about best practices and lessons learned. The Town has already begun this collaboration in working with the High Country Conservation Center's executive committee during this water efficiency planning process and by participating on several implementation working groups that formed near the end of the planning process.
- Determine funding needs and sources for the activity.
  - For activities to be funded entirely or in part by the Town's operating budget, work within the annual budgeting cycle. This approach will require identifying budget priorities and estimates a year before the activity is to be implemented.
  - For activities to be funded by external sources, look for grant and other funding opportunities. **Appendix B** includes a summary of the implementation resources that were identified during the planning process.

At the end of the water efficiency planning process, three working groups were formed to guide implementation of the regional activities:

- Education and outreach
- Technical water efficiency programs (indoor and outdoor)
- Integrated water and land use planning

**Appendix C** includes implementation action plans that were developed for each working group to help transition from planning to implementation. The action plans will evolve as the working groups meet and take action.

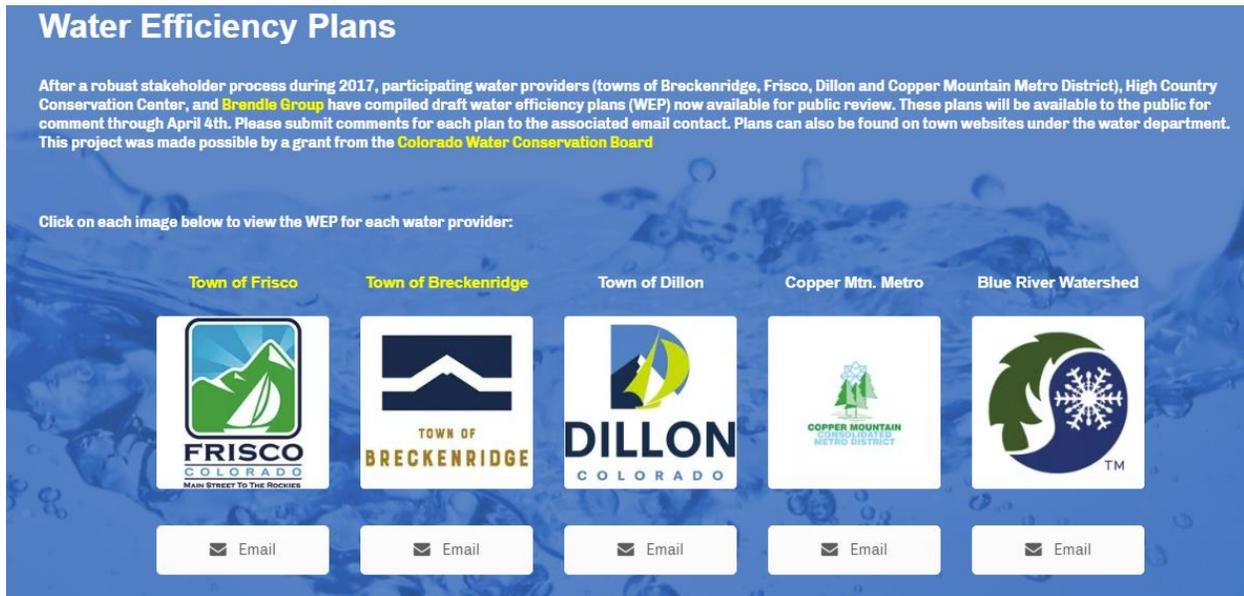
### 9.2 PLAN REVIEW, MONITORING, AND UPDATES

The Water Conservation Act of 2004 (HB04-1365) requires that water efficiency plans be made publicly available for review and comment for a period of 60 days, and that the plan be locally adopted by the appropriate governing entity. The Town complied with these requirements by posting the water efficiency plan on-line (**Figure 14, Figure 15**) and providing public notice of the plans through the Town's Facebook page, Twitter feed, and High Country Conservation's newsletter (**Figure 16, Figure 17**). The public comment period lasted from February 2, 2018 through April 4, 2018.

[Breckenridge Water Efficiency Plan 2018](#) The Water Conservation Act of 2004 (HB04-1365) requires all covered entities, defined as retail water providers that sell more than 2,000 ac-ft/yr, to have a State-approved water efficiency plan. Although the Town of Breckenridge has remained below that threshold in recent years, the Town, along with neighboring water providers, looks to set an example for other mountain communities in preserving the natural environment and promoting conservation values. This water efficiency plan serves to describe the Town’s history of water saving activities and future plans. The Town also seeks to leverage regional partnerships to effect change and encourage all residents and visitors to reduce water use.

The Water Division works to provide quality water that meets or exceeds the drinking water standards in sufficient quantities for domestic, commercial, irrigation and fire protection uses.

Figure 14. Screen Capture from the Town's Website (TOB, 2018b)



**Water Efficiency Plans**

After a robust stakeholder process during 2017, participating water providers (towns of Breckenridge, Frisco, Dillon and Copper Mountain Metro District), High Country Conservation Center, and **Brendle Group** have compiled draft water efficiency plans (WEP) now available for public review. These plans will be available to the public for comment through April 4th. Please submit comments for each plan to the associated email contact. Plans can also be found on town websites under the water department. This project was made possible by a grant from the **Colorado Water Conservation Board**

Click on each image below to view the WEP for each water provider:

Town of Frisco	Town of Breckenridge	Town of Dillon	Copper Mtn. Metro	Blue River Watershed
				
<a href="#">Email</a>	<a href="#">Email</a>	<a href="#">Email</a>	<a href="#">Email</a>	<a href="#">Email</a>

Figure 15. Screen Capture from the High Country Conservation Website (HC3, 2018)

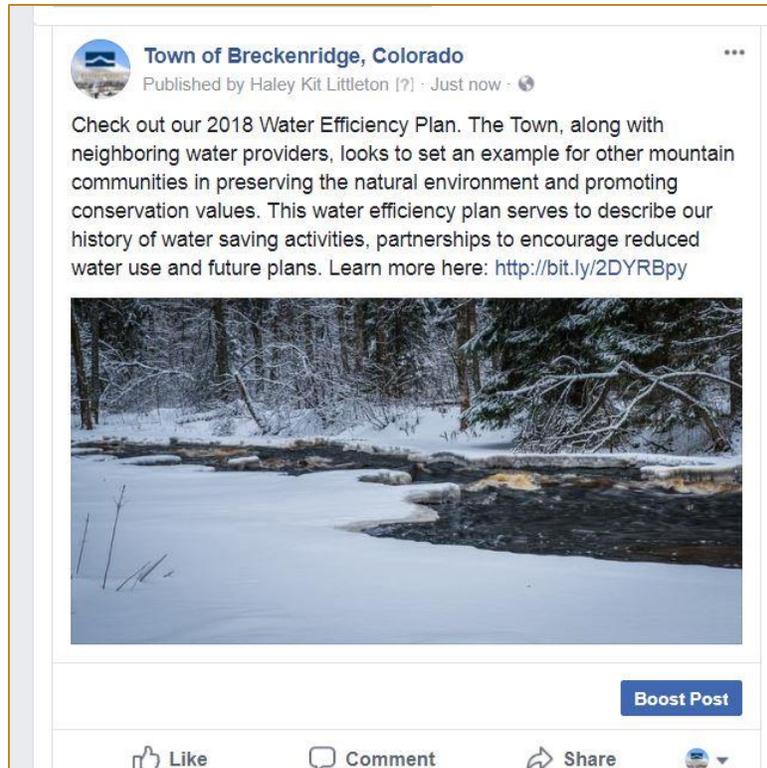


Figure 16. Screen Capture from the Town's Facebook Page (TOB, 2018c)



Figure 17. Screen Capture from the Town's Twitter Feed (TOB, 2018d)

Concurrently with the public review and comment period, the water efficiency plan was submitted to the Colorado Water Conservation Board for review. Review comments and responses to comments are included in **Appendix D**.

After the plan has been adopted by the Town Council, **Appendix E** will contain a copy of the resolution.

The Town intends to monitor the success of the water efficiency programs using the metrics presented in **Section 6.1 (Historical Water Demands)**. The Town will use **Appendix A** to track the metrics annually. If the Town finds that any of the water efficiency programs are not effective in achieving water savings, or are not cost effective, the programs may be discontinued.

The Town will update this plan every seven years, as required by The Water Conservation Act of 2004. Plan updates will incorporate the new data accumulated from the annual monitoring process and may include revisions to the Town's water efficiency goals and planned activities, as appropriate.

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## APPENDIX A: PLAN DATA

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Provided in a separate document.

## APPENDIX B: IMPLEMENTATION RESOURCES

Organization / Individual	Implementation Resource	Resource Type	Additional Information
Aaron Clay	Water Law in a Nutshell Workshop	Education and Training	Contact High Country Conservation Center or Middle Park Conservation District
American Water Works Association	Topics area: water conservation programs, water loss control	Technical guidance	<a href="#">Website</a>
American Water Works Association Rocky Mountain Section	Topics: water conservation, tap fees	Training	<a href="#">Website</a>
Colorado Water Conservation Board	Water Conservation Implementation Grants	Grant Funding Source	<a href="#">Website</a>
Colorado Water Conservation Board	Water Resource Conservation Public Education and Outreach Grants	Grant Funding Source	<a href="#">Website</a>
Colorado Water Conservation Board	Water Plan Grants	Grant Funding Source	<a href="#">Website</a>
Colorado WaterWise	Live Like You Love It	Education and outreach materials	<a href="#">Website</a>
Irrigation Association	Topics: landscape water management	Training	Contact Northern Water (2018 training host)
Rural Communities Assistance Program	Topic areas: Water loss control, managerial, financial	Training and technical assistance	<a href="#">Website</a> Contact Jeff Oxenford (720-353-4242)
Sonoran Institute	Land Use and Water Planning Workshop	Education and Training	<a href="#">Website</a>
WaterNow	Project Accelerator Program	Technical and program assistance	<a href="#">Website</a>

## APPENDIX C: IMPLEMENTATION ACTION PLANS

### EDUCATION AND OUTREACH WORKING GROUP

Last Updated: May 25, 2018

Working Group Role	Name and Organization
<b>Group coordinators</b> <i>(responsible for scheduling meetings and communications)</i>	Jessie Burley, High Country Conservation Center Hallie Jaeger, High Country Conservation Center
<b>Team members</b> <i>(responsible for helping with action items)</i>	Robert Buras, Town of Dillon Jed Callen, Resident Greg Hardy, Trout Unlimited Katlin Miller, Middle Park Conservation District Barry Rubenstein, High Country Conservation Center Dan Schroder, CSU Extension Julia Stennes, Town of Silverthorne

#### GOALS

- Initiate a coordinated education and outreach program for water conservation, including promoting all implementation activities

#### STRATEGIES TO ACHIEVE GOALS

##### Strategy 1: Develop targeted materials by sector

- Identify top priorities for education and outreach
  - Landscaper
  - Indoor
  - Outdoor
  - Commercial
  - Residential
- Inventory existing materials and resources
  - Water utility websites (Denver Water, Town of Breckenridge, etc.)
  - Colorado WaterWise (Live Like You Love It)
  - EPA Water Sense
  - Water audit and related service providers
- Adapt existing materials and develop new materials
- Identify outreach channels
  - Bill enclosures
  - Social media
  - Websites
  - Events
  - Summit Daily
  - Water Warriors program
  - HC3 Resource Wise sustainable business program
- Disseminate materials

**Strategy 2: Engage the visiting population and second homeowners**

- Come up with a message and then keep delivering the message because it’s a changing population
- Compile a list of HOAs and contact information
- Prioritize 10 HOAs where working group members have personal connections

**Strategy 3: Leverage High Country Conservation Center’s Energy Programs**

- Anytime talk about water, talk about energy, and vice versa

**Strategy 4: Aggregate and push out related information and events from other organizations**

- For example: EPA’s Fix-a-leak week

**SUMMARY OF ACTION ITEMS**

Action Item	Responsible Team Member	Status
Compile contact list for HOAs	Dan	Complete
Prioritize 10 HOAs	All	In progress
Promote EPA’s Fix-a-Leak Week	Hallie/HC3	Complete
Promote HC3’s Resource Wise Sustainable Business Program	All	In progress
Promote participation in Resource Central’s Slow the Flow program for outdoor audits for customers served by participating providers	HC3 and participating towns	In progress
Promote participation in Resource Central’s Slow the Flow program for outdoor audits for customers NOT served by participating providers	Katlin/Dan	In progress
Work on marketing piece on water efficiency and leaks to supply during residential energy audits	All	In progress
Find a list of contractors/plumbers as a resource guide	Jed	In progress
Promote Blue River Explorer Hike	Greg	In progress

## TECHNICAL WATER EFFICIENCY PROGRAMS WORKING GROUP

Last Updated: May 25, 2018

Working Group Role	Name and Organization
<b>Group coordinator</b> <i>(responsible for scheduling meetings and communications)</i>	Laura Lynch, Town of Breckenridge
<b>Team members</b> <i>(responsible for helping with action items)</i>	Robert Buras, Town of Dillon Jeff Goble, Town of Frisco Jess Hoover, HC3 Hallie Jaeger, HC3 Cody Jensen, HC3 Zach Margolis, Town of Silverthorne Mike Nathan, A-Basin Ed Pankevicius, Copper Mountain Metro Karn Stiegelmeier, Board of County Commissioners Lane Wyatt, NWCCOG

### GOALS

- Pilot a residential indoor audit program
- Expand the HC3 Resource Wise sustainable business program to include more emphasis on water efficiency, including allowing water projects to qualify for rebates
- Promote Xcel Energy’s multi-family buildings program
- Reduce outdoor water use while maintaining aesthetics for visitor and resident appeal
- Focus on low-cost/no-cost water savings opportunities and customer education and outreach
- Design, pilot, and implement regional programs aimed at outdoor water efficiency, including outdoor water audits, irrigation system optimization, and landscaper certification

### STRATEGIES TO ACHIEVE GOALS

**Goal: Pilot a residential program that includes educational materials, audits, direct installs, and/or rebates/incentives.**

- Leverage HC3’s Energy Smart Colorado program for indoor energy efficiency.
  - At a minimum, assess energy program for best practices and lessons learned to inform water efficiency program design.
  - Consider leveraging energy program as an education and outreach channel (e.g., leave materials on water efficiency with residents when conducting an energy assessment).
- Research existing residential information and audit programs
  - Evaluate existing residential programs, with an emphasis on comparable mountain communities. For example, Resource Central has a “Slow the Flow” program that includes a residential indoor audit program.
  - Evaluate rebate structures/incentives. Find biggest water savings potential for each potential rebate measure.
  - Evaluate types of direct installs needed. At a minimum, include direct installs of showerheads and faucet aerators.
  - Compile effective educational materials.
- Design a pilot program
  - Identify water providers interested in participating in the pilot program.
  - Determine funding needs and sources for pilot program.

- Execute the pilot program.
- Assess performance of the pilot program to inform larger-scale implementation.

**Goal: Develop a commercial outreach channel**

- Leverage HC3's Resource Wise green business program to connect with businesses and find water savings opportunities.
  - Use the program as an education and outreach channel
    - Leave sector-specific materials on water efficiency with businesses as part of engagement.
    - Hold a Business Lunch n' Learn workshop on water in 2018.
  - Expand the program in offering and implementing recommendations for improving water efficiency based on the results from the sustainability assessment.
    - Add information about the energy-water nexus on summary reports
    - Provide water efficiency recommendations to businesses with low water scores
    - Use available funding (\$400/business) towards water-saving upgrades and projects
    - Direct installs of toilet bricks and pre-spray rinse valves

**Goal: Focus on low-cost/no-cost water savings opportunities and customer education and outreach**

- Identify largest users (for example, HOAs) and work with customers to better schedule their water use
- Work with landscape companies
  - Create a list of water-efficiency minded landscapers
  - Educate additional landscape companies
- Identify educational events, for example one county-wide meeting
  - Annual State of the River
  - NWCCOG QQ meetings
- Educate about joint energy-water savings opportunities
- Develop water budgets using GIS and irrigated lands analysis for customer outreach about the amount of water customers should be using
- Work with City Parks staff on water savings opportunities
- Send out a mailer to contract holders about metering and plantings

**Goal: Design, pilot, and implement regional programs aimed at outdoor water efficiency, including outdoor water audits, irrigation system optimization, and landscaper certification**

- Years 1-2 of implementation: Take advantage of grant funding available from Resource Central to make Slow the Flow outdoor irrigation assessments available to 120 customers
- Years 3 and beyond: Determine continued participation in the Slow the Flow program versus developing a separate regional program. Expand services beyond audits to system optimization and landscaper certification.
  - Evaluate existing programs for best practices and lessons learned (for example, Denver Water)
  - Identify potential service providers (for example, Resource Central Slow the Flow program)
  - Design and implement a pilot program
  - Implement a regional program

**Goal: Reduce outdoor water use while maintaining aesthetics for visitor and resident appeal**

- Coordinate efforts with the land use planning working group to evaluate municipal code for updates regarding vegetation requirements

## SUMMARY OF ACTION ITEMS

Action Item	Responsible Team Member	Status
Identify fixtures/appliances to target for incentives based on water savings potential	Mike	In progress
Research existing residential water efficiency programs	Laura	In progress
Flesh out potential to leverage existing HC3 programs, resource needs, etc.	Jen	In progress
Evaluate opportunities for leveraging Resource Wise	Jess and Jessie	In progress

## INTEGRATED WATER AND LAND USE PLANNING

**Last Updated: May 17, 2018**

Working Group Role	Name and Organization
<b>Group coordinator</b> <i>(responsible for scheduling meetings and communications)</i>	Joyce Allgaier, Town of Frisco
<b>Invited team members</b>	Joyce Allgaier, Town of Frisco Graeme Bilenduke, Copper Mountain ski resort Robert Buras, Town of Dillon Jed Callen, Resident Allison Fulton, Copper Mountain Metro Jeff Goble, Town of Frisco Peter Grosshuesch, Town of Breckenridge Torie Jarvis, NWCCOG Katie Kent, Town of Frisco Susan Lee, Town of Frisco Zach Margolis, Town of Silverthorne Mike Nathan, A-Basin Pete Oltman, North Line GIS Ed Pankevicius, Copper Mountain Metro Don Reimer, Summit County Elena Scott, Norris Design Ned West, Town of Dillon Lane Wyatt, NWCCOG

### GOALS

- Conserve water through collaboration and actions that support all agencies in our region

### STRATEGIES TO ACHIEVE GOALS

#### Strategy 1: Code Amendments

- Engage and/or stay informed about NWCCOG efforts under their Colorado State Water Plan grant.
- Audit codes and additional regulations to identify existing barriers and incentives to water conservation (Joyce and regional planners)
- Amend water standards, codes (require certain irrigation materials and systems) - Jeff
- Look at tap fees and tying to/paying more for landscaping (Mark)
  - See Castle Rock and Aurora programs, to be presented at June 14 RMSAWWA conservation committee meeting
  - Schedule an educational workshop
  - Share literature
- Look at stormwater management regulations (bioswales, tree gardens)
- Land use typology
  - Apply budgets to different types of land uses (e.g. – ballfields vs. aesthetic landscape areas) – for example, Denver Water

#### Strategy 2: Collaboration and Engagement

- Evaluate learning opportunity through Sonoran Institute.

- Engage all special and metro districts to implement plan
- Set common goals among towns, districts, others to coalesce efforts (even if done at different times)
- Tap informational and regulation resources to raise the bar, give guidance, help share information and information about grants and capacity building (NWCCOG)
- Engage large water users

**Strategy 3: Advance water reuse programs, especially for golf courses and snowmaking parks (Lane Wyatt and Torie Jarvis from NWCCOG QQ)**

**SUMMARY OF ACTION ITEMS**

Action Item	Responsible Team Member	Date	Status
Evaluate learning opportunity through Sonoran Institute.	All	June 1, 2018	In progress
Convene planners to initiate code audits	Joyce	Summer 2018	Not started
Schedule an educational session on tap fees	Mark	June 14, 2018	Complete (Scheduled through AWWA RMS conservation committee)

## APPENDIX D: PLAN REVIEWS AND COMMENTS

### COLORADO WATER CONSERVATION BOARD

Conservation Plan Submittal Required Plan Elements Checklist

Name of Entity: Breckenridge WEP (Blue River Regional WEP)

Date Submitted: 3/23/18

Required Conservation Plan Elements	Completed?	Response to Comments
1. Name and contact information	Yes___ No_x__ Comment: Put final cover letter	Cover letter added
2. Organizations and individuals assisting with plan development	Yes_x__ No___ Comment: pg. 4	No action required
3. Quantified annual retail water delivery?	Yes__ No___ Comment: treated water demand: 3506 af/yr demand at buildout with 250 af/yr raw water for snowmaking and golf course irrigation. <b>I would like to see a table with distributed and metered consumption for the years listed in Figure 6 or at least the last 5 years</b>	Added a new table (table 3) to section 6.1.1 showing available data. Also included reference to Appendix A: Plan Data.
4. Identified population served by retail water delivery?	Yes_x__ No___ Comment: Population 2010- 4680 permanent population; 14,040 day visitors; 23,400 transient (overnight) Total 2010 annual service population 42,547	No action required
5. Public comment period completed? (60 days or local regulation)	Yes___ No_x__ Comment: after review	Section 9.2 (Plan Review, Monitoring, and Updates) and Appendix D (Plan Reviews and Comments) were updated after public comment period was completed
6. Signature with authority to commit resources of the submitting entity?	Yes___ No_x__ Comment: Put in final cover letter	Cover letter added
7. All required water saving measures and programs considered?	Yes_x__ No___ Comment:	No action required

Required Conservation Plan Elements		Completed?	Response to Comments
I.	Fixtures and appliances – toilets, urinals, showerheads, faucets, etc.?	Yes_x__ No ___ Comment: Breck will participate in the HCC led indoor residential audits with install of fixtures	No action required
II.	Waterwise landscapes, drought resistant vegetation, removal of phreatophytes, efficient irrigation, etc.?	Yes_x__ No_____ Comment: Outdoor water audit program to evaluate system efficiencies and implement fixes through rebates; replaced athletic fields with artificial turf at recreation center	No action required
III.	Water efficient industrial and commercial processes?	Yes_x__ No_____ Comment: SustainableBreck initiative: voluntary green business program; Commercial outreach through HCC sustainable business program and will put financial resources towards upgrades	No action required
IV.	Water reuse systems?	Yes____ No_____ Comment: N/A	No action required
V.	Distribution system leak ID and repair?	Yes_x__ No_____ Comment: Upgrading AMR to AMI leading to improved leak detection and engagement; annual system-wide leak detection audits; water main replacement and rehab through lining	No action required

Required Conservation Plan Elements	Completed?	Response to Comments
VI. Information, public education, audits, demos?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>• Comment: Water efficiency information on website; Leak detection outreach and tours for public; High bill response; WaterSmart report card will engage customers on usage, compare to other similar customers and offer suggestions for improving efficiency; Top priorities for 2018 through HCC:</li> <li>• Developing or assembling water conservation materials that are targeted to priority sectors in support of implementation efforts under this plan.</li> <li>• Developing strategies for engaging the visiting and second homeowner population in Summit County.</li> <li>• Promoting awareness around joint energy-water savings opportunities.</li> <li>• Identifying key events and outreach channels for education and awareness efforts.</li> </ul>	No action required
VII. Conservation oriented rate structure and billing system?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment: Two tier inclining block rate structure. Under 10Kgals fixed base rate with all other water above 10kgals 5.51/kgal in-town. More out of town. Commercial based on tap size with varying amounts depending on tap size and 3.31/kgal about allowance. Rate study scheduled in 2019.	No action required
VIII. Regulatory measures designed to encourage water conservation?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment: Ordinance for water restrictions and no irrigation between 9 am-5pm; waterwise landscape code	No action required
IX. Incentives, rebates to encourage conservation implementation?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment: See below	No action required

Required Conservation Plan Elements	Completed?	Response to Comments
8. Role of water conservation plan in overall water supply planning?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment: Section 3.3 Vision statement pg. 7; Section 5.6 discusses relationship between supply reliability and demand activities as well as vulnerabilities	No action required
9. Steps to implement, monitor, review, and revise conservation plan including time period not to exceed 7 years?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment: pg. 29-30 Great idea for the working groups!	No action required
10. Estimates of water saved through previous conservation efforts AND water saved through plan implementation?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment: 250 af feet/yr demand reduction by 2025; 10% reduction from 2016; a few activities are not quantified due to nature of programs and initiatives; <b>See Below for comments</b>	No action required
11. Best management practices for water demand management, water efficiency, and water conservation that may be implemented through land use planning efforts	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment: Part of regional land use planning group in 2017 to review design guidelines and landscaping codes for existing incentives and barriers to water savings; one of four working groups formed for the plan is an "Integrated water and land use planning" group	No action required

**Plan Review Findings**

**Approved**

**Conditional Approval**

**Disapproval with Modifications**

**Plan review comments:**

*This plan review was completed by Kevin Reidy of the Colorado Water Conservation Board. Questions about the review, comments provided, the plan review process and the statutory requirements can be directed to Kevin.*

**More detail on retail water delivery:** I would like to see demand broken down by year, distributed water, metered usage and customer class in a table. Its hard to tell how much water is being used by just the bar chart on pg. 18.

**Response to Comment:** Added a new table (table 3) to section 6.1.1 to show production, total sales, and sales by sector for the period of 2011-2016. Added a reference to Appendix A for additional data.

**Future demands and demand reductions:** It would be good to have the data in the line graph (figure 12) on pg. 25 laid out in a table over time. This helps assess how much demand reduction there will be in each scenario.

**Response to Comment:** Added a reference to Appendix A for the demand forecast data.

**Details on programs:** In the body of the plan, refer to the Appendix C where the working group plans are. I didn't see it until Section 9 and when I read through the plan the first time, I was wanting more details on each program but didn't find it until I got to the Appendix C with the working group plans. I really like the working group plans though. Not sure if you want to have a blanket statement at the beginning of Section 8 directing readers to Appendix C or in each activity where it is relevant.

**Response to Comment:** Added references to Appendix C in Section 8 when discussing regional efficiency programs.

**Indoor/Outdoor Water Efficiency:** Would like to see more detail on the rebates, incentives and fixtures that will be implemented in the Indoor and Outdoor water efficiency sections. I realize you are creating them still but anything more would be great.

**Response to Comment:** Edited section 8.2.1 to clarify that the residential indoor audit program will include direct installs of showerheads and faucet aerators. The initial program incarnation will not include rebates or incentives. Edited section 8.2.1 to clarify that the commercial audit program includes direct installs of toilet bricks and pre-rinse spray valves and rebates covering 50% of the cost of water-saving projects up to \$400/business.

Why isn't the indoor water efficiency programs quantified? That would seem to be the easiest to do so. If not sure of the total scope of this, put in a placeholder savings amount that would act as a baseline estimate. Estimates are OK to have in the plan.

**Response to Comment:** Agreed. Quantified the estimated water savings based on the direct installs and assumed program participation. Edited the executive summary and Table 5 to reflect updated water savings estimates.

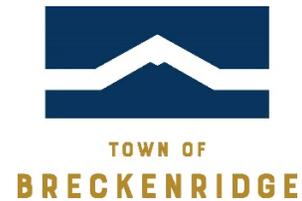
## PUBLIC REVIEW COMMENTS

- From Breckenridge Town Council: Will water conservation efforts affect revenue needed for development of the new water treatment plant?
  - **Response to Comment:** Reduced water consumption has the potential to impact revenues if rates are not adjusted on a regular basis and if the Town does not evaluate forecasted revenues against budget needs through rate studies. To mitigate these factors:
    - The Town proposes to conduct a rate study in 2019 (addressed in Section 8.1.3),
    - The Town adjusts rates each year based on debt, operations, and capital obligations. Edited Section 5.4 to include this information.
 Additionally, the Town has successfully navigated declines in water use of more than 1% each year since 2002.
- From Breckenridge Town Council: This plan lacks water quality information.
  - **Response to Comment:** Edited Section 7 to state: "While explicit water quality goals have not been set in relation to these water conservation efforts, the Town aims to maintain or enhance existing water quality."



## APPENDIX E: RESOLUTION TO ADOPT PLAN

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# Memo

To: Breckenridge Town Council Members  
From: Peter Grosshuesch, Director of Community Development  
Date: July 5, 2018  
Subject: Planning Commission Decisions of the July 3, 2018 Meeting

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## ***DECISIONS FROM THE PLANNING COMMISSION MEETING, JULY 3, 2018:***

### **CLASS A APPLICATIONS:**

1. Ten Mile Room, PL-2018-0071, 505 S. Park Avenue: A proposal to construct a 7,859 square foot replacement conference facility that connects to the adjacent Liftside Building conference areas. *Approved.*

### **CLASS B APPLICATIONS:**

1. Yankee Peddler Building Change of Use and Remodel, PL-2018-0099, 400 S. Main Street: A proposal to change the use of the existing building from commercial retail to commercial restaurant and to make exterior changes. Proposed exterior changes include: add a door and stair to the upper floor, modify the existing roof, modify the front door threshold, add a brick patio, add a new walkway and landscaping, and an interior remodel. There is no additional density proposed with this application. *Approved.*

### **CLASS C APPLICATIONS:**

1. Harris Residence Addition and Accessory Apartment, PL-2018-0233, 84 Marks Lane: A proposal to construct a 2,168 sq. ft. addition to an existing 5,706 sq. ft. single family residence, which includes a 970 sq. ft. accessory apartment. *Approved.*

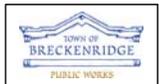
2. Climax Jerky Cart Renewal, PL-2018-0243, 100 S. Main Street: A proposal to renew the vendor cart permit for Climax Jerky, Inc., a retail business that sells a variety of dried meats known as "jerky." The company has operated in Breckenridge since 2008. The covered wagon cart is 8'4" long, 4'4" wide, and about 8' tall. The wagon is constructed primarily of wood and steel, with a canvas cover. *Approved.*

**TOWN PROJECT HEARINGS: None**

**OTHER: None.**



Harris Residence Addition  
and Accessory Apartment,  
84 Marks Lane





Ten Mile Room, 505 S. Park Avenue

Climax Jerky Wagon Small Vendor Cart Permit Renewal, 100 S. Main Street

Yankee Peddler Building Change of Use and Remodel, 400 S. Main Street

Breckenridge South



## PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 p.m. by Chair Mathews-Leidal.

### ROLL CALL

Christie Mathews-Leidal	Jim Lamb	Ron Schuman
Mike Giller – Arrived at 5:42	Steve Gerard	
Dan Schroder	Gretchen Dudney	

### APPROVAL OF MINUTES

With no changes, the June 19, 2018 Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

With no changes, the July 3, 2018 Planning Commission Agenda was approved.

### PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No Comments

### CONSENT CALENDAR:

1. Harris Residence Addition and Accessory Apartment (CL), PL-2018-0233, 84 Marks Lane

Mr. Gerard: Has the HOA seen this plan yet? (Mr. LaChance: Can't recall. I'd have to look at my files to confirm) (Ms. Puester: Legally, we cannot require HOA approval.)

2. Climax Jerky Cart Renewal (CK), PL-2018-0243, 100 S. Main Street

With no call-ups, the Consent Calendar was approved as presented.

### FINAL HEARINGS:

1. Yankee Peddler Building Change of Use and Remodel (CL), PL-2018-0099, 400 S. Main Street

Mr. LaChance presented a proposal to change the use of the existing building from commercial retail to commercial restaurant, and to make exterior changes including adding a door and stair to upper floor, modifying the existing roof, modifying the front door threshold, adding a brick patio, adding a walkway and landscaping, and an interior remodel.

#### *Commissioner Questions/Comments:*

Ms. Leidal: Does the wood fence meet the historic preservation guidelines? (Mr. LaChance: Yes, it does. The proposed additional fence is an extension of the existing fence, and is proposed to match. The Handbook states that fences in the Historic District cannot be solid. The existing and proposed fence has gaps in between the pickets, so it meets the requirements.)

Mr. Shuman: Have they looked at using the dumpster on the Tannhauser property? (Mr. LaChance: I am not sure, so I might refer that question to the applicant. I have spoken with Public Works and I know the applicant is working out the details with them regarding using a Town Dumpster, but that has not been finalized.)

#### Mr. Matt Stais, Architect, Presented:

Most of the issues brought up by the Commission were with the landscaping so we made sure to address those issues. The front area will be taken back to lawn and the patio has been cut back. We have also increased shrubs and plantings to better screen the adjacent neighbors. I believe Mr. LaChance did a great job covering

all the changes we made and I don't have anything further to add. Thank you.

Public Comments:

Claudia Lubaszka, 401 S. Ridge Street Unit 19:

This is the first I have heard about the roof and parking. I was under the impression that you can't change the building if you are blocking others view. I have only one window facing Main Street. How high is the new structure going up? (Ms. Leidal: They are adding a porch on the back side but the height of the building will not change.) Will they use more parking between the buildings? (Ms. Leidal: No, they won't.) Where is the outdoor sitting area? (Ms. Leidal: Highlighted the area in question.) How late will the restaurant be open? (Ms. Dudney: We don't have a right to tell them they can't have a restaurant because it was originally zoned as commercial.) Are they taking the entire building or both buildings? (Ms. Dudney: No. Just the front.) Has everything been approved? (Ms. Leidal: Nothing has been approved yet, but this is the final meeting.) Thank you for your time and answering my questions.

Buck Finley, Realtor:

This building did have use of the Tannhauser dumpster in the past. I believe the property owners are in discussions with Tannhauser as to whether or not it will work.

*Commissioner Questions/Comments:*

- Mr. Lamb: I think it is a good looking project and I support it.  
Mr. Schuman: I would have liked to see more landscaping but I realize it meets requirements.  
Mr. Giller: Staff gave a great presentation and staff and the applicant have been responsive to our concerns at the Preliminary Hearing, so I think that is why we are in agreement tonight. I support.  
Mr. Gerard: I am glad the walk way was reduced. I think that will help with sound buffering for the neighbors now. I thank Matt for all his consideration and changes. I would have like to see it remain a four square but understand the difficulties in doing that.  
Mr. Schroder: I agree with staff analysis and think that staff has done a great job presenting the project. I think the project is approvable.  
Ms. Dudney: I agree, and think the project is approvable.

Mr. Schuman made a motion to approve with the modified conditions handed out, seconded by Mr. Gerard. The motion passed unanimously.

2. Ten Mile Room (JL), PL-2018-0071, 505 S. Park Ave

Ms. Puester presented for Mr. Lott, an application for construction of a 7,859 square foot replacement conference facility that connects to the adjacent Liftside Building conference areas. The applicant requested a few minor changes to the conditions of approval which staff was fine with. The new conditions of approval on your dias. The architect also sent over some additional clarification this afternoon which is on your dias outlining the percentages of material on each elevation in color. Staff had an issue with the CMU shown on the east elevation and although it is only a few feet away from the Liftside building, technically it would not meet code. The elevations you have in front of you also show the CMU changed to fiber cement board material which meets fire code. Most of the building is natural material of wood siding, beams and natural stone. The other main issue that staff had was the parking. None was proposed previously. The applicant has proposed that the parking runs with the Village hotel which the applicant also owns but is planning to sell. A condition has been added to require a covenant and lease to run with the two separate properties of the Ten Mile Room and Village Hotel.

*Commissioner Questions/Comments:*

- Ms. Dudney: What would happen if they use the CMU shown? (Ms. Puester: Technically, it would get negative points for exceeding 25% in combination with the stucco shown. We give

negative points for the material used as well. The hallway connection elevation is where the CMU block is. If you did lean toward the CMU, I would recommend a special finding to not set precedent with the application, being that it is not visible and 2 feet from an adjacent building.)

Tim Losa, Architect, Presented:

That was a good overview from Ms. Puester. I'll address the last minute change on the siding. We have to have a firewall there. CMU is one way to construct the required fire wall. The other area is a courtyard with a fence on the front side. If we go with lap siding we have to have prefab walls so that is possible to drop in place. We also dropped the roof height on the west end. Other than that the building remains relatively similar. There was concern with using the reddish color so this picture shows the red we are trying to get to, matching the existing Village burnt red color. It is used mostly as a highlight color.

- Mr. Giller: Is the fiberboard wall still a firewall? (Mr. Losa: Yes. It is fire retardant material. It will have a wood texture on it but is nonflammable.)
- Ms. Dudney: Are these exterior walls visible? (Mr. Losa: They should not be visible.) So people may be standing out there smoking? (Mr. Losa: I guess. It is mostly used as back of the house space and will be blocked off by a gate.)
- Ms. Puester: You mentioned a gate, can you show where that is? We usually don't permit that in our code. (Mr. Losa - Pointed out where he thought the gate would be.) I would like to have staff review the gate separately to make sure it meets code.

The hearing was opened for Public Comment: No comments and the hearing was closed.

- Ms. Puester: I would like to add a condition of approval that the applicant submit a class D minor for approval for any gate (new #13).
- Mr. Schroder: Glad to see that we were able to address the parking issues appropriately for this application.
- Mr. Schuman: They solved the parking issue.
- Mr. Lamb: Good compromise to the issue.
- Mr. Gerard: Creative attempt at solving the problem but it is really smoke and mirrors. We took space from the hotel and I see this setting up as a mess because they are short 18 spaces. I don't think we really solved the parking problem. The prior issues with the building have been solved and would support the CMU. I always believe safety comes first. I think they met all the other issues we had.
- Mr. Giller: What gives you a two hour rating on that wall? (Mr. Losa: The material under the wall surface is really how you create a fire wall. With fiber cement, it is made of nonflammable material and metal studs.)
- Ms. Dudney: I am not opposed to the CMU but I think the cementitious material would be better if it needs to look good on all sides and to avoid precedent. (Mr. Losa: We could use either material but we would prefer CMU.) I think it was originally the towns fault for the parking issues with buying the F lot which had the parking for the Village on it. I didn't hear about complaints when it was a conference center previously. I appreciate choosing a solution that would not become precedence by matching the other conference areas in town. I applaud the creative solution.
- Mr. Lamb: I don't have a firm opinion on the material. I don't think the hotel would ever collapse or get knocked down to make the CMU visible. If it did, they would build to their setback.
- Mr. Schuman: I am in favor of using the CMU.
- Ms. Puester: Would the CMU be less than 25% of the elevation? (Mr. Losa: It is about 30%. 15% CMU 15% stucco.) Can we have a show of hands in favor of fiber cement siding? (Four commissioners in support of fiber cement versus CMU). Ok, fiber cement it is.

Mr. Giller made a motion to approve the findings and conditions adding a new #13 regarding the gate, seconded by Mr. Schuman. The motion passed 6-1, with Mr. Gerard dissenting.

**OTHER MATTERS:**

1. Town Council Summary

**ADJOURNMENT:**

The meeting was adjourned at 6:50 pm.

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Christie Mathews-Leidal, Chair



**TOWN OF BRECKENRIDGE**  
**TOWN COUNCIL**

**Scheduled Meetings**

**Shading indicates Council required attendance – others are optional**

*The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them.*

**July 2018**

Wednesday, July 4, 2018	All Day	Main Street	4th of July Celebrations
<b>Tuesday, July 10, 2018</b>	<b>3:00pm / 7:00 pm</b>	<b>Town Hall Chambers</b>	<b>First Meeting of the Month</b>
Friday, July 13, 2018	8:00am - 9:00am	B & B Trailhead	Coffee Talk, then a Bike Ride or Hike
<b>Tuesday, July 24, 2018</b>	<b>3:00pm / 7:00 pm</b>	<b>Town Hall Chambers</b>	<b>Second Meeting of the Month</b>

**August 2018**

Thursday, Aug. 2nd, 2018	11:00am - 2:00pm	TBD	COEDIT Meeting
August 10th - 19th, 2018	All Day	Throughout Town	BIFA
<b>Tuesday, August 14, 2018</b>	<b>3:00pm / 7:00 pm</b>	<b>Town Hall Chambers</b>	<b>First Meeting of the Month</b>
<b>Tuesday, August 28, 2018</b>	<b>3:00pm / 7:00 pm</b>	<b>Town Hall Chambers</b>	<b>Second Meeting of the Month</b>

**Other Meetings**

July 10th, 2018	Board of County Commissioners Meeting Workforce Housing Committee	9:00am / 1:30pm 1:30pm
July 11th, 2018	Breckenridge Events Committee	9:00am
July 12th, 2018	I-70 Coalition Upper Blue Sanitation District	1:00pm 5:30pm
July 16th, 2018	Breckenridge Creative Arts	4:00pm
July 17th, 2018	Board of County Commissioners Meeting Liquor & Marijuana Licensing Authority Planning Commission Meeting	9:00am 9:00am 5:30pm
July 18th, 2018	Summit Stage Transit Board Meeting	8:15am
July 23rd, 2018	Open Space & Trails Meeting	5:30pm
July 24th, 2018	Board of County Commissioners Meeting	9:00am / 1:30pm
July 25th, 2018	Summit Stage Transit Board Meeting Summit Combined Housing Authority Childcare Advisory Committee	8:15am 9:00am 3:00pm
July 26th, 2018	Transit Advisory Council Meeting Breckenridge Tourism Office Board Meeting Northwest CO Council of Governments RW&B Board Meeting	8:00am 8:30am 10:00am 3:00pm
August 7th, 2018	Board of County Commissioners Meeting Planning Commission Meeting	9:00am 5:30pm
August 8th, 2018	Breckenridge Heritage Alliance	Noon
August 14th, 2018	Board of County Commissioners Meeting Workforce Housing Committee	9:00am / 1:30pm 1:30pm



## Scheduled Meetings

**Shading indicates Council required attendance – others are optional**

*The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them.*

August 21st, 2018	Board of County Commissioners Meeting	9:00am
	Liquor & Marijuana Licensing Authority	9:00am
	Planning Commission Meeting	5:30pm
August 22nd, 2018	Summit Stage Transit Board Meeting	8:15am
	Summit Combined Housing Authority	9:00am
	Childcare Advisory Committee	3:00pm
August 23rd, 2018	CAST	7:45am
	RW&B Board Meeting	3:00pm
August 27th, 2018	Open Space & Trails Meeting	5:30pm
August 28th, 2018	Board of County Commissioners Meeting	9:00am / 1:30pm
August 30th, 2018	QQ - Quality and Quantity - Water District	10:00am