

JOINT BOSAC/OSAC MEETING

Monday, July 13, 2009

County Courthouse

BOCC Meeting Room

5:30 Introductions

5:35 Topic 1: Swan River Restoration Plan

6:30 Topic 2: Backcountry Huts on Open Space

6:45 Topic 3: Golden Horseshoe Management Plan

7:15 Adjourn

Memorandum

To: Summit County Open Space Advisory Committee, Town of Breckenridge
Open Space Advisory Commission
From: Brian Lorch, Summit County Open Space Director
Heide Andersen, Town of Breckenridge Open Space Planner III
Re: July 13, 2009 Joint Meeting

Following recent OSAC and BOSAC meeting discussions, it was decided that a joint meeting between the two entities be organized to discuss the following topics of mutual interest:

1. Swan River Presentation

Mike Claffey will be present to discuss the Preliminary Concept Plan for the Swan River restoration project.

2. The concept of commercial huts or other improvements on Open Space propertiesBackground

This topic has come up at the last BOSAC and OSAC meetings, particularly as it relates to a specific proposal to locate a Summit Huts Association hut on the Black Gulch property. Town and County staff decided that before the particular details of this proposal were further analyzed by either board, there should be a more general discussion on the appropriateness of a commercial hut operation on Town and County open space lands. One place to begin this discussion is to look at the definitions of open space for both the County and the Town.

The Town of Breckenridge Open Space Plan (revised in 2007) states:

“The Town established a legacy of open space land acquisition, as the Council had recognized that Town residents needed open space for parks and recreation, for protection of scenic areas, and for relief from development.”

The second place to look for policy direction on this particular topic is to look at what is in the guiding documents for each open space program as it relates to structures:

Summit County Development Code (2009) states:

Definition of Open Space: Lands that are in a predominantly undeveloped state and provide one (1) or more of the following community benefits: extensions to existing undeveloped open space lands; buffers to developed areas; view corridors; access to trails, trailheads, water bodies, or National Forest areas; passive recreation uses including trails; unique ecological habitats and historic sites.

The Summit County Comprehensive Plan (2003) states:

“Open Space ... [is] an area that provides some type of refuge from the developed landscape. At its core, ‘open space’ is a place to recharge one’s soul, to reconnect with the natural environment, and to recreate.”

The Town of Breckenridge Open Space Plan (revised in 2007) states:

“Small structures such as restrooms, bridges, platforms, kiosks and huts/cabins are appropriate on Town open space properties if the structures are intended to support non-motorized, trail-based recreation. To the greatest extent possible within sound engineering guidelines, the structures should fit in with the rustic, backcountry character of open space properties and should be carefully designed, located and constructed so that the natural and scenic elements of the open space properties are not compromised.”

Summit County Open Space Protection Plan (1996) has no statements anticipating structural improvements on Open Space properties, but states:

"Each acquisition of a real property interest by the County will be accompanied by a requirement that any future efforts to dispose of or materially alter the property acquired will be subjected to appropriate scrutiny above and beyond that otherwise applicable to the disposition of County property."

Open Space Selection Criteria for Recreational properties: “Lands with significant recreational value, particularly non-motorized passive uses not requiring intensive maintenance or management.”

The concept of operating a facility that people pay to use on open space property can also be evaluated in the context of how the two open space programs manage other commercial uses on our lands.

- Bike races and other Special Events:

The Town of Breckenridge charges a trail fee paid to be paid by the event promoter that is based on the number of participants, the percentage of the event that takes place on Town property, and the likely impact that will result from the event. The promoter must fill out a Special Event Permit application.

County fees for Special Events are assessed primarily to recoup the costs associated with administration of the permits.

- Sleigh rides: The Town of Breckenridge has commercial sleigh ride operations on two different Town properties. For each of these operations, the Town has a License Agreement for the use of the trails and charges a flat fee based on the percentage of the trail that is on Town property. On the golf course, the sleigh ride operation is run entirely on Town land and the fee is 5% of gross income. On the Breck San District parcel, only half of the trail is on Town property, so the operator pays 2.5% of their gross revenues.
- Dog sled rides: Dog sled trips utilize both Town land and property that is jointly owned by the Town and the County in the Middle Fork of the Swan area. This

operation is also under a license agreement and the fee is based on the same structure as that of the sleigh rides.

- Fly-fishing: Commercial fly-fishing takes place on both County and Town open space properties and land that is jointly owned and managed by the two entities. Thus far, this use has not been managed. There is no fee for use and no agreements in place. This is something that needs to be further evaluated. It is likely that the commercial fishing guides will need to operate under license agreements with associated fees in the future.

Staff Request

Staff requests that the OSAC and BOSAC discuss and provide a recommendation to the Board of County Commissioners and Town Council regarding the appropriateness of improvements for commercial uses on jointly owned properties. Following are some questions that may guide this discussion:

1. What commercial operations/uses are appropriate on open space properties?
2. To what degree are improvements related to these operations appropriate on open space?
3. Is there a difference between utilizing existing structures and constructing new ones?
4. If commercial huts are appropriate on open space, what form should the use authorization take? (e.g. Special use permit, license agreement, transfer of property USFS.)
5. What should be included in a proposal required from a hut proponent? (e.g. environmental impact review; evaluation of impacts to other users, adjacent property owners or neighbors; plan for parking and access; description of need and plan for site improvements, trail construction, etc; and an evaluation of other potential sites and how they compare to the proposed site.)
6. Will Forest Service policies favoring huts (and other improvements) on non-federal lands set a precedent for other open space properties?
7. Are there any other policy questions that members from either board would like to consider?

3. Golden Horseshoe Management Plan

Background

Following the Golden Horseshoe Citizens Planning Process and the involvement in the Forest Service White River National Forest Travel Management Plan process, the County and Town staff have been working on a Golden Horseshoe Management Plan to memorialize the different planning processes, decisions, and outcomes.

The following is the Draft Table of Contents of Golden Horseshoe Management Plan:

Table of Contents

1.0 Introduction

- 1.1 Location and Background
- 1.2 Management Plan Process
- 1.3 Purpose and Scope of Management Plan

- 2.0 Collaborative Ownership and Management
 - 2.1 Introduction
 - 2.1.1 Collaborative Ownership
 - 2.1.2 Collaborative Management
 - 2.2 Goals, Policies, Actions
 - 2.3 Implementation Strategies

- 3.0 Natural Resources
 - 3.1 Introduction
 - 3.1.1 Vegetation
 - 3.1.2 Noxious Weeds
 - 3.1.3 Wildlife
 - 3.1.4 Sensitive Ecological Areas
 - 3.1.5 Areas of Disturbance
 - 3.1.6 Forest Health
 - 3.1.7 Water Quality
 - 3.2 Goals and Policies/Actions
 - 3.3 Implementation Strategies

- 4.0 Recreation Resources
 - 4.1 Introduction
 - 4.1.1 Trails
 - 4.1.2 Signage
 - 4.1.3 Trailheads
 - 4.1.4 Rules and Regulations
 - 4.2 Goals and Policies/Actions
 - 4.3 Implementation Strategies

- 5.0 Historic Resources
 - 5.1 Introducton
 - 5.1.1 Historic Values
 - 5.1.2 Inventory
 - 5.1.3 Protection
 - 5.1.4 Restoration
 - 5.1.5 Maintenance/Stabilization
 - 5.1.6 Interpretation
 - 5.2 Goals and Policies/Actions
 - 5.3 Implementation Strategies

- 6.0 Management Plan Approval and Amendment Process

Maps:

Land Ownership
Golden Horseshoe Zoning
Natural Resources
Golden Horseshoe Summer Travel System Recommendations
Golden Horseshoe Winter Travel System Recommendations

Appendices:

Golden Horseshoe Backcountry Protection Strategy (March 2000)
Golden Horseshoe Citizen Based Planning Process\
Problem Definition for the Golden Horseshoe Management Plan
Pertinent Policies and Documents from other Master Plan Documents
Selections from the Natural Resource Assessment of the French-Swan Subbasin
Travel Management Plan comments from BOCC and Town Council to USFS
USFS Travel Management Plan (as it pertains to the Golden Horseshoe)
Management Filters Process Summary
Rules and Regulations for the Golden Horseshoe

The following is the Executive Summary from the document for a better understanding of how the chapters will be organized:

Executive Summary

The approximately 8,900 acre Golden Horseshoe area in the Upper Blue Basin of Summit County, Colorado is rich in natural resources, recreational opportunities, historical sites, and dramatic views. The majority of the land is in public ownership, with 51% managed by the United States Forest Service, and 32% owned jointly by the Town of Breckenridge and Summit County Open Space. The remaining 17% is in private ownership. The area is frequented by a multitude of recreationists – from hikers, snowshoers, cross country skiers, mountain bikers and equestrians, to ATV riders, snowmobilers, dirt bikers and four wheel drive enthusiasts. Due to the diverse resources of the area, and the demands placed upon them by visitors, a management plan was deemed necessary to identify the area’s important resources and strategies for their long-term protection.

This Golden Horseshoe Management Plan (“Plan”) was developed in accordance with the following vision developed during the citizen-based collaborative planning process:

“The Golden Horseshoe is valued for its variety of summer and winter recreational opportunities, its rich mining heritage, its unique natural resources, and its proximity to the Town of Breckenridge. The Golden Horseshoe continues to inspire the community to work together to provide and maintain quality recreational opportunities that complement and protect its unique resources.”

The Plan incorporates the following elements:

- Collaborative Ownership and Management
- Natural Resources
- Recreation Resources
- Historic Resources

Each plan element includes the following sections:

1. Introduction/Background section, which introduces the element, provides relevant data on issues related to the element, and discusses other pertinent issues.
2. Goals and Policies/Actions section, which sets forth the policy direction upon which future planning decisions and management actions will be based.
3. Implementation Strategies section (Appendix X), which identifies steps that should be taken to implement the element goals and policies and the priorities for undertaking those management action steps.

Discussion Item(s):

1. Staff is recommending that this management plan be approved through the following process:
 - a. Review by each of the open space boards during each board's meetings
 - b. A mutual recommendation to the elected officials for approval based upon review and resolution of identified issues.
 - c. Approval by the BOCC and the Town Council.

This would be instead of multiple joint meetings, or a "master planning process," which would need to go to the relevant planning commissions and require a more stringent process.

Do both OSAC and BOSAC agree to the management plan approval process?