

TOWN OF BRECKENRIDGE  
*OPEN SPACE ADVISORY COMMISSION*  
Monday, May 16, 2011  
150 Ski Hill Road

- 4:00 Meet behind Town Hall for a site visit to look at Summit Huts' proposal for a parking lot in French Gulch
- 5:30 Call to Order, Roll Call
- 5:35 Discussion/approval of Minutes – March 21, 2011
- 5:40 Discussion/approval of Agenda
- 5:45 Public Comment (Non-Agenda Items)
- 5:50 Staff Summary
- White River National Forest Travel Management Plan
  - Gold Run Nordic Center Tree Clearing
- 6:00 Open Space and Trails
- Summit Huts' Weber Gulch Hut proposal
  - Cucumber Gulch Preserve Management Plan
- 7:00 Executive Session
- 7:30 Adjourn

For further information, please contact the Open Space and Trails Program at 970-547-3155 (Scott) or 970-453-3371 (Chris).

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**Memorandum**

To: Breckenridge Open Space Advisory Commission  
From: Open Space Staff  
Re: May 16, 2010 meeting

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**Staff Summary****White River National Forest Travel Management Plan**

The White River National Forest Travel Management Plan (TMP) is the U.S. Forest Service (USFS) document that outlines the travel system forest-wide, including all roads and trails open to recreational use. After a lengthy planning process, the TMP was delivered to the public on May 4<sup>th</sup>, thereby entering a 45-day appeal period. Appeals to the decision notice must be filed by the end of the appeal period, and can be filed only by groups or individuals that previously commented during the process. Appeals must be based on 1) failure of the USFS to consider the content of prior comments or 2) mapping errors that need to be rectified.

Staff has reviewed the TMP and found that the final decision document is generally accurate and inclusive of the Town's prior comments. The few errors staff found have already been reviewed with USFS staff and should be addressed under an errata document issued with the final decision notice. Overall reviews by both County and Town staff were positive. We look forward to implementing projects on the ground by year's end.

**Gold Run Nordic Center Tree Clearing**

As has been discussed previously, staff is planning to remove a limited number of trees along the Preston Loop at the Gold Run Nordic Center in summer 2011. The goal of this tree cutting is to accommodate snowcat grooming on this portion of the Nordic Center trail network. Since 2007, the Preston Loop nordic trail has been maintained via snowmobile grooming, which is less efficient and yields an inferior skiing surface. Staff is working with Summit County and the USFS to identify and limit the trees to be removed alongside the route, while still accommodating a snowcat's width. Following melt out and a site visit with the USFS and County staff, tree removal is planned for mid-summer.

Staff is also working on a potential agreement with the owner of Dry Gulch Placer to better coordinate grooming in the area, and potentially provide for an additional short groomed out-and-back/overview to Dry Gulch. More information on this topic will be available at BOSAC's June meeting.

## **Open Space and Trails**

### **Summit Huts' Weber Gulch Hut Proposal**

Attached, please find a proposal from Summit Huts Association (SHA) pertaining to a proposed backcountry overnight hut in Weber Gulch on National Forest lands. SHA is seeking BOSAC/Town Council and Summit County Government permission to proceed with formal NEPA planning for the proposed hut on the National Forest.

The Town's role in this process is twofold:

1. The proposal outlines a new access trail designed to cross Town/County property from the top of Nightmare on Baldy to the Weber Gulch hut site. The trail is proposed to be open to non-motorized summer and winter use, and administrative ATV access during summer months for Summit Huts access only. SHA seeks approval to construct the trail to Town/County standards and permission for administrative access to that trail.
2. The proposal outlines a new, expanded trailhead area in Lincoln Townsite. Although the new trailhead is proposed on National Forest lands, its proximity will affect the existing Lincoln town site trailhead located on Town/County open space by organizing the existing parking spots and formalizing a limited trailer parking area.

The SHA seeks letters of support from the Town and County prior to proceeding with the USFS environmental analysis for the proposed hut. The site visit scheduled immediately prior to the 5/16 BOSAC meeting will provide additional insight into the SHA proposal. Any BOSAC recommendations will need to be reviewed by Town Council prior to final communication with the USFS.

Staff seeks direction from BOSAC regarding the SHA proposal.

1. *Does BOSAC support the general hut concept as proposed by Summit Huts, and specifically the new proposed trail to cross joint Town/County open space?*
2. *Does BOSAC support the proposed trailhead improvements in the Lincoln town site?*
3. *Does BOSAC seek any revisions to the current Summit Huts' proposal? If not, should staff proceed with a letter of support for Town Council to review?*

### **Cucumber Gulch Preserve Management Plan**

Attached, please find the first draft of the Cucumber Gulch Preserve Management Plan. This document is based on previous BOSAC and Council direction and is intended to outline management guidelines for a breadth of issues in Cucumber Gulch Preserve. Staff is seeking to describe and memorialize the various management issues pertaining to the Preserve so that future management efforts can be rooted in clear policy direction.

Please review the attached draft document and be prepared to provide feedback to staff regarding the content of the draft management plan. In addition to comments on the content of the plan, much of Monday's discussion will focus on creating general management goals for the Preserve. After general input has been provided, broader goals have been established and management policy is formed, staff will revise the plan and seek final approval from BOSAC at a future meeting. Following BOSAC's approval, staff will provide the document to Town Council for review.

### **Roll Call**

Dennis Kuhn called the March 21, 2011 BOSAC meeting to order at 5:37 pm. Other BOSAC members present included Monique Merrill, Jen McAtamney, Jeff Cospolich and Dennis Kuhn. (Scott Yule arrived at 5:45pm.) Staff members present were Peter Grosshuesch, Bree Schacht and Chris Kulick. Brian Lorch from Summit County and Mark Beardsley from EcoMetrics were also present.

### **Approval of Minutes**

The minutes were approved as presented.

### **Approval of Agenda**

The Department of Justice/ Americans with Disabilities Act Trail Evaluation item was moved up in the agenda to accommodate a visitor's schedule.

### **Public Comments**

There were no public comments.

### **Staff Summary**

#### **Trail Use Data**

Mr. Reid: Trail use data may not be provided every month but will be provided more frequently, as requested by BOSAC.

#### **Open Space and Trails**

##### **Swan Mountain Recpath Contribution**

Mr. Reid outlined the history regarding the Town's support of the Swan Mountain Recpath. Summit County staff originally requested a contribution of \$100,000. The Town contributed \$10,000 toward the Lowry Section, and withheld the remaining \$90,000 until the final section (Blue River). The updated proposal for the final section is to widen the roadway and not construct a grade separated pathway. \$90,000 has been included in the pro forma (for 2013) and the County's goal is to complete this task in 2011.

Mr. Lorch: We have been working the last three years on how to complete last segment. The current plan is to put 4 foot wide climbing lane on the uphill/climbing side when headed from Farmer's Korner towards Sapphire Point. The assumption is that a fast moving cyclist can take the entire downhill lane. 4 feet will be achieved by burying the existing ditch and placing a curb-and-gutter atop the ditch. No retaining walls will be needed. The price tag is \$1.2 million, as compared to \$7-8 million for the grade-separated option. The construction schedule is to begin in May and completed by July 30<sup>th</sup>.

Mr. Cospolich: Can you explain the beginning section by the treatment plant? Do you plan to keep posted speed the same? Will this be completed before the Triple Bypass, the Courage Classic etc.?

Mr. Lorch: By the wastewater treatment plant, there will be a 4 foot lane on both sides. We intend to have this project completed before the big cycling events. The speed limit will be unchanged.

Ms. McAtamney: Will covering the ditch make the road safer? (Yes) I think this is a good plan for reducing costs, improving safety, and providing a repath option.

BOSAC was unanimous in their support of spending \$90,000 for the project as proposed.

### **Department of Justice/ Americans with Disabilities Act Trail Evaluation**

Mr. Reid outlined the new ruling by the DOJ requiring municipalities to evaluate their trail facilities for access by “other power driven mobility devices”. All wheelchairs & manually driven mobility devices are allowed on any trail at any time, but there may be a “point of departure” after which a device may not be able to travel. There is currently no responsibility to get rid of those existing points of departure. Other power driven mobility devices (OPDMD) will be allowed unless specifically stated where they will be allowed under other criteria. The staff analysis was outlined by staff.

Ms. McAtamney: Does this impact EAB’s (Electric Assisted Bicycles) on the repath?

Mr. Lorch: This ruling applies only to individuals with mobility disabilities. The EAB issue pertains to all users, not just individuals with mobility disabilities. There are no limitations on what is considered an OPDMD, which is why we are forced to set limitations.

Mr. Reid: Pertaining to OPDMD, individuals must provide “credible assurance” that they are mobility impaired.

Mr. Kuhn: Do we need additional signage?

Mr. Reid: We are not required to provide signage, but we plan to disseminate the information as much as possible to help inform users.

Ms. McAtamney: We should include information on our trail map.

Mr. Cospolich: Does staff field many calls regarding accessibility?

Mr. Reid: Not many, but we usually suggest Cucumber Gulch, F&D Placer and the repath for ease of accessibility access.

Mr. Lorch: Note that this ruling does not apply to federal lands. We are being held to higher standard.

BOSAC unanimously approved the assessment criteria and trail evaluation. Staff noted that this information can be revised as needed.

### **Cucumber Gulch Preserve Management Plan**

Mr. Reid outlined the purpose and need for the proposed Cucumber Gulch Management Plan. It seems to make sense to have one management plan to consolidate all existing plans and provide

specific management direction on other important topics such as gondola operation hours, monitoring goals, concessionaires, etc.

Mr. Grosshuesch: We are seeking consensus to how to manage this important property.

Ms. McAtamney: This type of document will be helpful for future Councils and BOSACs

Ms. Merrill: When we bought property what were our goals?

Mr. Reid: Primarily preserving wetland values and trail access.

Mr. Grosshuesch: There was a CAIC study that showed that Cucumber Gulch was most biologically diverse privately owned property in Summit County. As a result, we had concerns about adjacent development and maintaining the existing Nordic Center. The CAIC study then showed Nordic Center was working alright with health of the Gulch, but should not be expanded in the wetland areas. It was grandfathered in and recognized as an existing use that must be peacefully coexisting with the wildlife and wetland elements.

Ms. McAtamney: The balance between recreational access and resource protection is a real challenge.

Mr. Reid: Preserving natural resource values and recreational access is a common issue within land management agencies at all levels.

Mr. Grosshuesch: I would like to see a vision statement for Cucumber Gulch Preserve. It should help us as staff managing the property effectively.

Mr. Yule: When we first bought property in 1998, EPA determined that wetland complex was an ARNI (Aquatic Resource of National Significance). We need to maintain this standard as a top priority. We need to focus on monitoring the hydrology. It is the lifeblood of the Gulch.

Ms. Merrill: Who came up with this idea, and why now?

Mr. Grosshuesch: Staff. We have accumulated a lot of information over the years and our thinking is that the information should be consolidated for easier use for staff and elected and appointed officials.

Mr. Yule: Now that the Town owns the majority of the land in Cucumber, we might have more leverage in protecting the resource.

Ms. McAtamney: This is a good use of staff time, in my opinion.

Mr. Kuhn: It is important to memorialize Council and BOSAC direction. Do we have the impacts of trail recreation on wildlife listed in the plan? (Yes)

BOSAC was unanimously supportive of the Cucumber Gulch Management Plan concept.

### **Cucumber Gulch Preserve Monitoring Program**

Mr. Reid outlined the rationale for staff seeking to change water quality monitoring consultants. Staff seeks someone local, more responsive, solution oriented, and who can provide a holistic evaluation of the overall wetland complex. Staff then provided an overview of the three consultant bids and costs.

### **Dr Carello's Monitoring Proposal**

Mr. Cospolich: I question if the proposed gondola avian study should occur so close to first week of operation. Would we get better results by conducting the study at a different time? By conducting study at this time does it produce biased results? Wildlife can habituate to things.

Ms. McAtamney: The avian gondola study is proposed for this time period because it coincides with the critical nesting period which is a period of noted concern.

Mr. Reid: I don't see this as bias. Dr. Carello is concerned with statistical validity and having a true control for the research that was performed last year.

Commissioner responses to Dr. Carello's monitoring proposal:

Mr. Kuhn: I support the overall avian population study for the gulch but not the avian gondola study as I'm more concerned with overall health of Gulch.

Ms. McAtamney: Avian gondola question is a much bigger question but we will get to that over time. We should cut the study this year to save costs. I am supportive of the remainder of Dr. Carrello's proposal as presented by staff.

Ms Merrill: I'm torn on the avian gondola study because it is not a huge cost in the grand scheme of things. I am supportive of the remainder of Dr. Carrello's proposal as presented by staff.

Mr. Cospolich: Is the \$8,600 in Dr. Carello's proposal just for the final report? I think her final report is sometimes glossed over. I'm more okay with the rest of the proposal than the overall report. I believe there is some opportunity for cost savings if we scale back her final report. I am also fine if we cut the proposed avian gondola study.

Ms. McAtamney: I find value in Dr. Carello's final reports. I find it helpful to compare her reports from year to year.

Mr. Yule: I would rather see more money going into the water quality monitoring portion and less going into Dr. Carello's monitoring program and presentation. I agree with the spirit of Mr. Cospolich's comments. I desire a more fact based and scalable presentation than what has previously been produced.



Mr. Kulick: At a staff level we also desire to have a better sense of context for the results.

Mr. Cospolich: It is my opinion that many decisions are made on antidotal evidence instead of these costly studies. Incorporating better context with the results may alleviate this problem.

BOSAC supported Dr. Carello's proposal, but suggested removing the water quality sampling portion, potentially eliminating the avian-gondola study (as a cost savings measure). They asked for a more streamlined and management solution oriented end of year report and a reduction of report expenses if at all possible. They also requested Dr. Carello provide more "perspective" for her reports to better understand the research results within an overall context.

### **EcoMetrics Monitoring Proposal**

Mr. Reid outlined EcoMetrics' proposal which is broken into three tasks. Task 1 is the holistic 'patient assessment' that will provide an overall bill of health, help refine and streamline the monitoring program, and identify specific wetland threats to be addressed. Task 2 is essentially replacing the water quality monitoring role ERO has played since 2007. Task 3, the proposal to conduct a wetland delineation, was unanticipated, but could provide valuable benchmarking information for measuring the long term growth or contraction of the Cucumber Gulch wetland complex. Staff noted there is a better value on wetland delineation if done with the proposed FACwet assessment as compared to being completed at a later date.

Ms. Merrill: Monitoring programming should be directed towards answering needs specified in management plan. It might be a good time to take a step back and evaluate what the overall threats to Gulch are.

Mr. Reid: We may be currently over testing on certain items and the FACwet analysis should help us refine our monitoring program.

Mr. Kuhn: We have all this data and all I really want to know is how the health of the Gulch is trending and if we have a problem. Let's figure out sources of the problems and management solutions. I believe EcoMetrics' proposal will help us understand the overall health of the Gulch and solve critical problems as they arise.

### **Commissioner Responses to Ecometrics Proposal:**

Mr. Yule: I support switching to Ecometrics and support all three phases.

Ms. McAtamney: I agree with Scott and think using a solutions based consultant is the right step. Good timing with the development of the management plan.

Mr. Kuhn: I suggest switching to Ecometrics. If we need reduce water quality programming for budget reasons possibly consider cutting wetland delineation for 2011.

Mr. Cospolich: I support the switch to Ecometrics. I like their approach to not collect data for data's sake. I support the wetland delineation proposal. I believe the wetland delineation is more important than bird survey.

Ms. Merrill: I agree with all that has been said. If we need to cut for budget, we should eliminate the wetland delineation.

Mr. Reid: Ecometrics is comfortable hosting the water monitoring database. I will set a maximum (not to exceed) with ERO to transition data to Ecometrics.

***Next Meeting***

The next regularly scheduled meeting is on April 18, 2011 at 5:30 pm in the Administrative Conference Room in the Breckenridge Town Hall (150 Ski Hill Road).

Mr. Kuhn motioned to adjourn the meeting and Ms. Merrill seconded. The meeting was adjourned at 7:30 p.m.

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Dennis Kuhn, Chair

SUMMIT HUTS ASSOCIATION  
PROPOSAL TO CROSS TOWN BRECKENRIDGE AND SUMMIT COUNTY OPEN SPACE

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May 11, 2011

REPRESENTATIVES FROM SUMMIT HUTS ASSOCIATION

Executive Director: Mike Zobbe    President of the Board of Directors: Jack Wolfe

**BACKGROUND**

Summit Huts Association (SHA) is a Summit County based 501(c)3 non-profit organization chartered with providing overnight hut experiences in the back country. SHA owns two huts-- Janet's and Francie's Cabins and leases two huts from the USFS — Ken's Cabin and Section House. All four huts are operated under a special use permits from the USFS.

SHA emphasizes non-motorized self-reliance backcountry travel, and, an intimate connection with the natural environment. This experience allows the public to enjoy their National Forest lands in a low impact and affordable manner, which is beneficial to their health and can advance a better respect for public lands.

In 1989 SHA and the United States Forest Service (USFS) completed a Master Development Plan identifying 5 primary and 3 secondary potential hut sites in Summit County and on the White River National Forest. French Gulch was identified at that time as a viable area.

SHA has experienced steadily increasing occupancy since that master plan was completed. By the early 2000's SHA reached its' practical capacity. Over 60% of the hut user nights are reserved approximately 1 year in advance through a lottery system.

In 2000, SHA optioned the a property in French Gulch area near Black Gulch, but later dropped this location while pursuing the Lewis Hut near Copper Mountain. The Town of Breckenridge (TOB) and Summit County (SC) subsequently purchased the Black Gulch parcel.

When approaching the USFS about the potential of putting a hut on USFS land, the applicant is required to exhaust all potential "private" land owners in the area. Last year SHA approached OSAC and BOSAC about the potential of utilizing the Florence Lode parcel. OSAC and BOSAC recommended against this proposal.

In the winter of 2010 SHA identified a potential site near Weber Gulch on the north shoulder of Mt. Baldy and began discussions with the USFS, TOB and SC. SHA has worked closely with all three agencies to identify the optimal route to the proposed hut.

Before entering in the National Environmental Policy Act process (NEPA) with the USFS, the USFS requires that SHA request and receive permission from TOB and SC to cross the jointly owned open space. After working cooperatively with all three agencies, SHA is ready to submit this request to the TOB and Summit County.

**SUMMIT HUTS PROPOSAL\***

See attached map for Parking, Trailhead, Travel Route and Hut Location.

**Hut Location:** Approximately 300 feet east of Weber Gulch in a clearing at approximate elevation 11,500. See attached map.

**Hut Size:** Will accommodate between 14 to 18 people plus a hut master quarters. Size and capacity will be determined by the type of Administrative Access to the proposed hut is allowed.

**Trailhead:** French Gulch road near the existing parking for the Sally Barber Mine trailhead.

**Parking:** Approximately 12 to 16 new overnight parking spaces on USFS land adjacent to an existing private drive and Humbug Hill 4wd road, adjacent to and on the north side of French Gulch Road.

**Travel & Administrative Route:** Total distance to the hut from the proposed parking area is approximately 3.3 miles.

The proposed trail will utilize existing Sally Barber Road and Nightmare on Baldy trail (Approx 2.2 miles). Approximately 3800' of new trail will need to be constructed across jointly owned open space property. Approximately 3900' of new trail will be constructed on Federal land. No modifications to Sally Barber or Nightmare on Baldy are anticipated other than some minor tree trimming to improve trail height during peak snowpack.

The new trail will require a tread width of ~50" to accommodate a six wheel ATV and trailer to be used for re-stocking and other administrative use. (Full size vehicle use is not permitted under USFS use prescription). Trail will be gated to restrict motor vehicle use to SHA use allowed under terms of special use permit and operating plan only. ATV will access new trail via Baldy Rd and "Baldy Rd Bypass."

We anticipate a need to provide a 5-6' maximum wide trail corridor on the portion of Administrative Trail.

**Vertical Gain:** Total of approximately 1200' vertical gain from the Sally Barber Mine trailhead to the proposed hut. Vertical gain on open space property is approximately 280'.

**Proposed Trail Gradient:** 7% average; maximum of 12%

**Construction & Maintenance of Trail:** By SHA to standards set forth by USFS and TOB and Summit Co.

\* Subject to change pending NEPA review

Additionally, SHA is proposing to utilize the same standards used in the NEPA process to evaluate the proposed travel routes that cross the TOB and SC jointly owned land.

Summit Huts Association is requesting from both BOSAC and OSAC a recommendation to the Town Council and Board of County Commissioners allowing those respective parties to execute a license agreement with Summit Huts Association allowing access as described above.



**Summit Huts Association**

## Proposed Weber Gulch Hut

### Legend

Proposed Weber Gulch Hut Location

General Area for Parking

### Proposed Access

Hiking

ATV

Hiking and ATV

### Existing Access

Trail

Four Wheel Drive Road

Dirt/Passable by Car

Gravel/Dirt

Paved

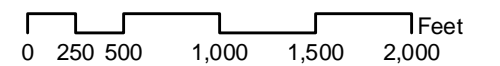
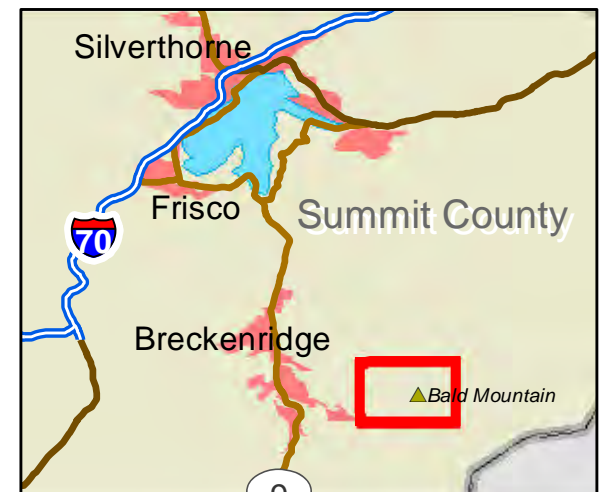
### Land Ownership

Summit County

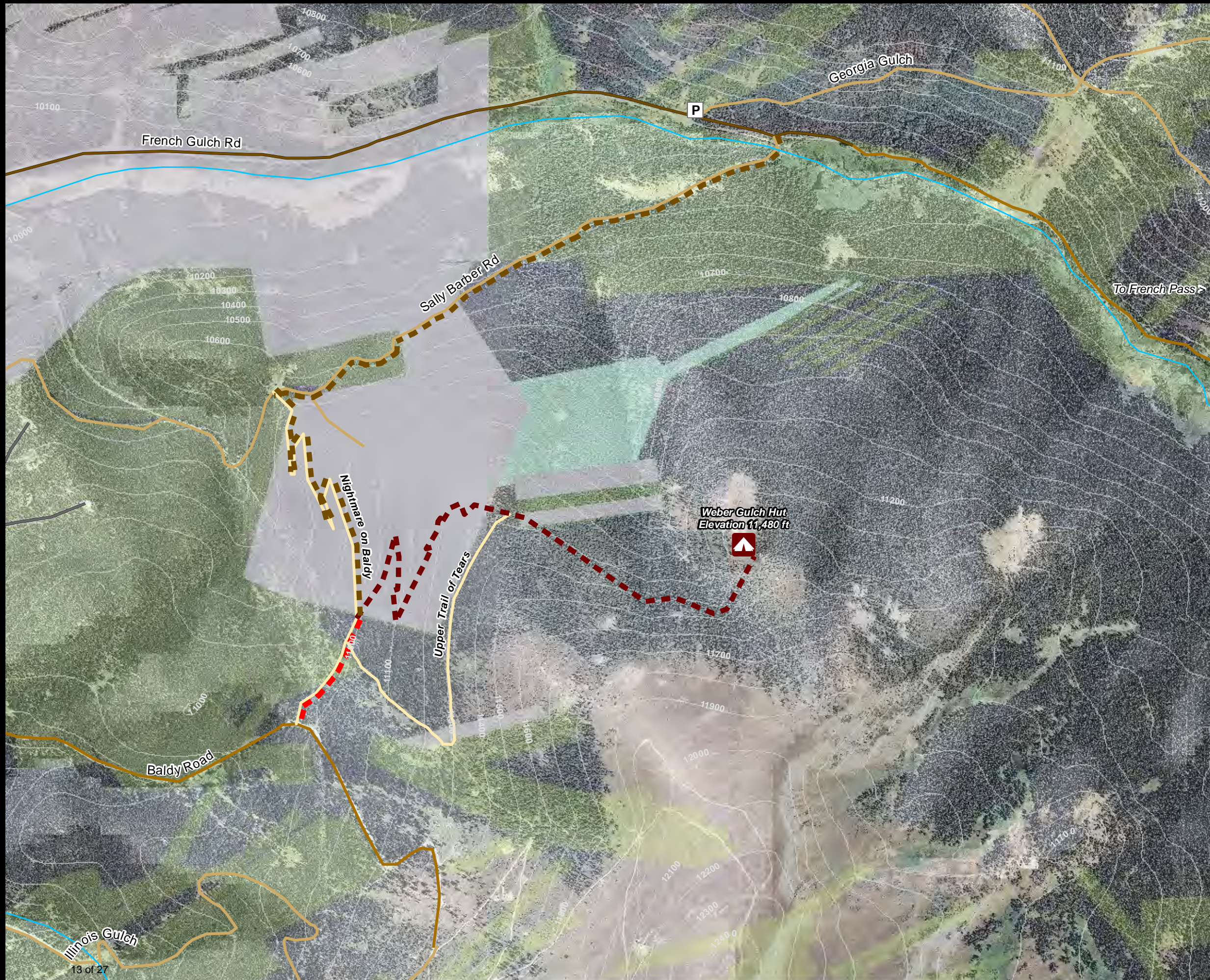
Summit County/Town of Breckenridge

Other/ Private

### Project Extent



1 inch = 1,000 feet  
(when printed 11x17)  
Contour Interval: 100 Feet  
Date: May 2011



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## I. INTRODUCTION

### A. Executive Summary

The Town of Breckenridge, as the steward of the 121-acre Cucumber Gulch Wildlife Preserve (the Preserve), is crafting a management plan to guide use of this precious resource. The Town seeks to establish a plan to preserve the natural resources of the Gulch while allowing for limited public access.

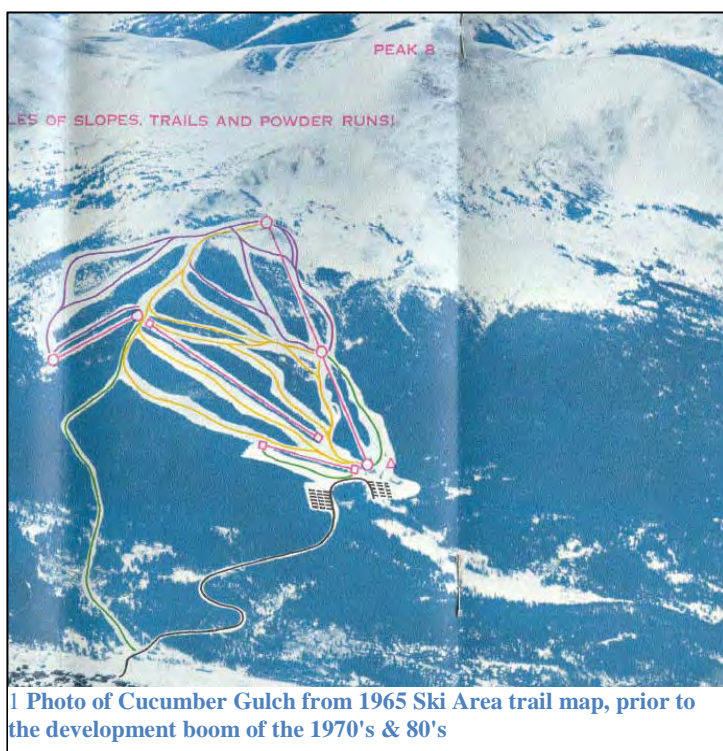
This management plan is designed to:

- Protect sensitive natural areas of the Preserve that may need additional conservation.
- Provide for limited, managed public access to the Gulch.
- Monitor the resource values of the Preserve to determine if the management objectives are being achieved.

The management plan is designed to guide use and achieve the management objectives of the Gulch. The Town of Breckenridge Open Space and Trails Division, with oversight from the Breckenridge Open Space Advisory Committee, will administer and maintain the Preserve in accordance of this management plan. In order to be a perpetually effective management document, a review of the plan should take place annually following the monitoring report release.

### B. History of Cucumber Gulch

For much of its existence, Cucumber Gulch developed untrammelled, allowing its unique ecology of rare plants, fens and peat wetlands to develop over thousands of years. The Gulch's first exposure to humans occurred during the mining boom of the 1880's. Mining activity was limited to a small area located near the base of Shock Hill and scattered sites on the MBJ parcel. During this period, the first trails were established in the Gulch by miners traveling to nearby claims.



1 Photo of Cucumber Gulch from 1965 Ski Area trail map, prior to the development boom of the 1970's & 80's

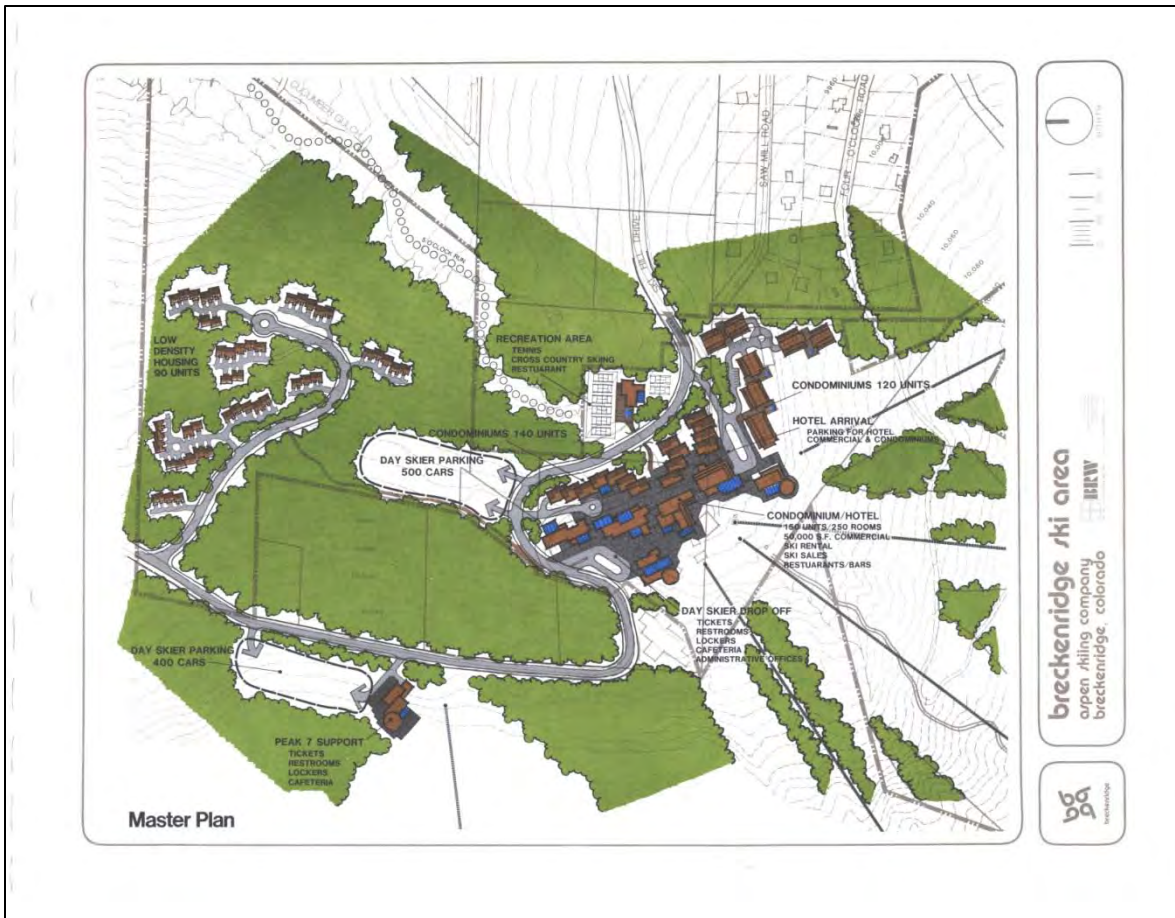
Except for a limited number of miners utilizing the trails, Cucumber Gulch continued to be minimally impacted by human activity until the establishment of the Breckenridge Ski Resort in 1961. Initially, the area was not impacted by significant development; however the operation of the ski resort altered some of the area's drainage patterns and wildlife corridors. Later, in the 1970's and 80's, significant development occurred near the base of the ski resort and adjacent to Cucumber Gulch. During this period, there was very little concern or knowledge about the impacts that development could inflict on the Gulch's fragile ecosystem. Some examples of



2 Proposed 1979 Nordic Life Fitness Complex. This proposal anticipated adding hundreds of SFEs in areas now protected by the Town.

projects that were developed adjacent to the Gulch during this period include Peak 8 Village, Gold Camp, Ski Watch, the Breckenridge Nordic Center and the Christie Heights subdivision. In addition to these completed projects, several other much larger projects were proposed. These proposed developments included building footprints, parking, tennis courts and an amphitheater within the area now protected as the Preserve. Due to cyclical economic patterns, none of these more dramatic proposed developments were completed.





**3 1982 Ski Area Master Plan.** This plan shows a townhome development, parking facility, tennis courts, nordic lodge and "5 O'Clock Ski Run" all within the center of the Preserve.

Until the mid 1990's, protection of the Cucumber Gulch continued to be mostly an afterthought for area residents. The Gulch received minimal visitation other than nordic skiers during the winter months and a small number of hikers in the summer season. This pattern changed when Colorado State University (CSU) launched a large-scale research project to study biodiversity on private property. The newly formed Summit County Open Space Advisory Committee saw the CSU research project as an opportunity to investigate local private properties and establish an acquisition priorities list. Through the study, several privately owned properties in Summit County, including areas of the Gulch, were analyzed for their conservation values. Information released in the CSU report indicated the Gulch to be an extraordinary natural resource worthy of the greatest conservation efforts. Between the findings from the CSU study and the many decades of development pressure surrounding the Gulch, many local citizens started to demand its protection. It has been speculated that protection of Cucumber Gulch was a main impetus behind the Breckenridge Open Space program. 'Citizens for Open Space' was founded in 1996 and its members viewed the impending development around the Gulch, the potential loss of wildlife habitat, and a reduction in recreational access as problematic. This movement led to a

voter initiative dedicating and additional .5% Town sales tax to open space acquisition and management.

Since the inception of the Open Space Program, the Town has been involved in many endeavors to protect the resources of the Gulch. The significance of Cucumber Gulch's natural resources is illustrated by the area's classification as a:

- Special Aquatic Site under the Guidelines for Specification of Disposal Sites for Dredged or Fill Material of the Clean Water Act;
- Aquatic Resource of National Significance by the EPA;
- Resource Category 1 under USFWS Region 6 Policy on Protection of Fens;
- Endangered Species Habitat by Colorado Division of Wildlife; and
- Protection Urgency Rank P1 and Management Urgency Rank M1 by the Colorado Natural Heritage Program.

In 1998, the Town hired Science Applications International Corporation (SAIC), an environmental consulting firm, to study the ecology of the area. Based on the recommendations of this study, the Town began embarking on a protection program for the area. In 2000, the Cucumber Gulch Overlay Protection District (Exhibit A) was adopted by the Breckenridge Town Council. This ordinance prevents any human disturbance within the most ecologically sensitive areas of the Gulch and encourages the use of Best Management Practices in the surrounding buffer areas. Subsequent large scale development approvals such as the Peak 7 & 8 Master Plan in 2005 and the Shock Hill Lodge in 2008 have included additional conditions requiring best management practices and continued monitoring as part of their approvals. Through both of these development approvals, the Town received sizable land parcel dedications within the Gulch. Since 2001 the Town has acquired 121 acres of land through dedications and purchase to form the Preserve as it is currently known.

### **C. Management Objectives**

The Town of Breckenridge has two primary objectives for managing the precious habitat of the Preserve, and those are to preserve the conservation values of the Preserve while striking the appropriate balance with public access and adjacent development.

**1. Preserve the wetland ecosystems and natural resources.** The primary management objective is to preserve existing habitat in the Preserve. The Preserve is a groundwater-fed, fen wetland complex that purifies water in Cucumber Creek while providing exceptional habitat for moose, beaver, muskrat, migratory birds and other animals. Due to the Gulch's unique characteristics and sensitive ecosystem, it is in greater need of protection and regulation than other Town-owned open space parcels.

**2. Public access.** Historically, the Preserve has been utilized as a recreational resource by the Town's residents and visitors. During winter months, the Breckenridge Nordic Center hosts thousands of skiers and snowshoers in the Preserve. In the summer months, the Preserve has an extensive trail network for hiking, mountain biking and wildlife viewing.

The challenge for managing the Preserve is balancing public access with natural resource protection goals. Although resource protection is the primary reason for the Town's investment, public recreational access in the Preserve has a long history. Continued recreational access will serve to educate the public and engender support for the Town's resource preservation goals.

## **II. PROPERTY DESCRIPTION**

### **A. Location and Character of Cucumber Gulch Wildlife Preserve**

The Preserve is a north- to northeast-facing drainage and associated wetlands complex located northwest of the Town of Breckenridge Central Business District (Figure ?). The wetland complex lies just below Breckenridge Ski Area's Peaks 7 and 8 and is bordered to the south, west, and much of the north by adjacent existing or planned residential development. To the northeast, the Preserve joins with Cucumber Creek, which stretches 3/4- mile to the Blue River confluence just north of Town.

The Preserve is valued for its summer and winter recreation opportunities and as an ecologically significant habitat area for sensitive wildlife and vegetation. Being located within walking distance from Town, the Preserve provides local residents and visitors an opportunity to enjoy the scenic beauty of alpine forests and wetlands. Popular summer opportunities in the Gulch include hiking or mountain biking along one of the many summer trails. In the winter, visitors enjoy nordic skiing and snowshoeing. The Breckenridge Nordic Center, which has been in operation since 1981, provides about 5.7 miles of groomed nordic ski trails and about 1.5 miles of snowshoe trails, most of which are located within the Cucumber Gulch OPD. Bird and wildlife viewing also are popular activities throughout the year.

While winter recreation is the single largest draw for visitors to the Preserve, the area has attracted a significant amount of attention since the 1995 and 1997 discoveries of breeding populations of the state-level endangered boreal toad (*Bufo boreas boreas*). The boreal toad historically resided throughout much of the Rocky Mountain Region between 7,000 and 12,000 feet in elevation, and has experienced dramatic declines in the last 20 to 25 years (CDOW 2002). The Preserve also is known for the presence of about 77-acres of wetlands ranging from isolated wet meadows and seeps to large stream-side (riparian) complexes occurring along the bottom of the Preserve. Some of these wetlands also are categorized as fens, which provide a unique environment for rare plants. Fens accumulate organic material at an extremely slow rate and are driven by nutrient-rich ground water. Because of this, fens in the Preserve are an irreplaceable resource.

### **B. Property Boundaries and Adjacent land Uses**

The Preserve consists of seven individual properties ranging in size from 2.22 acres to 55.79 acres. Significant development pressure surrounds the Preserve on three sides. Adjacent land uses consist of the Peak 7 & 8 base areas of the Breckenridge Ski Resort, residential development off of Ski Hill Road, residential development in the Shock Hill subdivision, and a large private holding located outside of the Town's limits in unincorporated Summit County.

West of the Preserve is the Peak 7 & 8 base area of the Breckenridge Ski Resort. The Peak 7 & 8 base areas are two primary portals where the majority of the 1.65 million annual skiers enter the ski resort. Additionally there is significant existing and expected real estate development at

Peak 7 & 8. When fully built out, Peak 7 & 8 will have 450.5 single-family equivalents (SFEs) of residential density and 20 SFEs of commercial density.

To the south of the Preserve a variety of existing and planned residential development is located in the Idlewild, Boulder Ridge III, GlenWild, White Wolf, Settlement and Cucumber Creek Estates subdivisions. Within these subdivisions, 12 single-family homes and 27 townhome lots are immediately adjacent to the Gulch.

On the eastern border of the Preserve lies the Shock Hill subdivision. Shock Hill is a residential subdivision that has 3 single-family lots, a lodge site with vested development rights for up to 129 SFEs and a gondola station adjacent to Cucumber Gulch.

North of the Preserve is a 40 acre property under a single ownership. The parcel has not been developed and functions as private open space. Within a large area of this parcel are high quality wetlands that are critical to area wildlife.

### **C. Existing Public Use Features**

The Preserve's present use consists of a wildlife preserve and recreational open space. Despite its current role as a wildlife preserve, there has been a tradition of public recreational use of the property by various user groups prior to the Town's ownership. Therefore, recreational access to the Preserve is viewed as an important component of its management along with wildlife habitat preservation.

The most common uses of the property currently include:

- Nordic skiing
- Snowshoeing
- Hiking
- Mountain biking
- Running
- Environmental research
- Gondola usage
- Nature appreciation & education

These existing uses of the property are the baseline for considering which types of uses are compatible with the Town's mission to protect habitat and to enhance environmental systems of the Gulch. Some of the uses are suitable year round, while others are appropriate on a more seasonal or limited basis.

### **III. Conservation Values**

Within the Preserve's boundaries are some of the most biologically diverse and sensitive wetlands within the State of Colorado. The Preserve's wetlands have a diversity of vegetation that provides important habitat to numerous bird species, aquatic insects, mammals and amphibians. As mentioned above, some of these wetlands also are categorized as fens, which provide a unique environment for rare plants. Fens accumulate organic material at an extremely slow rate and are driven by nutrient-rich ground water. Because of this, fens in the Preserve are an irreplaceable resource.

While the first objective of the management plan is protecting sensitive habitat and wetlands, securing public access to the Preserve is also an important management component. The introduction of hundreds of visitors per month to the area impacts the Preserve, but the intent is to balance public recreational access with resource protection efforts. Identifying acceptable recreational uses in the Preserve will ensure that the recreating public recreates in a manner that will also preserve the natural resource values of the area

#### **IV. STEWARDSHIP ISSUES**

##### **A. Protecting Sensitive Habitat**

Construction adjacent to Cucumber Gulch presents particular challenges to the Preserve's management. At full build-out, 15 single-family homes, 27 townhomes and 579.5 multi-family SFEs are planned directly adjacent to Cucumber Gulch Preserve, with hundreds more residences nearby. One goal of this plan is to consider the impact Cucumber Gulch Preserve management will have on adjoining properties, and vice versa.

Development to the west (Peak 7 & 8) of Cucumber Gulch Preserve is ongoing and presents water quality, wildlife, and site buffering issues. The development adjacent to the eastern edge of the Preserve (Shock Hill) is less defined but has the potential to match the developmental scale on the western edge. The proposed development in Shock Hill has the potential to affect the Preserve's wildlife, water quality and vegetative buffering. Development bordering the southern property boundaries of Cucumber Gulch is generally much less dense and largely built-out. However, the properties along the southern border present a host of issues including the lack of a geographic barrier to the gulch, greater site disturbance areas, and an abundance of household pets and individual ownership of properties (i.e. no central management). Specific conditions were placed into the Peak 7 & 8 and Shock Hill Lodge Master Plans to ensure minimal disturbance to Cucumber Gulch.

In addition to the threat from adjacent development, unrestricted recreational access also has the potential to impact the Preserve. Recreational visitors can damage the wetland complex by not staying on designated trails or by bringing an unleashed pet to the preserve.

To address the conflicts with adjacent development and unregulated recreational access the Cucumber Gulch Overlay Protection District (OPD) ordinance Cucumber OPD was adopted in 2000 based on recommendations included in the 1998 Cucumber Gulch Resource Protection and Recreation Plan. The Cucumber Gulch OPD provides protection for the important and unique natural and recreation resources of Cucumber Gulch by prohibiting activities within a "Preventative Management Area" (PMA), requiring development standards, and establishing best management practices (Appendix A). The purpose of the PMA is to create a buffer area that maintains native vegetation, and minimizes disturbance from human activities. Section 13 of the Cucumber Gulch OPD ordinance requires that the Town develop a recreation plan identifying approved recreation activities and locations. In 2003, to further address problems arising from unregulated recreational access, a recreation plan was developed for the Preserve. In subsequent years, additional plans and analytical documents pertaining to the Town's Open Space program and the Preserve have been developed. Due to the abundance of planning recommendations and analytical information contained in a variety of documents, it is the intent of this plan to consolidate the findings descriptions and policies into a single resource document and establish

clear policy direction for managing the Preserve. Below is a brief synopsis of existing studies, plans and policy documents related to the Preserve.

### **B.1. Policy Documents**

- **Colorado State University Study Biodiversity on Private Property Study (1998)** The CSU study analyzed many privately owned properties in Summit County for their conservation importance. The study indicated Cucumber Gulch to be the most biologically diverse property included in the study. This study piqued local interest for protecting Cucumber Gulch's natural resources.
- **SAIC, Cucumber Gulch Resource Protection & Recreation Plan (1998)** The SAIC plan was developed with the objective of providing a strategic framework for preserving the natural resources of Cucumber Gulch and planning for appropriate recreational uses. This represented the first comprehensive assessment of the basin's natural resources and their vulnerability or compatibility with adjacent land uses. Within the plan several key actions were identified that were subsequently carried out by the Town.
  - Researching the hydrology of the wetlands
  - Targeting land protection through acquisition efforts
  - Establishing a Preventative Management Area
  - Establishing Wildlife Movement Corridors
  - Promoting Best Management Practices
  - Establishing a Lead Entity (BOSAC currently fulfills this role)
  - Establishing a recreation plan
- **Cucumber Overly Protection District (OPD) (2000)** The OPD was established by a Town ordinance for the protection of the sensitive natural resources within Cucumber Gulch based on the recommendation from the SAIC plan. The ordinance required the Town to do the following:
  - Establish a Preventive Management Area (PMA) around the important resources of the area, including wetlands, endangered wildlife habitat, and wildlife corridors.
  - Have scientific studies conducted in the PMA that identifies resources of concern in the area.
  - Prohibit certain potentially harmful activities within the PMA until the ordinance can be revised based on the studies.
  - Require that development meets certain standards.
  - Provide that Best Management Practices be applied through restrictive covenants to new development within or adjacent to the district.

- Require new roads have wildlife passageways if constructed within the district but outside the PMA.
  - Provide that a recreation plan for the area be adopted by the Town in conjunction with other agencies, based on the result of scientific studies.
  - Allow for relief from the ordinance under certain circumstances.
- 
- **Annual Conservation Monitoring Reports for Cucumber Gulch (2001-2010)**  
For the last ten years, the Town has produced annual reports detailing information and findings obtained from monitoring conducted in the Gulch. The monitoring preceded development of the Peak 7 & 8 master plan by 6 years, and therefore provides a base line condition to compare the pre-development and post-development health of the resources within the Preserve. Information contained in these reports enables the Town Council and Town staff to make informed management adjustments on a year to year basis. More information about elements of the monitoring program is contained in the Management Policy section of this plan.
  - **Cucumber Gulch Recreation Master Plan (2003)** The *Cucumber Gulch Recreation Master Plan* (Plan), called for in the SAIC plan referenced above, established a conceptual framework for setting management priorities and provided specific management direction for recreational resources within the OPD. The Plan was the culmination of a six-month comprehensive planning process that focused on balancing summer and winter recreational use with preservation of the sensitive natural resources found in the area. Its development was a collaborative effort that included input from Town Open Space and Trails staff, Breckenridge Open Space Advisory Commission, key stakeholders (which included private landowners, representatives of adjacent homeowner associations, as well as Vail Associates and Breckenridge Ski Resort) and local citizens. At its foundation, the Plan emphasizes the protection of natural resources within Cucumber Gulch.
  - **Forest health and Mountain Pine Beetle Analysis in the Cucumber Gulch Preserve (2007)** This report assessed Forest Health in Cucumber Gulch by looking at current conditions and forecasting those conditions into projections for the near and long-term. This document also provides direction on treatment to optimize forest health within the Gulch, without compromising other sensitive ecological aspects.
  - **Town Open Space Plan (2007 Update)** The Open Space Plan provides a strategic framework for the Town's Open Space Program, and reflects the needs and desires of the community. Specifically, the Open Space Plan has two actions for the Cucumber Gulch Wildlife Preserve:
    1. *"Devise Measures to protect environmental quality and recreation"*.
    2. *"Strive to acquire additional parcels in the Cucumber Gulch area to further protect the sensitive wetland area"*.
  - **Town Trails Plan (2009 Update)** The Town Council and the Breckenridge Open Space Advisory Commission (BOSAC) recognize that preserving and expanding trail access

throughout the Town and the Upper Blue Basin is critical to maintaining and enhancing the quality of life in and around Breckenridge. The Trails Plan, along with the Trails Plan Maps, have been created to provide guidance to Town staff and BOSAC for future trail related priorities and decisions. It is recognized that a balance must be achieved between growth/development and the maintenance of a healthy quality of life, and that development should provide a means for preserving and improving an interconnected recreational trail network.

Sustainability is the main guiding philosophy of the Town with respect to its Trails Plan. It is important first and foremost to maintain the existing trails already within the Town's system. There also needs to be a monitoring and evaluation aspect to the Trails program to ensure that trails are not being created where they could have negative environmental or social impacts and that poorly aligned existing trails are correctly rerouted or decommissioned. Recommendations pertaining to Cucumber Gulch include:

1. *“Continue to implement the tasks outlined in the Cucumber Gulch Recreation Master Plan. Monitor trail conditions and use within the Cucumber Gulch Preserve and adjust trail alignment and management accordingly”.*
2. *“Work cooperatively with Nordic area concessionaires to ensure appropriate winter management of Cucumber Gulch Preserve”.*
3. *“Designate specific access points to the Cucumber Gulch Preserve and work to secure other potential, undesirable, social accesses to ensure strong protection of the Preserve's natural values”.*

## **B.2. Policy Responses to Stewardship Issues**

- **Prohibition of Pets (2007)** - Pets are prohibited within the PMA. Despite this fact, many visitors to the Gulch bring their pets to the area, the majority of which are off-leash. Such actions disturb local wildlife and in some instances, other trail users. One of the greatest threats posed to the wildlife in the Preserve is an off-leash pet. By swimming in the ponds, disturbing the beavers, and pursuing vulnerable wildlife and ground-nesting birds, pets have exacted a heavy toll on the area's wildlife. Other problems associated with pets include their excrement and associated odors, as well as potentially harmful increases in surface water nutrient levels. As a result, pets are not permitted in the Preserve.
- **Nordic Center License Agreement (2008 renewed periodically)** In order to assure harmony with the Town's stewardship goals, the Breckenridge Nordic Center's operator must enter into a license agreement that is limited in scope to use of designated areas of the Town's property within Cucumber Gulch for Nordic skiing, snowshoeing and other related winter operations. Through a license agreement, the operator agrees to specified



“standards of operation” and does not have the right to alter or change the operator's use of the Property without the Town Manager’s prior written consent.

- **Group Size Limit (2009)** – To minimize the noise and disturbance associated with groups, a group size limit was instituted within the Preserve capping the maximum group size at 8 persons.
- **Prohibition of Non-Winter Special Events (2010)** – Historically, the Preserve hosted special events in a limited capacity. Popular events such as the Breckenridge Crest Marathon, the Summit Mountain Challenge Mountain Bike Series and the Summit Trail Running Series have all previously included sections the Preserve’s trail network in their course routes. Despite the popularity of special events utilizing the Preserve, it was directed by the Town Council to discontinue allowing special events in the Preserve outside of the nordic ski season. The prohibition of special events is based the intensity and concentrated special event activity levels compared with typical recreational use. The decision to prohibit special events is also supported by the fact that alternative routes that do not enter the Preserve are available.
- **Summer Trails Use and Closure Protocol (2010)**- Summer trails use in Cucumber has been limited until after July 1<sup>st</sup>. This date was established to keep visitors out the Gulch during the incubation period and the beginning of the chick-rearing stage for many of the migratory birds that make Cucumber Gulch their home. This start date also avoids moose calving season which begins in late May and extends through early June. After July 1<sup>st</sup>, trail access is subject to conditions being determined suitable for the travel of hikers, bikers and runners. Cucumber Gulch’s trails may be periodically closed at times after July 1<sup>st</sup> if staff determines them to be too wet, muddy, degraded and at risk of being damaged.
- **Summer Gondola Operations (2010)** The gondola impacts study conducted in 2010 revealed localized impacts to avian species in Cucumber Gulch during the week after the gondola began operating. An evaluation of the other data from the conservation monitoring program in 2010 did not show significant changes in avian populations in the Gulch over the span of the field season. At the same time, the timing of the start of the gondola is critical. A July 1st start date falls during the end of the incubation period and the beginning of the chick-rearing stage for many of the migratory birds in Cucumber. If the gondola is started earlier in the season, birds will be in a stage in which they are more likely to abandon their nests. They will not have had the investment in their nests or eggs that they do later on. Thus, starting the gondola earlier may have significant ecologic impacts, particularly to bird populations.

Cucumber Gulch is a year-round habitat for moose. The ample availability of willows, a major staple in the diet of moose, makes this an ideal location for moose during all seasons of the year. Cucumber Gulch is an oasis for moose providing ample cover for young, and access to fresh water and abundantly high quality food. Moose calving in Colorado begins in late May and extends through early June. All measures should be taken to minimize any disturbance to nursing cows during this period. Motion sensor

cameras and direct observation have shown that moose cows use Cucumber Gulch during this time as a nursery. Due to the potential conflicts with moose calving, it has been recommended to not operate the gondola between May 15th and the end of June so as not to disturb moose cows and their offspring during the sensitive calving and early rearing stages.

Because of these known wildlife conflicts affecting Cucumber Gulch the Town has recently established the following regulations for summer gondola operations:

- Summer season operating hours are from 9:30 am until 6:00 pm daily beginning June 17<sup>th</sup> through September 5<sup>th</sup>. In addition to regular hours the Ski Resort has the option to extend operations until 8:00 pm on Fridays and Saturdays from July 1<sup>st</sup> through August 14th.
  - Bicycles may be carried on the Gondola only by those persons that have a ticket to use the Ski Resort lifts and trails.
  - Persons transporting bicycles in the Gondola will only be permitted to ride up the Gondola once during the day to avoid “yo-yoing” (taking the Gondola up and riding bicycles down through Cucumber Gulch). However, persons will be allowed to take their bicycles down the Gondola at any time, free of charge, to help provide a way of getting people back to Town without going through Cucumber Gulch.
  - The Ski Resort must provide signage at the base of the Gondola advising guests of the sensitive nature of Cucumber Gulch and requesting that riders avoid engaging in conduct that could cause any harm to the Gulch.
  - The Peaks Connect trail must be excluded from the Ski Resort’s summer trail map.
- 
- **Use of Josie’s Cabin (2011)** - Use of Josie’s Cabin is limited to use as a warming hut for patrons of the Nordic Center. Hours of use are the same as the hours of operation for the Nordic Center, with an exception for nighttime guided snowshoe tours conducted by the operators of the Nordic Center. At all other times the cabin is to remain locked to prevent vandalism and to discourage individuals from using it as living quarters.
  - **Best Management Practices (BMPs) for Adjacent Development (Ongoing)** In addition to the requirements for adjacent development outlined in the OPD, additional BMPs and monitoring have been instituted through the findings and conditions for the Peak 7 & 8 Master Plan area, the Shock Hill Lodge, the Breck Connect Gondola and Cucumber Creek Estates. Language associated with these additional BMPs is included as appendix B.

#### **IV. Goals (To be discussed with BOSAC at the 5/16 meeting)**

##### **A. Resource Protection**

**B. Public Access**

**V. Management Policy (To be discussed with BOSAC at a future meeting)**

In order to achieve resource protection and access goals, specific management policies are necessary to be adopted and reviewed over time.

**VI. ACKNOWLEDGMENTS**

**VII. APPENDIX**