

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 30th.

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.

Dennis Kuhn, Chair