



BOARD OF COUNTY COMMISSIONERS

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December 7, 2018

Scott Fitzwilliams, Forest Supervisor
c/o Sam Massman, Project Leader
Dillon Ranger District
PO Box 620
Silverthorne, CO 80498

Submitted Via Online Comment Form

Re: Submission of Comments on Copper Mountain Resort Snowmaking and Summer Uses Notice of Proposed Action For Scoping and Comment Period

Dear Mr. Fitzwilliams:

With this letter, the Summit County Board of County Commissioners hereby respectfully submits our comments on the Copper Mountain Resort Snowmaking and Summer Uses Notice of Proposed Action. Recognizing the implications that the proposed expanded snowmaking and summer uses may have on County property interests and personnel, we ask that our comments and suggestions be thoroughly evaluated and considered by the USFS.

1. **Snowmaking:** The NOPA indicates that CMR will be using previously adjudicated water rights to accommodate increased snowmaking capacity. However, it is unclear how this proposed increased use, as well as new diversion structures in Wheeler Gulch, will affect instream flows in West Tenmile Creek. The County recommends that CMR provide additional information related to instream flows in West Tenmile Creek in the context of expanded snowmaking capacity.
2. **Snowmaking:** Summit County recommends that, to the maximum extent possible, CMR utilize soil-bioengineering and natural stream restoration practices for all proposed stream enhancement projects in Wheeler Gulch. Hard armoring of stream banks should be avoided.
3. **Mountain Biking Trails:**
 - a. Three of the proposed trails are classified as “optimized for eMTB” use (43-45). These proposed trails indirectly connect to sections of the Colorado Trail/Continental Divide National Scenic Trail (CT/CDNST) managed by Summit County under easements from the USFS (similar to Summit County’s Recreation Pathway system). With the addition of these trails, it is likely that eMTBs will utilize a much larger portion of the proposed new trail network than solely those trails optimized for eMTB use. Summit County does not permit motorized uses on County-managed natural surface trails, including the CT/CDNST segments overlapping with the CMR SUP boundary. CMR proposes “utilizing signage to prevent e-bikes from entering the CT/CDNST”, but it is unclear how such uses will be further managed and enforced. Summit County recommends coordinating with its Open Space and Trails Department on management approaches associated with the proposed new trail network.

- b. Summit County does not currently permit commercial uses on County-managed natural surface trails. CMR should clarify how they intend to avoid operating commercial uses on County-managed sections of the CT/CDNST in the context of an expanded trails network.
- c. The proposed expanded trails network will likely increase wheeled use on County-managed sections of the CT/CDNST. CMR should describe their approach for maintaining the proposed trails and addressing anticipated additional impacts to County-managed sections of the CT/CDNST.
- d. Portions of proposed trail 43 and 45 appear to coincide with Private Open Space (OS-W) within the CMR Planned Unit Development (PUD) boundary. These proposed new trails on Private Open Space are consistent with the allowed uses identified in the CMR PUD, however, the new trails located within the boundaries of the PUD designation should be accurately reflected with amendments to Section 5 of the PUD. In addition, the portion of the planned improvement located within the boundaries of the PUD will require a Grading and Excavation Permit to be reviewed and approved by the County's Engineering Department.

4. **Hiking Trails:**
 - a. Portions of CMR's proposed hiking trail network (F and J) cross the 41.1 acre Lilly G claim, of which the County owns an undivided 16.667% interest. Because CMR's proposal is unlikely to adversely affect the open space values of the claims, the County recommends allowing CMR to proceed with this proposal, assuming that community concerns will be addressed as part of this public scoping and future development review processes. The County would anticipate conveying the property to CMR, or negotiating a license agreement to permit the operation of these trails across County open space if the projects are approved by the WRNF.
 - b. The new trails located within the boundaries of the PUD designation should be accurately reflected in any proposed amendments to Section 5 of the PUD. In addition, the portion of the planned improvement located within the boundaries of the PUD will require a Grading and Excavation Permit from the County's Engineering Department.
5. **Addition of summer programming centered around overnight camping:** The NOPA indicates that limited camping is being proposed in an area adjacent to the base of the Rendezvous and Sierra Lifts. In this portion of the document it states that the camping use will also have "additional events". The County requests additional information regarding these unspecified events to determine if there will be any impacts to, or inconsistencies with the PUD.
6. **The extension of the existing "A-1" mountain access road to provide access to the Olie Lind parcel:** The County has some initial concerns regarding this proposed improvement from a zoning perspective in that the Olie Lind Parcel (located at the base of Spaulding Bowl) is zoned Copper Mountain PUD and the density associated with the mining claim was removed with the 2008 PUD amendment and placed in the Copper Mountain PUD Density Bank. Based on the NOPA, it appears that the intent of the extension of the service road is to potentially serve a future guest and food service structure, which would be prohibited under current zoning. In addition, if the service road is to be permitted, that portion of the improvement will require a Grading and Excavation Permit from the County's Engineering Department.
7. **Emergency Services:** Summit County is concerned about potential impacts to emergency services (e.g., Sheriff's Department, Search and Rescue, Ambulance, etc.) associated with the proposed summer uses? Is there a plan in place to address or mitigate the potential increased demand on Summit County's emergency services?

We thank you for your consideration of our comments and suggestions. Please do not hesitate to contact us, or County staff to discuss further.

Sincerely,



Dan Gibbs
Chairperson



Thomas C. Davidson
Commissioner



Karn Stiegelmeier
Commissioner