

## STEAMBOAT SPRINGS TRAILS COMMITTEE MINUTES

**February 10, 2021**

The meeting of the Steamboat Springs 2A Trails Committee was called to order at approximately 12:03 p.m. on Wednesday, February 10, 2021, online via Zoom.

2A Trails Committee members in attendance were: Chair Pete Wither, Vice-Chair Scott Marr, David High, Dan Bonner, Gavin Malia, Rich Tucciarone and Jason Landers. City staff members present were Assistant to The City Manager Winnie DelliQuadri, City Engineer Ben Beall, and Open Space and Trails Supervisor Jenny Carey. Kris Middledorf represented Colorado Parks and Wildlife. Brendan Kelly represented the US Forest Service. Chris Reed and Laraine Martin represented Routt County Riders. Eric Meyer represented the Trails Alliance.

Mike Morty represented Routt County Road and Bridge. Larry Desjardin represented Keep Routt Wild.

### **Approval of Minutes: September 2**

Dan Bonner moved to approve the September 2, 2020 meeting minutes; Rich Tucciarone seconded. The motion carried unanimously.

### **Chair/Vice Chair Nominations and Election**

Gavin Malia nominated Pete Wither to continue as chair. David High seconded the nomination. The nomination was approved unanimously.

Dan Bonner nominated Scott Marr to continue as vice chair. Gavin Malia seconded the nomination. The nomination was approved unanimously.

### **Walton Creek Hotel Connector**

Scott Marr recused himself from this item due to a conflict of interest.

Ben Beall: Since the last time we spoke with you all, we have been working to coordinate with both Fairfield Inn and the owner of the vacant parcel to get easements for the construction of the sidewalk and trail. At this point in time, we have run into what is probably an untenable situation in getting an easement across the vacant parcel. There's concerns with future development and impacts to the development of that parcel from the current owner. I am confident that we'll be able to get temporary easements across the property in order to construct a trail on the City parcel.

We have heard back from the Fairfield Inn, and they are open to the dedication of an easement for the construction of the sidewalk along US40 with some tweaks to the design to try to account for some potential parking along their front access road. We have held off on performing those design tweaks until this meeting because we want to determine whether there is support to perform the work. This would not include the connection across the vacant parcel between the City-owned open space parcel adjacent to Walton Creek

Road and the access frontage sidewalk. This would be something that would need your support if we were to move forward with bidding this project for potential construction this coming summer.

It would entail a concrete sidewalk along US40, and it would entail a concrete Trail along the Walton Creek frontage. We have already reached out to those adjacent property owners and have a general acknowledgement of the position of that trail.

Bonner asked Beall to show what a temporary easement across the vacant parcel would mean.

Beall: We've put forward a number of options over the last two plus years. The original preference was for this trail to connect along the north property line. There's an existing 15-foot utility easement along that line where we were going to put a soft-surface trail to acknowledge the temporary nature of that trail and the ability of the owner to relocate that trail when they redevelop it. Following that initial conversation, the direction from the property owner was to take that trail along the western property boundary. We have a wetland permit for that in place. But before we went to bid, the property owner said no, I don't want it on that side. I'm concerned about the development potential. I want it along the north property line. We went back and attempted to get that easement and cannot at this point in time. The property owner has notified us that they are going through some site planning efforts and may develop this parcel in the near future. We believe that by building these at this point in time it sets up the Planning Department to require a connection at some point in the future when there is redevelopment.

DelliQuadri: The 2A Committee has already allocated funds to this project, and that has been approved by City Council. The reason why we are coming back is that the original allocation was made based on the project actually connecting the sidewalk with the trail. So, we're coming back to you to ask: Do you feel it's worthy of continuing given that we can't connect those two things at this time? The rationale for continuing at this time would be to set it up for the Planning Department to be able to require the connection happening with any development of that vacant parcel.

Wither: Would that be paid for by the property owner?

Beall: The future connection would be part of the development of their parcel and thus paid for by the developer.

Malia: Did the original scope of this include the portion that's on the Fairfield Inn? Similar to what we're discussing for the vacant parcel, why would we pay for that? Why was the property owner not required to put that in?

Beall: When they developed the Fairfield Inn, for whatever reason they were not required to put a sidewalk in at that time. We can't retroactively require them to put that sidewalk in. There are some mechanisms that City Council could consider to require that sidewalk go in. It was included in the Trails Alliance proposal to construct these missing sidewalk links. With the exception of the Downtown Improvement Plan, the City has not solicited or required contributions from adjacent property owners for sidewalk construction in areas

where it's a retrofit situation. Part of the negotiating for this has been: If you do redevelop in the future for any reason, you will be required to put in a sidewalk. That has been one reason that they have been amenable to dedication of the easement at no cost to do the work.

Wither confirmed that there is no timeline for the development that would prompt that connection.

Landers confirmed that Beall at one point offered a temporary soft-surface trail to connect the two pieces, which was denied by the owner of the vacant parcel.

Beall: The easement could have been relocatable. We were willing to basically give them free rein to move it around.

Wither: A lot of our lodging tax dollars come from this area. In the past, we felt it was important to connect the people staying in these properties to our main Core Trail. This would go a long ways towards that and eventually will be part of the Core Trail if this gets approved.

Tucciarone and other committee members confirmed with Beall that there would not be a temporary soft-surface trail connecting the two paths. Beall suggested that some sort of social trail could develop but would be subject to closures and fencing.

Landers: The trail development in an around our community has been a long-term goal. We have been more than willing to build a trail to nowhere as part of the plan to do as much as we could. If we could do this part and keep this on our agenda, that puts a little bit of pressure on the people who want to develop the vacant lot. I think that would be a valuable thing for us to do.

Malia: By going ahead with the current layout, it somewhat forces the property owner's hand into making that connection in a location that makes sense. This way, we've already got the two sections built so when they come through City Planning, the City can at least apply some pressure to dictate where the trail goes.

Bonner: Winnie, I think you were right to bring this back to us because it is such a major change, but I'm also with Jason and Gavin. I think it moved us in the right direction, and I'd like to go ahead with it.

High agreed.

High: I think this area has nothing but opportunity to be improved, so I think whatever we can do is valuable.

## **MOTION**

Dan Bonner moved to proceed with the two sections of trail that can be built this summer. Gavin Malia seconded the motion. The motion carried unanimously.

## **Financial Update**

DelliQuadri: I was trying to get the 2A dollars we were going to carry forward to 2021. The problem with this report is that we have not closed out all of our books at the City, and we don't close out our books until February 20. So, I was not able to get accurate numbers as to all the dollars that have been spent in 2020 because we got some late-breaking invoices. When we meet next, I will be able to tell you exactly how we spent money in 2020 as well as the dollars that are going to carry forward.

Overall, we had \$5.1 million allocated to trails. Between 2014-2019, we spent \$2.281642. We had grant revenue that we also brought in for one of our trails. The amount of money that we could have spent in 2020 based on carry-forward dollars and the \$600,000 allocated in 2020 was \$1,073,358. We did not spend all of that money. We built the NPR trail, finished Buff Pass and did more NEPA, so we're probably at the 2-\$300,000 level. This means we're going to be carrying forward about \$700,000 into 2021 in addition to the \$600,000 we're getting; that is roughly 1.2-\$1.3 million that we have to spend this year. Some of those dollars have been allocated to existing projects like the Hotel Connector as well as some additional NEPA planning. You'll have to decide what to do with the rest.

I will have a very detailed 2020 budget report for you and a summary of your allocations next meeting.

Malia: Is Kim Weber or anyone giving any direction as to the implications on accommodations tax revenue of the COVID?

DelliQuadri: I did talk to Kim about that. Because our accommodations tax was really healthy over the summer, we did not take a hit to any of the 2A Trails dollars. Typically, accommodations tax revenues have been running about \$1 million a year. The first \$660,000 go to 2A Trails/2A Marketing and Golf Course Capital Reserves. Accommodations tax dollars above that 660 get put into a capital 2A reserve that City Council can choose to fund, and they are using those dollars to fund the chairlift at Howelsen Hill. So, if a project was going to be impacted, it would be that project, not this one, because that's not voter encumbered. As I understand it, even the chairlift project is fine.

Wither: If this for some reason goes on beyond 2023, which is the end of our committee...

DelliQuadri: Because there was a community vote that restricted these dollars, these dollars are restricted to the trails in the Trails Alliance proposal until they are spent. We will continue to carry them forward as we have until the \$5.1 million have been spent. The way we'll handle that on the Committee is that when we have people re-up, instead of doing it as the current three-year term, we could just say "until the funds are spent" or something. I'll have to work with our County Attorney to determine how they want to do that, or we could just keep re-upping everybody every three years.

## Project Updates

### **Mad Rabbit NEPA:**

Kelly: We have signed a contract with the Forest Service Enterprise Team to help us out with the NEPA for this process. They've been consolidating all the previous public input, partner input and field specialist input. We'll then be able to proceed with the analysis to get the draft EA.

We have formalized an agreement with both Colorado Parks and Wildlife and Colorado DNR with this project for input on the Colorado roadless areas as well as the other resource areas that they represent.

We have hired a permanent district ranger who will be helping with this process. They're going to be starting March 1. They're coming from the Tahoe National Forest, so they'll come in with some previous experience.

We will need the new permanent ranger to start before there will be a more formal timeline set for this project. But as of right now, based on some of the analysis that still needs to happen, roughly May would be when we could release a draft of the environmental assessment, which would then go out for a 30-day public comment period. There's a 45-day objection period after that, which would put us into August. That would be when a final decision would be made depending how the previous steps go.

Landers: The US Forest Service has to go through the NEPA process; CPW has just gained some very valuable recent information about elk calving and the wildlife that live in the area where the proposed trails are going to go; Keep Routt Wild is, from what I understand, mounting litigation if the trails end up violating any of the wildlife parameters that we have for our community; and the Routt County Roundtable is also still in the process of coming together and coming up with some ideas of their own for mixed-use recreation in our forest and how we treat our forests. I just want to throw out there this fantasy that if anyone had any other ideas not offered by the Trails Alliance proposal – if we were to open up the book again and ask Ben at the City if there was some more Core Trail that needed to be built; or ask Jenny if Howelsen Hill could maybe use some extra trails; or maybe talk with Brendan about whether Buff Pass could use some trails; maybe Routt County Riders has some ideas about new trails or connectors or fixing some trails; or if any of the other committee members have an idea.

My third option would be bringing it back to a ballot question and asking this community, which is rapidly changing, to re-evaluate where our funds are going. Is that a far-out fantasy, or is that something that could happen?

Wither: Jason, you understand that we can only respond to anything that's in the Trails Alliance proposal; that's the only thing we can act on.

Landers: Unless it goes back to the ballot. I'm asking if anyone is open to considering that idea or sees any benefit from it.

Malia: My perspective is it would be premature to do anything now. I have full confidence in the Forest Service and the land managers to evaluate what's on the table. They're the ones who dictate whether or not trails go in and where. We have given them direction to do those studies, and those studies are incomplete. While new information is coming out, I'm confident that they're going to take that into consideration and give us back a professional response that says trails should or should not go in certain locations. Our role in this process is to fund or not fund their findings. I think reversing course based on midstream information is inadvisable.

Wither agreed and confirmed with Kelly that thorough analysis is the objective of the NEPA process.

Kelly: Khris Middeldorf (CPW) did make us aware that there's new information that has come through as far as elk habitat and different things. We're working with him, so we're aware of that as well.

High: Would there be any inclination on your part to share information or change the course we're going on during this process? If the Forest Service or CPW said hey, this information is going to drastically change the outcome well in advance of getting the NEPA findings, that's the only reason that I could think of that I would say we should revisit this.

Middeldorf: We're getting all the data from the collars we've put out over the past two years. That's about 25 elk in 2019 and 25 this year. So, we're looking at elk production areas, summer concentration and winter range. Those things will be shared with the Forest Service, and they'll use their Forest Management Plan and the NEPA process to determine what they can or cannot do. We're just trying to provide the most relevant and recent data to help inform their analysis.

The one issue that is undetermined – and why we're working with DNR – is the Colorado Roadless rules and how these trails might affect those rules. I don't have an answer for you on that.

High: Do you think the process is working as it should? Do you have any input in this process?

Middeldorf: We're fortunate to have a cooperating agency agreement with the Forest Service, so we're able to sit shoulder to shoulder during the analysis through the NEPA, which hopefully gives us some informed decisions on what the best way to move forward is. I can't speak for the Forest Service and the complexities of the NEPA and some of the rules and guidelines that are part of the Forest Plan they use for their analysis. So, I would have to give it to the Forest Service on whether or not there's some sort of hindrance here with roadless areas, elk or other wildlife habitat. I think the process needs to play out for a bit to see where things stand.

Kelly: Kris is right on that part. It's kind of the phases of the project. A lot of what we've been doing up to this point is has been a lot of outreach. There's been a lot of interest in a variety of things with this project. Now that we have consolidated that effort and we're moving to the analysis phase, which is really like answering a lot of these questions that are coming up looking at the roadless rules, wildlife impacts, and if we're meeting the

recreational interests of the feedback that we've gotten. So, we're not going to be able to provide an answer until we've gotten through this analysis phase and all our resource specialists, CPW and DNR have had the chance to formally analyze the impacts from the project and what a final proposal would look like. In the coming months, we would have more information.

When we release the draft EA, that's when we have gone through the analysis and decided on what the impacts are of the project and what's appropriate. That's when we would be able to release to the public and you all what we think is a reasonable proposal. But we are making progress with the project.

High asserted that there would likely be some strong objections to changing course without the NEPA information.

### **Trail Maintenance Endowment Fund**

DelliQuadri: They did meet their \$100,000 a year goal for last year. It's a \$100,000 a year goal for ten years. They did do a series of grants, which was reported in the paper.

### **Routt Recreation Roundtable**

Kelly: We've been continuing to work on the discussion of a few different things. We have a winter subgroup that's formed out of it. They focused in on Dry Lake and a lot of the winter trailheads and on the destination management concept. The Steamboat Chamber has helped us develop a website called Know Before You Go. It's trying to get more information to the public so that they can responsibly know how to use the area outside of that trailhead. Tied to that, we also wanted to get information to the public on parking updates for Dry Lake, so a Twitter account was started. The Forest Service is posting updates when the parking lot fills up; you can access that through the Know Before You Go website. This is to cut down on the people driving up to Dry Lake when the parking lot is already full. Some of the other conversations are surrounding the recreation and conservation vision that the Roundtable is working on; we have some ongoing discussions with that. We have a couple different presenters during the upcoming meetings that are doing research either on the social side or the conservation side of planning and balancing those two resources. There are ongoing conversations within that group.

Meyer: I was a member of the Roundtable and chose not to reapply because of the way it was handled. There's still essentially zero public input allowed. They do have a public comment they finally put in now after they adjourn their meeting. I think this committee should understand that any information from the Roundtable is just the people that were picked with no other information from the public.

If you want to be a public member and reach out to an individual who is supposed to be representing a group, whether it's hunting or biking or whatever, they do not have the individual's contact information available. So, there's no way to even contact a member who is supposed to represent any part of recreation. There's also no contact up there for the individuals who are deciding the agenda. I think the public should be having that information. So, it's really a mess, still, and you guys are going to continue to have recreation discussions around here if you can't have an open and honest discussion in this roundtable.

### **Wildlife Habitat Improvement Fund**

High: Is there an update on Keep Routt Wild kind of owning that fund? Is there an update on where we are with that fund?

DelliQuadri: I don't know the balance of that fund. I did not get this information from Hellen, but I believe it's at maybe 50 or \$60,000. It is doing very small grants at this point. That fund has not taken off the way that the Trail Maintenance Endowment Fund has.

High: I thought the Keep Routt Wild group had voiced the willingness to promote and take charge of trying to drive funds to that fund. I don't know where that left off.

DelliQuadri: I do not believe that that has happened. I think that fund is kind of languishing without a group of passionate stakeholders working to make sure that folks know about the fund and why it exists.

High wondered whether the Keep Routt Wild group would revisit the idea of more directly taking charge of fund.

Desjardin: There's no official liaison between Keep Routt Wild and the WHILD fund. We do have two board members who are on the committee for that fund: Cedar Beauregard and T.J. Thrasher. The one thing that we did this past year (and this is the same for Routt County Riders) is we were contacted with a reach-out in order to get some funding for the gates on the Buff Pass trails, and that was successful. We were able to complete that. I have not heard of anything about Keep Routt Wild taking a larger role in the WILD fund, however.

High: I would encourage you guys – just like RCR and the Trail Maintenance Endowment Fund, perhaps the WHILD Fund would be an opportunity for you guys.

Desjardin: We'll look into it. This is the first I've heard of it. Sounds like a good idea.

### **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Desjardin: This is regarding the latest wildlife maps from CPW on Mad Rabbit. It shows a significant overlap between the latest proposed Mad Rabbit trails and elk calving areas. Elk calving areas are just plain problematic. Human disturbance is very impactful to them. Studies show human recreation can cause elk to flee as far as a half mile away either side of a multiuse trail. Other studies have shown a 5% chance of elk calf mortality for each disturbance. This is why best practice for trail construction is whenever possible, move the trails outside of elk calving areas. If you take a look at the map I sent you, you can see that there might be a good chance of being able to do that if you route some of those trails that are now on the north side of US40 down to the south side. I don't know if that's feasible, but if you do so, you avoid the impact to the elk calving areas; you avoid the seasonal closures that will delay opening until July 1; and you're going to avoid the public outcry that I guarantee you will come if you overlap these.

Construction will likely go out to 2022, so if you aren't going to put shovels to dirt until next year, this becomes a great time to come up with an alternative route that can be investigated this summer as one of the Mad Rabbit alternatives. I heavily recommend that.

I also want to point out that, as Kris, just said, these calving areas are being discovered because of collars that were put on a year ago. There's a whole new set of elk that have new collars on this year. By the end of June, you're going to get updated information. This appears to be inconsistent with the May EA. You may have new information.

There remains some process issues regarding Mad Rabbit NEPA processes and the Colorado roadless areas. I'm very happy to hear that CPW and DNR are cooperating agencies. That is the law for a CRA. This is the first time we have developed anything within the Colorado roadless area. This was a hard-fought victory by governor Hickenlooper and the DNR to get these special protections for these special lands. Yes, you can put trails in CRAs; you can even put motorized trails in CRAs, but doing so requires heightened environmental scrutiny. Any proposal that significantly alters the undeveloped nature of a CRA requires an environmental impact statement. Keep Routt Wild is not going to allow that to be circumvented on our watch. So, it behooves all of us to minimize the amount of distance that we put disturbances into Colorado roadless areas. If we don't do that, this could put years of delay, and we all have to begin all over again with an EIS. All of those funds that you have are going to be held in limbo during this time. The way around that is to avoid the roadless areas or use minimal insertion distance to avoid that risk.

Richard Hackett: I just wanted to remind everyone here that to my knowledge, there has not been a single study that has looked directly at the impact of mountain biking and mountain biking trails on elk calving or elk reproduction. There have been many studies on human disturbance to elk but none directly related to mountain biking itself. The most often cited study that I know of is a 1999 study done by Colorado State researchers Gregory Philips and Bill Aldridge that was titled "Reproductive Success of Elk Following Disturbance by Humans During Calving Season." That was done in the Vail Valley, and it's a very popular study that's often cited by many groups about how impacts from recreation and users can impact elk. The conclusion of that study said: "Our study demonstrates the potential magnitude of impacts to elk populations from high levels of recreational activity during calving season if people are dispersed across calving areas. However, large numbers of recreationists travelling randomly and covering long distances would be necessary to produce levels of disturbance similar to our treatment effort. Most of our treatments occurred away from recreational trails." It goes on to say: "Our study did not specifically address the effects of trail-based recreational disturbance on elk." Mountain bikers as a user group are the most likely group to remain on a trail and to not travel off trail. Data collection from the City of Boulder Open Space and Mountain Parks Department has indicated that mountain bikers are the user group who most often stay on the trail. I just wanted to bring that up that a lot of the past research, even though it's cited many times in many places, does not directly correlate to mountain bike use. I think that affects a lot of the projects that you're looking at.

## 2021 Meeting Dates

DelliQuadri: This year it sounds like the next time to meet would be in May or June in terms of getting Mad Rabbit NEPA update and an update on the Walton Creek Hotel Connector, and typically we have a meeting in early September as part of the budget process. Did the Committee want to stick to Wednesdays at noon?

Members agreed.

Bonner suggested a June meeting so as to have the best chance of seeing the EA draft beforehand.

Wither suggested June 16; members agreed.

DelliQuadri said that for budget purposes, the September meeting would need to be the first week in September, September 1.

DelliQuadri: You can always set additional meetings as needed as long as we notice them in advance.

High wondered if the June meeting should be earlier to help the project move along as far as public comment and the 45-day objection period.

Kelly: For the analysis that's occurring, we would have already had all the public comment through the Forest Service. We don't take input through the Committee which I get through our other channels. I think if it's in mid-May, we've released the draft EA and have gone through the analysis and we can answer some of the questions of the impacts that have been brought up and such. So, there could be benefit by doing that.

Members agreed to keep the June 16 date.

DelliQuadri noted that the Committee tends to get lots of public comment about where the trails should go even though that is not its purview. She suggested that having a meeting during the public comment period could be useful in that respect.

DelliQuadri: The challenge is that I worry that people make comments to the 2A Committee thinking that those comments are a formal part of the Forest Service's public comment process, and they are not. I worry that there's a lack of clarity as to how comments regarding the trails to the 2A Committee actually feed into the NEPA process, or don't, as the case may be.

Kelly: During the public comment periods in 2018 and 2019, the Forest Service received feedback through that. You had four facilitated Routt County Recreation Roundtable meetings. We received individual input, as time progressed, directly to the Forest Service. Those are the channels that have been used for public input. So, if anyone is trying to provide input to us, those are the avenues.

High suggested that this should be announced before all 2A Committee meetings to reiterate that if people have public comment for the Forest Service, it may not be formalized in these meetings.

Meyer: The paper said the Forest Service has accepted a proposal to change the Mad Rabbit project. Is the Forest Service currently accepting new proposals for that?

Kelly: As long as we're going through the NEPA process, anyone can submit a comment at any time to the project. That can either go directly to the district ranger or directly to me as the project lead.

### **Adjournment**

Gavin Malia moved to adjourn the meeting at approximately 1:15 p.m.; Dan Bonner seconded. The motion carried unanimously.

MINUTES PREPARED, REVIEWED AND RESPECTFULLY SUBMITTED BY: Timothy Keenan and Winnie DelliQuadri. Approved this 5th Day of May, 2021.