

**SUMMIT COUNTY  
OPEN SPACE ADVISORY COUNCIL  
SUMMARY OF ACTIONS**

**July 20, 2022**

**OSAC MEMBERS PRESENT:** Laura Rossetter, John Taylor, Dave Bittner, Peter Grosshuesch, Turk Montepare, Paul Semmer, Arthur Hardin, Jeff Zimmerman, Meagan Graham, John Uban

**OSAC MEMBERS ABSENT:** Robert Gregory, Terry Craig,

**STAFF PRESENT:** Katherine King, Director, Summit County Open Space and Trails  
Jordan Mead, Resource Specialist, Summit County Open Space and Trails  
Paul Geiger, Engineer, Summit County Road and Bridge

**MEMBERS OF PUBLIC PRESENT:** Ash Smith - SE Group for SPR-TV, Sue Green - SPR-TV President, Pete Swenson – Town of Frisco, Anne Lowe – Town of Breckenridge, Cindy Ebbert – USFS, Robert Klima – SCOMBA, Kristina Kachur – Logan-Simpson, Cindy Ebbert - USFS, Pete Swenson - Town of Frisco, Scott Yule – SPR-TV Contractor, John Warner – SPR-TV, Eilianna Wright – Summit Daily News

**Call to Order:** Turk Montepare called the meeting of the Summit County Open Space Advisory Council to order at 5:35 p.m.

**Approval of Agenda:** The council approved the agenda as submitted.

**Approval of Minutes:** The council approved the minutes as submitted.

**Approval of Summary Report:** The council approved the summary report as submitted.

Council member Paul Semmer asked if the fee for use of the SWA could be waived for the Blue River SWA in the new Exchange of Use agreement with CPW. Mr. Semmer suggested that all the units of the Blue River SWA have the fee waived for consistency across the system. The Sutton Wildlife Area parking area is on National Forest lands and this should be taken into account when negotiating for this exemption.

Engaging with the Town of Blue River on the Royal Placer property Hazardous Fuels Reduction project will be very important. Paul Semmer asked staff to reach out to Michelle Eddy at the Town of Blue River and to CC Paul Semmer as a member of the Open Space and Trail Committee. Laure Rossetter suggested potential; parking improvement at Pennsylvania Gulch in coordination with the HFR project and suggested road improvements.

**Public Comments:**

Anne Lowe from the Town of Breckenridge brought up the “Trail of Tears” trail name that could be offensive to those who do not understand the context. BOSAC and the Town Council have accepted the name “Bloody Knuckles” suggested by the former fiancé of the man who the trail was named for. This trail is in the Sallie Barber and Nightmare on Baldy area.

The council supports the name “Bloody Knuckles” for the trail formerly known as “Trail of Tears”

## **REGULAR AGENDA:**

### **Discussion of SPR-TV Bald Mountain Power Line Installation Request**

In 2021, SPR-TV installed the first section of the new line along Laurium Road. Staff is currently working with SPR-TV to address some erosion and slope stability concerns resulting from that installation. SPR-TV has completed hydro seeding and wildflower seeding at the Laurium Open Space where the machinery ingress and staging area was located, along with the first junction box.

SPR-TV attended the meeting seeking approval of the overland alignment of their new power line on Bald Mountain. Previously, OSAC members expressed concerns about new disturbance outside of the footprint of the existing road bed, restoration, visual impacts to Bald Mountain, and financial guarantees associated with the installation. OSAC had suggested a hybrid route using the road bed where possible and an overland route only where needed or the previously approved route along Bald Mountain Road. Since that time, SPR-TV has hired SE Group to serve as the project coordinator and facilitator. SE Group has been hosting biweekly meetings with all stakeholders to discuss ongoing activities, plan for approval hearing and meetings, and address any new concerns or questions from the group. This has been very helpful for keeping all involved parties on the same page.

Ash Smith, along with Sue Green, SPR-TV president, gave a thorough overview of the purpose and need for the overland route, the cost differences between the previously approved and proposed routes, the line installation method, and the restoration and monitoring plan for the installation. The plan includes a maintenance vehicle travel plan, a site staging plan, baseline monitoring, communications, and long-term monitoring.

The communications plan will include all the stakeholders and the public, since this is a high use area. Installation will be led by Scott Yule, who will “field fit” the final alignment within the 50’ easement corridor for the length of the line.

The restoration, revegetation, and monitoring is a large part of the overall plan for the installation and follow up. There is no grading involved with this project and so tundra salvage or reseeding is not likely to be needed in this case. SPR-TV is proposing a 5-year post installation monitoring period with annual reports. Hydro seeding and wildflower seeding has already occurred on Laurium. Road restoration is under discussion with County Open Space and Engineering staff. Long-term maintenance of the new, buried line will be done with radar detection and a small tracked vehicle like a mini excavator within the 25’ maintenance corridor.

The Forest Service process involves approval through a NEPA analysis confirmed by the State Historic Preservation office and is nearing completion. BOSAC has recommended this for approval and the first Town hearing through the Town of Breckenridge took place on July 12. The second hearing is scheduled for July 26. The BOCC will hear this proposal through an Executive Work Session on August 2<sup>nd</sup>. The target construction timeline is September 2022.

Sue Green emphasized the inter-agency collaboration that has resulted from the biweekly meetings. John Warner, one of the founders of SPR-TV, has always seen the need for this power line replacement since 1991 when he helped form SPR-TV. Scott Yule has been working with John for 5+ years to come up with this plan. Using the road would potentially cause more erosion and would be prohibitively expensive. The contractor and project lead, Scott Yule, has done this successfully in the County in past on Peak 6. This

project requires less equipment travel than peak 6 and should have even less impact than that project. This project also has an equity component in that SPR-TV provides Spanish-language radio for free in the County.

Ash expressed her appreciation for the cooperation and input of all the land managers and stakeholders. Art Hardin asked if there are other users of the Bald Mountain transmitter site. Ash and Sue replied that SPR-TV is the only entity who uses the transmitter station at the Bald Mountain transmitter sight.

Council members asked about the ability of the Stones and Carbonate Mining LLC to access power from the junction box. SPR-TV has a condition in the agreements with these owners “not to prevent” the Stones from seeking power from the line. An amendment to the SPR-TV agreement and the Xcel agreement in order for the Stones to access power. CDOT owns and operates trench and conduits along I-70 and Xcel leases a conduit in the trench with a different use agreement with the Forest Service. Additional conduit may be required to accommodate a line to the Stones.

Jeff Zimmerman believes that Xcel only owns the power line to the road and above the Laurium Road the power is owned by Summit Public radio. Scott Yule added that in order for a customer to have a primary service from Xcel, from the junction box and meter above the road, primary power cannot be sold to 3<sup>rd</sup> party customers from the line owned by SPR-TV. The PUC agreement with Xcel would need to be amended in order for the Stones to access power. Jeff Zimmerman suggested that the language in the NEPA or the conditions of the easement agreement should prohibit other users. Peter Grosshuesch was concerned that the regulatory environment might change and allow the Stones to access power. The Snake River Water Treatment plant had tried to access power from the Keystone Resort primary power source, but this was not allowed and another conduit had to be installed to the Water Treatment Plant.

The power line that is being installed is single phase power and would not be able to run industrial mining equipment or even general household usage. How is the power line able to run the transmitter station but not household needs There is 14000V on single phase in the new line. The on surface pad mounted junction boxes will allow isolation of parts of the line. At the top of the line a small transformer converts the power to 120/240 for use on the electronics on the site.

Jeff Zimmerman wondered why the easement evens includes the language about the power, if they cannot access it feasibly. Laura Rossetter supports the language in the easement agreement that would cover the access to power. Peter Grosshusch was concerned that Xcel may purchase the line and move the meter to the top of the Bald Mountain. Backcountry zoning and approvals may also hinder the ability of the Stones to access power or build a large structure on Bald Mountain. Staff will review the Xcel PUC rates and sub-metering to see how likely it might be for others to access power.

Laura Rossetter would like money to be set aside from SPR-TV to account for the costs of remediation to make sure that this remedial actions can be taken. Katherine King asked Forest Service staff about bonding requirements. The Forest Service is planning to require a bond for this project and SPR-TV is amenable to financial guarantees. Jeff Zimmerman applauded SPR-TV bringing SE Group into the process to facilitate the coordination. He would like to see this carried through the entire process. He also asked that the 5 year period be extended if needed to be sure that it doesn't fall off the radar. Meeting the success criteria is more important than the length of time of monitoring. It could be quicker than 5 years, but it could also take longer. Follow through is the most important.

The maintenance access and restoration should be very explicit for the long term. Impacts will vary depending on what type of equipment would be used. The easement agreement should have strong conditions for maintenance, both short-term and long-term. This should be far in the future, but it is an inevitability in the future. The Forest Service would also have requirements for reviewing any significant

maintenance needs. Long-term maintenance and operations plans should also be included in the Forest Service documentation.

Laura Rossetter brought up the concern of changes in character of Baldy Road. She doesn't want to facilitate more users on the road and change the patterns of use and resource concerns on Bald Mountain. The crossings of Bald Mountain would be the only impact to Bald Mountain Road. Another condition could potentially be "no improvements" to Bald Mountain Road. This is a temporary use and the expectation is that the site looks the same after construction as it did before.

The location of the line on Forest Service lands on the lower portion of the line was called into question due to mapping error. A survey may be needed to determine what ownership this portion of the line is on.

The chair asked County Engineer what his concerns for this project are. Compaction on the Laurium Road was a concern and assessing the stability of this portion of the road. Peter Grosshuesch reminded the council that the majority of the line is on Forest Service lands and we may be the "tail wagging the dog".

Motion to recommend the SPR-TV overland route with the conditions including bonding requirements, a success criteria along with the 5 year monitoring period (70% of preresto), no secondary power use (solely for the use of SPR-TV), and specific maintenance access plans.

The Open Space Advisory Council unanimously recommends this proposal for approval with addressing of the conditions above by staff.

They also answered any questions from OSAC members. SPR-TV is seeking an OSAC recommendation of approval to present to the BOCC during an Executive Work Session on Aug 2.

### **Discussion of Open Space and Trails Master Plan:**

Each council member raised their sustentative changes to the document and comments were added to the working document.

The chair thanked staff and the consultants for their hard work on this plan.

Robert Klima from SCOMBA added that the plan should look at the emerging trends in recreation and address these emerging trends. E bikes, directional trails, and trail use designations are all new topics that should be further addressed in the plan. Looking at the international and national trends in recreation management and these should be in the plan.

Staff has addressed these emerging topics as well as possible without getting into the specifics.

At the August OSAC meeting we will incorporate the comments from this meeting, send a clean version, and a version with red lines with the hopes that OSAC will recommend the plan for adoption at the August meeting. We may need to adjust the date of the August OSAC meeting accommodate the suggested revisions.

**Executive Session to Discuss Acquisition of Real Property Interests:** A council member made a motion to enter into Executive Session, and it was seconded. OSAC entered into Executive Session at 8:39 p.m. Council members made and seconded a motion to exit Executive Session. OSAC left Executive Session at 9:14 p.m.

**ADDITIONAL BUSINESS/ANNOUNCEMENTS:**

Jeff Zimmerman suggested a potential licensing or registration for Mountain Bikes in Summit County to generate funds for trail maintenance and habitat restoration projects. This could be similar to OHV registration funds. Laure Rossetter observed that this could give the user group a sense of entitlement for user specific trails since they are “paying for it”. Council members also suggested a voluntarily donation to a fund for wildlife conservation and habitat protection during purchases at participating businesses like outdoor retailers and outfitters.

**ADJOURNMENT:** Council members made and seconded a motion to adjourn the meeting at 9:20 p.m.

Respectfully submitted,

*Jordan Mead*

Jordan Mead, Open Space and Trails Resource Specialist