

August 1, 2018

Vail Town Council Members:

Attached you will find additional material for inclusion in your packets for the upcoming Council meeting August 7, 2018. We would like you to consider the content of each item as you prepare to make important decisions for our community regarding the Open Lands Plan Update.

The items included here are:

1. Our notes from the February '18 meeting with town staff, one councilperson, 2 representatives from Colorado Parks and Wildlife, Tom Braun and ourselves. This meeting lasted nearly 3 hours and our understanding is that its purpose was to gain insight and input from CPW relating to the update of the OLP. This meeting followed closely after the Wildlife Forum sponsored by TOV and the Vail Symposium in January.

We've included email correspondence to staff regarding these notes as well as staff's response stating there were no notes taken. In one of the PEC meetings dealing with the OLPU we stated that we would like these notes to be included in the Appendix—just like the pages of minutes from the Trail Scoping Sessions were. Both PEC and staff declined this request.

Most important for you, however, is to read and consider the comments made by the 2 CPW wildlife professionals. Otherwise, it's not clear in our minds why this meeting was even held if the town wasn't going to seriously consider the input.

2. A copy of a June '18 Valley Voices column in the Vail Daily depicting the point of view of hunters and other sportsmen regarding wildlife habitat and their concerns. It's the same concern echoed by the professional panelists at the Wildlife Forum—protect and improve habitat.
3. A copy of Outside magazine's article The New Golden Rule of Playing Outside: Place First. An interesting position by a recreation-prone publication—if you read it before maybe do it again to refresh your memory. If you haven't yet, please do before you consider decisions about our future.
4. A copy of the recent Vail Homeowners Association report about the Katsos Ranch parcel and proposed parallel trail currently in the draft OLPU. It gives a unique perspective from individuals who were involved in the original recreation trail issue back in the 1970's—a perspective we think is important to keep in mind as decisions are made today.

Thank you.

Tom and Blondie Vucich

Tom Vucich

From: Tom Vucich
Sent: Monday, February 26, 2018 5:10 PM
To: 'kbertuglia@vailgov.com'
Subject: Notes
Attachments: wildlifeMtg2'18.docx

Hi Kristin—attached are my notes from last week's meeting. You know Craig and Bill have copies—I'll let you know if I hear back from them with corrections, additions, etc. but they seemed fine with them.

Curious as to what you will do with these (and your) notes from the meeting. Who will they be shared with?

Happy to contribute and thanks for including us.

Tom

FROM TOV STAFF

eventually be removed, but until further studies are completed it is premature to remove this trail idea from the Plan.

- ✓ • Minutes from the Wildlife Forum – The full Wildlife Forum video is available for viewing on the Town of Vail website <https://www.vailgov.com/openlandsupdate>

Staff does not believe it is warranted to also have minutes or a transcript of the forum when the forum itself is available for public viewing.

- ✓ • Minutes from meetings with the Town's consultant – Staff does not create minutes from every meeting with consultants, and we do not have minutes from these suggested meetings. To do so would create an unreasonable expectation and would divert staff resources from other priorities.

- Inclusion of a timeline or priorities for implementation – Prioritization of the implementation steps will be determined by the Town Council after review of a work plan. The Town Council will be consulted on an annual basis. Without prior consultation with the Town Council, it is not possible to identify a timeline or priorities. Also, acquisition of properties, or implementation of actions, will depend upon the participation of land owners and their willingness to work with the Town, and upon availability of funding and partnerships.
- Changes to the Designated Open Space process – Changing the process used for labeling property as Designated Open Space would involve a change to the Town Charter. The Open Lands Plan recommends the creation of a task force to assist the Designated Open Space Board of Trustees. As part of their review of lands that might be designated, the task force and Board of Trustees may make suggestions to improve the designation process. At that time, changes to the process may be considered.
- Identification of a process to apply Conservation Easements – While the determination and use of conservation easements may be appropriate for certain lands and is suggested in the Plan as a tool for protection of lands, it is premature to define a specific process. The Plan suggests that a task force and staff further review potential sites for conservation easements, and as part of that review a process can be recommended to the Town Council.

V. CRITERIA

Amendments to the 2018 Open Lands Plan Update require a public hearing review process as outlined in Section 12-3-6 of the Town Code. The role of the Planning and Environmental Commission is to make a recommendation to the Town Council on adoption of the Plan, or changes to the Plan that should be considered by the Town Council before adoption.

Amendments to, or adoption of new elements of, the Comprehensive Plan must address the following review criteria:

Vucich Notes from 2/13/18 Meeting with Bill Andree, Craig Westcoat, Kim Langmaid, Gregg Barrie, Tom Braun, Kristin Bertuglia, Tom & Blondie Vucich

- Bill Andree—should consider conservation easements for sensitive lands—“must articulate then why a trail should go there.”
- Craig Westcoat—“Look for somewhere else first” when considering new trails in sensitive areas. They want to give the wildlife impact info “upfront” for consideration and not wait until later in the process when CPW is often perceived as antagonistic.
- Andree—used the analogy of a Superfund site—first the site is identified as affected, then a plan for possible development, mitigation, etc. occurs. Same for wildlife habitat—identify sensitive habitat first, then plan accordingly whether or not you do anything there.
- Westcoat—Start with where/what are the impacts on wildlife, then consider “where can we do a trail?”
- Westcoat—“How many more trails do you need in the Gore Valley? Serious consideration should be given to what the “carrying capacity” is of the valley.
- Andree—“We humans have options—the animals don’t.”
- Westcoat—Education is critical and should be an important part of the plan. Enforcement is equally critical and must be a part of the plan, as well. Any new trails should be based on effectively enforcing closures, maintenance, etc. of existing trails first. Measureable effectiveness.
- Westcoat—“Solitude (for the animals) is what we’ve lost most.”
- Andree—Gave a human pregnancy analogy for pregnant wildlife (carrying their unborn during the winter season)—human mothers-to-be need rest, good nutrition, freedom from stress, focus on the fetus, etc. So do the animals.

- Andree—Biggest key to improving things for wildlife is to improve habitat--not continue to fragment it.
- Westcoat—"Stabilization (of the herd sizes) with a very small growth rate is probably the best we can hope for right now."
- Westcoat—"As long as the animals have habitat they have a chance."
- Andree—"We can't just keep bumping the impact zones up (out) 100', 200', 300', etc. and expect the animals to remain. They don't. Gave example of Strawberry Park and irrigation ditch example in Beaver Creek. We are "mitigating them to death."
- Westcoat—"Culture change is needed now—both with users and agencies."
- Andree—Just because someone wants to have a beginner trail, or to be able to access a trail outside his back door, doesn't mean we should do it. He said he might want to be able to drive his vehicle up to the top of Mt. of the Holy Cross but that's not going to happen.
- Andree—"parallel trails are just 'silly' "
- Andree—When asked specifically if, during discussions with the town about trail "ideas" for the update, he intended to keep the Vail Trail Extension on the list, he said NO-he had not.
- Kim Langmaid—stated specifically (twice) that she believes the Vail Trail Extension should be removed from the list of trail "ideas" in the update. She also stated she believes, based on all of the recent wildlife findings, the town should consider imposing a 5-10 year moratorium on new trails and instead focus on maintaining and improving what it already has.
- Westcoat and Andree—thought the above idea might be effective, but also said they thought identifying parcels (for trail development) now to eliminate from consideration due to wildlife impacts was even more important (councils change, etc.)

Sportsmen's top 10 reasons to pass wilderness act

Editor's note: Find a cited version of this column at www.vaildaily.com.

During June, the Colorado Backcountry Hunters & Anglers held its 10th annual Rendezvous near Leadville. We spent the weekend camping, hiking, fishing and enjoying some of our nation's wild public lands estate. We also visited nearby Camp Hale, remembering those who have sacrificed so much to preserve and protect our great democracy and its unequalled public lands heritage.

Introduced by Sen. Michael Bennet and Rep. Jared Polis, the Continental Divide Recreation, Wilderness and Camp Hale Legacy Act would preserve public lands habitat important to sustaining healthy populations of big game and other wildlife. And as a former Air Force officer, I'm particularly pleased that this legislation designates the legendary Camp Hale as America's first National Historic Landscape.

Tucked in a high mountain valley north of Leadville in Eagle County, Camp Hale was the home base for the renowned World War II 10th Mountain Division. From November 1942 through June 1944, Camp Hale housed some 15,000 troops who learned to rock climb, perform military maneuvers on skis and endure a brutal climate in preparation for mountain warfare. This bill honors their legacy, and support is widespread:

1. During the 2017 Colorado General Assembly Sen. Kerry Donovan introduced, and the Senate passed, SM17-003: "Memorializing congress to support the designation of Camp Hale as the nation's first National Historic Landscape to preserve its rich military history."

2. On May 2, 2018, a coalition of nearly 100 Colorado businesses sent a letter to Colorado's U.S. Sen. Cory Gardner seeking his support for the bill.

3. The bill doesn't close any motorized access points and accommodates water, electrical, transportation and even mining infrastructure. It's backed by Eagle County, the town of Vail, Vail Resorts and many other groups.

4. Wilderness encompasses less than 3 percent of the landmass of the lower 48 states.

5. Only 8 percent of the National Forest acreage in Colorado lies beyond one mile of a road (a mere 4 percent for Bureau of Land

Management lands), and there are enough Forest Service roads in the state to go from the Kansas border to Utah and back, 17 times.

6. In Colorado, 12 of the 15 most-hunted game management units have more than 100,000 acres of roadless wilderness. Build roads or trails in these areas, and the elk

migrations are hindered and the mule deer populations suffer. That means less hunting opportunity.

7. As renowned Colorado bowhunter, David Petersen (a former U.S. Marine Corps helicopter pilot), said: "The three-part formula for assuring a rich elk hunting future ... could hardly be simpler or more in need of our acknowledgment and help right now. Those three essential elements are: habitat, habitat, and habitat." ("The Future of Elk Hunting," David Petersen, Traditional Bowhunter magazine: December/January 2013, p. 69)

8. In the words of my friend, Salida resident Bill Sustrich (a U.S. Navy/World War II veteran): "In the simplest terms, without suitable habitat we will have no game; without game, we will have no hunting; without hunting, a precious heritage of our past will be lost forever."

9. Petersen adds: "For me, it was always super simple ... if you want to hunt, first you have to have animals to hunt. And if you want animals, first they've got to have habitat to live in. So, if you're not trying to protect habitat and improve it and increase it, then you're working against yourself as a hunter."

10. And in the words of Backcountry Hunters & Anglers founder Mike Beagle (a former U.S. Army field artillery officer): "Think about what we leave for our children. That's enough motivation for me. Let's make it happen." ("Nothing breeds success like success," Mike Beagle, Backcountry Journal: Spring 2007, p. 1)

Beagle would also surely agree that perhaps the most important reason to support this legislation is honoring our World War II veterans. In 141 days of combat, the 10th Mountain Division saw 992 men killed and 4,100 wounded in some of the war's toughest fighting. This bill preserves an important part of their great legacy.

"Designating Camp Hale will pay homage



Katsos Ranch Open Space and the Vail Trail – Preserving a portion of the Gore Valley as it was before Vail.

VAIL HOMEOWNERS ASSOCIATION

Report – Katsos/Vail Trail Mountain Bike Trail Extension

July 31, 2018

In the mid-1970's, the Town of Vail acquired a large portion of the Katsos Ranch property, south of Interstate 70, for the purpose of establishing a publically accessible wildlife and open space nature preserve. It was the intent of the Town of Vail to demonstrate its intention to maintain a harmonious relationship with the exceptional natural environment it shares. The site was acquired to prevent development in an area known to contain verdant habitat for the abundance of migratory and sedentary wildlife that inhabited the area on either side of Interstate 70. As well, newly applied zoning densities on the surrounding area, all of which had been recently annexed in the Town of Vail, were kept to the minimal residential uses.

Based on independent analysis, by a collaborative team of qualified interdisciplinary public and private professionals, a paved public path was constructed through the site. The chosen alignment for the path was in a location that was determined to be the least disruptive to the wildlife that was known to inhabit the area. The design criteria establishing the alignment was intended to minimize human dispersion throughout the entire parcel and to concentrate human activity along minimally intrusive access corridors crossing the site. The path was built so that it was located to follow the

natural contour of the land, to minimize scarring from construction and built on open terrain well removed and highly visible to wildlife sheltering in the nearby pristine forest, cliffs and waterways.

The Vail Homeowners Association, since its inception 25 years ago, has advocated for the preservation of the Vail community's natural assets and works diligently to preserve the character of the publically accessible open spaces set aside for those purposes. We have closely followed the Town's deliberation of the proposed amendments to its [Open Lands Plan](#). We note, with concern, the precipitous decline in certain wildlife populations due to urbanization as reported by State Wildlife Officials.

We observe and question whether there is sufficient and detailed independent analysis to verify a proposed additional separate trail for mountain bikes that would be consistent with the intent, purpose and functioning of the Katsos Ranch open space property. The proposed location of the mountain bike path intrudes through the



View from I-70 of Katsos Ranch Open Space, Gore Creek Wetlands and Wildlife preserve.

heart of the forested wildlife shelter zone. In places it traverses old growth Aspen groves, which are a rarity on the floor of the Gore Valley. The rugged terrain of the area, which would be disrupted by the construction of the path, could well leave an unsightly scar on the near pristine natural landscape, one of the most scenic and beautiful views in the community. In addition, any form of competitive mountain biking on such a trail would only further disrupt wildlife. For these reasons, it is requested that the route of the proposed extensions of the Vail Trail through the Katsos Ranch open space be removed from the Open Lands Plan trail recommendations.

We recognize and applaud the Town's effort, during the Cleveland administration, to respond to the increasing demand for recreational bicycling by expanding the aprons along the Frontage Roads, particularly from Ford Park towards East

Vail. These aprons can now serve as a means of diverting all forms of bike traffic around environmentally sensitive open space lands and congested areas of the community. Further, we applaud the creation of an extensive mountain bike trail network on Vail Mountain and urge that the focus of mountain biking remain there. The necessity to receive a promotional accolade as a stellar community for biking should be balanced with a higher need to preserve the natural assets and beauty that is one of the important bedrock principles upon which the success of the Vail community's harmonious sustainability depends.

Katsos - Buffer zone between paved Vail Trail recreation path, Gore Creek wetlands (left) and wildlife sanctuary zone (right).



Katsos - Wetlands near Memorial Park where the lives of those who helped define the Vail community are celebrated.



Attend Town Council OLP Trails Public Hearing August 7th, 2018 – Vail Town Hall

Community Service Link:

**Vail Valley Foundation
Colorado Pro Classic Bike Race Stage 1 & 2
August 16-17 2018
[Vail Road Closures:](#)**

Please provide us with Community service links that you find useful.

VHA Membership:

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THE NEW GOLDEN RULE OF PLAYING OUTSIDE: PLACE FIRST

OUTSIDE MAGAZINE 3/21/16

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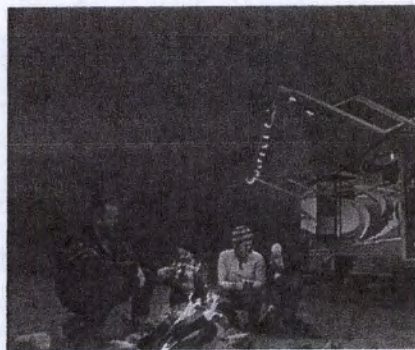
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Even Sierra Club-approved activities can have disastrous effects on the natural places we revere. And that's led to a fracture between two should-be allies: recreationists and conservationists.

Earlier this season, ski tracks appeared on Josies Ridge (http://www.jhnewsandguide.com/news/josies-ridge-poached/image_f303d83f-a03c-510c-9ea6-c3b2424defd8.html) above Jackson, Wyoming. Ski tracks around Jackson usually aren't news. But the Forest Service closes Josies and other areas to recreationists from December through April to give deer and elk a break from human disturbance during the winter. Signs announce the closures.



One week later, skiers poached Josies again.

When we play in the mountains and forests, we think we're simply having fun. (Leaving no trace! Communing with nature!) But whether we're in closed or open areas, studies show that even Sierra Club-approved activities like hiking, cross-country skiing, and bird watching can negatively affect the environment more than you'd think. Take research in Boulder that discovered a roughly 100-yard "death zone" for songbirds on both sides of a trail, as one scientist put it, pointing to low nesting success and lower populations. Moose increased their movement by 33 percent, burning more



energy, after encountering skiers, a study in Scandinavia found. In one not-yet-published survey of 218 studies that looked at the effects of recreation on wildlife, researchers found more evidence for impacts by non-motorized activities than by motorized ones.

Nature once had plenty of elbowroom. Today natural places—those places we like to play in—are increasingly squeezed by climate change and a booming human population. And even our well-meaning recreation can tighten the thumbscrews. A 2015 study estimated that the world's protected areas (<http://journals.plos.org/plosbiology/article?id=10.1371/journal.pbio.1002074>)—most of them in Europe and North America—see a whopping eight billion visits annually. Some form of recreation, from nature walks to rafting and beyond, is permitted in more than 94 percent of protected areas as defined by the International Union for Conservation of Nature. In the United States, the number of people who participated in day hiking increased by nearly 800 percent between 1960 and 2000.

Make no mistake: this is no "save-the-planet, kill-yourself" rant. *Outside* has written about how standing knee-deep in powder on a high ridge is a salve for mind and body. We need more of that, as we spend our days bent in prayer over our iPhones. But it's also true that we're an outsized presence on the land, even when we head there alone and with good intentions. "Cumulatively, we are having effects on those places," says Linda Merigliano, the recreation program manager for three ranger districts of the Bridger-Teton National Forest around Jackson.

The outdoors community has been slow to recognize and concede those effects. Last year, I wrote a similar piece for the *New York Times* (<https://www.nytimes.com/2015/02/15/opinion/sunday/leaving-only-footsteps-think-again.html><http://www.nytimes.com/2015/02/15/opinion/sunday/leaving-only-footsteps-think-again.html>) that provoked dozens of comments about how humans are just as much a part of nature as the wildlife that these restrictions are trying to protect. One such post read:

Nature is not the movie set consisting of a slice of conditions in a moment chosen arbitrarily. It changes. Humans in some form have been part of it for millions of years. We step gently where we go, on the land we paid for. We respect breeding season. But we also believe we are allowed into this slice of nature we are part of.

That's true, but we also need to reflect more deeply on the impact we have when we go into the woods to play, and adjust what we do.

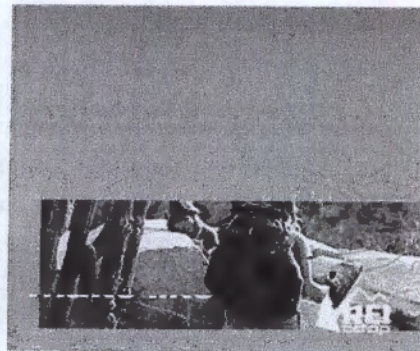
We need a new Golden Rule for the Great Outdoors: Place first.

This simply means that nature's needs come before our recreation ones. A vigorous, healthy natural world props up all the things we love: mountain biking, trail running, the moose we glimpse while backcountry skiing. Let's agree to take care of nature before we demand our own satisfaction. What we love to do naturally will flow from that. More importantly, it will keep flowing.

"If we destroy the place," says Merigliano, "nothing else matters."

Unfortunately, I'd argue that we're failing at that right now.

In some cases, recreationists are trying to introduce new activities on protected land. A group called the Sustainable Trails Coalition (<http://www.sustainabletrailscoalition.org/>) is lobbying for a new bill that would tinker with the 1964 Wilderness Act to give local forest supervisors discretion to open wilderness trails to mountain bikers. "Mechanical transport" is explicitly proscribed in the act, but knobby-tire fans insist this doesn't apply to mountain bikes. (The group's president, Ted Stroll, told me the proposed bill also would allow more liberal use of chainsaws for trail maintenance in wilderness, where mechanized devices are prohibited unless the federal agency determines them necessary for wilderness stewardship or emergencies.)



Sometimes, we're tone-deaf about how we're supposed to approach wild places. You may recall the fallout when ultrarunning legend Scott Jurek beat the record on the Appalachian Trail last summer and celebrated with booze and 16 people (<https://www.outsideonline.com/2001076/scott-jureks-champagne-problems>) atop Maine's Mt. Katahdin. The park, which lies within a state-designated wilderness area, has been wrestling with how to maintain its wilderness character, even as groups like the Appalachian Trail Conservancy are trying to encourage use of the AT. So when the director of Baxter State Park issued citations to Jurek for splashes of champagne on the rocks and a too-big group on the summit, he was doing his job. He wasn't some wet-blanket bureaucrat; he was working to protect nature. Yet it was the director, not Jurek, who caught the most flak from the incident.

These calls to bring more sports or activities to public land can sometime align recreationists with people who have the opposite agenda.

Out West, packrafters enlisted Wyoming Representative Cynthia Lummis, a Republican who's no fan of public lands, to help pass a law ordering Yellowstone and Grand Teton national parks to do a feasibility study of recreational paddling. Environmentalists fear moves like this could lead to trouble down the road. "Legislating special access to a national park by a specific user group is a bad precedent," Bart Melton of the National Parks Conservation Association told Frederick Reimers in *Mountain* magazine (<http://www.mountainonline.com/who-speaks-for-rivers-yellowstone-paddling-controversy/>). "Not only for Yellowstone, but for all our parks."

I'm not anti-bike or anti-packrafting; I've done both activities for this magazine. What bothers me about these examples is the loss of perspective they represent. These packrafters and mountain bikers are focused on doing what they want, where they want. When they can't, they often use words like "discrimination" (<http://www.bikemag.com/features/taking-wilderness-debate-washington-d-c/#BuLRS1I6dh7wwIBQ.97>) instead of asking whether more for them is really what's right for the land. If those who say they love the land the most don't think restraint applies to them, who does it apply to?

Agreeing on the idea of "place first" means accepting the idea that we'll sometimes have to make sacrifices—in access, in convenience—in order to sustain the nature that makes it all possible.

Some of those changes have already taken place around the West: buses that bring people into Zion and Denali national parks to reduce car traffic and ease wildlife issues; restrictions on the number of people who can float Idaho's Selway River through the Selway-Bitterroot Wilderness. For more than two decades, Grand Teton National Park has closed some areas to backcountry skiing to give room to beleaguered bighorn sheep. People find such tradeoffs acceptable when they understand why they're necessary, and—in the case of Zion—when the resulting experience is better because of them, says Christian Beckwith, co-founder of *Alpinist* magazine and the founder of the SHIFT conference, which aims to unite the recreation and environmental community (<http://shiftjh.org/>).

As a recreation community, we should not only be prepared to accept more such temporal restrictions—we should also embrace and support them, if science tells us they work. In San Diego County, which has many endangered species, one such solution could be managing conservation across a broader landscape instead of in just one park, says Colorado State University researcher Sarah Reed. That might mean allowing more intense recreation in some natural areas and less in others, she says.



In the Bridger-Teton National Forest around Jackson, the future looks like a managed system that balances several uses in the "frontcountry" near town, rather than pushing more people into the backcountry to disperse the crowds. That gives wildlife such as bears more room to roam without conflict, says the Forest Service's Merigliano. To work, the plan requires data on how people recreate: creating short hiking-only loops close to town for folks such as seniors who want a walk, for instance, or experimenting with alternate-day use for mountain biking on trails. "Our mantra has become, 'The right use in the right location at the right time,'" Merigliano says.

Perhaps most important, the public needs to talk about the goal for any newly acquired natural area before it opens, says Reed. Once recreation is allowed in a location, it's seldom curtailed.

Merigliano and Beckwith are optimistic that recreation and conservation can get along and boost one another. People

really do care, says Merigliano. "It's that they are focused on doing their own fun thing."

"We've all got to give a little bit," she adds. "Compromise is not a dirty word. There has to be some restraint."

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By: Alan Arnette

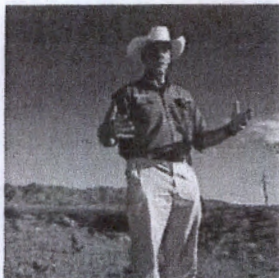
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Secretary Zinke Won't Make Companies Pay for Damaging Public Lands

By: The Editors

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Westerners (Blue or Red) Aren't Happy with Zinke

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