

APPENDIX A16

LAND USE TECHNICAL MEMORANDUM

FOR THE State Highway 9 Iron Springs Alignment Environmental Assessment

Prepared for

COLORADO DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

Prepared by

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ACRONYMS

CDLT	Continental Divide Land Trust
CDOT	Colorado Department of Transportation
EA	Environmental Assessment
FHWA	Federal Highway Administration
EIS	Environmental Impact Statement
ROD	Record of Decision
ROW	right of way
SH 9	State Highway 9
TDR	Transfer Development Rights
WRNF	White River National Forest

1 **INTRODUCTION**

2 This technical memorandum has been prepared in support of the State Highway 9 (SH 9) Iron
3 Springs Alignment Environmental Assessment (EA). The purpose of this document is to present
4 the analysis of the current land use conditions for the SH 9 study area and the possible impacts
5 and mitigation of the Proposed Action and No Action Alternative plans. The EA study area
6 includes the Town of Frisco and parts of unincorporated Summit County and White River
7 National Forest (WRNF) land.

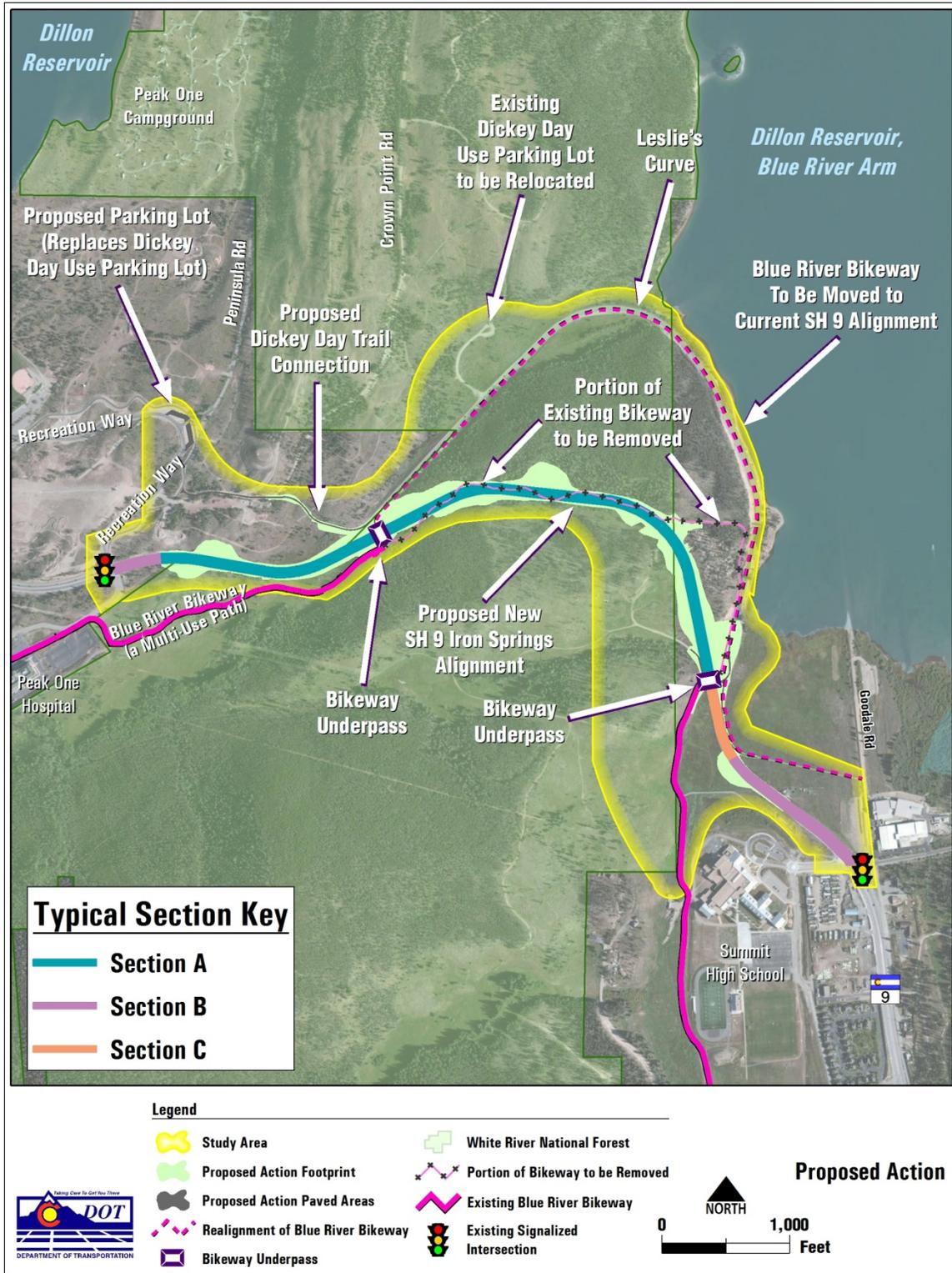
8 **PROPOSED ACTION**

9 As part of implementation of the SH 9 improvements between Frisco and Breckenridge, the Colorado
10 Department of Transportation (CDOT) and Federal Highway Administration (FHWA) are proposing to
11 realign approximately 1.3 miles of existing SH 9 just south of the Town of Frisco, Colorado (see
12 **Figure 1**). This stretch of SH 9, which falls between mileposts 93 and 95, would be realigned to
13 provide a four-lane reduced section roadway away from Dillon Reservoir. This Proposed Action, also
14 referred to as the Iron Springs Alignment, would shorten SH 9 by approximately 0.4 mile. The
15 Proposed Action would provide roadway safety benefits, as well as water quality and drinking water
16 protection benefits, as a result of straightening the highway to remove a tight, compound curve
17 (known as Leslie’s Curve), which is in close proximity to Dillon Reservoir. The existing condition on
18 Leslie’s Curve is considered substandard and contributes to accidents in the area.

19 The Proposed Action would include realignment of a portion of the existing Frisco-Farmer’s
20 Korner-Blue River Bikeway (also referred to herein for brevity as the Blue River Bikeway or
21 bikeway). This portion of the bikeway would be moved to the alignment currently occupied by
22 SH 9, would be approximately 0.4 mile longer than the existing bikeway, and would be at a
23 gentler grade than the current alignment. In addition, the Dickey Day Use Parking Lot would be
24 moved west to a new parking lot to be constructed as part of the project, with access provided
25 via Recreation Way using the existing signalized intersection at SH 9 and Recreation Way. A new
26 trail connection would be provided to link the proposed parking lot with the realigned bikeway
27 and existing trail, which currently begins at the old Dickey Day Use Parking Lot.

28 Additional detail regarding the Proposed Action, including typical sections, is provided in the EA
29 main text and the project drawings provided in Appendix A1 of the EA.

1 **Figure 1 Proposed Action**



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1 **NO ACTION ALTERNATIVE**

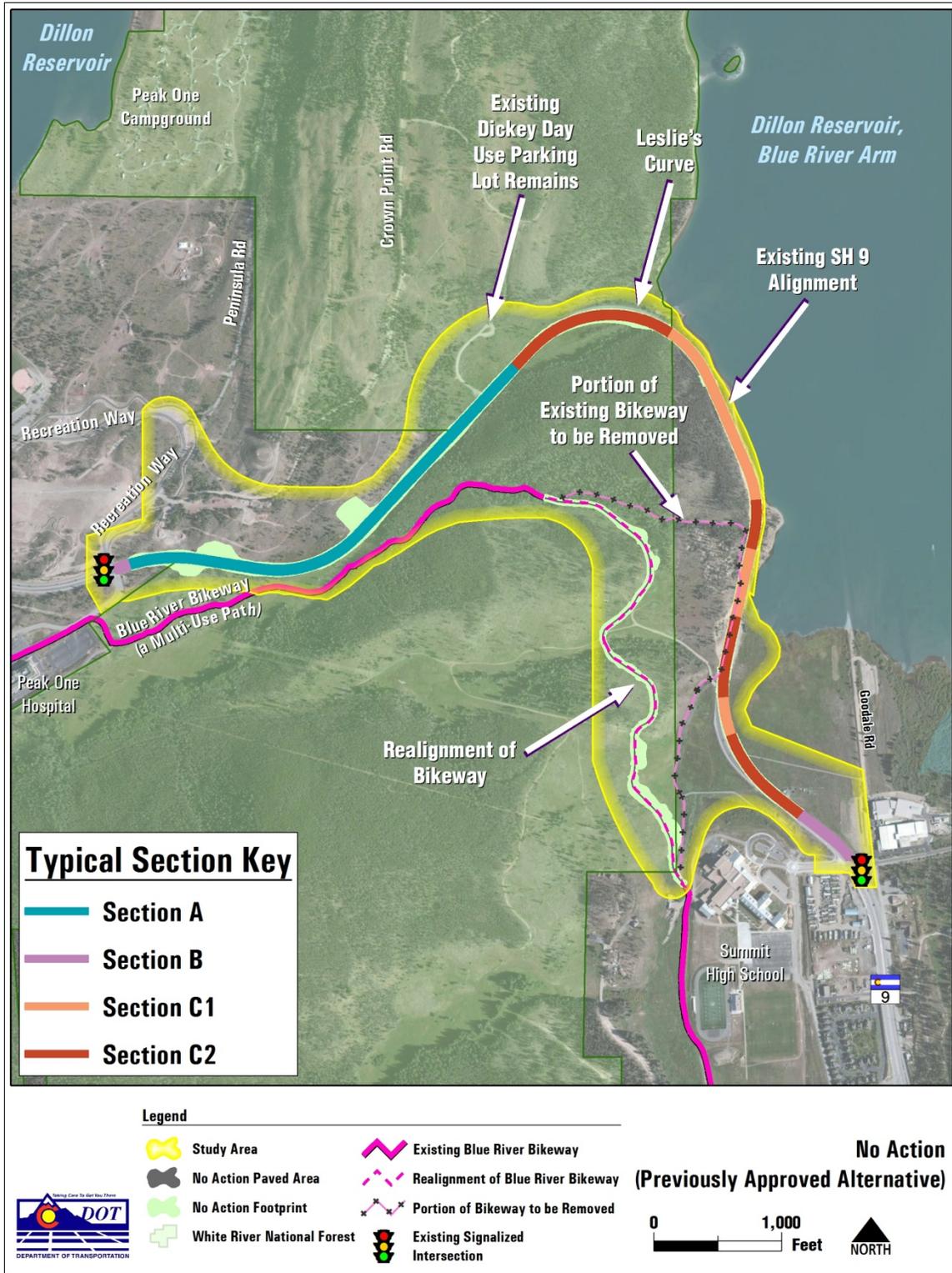
2 If the Proposed Action is not selected for implementation, SH 9 would be widened to provide a
3 four-lane reduced section roadway along the existing alignment as previously approved in the
4 SH 9 Frisco to Breckenridge Environmental Impact Statement (EIS) and Record of Decision (ROD)
5 (CDOT and FHWA, 2004a; 2004b) (**Figure 2**). The 2004 Preferred Alternative is considered the
6 “No Action Alternative” for this EA and is used as a baseline for comparison with the Proposed
7 Action. These improvements would be implemented if the Proposed Action is not selected.

8 Widening along the existing alignment would require large rock cuts and retaining walls
9 (problematic to design and construct), and the highway would remain in close proximity to
10 Dillon Reservoir. The length of SH 9 would remain the same as that of the existing highway. The
11 tight Leslie’s Curve would not be eliminated; however, safety features such as a barrier between
12 opposing lanes would be installed to improve safety.

13 With this alternative, approximately 0.8 mile of the existing Blue River Bikeway would be
14 realigned to allow space for the highway widening. The length of bikeway would not change
15 appreciably and the current relatively steep grades on the path would remain.

16 Additional detail regarding the No Action Alternative, including typical sections, is provided in
17 the EA main text and the project drawings provided in Appendix A1 of the EA.

1 **Figure 2 No Action Alternative (Previously Approved)**



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1 LAND USE

2 *Current Land Use*

3 General land use in the EA study area consists of open space and community facilities in the
4 Town of Frisco, Dillon Reservoir areas controlled by Denver Water, Summit County facilities,
5 Summit County School District facilities, and WRNF land. There is also one private parcel that
6 contains a private residence known locally as the Antler House. **Figure 3** shows land use within
7 the study area. Existing land use information was collected from multiple master plans in the
8 region: Summit County, Ten Mile Basin Master Plan, Upper Blue Basin Master Plan, Town of
9 Frisco Community Plan, and the *White River National Forest Land and Resource Management*
10 *Plan*.

11 *Future Land Use*

12 The EA study area falls within the planning areas for the Town of Frisco, Summit County, and the
13 USFS WRNF. The following documents were referenced regarding land use planning in the study
14 area:

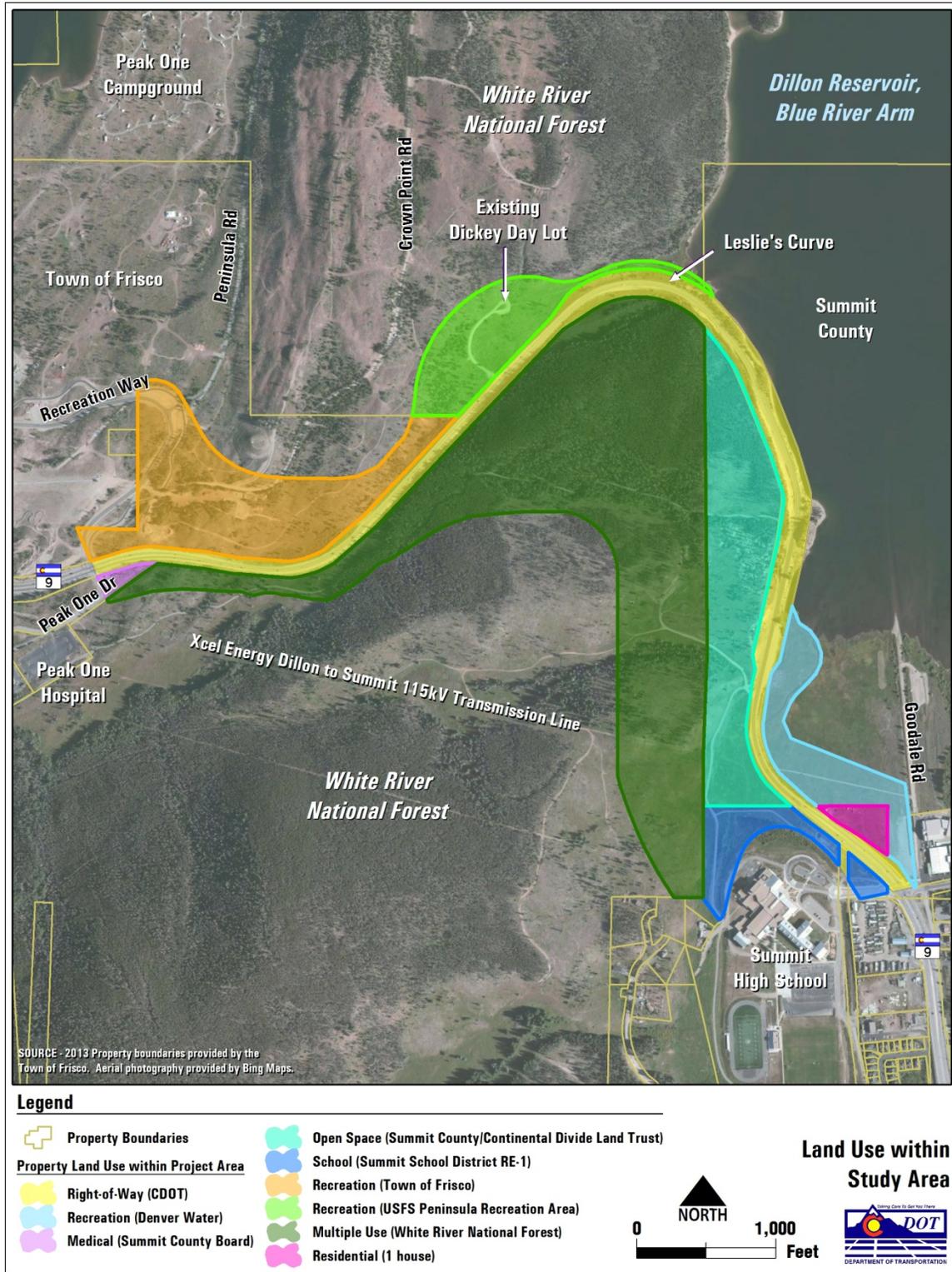
- 15 • Summit County, *Countywide Comprehensive Plan*, October 2009
- 16 • Town of Frisco, *Frisco Community Plan*, 2011
- 17 • Town of Breckenridge, *Comprehensive Plan*, March 2008
- 18 • *Ten Mile Basin Master Plan*, January 2010 (Summit County, 2010a)
- 19 • *Upper Blue Basin Master Plan*, February 2010 (Summit County, 2010b)
- 20 • U.S. Forest Service, *White River National Forest Land and Resource Management Plan*,
21 2002

22 Most of the land in the study area is publically owned, with long-term management plans and
23 objectives in place. The land use for these properties is not likely to change appreciably in the
24 foreseeable future.

25 The *Countywide Comprehensive Plan* identifies the following goals for future land use in the
26 county:

- 27 • Focus development within existing urban areas
- 28 • Future land use decisions in rural areas should be consistent and harmonious with the
29 rural character of the land
- 30 • Maintain the current level of density in Summit County
- 31 • Guide the appropriate development of land through the County’s master plans and
32 development regulations
- 33 • Encourage the use of Transfer Development Rights (TDR) as a means of protecting
34 sensitive lands, directing growth to areas appropriate for accommodating growth or to
35 mitigate other issues that may arise in development review applications
- 36 • Coordinate land use issues so that planning between different jurisdictions and agencies
37 is consistent

1 **Figure 3 Project Area and Current Land Use**



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1 The *Frisco Community Plan* outlines ten quality of life goals as a means to guide the
2 development of the Town of Frisco:

- 3 • Promote and celebrate art and culture
- 4 • Encourage land uses and architectural styles that maintain mountain town characteristics
- 5 • Provide high-quality community services while ensuring adequate resources available
6 over the long term
- 7 • Support zero waste principles and encourage resource conservation
- 8 • Promote a diverse, sustainable year-round economy
- 9 • Recognize the importance of ensuring a variety of housing opportunities
- 10 • Encourage healthy lifestyles that support good physical health and mental well-being
- 11 • Protect natural resources while promoting sustainable practices and policies
- 12 • Celebrate active mountain lifestyles with diverse year-round recreational opportunities
- 13 • Provide a safe and efficient multi-modal transportation system.

14 The *Frisco Community Plan* does not identify future changes in land use in the SH 9 project area.

15 The Town of Breckenridge *Comprehensive Plan* expects new development and redevelopment
16 along the SH 9 corridor. This project area, within the 3-mile area of influence, is seen as the
17 gateway to the Upper Blue Basin and the Town of Breckenridge. The Town of Breckenridge plans
18 to work closely with Summit County officials to provide guidance for future land use decisions
19 along this corridor.

20 The *Ten Mile Basin Master Plan*, in accordance with the Summit Countywide Comprehensive
21 Plan, works to identify urban and rural land use areas. From these designations, the Ten Mile
22 Basin Master Plan allocates build-out capacity for the basin. Therefore, TDRs promote the use of
23 infill development and restrict new development, thereby, protecting the local natural
24 resources.

25 The *Upper Blue Basin Master Plan* aims to protect the backcountry character of the basin and to
26 accommodate appropriate density to urban and rural designated areas. In accordance with the
27 Summit Countywide Master Plan, the Upper Blue Basin Master Plan identifies unincorporated
28 areas as potential urban and rural land use designations for build-out potential. Again,
29 implementation of TDRs aims to protect local natural resources.

30 The *White River National Forest Revised Land and Resource Management Plan* provides
31 guidance for management activities in the WRNF. This guidance includes goals and objectives,
32 standards and guidelines, management area prescriptions, monitoring and evaluation
33 requirements, designation of lands, and recommendations for the establishment of special
34 designation areas.

35 The goals and objectives of the management plan outline the following six programs:

- 36 • Protect ecosystem health to ensure the protection and promotion of threatened and
37 endangered species;
- 38 • Provide a variety of uses for present and future generations of National Forest users
- 39 • Develop and use the best scientific information to support ecological, economic, and
40 social sustainability

- 1 • Deliver efficient and effective public service in the forms of safe and up-to-date facilities
2 and access to information
- 3 • Engage public collaboration in the stewardship of National Forest lands
- 4 • Incorporate tribal resource management values into the management of National Forest
5 lands

6 Management area prescriptions provide direction for the multiple uses within the WRNF. Seven
7 categories encompass the entirety of the WRNF. These categories include the following:

- 8 1. Management area options for designated wilderness and other minimal-use areas
- 9 2. Research natural areas and minimal-use special areas
- 10 3. Management areas that balance ecological values with human occupancy
- 11 4. Management areas that emphasize scenic values and recreation
- 12 5. Primarily forested areas that meet a variety of ecological and human needs
- 13 6. Public lands intermingled with private lands
- 14 7. Ecological conditions and processes that are likely to be permanently altered by human
15 activities.

16 With respect to the project area, category five represents the National Forest lands. Within this
17 category, elk habitat and developed recreation are identified for specific areas of National
18 Forest lands.

19 IMPACTS

20 Impacts to land use from the No Action Alternative and the Proposed Action are described
21 below.

22 *No Action Alternative*

23 The No Action Alternative will require right-of-way (ROW), by acquisition or easement, from the
24 USFS, Town of Frisco, and the Summit County owned parcel with conservation easement owned
25 by the Continental Divide Land Trust (CDLT) for the highway widening and associated activities.
26 These acquisitions/easements would mainly be adjacent to the existing highway and would not
27 involve changes in the land use of the overall properties. In addition, one private parcel with an
28 existing residence (Antler House) has been identified as a full acquisition, which would be a
29 change in use for this specific parcel. Bikeway relocation would require amendment of the USFS
30 Special Use Permit granted to Summit County. Acquisitions and easements are described in
31 detail in Appendix A18, *Right-of-Way Technical Memorandum*.

32 The implementation of the No Action Alternative would not be expected to cause land use
33 changes outside those identified in the study area.

34 *Proposed Action*

35 The Proposed Action will require additional ROW, by acquisition or easement, from the USFS,
36 Town of Frisco, and Summit County-CDLT. In addition, one private parcel with an existing
37 residence (Antler House) has been identified as a full acquisition (to be confirmed in final
38 design), which would be a change in use for this specific parcel. Bikeway relocation would
39 require amendment of the USFS Special Use Permit granted to Summit County. These ROW

1 acquisitions and easements are discussed in Appendix A18, *Right-of-Way Technical*
2 *Memorandum*.

3 The main change in land use with the Proposed Action will be the realignment of a portion of
4 SH 9 across Summit County-CDLT open space land (to be acquired through a land exchange) and
5 across WRNF multiple use land (through a new Highway Easement Deed). Complementing this
6 change will be a change in land use for this existing portion of SH 9 from highway to bikeway.

7 The realignment of SH 9 will shorten the current length by 0.4 miles while eliminating Leslie's
8 Curve and improving roadway safety. The bikeway between Frisco and Breckenridge will be
9 longer by 0.4 miles, but the grade will be gentler for pedestrians and cyclists. The Proposed
10 Action supports the Frisco Community Plan for providing a healthy lifestyle through walking and
11 biking, and the multi-modal transportation recommendation. Likewise, the *Breckenridge*
12 *Comprehensive Plan* emphasized the importance of this corridor as a gateway to town thereby
13 prioritizing the planning coordination activities between Summit County, and the towns of
14 Breckenridge and Frisco. Approximately 7.4 acres of Summit County-CDLT conservation space
15 would be exchanged for approximately 12 acres of current CDOT ROW resulting in a net
16 increase of conserved acreage (CDOT, 2013). This would result in a net benefit from the change
17 of land use from transportation to conservation.

18 The implementation of the Proposed Action would not be expected to cause land use changes
19 outside those identified in the study area.

20 MITIGATION

21 No substantial land use impacts outside the study area will be associated with the No Action
22 Alternative or the Proposed Action.

23 The Proposed Action will require coordination between CDOT and Summit County-CDLT for a
24 land exchange, and coordination with local agencies for future land use along the realigned
25 corridor. There will be a net benefit of approximately 4.6 acres associated with the change of
26 land use from transportation to conservation.

27 In addition, the Proposed Action will require a new Highway Easement Deed to be executed
28 with USFS for realignment of SH 9 through multiple use forest land.

29 REFERENCES

30 Colorado Department of Transportation (CDOT) and Federal Highway Administration (FHWA).
31 2004a. *State Highway 9 Frisco to Breckenridge Final Environmental Impact Statement and 4(f)*
32 *Evaluation*. February. [Note: This document is an abbreviated Final EIS which incorporates the
33 Draft EIS, constituting the complete Final EIS.]

34 Colorado Department of Transportation (CDOT) and Federal Highway Administration (FHWA).
35 2004b. *State Highway 9 Frisco to Breckenridge Record of Decision*. May.

36 Continental Divide Land Trust (CDLT). 2013. *Iron Springs Open Space Proposed Amendment and*
37 *Restatement of the Deed of Conservation Easement White Paper*. March.

38 Summit County. 2009. *Countywide Comprehensive Plan*. October.

39 Summit County. 2010a. *Ten Mile Basin Master Plan*. January. Prepared by the Ten Mile Planning
40 Commission and Summit County Planning Department.

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- 1 Summit County . 2010b. *Upper Blue Basin Master Plan*. February. Prepared by the Upper Blue
- 2 Planning Commission and the Summit County Planning Department.
- 3 Town of Frisco. 2011. *Frisco Community Plan*. 2011
- 4 Town of Breckenridge. 2008. *Comprehensive Plan*. March.
- 5 U.S. Forest Service. 2002. *White River National Forest Land and Resource Management Plan*.