COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

May 6, 2016

Neal Starkebaum
Gunnison County Community Development
221 N. Wisconsin Street Suite D
Gunnison, CO 81230

Re: Slate River Development Subdivision Sketch Plan
Section 35, T13S, R86W 6th PM
Water Division 4, Water District 59

Dear Mr. Starkebaum:

We have reviewed the above referenced proposal. Because this proposal is a sketch plan where, in general the water supply may not be finalized, and not a preliminary plan, we are not at this time providing an opinion pursuant to Section 30-28-136(1)(h)(1), C.R.S., as to whether the proposed water supply plan will cause material injury to existing water rights. Instead we would like to offer general comments on the proposed water supply and defer providing an opinion until the preliminary plan is filed.

From the information provided, the above sketch plan proposal is to subdivide a parcel of 30.4 acres into 23 single family lots; each allowed a main residence and a secondary dwelling unit (SDU), and 2,500 square feet of lawn and gardens. The applicant also proposes a 0.46 acre community park. The proposed water supply will be through central wells that will operate pursuant to a plan for augmentation. Wastewater treatment is to be provided by the Town of Crested Butte.

Water requirements for the development are estimated to be 0.39 acre-feet per year for in-house use for each single family dwelling and SDU, for a total of 18.0 acre-feet per year, based on 350 gallons per day per single family residence and SDU. Irrigation requirements are based on a calculated 1.42 acre-feet per acre and 80% irrigation efficiency. For the total 1.78 acres of lawn and gardens (1.32 acres within the development and the 0.46 acre park) total irrigation requirements are calculated to be 3.2 acre-feet.

The source of water for the development is to be from central wells. The groundwater source of the proposed water supply would be from, or tributary to, the Slate River. This area of the river basin is over-appropriated; therefore, a court decreed plan for augmentation plan is required to offset depletions caused by the pumping of any wells within the subdivision. The applicant has indicated that they would either seek a contract with the Upper Gunnison Water Conservancy District for augmentation water, or develop a new augmentation plan to replace out-of-priority depletions. As of the date of this letter, neither has a contract been finalized with the Upper Gunnison Water Conservancy District or an augmentation plan been approved by the Division 4 Water Court. Without a signed contract or approved augmentation plan, well permits to construct wells to supply the development cannot be issued.

If you or the applicant has any questions concerning this matter, please contact me for assistance.

Sincerely,

Megan Sullivan, P.E.
Water Resource Engineer

cc: Bob Hurford, Division Engineer
District 59 Water Commissioner

COLORADO
Parks and Wildlife
Department of Natural Resources

Gunnison Office
300 W New York
Gunnison, CO 81230
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May 5, 2016

Neal Starkebaum
Gunnison County Planning Department/Community Development
221 N Wisconsin
Gunnison CO 81230

RE: Slate River Development Subdivision

Dear Mr. Starkebaum,

My staff has reviewed the Slate River Development Subdivision request submitted by Cypress Foothills, LP, which proposes dividing 30.4 acres into twenty-three single family lots, with an allowance of a secondary residential unit on each lot. They have also visited the site, which is composed of gently rolling sage brush and grass hills, wetland meadows and riparian habitats. The site is located north of and adjacent to the town of Crested Butte, south of Gunnison County Road 317 (Gothic Road) and lies both east and west of the Slate River. The location is bounded on the north by the CR 317, and the Crested Butte Cemetery, on the east by Foxtrot Subdivision and the Moon Ridge development, and by the Town of Crested Butte on the south and west.

The proposed subdivision is located within mapped Canada goose production area, black bear / human conflict area, and in the path of an elk migration route. Prairie dogs, cotton tail rabbits, striped skunks, red fox, and coyotes would also be expected to inhabit the area, along with numerous other small mammals and an occasional mountain lion.

Black bears will likely be a significant wildlife concern with this development. The adjacent communities of Crested Butte and Mt. Crested Butte have a history of human/bear conflicts. Both towns host several "resident" bears, which will check trash cans and dumpsters nightly in search of an easy meal. The resulting conflicts are directly linked to the communities' management of outside pet food, bird feeders, and the improper storage of household and commercial (food service) waste. To avoid human/bear encounters, the storage and handling of trash should be given a high priority. Colorado Parks and Wildlife's "Living with Wildlife in Bear Country" brochure provides guidance on proper trash management and other tips to avoid creating a "nuisance bear". The use of bear-proof trash containers is proven the safest and best technique to avoid human/bear conflicts. Although feeding birds is legal, it is known to attract bears and other wildlife which could result in human conflicts.

Canada geese "lay-over" during fall and spring migrations and may nest in the area. Harassment of geese by residents and their pets could become a concern, as could the degradation of greenbelts / lawns by the presence of numerous geese.

The proposed subdivision lies within potential historic boreal toad habitat. No recent records of toads exist in this area; however it is possible that a toad could be encountered at the site. Normal protection of riparian habitat should mitigate potential impacts to toads. If toads are observed, Colorado Parks & Wildlife would like to be advised of it.

In Gunnison County, where subdivisions encroach upon mountain lion habitat containing an abundance of prey (geese, concentrations of elk, etc.), encounters between lions, humans and their pets and livestock may arise. Mountain lions have been reported in this area. Colorado Parks and Wildlife's brochure entitled "Living with Wildlife in Lion Country" provides good information to help residents reduce the potential for conflicts with mountain lions.

Bob D. Broscheid, Director, Colorado Parks and Wildlife • Parks and Wildlife Commission: Robert W. Bray • Chris Castillan, Chair • Jeanne Horne, Vice-Chair
John Howard • Bill Kane • Dale Pizzi • James Pribyl, Secretary • James Vigil • Dean Wingfield • Michelle Zimmerman • Alex Zipp

"Household" pets, such as cats and dogs, present perhaps the greatest threat to native wildlife when a new development is created. Dogs allowed to roam may "pack-up" and harass and kill deer and other wildlife. Dogs outside their yard, kennel or dog run should be on a leash or otherwise under direct control. *(In areas known to be frequented by mountain lions, it is strongly recommended that tops be included on dog runs and/or kennels to avoid potential predation).* Domestic cats are formidable hunters, and can devastate populations of local birds and small mammals. They may also attract and ultimately become prey for coyotes, foxes, lions, and bears. Consideration should be given to the potential impacts and conflicts that could result from free ranging domestic cats. Pet food left outside may attract bears and other predators as well as nuisance wildlife species.

The development of this subdivision will essentially put a stopper in the narrow "bottle-neck" which migrating elk must navigate from the upper Slate River valley toward their winter range to the south. In fall, 200-300 head of elk will congregate in the wetlands north of Gothic Road, then attempt en mass to run the gauntlet of civilization between the Slate River wetlands to the relative security of undeveloped ranchlands south of Brush Creek. Currently, the migrating herds move through the area on the east side of the Slate River, across CR 317, negotiating several fences of various designs before reaching the undeveloped lands in the south. Assuming the elk continue to use this route post development, fence repair will likely become an annual spring chore for home owners. Fences should be minimized to facilitate wildlife movements, optimize habitat availability, and reduce wildlife mortality. We recommend that fence construction, whether of wire, wood, electric, or synthetic, be wildlife friendly (not exceed 42 inches in height, and not restrict movement of deer or elk). "Fencing for Man and Beast" is a booklet available from Colorado Parks and Wildlife to help land owners construct wildlife friendly fences that suit their needs. Ultimately however, development of this parcel will likely lead to a necessary shift in the migration patterns of these elk, which could result in other issues such as increased game damage, vehicle collisions, etc.

As the Gunnison Basin continues to develop, habitat available for use by wildlife is incrementally lost and conflicts with wildlife will increase. Although this project in itself affects only a small fragment of available habitat, the effects of development are cumulative, and should be considered as such. We strongly encourage the proponent to advise potential property owners of wildlife that inhabits the area, and ways to avoid and reduce human/wildlife conflicts. Thank you for the opportunity to comment on this land use change.

Sincerely,

J Wenum
Area Wildlife Manager - Gunnison

Cc: Patt Dorsey, SW Region Manager
Chris Parmeter, District Wildlife Manager
SW Region file

CRESTED BUTTE FIRE PROTECTION DISTRICT
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CRESTED BUTTE, COLORADO 81224
(970) 349-5333 FAX: (970) 349-3420 cbfpd.org

May 11, 2016

Gunnison County Planning Department
Attn: Neal Starkebaum
Assistant Director
221 N. Wisconsin Street, Suite D
Gunnison, CO 81230

Letter # 2016-2-036

RE: Review and comments for the proposed Cyprus Foothills Slate River Development Land Use Change located north of and adjacent to the Town of Crested Butte, East of County Road 317, a portion of Tract Q, within the SW ¼ Section 35, Township 13 South, Range 86 West, 6th P.M.

Dear Neal,

The Fire Division of the Crested Butte Fire Protection District (CBFPD) has received the Sketch Plan Application packet for the above noted project. After reviewing the proposal, we have the following comments.

We note that:

1. The proposed development is within the boundaries of the CBFPD.
2. Cyprus Foothills proposes 23 residential homes and a maximum of 23 accessory dwelling units on 30.4 acres.
3. The proposed development is in the LOW wildfire hazard zone per the Gunnison County Wildfire Hazard map.
4. Average Daily Trips for the East Parcel equals 460, at full buildout.
5. There are two proposed bridges on Road A.
6. The potential for Eighth Street to connect with Road A north of Butte Avenue.
7. The potential for non-motorized pedestrian access to the Property from Butte Avenue.
8. The proponent states the covenants for the subdivision will include reasonable provisions for the mitigation of wildfire hazards, including language ensuring compliance with the requirements of the CBFPD with authority to enforce such provisions. In addition, they have entered into preliminary discussions with the CBFPD for compliance with access and water supply.
9. The proponent references the BWC Water Supply Planning Report stating that wells will supply an adequate quantity of water including but not limited to irrigation, fire flow, and potable water demands.
10. The maximum floor area of all buildings on a lot in the East Parcel shall not exceed 5,750 square feet in the aggregate, consisting of 5,000 square feet main residence and 750 square feet detached accessory buildings.
11. EX 1-4 Utility Development Layout Map, 2 of 5, shows proposed eight inch water lines and fire hydrant locations.
12. BIKIS Water Supply Plan proposes 1,000 gallon per minute for duration of two hours and that fire flows will be met and supplied by a 180,000 gallon water storage tank.

13. Exhibit X Narrative of Covenants, section 6, states all buildings and other improvements will meet all of the requirements, including fire protection standards, of the applicable building code or fire code of Gunnison County.
14. Exhibit X Narrative of Covenants, section 8, states the Covenants will allow one solid fuel-burning device in each single family residence and one additional solid fuel-burning device in a non-residential structure that is accessory to a residence.

Regarding bullet point 5 above, bridges shall have their weight limit posted on both sides of the bridge(s).

Regarding bullet points 6 and 7 above, CBFPD encourages more than one point of access to the subdivision. We strongly recommend the completion of Eighth Street north of Butte Avenue to Road A and also strongly recommend that the non-motorized pedestrian path be engineered to accommodate access of emergency apparatus. It is unclear where this would be provided.

Regarding bullet points 8 and 13 above, CBFPD strongly recommends to *not allow wood shake shingles* or other combustible roofing materials and compliance with Fire Wise construction methods.

Regarding bullet points 9, 10 and 12 above, the BWC Water Planning Report refers to the 2009 International Fire Code (IFC) Appendix B regarding fire flow demands. The County has adopted the 2003 IFC including Appendix B, which states that Type V structures 5,000 square feet in size require 2,000 gallons per minute for duration of 2 hours. This results in 240,000 gallons of stored water. The report references an 180,000 gallon storage tank but does not propose a location for said tank. Section B105.1 of the 2003 IFC states the minimum fire flow for one- and two-family dwellings not exceeding 3,600 square feet shall be *1,000 gallons per minute*. It is possible that the BWC report misinterpreted this section. Section B105.1 also allows a reduction in required fire flow of 50 percent as approved, when the building is provided with an approved automatic sprinkler system. CBFPD strongly recommends language in the Covenants that require a monitored, automatic fire suppression system in all residences.

Regarding bullet point 11, the proposed layout for the fire hydrants is acceptable.

Regarding bullet point 14 above, we strongly recommend spark arrestors on chimney terminations and allowing only listed and approved chimney caps/shrouds that allow access for cleaning and servicing said *chimneys*.

In conclusion, CBFPD has no objections to the proposed Land Use Change as submitted with the exception of the bullet points noted above. This review does not constitute an approval of any kind. CBFPD looks forward to reviewing detailed plans and working with the proponents and Gunnison County in the completion of this project.

Review fees for this project are yet to be determined.

If you have any questions, or need further clarification, please contact our office.

Respectfully,

Scott Wimmer
Fire Inspector
Crested Butte Fire Protection District

Ric Ems
Fire Chief / Fire Marshal
Crested Butte Fire Protection District