



October 31, 2019

Morgan Landers, AICP
Senior Planner
Planning Department
Eagle County
Via email

Re: Edwards RiverPark PUD - Response to Referral Comments

Dear Morgan:

The Edwards RiverPark team has been hard at work attempting to address the comments we received in the referral agency/organization process. Our changes and responses also address feedback we received from the general public via our extensive community outreach effort, or via written input to the county. There have been significant changes to the PUD Guide, PUD Zoning Plan, and the conceptual development plan for the PUD. In addition to the compelling project elements and many community benefits, the highlights of the changes are:

- An increase to the acreage in parks and open space - added three park areas;
- A reduced development footprint;
- Addressed comments from Colorado Parks and Wildlife and added wildlife movement corridors and open space parcels;
- Seeking a conservation easement on the critical open space parcels with Colorado Open Lands, a Colorado Land Trust founded in 1981 which holds 426 easements in 44 Colorado Counties preserving over 510,000 acres;
- The removal of stormwater basins within the wetland areas - impacts limited to elevated boardwalk and amphitheater;
- The addition of a wetland setback and provision of water quality monitoring and maintenance of facilities;
- A reduction of commercial floor area to 51,500 sq. ft. resulting in a 25% reduction in traffic onsite;
- Traffic volume is reduced below that assumed with the 2017 Sketch Plan approval;
- The removal of request for Traffic Impact Fee credit - full amount to be paid;
- Further efforts to address additional wildlife enhancement ideas and Eagle River Preserve interface;
- The refining of allowed uses throughout the planning areas; and
- Modification to the workforce housing component of the PUD, exceeding the County Housing .

We are appreciative of the input to make this a better project and we are excited to move forward in the review process.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Mauriello', is written over a white background.

Dominic F. Mauriello, AICP
Principal

Edwards RiverPark Referral		Comments and applicant response			
10/30/19					
Department	Topic	General Description	Applicant Response	Location in the submittal	
1 Engineering	Highway 6 setback	Variation to front setback from Hwy 6, impacts of widening it	No impacts to widening highway 6 to property line, proposing to keep 25 ft. setback, like many other properties along Highway 6 in Edwards and Eagle Vail. The PUD was revised with provisions for requiring a percentage of the building frontage to be open and provision allowing encroachments of roof overhangs and balconies has been eliminated.	PUD Guide section 6	
2 Engineering	Floodplain	Remove flood plain variation request			
3 Engineering	Wetlands/Stream setback	Variations for improvements in stream setback (wetlands) does not conform with "avoiding environmental resources"	Stormwater improvement were removed from the floodplain. No improvements are proposed within the 75' stream setback. Boardwalk and amphitheater, both elevated improvements are proposed in the flood plain outside of the 75' setback. The project does avoid environmental resources. Minor temporary wetland impacts may be required for storm pipe outfalls.	See civil plans	
4 Engineering	Highway 6 impacts, widening	Need to request variation from LOS C, alternative widening threshold of CDOT OTIS capacity	Variation has been added. The current LOS on Highway 6 is LOS D/E which is already below the County standard. The project does not trigger a reduction in LOS. The project is paying impact fees as required by the regulations.	Submittal narrative	
5 Engineering	Highway 6 impacts, widening	Need to address that project has enough benefit that we don't need to widen Hwy 6	The project, among other benefits, is fully funding the proposed roundabout, and an approximately \$4 million improvement. The project is also paying the required road impact fees for the PUD. Impact fees represent a projects proportional share of costs on impacts to roadways within the area. These fees are intended to fund future road widening projects, such as Highway 6. Additionally, the project will generate significant revenues to the Edwards Metro District and these funds are used for roadway improvements that could also apply to Highway 6 and other beneficial road projects in the Edwards Area.	Submittal narrative	
6 Engineering	Parking	Variations to parking require: comprehensive parking plan, demonstration of peak use times to support reductions, details of dwelling unit sizes/commercial sizes to calculate parking, details on valet, ADA parking	Every use within the project will be parked in accordance with the parking and development standards established by the PUD Guide. Every building will include structured parking. The details of how each building will be parked is covered during the building permit process. However, we have provided some conceptual plans showing how the parking could occur on the property. We have not provided details on ADA parking or the valet program at this point in the process as that is more typically required at building permit. Again, parking will need to comply with the standards proposed. Information in support of the parking reductions has been provided in the submittal narrative.	Submittal narrative, attached parking plans.	
7 Engineering	Adequate facilities	Clarify the benefit of getting a credit from impact fees for building the roundabout	No request for credit of impact fee from roundabout is included		
8 Engineering	Pedestrian/bike connections	Detached sidewalk on main road go to 6' bike lanes	Road A has been revised to include a 4' wide paved climbing lane along the uphill edge plus a 6' wide detached sidewalk connecting from Highway 6 transit stop at the northeast corner of the proposed roundabout down to the interior traffic circle.	See civil plans	
9 Engineering	Geotech	Condition for additional studies at building permit	Understood	n/a	
10 Engineering	Roadway standards	narrative about volumes on each roadway section, design standards, road classifications	The roadway section have been revised. The ECLUR for volumes over 3000 ADT states to design roads per 1990 CDOT Design Manual. The CDOT Design Manual now states to adhere to AASHTO 2011 Policy for Geometric Design. The main "local roads" Road A and Road B adhere to AASHTO recommendations for a speed limit of 20 MPH.	see civil plans	
11 Engineering	Roadway standards	consideration for greater setbacks from internal roads due to road volumes	The internal roads now have a 5' setback from the back of sidewalk or path.	PUD Guide section 6	
12 Engineering	roadway standards	roadway grades that exceed 6%	The roads meet AASHTO standards	see civil plans	
13 Engineering	roadway standards	intersection grades that exceed 3% or 2%	The roads meet AASHTO standards	see civil plans	
14 Engineering	roadway standards	splitter islands at internal roundabout (Roads B & E)	small splitter islands have been added to the three major legs of the interior traffic circle	see civil plans	
15 Engineering	roadway standards	narrowness of Road E	Road E has been removed from the site. This location is now a 6' wide crusher fines trail connecting to the eastern end of parcel PA7 and the Eagle River Preserve	see civil plans	
16 Engineering	roadway standards	provide typical road section for Road F	A road section has been added to the plan set	see civil plans	
17 Engineering	roadway standards	detail for heated asphalt drives	Not necessary for preliminary plan. Will provide at building permit		
18 Engineering	roadway standards	provide vehicular circulation exhibit with anticipated traffic volumes for each road way, one/two lane roads, speed limits, location of parking garage entrances, parking lots, building footprints, crosswalks, emergency vehicle turnarounds	The civil plans show this detail. Anticipated traffic volumes are included in the traffic report. There is not significant volumes of traffic on this local roads.	See civil plans	
19 Engineering	roadway standards	provide a bike, pedestrian, emergency vehicle access point and easement to Eagle River Preserve	A 20' wide emergency access to the Eagle River Preserve has been added to the eastern area of the site.	See civil plans	
20 Engineering	Internal pathways	crosswalks, pedestrian connectivity along Road F and main PA 5, additional detail about use and pedestrian connectivity of plaza and boulevard on northside of Road E	The future plaza has yet to be designed however if feasible, Road E will have two legs, one up to the plaza elevation and one down to the check in for the hotel. Architecture has not been developed for this area but will be submitted for review at the next level of design and submittal	see civil plans	
21 Engineering	Internal pathways, sidewalks	6 ft sidewalk width	Sidewalks have been revised to 6' wide.	see civil plans	
22 Engineering	Internal pathways/bike lanes	lack of bike lanes, 4 ft. lane on uphill side of Road A	A 4' uphill bike lane has been	see civil plans	
23 Engineering	Internal pathways/Hwy 6 roundabout	10 ft. pedestrian refuge between lanes of Hwy 6 roundabout	The roundabout median pedestrian refuges have been revised to angled crossings providing sufficient clearance for a cycling pedestrian with a trailer.	see civil plans	
24 Engineering	Internal pathways/wetlands	details on design and section of boardwalks, protective measures, wetlands restoration techniques	Provided	see civil plans	
25 Engineering	Internal pathways/wetlands	operations and monitoring plan for all site wetland impacts as appendix to PUD Guide	A riparian and water quality management plan has been provided	PUD Guide	
26 Engineering	snow storage	provide narrative and demonstration of snow storage on site plan	For Road A, snow storage will be in landscape strip adjacent to roadway. Roads A, B and E will be snow melted. Additional snow storage available in the parks within PA 7, 8 and 9	see civil plans	
27 Engineering	Drainage	drainage area map needs to identify off-site and on-site drainage basins and the acreage within each	Drainage Area Maps have been clarified.	Drainage report	
28 Engineering	drainage	provide development map showing the areas and acreages evaluated as which type of surface	Surfaces have been assumed to be 80% impervious in the development parcels.	Drainage report	
29 Engineering	drainage	"Sub-area Land Use and Curve Number Details" tables - drainage basins account for 19.96 while Planning Areas account for 22.05 acres	Some areas are not tributary to a stormwater appurtenance so the areas will not match up exactly.	Drainage report	
30 Engineering	drainage	developed impervious surface is 83.5% while 90% allowed by PUD Guide, revise so that these are equal	Stormwater volumes have been calculated using 80% maximum impervious area for PA 2, 3, 4, 5 & 6. PA 7 will have low development footprint with all stormwater requirements handled within the planning area.	drainage report	
31 Engineering	drainage	Maintenance plan to maintain adequate water quality retention volume and function of stormwater ponds, maintenance plan as part of PUD Guide	A maintenance plan for stormwater facilities will be provided with the final plans. Metro District will be responsible for all facilities		
32 Engineering	PUD Guide - boardwalks	limitations on amount of impact or area that can be developed as part of trail system	Boardwalk impacts indicated on civil plan. Length of Boardwalk in indicated in PUD Guide	See civil plans, PUD Guide section 6	
33 Engineering	PUD Guide - utilities	limit "utilities" as a use by right in PA 1 to be consistent with stream setback regulation	electric service for lighting along boardwalk is the only "utility" that might be needed	PUD Guide section 6	
34 Engineering	PUD Guide - stream setback	In section 6.1 add "or the 100 year floodplain, whichever is greater" to be consistent with definition of stream setback	Proposed setbacks are consistent with County code as drafted	PUD Guide section 7	
35 Engineering	PUD Guide - Phasing	detailed phasing plan and technical reports to address how drainage, roads, traffic will be impacted by phasing	The intent is to build Roads A, B and the Highway 6 Roundabout simultaneously so that two points of access are provided. The Drainage report and storm system design shown on the Preliminary Plans have been designed to show that a maximum of 80% impervious area per planning area can be accommodated through various methods for stormwater detention and water quality treatment to meet the County standards. A conceptual phasing plan is included in the PUD Guide.	Drainage report, civil plans, PUD Guide	
36 Engineering	PUD Guide - public improvements agreement	remove this section of the PUD Guide	This section has been removed from the PUD Guide.	PUD Guide section 20	
37 Engineering	PUD Guide - storm water/wetlands	Add monitoring plan as appendices to PUD Guide	Riparian and water quality management plan provided which includes a monitoring component	PUD Guide appendix	
38 Engineering	Traffic Study	Use Codes 230 and 412 do not exist in the 10th ITE	Traffic letter provided. Codes to be updated	traffic letter	
39 Engineering	Traffic Study - mix of units	mix of units slightly different than in the application	Traffic letter provided.	traffic letter	
40 Engineering	Traffic Study	Table 1 - detail why the average rate used instead of the fitted curve for use code 710	Traffic letter provided.	traffic letter	
41 Engineering	Traffic Study - conference	Table 1 - number of conference attendees 300 but only 182 condo hotel rooms, 80% reduction doesn't seem appropriate	The condo hotel units have multiple rooms and also now account for 100 additional lock-offs. There is more than enough lodging capacity for a conference event to justify reduction.	traffic letter	
42 Engineering	Traffic Study - roundabout	Interim and ultimate roundabout configuration, clarify or revise	Design addresses both interim and final conditions	traffic letter	
43 Engineering	Traffic Study - Hwy 6 capacity	Phasing in the TIS and detail phases within the Hwy 6 capacity improvements	Phasing addressed in traffic letter and PUD Guide	traffic letter	
44 Engineering	Traffic Study - trip gen peaks	Farmers markets, art walks, outdoor uses impact the trip generation peaks	Traffic report assumed worst case scenario so no change	traffic letter	
45 Eco Transit	Transit locations	revised to locations entering the roundabout as opposed to exiting	Bus stop adjusted to address comment	See civil plans	
46 Eco Transit	Setback on Hwy 6	recommends maintaining 50 ft. setback	Proposing to keep 25 ft. setback, like many other properties along Highway 6 in Edwards and Eagle Vail. The PUD was revised with provisions for requiring a percentage of the building frontage to be open and provision allowing encroachments of roof overhangs and balconies has been eliminated.	PUD Guide section 6	
47 Eco Transit	Transit Design	all design to comply with ECO Transit standards	agreed		
48 Eco Transit	Transit dedication	all transit bay/lane and pathways connecting to transit stop should be dedicated to and maintained by entity responsible for Hwy 6/roundabout. Bus shelter and amenities dedicated to Eagle County and maintain by ECO transit	agreed		

49	ECO Trails	Trails	Trail should meet all trail construction standards, median along Lake Creek Road designed to allow for trail	The median along Lake Creek Road has been revised to accommodate a plow truck with an 8' blade	see civil plans
50	ECO Trails	Trails	Provide pedestrian connection to Trail, Transit, Eagle River Preserve, open space	A 20' wide emergency access to the Eagle River Preserve has been added to the eastern area of the site. Pedestrian path provided.	see civil plans
51	ECO Trails	Trails	Recommends a 10 ft. wide direct pedestrian connection to Preserve	A 20' wide emergency access to the Eagle River Preserve has been added to the eastern area of the site. Pedestrian path provided.	see civil plans
52	ECO Trails	Trails	Plans revised to depict public pedestrian connection through property	An updated pedestrian connectivity exhibit has been provided	see civil plans
53	Public Health/Environment	Trail connectivity	define trail connectivity to surrounding uses and walk/bike-ability with the project and to transit stops	An updated pedestrian connectivity exhibit has been provided	An updated pedestrian connectivity exhibit has been provided
54	Public Health/Environment	Setbacks from Hwy 6	Adheres to 50 ft. setback along Hwy 6	Proposing to keep 25 ft. setback, like many other properties along Highway 6 in Edwards and Eagle Vail. The PUD was revised with provisions for requiring a percentage of the building frontage to be open and provision allowing encroachments of roof overhangs and balconies has been eliminated. Whether 50' or 25' the impacts of noise remain unchanged.	PUD Guide section 6
55	Public Health/Environment	Affordable housing	Doesn't support affordable housing plan	Workforce housing plan has been amended	PUD Guide section 5
56	Public Health/Environment	Childcare facilities	Make childcare facilities a use by right	Change added	PUD Guide section 6
57	Public Health/Environment	Senior living	Make senior housing a use by right	Change added	PUD Guide section 7
58	Open Space	Wildlife	concern that wildlife will be adversely affected	PUD revised to address CPW comments	PUD Guide section 13
59	Open Space	Wildlife	more detail on wildlife mitigation measures, impacts of project on Preserve and wildlife	PUD revised to address CPW comments	PUD Guide section 13
60	Open Space	Access to Eagle River Preserve	how supporting compliance with the rules and regulations applicable to the Preserve	PUD will follow same closure rules as Preserve.	PUD Guide section 13
61	Open Space	Wildlife	Adaptive management for closures	PUD will follow same closure rules as Preserve.	PUD Guide section 13
62	Open Space	Wildlife - PUD Guide	require closures as part of PUD guide	PUD will follow same closure rules as Preserve.	PUD Guide section 13
63	Open Space	wildlife - transfer fee	additional detail on wildlife enhancement fee, who oversees it, what can be used for, will it apply on deed restricted units?	Additional detail provided	PUD Guide section 13
64	Open Space	Connectivity	Single identified access point at location acceptable to ECOS	Addressed in PUD Guide. Detail to be worked out but showing in the most logical place. Agree to prevent human access along boundary	see civil plans
65	Open Space	Uses	condo-hotel, mixed use at boundary of Preserve, need perimeter controls	Access controls provided in PUD Guide	PUD Guide section 13
66	Open Space	Trails	development of a trail at the Preserve could be possible public benefit	Addressed in PUD	PUD Guide section 13
67	Open Space	Trails	easement of 20 ft. to connection point	Access easement addressed. All roads are public. Access point identified.	See civil plans, PUD Guide section 13
68	Open Space	PUD Guide - river access	will association have ability to preclude public access to Eagle River?	Access will be managed to prevent overcrowding.	PUD Guide section 13
69	Open Space	PUD Guide - wildlife and landscape plan	limitation on fruit/nut producing trees, but landscape plan shows current and crabapples	Revision to landscape plan made	See landscape plan
70	Open Space	PUD Guide - pets	Place to walk dog in ERP?	A new PA-8 was added for a park and specifically a dog park	See landscape plan, PUD Guide Section 13
71	Planning	EACH conformance	PUD could be developed as all single-family, should reflect a stronger commitment to commercial uses	PAs modified to preclude single-family in certain PAs	PUD Guide section 6
72	Planning	Dimensional limitations - height	Need to evaluate compatibility of 85 ft. height limits, visual aides	PAs modified to change height and transitions of buildings. Additional language provided in design guidelines	PUD Guide section 6 and 10
73	Planning	Dimensional limitations - density	Density comparison to other projects like Riverwalk	The Edwards Area Community Plan identifies Edwards RiverPark as within the "Edwards Center Character Area" and states the following: "This is an area where considerable growth can occur. In commercial and mixed use areas, new development or redevelopment should provide suitable densities in taller buildings." It then further provides a Policy stating: "Higher residential densities should be located within the Commercial Core or adjacent to US Highway 6 and/or the Spur Road." Residential density is defined as the number of dwelling units per acre. In evaluating the appropriate density for Edwards RiverPark, recent and/or similar projects were analyzed. Eagle County has recently approved PUDs of high densities in the Edwards area: The West End PUD allows for 34.3 dwelling units per acre, while the 6 West PUD allows for 21 dwelling units per acre. The recent Stillwater PUD, located on the far west end of the West Edwards neighborhood was lower-density development, with 7 dwelling units per acre. Though not a recent approval, the Riverwalk PUD is developed at 11.3 dwelling units per acre. Edwards RiverPark is proposed at 11.2 dwelling units per acre, which is consistent with the Edwards Area Community Plan and with recent Eagle County approvals. In order to provide a comparable analysis, hotel units were included in the analysis of density, as applicable. Commercial density is calculated differently than residential density. Generally, the commercial floor-area ratio is used to measure commercial density. For comparison, the Riverwalk is allowed a commercial floor area ratio of 0.29 which equates to a total of 284,000 sq. ft. of commercial area, while the West End PUD was approved for 0.36 commercial floor-area ratio, which equates to a total of 85,000 sq. ft. of commercial area. Edwards RiverPark is proposed at 0.02 commercial floor-area ratio, or a total of 51,500 sq. ft. of commercial area.	
74	Planning	Urban design	buildings in excess of 160 ft. long with heights of 85 ft., need more of a pedestrian scale, PUD Guide to add stepped facades, horizontal discontinuation, articulated roof forms. Will there be a more robust set of Design Guidelines in the future?	Design guidelines updated to address and will have more detailed guidelines adopted by HOA	PUD Guide section 10
75	Planning	Transition between planning areas	massing and scale transition between planning areas, more stepped approach to building heights and landscape transitions	Design guidelines updated to address and will have more detailed guidelines adopted by HOA	PUD Guide section 10
76	Planning	Eagle River Preserve	PA-7 reconsideration and transition to the Preserve	PA-7 revised to preclude residential development and allow for wildlife. Seasonal closure. Seasonal event center provided	PUD Guide section 6
77	Planning	Public Benefit	additional items - affordable local resident housing, childcare facilities, transportation efficiencies, public rec opportunities, infrastructure improvements, land preservation, senior housing, medical facilities	Issues addressed throughout PUD Guide	PUD Guide
78	Planning	Revenues	Revenue isn't considered a public benefit	We disagree and used as recently as Tree farm	
79	Planning	ADUs	add ADUs as a use by right, clarification of lock-offs vs. ADUs	Addressed and defined in PUD Guide	PUD Guide
80	Planning	Condo-hotel	Hotel would be considered commercial while a condo-hotel is residential. Clarify the hotel vs condo-hotel, will only consider condo-hotel units as dwelling unit count	Hotel has been eliminated. PUD only allows for a condo hotel	PUD Guide section 6
81	Planning	Short term rental	concerned about broad allowance of short-term rentals throughout PUD	Short term rentals are vital to the PUD. Any workforce occupied unit is precluded from short term rental. All 100 rental units are precluded from short term rental.	PUD Guide section 5
82	Planning	Accessory Uses	remove "stormwater and drainage facilities, access driveways, and loading and delivery" from list of accessory uses	Change made	PUD Guide section 6
83	Planning	Pot	clarify the definition of marijuana related businesses to understand what proposing to prohibit	All will be prohibited. Revision made	PUD Guide section 6
84	Planning	PA-1	allowed uses in PA-1 will be evaluated based on impact mitigation	Revisions to uses made	PUD Guide section 6
85	Planning	Single family	If single or 2-family homes remain, then need dimensional limitations for them within the PAs they are allowed in	PA2 will add 5 ft. from sidewalk, curb / distance between buildings per building code, wetlands setback	PUD Guide section 6
86	Planning	Density transfer	more comments forth coming based on revisions	Density transfer amended. Restrictions imposed	PUD Guide section 6
87	Planning	Building height	method of measuring building height from existing grade rather than natural or finished grade, whichever more restrictive	Due to special circumstances as a gravel pit, provisions for a basis of elevation in each PA provided	PUD Guide section 4 and 6
88	Planning	Setbacks general	Hwy 6 setback, implementation of setbacks within planning areas for lower density uses, staff does not support 0 lot line	Zero lot line eliminated, highway 6 setback addressed with openness standard, no overhangs allowed	PUD Guide section 6
89	Planning	Setbacks general	encroachments into setbacks of decks up to 5 ft. concern, especially if no internal setbacks and up against Eagle River Preserve	Encroachments eliminated from setback	PUD Guide section 6
90	Planning	imperious coverage	need justification to go to 90%	Changed to 80% in PUD overall	PUD Guide section 6
91	Planning	Signs	amend PUD Guide to state compliance with ECLUR or based on a Comprehensive sign plan adopted for the project	Change made to ECLUR	PUD Guide section 14
92	Planning	Up-lit signs	Get rid of allowance for up-lit signs	Change made	PUD Guide section 14
93	Planning	Open space maintenance	PUD Guide needs to have info regarding long-term maintenance and operations, reflect the proposed entities for maintenance	Metro District to maintain. Riparian and water quality management plan provided	PUD Guide
94	Planning	Wetland buffer	supportive of a buffer between the wetland area and developed area and recommends an internal setback to wetland/floodplain boundary	A 15' setback from the delineated wetland has been incorporated into the site plan	see civil plans, PUD Guide section 6
95	Planning	Sketch Plan approval	Wants references to 2017 sketch plan approval removed	Disagree with comment. The 2017 Sketch Plan approval is part of the history of approvals on this property and is pertinent to the discussion	
96	Planning	PUD Guide	Sections 2, 21 wants changes to language, Section 17 wants removed	Comments addressed	PUD Guide
97	Planning	PUD Plan	provide a PUD Zoning Plan figure with the planning areas overlaid for clarity	Overlay provided	PUD Guide

98	Environmental Health 1 Stormwater	Per Section 4-460 E.4.e.1 of the Eagle County Land Use Regulations, the Environmental Impact Report shall address existing surface drainage and watershed characteristics, groundwater and soil permeability characteristics, natural or man-made water features and characteristics (such as streams, wetlands, ponds, etc.) and any potential changes or impacts caused by the development proposal. Per Section 4.1.1 of the Environmental Impact Report, "The proposed development would not impact the Eagle River but would eliminate the 0.22-acre man-made pond and the 0.03-acre spring created by the gravel mining operation. Please note, the project would have water quality detention ponds and perhaps underground vaults for stormwater runoff from the developed landscapes of the project site. These ponds would enhance water quality and they would not impact the flow in the Eagle River as the release rate would be matched to the historic undeveloped flow from the project site." Please specify whether underground vaults for stormwater runoff will be used. Detail all appropriate avoidance, minimization, and/or impact mitigation techniques that will be implemented to address the impacts from changes to stormwater runoff at the site. Please provide the detailed operations plan that will be used to guide appropriate maintenance of all stormwater facilities proposed for the site. Please provide the technical evaluation quantifying the impact to surface water and groundwater quality from the proposed changes to stormwater runoff resulting from the proposed development as well as any technical information that supports the statement that the proposed changes will not impact the Eagle River and will enhance water quality.	As described in the Preliminary Drainage Report (Alpine Engineering 2019), underground chamber detention will be the primary detention mechanism, but if space is limited, Blue Roots (rooftop detention) and porous pavement or concrete could be utilized to meet detention and water quality requirements. The vaults will have mechanical treatment devices to enhance the water quality of the stormwater runoff. Other possible water quality best management practices (BMPs) that may be utilized as the site plans for each building and/or phase are developed may include surface ponds, bioswales, rain gardens, and extended detention sand filters. The Edwards RiverPark Stormwater Operation and Maintenance Plan describes operation and maintenance of the stormwater facilities. The Riparian Management Plan (Alpine Engineering 2019) describes BMPs to maintain the integrity of the ecosystem and the water quality of the river. With regard to impacts for changes to stormwater runoff, Sheets C3.0 Overall Storm Plan and C3.1 Storm Plan document changes to the stormwater flow on the project site. As described in the Preliminary Drainage Report, this stormwater does not flow to surface water but is treated and then allowed to infiltrate to the groundwater. The underground chambers of the vaults have been designed to have the lowest stone at a minimum of two feet above the groundwater. In accordance with Eagle County, Colorado Land Use Regulations, peak flow reduction will be accomplished by limiting release to historic (undeveloped) peak flows for all storms up to and including the 25-year, 24-hour design storm. Water quality treatment of stormwater will be addressed by infiltrating runoff into the ground. Detailed piezometer readings were taken through the spring and summer that defined the maximum groundwater surface elevation. Per the project Geotechnical Engineer, the buildings are to be set a minimum of two feet above the highest recorded groundwater elevation so no impact to the groundwater is expected from building subdrain systems. Underground utilities may intercept groundwater during construction so it is assumed the contractor will be required to acquire an NPDES Construction Dewatering Permit from the State. As documented in Section 2.1.1 of the EIR, the section of Eagle River from Gore Creek to Berry Creek, which flows into the Eagle River just east of the project site, is on the M&E List for sediment, and the section of the Eagle River from Berry Creek to Ute Creek is on the M&E List for temperature. Thus, the water quality enhancement features described above have the potential to enhance the groundwater quality and the water quality of the Eagle River by removing sediment and by cooling the stormwater before it reaches the river.	drainage report
99	Environmental Health 2 Stormwater	Per Section 4-460 E.4.e.1 of the Eagle County Land Use Regulations, the Environmental Impact Report shall address existing surface drainage and watershed characteristics, groundwater and soil permeability characteristics, natural or man-made water features and characteristics (such as streams, wetlands, ponds, etc.) and any potential changes or impacts caused by the development proposal. Per Section 4.1.2 of the Environmental Impact Report, "Geotechnical studies by HP Geotech (2009) and Terracon Consultants (2011) determined that the depth to groundwater in the gravel mined area, the development site, ranged from about 5-18 feet below the soil surface. Based on this data, the development could potentially impact groundwater. Therefore, following PUD Preliminary Plan approval, Cesare, Inc. would identify the groundwater levels and elevations in the development area. Mitigation of groundwater elevations, if relevant, would consist of subsurface drainage, designing below grade portions of structures for groundwater, and/or setting elevations of structures above groundwater (Cesare, 2019)." Please specify which appropriate avoidance, minimization, and/or impact mitigation techniques will be implemented to address groundwater impacts. If the proposed techniques will include discharge of groundwater to surface water, either on a temporary or permanent basis, please provide a detailed comparison of current groundwater pollutant (including but not limited to metals and hydrocarbons) concentrations compared to surface water quality standards. Indicate any treatment that may be necessary to meet surface water quality standards, and please also indicate whether the discharge (both temporary and permanent) is anticipated to be covered by the Colorado Department of Public Health and Environment Water Quality Control Division under a general or individual permit, and specify which type of permit. Please provide the technical evaluation quantifying the impact to surface water quality from the proposed changes to groundwater flow, including direct discharges of groundwater to surface water. Please detail all appropriate avoidance, minimization, and/or impact mitigation techniques that will be implemented to address these impacts. Please provide an estimate of the groundwater discharge to surface water flow rate both during and after construction.	Impacts to groundwater are avoided as the project as designed will have no permanent dewatering. Detailed piezometer readings were taken through the spring and summer that defined the maximum groundwater surface elevation. Per the project Geotechnical Engineer, the buildings are to be set a minimum of two feet above the highest recorded groundwater elevation so no impact to the groundwater is expected from building subdrain systems. Thus, there will be no impacts to groundwater and no groundwater discharge to surface water with the proposed development. However, during construction underground utilities may intercept groundwater and require dewatering and the discharge of water to the adjacent landscape. BMPs would be used to enhance the quality of any discharged water. Section 2.7 of the EIR documents that the quality of the groundwater on the project site meets state standards. The summary of site conditions below is from the Colorado Department of Public Health and Environment (CDPHE, 2011) October 28, 2011 letter to Eagle River Meadows LLC. The reports indicate the majority of the constituents of concern initially identified in groundwater and soil in the Corrective Action Plan, namely non-chlorinated volatile organic constituents and polyaromatic hydrocarbons, are no longer detected in groundwater samples obtained from the site. Methyl tert-butyl ether was detected in source area monitoring well MW-14 during three of the post-closure monitoring events. However, all of the detections were at levels below the Colorado Department of Labor and Employment Division of Oil and Public Safety's risk-based screening level of 0.020 mg/l (Underground Storage Tank Regulations, Tier 1 Risk Based Screening Levels, January 2009). Because neither the State's Water Quality Control Commission nor CDPHE have a numeric standard in groundwater for Methyl tert-butyl ether, the Department of Labor and Employment Division of Oil and Public Safety risk-based screening level for methyl tert-butyl ether was used as clean up criteria for this constituent. Concentrations of dissolved metals in groundwater were either below established regulatory standards for groundwater (Regulation No. 41, The Basic Standards for Ground Water (5 CCR 1002-41)), or were not reported above laboratory reporting limits during the post-closure monitoring events. Additional parameters measured during the groundwater monitoring events such as dissolved oxygen and oxygen reduction potentials were also evaluated. The reports state that dissolved oxygen levels were measured to be at or less than 0.49 mg/l and oxidation reduction potentials were generally found to be negative, suggesting that anaerobic degradation of petroleum-based contamination is occurring in the subsurface. Trends from the data presented in the reports support the reports' scenario that natural attenuation of remaining low levels of petroleum contamination is occurring at the site and will continue to further degrade these constituents. The reports request based on the data provided that a "No Further Action" determination be made for the site. Based on the information provided in the reports, CDPHE concluded that the actions described above, namely removal of petroleum-contaminated soils and post-soil removal monitoring for constituents in groundwater that may have been associated with the contamination, that were taken to remediate the site appear to have addressed the site's contamination that resulted from improper disposal of petroleum-contaminated material. Therefore, as final agency action, CDPHE approved the reports as submitted and planned to take no further actions with regard to the remediation requirements as defined in the aforementioned CAP, as amended, for this site. Specifically, CDPHE made a No Further Action Determination. Thus, there will be no permanent dewatering with the proposed development and any temporary discharge of groundwater during construction.	see civil plans
100	Environmental Health 3 Stormwater	Per Section 4-460 E.1 of the Eagle County Land Use Regulations, the Environmental Impact report shall contain information and analysis, including sufficient detail and adequately supported by technical studies, to enable the Planning Commission and Board of County Commissioners to judge the environmental impact of the proposal and to judge measures proposed to reduce or negate any harmful or undesirable environmental impacts, including all necessary information to adequately address the specific environmental conditions in Section 4-460 E.2. The environmental condition at Section 4-460 E.2 requires analysis related to significantly altering an ecological unit or land form, such as a ridge/line, saddle, draw, ravine, hillside, cliff, slope, creek, marsh, watercourse, or other natural land form feature. Per Section 5.1.1 of the Environmental Impact Report, "The loss of the 0.22-acre man-made pond and 0.03-acre spring amid the gravel mined landscape is a cumulative and long-term effect and an irreversible environmental change to surface water. However, these man-made features used in the gravel mine process have a low ecological value." Please provide the technical evaluation quantifying the impact to water quality from these proposed changes to the pond and spring, including all data used to assess the ecological function, or "value" of these areas. Please detail all appropriate avoidance, minimization, and/or impact mitigation techniques that will be taken to address these impacts.	The small spring is located on the southwestern portion of the project site at the bottom of the road embankment for US Highway 6. It was created by excavation during the gravel mining operation to provide a water source for dust control activities and was also used to provide water for a temporary irrigation system for revegetation. Today, water is piped from the spring to the edge of the Eagle River wetland. See Figure 1 from the Wetland Delineation Report (Birch Ecology 2019). The recharge area for the spring is the undeveloped landscape south of US Highway 6. Thus, the water from the spring is likely of a high quality. Please note, a new water right for this spring/well, has been adjudicated by the ERWSD in Case No. 15CW3032. The decree confirms a new junior water right for, among others, Lake Creek Well No. 5, the spring. The decree allows Well No. 5 to produce water for numerous uses, including irrigation, and allows it to operate pursuant to a plan for augmentation approved in that case. Thus, with the proposed development, water from the spring would no longer flow to the wetland but be used to irrigate the landscape of the development. The spring currently does not impact surface water quality as it is piped to the wetland where it enters the soil and becomes part of the groundwater, and the proposed use for irrigation would not impact water quality. The 0.22-acre pond was created when the B&B Excavating gravel pit and the ready-mix concrete plant were active. The pond was used as a concrete washout and water source for plant operations. The pond, which may intercept groundwater, has persisted following termination of the gravel and concrete operations. With the proposed development, the pond would be drained, likely to the adjacent wetland, and clean fill material would be used to elevate the landscape in the area of the pond. As documented in Responses 1 and 2, the water quality of the pond complies with state standards. Thus, it is concluded that using the water from the spring for landscape irrigation, and draining and filling the pond will not impact either ground or surface water quality. The spring as a water resource was rated low in ecological value due to its small volume of water produced and considering that the Eagle River was considered as high. The Eagle River supports 27.44 acres of jurisdictional wetlands compared to the spring, which supports 0.03 acres of a non-jurisdictional wetland. The man-made pond was rated as low due to its past industrial land use. Finally, there will be no significant alteration to the landform or ecological units as a disturbed landscape will be developed and landscaped to blend with adjacent developments.	
101	Environmental Health 4 Groundwater	Per Section 4-460 E.4.e.1 of the Eagle County Land Use Regulations, the Environmental Impact Report shall address existing surface drainage and watershed characteristics, groundwater and soil permeability characteristics, natural or man-made water features and characteristics (such as streams, wetlands, ponds, etc.) and any potential changes or impacts caused by the development proposal. Per Section 5.1.2 of the Environmental Impact Report, "The proposed development would have a slight cumulative long-term effect or irreversible change to groundwater hydrology of the project site if dewatering of foundation drains of buildings occurs." Please provide the technical evaluation quantifying the impact to groundwater quality from the proposed change to groundwater hydrology at the site. Please detail all appropriate avoidance, minimization, and/or impact mitigation techniques that will be implemented to address these impacts.	Detailed piezometer readings were taken through the spring and summer that defined the maximum groundwater surface elevation. Per the project Geotechnical Engineer, the buildings are to be set a minimum of 2' above the highest recorded groundwater elevation so no impact to the groundwater is expected from building subdrain systems. Underground utilities may intercept the groundwater during construction so it is assumed the contractor will be required to acquire an NPDES Construction Dewatering Permit from the State. The proposed changes to groundwater on the project site are discussed above under Responses 2 and 3. Fill material will be used to elevate the landform of the development above the groundwater table and no permanent groundwater impact is proposed for the development. Thus, there would be no impacts to groundwater quality.	EIR, drainage report

	Environmental Health 5	Groundwater	Per Section 4-460 E.1 of the Eagle County Land Use Regulations, the Environmental Impact report shall contain information and analysis, including sufficient detail and adequately supported by technical studies, to enable the Planning Commission and Board of County Commissioners to judge the environmental impact of the proposal and judge measures proposed to reduce or negate any harmful or undesirable environmental impacts, including all necessary information to adequately address the specific environmental conditions in Section 4-460 E.2. The environmental condition at Section 4-460 E.2.c requires analysis related to significantly altering or removing native grasses, trees, shrubs, or other vegetative cover. Per Section 5.5 of the Environmental Impact Report, "The proposed project would permanently impact 1.96 acres of riparian trees and shrubs, 0.41 acres of jurisdictional wetlands, 0.35 acres of non-jurisdictional wetlands/aquatic habitat, and 0.54 acres of big sagebrush habitat. The project would also result in the loss of the introduced grasslands and disturbed areas. These habitats are not a valuable resource. However, the loss of the native vegetation resources is a cumulative and long-term effect and an irreversible environmental change. 5a: Per the email received by Eagle County on August 16, 2019 from the Army Corps of Engineers RE: Edwards River Park - Referral Request and Public Comment Period, the range of alternatives considered for this project should include alternatives that avoid impacts to wetlands or other waters of the United States and every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. Please describe design alternatives that were considered in compliance with this requirement. 5b: Per the Army Corps of Engineers, the applicant should clearly demonstrate there are no practicable alternatives to filling waters of the United States, and if that is the case, should develop mitigation plans to compensate for the unavoidable losses resulting from project implementation. Please demonstrate that there are no practicable alternatives to the proposed permanent wetlands impacts. If able to adequately demonstrate that no practicable alternatives exist, please submit the mitigation plans to compensate for the losses from the proposed project implementation. 5c: Please provide the technical evaluation quantifying the impact to surface water and groundwater quality from these proposed vegetative changes, including all data used to assess the ecological function, or "value" of these areas. 5d: Please submit a complete wetlands analysis for all wetlands located on the property, as well as any additional information needed to assess the current state of the wetlands that are subject to impact from the proposed	Avoidance and minimization of impacts to jurisdictional wetlands and consideration of less impactful alternatives have been incorporated into the project design since its inception. First, early in the planning process, the wetlands were delineated so that they could be avoided. The latest example of avoidance and minimization is the removal of two water treatment ponds which had a total wetland impact of 0.41 acres from the edge of the wetlands east of the project site. With the modified development plan, there would be no permanent impacts to wetlands. However, there would be minor secondary impacts associated with an elevated boardwalk through the wetlands. See Figure 6. The boardwalk would be elevated on helical screws and shading of the wetland vegetation under the boardwalk may result in the reduced growth of wetland plants. The location, design and impact of the boardwalk would continue to be coordinated with the U.S. Army Corps of Engineers. Also, the amphitheater will be elevated on piers above a small area of wetland which may have secondary impacts due to shading of the wetland plants. There are no impacts to surface and groundwater quality. See responses to comments 2 and 3. Please note, the Wetland Delineation Report (Birch Ecology 2019) provides a map of the wetlands on the project site, a classification of each wetland, and detailed information on the vegetation, hydrology and soil of each wetland.	EIR
102	Environmental Health 6	Environmental impact	Per Section 4-460 E.1 of the Eagle County Land Use Regulations, the Environmental Impact report shall contain information and analysis, including sufficient detail and adequately supported by technical studies, to enable the Planning Commission and Board of County Commissioners to judge the environmental impact of the proposal and judge measures proposed to reduce or negate any harmful or undesirable environmental impacts, including all necessary information to adequately address the specific environmental conditions in Section 4-460 E.2. The environmental condition at Section 4-460 E.2.a requires analysis related to significantly altering an ecological unit or land form, such as a ridge, saddle, draw, ravine, hillside, cliff, slope, creek, marsh, watercourse, or other natural land form feature. Per Section 5.5 of the Environmental Impact Report, "The proposed project would permanently impact 1.96 acres of riparian trees and shrubs, 0.41 acres of jurisdictional wetlands, 0.35 acres of non-jurisdictional wetlands/aquatic habitat, and 0.54 acres of big sagebrush habitat. The project would also result in the loss of the introduced grasslands and disturbed areas. These habitats are not a valuable resource. However, the loss of the native vegetation resources is a cumulative and long-term effect and an irreversible environmental change. The Corps would require that project impacts to jurisdictional wetlands be mitigated." Please provide the technical evaluation quantifying the impact to surface water and groundwater quality from these proposed changes to marshland and to the watercourse. Please detail all appropriate avoidance, minimization, and/or impact mitigation techniques that will be implemented to address these impacts.	As noted in Response 5, there will be no permanent impacts to wetlands. There will, however, be minor secondary impacts to wetlands associated with the boardwalk and amphitheater. The location and design of the boardwalk will be coordinated with the Corps. If mitigation for these minor secondary impacts is required, it will be completed. Impacts to ground and surface water is discussed in Responses 2 and 3.	EIR
103	Environmental Health 7	Dewatering	Per Section 4-460 E.4.e.1 of the Eagle County Land Use Regulations, the Environmental Impact Report shall address existing surface drainage and watershed characteristics, groundwater and soil permeability characteristics, natural or man-made water features and characteristics (such as streams, wetlands, ponds, etc.) and any potential changes or impacts caused by the development proposal. Section 4.6.1 of the Environmental Impact Report indicates that there are no water depletions associated with the development. Please detail how this will be achieved related to the indoor and outdoor uses, including the proposed raw water source for irrigation (as indicated in Section 2 of the Wildlife Habitat Assessment report). Please provide documentation pertaining to the irrigation raw water right for this project.	The water source for site irrigation is the spring, referred to as Well No. 5. This new water right has been adjudicated by the ERWSD in Case No. 15CW3032. The decree in that case confirms a new junior water right for, among others, Lake Creek Well No. 5. The decree allows Well No. 5 to produce water for numerous uses, including irrigation, and allows it to operate pursuant to a plan for augmentation approved in that case. The plan for augmentation replaces out-of-priority depletions caused by operation of Well No. 5. So depletions from the operation of the spring/well in this manner have already been addressed under ERWSD's water rights and augmentation plan, and therefore there is no new depletion. See the attached ERWSD Decree.	
104	Environmental Health	Wildlife	Quantify the potential impacts to wildlife from project as a whole, secondary impacts, and address impacts from intrusion, obstruction, removal of vegetation	Addressing comments from CPW related to wildlife	PUD Guide section 13
106	Environmental Health	Wildlife	Submit a Wildlife Analysis. Include restrictions on the number of pets, how people will be notified of pet restrictions	Wildlife analysis provided. All owners and guests notified of pet regulations via public information and closing documents and general community education. Signage also proposed.	EIR, Wildlife analysis, PUD Guide Section 13
107	Environmental Health	Wildlife	Submit a Wildlife Analysis. Include impacts to aquatic wildlife, including avoidance, minimization, impact mitigation	Wildlife analysis provided.	Wildlife analysis.
108	Environmental Health	Wildlife	Include communications with Craig Westcoast	No written communication provided	
109	Environmental Health	Wildlife	Submit a Wildlife Analysis. Impacts to elk	Wildlife analysis provided. Addressing CPW Comments	
110	Environmental Health	Wildlife	Submit a Wildlife Analysis. More on elk and fencing	Wildlife analysis provided. Addressing CPW Comments	
111	Environmental Health	Wildlife	Bear proof trash receptacles, grills	Addressed in PUD Guide	PUD Guide section 13
112	Environmental Health	Wildlife	Impacts to wildlife of amphitheater, bridge, dock, trail, impacts of public access	Addressing comments from CPW related to wildlife	
113	Environmental Health	Wildlife	Bald Eagle's Nest, Frog, Raptors nests	Addressing comments from CPW related to wildlife	
114	Environmental Health	Impacts of development	Impact streams, wetlands, wildlife habitat and other sensitive lands - amphitheater, boardwalk impacts	Addressing comments from CPW related to wildlife	
115	Sustainable Communities	Infill	Wants 3 points instead of 5	Adjusted to 3 points	
116	Sustainable Communities	Wildlife	Updated with CPW comments	Maintaining 5 points based on our wildlife program	
117	Sustainable Communities	Wetland	wants 100 ft. setback from wetlands, water quality testing before, during, after construction	No points requested	
118	Sustainable Communities	Steep slopes	no points for steep slopes	The steep slopes on this property were man-made and due to mining activity. The intent of protecting steep slopes is to project natural hillsides from development. We are requesting 3 points as we are remediating the condition left by mining on the property.	
119	Sustainable Communities	Stormwater	demonstration of stormwater vs. 90% impervious area	Requesting 1 point for mechanical and natural stormwater program	
120	Sustainable Communities	Reduced footprint	Provide a transportation/parking demand management plan for feasibility of parking reduction	We have provided these items per the PUD Guide and requesting 7 points	PUD Guide section 8
121	Sustainable Communities	Affordable Housing	Based on Housing Dept analysis	Requesting 3 points. Our analysis in the submittal narrative demonstrates reduced demand	Submittal narrative
122	Sustainable Communities	Walkable	wants 2 points instead of 4	Adjusted to 2 points	PUD Guide section 5
123	Sustainable Communities	Renewable energy	specific details	9 points requested per program in PUD Guide	PUD Guide section 8
124	Sustainable Communities	Light pollution	eliminate exemption language for uplit sign	Change made	PUD Guide section 14
126	Sustainable Communities	Innovation	provide details of innovation	Electric car charging, ebike charging, shuttle services, heating streets with solar hot water	PUD Guide section 8
127	Sustainable Communities	Fossil Fuel reduction	Wants to not extend natural gas	Gas will be extended to the project	
128	Sustainable Communities	Snowmelt	remove snowmelt	Street heat offset with solar hot water	PUD Guide section 8
129	Sustainable Communities	Trash/recycling	Revise PUD guide to have 50% of solid waste areas dedicated to recycling	Change made	PUD Guide section 8
130	Sustainable Communities	LEED	clarify intent for LEED	Change made to National Green Building Standard.	PUD Guide section 8
131	Sustainable Communities	Bike parking	Provide covered bike parking at transit stop	Change made	PUD Guide section 8
132	Sustainable Communities	Landscape	Specific details on water usage budget goals, negotiations, and determinations	Included in PUD Guide as required by ERWSD	PUD Guide section 15
133	Sustainable Communities	Water	Provide water budget info for indoor water use, prescriptive water conservation methods for indoor water fixtures	Included in PUD Guide as required by ERWSD	PUD Guide section 15
134	Sustainable Communities	Irrigation	pg. 32 clarify that review would be completed by the Authority or the County and provide criteria for approving or denying Landscape and Irrigation Plan	Included in PUD Guide as required by ERWSD	PUD Guide section 15
135	Sustainable Communities	Wildlife	allow for unfettered access of small and large game moving east and west	Addressing comments from CPW related to wildlife. PA-7 and 9 provided for wildlife movement corridors. PA-9 adds to existing wildlife movement area on neighboring property.	PUD Guide section 6
136	Eagle Valley Land Trust	Elk Herd/Wildlife	Preference is for property to remain undeveloped except for portions appropriate for community need for affordable housing. Property is essential for known elk herd and mitigation measures don't seem to be adequate to make up for loss of habitat.	Addressing comments from CPW related to wildlife	

137	Eagle Valley Land Trust	Elk Herd/Wildlife	Potential benefit would be to have a real estate transfer fee that would go to an entity that would protect land in the area (such as in Lake Creek, Cordillera and Cordillera Valley Club)	Wildlife enhancement fee will fund activities to protect habitat areas.	
138	Eagle Valley Land Trust	Conservation Easement	EVLTL holds a conversation easement on the adjacent Eagle River Preserve parcel which is owned by Eagle County. This easement may not allow easements or other impacts to the Eagle River Preserve that negatively impact it, which would make development more difficult.	Understood	
139	Eagle Valley Land Trust	Conservation Easement	If ERP approved, EVLTL would recommend landowner be required to place appropriate portions of the property under conservation easement with EVLTL to prevent future development along the scenic, river and wildlife corridors.	No conservation easements are being explored with EVLTL.	
140	Eagle River Water & Sanitation District	Water Efficiency Standards	Eagle County (County) condition any approval of the Preliminary Plan with a requirement to include water efficiency standards in the PUD Guide that are acceptable to the County and the Authority.	Change made	PUD Guide section 15
141	Eagle River Water & Sanitation District	Ability to Serve Letter	The County condition any approval of the Preliminary Plan with a requirement that the Developer obtains an Ability to Serve Letter from the District and Authority in accordance with our Development Approval Process prior to the submittal of a Final Plat.	Change made	PUD Guide section 15
142	Eagle River Water & Sanitation District	Water Quality Measures	What types of low impact design elements or best practices will be implemented? Without this being clearer, it is difficult for ERWSD to ascertain whether project will effectively protect water quality. ERWSD recommends inclusion of specific low impact design elements and best management practices, along with design guidelines to ensure that water quality impacts are properly mitigated.	Per the drainage report, stormwater detention and water quality can be accommodated through various means such as rooftop detention on the larger buildings, underground detention vaults located in PA 7, 8 & 9 and ponds or a combination of the three methods. For Preliminary Plan, we have shown that volumes equal to 80% impervious for PA 2-6 can be accommodated on site to meet the County's standards	drainage report
143	Eagle River Water & Sanitation District	Water Quality Measures	The PUD guide should require the use of fixtures that are certified by the EPA's Water Sense program, including but not limited to commercial and residential fixtures, and requirements to use appliances that are certified by EPA's Energy Star program. The installation of such fixtures and appliances should be verified prior to occupancy.	Change made	PUD Guide section 15
144	Eagle River Water & Sanitation District	Sustainability	Bullet point re water fixtures should include references to EPA Water Sense certified fixtures and Energy Star certified appliances	All dwelling units will be equipped with efficient water fixtures (Water Sense certified or equivalent) and appliances (EnergyStar certified or equivalent)	PUD Section 8, 5th bullet point
145	Eagle River Water & Sanitation District	Open Space and Landscape Guidelines	Paragraph 4 re landscape areas should specifically require soil amendments for all landscaped and disturbed areas to improve water retention and reduce irrigation requirements since site previously stripped of topsoil	Addressed in PUD Guide	PUD Guide section 15
146	Eagle River Water & Sanitation District	Open Space and Landscape Guidelines	Include specific stormwater water quality treatment measures and best management practices, along with design guidelines to ensure that water quality impacts are properly mitigated. Since effectiveness of such measures is a product of proper operation and maintenance, applicant should also be required to submit a plan for the operation, maintenance, funding and monitoring of stormwater conveyance and treatment infrastructure.	Stormwater runoff will be captured and treated prior to discharging from the site using best management practices. Use of bio swales and other mechanical devices, such as water quality detention vaults with mechanical water treatment devices, will be used to ensure appropriate stormwater runoff quality. The maintenance, operation, monitoring, and funding of water quality vaults, facilities, and devices will be the responsibility of the Metro District or Master Association. A riparian and water quality plan has been developed and attached to PUD Guide	PUD Guide
147	Eagle River Water & Sanitation District	Water, Sewer and Water Rights	The PUD guide suggests that water rights could be dedicated to the Authority to secure water rights for the project, the applicant has not made clear to the Authority those water rights owned by applicant that would be acceptable to the Authority for dedication. To maintain consistency with the 6/14/19 Conditional Capacity to Serve Letter, ERWSD recommends the following sentence: "The applicant will complete the Authority's water rights dedication process upon approval of the PUD Preliminary Plan and this PUD Guide and prior to the submittal of a Final Plat for the PUD. An Ability to Serve Letter must be obtained from the Authority prior to a Final Plan submittal.	Change was made	PUD Guide Section 15
148	Eagle River Water & Sanitation District	Water Quantity Measures	The PUD guide should require the use of fixtures that are certified by the EPA's Water Sense program, including but not limited to commercial and residential fixtures, and requirements to use appliances that are certified by EPA's Energy Star program. The installation of such fixtures and appliances should be verified prior to occupancy.	Indoor water fixtures and outdoor irrigation fixtures will use the latest technologies and be water use efficient fixtures. Commercial and residential fixtures, including but not limited to, toilets, urinals, shower heads, faucets, irrigation controllers shall be certified by the EPA's Water Sense program, or have an equivalent rating. Other irrigation devices, such as spray sprinkler bodies shall be rated for efficiency and low flow. All water using residential appliances, such as dishwashers, ice machines, and washing machines, shall be certified by the Energy Star program. This will reduce water usage for the project and to reduce water rights expenses as well. Final water requirements and limitations will be determined by the Upper Eagle Regional Water Authority (UERWA) and owner.	PUD Guide Section 15
149	Eagle River Water & Sanitation District	Water Quantity Measures	PUD guide shall include a process to ensure that the PUD stays within its overall water budget as development phases progress. The Authority suggests that water be allocated for each individual parcel from the overall project water budget as the project parcels are further subdivided. This process should also provide for verification of water usage by existing parcels prior to future subdivision and procedures for remedying overuse within the project.	Address in PUD Guide	PUD Guide Section 15
150	Eagle River Water & Sanitation District	Irrigation Plan and System Requirements	The Authority does not agree with the proposal in the PUD guide to be able to not utilize the irrigation efficiency standards if raw water is utilized for irrigation. The Authority states that all irrigation, regardless of source, should be subject to the irrigation efficiency requirements.	Change made	PUD Guide Section 15
151	Eagle River Water & Sanitation District	Phasing	In reference to the Water budget, the phasing section of the PUD guide should address how water will be allocated from the overall water budget as the project progresses	This detail will be developed working with ERWSD.	
152	Eagle River Water & Sanitation District	Amendments and Modifications	The District and the Authority request to be a party to the approval of any Amendments and Modifications to the PUD, as any changes may alter the Authority's water commitment to the development and any water budgets assigned to individual parcels	Addressed in amendment section	PUD Guide section 21
153	Eagle River Water & Sanitation District	Civil Engineering	The Civil Engineering Plans, particularly the sewer and water utility plans, must be submitted by the Applicant to the ERWSD Construction Review Team for review and approval prior to construction. The plans propose relocating an extensive portion of the District's 24-inch sewer interceptor through the project site - which will require variances from ERWSD's Rules and Regulations as proposed.	see response above for stormwater treatment design. The stormwater facilities proposed for the Edwards River Park will be owned and maintained by the metropolitan district. Guidance for the maintenance will be per the UDFCD standard procedures. The Edwards River Park project is being submitted as a PUD with uses and densities applied to each of the planning areas. No architecture, buildings or site design is being submitted as part of the review however the goal of the submittal is to show that we can meet the County standards for detention and water quality volumes through rooftop detention where applicable, underground infiltration in PA 7, 8 & 9, with a surface treatment system set up for the proposed uses at PA 7. Other stormwater tools that are intended to be utilized as part of the next level of design and submittal, may include rain gardens, extended detention sand filters, water quality vaults, bioswales, ponds or other methods as outlined for stormwater BMP's	Drainage Report, civil plans
154	CDOT	Proposed Roundabout	CDOT recommends applicant provide the right of way needed to construct a roundabout on their property and the future 4-laning of US 6.	This has been provided for	see civil plans
155	Eagle River Watershed Council	Bio Swales for stormwater	Widespread use of bio swales and other mechanical devices may be difficult on the site because of the high density development core and lack of open space in the actual development footprint. Therefore, Eagle River Watershed Council suggests that more active-treatment practices should be layered into the treatment train upgradient of the detention ponds in the final designs.	Water quality has been addressed in the revised drainage report. Per the drainage report, stormwater detention and water quality can be accommodated through various means such as rooftop detention on the larger buildings, underground detention vaults located in PA 7, 8 & 9 and ponds or a combination of the three methods. For Preliminary Plan, we have shown that volumes equal to 80% impervious for PA 2-6 can be accommodated on site to meet the County's standards	Drainage report, civil plans
156	Eagle River Watershed Council	Terrestrial and Aquatic Dependent Wildlife	ERWC is very concerned about the overall impacts that the heavy and frequent human use will create for species using the riparian zone, and states that it appears the wildlife assessments seek to achieve a conclusion of no significant impacts by viewing the project through a very narrow geographic and connectivity context. ERWC goes on to state that in their view, the project claims to meet open space requirements by only relying on the naturalized flood plain rather than including an actively-managed open space area on the upper development bench where the buildings are going.	PA-7 and PA-9 are being provided as open areas with seasonal closures to allow for wildlife movements within the PUD and adjacent lands. In the non-closure periods, there will be passive recreational use and access as well as the Seasonal Event Center on PA-7. Open areas are provided in PA-8 to allow usable recreation activities including, but not limited to, playgrounds, open areas for sports, improved recreation, fenced dog park, and passive areas. Plant materials will be strategically placed to provide the maximum usefulness and to soften the transitions from paved areas to soft landscape areas. Applicant is address CPW comments on wildlife.	PUD Guide section 13, EIR
157	Colorado Geological Survey	Further review for additional information	CGS has no objection provided that Cesare's and HP Geotech's recommendations are adhered to. But because of the complexity of the development constraints potentially impacting this site, CGS would like to review any additional geologic and geotechnical information submitted.	Agreed. Any additional studies prepared at building permit can be shared with CGS	
158	Colorado Parks and Wildlife	Conservation Easement on the Open Space Parcel	Applicant shall engage in conversations regarding the permanent protection of the surrounding wetland habitat (PA-1 in the preliminary sketch) and the northern parcel located north of the Eagle River.	The applicant is addressing comments related to the subject property. The parcel to the north is not part of the application. Permanent protection of PA-1 is being provided for in the PUD Guide.	PUD Guide Section 13
159	Colorado Parks and Wildlife	Wildlife movement and habitat connectivity	Recommend moving the northeast and southwest single family homes into the main footprint of the proposed development will improve habitat connectivity for elk to access adjacent Eagle County Open Space	PA-9 was created to address this issue as well as changes to PA-7	PUD Guide Section 13, 6

				New language provided to address closure: In order to maximize the use of the wetland areas within the PUD by wintering wildlife, such as deer and elk, PA-1, PA-7, and PA-9 will be subject to a winter closure to access generally from November 15 to April 15 of each year or as established for the Eagle River Preserve which includes an adaptive management practice schedule based on annual conditions and use by wildlife. The closure is intended to reduce wildlife interactions with humans and pets. There is evidence of a bald eagle's nest located on adjacent property to this PUD but not within the PUD itself. The U.S. Fish and Wildlife Service has issued a "take" permit (MB43106C-0) to allow disturbance of up to two bald eagles due to potential abandonment of the eagle nest during the course of development of the PUD. A required monitoring program has been put in place pursuant to this permit. The PUD includes a dock that is located in close proximity to the Eagle's nest. If the Eagle's nest is occupied or being used by Bald Eagle's as of April 15th of any year, the use of the dock will be delayed until July 31. If the nest is unoccupied or used as of April 15, not additional closure shall be required. The boardwalk and dock are closed each year on the same schedule as the seasonal closures for the Eagle River Preserve. If at some point it is determined by Colorado Parks and Wildlife or the United States Fish and Wildlife Service that the nest has been abandoned, no mitigation measures or seasonal use closures shall be required.		
160	Colorado Parks and Wildlife	Bald Eagle Nest Stipulations	Recommend timing closure of the dock from October 15-July 31 be observed to provide the Bald Eagles with time to fledge their chicks (as the dock, boardwalk and recreation areas exist well within the recommended 1/4 mile "no disturbance" nest buffer zone.		PUD Guide Section 13	
161	Colorado Parks and Wildlife	Modular Boardwalk Design	Recommend the boardwalk be designed so that sections of the boardwalk can be removed or raised to discourage human disturbance or use of sensitive wildlife habitat during wildlife closure periods. The final design should minimize the height of the boardwalk above the wetland and eliminate any railings	Language Added to address comment: The boardwalk and dock are approximately 2,400 ft. in total length. The boardwalk and dock will be developed with modular sections in certain locations to help prevent usage during seasonal closures and allow for the passage of wildlife. The locations of these few modular sections shall be coordinated with CPW prior to construction. The boardwalk will developed as close to grade as possible while still allowing for flood waters to pass underneath to boardwalk. The height from grade is anticipated to be approximately 18" but in no case greater than 30" from grade. The design shall generally be without handrails but will allow for railings in certain locations, such as the end of the dock, to prevent unwanted access into the wetland area or allow for educational signage. The boardwalk and dock are subject to Army Corps of Engineers permitting and approval. Educational signage shall be provided adjacent to the boardwalk and shall be developed with consultation with CPW.		PUD Guide Section 13
162	Colorado Parks and Wildlife	Building design and layout	Recommend that the application entertain and pursue directional building to screen the interior portions of the development from areas that see the most significant wildlife use (such as eliminating balconies, walkways, breezeways and other means of human encroachment in proximity to sensitive wildlife habitats. Also achieve a design that minimizes impacts to wildlife, particularly wintering elk	Language added to address comment: Building Design Adjacent to Eagle River Preserve: Buildings located in PA-5 and PA-7 located directly adjacent to the Eagle River Preserve along the east property line of the PUD, will be developed to reduce impacts to wildlife by reducing the impacts of humans and noise. Balconies and decks on the exterior of the building in excess of 3' in depth shall be limited to 20% of the facade facing east. Patio, pool, and hot tub areas located in close proximity to the Eagle River Preserve with walls or screens to attenuate noise produced in these areas. Walkways and breezeways shall be planned sensitive to impacts to wildlife located on the Eagle River Preserve. To the extent possible, walkways intended for frequent use should be avoided in close proximity to the east property line of the PUD.		PUD Guide Section 13
163	Colorado Parks and Wildlife	Interpretive signage	Requests collaboration on installation of interpretive signage on the boardwalk to provide education for wildlife conservation and human-wildlife interaction messaging	Provision added that requires coordination with CPW on educational signage.		PUD Guide section 13
164	Colorado Parks and Wildlife	Mitigation opportunities	Open continued discussions regarding potential solutions for improving habitat connectivity to ensure the integrity of the area's big game winter range into perpetuity.	Open to continued discussions		
165	Eagle County Schools	Condo/Hotel Units	District agrees that dedication formula should not apply if units are entirely and perpetually restricted from permanent owner-occupancy. However, short of a land use and deed restrictions precluding permanent owner-occupancy, school dedication should be applied.	Applicant will apply school dedication		Section 17
166	Eagle County Schools	Payment of Cash in Lieu	District believes the cash in lieu dedication be paid in compliance with County Land Use regulations, which they interpret as not being at the time of building permit.	The PUD Guide has been revised to comply with County Regulations. This first final plat is not anticipated to create a parcel with any residential dwelling units and therefore, this final plat does not generate an impact or need for school land dedication fees-in-lieu. Subsequent to this initial final plat, each development parcel will be platted (as a final plat or amended final plat) as an individual development site. As each development parcel is platted, the applicant shall pay school land dedication fees associated with the proposed residential development contained within the development parcel being platted, consistent with Eagle County Land Use Regulations. In no instance shall a parcel, allowing for development of residential dwelling units, be platted without payment of school land dedication fees in-lieu being received for residential development proposed. This provision clarifies the timing of payment as provided in Eagle County Land Use Regulations and avoids fees being paid for residential dwelling units that are never realized.		Section 17
167	NWCCOG	Conditional approval - stormwater	Recommend conditional approval on review & approval of stormwater plan (compliance with Eagle County LUR and acquiring a CDPHE permit for stormwater management plan) by Eagle County	Agreed		
168	NWCCOG	Floodplain	Any filling of the floodplain should be analyzed for negative effects upstream and downstream	Agreed		
169	Mountain Rec	Overlap Consent	Agreeable to project. Overlap consent given	acknowledged		
170	Army Corps of Engineers	Alternatives considered	Range of alternatives considered should include alternatives that avoid impacts to wetlands or other waters	Agreed		
171	Army Corps of Engineers	Discharge of dredged or fill material	Every effort should be made to avoid project features that require the discharge of dredged or fill material into public water	Agreed		
172	Army Corps of Engineers	Mitigation plans	If no practicable alternatives to filling are available, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation	Agreed		
173	Army Corps of Engineers	Approved Jurisdictional Determination	Corps issued an Approved Jurisdictional Determination for the site, which is valid for 5 years, until March 21, 2024, unless new information warrants revision	Agreed		
174	Eagle County Historical Society	No comment				
175	Edwards Design and Craft HOA	No comment	great with the development			
176	Edwards Metropolitan District	Traffic	Concerned about increased traffic and whether roadways can handle increased traffic. Believe that condemnation may be, unfortunately, necessary for the roundabout. Urge application to evaluate increased traffic fully and carefully.	Traffic study and update letters provided. No condemnation is required for roundabout as impacts are to the PUD property.		
177	Edwards Metropolitan District	2016 Master Plan	Concerned project exceeds the overall impact anticipated by the 2016 Master Plan	Understood		
178	Edwards Metropolitan District	Eagle River Preserve	Concerns about the impact the project will have on the Eagle River Preserve and the Eagle River	Understood		
179	Edwards Metropolitan District	Overlap Consent	Concerned about the overlap of the proposed two Metro Districts for functions performed by Edwards Metro. Concerned about any unlimited mill levy and ultimate impact on support for the future needs of all other governmental entities. Need to better understand the final development plan before giving consent.	Understood		
180	Edwards Metropolitan District	Affordable housing	Request careful attention be given to the need for enough affordable housing to support the development	Understood		
181	Housing	Housing	Proposed PUD, as amended by the applicant, meets the housing guidelines with 50% of units RO	Agreed. The applicant has amended the housing plan further to provide additional housing credit.		PUD Guide
182	Housing	Distribution	50% RO should be distributed equally over all unit types and over all phases	The applicant disagrees. As long as the minimum housing standards are met for a unit and as long as the units are provided consistent with the phasing, the project otherwise complies with the Guidelines.		PUD Guide
183	Housing	Short term rental	All RO units will be prohibited from being short term rented.	We disagree. Units that are exempted from the Deed Restriction, will be allowed to short term rent pursuant to any HOA restrictions that may be developed. This is similar to the deed restriction for the Angler's PUD where the same was allowed but with only a 0.67% transfer fee.		PUD Guide
184	Housing	Further discussions	The staff is interested in further discussions to assist in development a housing plan.	Agreed. The applicant is happy to discuss additional opportunities.		
185	Housing	Conversion of rental units	The staff would like a provision for notice of the conversion of a rental unit to a for sale unit	This provision has been eliminated.		PUD Guide