

## Crystal River Caucus Meeting Minutes – September 10, 2020

### Call to Order

The meeting was called to order by John Emerick at 7:00 PM via Zoom. We had a quorum.

### Draft Minutes from The General Meeting, January 20, 2020

Since we cancelled the March meeting due to COVID and the January minutes were not recently distributed, we will not vote on the January minutes. John will distribute them again and will vote on them at the November Meeting

### Treasurer's Report:

Phil Youngman was not in attendance. There was no Treasurer's report.

### Announcements and Brief Comments from Membership:

None

### The Crystal River Water Augmentation Study and other news from the Colorado River District by Andy Mueller, General Manager, CRWCD

Andy introduced Zane Kessler, the Director of Governmental affairs at the River District. Zane lives here and has spent most of his career protecting the Crystal River Valley. He works to protect the lands and resources around the CRV.

Andy Mueller: New General Manager of the Colorado River District. Crystal River Valley is Andy's favorite valley in Colorado. He is a fisherman and boater. He noted that there has been a contentious history between the River District and valley residents, and he apologized for that. "Our district has not always been viewed very well in the Crystal River valley for good reason. We were the proponents, from the 1950s on, of some very large-scale dams that would have changed the Crystal River Valley. I want you to understand that I support our District's abandonment of those rights. Our District has absolutely no desire today or anytime in the future to build dams in the Crystal River Valley, or to interfere with its eligibility for Wild and Scenic designation, and I also recognize that our district has a lot of trust building to do in the valley. Zane just indicated his commitment personally, but I want you know that's my commitment and the rest of the District's commitment working with the residents of the valley. We can be a force of good."

He also stated that the ongoing augmentation study is not a proposal to build dams, not a sneaky way to resurrect abandoned water rights. "We are involved in the effort because the Division Engineer, Allen Marletto, requested we assist some domestic water users — subdivisions in the valley, the Town of Marble, and the Town of Carbondale — who are at risk of being called out or curtailed during dry years like 2018 and this year. The division engineer wants them to figure out some source of augmentation water to allow them to continue to use water when they are not in priority by providing augmentation supplies to the river, so the senior rights continue to have their supplies met. The purpose of this stage of the augmentation study is to quantify the amount of water that needs augmentation. Is it 5 acre feet? 100 acre feet? We know it's not in the 1,000s."

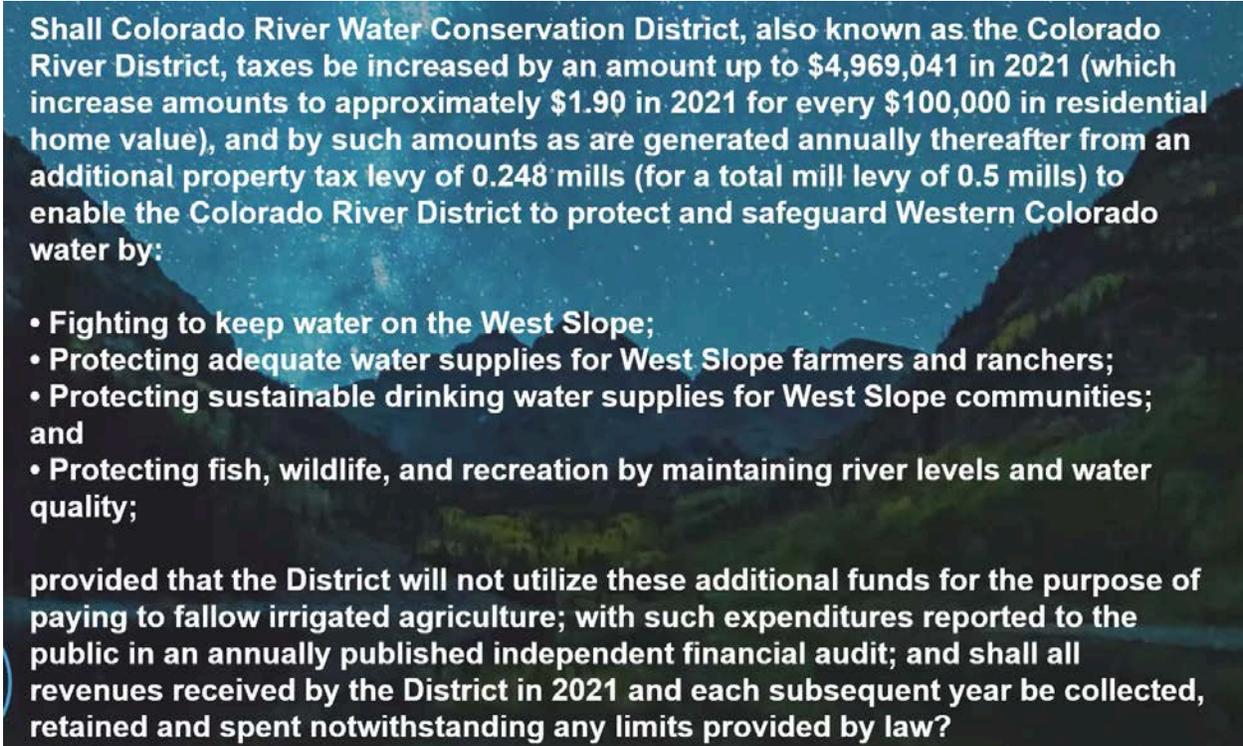
The Colorado River District will collaborate with Crystal River residents and all stakeholders to quantify the actual augmentation need before determining if there is a need to move forward with any plan or solution.

If there is a quantifiable need for augmentation water, the River District will explore all potential solutions with all stakeholders including emphasis on non-storage alternatives. The commitments from the Colorado River District: no dam on the mainstream of the Crystal River.

Laura Makar, attorney for Pitkin County's Attorney's office, let us know that Aspen engaged an engineering firm to quantify the issue as the first step. Looks a lot smaller than the 100,000-acre feet. Kristina Wynn from BBA Water in Denver, the firm hired by Pitkin, agrees the unaugmented depletion is closer to 100 - 300-acre feet if there is a call. Laura indicated they are also looking at other issues that could be addressed before restricting domestic water, such as water being used inefficiently.

Andy also stated that the Colorado River District is willing participate in and support a community discussion about Wild and Scenic designation for the Crystal River.

There will be a question on the November ballot to raise the mill levy to fund the River District:



**Shall Colorado River Water Conservation District, also known as the Colorado River District, taxes be increased by an amount up to \$4,969,041 in 2021 (which increase amounts to approximately \$1.90 in 2021 for every \$100,000 in residential home value), and by such amounts as are generated annually thereafter from an additional property tax levy of 0.248 mills (for a total mill levy of 0.5 mills) to enable the Colorado River District to protect and safeguard Western Colorado water by:**

- **Fighting to keep water on the West Slope;**
- **Protecting adequate water supplies for West Slope farmers and ranchers;**
- **Protecting sustainable drinking water supplies for West Slope communities;**
- and
- **Protecting fish, wildlife, and recreation by maintaining river levels and water quality;**

**provided that the District will not utilize these additional funds for the purpose of paying to fallow irrigated agriculture; with such expenditures reported to the public in an annually published independent financial audit; and shall all revenues received by the District in 2021 and each subsequent year be collected, retained and spent notwithstanding any limits provided by law?**

How will they spend the money? Andy stated that the money will be used to fund multi-purpose projects that meet needs in one or more of the following five categories: productive agriculture, infrastructure, healthy rivers, watershed health and water quality, conservation, and efficiency.

Update on the NEPA Environmental Review Process for the Redstone to McClure Pass Trail

The process is several weeks behind. They anticipate releasing a draft assessment in late October with a public comment period in November. There will probably be a presentation and discussion at our November meeting.

### Update on Open Space and Trails Redstone Park Steering Committee

The Steering Committee is still being formed.

### Potential Water Quality Impacts to the Crystal River by the Yule Quarry

Kate Hudson reported that in March the Army Corps of Engineers sent a letter to the company stating that they needed a permit for the work that already completed. The Army Corps is still waiting for an application for the permit. It is possible that the company will be required to put the stream bed back to the way it was. Once the permit is received it will be open for public comment.

Any decision by the Army Corps may have an impact downstream and we should all be concerned.

There is an opportunity for Pitkin County and the Healthy Rivers Board to participate in proactively identifying mitigation steps downstream of the site.

Macie showed the video of the changes. [can we send a link to the video?]

There was a 5,500-gallon diesel spill 2019 and the company was cited for violation of their permit because the tank had been moved. There is a spill site where the creek used to be and the clean-up could be a multi-year process.

At this point no monitoring is planned by the Commissioners.

### Impacts of short-term rentals to our community: Updating Pitkin County's Growth Management Plan

How have short-term rentals impacted our community? Bill Jochems lives on Redstone Blvd. suggests the county look into how many short-term rentals are on the Boulevard. Suggests the Caucus ask the County to do this. A few weeks ago, one rental reminded him of living in fraternity house - parking issues, noise. Visitors don't have the sensitivity of living in a community.

Chuck Downey mentioned that his neighborhood requires a 30-day minimum rental.

Lisa Wagner has a Bed & Breakfast. She has been undercut on rooms. She pays taxes. The VRBOs don't.

Nancy Chromy noted that the short-term rental renters aren't social distancing. Commercial use in a residential zone, isn't legal. But people are doing short-term rentals in the north part of Redstone which is zoned VR (village residential)

Andrea and Bruce Garr own the Redstone Cliffs Lodge on Boulevard. They were forced to file a COVID business plan with Pitkin County. The short-term rentals were not forced to fill out a business plan. Also, the tax rate is much higher for their business. Suggest that Pitkin look into a way of identifying the abusers of the zoning and tax laws.

Andrea moved that the caucus request Pitkin County to identify short-term rentals as well as the different districts to the extent that there are zoning violations. Nancy seconded.

The motion passed with a majority.

Andrea also noted that Recycling should be brought up with the county. Waste Management does not provide recycling.

Additional Announcements:

None

Adjourn

The meeting was adjourned.