

## **Crystal River Caucus Annual Meeting Minutes - November 12, 2020**

### **Call to Order**

The Crystal River Caucus Annual meeting was held on November 12, 2020 via Zoom. In attendance, at the start of the meeting, were 29 caucus members, Commissioners Newman and Kury, Commissioner-elect Jacober, five Pitkin County staff, and one reporter. The quorum is 15 and that quorum was met. The attendance increased throughout the duration of the meeting.

### **Approval of Draft Minutes from The General Meeting, January 9, 2020**

The minutes from the General Meeting were approved by all, with one abstention.

### **Approval of Draft Minutes from The General Meeting, September 10 2020**

The minutes from the General Meeting were approved by at least 16 people.

### **Treasurer's Report**

Phil Youngman stated we have \$1,352.65 in the account. We didn't have very many expenses this year because we didn't have to pay for our usual meeting facilities. Phil proposed that we reimburse John for the approximately \$120 of costs of the Zoom meetings. The motioned passed.

### **Election of Board Members**

John Emerick was re-elected as Caucus Chair; Phil Youngman, Kate Hudson, and Maciej Mrotek were unanimously re-elected as board members.

### **Update on the USFS Environmental Assessment on the Crystal River Valley Trail: Kevin Warner, Sopris District Ranger**

Kevin has been the District Ranger for about 11 months and lives in the Valley in the Seven Oaks Subdivision.

He reported that the discussions are still underway to choose an alignment of the trail between Redstone and the top of McClure pass. He had no date as to when the draft environmental assessment will be released or when the comment period will begin, but the Ranger District will work with local organizations such as the caucus to acquire maximum input during the comment period, at which time anyone will be able to make comments through their website, via email, or postal mail. The comment period will be less than 60 days, possibly as few as 30 days.

A concern was brought up about parking issues based on the anticipated influx of cars. Kevin indicated that there is parking behind the Coke Ovens, at the park in Redstone, at the top of the pass, and some places in-between.

Phil started a discussion concerning the statutory requirement for reviewing the entire trail's environmental impact instead of a single segment's impact. Kate Hudson noted that this would be governed by NEPA, which as a federal agency, the Forest Service would be required to comply with. NEPA does require the federal agency leading the environmental review to consider direct, indirect, and reasonably foreseeable cumulative impacts of approving the segment of the project. Pitkin County has approved the entire project, so there is no question that the project is out there and is connected with the segment that is presently under review.

Kevin indicated that the Forest Service has chosen to comply with the older regulations (which Kate addressed) instead of the newer regulations which only require looking the impacts by segment.

Mark Hilberman suggested that the trail use the old road to McClure Pass. Kevin concurred that the route from the old Placita town site to the top of the McClure Pass would follow the old wagon road.

### **OST Redstone Park**

Jessie Young, Pitkin County Open Space and Trails, provided an update on the OST Redstone Park planning process. She reported that the planning committee has just begun to meet and that the plan will not be completed until sometime in 2021, and any construction will not begin until 2022. Maciej Mrotek is the Caucus' contact for this project. Any comments can be directed to the Caucus email [crcaucus@gmail.com](mailto:crcaucus@gmail.com)

### **Discussion on short-term rentals in the Caucus area**

Cindy Houben, Pitkin County Community Development Director, stated that Colorado counties have recently been given state authority to regulate rental policies and that the county is still looking into how this might affect county ordinances. Several caucus members voiced their concern regarding short term rentals such as rentals happening in the residential zones. A comment was made that this is detrimental to the character of the community and is unfair to the legitimate lodges.

***A motion was made by Bill Jochems for the Crystal River Caucus to urge Pitkin County to address short term rentals with all due speed as we consider this a commercial-type enterprise in a residential zone and a detrimental change coming to the Redstone Historic District.*** Lisa Wagner seconded the motion. The motion passed.

### **Update on the permit application by Colorado Stone Quarries (CSQ), Inc, Pride of America Mine (PAM).**

The PAM, otherwise known as the Yule marble quarry, has an activity envelope that encompasses a portion of Yule Creek, a tributary of the Crystal River. The mine is operated by CSQ, who diverted Yule Creek within the envelope to a paleochannel and filled in the once active channel with mine waste to provide access to mining operations. The Army Corps of Engineers has determined that this was done without a necessary permit. The Caucus is concerned because of the potential impact on water quality of the Crystal River.

***A motion was made by Kate Hudson that the Caucus grant the Caucus Board approval to draft and submit comments to the Army Corps during the public comment period on Colorado Stone Quarry's Clean Water Act Section 404 permit application, in support of protecting and enhancing the ecosystem of Upper Yule Creek and the Crystal River watershed.*** Maciej Mrotek seconded the motion. The motion passed.

The board will submit comments on behalf of the Crystal River Caucus on or before the comment period deadline of December 16, 2020.

**Meeting Adjourned**

## **Crystal River Caucus Regular Meeting Minutes - January 14, 2021**

### **Call to Order**

The Crystal River Caucus Annual meeting was held on January 14, 2020 via Zoom. Eighteen Caucus members attended the start of the meeting. The quorum is fifteen members, and that quorum was met. The attendance increased throughout the duration of the meeting.

### **Approval of Draft Minutes from The Annual Meeting, November 14, 2020**

The minutes from the Annual Meeting were approved by all.

### **Treasurer's Report**

Phil Youngman stated we have \$1,170.81 in the account.

### **General Comments**

Question regarding how to add names to Caucus community. Anyone can send an email to [crcaucus@gmail.com](mailto:crcaucus@gmail.com). There is information on the Pitkin County website <https://pitkincounty.com/949/About-the-Crystal-River-Caucus>

### **Summary of comments from the Caucus Board to the Army Corps of Engineers regarding the Colorado Stone Quarry's application for the Pride of America mine (Yule quarry), and recent developments (see attached comment letter in Appendix A)**

Kate Hudson informed us that we submitted one of about a dozen comment letters that the Core received including both Gunnison & Pitkin County, CVEPA, and Roaring Fork Conservancy, among others. The Army Core denied our request for a public hearing on the Quarry's application. We requested the hearing because the Army Core decided not to require a compulsory restoration proposal with the application. Normally, this is a required part of the process. If a restoration proposal had been included, the various stakeholders could have read and commented on it. There is a concern that the company may be allowed to do a token project as compensation for the destruction they caused, and the project may not have to help the Crystal River Valley. Kate also suggested that the Caucus give the Board permission to stay on top of the issue.

Maciej Mrotek moved that: *The Crystal Caucus authorize the Caucus Board continue to be involved in representing the Crystal Caucus community's interests in protecting the Crystal River watershed in relation to the application before the Army Corps of Engineers regards to the Yule Creek by Colorado Stone Quarries and to take any action necessary to protect the Crystal River Valley and to ensure that the Company is required to conduct meaningful restoration activities in the Yule Creek – Crystal River Watershed.*

Phil Youngman seconded.

Proposal passed unanimously.

**Further discussion of Short-term rentals in the Redstone Historic District; the county would like to know what sort of restrictions the caucus would support for the District.**

BOCC wants our comments for their working session.

General Comments:

Andrea Garr: In the last meeting 15 short-term rental properties were identified on the Boulevard and this number has increased. Bill Jochems, Lisa Wagner, Nancy Chromy, and Andrea Garr have been working to put together a proposal. The goal is to preserve the historic character of the neighborhood and to provide year-round housing for locals. In addition, the remoteness of Redstone increases the difficulty of enforcing any rules such as parties and other infractions. *Motion: In Redstone's village residential and village commercial zone districts rentals for residential purposes for periods of less than 30 consecutive shall be prohibited uses except in hotels, motels, lodges, and bed and breakfasts, as those uses are defined in Title 8 Chapter 11 of the Pitkin County Land Use Code.* So essentially any rental for less than 30 consecutive days, we are recommending not be allowed on the Boulevard.

Lisa seconded.

There was a lot of discussion both for and against the proposal (See Appendix B for details). The gist of the pro discussion is that the zoning prohibits commercial activity in the already established residential zone, the owners of the short-term rentals should be required to pay the same fees as the other lodging properties, and the community character of Redstone will be altered beyond recognition if the number of short-term rentals continues to increase. The comments against the proposal revolved around the thirty-day limit.

Vote on the motion:

15 For  
11 Against  
5 Abstained

**Wild and Scenic designation for the Crystal River: where does that effort stand and does the Caucus have a role?**

Chuck Ogilby:

Introduction. The Caucus approved going forward with Wild and Scenic years ago. We are making sure the Caucus still wants to proceed supporting a permanent designation

of Wild and Scenic on the Crystal. The Healthy Rivers Board is meeting with the BOCC of Pitkin County.

Why ask for this confirmation of support now? Andy Mueller, the head of the River District, and Zane Kessler indicated at an earlier Caucus meeting that the River District is willing to help obtain the designation.

Bill Jochems commented that when he moved here in 1971 there was a threat of a dam at Placita and another one below Redstone which would flood Redstone. Eleven years ago, these projects came up for review before the Water Court at which time they had to prove they had been diligent in advancing their project. The Caucus filed an objection in the Water Court to a finding they had been diligent. The result was that the Water Districts had abandoned their efforts to build these reservoirs. There were other objectors as well — the Forest Service and Pitkin County. Anybody could file again to do the exact same thing.

Now we have less water and more demand. Also Wall Street and investment bankers are buying up water which threatens the flow of our streams.

Wild and Scenic designation would prevent dams on the main stem of the Crystal River.

Chuck's motion: *The Caucus should continue to support pursuing Wild and Scenic designation for the Crystal River.*

Bill seconded.

What has been done so far to push Wild & Scenic throughout the valley? Approvals obtained from Gunnison, Marble, Carbondale, and Glenwood Springs. But Gunnison and Marble cancelled their approvals. We are planning on going back to work on getting approval, including from the Colorado River Water Conservation District. We want to include the Caucus' reapproval in our arsenal of approvals.

Phil asked is it essential to get the buy in from Marble and Gunnison?

Yes, it is very important.

Rachel asked about the impact of the designation of the need for future water augmentation.

Answer by John Ely: There is no need for dams on the main stem of the Crystal River to satisfy the augmentation needs. An amount that would fill a stock pond would suffice. Both the augmentation needs and the Wild and Scenic designation are mutually achievable.

Dee spoke passionately about the numerous organizations that are willing ready and able to make this happen:

Dee has been involved in the concept Wild and Scenic for the Crystal River for a long time. There are other organizations that are helping to pursue the designation of Wild and Scenic. Dee is on the Executive Committee for the Colorado Chapter of the Sierra Club as well as the Wildlife Chair. The Chapter has agreed this is major concern given that the Crystal contributes a major amount of flow to the Roaring Fork which contributes to the Colorado River which is under extreme stress from global warming. The Sierra Club can bring a tremendous amount of support to this effort.

Vote:

Unanimous support for the motion

John: Requested any comments or suggestions regarding where to go from here. It was decided that there would be a meeting for those who are interested in pursuing the next steps.

Meeting Adjourned

## **Appendix A: Caucus' Board Letter to Army Corp re Yule Creek**

December 15, 2020

Ben Wilson, Project Manager  
U.S. Army Corps of Engineers, Sacramento District Colorado West Regulatory Section  
400 Rood Avenue, Room 224  
Grand Junction, Colorado 81501  
Email: [Benjamin.R.Wilson@usace.army.mil](mailto:Benjamin.R.Wilson@usace.army.mil)

Re: Permit Application SPK-2019-00889; **Public Notice of Permit Application**, Colorado Stone Quarries, Inc., Gunnison County, CO; **Public Comment Period**: October 15 – December 16, 2020

Dear Mr. Wilson,

The Crystal River Caucus has authorized the Caucus Board to submit the following comments on the permit application that Colorado Stone Quarries, Inc. (CSQ) has submitted to the Army Corps of Engineers to maintain fill materials within the natural alignment of 1600 feet of Yule Creek, which CSQ placed there in 2018 without the required Corps permit, for the purpose of expanding its existing marble mining operation.

The Crystal River Caucus is one of nine caucuses in Pitkin County, which are recommendatory bodies to the Pitkin County Board of Commissioners, authorized by the County's Home Rule Charter. The caucuses provide recommendations on land use applications and other matters of community interest for their membership. The Crystal River Caucus includes people in the Pitkin County portion of the Crystal River Valley. As such, we are downstream from the mine operated by CSQ on Yule Creek and the quality of the Crystal River water and habitats is of paramount importance to the Caucus.

The Caucus has concerns regarding the application, due to the following:

- The actions taken by this company over the past several years have not only been in violation of CSQ's state of Colorado mining permit and in violation of federal law, but also have significantly altered and damaged a portion of Yule Creek and its adjacent environment.
- The company's actions have put at risk the water quality and health of the Crystal River, as Yule Creek is an important tributary to the Crystal.
- Future negligent or illegal actions taken by this company may put the Crystal River at additional risk.

- Even remedial actions, if not properly designed or carried out, could result in negative impacts downstream on the Crystal River.

As stated in the US Army Corps 'October 15, 2020 notice initiating this public comment period on the CSQ's Clean Water Act Section 404 Individual Permit Application, the Army Corps "is evaluating an after-the-fact permit application to maintain fill materials within the natural alignment of 1600 linear feet of Yule Creek and within the relocated alignment of Yule Creek for the purpose of expanding an existing marble mining operation." According to the Corps 'public notice, the purpose of this Public Comment Period is to assist the Army Corps in determining whether the Corps should issue, modify, condition or deny the requested permit in accordance 33 CFR Part 230 (USACE NEPA Regulations) and 33 CFR Part 325, Appendix B (USACE NEPA Implementation Procedures).

In violation of these Federal Regulations and Guidelines, CSQ has already "discharged" a significant amount of dredged and fill material (97,000 cubic yards) into the aquatic system of Yule Creek, in the absence of any demonstration that its discharge would not have an adverse impact on the Creek and in the absence of any steps taken to minimize impacts to the creek from filling. The company has also constructed a mine haul road over 1500-1600 feet of the creek's natural channel and constructed a large pad on top of that fill to facilitate fuel spill management and to create a transloading yard to transfer block haulage from off highway to on highway vehicles. As a result, the Army Corps has been put in the challenging position of trying to determine how it can comply with its own guiding regulations and principles in responding to CSQ's permit application.

The Crystal River Caucus submits the following comments on CSQ's dredge and fill permit application to assist the Army Corps in determining its response to that application and in support of protecting and enhancing the ecosystems of lower Yule Creek and the Crystal River watershed.

- 1. Public Interest:** *In evaluating CSQ's application, we ask the Corps to give serious consideration to the public interest of communities and residents in this region of Colorado, and in particular the Roaring Fork Valley, which for obvious reasons is significantly focused on water and the preservation of our waterways.* The concerns that drive that focus include public interest in protection of water supply and conservation, water quality, support for our agricultural and ranching economy as well as our recreational economy, fish and wildlife values, wildfire concerns, aesthetic values including protection of local and regional viewsheds, and ultimately a concern for upholding the federal and state laws and regulations that protect all of these. The public's interest should not be defined by the permit applicant, as it is in CSQ's evaluation of its own suggested alternatives. The public's interest, which the Clean Water act requires be considered in evaluating alternatives, is intended to be much broader than the applicant's interests.

- 2. Crystal River Caucus Interests:** In addition to sharing the public interest and concerns of our fellow residents of Western Colorado, Crystal River Caucus members have a particular interest in ensuring that the ecosystems of the Yule Creek and the Crystal River watersheds are protected from further impacts associated with CSQ's mining activities. This includes potential enhancements by Army Corps- required compensatory mitigation measures, and properly designed and monitored mining and remedial activities to ensure that those activities do not have negative impacts downstream on the Crystal River.
- 3. The Army Corps 'Environmental Impact Review:** The Army Corps, at this point in the application process, has conducted no environmental impact review of the applicants' proposal. *The Crystal River Caucus strongly urges that the Army Corps make no decision regarding CSQ's permit application and alternatives analysis until the Corps has completed a full environmental impact analysis of its own, completed its consultations with the state of Colorado regarding its 401 Water Quality certification, the Fish and Wildlife Service and the State Historic Preservation Office, and fully considered input from the public regarding the impact of the applicant's proposed activities on the public's interests.* This analysis should include 1) identification of impacts already caused by the applicant that need to be mitigated, and 2) an evaluation of impacts likely to result from various alternatives that have been proposed by the applicant and may be proposed by others during the permit review process, to inform the Army Corps 'selection of the least impactful alternative and inform the Corps 'decision regarding requirements to minimize any unavoidable impacts of an alternative to the maximum extent practicable, as required by NEPA and Army Corps regulations.
- 4. Potential Impacts and Impact Avoidance related to CSQ's Current Application:** Section 404 of the Clean Water Act and its implementing regulations and guidance place the burden on the permit applicant to affirmatively demonstrate: 1) that what it seeks a permit to do will not have an unacceptable adverse impact either individually or in combination with known and/or probable impacts of other activities affecting the ecosystems of concern, 2) that there is no practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, and 3) that appropriate and practicable steps have been taken which will minimize potential adverse impacts of the discharge on the aquatic ecosystem. *The Crystal River Caucus requests the Corps provide affirmative and objective evidence it has obtained, over and above the applicant's assertions, that demonstrates the applicant's preferred alternative will not have an unacceptable adverse impact when considered with the cumulative impacts of CSQ's prior illegal activities, as well as likely future impacts related to CSQ's continued mining activities near the upstream and rechanneled segments of Yule Creek. The Caucus also requests information from the Corps or other objective source that demonstrates there is no other, less impactful alternative and specifies what steps CSQ will be required to take to minimize the potential adverse impacts of its proposed alternative. Absent these demonstrations, the Crystal River Caucus respectfully requests that the Army Corps deny the applicant's permit application.*

5. **Alternatives:** Army Corps NEPA Guidance requires that "All reasonable alternatives, in particular those which may be less damaging to the aquatic environment, will be considered." A full range of alternatives would have been available for consideration if CSQ had complied with the law and 1) applied for the Clean Water Act and other permits required prior to undertaking its dredging and filling of Yule Creek, and 2) not relocated its generators and diesel fuel tanks without permission from Colorado State mining authorities and without secondary containment structures, in violation of state mining laws. However, because of its unpermitted dredging and filling of 1600 yards of Yule Creek in 2018, and also because of its spill of 5,500 gallons of diesel fuel in the area of what was the natural alignment of the Creek in 2019, CSQ's illegal activities have severely reduced, if not eliminated many viable alternatives which could have been considered if the mining company had complied with the state and federal laws intended to regulate its activities. CSQ should not be rewarded for its violation of those laws. It is important to note that CSQ's original intent and proposal was to divert Yule Creek for only approximately two years from the fall of 2018. In other words, according to their original plan, approved by state mining authorities and still in effect, the company planned to restore Yule Creek to its original, natural channel by now, the end of 2020. In fact, CSQ's current mining permit still requires the removal of fill from Yule Creek (see p. 17 of CSQ's Section 404 Permit Application). There was no hesitation on the company's part about filling, diverting and then restoring Yule Creek when it proposed that course of action to Colorado mining authorities in 2018 (see CSQ's application, Blocks 18 and 20, pp.1-2). However, CSQ now uses the argument that there are impacts associated with moving the Creek back to its original channel to reject four of the alternatives that it suggests in its application, and to downgrade consideration of 2 of the 3 remaining alternatives.

At this point, the only alternatives on the table are the applicant's. As indicated in the Army Corps 'public notice of the application, other alternatives may be proposed during the application review process, and will be considered by the Army Corps. If there are in fact no practicable alternatives that avoid a continued adverse impact on the aquatic ecosystem of Yule Creek, then according to the Army Corp's Clean Water Act regulations and guidance, CSQ's permit application should be denied.

It is difficult to make that determination based on the alternatives analysis provided solely by the applicant. CSQ's evaluation of its own alternatives clearly weights practicability above environmental factors and its own opinion of the Public Interest (for instance, use of public lands is considered a more important public interest value than impacts to public waterways – Alt. No. 2). Its analysis of practicability focuses heavily on cost, challenging logistics, inconvenience, and lack of ownership of certain property interests. Emphasizing practicability, CSQ eliminates all alternatives except 5, 6 and 7 as the only reasonable alternatives that "appropriately balance the execution of CSQ's mining plan."

Setting aside its slanted evaluation of its own alternatives, CSQ's alternatives analysis is flawed in two other significant ways. First, Section 230.10(b) of the Army Corp's guidelines provide that an alternative does not need to be dismissed as impracticable if an area not presently owned by the applicant can be reasonably obtained, utilized, expanded, or managed in order to fulfill the basic purpose of the proposed activity. According to the applicant's Alternative Comparison

Matrix for Practicability, Alternatives 1, 2 and 4 were eliminated in whole or in part because of ownership or right of way issues (Individual Permit (IP) Narrative, p. 28). *The Caucus urges the Corps to revisit CSQ's "practicability" determinations based on current lack of ownership or right of way issues.*

Secondly, a number of alternatives are determined to be impracticable because of issues that have been created by CSQ's 2019 fuel spill and the determination that the effects of that spill would only be addressed by long-term "bioremediation" and groundwater monitoring. CSQ's application documents allude to the on-going risk that additional diesel from the October 2019 spill might migrate down to and impact Yule Creek as a reason to further bury the original creek channel (See IP Narrative, p. 16). However, given the excavation and removal from the mine site of petroleum contaminated soils that has already occurred and the bioremediation of residual soils that is anticipated to be completed by next year (2021), consideration of a broader range of alternatives that are now disfavored or eliminated by CSQ based on the impacts of its 2019 diesel spill is possible and should be considered by the Army Corps, thereby expanding on site road access options beyond the current siting of the mine access road over the filled bed of Yule Creek.

*The Crystal River Caucus urges the Army Corps to not allow the applicant's own self-interested analysis of alternatives influence the Corp's determination of whether any of the alternatives proposed by the applicant meet the requirements of the Clean Water Act and section 404(b)(1) guidelines. The Caucus also recommends that the Army Corps re-evaluate applicant's alternatives with a more balanced evaluation of environmental and public interest factors, and less emphasis on practicability and on the impacts of CSQ's 2019 diesel spill, given that CO state DRMS anticipates that site remediation will be completed by next year (2021).*

**6. Compensatory Mitigation:** The Army Corps 'October 15, 2020 Public Notice of CSQ's Permit Application states that "If the applicant is unable to avoid or minimize impacts, the Corps may require compensatory mitigation."

- **Mitigation For CSQ's 2018 Dredging and Filling of Yule Creek:** Because CSQ's dredging and filling of Yule Creek and expanding of mining activities over the filled creek bed in 2018 were never subject to the Army Corps 'application review process, neither the Corps nor the public will ever know whether there was, at that time, a "practicable alternative" to CSQ's filling of the Creek, nor whether there were "appropriate and practicable steps" that could have been taken to minimize environmental impacts. Given that the elimination of 1600 feet of a natural waterway is clearly an impact in and of itself, and that CSQ's dredging and filling certainly had downstream impacts that unfortunately were not monitored for at the time, *the Crystal River Caucus strongly supports Army Corps 'requirements for compensatory mitigation to compensate for the un-avoided and un-minimized environmental impacts that CSQ has already caused.*
- **Mitigation Related to CSQ's Current Application:** It is the Caucus 'understanding that compensatory mitigation plans have not been required as part of CSQ's current application to the Army Corps. *The Caucus requests that the Army Corps require the*

*applicant to submit proposals for compensatory mitigation projects to address current and future impacts related to its ongoing and future expanded mining activities in the vicinity of the diverted creek channel, which have the potential to adversely affect downstream portions of the Creek and the Crystal River into which it flows. Before the Corps closes the public record and makes any decision on CSQ's pending permit application, the Caucus urges the Army Corps to 1) solicit compensatory mitigation project ideas from local governments and communities, and 2) require CSQ to submit its own proposed compensatory mitigation plans for Corps and public review and comment. Such projects, with the goal of improving the water quality and enhancing the ecological function of the Yule Creek and Crystal River watersheds, will serve to compensate for the environmental impacts that the applicant has already caused and may cause in the future associated with implementing one of the alternatives it is seeking this permit to undertake.*

**7. Public Hearing:** *The Crystal River Caucus requests that the Army Corps hold a public hearing to consider this application to determine the extent of public interest in the applicant's proposed activities, the impacts they are likely to have on the public's interests, and to receive additional compensatory mitigation project recommendations. In particular, the Crystal River Caucus seeks to be informed about and if possible, have the opportunity to comment on: 1) the water quality certification which Part 401 of the Clean Water Act requires from the state of Colorado for this project, 2) the Corps' consultation with the US Fish and Wild Service concerning impacts to Endangered Species, 3) the Corps' consultation with the State Historic Preservation Officer concerning impacts to Historic Properties, and 4) the Corps' preparation of its own environmental impact assessment required by NEPA. The Crystal River Caucus requests that the Army Corps make no decision regarding CSQ's permit application and alternatives analysis until the Corps has completed its impact analysis and required consultations.*

Thank you for affording us the opportunity to submit comments on behalf of the Crystal River Caucus on this important and consequential application.

Sincerely,



John Emerick, Chair Crystal River Caucus

CC: Pitkin County Board of Commissioners  
Pitkin County Healthy Rivers and Streams Board

## **Appendix B: Details of Short Term Rental Discussion**

Discussion:

Dan Perlman: I this only applying to the Boulevard? Yes or the Historic District. Some HOAs already have restrictions.

There was a question and some discussion of the boundaries for the Historic District vs the Boulevard. It was concluded that there were two zoning districts that were designated by the board of County Commissioners in 1993 as Redstone historic districts — Village Commercial and Village Residential. So this proposal would encompass both of those districts. And the zoning is already set in stone by the board of County commissioners as a historic district.

Preserve Redstone as a community not just as a hotel.

Brittany: manages rentals in Pitkin County. Harsh to outlaw them. No other community has done that. Positive tax benefit of short-term rentals. Brings in a lot for restaurants. Maybe we could do what Glenwood does - limit vacation rentals to be distanced by 400 feet from each other. Her property management company screens all guests and rarely have issues.

Andrea: not saying banned altogether - just on the Boulevard.

Brittany noted that need a real estate license to rent for over 30 days. All short-term rentals are less than 30 days.

Bill commented that Redstone will soon be more than 20% short term rentals which unfair our lodging business but also to our neighbors. No longer neighbors but transitory visitors. Need to wipe the slate clean with a 30 minimum. People are buying houses only for short-term rentals. This is such a drastic change to character of Redstone that we have to shut it down then decide what to do. If we don't then it could grow to over 50%.

Peter had emailed John and the Commissioners. They spent over 1000 hrs concerning this when developing the Master Plan. Ann and I moved to the village of Redstone in 1984, but had to move away in 2019 as I needed to live at lower altitude for health reasons, we will always consider Redstone as our real home. 35 years of being citizens of a very real community. Great. And we remain committed to this special place. We are dismayed at the concept of short-term rentals and the inherent loss of full-time citizens, which would be a change away from the community fellowship, which we so cherish. This sense goes way back to the Redstone Master Plan, which I chaired as a member of the task force nearly in 1990s, the term short-term rentals was not in our glossary at the time of designing the Master Plan. That being said the paramount mission was to assure the preservation of the village community and our sense of full-time citizenship.

Maciej commented:

Was originally against preventing the rentals because some people rent out their homes in the summer in order to continue living here. He noted that his wife lived in a community in Hawaii

that changed from some short-term renters to all short-term renters but no full time residents. It is important to restrict short-term rentals on the Boulevard.

Nancy thanked the previous commenter. A member of the Redstone Historic Preservation Commission for at least 15 yrs. She has been in communication with Pitkin County staff member Susanna Reid who is very concerned with the character of Redstone changing. If this continues every lot on the Boulevard could be a hotel. This isn't Glenwood. We are a unique area in Pitkin County and the only Historic District. Super important that the Commissioners take the Historic District viewpoint into consideration.

Bill Jochems: Merka Bangs moved from Eastern Europe about 20 years ago. They bought a house. Then bought the one next door which they rent out to long term renters. Many people have suggested that they could make more money renting it by the weekend but they said they would rather have a neighbor than make money. This encapsulates the objection we have in the residential area. It is unfair to the neighbors. In a neighborhood we want neighbors, not people that are in and out for the weekend, and we don't the character of Redstone for sale by the night.

Dee Malone: There are a lot of gorgeous places on the planet. What makes Redstone special is the community. Community requires commitment and staying home. For community we need people to stay here and build that community to build that neighborhood. I don't want to live in a hotel. I want to live in a community. It makes all the difference in the world.

Chris: Looking to buy the Wild Horse Enterprises property next to the General Store. Wants to turn main building into residence and keep the cabins in the back as rentals. For fostering and growing community.

Andrea: Would be great to open a retail business.

Brittany: Not enough visitors to keep businesses open.

Nancy: That's not true in Summer, Fall, and into Winter. The Boulevard is packed with people. Has to be a sense of balance.

Brittany agrees there should be a balance.

Dan Perlman: Doesn't live in Redstone but appreciates the community spirit there. Agrees there should be a balance thinks that 30 days is very severe, suggests one week, or ten or fourteen days.

Lisa: Has a Bed & Breakfast since 1995. Last of the village commercial buildings on Boulevard before the residential district. I had to go through a \$12,000 review to become a lodge with Pitkin County. The person across the street her has a four-plex and undercuts her. She pays taxes and is an official commercial building. We are a community, we volunteer, we are unincorporated. There are full-time residents that volunteer and who put on activities that make this a unique community. We are losing our community because of the short-term rentals.

Bruce Garr: Section 3050 of the Village Residential Zone District is intended to preserve the historical integrity of the existing neighborhood, ensure compatibility with existing uses, and retain the village atmosphere, pedestrian scale, and unique character of Redstone. That's consistent with Andrea's proposal.

Molly Jacober runs Avalanche Ranch: Appreciates both sides. Lives in a rotating neighborhood, every night her neighbors are different. Understands getting sick of parties. Appreciates the economic value of short-term rentals. Has sat on merchant boards trying to bring business into Redstone and thinks that business into Redstone means short-term rentals. Is there a balance we can reach? Does Redstone have legal rights to ban the rentals? Can we work with Pitkin County to bring people together on the subject and possibly bring taxes to the short term rental people so they are paying in to the community and are part of the community. This is an opportunity to bring business to Redstone. Molly has been a booking agent of short term rentals on the Boulevard.

John: All we can do as a Caucus is to the advise Pitkin County Commissioners.

Kelly (from Pitkin County): We've asked for input and also need to learn the legalities of the issue from the lawyers.

This started as a request to require licensing of the rentals and has expanded into evaluating other impacts.

Dee: Many of us have lived in Aspen or Basalt and have seen what has happened in those places. As it is now, we are very special. The way to undermine the special character of Redstone is to allow what happened in Emma, Basalt, and Aspen to happen here. If we want to retain our character and sense of community, we will not allow this to happen.

Matthew: Recent homeowner on the Boulevard splits time between Redstone and California. We fell in love with the character of the Village. We don't think that character is dependent upon necessarily full-time residents but upon responsible homeowners and accountability. We want to rent out our house when we are not here.

Andrea's motion: In Redstone's Village Residential and Village Commercial zone districts rentals for residential purposes for periods of less than 30 consecutive days shall be prohibited uses except in hotels, motels, lodges, and bed and breakfasts as those uses are defined in title 8 chapter 11 of the Pitkin County land use code.

Lisa: In Denver, a homeowner can rent out their home when they are away, but it must be the homeowner's primary residence.

## **Crystal River Caucus Regular Meeting Minutes - March 11, 2021**

### **Call to Order**

The Crystal River Caucus Annual meeting was held on March 11, 2021, via Zoom. Enough Caucus members attended the start of the meeting to have a quorum.

### **Approval of Draft Minutes from The Crystal River Caucus Regular Meeting, January 14, 2021**

The minutes from the meeting were approved.

### **Treasurer's Report**

Phil Youngman stated we have \$1,170.83 in the account.

### **General Comments**

None

### **Redstone Park Draft Management Plan**

Jesse Young, Pitkin County Open Space and Trails (OST) presented an overview. In general, the planning and design process will leave the park mostly as it is, with some improvements, such as reinforcing the top of the levy edge, improving the access points to the river, connect the path that peters out after the bridge to the Boulevard, consolidate the playground and add some additional play features, improve accessibility to the park by the restrooms, enhance the parking area, remove some unhealthy trees while keeping the mature vegetation, and move and enclose the dumpster so it is no longer an eyesore.

Additionally, the plan shows a 16' x 16' foot gazebo with electricity.

Here is a link to the OST project page: <https://www.pitkinostprojects.com/redstone-parks-and-open-space.html>

Motion by Maciej to support the OST Draft Plan by submitting an official letter supporting the plan

Seconded by Chuck

The motion passed unanimously

### **Revision of the Redstone to McClure Pass section of the bike trail**

Gary Tennenbaum, Director, OST presented.

He noted that the County has proposed some changes. One change is to move the current parking area at the base of the Old McClure Pass Road and informal shooting area a little further South. This increases safety when leaving the area by improving the line of sight. The other proposed change is to have and the bike path pass under 133 instead of crossing it at grade. The trail would then continue away from the road up towards the campground. The cost with the underpass and the single track is about \$100,000 more than going up the road, but this eliminates the \$10,000 /year extra maintenance of removing rockfall and plowing that would be needed if the path continued up the road.

The NEPA process is delayed until after the County completes additional field work and submits the results to be included in the draft environmental assessment. That assessment will likely be available for

public comment in August. The comments will be reviewed, and a decision made in late 2021 or early 2022.

### **Forest Service Plans for Prescribed Burns in the Crystal Valley during 2021**

Phil Nyland, District Wildlife Biologist introduced Jim Genung, the fire expert. Jim spoke about the timing, the containment, the reasons, about safety, and the methods to be used. He indicated that there will be a prescribed burn up Coal Creek Basin sometime between mid-April and mid-May, if conditions allow. Anyone who is smoke sensitive should let the District Ranger know, so they can be contacted beforehand.

### **Yule Quarry Response Update**

Kate Hudson brought the Caucus up to date. The Quarry still doesn't have permit or restoration plan. We can continue to monitor and try to have some input on the restoration plan. We have a stake in the impacts of the restoration plan. No restoration plan has been submitted, so the public has not had chance to comment on the plan.

The clean water act violation that they are charged with or could have been charged with involves a daily penalty of up to \$25,000 a day. And they have been in violation for two and a half years. Any citizen can sue any polluter under the clean water act.

There was some discussion about the role and apparent lack of concern of Gunnison County and the Town of Marble regarding this issue.

### **Update on Wild and Scenic Designation for the Crystal River**

The Committee has met twice since the last meeting and has identified a steering committee to look at the questions. We hope to have some concrete results by Summer or early Fall. We need Gunnison Commissioners to support this for it to go forward.

### **Meeting Adjourned**

Lorem ipsum!

## **Crystal River Caucus Annual Meeting Minutes - May 13, 2021**

### **Call to Order**

A quorum was met. The meeting was called to order.

### **Approval of Draft Minutes from The General Meeting, March 11, 2021**

The approval minutes from the March Meeting were postponed until the next meeting.

### **Treasurer's Report**

Phil Youngman stated we have \$1,170.84 in the account. We have not yet received any kind of grant from the BOCC. Phil will send a letter to Charlotte Anderson. John to provide the most recent letterhead to Phil.

### **General Comments**

Becky Trembley announced that the Redstone Art Foundation will be hosting a Plein Air event over Memorial Day weekend. [redstoneartfoundation.com](http://redstoneartfoundation.com) Celebrating the art and artists in Redstone. [beckytrimbly@carbondailestay.com](mailto:beckytrimbly@carbondailestay.com)

### **A Presentation on Broadband Service in the Crystal Valley**

Jeff Kruger, Pitkin County Telecommunications Staff Engineer, updated the Caucus on the broadband service in Pitkin County. The Elephant communications site was rebuilt in 2018 with two new towers, an equipment shelter, and a generator shelter. TV and FM rebroadcast, Public Safety communications, and commercial broadband. ISPs - Pathfinder and Visionary broadband. The links to the ISPs are on the county webpage. There is limited access to the broadband services both because of the limited bandwidth and the requirement to have near line of sight to the equipment. The county is looking for private property owners willing to host relay tower infrastructure on their property in perpetuity. This would increase availability to more than the 51 current subscribers.

Pitkin County is also looking into runner fiber up the Crystal. It was suggested that the fiber be run up the bike trail whenever the trail is built. Fiber will be run from Glenwood to Aspen, Basalt, and Snowmass first. There is no timeline for these projects. The County is applying for grant money.

### **A Discussion on Wildfire Mitigation (Kamie Long, Colorado State Forest Service)**

Kamie presented information on wildfire mitigation. Fuel, weather, and topography make a wildfire move; we can only control the fuel. There are three ways a home can catch fire: direct contact, radiant heat, and flying embers. Creating a defensible space around your home will help control a fire. Defensible space is the area around your structure where existing vegetation is modified to slow the rate and intensity of an advancing wildfire. The Forest Service divides the defensible space into three zones with different mitigation recommendations per zone. In Zone 1, zero to five feet around structures, reduce the vegetation, replace wooden decks with composite material, move firewood away from the house. This will help prevent direct flames from reaching the structure. In Zone 2, five to thirty feet from structures, reduce the fuels, to significantly reduce the possibility of radiant heat causing a structure fire. The goal of Zone 3, thirty to one hundred feet from structures, is to prevent a wildfire from reaching the crown of the trees. Fires in the tree crowns are difficult to control.

She also noted that the Forest Service has an annual grant for homeowners called “Forest Restoration and Wildfire Risk Reduction Grant”. It is too late to apply for this year but keep it in mind for next year. Here is link to the Forest Service website for more detailed information on mitigation or on the annual grant: <https://csfs.colostate.edu/grandjunction> or Google the terms home ignition zone, CSFS.

State Forest Service – Grand Junction website:  
<https://csfs.colostate.edu/grand-junction/>  
Kamie Long  
Colorado State Forest Service  
Grand Junction Field Office  
(970) 248-7325 x 3 or [kamie.long@colostate.edu](mailto:kamie.long@colostate.edu)

### **Fire/Emergency Evacuation Planning (Alex Burchetta, Pitkin County Undersheriff)**

Alex gave advice on planning for evacuation from a wildfire. Since wildfires are both erratic and unpredictable it is critical to have a plan. There is no specific plan to evacuate people. As individuals, we need to have a plan. Know where you are going. Let your loved ones know where you will be. Keep a suitcase packed with your important paperwork - including birth certificate, passports, etc. Know where your medications are.

He also noted the County does not have plan to evacuate people. It is your responsibility.

Sheriff DiSalvo is authorized to mandate evacuations. To find out if there is an evacuation order, listen to the messages from the public announcements. sign up for Pitkin Alert at [pitkinalert.org](http://pitkinalert.org). When the pre-evacuation or evacuation orders are given, evacuate.

Chief Goodwin brought up what to do if 133 is blocked. If the fire is South of you, head to Carbondale. They will have shelter for you if you have no place to go. If it is North, head to Paonia High School. Contact the fire department for a fire assessment of your property. This makes it easier for emergency personnel to find you in any emergency, day, or night.

Parker Lathrop Chief Deputy of Operations, Pitkin County suggests that your home’s address be very visible by displaying a high contrast, durable, and reflective sign. Contact Alex Burchetta for information on where to purchase a durable, high contrast, reflective sign: [alex.burchetta@pitkinsheriff.com](mailto:alex.burchetta@pitkinsheriff.com) or cell 970-309-2317 <https://www.pitkincounty.com/268/Address-Services>

### **An Update on The Permit Application and Mitigation Plan by Colorado Stone Quarries (the Yule Creek marble quarry)**

Kate Hudson received the documents via FOIA (Freedom of Information Act). CSQ indicated that they will do a better job running the quarry so as not to impact the creek. Kate recommends that we submit an additional letter with our comments and recommendations. And that we continue to push for a hearing, an environmental review, and reach out to the EPA regarding the company’s violation of the Clean Water Act.

Kate will draft a letter to the Army Corp with our reaction to the CSQ’s lack of serious response.

**Meeting Adjourned**

## Minutes of the Crystal River Caucus Meeting

September 9, 2021

1. **Call to Order:** The meeting was called to order via Zoom at 7:08 PM. 17 members were in attendance and the 15-person quorum was met.
2. **Draft Minutes:** The Draft Minutes from the March 11 and May 13, 2021, caucus meetings were approved with 2 abstentions without modification.
3. **Treasurer's Report:** Phil Youngman reported that we have \$1,170.90 in our bank account. We have requested the annual contribution from Pitkin County but have not yet received it.
4. **Presentation: Reintroduction of Wolves to Colorado: What That Means for the Crystal River Valley**, Delia Malone, Ecologist and Wildlife Chair, Colorado Chapter of the Sierra Club. Delia's made several points regarding the reintroduction:

- a. Gray wolf restoration will have ecosystem benefits including enhancing biodiversity by moderating ungulate populations
- b. Gray wolves will enhance ungulate herd health by removing diseased and weak animals
- c. Implementation of conflict avoidance strategies will enable livestock and wolves to coexist. Non-lethal management is more effective than lethal management.
- d. Maintenance of intact pack structure is essential for wolves to be ecologically effective
- e. Recreational killing destabilizes packs and undermines their ecological effect.

5. **Presentation: Maroon Bells-Snowmass Wilderness Fee Proposal**, Kevin Warner, USFS Sopris District Ranger, White River National Forest

The Maroon Bells-Snowmass Wilderness is an iconic wilderness destination that is seeing significant impacts from heavy overnight use, including trash and waste, user conflicts, and loss of vegetation. In the last 10 years, use has nearly quadrupled in this wilderness area, leading to significant overcrowding and environmental damage. Revenues generated by the fee program would provide a sustainable source of revenue to allow the Forest Service to address these impacts.

Under the proposal, a \$12 per night, per person fee would be charged for an overnight permit for the most-visited areas in the Maroon-Bells Snowmass Wilderness from May 1 through October 31. Permits would be available on Recreation.gov, which charges an additional processing fee (currently \$6).

6. **Yule Creek Quarry Update**, Kate Hudson:

The Army Corps of Engineers is taking the Colorado Stone Quarry's application under consideration. The Pitkin County Commissioners do not appear to be interested in pursuing the matter further at this time.

7. **The meeting was adjourned** at 8:25 PM.

## **Crystal River Caucus Annual Meeting Minutes - November 11, 2021**

### **Call to Order**

The Crystal River Caucus Annual meeting was held on November 11, 2021, via Zoom. In attendance, at the start of the meeting, were 27 caucus members, The quorum is 15 and that quorum was met. The attendance increased throughout the duration of the meeting.

### **Approval of Draft Minutes from The General Meeting, September 9, 2021**

The minutes from the September Meeting were unanimously approved.

### **Treasurer's Report**

Phil Youngman stated we have \$1636.93 in the account. We didn't have very many expenses this year because we didn't have to pay for our usual meeting facilities

### **Election of Board Members**

William Argeros was re-elected as Caucus Vice Chair; Edie Engstrom, Bob Dupre, and Patrick Fagan, were unanimously elected as board members.

### **Presentation on Methane Emissions from Coal Basin: Chris Caskey, Environmental Scientist**

Chris talked about the fact that methane is present in underground formations, particularly coal deposits. Mining of coal deposits releases methane, which comes out long after the mine has been abandoned. Around Redstone 30 years later 10 percent of what was coming out when the mines were in operation is still coming up. Methane is a very powerful greenhouse gas, and to reduce climate change, we need to capture methane. Chris presented images of Coal Basin and four of the mines that are producing the most methane. What should be done? The way to capture methane is to put pipes in the mines. After capture there are 4 options: 1. concentrate and sell it, 2. burn it, 3. generate electricity and sell. 4. produce water from the gas. There would probably be enough water to restore a wetland but not to impact stream flows. Unfortunately, the mines cannot be sealed to keep the methane underground.

There were a number of points from the ensuing discussion. Health impacts from methane are related to air quality and respiratory impacts. Chris favors electricity generation, and that a power plant would cost \$10-15 million. It would probably break even. The carbon from the methane would be released as CO<sub>2</sub>, but that is a less harmful greenhouse gas.

The methane plant in Somerset would be a good model regarding overall footprint and industrial development. Chris is willing to give tours of that plant.

### **Update on Wild and Scenic Designation for the Crystal River: Will Rousch, Director of Wilderness Workshop**

Will gave a brief summary on Wild and Scenic designation being the highest form of protection through federal legislation. Approximately 13000 miles of rivers have been protected in over 30 states.

The only river in Colorado protected by Wild and Scenic designation is the Poudre and there is a growing sense that needs to change. We need to reduce the impacts of climate change and prevent dams on the Crystal River. We need to renew efforts and develop strong community support. Three levels of protection have been proposed along the Crystal – wild, recreation, scenic. The boundaries of those areas can change, and they do not include private lands.

Present activities include a Wild and Scenic Coalition that is focused on messaging to the community. They are talking to elected officials and involving Pitkin and Gunnison counties. There is good momentum including an Ecoflight with officials. American Rivers and American Whitewater are excited about this. There will be a stakeholder process led by local government to figure out legislation.

W and S is meant to engage the communities along the rivers and is flexible. There are key things designation would do and not do. Most importantly, it would prohibit new dams and water development, and ensure water quality is maintained and enhanced through restoration efforts. There would be no additional regulations about water quality. A river management plan would be developed after designation – another opportunity for community input. Designation does not affect any water rights or irrigation systems, etc. and there would be no impact on private land. Designation does not transfer private land to the federal government. Caucus support really matters. Please get involved.

A question arose about Marble residents being opposed to W and S in the past. Are things any different? Will says they have been talking to the town of Marble. There is no resolution of support, but the situation seems more hopeful.

**Kate Hudson presented a resolution by the Caucus in support of Wild and Scenic designation for the Crystal River from its headwaters in the Maroon Bells to the diversion at Sweet Jessup. Kate asks we recognize that we are blessed to have the last free flowing river running through our valley. Kate makes motion that resolution be adopted by the Caucus. Maciej Mrotek seconds.**

**The motion was passed unanimously.**

#### **Update on the Colorado Stone Quarries violation on Yule Creek: Kate Hudson**

Kate summarized the violation timetable and action. Subsequent to the infraction the company was given the opportunity to apply for the quarry redevelopment. Our efforts to require restoration didn't move the needle much. Army Corps proposed some restoration work and offsite mitigation. There will be onsite mitigation as well – planting willows, etc. in an effort to make the ditch more natural. She outlined the travesty of their actions and the lack of repercussions suffered as they knowingly adversely impacted the stream.

Patrick Fagan asked if the Caucus had any power to address the concerns. John says not much in that we are a recommendatory body to the Pitkin County commissioners. Kate outlined caucus involvement to date and Army Corps indicated our voice made a difference.

Meeting adjourned.

## **DRAFT Crystal River Caucus Meeting Minutes – January 13, 2022**

### **Call to Order**

The Crystal River Caucus regular meeting was held on January 13, 2022, via Zoom. In attendance, at the start of the meeting, were 21 caucus members. The quorum is 15 and that quorum was met.

### **Approval of Draft Minutes from the Annual Meeting, November 11, 2021**

The minutes of the Annual Meeting were unanimously approved without comment following motion by Phil Youngman and second by Kate Hudson. No abstentions.

### **Treasurer's Report**

Phil Y says we are still solvent at \$1,636.94. No outstanding invoices.

### **Presentation on Treasure Mountain Ranch Lodging Expansion Plans with Backcountry and Snowcat Skiing: Christopher Cox and Stuart Gillespie**

Christopher grew up in Crystal. His grandsons are the 6<sup>th</sup> generation of the family. Six years ago, he and his cousins inherited and owned the 1600-acre Treasure Mountain Ranch (TMR). He bought out cousins but with large debt to service. Stuart came to Chris with ideas that worked for him, so he brought Stuart on as a partner with a plan that he feels is good for the valley and good for him. Though he had developers wanting it, he wants to keep it special and not overdevelop.

Stuart put together a group brainstorming in Crystal as to least amount of development. The resulting plan includes cabins on a 15-acre area with the remainder being put into a conservation easement, and snowcat skiing, backcountry skiing, and horseback riding. They are committed to being 100 percent carbon free including use of geothermal and hydroelectric power. No ruining of view plane from road 314. Their hope is that no-one will know they are there – just a sign in Crystal saying turn here. They predict less than a 5 percent increase in traffic on County Rd 3 into Marble.

They have not yet submitted a permit application or permit with the Forest Service. Cabins are the focal point. They plan on building 4 cabins a year over 5 years, some with a treehouse feel. All cabins will be along the north or east fork of the Crystal. They are seeking a green building designation. There will be service cabins for 16 people on site for service work. They plan on a year-round operation. They want to guide on property above TMR, up on Bear Mountain. Private terrain.

Chris and Stuart have core values: Sustainability, stewardship leader, historic preservation, education, accountability, culture, one-of-a-kind experience, give back to community, be good neighbors, minimize presence, good return on investment for shareholders. They plan on a conservation easement for 85 percent of the property, which includes 2 miles of riverfront. No new structures in townsite, donating mill to a non-profit, zero carbon footprint including electric cats on roads up to Crystal, sustainable building practices, milling all of the wood on site, no concrete foundations just piers, 1 percent of revenue generated to local environmental groups are some of their other ideas.

A question arose regarding a lack of any address to impacts to river resources. Hydroelectric can have negative impacts, and there is potential for contaminates. Stuart says they plan to use a diversion from Bear Creek: a 12-inch PVC pipe would run along the forest and water the water would go back into the creek. He says no wetlands and no fish in that area. That would generate around 30 KW and will be vast

majority of energy needed with minimal impact. Working with JVA Engineering on water quality issues, maximizing septic and building setbacks. TMR has a spring they think they will use if they can legally change the water rights. The team thinks a couple of years will be needed for permitting.

**Presentation on Emergency Response by Carbondale Fire Protection District and Redstone Firehouse Capabilities: Rob Goodwin**

Redstone firehouse was upgraded in 2018 with a new engine and more. The Marble station was also expanded. They have a good group of volunteers in Marble, but Redstone has been difficult. They have had few volunteers for 5 – 6 years. They have tried to address the problem with 3 public meetings in last 4 years and two outreaches but have had no success. He believes the reason is that it is difficult to live here. Younger people are moving in, but they are raising kids and working multiple jobs, so it is hard to volunteer, but he also thinks there are people out there and they have new plans to reach out to the public to recruit. In 2022 they will try to put a dent in the staffing issues, hoping for a grant to help fund personnel. It will take 8 months from Feb but hoping to receive funding to staff permanent people in Redstone and other stations.

There is emergency capability in Redstone, including volunteer and paid individuals at the Redstone fire station. Still too few volunteers. Rob thinks they need 8 – 12 volunteers so that at any one time there are enough individuals to respond and have a basic effective force. There was a question about how much time and training before a volunteer becomes effective. Rob said coursework of 120 hours is needed to get certified, but they can do 50 hrs to become an emergency responder and another for basic firefighter, also 50 hrs for firefighting work, so it would be very manageable to get a group of volunteers skilled up in a short time that can really be effective.

Next a discussion ensued regarding community fire mitigation measures. Kevin Warner discussed mitigation measures last summer in Swiss Village and Redstone campground. Mitigation enables getting people out, which is the most important thing. Mitigation slows down the fire. Kevin spoke about Redstone Campground and additional mastication primarily to north and east of Dorais Way, and near Filoha Meadows. They will be reaching out to that neighborhood. However, there are wildlife and migratory bird requirements as to when they can mitigate – they are hoping for early spring. The Braderich controlled burn never happened but is on tap again for this spring. Kevin explained how the masticator works – chews up the oak brush. He calls it clumpy groupy. Take out an island and leave an island. That mimics fire. Focus on older material. Multiple benefits include decreasing potential for wildfire and increased wildlife habitat. However, this is not a one and done: repeat later and go for areas left before.

There was a question about how they identify escape routes. Rob says it varies. If you are south of the fire, you're going to Paonia High School. If you're north, you are going to RFHS.

**Update on the Crystal River Wild and Scenic Stakeholder Process: Kate Hudson**

Kate says as a follow up to the resolution by the Caucus, she has been working with politicians and Wilderness Workshop and says there is a good shot for getting W& S designation. Senators need to bring legislation to Congress. We want to try and get this to happen and need to move quickly. An important aspect is conversation and a stakeholder process facilitated by neutral facilitator. The W&S group is trying to determine how that process would work. Pitkin County wants a group of people in the

community to set this up, and the group is attempting to identify who those people would be. Given the Caucus interest Kate said the Caucus would like to have a voice representing the people of the Crystal Valley. Maciej Mrotek stood up and has been accepted as the caucus representative. There will also be representatives from Senator Bennet's and Hickenlooper's offices and a Garfield County Commissioner. Kevin Warner from the USFS has been invited as have other people – a diverse group of people to make up this forum. Anybody at anytime can get info or get involved should reach out to Kate or Maciej

**Update on the Redstone to McClure Pass Trail USFS Environmental Assessment: Kevin Warner and Shelly Grail**

The Proposed project is a 7-mile trail connection from Redstone to the top of McClure Pass, initiated by Pitkin County. The north two miles would be along the highway corridor, then along the Bear Creek wagon road to Placita, then up the Old McClure Pass Road. There would be a new trail segment for the last mile or so to the top. Process scoping started two years ago. Draft EA will be for public review and will be released in January for a 30-day review and public input. March will be for public comment and then finalizing based on comments, with a decision by April/May. Kate Hudson said we need more time since Caucus meets every other month. Kevin said no option per Forest Service regulations.

Meeting adjourned.

## **DRAFT Crystal River Caucus Meeting Minutes – March 10, 2022**

### **Call to Order**

The Crystal River Caucus regular meeting was held on March 10, 2022, via Zoom. In attendance at the start of the meeting were 21 caucus members. The quorum is 15 and that quorum was met.

### **Approval of Draft Minutes from the Regular Meeting, January 13, 2021**

The minutes of the January 13, 2022, Regular Caucus Meeting were unanimously approved without comment following motion by Bob Dupre and second by Edie Engstrom. No abstentions.

### **Treasurer's Report**

Phil Youngman could not attend the meeting but via email communicated that we have \$1,636.97 in the bank account with no outstanding invoices.

### **Presentation on USFS Environmental Assessment Process for the Redstone to McClure Pass Trail: Further Items on the E.A. Schedule: Jennifer Schuller, Deputy District Ranger, Sopris Ranger District**

The focus is on what's next with the Draft Environmental Assessment (DEA). 410 comments were received on the draft EA. Right now, USFS is looking at how they will analyze the comments. More were received than anticipated. A decision document and final EA will be released with a 45-day objection period. Process will allow only those with valid standing – those who commented in the initial comment and scoping periods. Once that objection period closes, then the USFS will move into another 45-day resolution that can be extended to an additional 30 days. Jennifer commented that so far, they are seeing more support than contrary. They are looking at each and every comment and weighing them on their own merit.

Questions for Jennifer: Kate Hudson asked about those being able to comment during the next period. Jennifer was going to look into her question. Kate said decision doc would come after review. If the decision is not to issue a FONSI is there a second comment period? No, it is an objection period. Jennifer could not answer questions and said she would look into answers. John asked her to respond by email and would send her comments out to the Caucus. Kate asked who would be looking at the comments? Attorneys and/or staff? Jennifer said it was unknown at this point. Kate was wondering because some arguments were based on legalities.

### **Conversation with Francie Jacober, Pitkin County Commissioner**

John asked Francie Jacober: Do you have any comments on the topic at hand? Francie said no but had other things to talk about. John asked her if she had anything she wanted to add to the agenda and she brought up the short-term rental (STR) meeting last night. Long meeting and several Redstone citizens were in attendance. Several commissioners want a ban on any renter landlords that aren't living in homes as primary residence. Francie is opposed to that restriction. Patti Clapper said they should keep that but have some exceptions such as longer ownership and lack of complaints. Francie wanted separate regulations for Redstone residential and commercial. Bob McCormick would be exempt per the exception. Francie didn't get what she wanted but hoped it would work. Francie hopes all will be served by ordinance and that they can continue to improve the loopholes. Hoping to have enough enforcement to address people trying to do STR without a license.

John asked when the commissioners would have a draft policy. She said they would vote on an ordinance on April 13<sup>th</sup>. Francie does not like the primary residence part of it but is hoping the exceptions will work. John is putting it on the agenda for the next Caucus meeting. Francie invites people to reach out to her with comments. One more thing Francie wanted to share was that there was a study about STR in Redstone and the Crystal late last year and in Redstone there were 30 STR and 7 more in the rest of the Crystal Valley.

**Presentation on the Crystal River Wild and Scenic Campaign: Kate Hudson**

Kate presented a PowerPoint on the campaign that summarized the campaign and how stakeholders can get involved.

Maciej Mrotek is the caucus representative for the Wild and Scenic Stakeholder process, and he provided the following comments: There has been one meeting so far. Interesting meeting. Looking for a non-biased mediator. Also need for someone to pay for the program without bias. Positive and negative voices are being brought together. John asked about a regular meeting schedule. Not yet said Maciej. Kate said one of the things to note is that Pitkin County is taking on a leadership role, in particular commissioner Kelly. Lisa Tasker was hired to assist Kelly in moving this process forward as well as to be the administrative staff person in charge of the Healthy Rivers Board. Francie chimed in that some of the entities do not see Aspen as having valued input on this issue and thought it would be better to have a staff person instead of a commissioner. Staff person is Lisa.

Kate asked John to share the contact slide from the PowerPoint.

John asked for any ideas on future agenda items. There will be ongoing discussion of the USF EA and the STR. Board would like to entertain other ideas for agenda items.

Francie said she had been thinking a lot about the valley. Concerned about any future development. No water at the Carbondale end and climate change is adding to the problem.

More discussion about the STR Ordinance. Health and safety measures will be enforced. No ADU's or CDU's can be STR.

Kate asks how to engage more residents into the Caucus and asks for input in doing so.

Motion to adjourn, seconded, and approved.

# Crystal River Caucus Regular Meeting Minutes

May 12, 2022

1. The meeting was called to order at 7:13 with a quorum.
2. The draft minutes from the regular Crystal River Caucus meeting on March 11 were approved without modification.
3. Treasurers Report: the caucus has \$2237.01 in the bank account with no outstanding bills
4. General comments or announcements from the membership: None
5. Additions to the agenda: None
6. Presentation: Update on Pitkin County Open Space and Trails plans for Redstone Park construction and Penny Hot Springs parking; Jessie Young and Carly Klein, Pitkin County OST

The redesign of Redstone Park, including the construction of a new gazebo, is set to begin this July. Details of the project are available on the Pitkin County Open Space and Trails website at: <https://www.pitkinostprojects.com/redstone-parks-and-open-space.html>.

Management actions on Penny hot springs have been pushed back to later this summer. The caucus will schedule an update from OST at a future regular caucus meeting.

7. Presentation: The Coal Basin Methane Project and its Potential Impacts on the Crystal River; Chris Caskey and Mona Newton

Chris and Mona have been having stakeholder meetings for the last several months regarding the possibility and benefits of methane capture from the five coal mines in Coal Basin. Chris said they are happy to promote the conversation, but in the end the decision-making about what should be done will be a community-driven process.

It has been estimated that there are approximately 10,000 tons per year of methane being released from Coal Basin. There is a social cost to this in terms of human health, particularly for those with respiratory impairments, hospitalization, and the impacts of increased climate change.

Chris stated that in general, there are three options regarding the Coal Basin Methane release: 1. Do nothing – reclamation has been done, the area has been rewilding, and it should not be disturbed; 2. Destroy the methane with an oxidizer (flare); and 3. Capture and use the methane for electricity generation.

For the “Do Nothing” option, the methane release would continue, but there would be no disturbance. Chris estimates that social cost of the methane release would be around \$12 million per year.

For the “Methane Oxidization” option, the main impact would be re-opening the road, and the direct out-of-pocket cost would be approximately \$2 million. The benefits would be that the methane would be destroyed and carbon dioxide (a much milder greenhouse gas than methane) would be released. Also, this method could work with low-quality methane.

For the “Electricity Generation” option, the impacts would include not only re-opening the road, but installing gas pipelines and the electricity generation infrastructure. The out-of-pocket cost would be

somewhere between \$8 to 15 million, and the benefits would include the generation of clean electricity possibly sufficient for Marble and Redstone, as well as the release of carbon dioxide. This option would also require mid- to high-quality methane.

At this time, it is not known if the quality of the methane being released in Coal Basin is high enough for electricity generation. A determination of actual quantity is also needed.

If the project is to proceed, the next thing that is needed is to conduct a flow test. That would require at least partially re-opening the road and plugging the mine portals and measuring the quantity and quality of gas released through pipes installed through the plugs.

They will be working with the USFS and BLM to obtain permits, and with the community to decide on the best action. The USFS will need to determine what sort of environmental assessment will be needed. They might be able to use a categorical exclusion (CE) for such an exploration project. Public notice and comment would still be allowed if a CE was followed, and there would still be requirements in place for impact mitigation.

A number of concerns were voiced by caucus members, including reversing reclamation and stabilization of Coal Basin and increasing sediment discharge from the basin. There has been a tremendous effort to reclaim Coal Basin: it is on the mend and natural ecosystems are sequestering carbon.

#### 8. Update on the Pitkin County Short Term Rentals Ordinance, Francie Jacober, PitCo commissioner

Commissioner Jacober did not attend the meeting, so a short-term rental update will be rescheduled for a future caucus meeting.

#### 9. Wild and Scenic Update for the Crystal River

Kate Hudson and Maciej Mrotek presented the update. Maciej said that there had been two meetings of the Stakeholder group and that they have been working on an RFP for a mediator for the stakeholder process. It will probably be a few more weeks before the RFP is out. They are also working on the financing details for the mediation.

Kate indicated that the Wild and Scenic coalition had joined the national Wild and Scenic Rivers Coalition, and that should help get support for legislation. She also mentioned that a staffer from Senator Hickenlooper's office met with a group in Redstone to discuss Wild and Scenic designation for the Crystal as well as the Coal Basin methane project. They are aware of our Wild and Scenic efforts.

#### 10. Adjourn

## **Crystal River Caucus Regular Meeting Minutes for September 8, 2022**

### Call to Order

The meeting was called to order at 7:05 pm by John Emerick. We had a quorum.

### Approval of Draft Minutes of the May 22, 2022, Regular Crystal River Caucus meeting

Bill Argeros made a motion to approve the May 22, 2022, regular meeting minutes and Fagan seconded. The minutes were unanimously approved.

### Treasurers Report

We have \$2,071.00 in the bank account. This reflects all major bills and invoices.

### Announcements and brief comments from membership

Rachel Bechhoefer encouraged people to join the Pitkin County Democrats. Need someone to be at Redstone Church on election day.

Joe DiSalvo introduced himself and announced that he is up for reelection. He is a 37-year veteran of the sheriff's office and has been sheriff for 12 years. Nevertheless, he said he has more work to do. He registered as an Independent when he became sheriff even though he was a lifelong democrat. He believes that is important for a sheriff. He gave his thanks to everyone.

### Penny Hot Springs Management Plan

Pitkin County Open Space and Trails (OST) staff Jessie Young and Carly Klein presented an update on the Penny Hot Springs Management Plan. Jessie shared the 2020 Management Plan created to address issues of concern by the community, including the parking interface and trail down to the hot springs. The aim of the Steering Committee is to preserve the wild nature of the attraction: keep it free, wild, and scenic. The Steering Committee has worked hard to address concerns. Some actions already completed include a CDOT lease enabling patrol and enforcement. Rules, guidelines, and etiquette have been posted. The restroom has gotten good feedback and is to remain permanent. Access to springs, signage, restoration, and stabilization efforts still need to be addressed

Carly explains they are coming back for design feedback. The site is very constrained. Three options for design have been presented to OST. By the end of September all input will lead to a settled plan that will go to OST for confirmation and then followed by construction. Carly shows current photos showing erosion and big boulders. Trail access is treacherous in the winter. The site is very tight, and parking is always a concern. There is overhanging concrete on the lower slope side. People know and visit the hot springs, but the use is driving away many potential users. The parking area is also used for climbing and wildlife viewing.

Of the three options presented, the first concept is just improved trail; the second concept would address trail and parking, and the third option creates a separate drive aisle. However, the third option is considered to not be a viable plan; turning radius is too wide for this option. Traffic data has not shown many crashes in recent years, and crashes have been caused from boulders, not Penny users. Staff concluded alternative option three would not realistically work.

Option one would include a guard rail or fence to direct people to trail but it is mostly focused on improvement of the trail. Porta potty would stay, and there would be a rail along the trail.

Option two includes a short wall to help direct drainage below the hot springs and would lessen steepness of the slope to 3 to 1 slope – that encourages vegetation success. Low profile improvements with stone would improve aesthetics.

Also, the middle line of the highway would be changed to become a double yellow regardless of the option chosen.

Questions:

Bill Argeros thanked Jessie and Carly. He was a member of the steering committee. He emphasized how special the space is and the concern of overuse and parking, and there are lots of close calls along the highway even though there have been no major accidents. There had been discussion by Jessie and Carly as to permanence - said the porta potty was to remain permanent. Bill suggested nothing should be permanent and all infrastructure, etc. should be reevaluated yearly.

Bob Dupre supported Bill's comments, and added why no traffic study? The line of sight is less than the stopping radius of a car traveling 50 miles per hour.

Neil Reilley and Bill Blanton suggested traffic must be slowed.

There is no perfect solution, but we can improve upon what's there, said Jessie. Moving the parking lot is not a viable option.

Kate Hudson asks to redirect conversation to river and slope. Do we need to get construction into the river? Jessie thinks that can be avoided. Kate questions the caucus. Does anyone think the caucus should submit a comment as a body. Bill says there is nothing preventing us from doing so. Bob Dupre believes caucus input would be diverse and not necessarily cohesive for good effect. Patrick Fagan seconds that thought, not enough consensus. John agrees. John thanks Jessie and Carly. Jessie encourages people to go online and give input on hot springs in upcoming days. There is an OST site online for submitting comments.

Carly provides some comments on Redstone Park. There is lots of earthmoving, with a new enlarged area for ice rink. Bank stabilization is underway, to be complete before snowfall. The skate shack has been moved, and they are pouring a new foundation – no more flooding.

[Update from the Colorado River District and members of the NGO community on natural infrastructure/watershed restoration opportunities in the Crystal Valley](#)

Zane Kessler from the River District was present to discuss river restoration. Two years ago, The River District came before the caucus and the two issues then are on the agenda, tonight – augmentation and Wild and Scenic. Regarding potential augmentation on the Crystal, no main stem storage would be considered by the District, and should not impact future Wild and Scenic designation, and the District is committed to prioritizing restoration opportunities. These may also address augmentation issues. What solutions are acceptable to community, and what opportunities are there? Ideas are only on paper at this point. Analysis will be ongoing by American Rivers and the River District – members at the meeting are Brendon of River District, Faith and Hannah, and Seth Mason – expert on the Crystal. The hope is to

move forward with some project opportunities. Locations include the confluence of Thompson Creek and the Crystal River, Avalanche Creek upstream from the Crystal confluence, the Coal Creek confluence, and Janeway.

Brendon talks about the 2018 call on the river. Some HOA's were impacted. Analysis has been completed and augmentation determined: about 1500-acre feet are needed. Several reservoirs are being looked at including Beaver Lake. A grant funded the research, which is ongoing, with a deadline of April 2023 to determine possibilities. Remaining options are looking at reservoirs and ponds.

Zane clarifies that the analysis of natural infrastructure is not funded by grant but through a 50/50 match between the River District and American Rivers. Bill Blanton asks about locations regarding the need for water. It has been broken down to above Sweet Jessup about 90 acre-feet and below about 20-acre feet.

Faith Hartman of the River District mentioned that conditions have stressed our water supplies, and that has been compounded by alterations that cut off flood plain and wetlands. Restoration will be designed to restore degradation. Benefits include better resilience, wildlife improvements, wildfire mitigation, improved stream flow, etc. This is an innovative approach to improving as opposed to dams. Could reconnecting flood plains improve stream flow, improve wildlife habitat, reduce fire, and downstream calls? We are just in the beginning of the analysis.

Hannah of the River District says they know that the Caucus has good input, and they want our insights. John Emerick commends them saying they have identified four really good places to do some work. Zane clarifies that other groups are also looking at restoration projects.

Kate Hudson asks when there will be an opportunity for public input. Zane says right now, as they want us to join in. They are committed to communicating and receiving input. Kate asks who will decide what project happens. Zane says they hope to come back to us when they have a project plan and get approval and input. If there is no community support, they will not move forward with projects.

Bill Blanton asks what the best estimate of the timeline for projects is. Seth said it is still too early to throw out dates. Bill Argeros asks if they (River District and River District Board) are for or against Wild and Scenic. American Rivers is involved in and claims support of Wild and Scenic. The Colorado River District Board has not made a motion on Wild and Scenic. Bill encourages that education regarding the act will prove that it is critical to the protection of the Crystal and does address protecting private property rights.

### Wild and Scenic Update

Kate Hudson said that there are two components to moving forward. One is the Wild and Scenic Coalition that is focused on building support to demonstrate to our congressional representatives. The other component has been the stakeholder process. The caucus representative is Maciej Mrotek, but the process is not moving forward. The caucus has been clearly supportive. Some entities believe we cannot build support until we do stakeholder process. That process is at a standstill. Kate calls on Bill A. because she thinks the caucus is ready to take a leadership position. Bill says he is encouraged. He sees overwhelming support among those who have taken the time to learn what the act can and cannot do. Bill tells of his experience on Eco Flight. Our valley appears so fragile from the air. His own research on

water rights has convinced him that our river is not protected. Bill asserts that climate change is here and now. We have an opportunity to do something now. Educate yourself please.

Lisa Tasker said Kate has summed up her comments well. She mentioned the challenges of the stakeholder process. The inclusivity makes it cumbersome to have forward momentum.

Laura Makar says she didn't have much to add. Groundwork must be laid, following the advice of the congressional representatives. Pitkin continues to be pro Wild and Scenic and has been funding the eco flights and those efforts will continue.

Bill A. adds that he was on the flight with some Gunnison County Commissioners. Misinformation scared away a lot of Marble support. He asserts that we can tailor the act to protect property rights and that Marble support is important to those commissioners.

Zane asserts that the River District is excited to engage in the process. The town of Marble needs to support Wild and Scenic. There is work to be done.

Kate says there is support from the trustees from Marble. Kate worries about the window closing. We need to grab this opportunity. Kate echoes Bill: most people are in support, and we need to communicate that to our congressional reps.

Lisa mentioned a national organization – the National Wild and Scenic Coalition as a great resource and the Crystal Coalition has joined them with funding from Pitkin County.

John asks for any other questions and or comments. Kate mentions that there is a concern about some construction adjacent to Marble airport. There is an ongoing investigation.

Bill makes motion to adjourn. Motion seconded. John thanks everyone.

## **Crystal River Caucus Annual Meeting Minutes for November 10, 2022**

### Call to Order

The meeting at the Church at Redstone and on Zoom was called to order at 7:08 pm by John Emerick. We had a quorum, with 24 in attendance in person, and 9 in attendance on Zoom.

### Approval of Draft Minutes from the September 8, 2022, Regular Caucus Meeting

Bill Argeros moved to approve the September 8, 2022, regular meeting minutes, and Mrotek seconded. The minutes were unanimously approved.

### Treasurer's Report

Phil Youngman gives treasurer's report - \$1,348.00 in the account after printing and mailing of the letter sent to the caucus membership

### Announcements and Brief Comments from Membership

None.

### Election of Board Members

Four board members have terms ending, including John Emerick, Maciej Mrotek, Kate Hudson, and Phil Youngman. Of those four, Emerick will stand for re-election as Board Chair, and Mrotek will stand for re-election as a board member.

John Emerick introduces two individuals who have volunteered to run for board positions: Jason Sewell and April Brooks. Jason Sewell is the owner of the Sunfire Ranch and has been on the board before. April Brooks is out of the country and Emerick read a letter from April highlighting her background and desire to run for a board position. Neil Reilley stood up at the meeting and announced that he would also like to run and gave a brief statement on his background and interest in caucus matters.

Of the 4 board nominees, April got 20 votes, Jason got 23, Neil got 12, and Maciej got 22. Several people asked Neil to come back next year. John Emerick runs uncontested as chair and is reelected.

### Presentations on Topics that have been Considered by the Caucus during the Past Year

Wild and Scenic Designation for the Crystal River (Bill Argeros): This caucus voted last year and adopted a resolution in support of federal Wild and Scenic designation for the Crystal River; therefore, the caucus is committed to this protection. Wild and Scenic designation for the Crystal starts in the Maroon Bells Wilderness and free flows to the Sweet Jessup diversion. There are water quality, water quantity, cultural, historic, and scenic concerns, as well as support for the ranching heritage. We want to stop dams and diversions and keep it a free-flowing river. Changes most certainly can come - building a dam here or diverting through tunnels a real fear. We need to be concerned, and the act is very important. There are several options in the Wild and Scenic designation, and we would get to choose. We can oppose legislation that doesn't fit. There is a Request for Proposals asking for a facilitator to moderate discussion among the various stakeholders. W & S is the most resilient way to keep water from being diverted. Garfield County has a stakeholder group. Pitkin County, American Whitewater, and Wilderness Workshop are going to set up another.

Various Potential Impacts to the Crystal River from Development Projects (Maciej Mrotek): The Yule marble mine moved Yule creek last year after asking the U.S. Army Corps of engineers for a permit that did not entail the extent of their plan. They blasted and then had an oil spill. Corp got them to pull a permit after the fact but no strong punishment. We did get a lot of involvement but not much came of it.

Marble airport owners made some modifications to the river under the guise of bank stabilization. Brought in heavy equipment and raised the attention of Crystal Valley Environmental Protection Association who got an article published and the project got red-tagged. Once the Army Corp saw the project, they reprimanded them – it went way beyond what they had originally represented as their project. If the Crystal had W&S designation, there would be teeth to deal with this and the Yule mine situation.

Other concerns: Chris Cox owns the proposed 20-cabin/lodge up in the townsite of Crystal and now guesthouses for employees are slated for development. The road to the Crystal townsite will be plowed and maintained and could affect our water quality. Cox owns the largest amount of land in Crystal. They can harness the water if they put it back for geothermal energy generation. We want to keep an eye on the impact to the river.

John comments that all three of the projects Maciej discussed are outside the Caucus area but because we are downstream, we have concern about water quality and aquatic life. The airport work caused silty water: that affects us downstream.

Crystal Valley Recreational Trail (Emerick): The Crystal Valley trail designed by Pitkin County Open Space has been an issue of concern for many years. The caucus has been consistent in supporting the trail in the highway corridor and not on the east side due to wildlife impact. OST is now pushing for a segmented approach from Redstone to McClure Pass. We object because it segments the trail and the entire trail as a whole should be subject to a NEPA analysis. So, for OST to just consider one segment they avoid the trail being analyzed as a whole. The caucus sent a 5-page letter to the Forest Service during the comment period. Also concerning is that the trail goes up along the wagon trail and through critical wildlife winter range, as well as a portion of trail is away from highway corridor, impacting the river and wildlife. Kevin Warner says we won't see anything until early 2023.

A resident at 11556 Hwy 133 asked how the caucus stands on the trail across from his home just past the Meredith ranch. John says the caucus has consistently been opposed to a trail on the east side of the river due to wildlife concerns. In the early 2000s, a trail feasibility study found that both sides of the river were feasible – the study was contracted by Pitkin County.

Management of Penny Hot Springs and Redstone Park (Mrotek): The bridge area at Redstone Park is going to have some new walkways, and there will be marble tables on pads. The gazebo and playground equipment will be staying. The park needs ADA access that will come from the parking lot by the skating area to meet grade for the ADA access. The skating building will have a foundation. We did lose a couple of trees in construction. The winter skating area will be a grassy field in summer.

OST is in the process of developing a plan for Penny Hot Springs. Three options were presented to the public related to parking and overall design. No option was perfect. Maciej points out that it is the most accessible hot springs in CO. Lots of concern about traffic etc. Bob Dupre has consistently stated at

public outreach meetings that he cannot support any changes to Penny Hot Springs without a traffic engineering study, regardless of what CDOT, Pitkin County, Or OST does or doesn't want. Bob says there is no doubt in his mind that a legitimate traffic engineer would never condone the existence of Penny Hot Springs as it relates to traffic. CDOT doesn't want to do a traffic study. As a member of the Crystal River Caucus board Bob is not willing to take on the personal risk of supporting a flawed plan with no science to support it.

One person raised the issue of the huge retaining wall contributing to the danger of accidents, with traffic avoiding users pulling out. 152 people were surveyed about the wall; 50 said do nothing, but the majority were in favor of a retaining wall. Penny Hot Springs Steering Committee member Bill Argeros says when the county first presented the plan, they had no intention of doing a traffic study and didn't want signage. The Steering Committee wanted a minimal approach. The county will review the situation after a year.

Short-term Rentals in the Valley (Argeros): The county has promulgated some regulations. Landowners must get a license if they intend to rent for more than 30 days short term. Some businesses pay commercial taxes and are mad that owners can rent their residentials. There will be a two-tier fee schedule based on how many nights you want to rent. There will be a 4-night minimum stay. The county's intentions are good, and we understand the commercial complaint. People are buying houses here for short-term rentals. It is a balancing act and there are issues with enforcement. The county will reevaluate the situation every year.

Methane Release from Abandoned Coal Basin Mines (Mona Newton):

The Coal Basin Mine closed in 1992 and since then methane has been releasing from Dutch Creek 1 and 2 about 9000 tons annually. This may produce significant damage to the climate. Mona and Chris Caskey have been working for over a year with stakeholders to figure out a way to capture escaping methane. Phase one has been with the Forest Service to permit a flow test, and if permitted it would be in the spring of 2023 and would require some work on the road. The Forest Service has asked to make sure there is no erosion in that work that would impact the river. They want to do their best to make sure there is no further environmental damage. They will also reclaim the area after the flow test is completed. The intent is to put in a flare to oxidize the methane to CO<sub>2</sub>. The focus now is to open the road and install equipment. They have considered the possibility of doing this in the winter to reduce impacts but have ruled that out. A question from the membership asked if there could be a useful outcome. One solution would be to generate electricity, and if there is quantity and quality of methane that could last, an expensive project like electric generation could be considered.

Pat Fagan offered that with a flare reducing the methane to CO<sub>2</sub>, the impact to climate warming would be 86 times less with the flare.

Comment from Chuck Downey: We need to be aware of what Phase 2 would bring: industrialization, opening up to 5 mine portals, open to truck traffic. Methane would be collected and piped for processing. That would be located somewhere along with 3 to 5 enormous diesel transformers. This is the eventual result that we need to keep an eye on. Perhaps we should not sacrifice the environment of Coal Basin and instead focus on other coal areas. This is the wrong place.

Mona responds to Chuck on focusing on Dutch Creek 1 and 2 where the majority of the methane would be emitting. Mona appreciates the comments of Chuck. No one wants to see what Chuck depicted. That is not the intention. There is an existing transmission line that Holy Cross says could work. They would work with the community, and if the community says no that's it. This is a big emitter here in our backyard, and we shouldn't ignore it just because it isn't convenient.

Broadband Status of Elephant Mountain (Emerick): Elephant Mountain towers were all rebuilt around two years ago. Broadband support is on Elephant and Rise Broadband and Pathfinder are both offering broadband. Lots of people in the valley are not in direct line of sight but the county is hoping to get some secondary towers in the Redstone area and near McClure that will increase the number of people that can get those services. Not much has happened of late.

A question asked about the advantage of broadband over Starlink. John says Elephant towers can offer upload and download speeds of 50 gigabytes. Starlink might offer faster speeds. TV and radio are free, Motion to adjourn and seconded. John thanked everyone.

## **Crystal River Caucus Meeting Minutes from January 12, 2023**

John starts meeting. Displays agenda on PowerPoint.

John sent out minutes for the Crystal River Caucus Annual Meeting on November 10, 2022. Motion to approve by Bob Dupre. Seconded by April Brooks. Unanimously approved.

Treasurer's report from Bob Dupre. Bob has not been able to get to the bank with Phil Youngman to become a signer on the Caucus account. The previous month's balance was \$1,392.00 and the current balance is \$1,343.00 We don't owe any money. Edie asks if we ever paid the church for the annual meeting. There was some discussion and a motion was made to send church \$100.00. Motion was seconded. Unanimous!

No update on Coal Basin methane capture. Mona Newton and Patrick Fagan are in attendance and will submit some comments. Patrick Fagan asks us to keep this topic in mind because the Forest Service comment period might be before the next Caucus meeting and people who wish to comment will want to stay on top of the topic. The comment period will be announced in local papers. Please submit comments. John can send out a letter to the membership informing of comment period. Mona says that she and Chris Kaski are hoping that it will happen this spring. Chris and Mona think another meeting in Redstone at the end of January into February would be valuable to update the citizenry and discuss proposals. John thought another public meeting would be helpful. If Mona tells John, he will pass on the date and time of public meeting. Kevin Warner of the Forest Service spoke up and said he would keep John in the loop. Patrick thinks another public meeting would be helpful.

Bill Fales asks if other people need agenda up on-screen the whole time. Also, Bill let everyone know that Bill Roberts died and funeral this weekend at the orchard.

John wanted to mention briefly that as being on the translator board he is aware that there has been some effort by FCC to produce a broadband map of the U.S., and you can zero in on Redstone and see availability. They're saying that most residences in Redstone have broadband access but that is not true. Go to [broadbandmap.gov/home](https://broadbandmap.gov/home) to see whether you have access to broadband at your residence. Bottom line is that there is going to be some federal money to expand broadband in areas like our valley that need better or increased access. Watch for further info on email from caucus.

Francie Jacober asks to remind Caucus that the County sent notice out to Caucus about project on Prince Creek Road at the former Emma Danciger property and that no comment came in from the Caucus. New owners' proposal to have 20000 square foot riding arena and large 24 stall horse barn and demolition of current red barn to be replaced by a barn and adjacent caretaker housing. They are keeping development rights to several lots. With all barns and residences proposed 90,000 sf of building under roof along with exempt well permit to service barn, riding arena, caretaker housing, and maybe something else. They are asking for three TDRs. Lot 6 up Angus Lane is winter concentration area for mule deer. In exchange for not developing three lots they are asking for three TDRs. Proposal includes revitalizing pastures. Francie says she just wants Caucus to know and respond if interested before time runs out. John says we often don't comment on development applications, but this is large so we will take a look. Applicants are Brendan and Sarah Doran of Turnabout Ranch. Lot 6 TDR because of wildlife mitigation. It is very common to seek TDR in exchange for not building on lots. Marge Fales is very concerned about all of the lights. She will see that from her home. They have offered to extinguish all

nighttime lighting at dusk at the riding arena. They will have to defer to code on lighting. John will look at this proposal as a Caucus item going forward.

John has brief Wild and Scenic update. There has been a request for a facilitator to start the stakeholder process. 5 applications were submitted. Negotiations have been proceeding but no information. We don't know who has been chosen. Francie said a presentation in Carbondale resulted in voted unanimous support by the town board. Glenwood town board also voted unanimously to support W and S. Carbondale has agreed to partake in stakeholder process however they can.

Next item on agenda is letter to Doug Bilsack indicating support by Caucus for administrative withdrawal for Thompson Divide from oil and gas development. FS owns the federal land that has been in question, and they can't withdraw it from oil and gas dev – that is up to BLM, so they have asked BLM to remove those lands. Asking for letters of support from community. Further public meetings are to come. It is appropriate for the Caucus Board to send letter of support to BLM. Any comments on this? Bill Fales says it is really important to get comments in asap. Deadline extended to coming Tuesday. John asks for motion to approve draft letter to BLM. Majiec makes motion. Patrick Fagan seconds. None oppose. None abstaining. Motion passed unanimously.

Next item on agenda – a discussion of caucus resolution for signage and cautionary measures at Penny Hot Springs. Ideas have been reduced speed especially southbound to 40-45 mph. Precedent for that south of Redstone before Redstone Ranch Acres. Speed there 40 mph. Another idea is to prohibit passing. Another idea is a flashing speed limit sign. Flashing signs are effective, says John. Memo of OST supports signage by Penny to indicate heavy roadside activity and no passing, so OST is on board with this as well. Majiec reached out to OST and he got traffic report. Wayne Ives speaks up as the Open Space board member for Crystal Valley. OST has already formally requested making it a no passing zone and have requested signage from CDOT. Bob Dupre says he has been pretty outspoken about this. He does not think that a review by the state police is adequate and that we need a bonified traffic engineer study. He says he is adamantly against this whole thing. Majiec comes back to say that from 2015 to 2020 there were 13 incidents reported. 11 were single vehicles. Two trees, 4 boulders, 6 objects in roadway. Majiec says going north you have ½ mile visibility. Heading south the retaining wall blocks some but you can see past porta potty. He personally is not in favor of blinking lights but supports signage. John is convinced it is a serious accident waiting to happen. Bill Fales is not a fan of flashing lights. Asks Bob Dupre what his strong feelings are. Bob is concerned about liability if we vote on this issue. He thinks we need more information and has heard that PC has limited liability. Lots of opinions but no science. We need science behind this, or Bob Dupre will not participate in voting. Law enforcement will tell you public ignores signs. Can the average person driving the average car see someone backing out and avoid hitting them. We need more science and less opinions. Majiec agrees that more science but maybe CDOT threatens that a study could backfire and speed could be raised. Francie as a citizen also doesn't like flashing lights. They are distracting and we have a night sky ordinance. She would vote to keep it dark. John thinks the board should take this up – a potential resolution could ask for a science study, maybe reducing speed, no flashing lights. Patrick adds that the resolution should include the need to eliminate the passing zone in. John says Board will draft resolution.

One more item on agenda – Delia Malone presentation on the reintroduction of the wolf following 2020 proposition passed to reintroduce wolves. Since that passed CO Div of Parks and Wildlife (CPW) tasked with a management plan. Delia is an ecologist and has done ecological surveys on west slope for past 20 years and is a wolf reintroduction advocate. Particularly relevant to the Caucus as CPW has identified two priority restoration sites based on ecological suitability and low conflict risk and they are fairly close. By early 1900s wolves were extirpated as well as the ecological process that wolf predation supports. Co needs wolves and our ecology needs them to restore balance but only when families are left intact and not interrupted by lethal management. Wolves depend on each other, and hunting and other lethal measures disrupt that. Prop 114 makes it clear. Wolves create balance between prey populations. The absence of wolves in Rocky Mountain National Park has adversely impacted the park and many other counties – resulting in decimation of stream and riparian habitat. Wolves prevent elk and deer from overgrazing. They encourage diversity and make landscapes more diverse. Biological diversity is the glue and wolves are the center. It matters and it is crashing. Wolf restoration can change that picture. They preferentially select diseased prey. Elk and deer are being decimated by Chronic Wasting Disease. Wolves can detect that. Elks' best friend. Colorado ideally suited ample room to roam. The doomsday scenarios have not come to pass. Lost cows 0.01 percent. Elk abundance increased where wolves were reintroduced. Hunter success is about the same in northern Rockies where reintroduction has taken place. In CO the west slope has ample space. To restore balance, they need to be widespread. CPW Management plan is a euphemism for killing. CPW proposing when there is just 150 – 200 wolf population they would delist. Min should be a minimum of 750 before delisting. CPW considers that they be reclassified as a game species. The proposition was designed to oppose wolves as a game species ever. Livestock wolf conflict can be avoided with conflict avoidance strategies. Delia states there are suitable proactive strategies to avoid conflict. Conservation vs CPW. Delia proposes that anyone attend CPW meeting in Rifle. Comment to CPW. Comment on their website and tell them to respect will of voters and no need for lethal measures until minimum of 750 wolves throughout western slope. Maciej asks what has happened since proposition passed. What has CPW implemented. Delia says two years of discussion with stakeholder groups. Two months of final public comment. Commissioners will make a management plan after the 2-month comment period. Marge Fales thought Delia's presentation was very biased and she forgot to mention that restoration must be designed to avoid conflict with ranchers. It was part of plan and voters voted for ranchers too. Requires compromise. Wildlife Guardians have no trust of ranchers. CPW has avoided picking a population goal. Talking to ranchers in Montana Marge has learned that once lethal controls were on the table wolves learned. Marge urges support for the CPW management plan. Delia says the scientists CPW hired were not using science – old west science not valid. Francie Jacober thanks both Delia and Marge. She has been working with SAG and CPW and SAG is advocating not discussing lethal measures until we have more information. Francie recommends that people support the CPW plan. Keep the heat down and give the plan a chance. The wildlife commission is chosen by the Governor and are not wildlife experts. Bill Fales thanks Francie but says he is frustrated by non-lethal control comments from Delia. Riders put on Gittelson herds getting hit by wolves have had no effect. Hostility to lethal control should change. Wolves are smart. People can't accept wolves killing their animals. Suicide rate in agricultural field is high and influenced by stress. What is more stressful than having wolves killing your animals. Delia says Gittelson had wolves for over a year and there were no proactive strategies enacted. We know that livestock loss is minimal. There is provision for compensation and there is extensive language for compensation. Language should be fair

to the public too who uses the public lands. Patrick asks what is reference to flaggery? Waving red flapping flags. Human presence is the best deterrence, says Delia.

John calls meeting. Thanks Delia and all commenters. Motion to adjourn by Bill Fales and Francie seconds.

## **Crystal River Caucus Regular Meeting Minutes – March 9, 2023**

### Call to Order

The meeting on Zoom was called to order at 7:07 PM by John Emerick. A quorum was achieved with 19 participants.

### Approval of Draft Minutes from the January 12, 2023, Regular Caucus Meeting

No discussion on January meeting minutes. Bob Dupre moved to approve the draft minutes and Patrick Fagan seconded. The minutes were approved unanimously.

### Treasurer's Report

Bob Dupre gave the Treasurer's Report. The most current (1/31/23) statement balance was \$1343.68, same as 12/31/22, with an interest payment of 17 cents. We owe no money, and no one owes us. BOCC did approve funding for Caucuses. Bob will be asking for the annual stipend next week. A Business Account can be handled online and will give faster access to statements. Phil Youngman pointed out to Bob that we get no mail in the P.O. box and it is one of our larger expenses. Getting rid of the Box could save us over 100 dollars per year. Also, Bob recommends putting some funds into a CD to get a better interest rate. John E. asks if there is anything else coming into P.O. Box. Bob indicates no. Maciej asks if we got money back from PC for our mailing. Bob is not sure but thinks not. John thinks Pitkin County would reimburse and is going to check. Bob could combine request for mail out with stipend request. Patrick likes the idea of a CD if accessibility is not an issue. The penalty for early withdrawal is minimal.

### Public Comments

There was a question about river construction by the Redstone south entrance bridge by April Brooks. Gentrye Haughton says it is a private portion of river and about bank erosion. A permit is required and has been obtained and approved by both Pitkin County and the Army Corps of Engineers.

### Update on the 2010 Redstone Parks and Open Space Management Plan by Carly O'Connell, Pitkin County Open Space and Trails

During 2023 OST will be starting the update to the 2010 management plan per requirement. Elk and Redstone Park will have one management plan including Boulders, Riparian Area, Sawmill Hill, Coke Ovens, Powerhouse, and more, a total of 375 acres managed by OST. They will be releasing a survey to the public at large. Carly will be back in July focused on what they hear from the community. They want to make everyone aware before the plan is finalized in September. There will be another plan for Filoha Meadows. <https://arcg.is/18v4e4> is the link for the caucus. It is just 3 questions. Question 3 about the Coke Ovens and what future use the caucus would like to see there.

### Presentation by Phil Nyland on prescribed burning by USFS.

There are two planned prescribed burns. They are projects with a dual benefit of fire mitigation and benefit to wildlife habitat. Projects are at Braderich Creek, Avalanche Creek, and a 3rd project on vegetation thinning at Filoha and vicinity. Prescribed fire near Avalanche Creek is designed to burn 800 acres, maybe less. Burning is dependent on weather and snowpack leading up to the prescribed fire. The

burn is targeted just north of Avalanche Road targeting oak, pinyon, and perhaps some aspen to benefit bighorn, elk, and mule deer and reduce fuels, with benefits to other native wildlife as well.

The prescribed fire in Braderich Creek includes two units up to 2000 acres total. Similar vegetation and similar wildlife benefit and reduced fuels to Filoha. The burn is scheduled to occur in April to early May depending on snowmelt and weather. Lots of smoke will result in a short amount of time and if you have smoke sensitivity, please let yourself be known so you can be notified and act accordingly to protect yourself. The burn is usually a one-day event.

The Filoha Meadows project will not involve fire. Brush and juniper and pinyon thinning will improve conditions for big game by clearing with chainsaws. That would occur during August and September for about 3 – 4 weeks.

All three projects will be posted on sign boards so people can be informed. Maciej tries to see the map better, asks how much density will be removed. Phil says around 50 percent of the vegetation in about 80 acres. Striving to have visually no impact, but it helps to break up the fuel continuity and allows animals to move better through that area. Post monitoring after the last burning showed that animals congregate at the break in the slope. They are trying to provide corridors for wildlife.

Kate Hudson, living across from Avalanche Creek has concerns. Multi-decade drought lends concern about houses burning down due to lightning strike or prescribed burn getting out of control like what happened in NM. What precautions will the USFS take? Phil does admit to the risk, and says they have some excellent professionals using advanced tools for weeks before and leading up to the burn. Phil is heavily invested in doing it right and says the brush in NM is different. Kate asks if they have a contingency plan should the fire get out of control. Phil says their professionals will be well prepared with helicopters, trucks, etc. Phil says they are attempting to temper such a wildfire event. Kevin Warner wants to reiterate that part of the intent of the controlled burning in the Avalanche Creek area is to protect Swiss Village. Spring gives a higher probability of success. It's not an if, it's a when as to a future fire event.

#### Update on the proposed Coal Basin Methane Monitoring Project by Chris Caskey

There is not a lot of on-the-ground action during this winter but there is forward movement to achieve measuring methane release. We need to be flexible on where and how to measure methane. Kate Hudson asked Chris about the status of the permit from USFS. USFS has asked for more details and Chris is working on submitting information back to them. Once they have what they need the submissions will become a formal application.

If USFS accepts the project, then there will be some ability for public engagement. Kate voiced concerns about soil stabilization and impact on the river. Chris said they have adjusted plans for best practices to control sediment release. Kevin Warner said there will be public engagement dependent on decision making going forward and he assured there will be opportunity.

Chuck Downey wanted to put this in context. He said what is discussed tonight is minimal intrusion, but the next step is disruptive, and Coal Basin would be changed in a big way. He claimed he spent a lot of time going through EPA info on this. Is this really worth it? Why ask now? If you look at how much is being released, Chuck claimed it is miniscule. Chris was asked by Paul Wahlbrink if he has measured BTU's. Depending on the findings the results will dictate how to handle the situation. Chris will report

back after findings. He told Chuck that climate change is a big problem and said this is a big source of the problem. The objective is to measure methane. Kate asked where Chris gets funding, and he responded Core, PC, and Dept of Energy. Patrick Fagan agreed with some of Chuck's comments but if indeed the emissions may be small in some comparisons, it doesn't feel good to be a member of the community and know that more pollution than HWY 82 or the airport is being released by those mines.

Discussion of the USFS proposed Finding of no Significant Impact on the Redstone to McClure Pass recreational trail.

John mentioned that he sent out the draft letter of objection from the Caucus regarding the USFS draft environmental review of the recreational trail and finding of no significant impact. Objections to the FS can be submitted until Monday and the Board has drafted a letter. The board sees the FONSI as segregating the impact and ignoring the EA of other segments. Kate said she is glad Caucus is submitting an objection letter as is the Sierra Club to address similar concerns. Wahlbrink asked what would be the impacts to Wild and Scenic? Kate said eligibility in this part of the river is very much dependent on recreation - specifically fishing and boating. The proposed trail would impact riparian areas, and bridge construction and bank hardening will also impact the river. There is concern that the USFS is in fact taking an action that will compromise Wild and Scenic eligibility. Kevin Warner says he does not know the exact process for redetermining a section of the river as eligible for Wild and Scenic. The current plan was approved in 2002, and revisiting the current plan will begin in 2024, probably not going in earnest until 2025. Kevin admits Kate is on the right track with her concerns.

Rachel thanks John for the letter and supports it. John asks for a motion. Patrick Fagan makes a motion to submit the letter and Bob Dupre seconds. None opposed. No abstentions. Unanimous support of sending letter. Wayne Ives abstains.

Maciej makes motion to adjourn and Bob seconds. The meeting is adjourned.

## **MINUTES FOR THE CRYSTAL RIVER REGULAR CAUCUS MEETING ON MAY 11, 2023**

John Emerick asked Bob Dupre to take notes in absence of Secretary Edie Engstrom

Quorum was achieved. Meeting called to order at 7:10pm.

Commissioner France Jacober was in attendance.

- Minutes for the March 9, 2023, caucus meeting were sent out with the meeting notice. A motion to approve was made. None opposed, none abstaining, minutes approved unanimously.
- The Treasurer's report was presented by treasurer Bob Dupre per prior email. It reads as follows:
  - An annual stipend request for \$600.00 from the County has been submitted.
  - For this year and in the future, the county will send the stipend to the treasurer's home address on file.
  - The Alpine Bank account has been converted to online - paperless. Access is a 2-step authorization process. Bob Dupre set it up to his cell phone number, but there are options for future treasurers.
  - The PO Box is being terminated and we will receive a prorated refund. This will allow the Caucus to save \$100/yr. in the future.
  - Bob created a cheat sheet to be given to future treasurers with the current account number, username, and password and how to change the access info.
  - We have \$1,344.17 in the bank, do not owe anyone anything, and the county owes us \$600.00.
- Josh Cohen, Engineering, and Andi Staley, Traffic, presented for CDOT. Josh discussed the rock scaling project and Andi discussed Penny Hot Springs. Andi stated that the last traffic study for the Penny Hot Springs was done in 1990, that they take years to complete, and they could raise the speed limit. Discussion ensued that the study is dated, Penny hot Springs and traffic activity has soared since 1990. The study would need to be requested by Pitkin County to CDOT.
- The Color of the rock retaining wall was discussed. The wall is on Forest Service land. The color was chosen by discussion between the contractor's engineer and the Forest Service. They were onsite during different light conditions in the evaluation of best color. Selection was a long process.
- Short Term Rentals (STR) presentation by commissioner Jacober. Pitco BOCC passed an ordinance 4:1, restricting STR's in rural Pitkin County. There will be a Meeting at the Redstone Inn on Thursday May 18th at 5:30 to 7:00 PM to discuss the ordinance.
- Methane mitigation topic presented by Mona Newton and Chris Caskey. The initial investigation process has been scaled back to minimize impacts. There will be no trucks. Measurements will be performed using drones, airplanes, helicopters, and humans. The Forest service is applying a categorical exclusion. Kate Hudson expressed concerns about the apparent lack of impact studies and the segmenting approach. A methane mitigation meeting will be hosted by CORE and held at the Church of Redstone on Wednesday, May 17th at 6pm.
- In person regular meetings. Kate Hudson proposed that we have discussions about going back to in-person regular meetings to improve attendance.
- Caucus meeting was adjourned by John Emerick at 8:07.

## **Crystal River Caucus Meeting Minutes from July 13, 2023**

John introduces board. Calls meeting to order at 7:08.

Bill Argeros makes motion to approve minutes from the May 11, 2023, Crystal River Caucus meeting. Bob Dupre seconds. None opposed. None abstain. Unanimously approved.

Treasurer's report: Bob says last month's current bank balance is \$1244.52 after interest and after the \$100 donation to the church, but not including the \$1 in transit deposit, \$149.66 for the General Store, \$600.00 annual Pitkin County stipend for Caucus. Closed PO Box. Present balance after this meeting and social is \$1695.86. No debt.

Next item on agenda...John asks for comments or concerns from the membership. Kate asks if we have heard from the Forest Service regarding the trail. Lisa Dupre says she heard the 7-mile section is a go. Kevin Warner offers to clarify.

Someone asks about fire mitigation. Asks if we can get PC to mow down the weeds along the highway. John talks about that being a CDOT issue and the man asks about the Boulevard – that is the county.

Jesse Young presenting first from OST. She is here to talk about the Open Space property where the stables are – they do not yet have a management plan for that area. They are in the process of updating two management plans in the valley. One is behind the Coke Ovens and the other is Filoha (should have draft plan updated by November) and the open space properties along the Boulevard, including Wildin parcel with two homes. Trying to get ideas for properties under consideration. Presents overview of survey sent out for which they got over a hundred results. Asks to please leave further comments on the website.

Maciej asks about the overgrowth on the Boulevard– is that OST? Jesse leaving materials on table.

Gentrye Houghton thanks Jesse for flood protection measures taken by OST.

Next is Wild and Scenic video presentation by Kayo Ogilby. Bill informs members that Francie was supposed to be presenting but she had hip surgery, so Kayo is presenting. Someone took off with Kayo's notes. To fill time Bill asks April and Jason to introduce themselves as new and young members of the board. Patrick Fagan also introduces himself.

Kayo is back with his notes that took off down the road. Kayo is a member of the W and S Coalition working to protect the river as free flowing. He asks us to consider our personal connections to the river. His family came here in 1978, and the Ogilby family run Avalanche Ranch. Kayo's daughter here and is working with Tai Jacober. Kayo works and lives at CRMS and does many outdoor trips exposing youth to wilderness. He teaches biology. Slides accompany his words. Threatened today more than ever. So much divergence of water. 40 million people depend on Colorado's water. Expected to double in short time. Crystal a last remaining holdout and long been a target. Eligibility and suitability is what the coalition is now engaged in. Third step is legislation. Prohibits dams and diversions. Maintains water quality. Funding to manage and protect river. Does not give feds any authority over private lands, restrict development, existing water rights and irrigation facilities, and no transfer of private land to feds. Asks members to go to [crystalwildandscenic.org](http://crystalwildandscenic.org) and sign the petition.

Kate Hudson reminds the caucus that two resolutions have been passed by the caucus that support Wild and scenic. Lisa Tasker says if you fill out a petition you will be notified about important dates for events that are critical to Wild and Scenic. The public has the ability to go to steering committees and attend meetings.

Someone asks where we are in this journey. Lisa says the last group made a lot of progress but ran into a lot of political opposition. New group – coalition represented by Kayo and others saying there must be a stakeholder process. That's where we are. Started with a community summit in the spring and found interested people for the steering committee. The Steering committee will meet monthly through December. Hopefully an outcome from that group. Hope to have things to respond to by September. Professionally facilitated by two facilitators. Forest Service members are at every meeting, politicians, very inclusive. So, no one can complain that they didn't have a voice. Stakeholder processes are tedious, but officials say this is how it must happen. John asks about suitability. Lisa says suitability very complicated. Basically, you can end up with a product very specific to the community and that is the overall goal. Bill Argeros says there are a lot of opinions, but he is encouraged. Opposition seems to be less vocal than in the past says John Emerick. Lisa says other areas with W and S becomes an amendment to the act. Kate says the coalition has been working for a number of years to get signatures. Kate says the evidence of support can be found on the website – hundreds of signatures supporting W and S. The coalition will continue to gather support. The stakeholder process is completely different. Confusing. Gentrye has been working with the stakeholder group and says you can find minutes through the Echo.

Introduction of new sheriff Michael Buggliione who speaks briefly.

Mona Newton here over Zoom to give update on methane project. They have received permit (Chris Kaski of Delta Brick) from US Forest Service to obtain low impact methane measurement from the air. Some equipment will be going into the basin. Some heavier equipment will be brought t in by horses and mules. All data will be transmitted to those leading the efforts, who will develop a plan and come back to the community. They were up there today with some handheld devices and finding high levels in many spots including Ellis Wood. They had hoped to fly today but too warm. Waiting for change in the weather. CSU scientists were up there taking measurements. Mona asks if there are any questions.

Kate asks if there is someone else measuring methane in Coal Basin. Just their group but will be taking up volunteers and CSU is collaborating. Kate asks if there is a landowner and Mona says that is the US Forest Service and the private ownership of the bike ranch. Kevin Warner of Sopris Ranger District says she covered it well but adds that it is approved for up to a 4-month period for tripod monitors on the landscape and all to be removed by October. Nothing will be left on the landscape. Georgia asks where they get the equipment. Companies out of Boulder according to Mona. She describes some of the different devices. Kevin adds that if folks are up there and see tarps they are associated with the equipment as was approved as was foot and horse traffic. No motorized access has been approved. Susan McCoy asks what the goal is - harvesting? Mona says once they have a better idea of the levels they will propose projects. Not harvesting because they don't want to draw it out more than it is but figure out how to mitigate the methane. John thanks Mona and says we need to move on.

Next is Glenn Horn and Stefan talking about the Redstone Castle. Stefan thanks the Caucus. He says he is Belgian and lived in Europe, Asia and now Pitkin County. They bought castle about a year ago. He has a ten-week-old baby. They have done lots of studies. He has been involved in hospitality last 30 years.

What is the future of hospitality? He thinks wellness. So much new knowledge to help with healthy longevity. He looked at the Castle and decided there was no better place than the castle. He is hopeful that he can navigate the county doing things right. Glenn has done so much work and turned in an application to PC and Stefan wants to tell the resident's what his vision is. He knows change is controversial. He says he is reachable. Glenn takes over to discuss land use. Been a planner in the county for many years. He represented the former owners. Introduces Leslie Lamont and Suzane Wolf. Contact any of them with questions and comments. It will go to planning and zoning and then to the county commissioners. He reminds us about the Carver's application. He talks about the old master plan that is approved. Process is to amend the master plan. The concept is a wellness/longevity for several days - diet, exercise etc. for mind, body, and soul. They operate such a place in Thailand called the Raksa - means to preserve. It is in Bangkok. Only commercial lodging in the lung of Bangkok. Opening another in Tuscany this fall. The land use plan is similar to what was approved in the past, but castle and carriage house were previously tourist accommodations. No accommodation anymore. Units will be in those buildings but will be treatment rooms. Guests will stay in 4 cottages. Two additional buildings will house employees. Greenhouse for growing food for restaurant. Historic tours will continue. 88-acre wildlife conservation easement to complement original easement. Shows slide of plan for property. Barn will become hydrotherapy. Commercial kitchen. All guests in cabins and cottages with 21 bedrooms. Maximum occupancy is about 42 people. No kitchens. All food service in castle. Change with special events as was planned by the Carvers will no longer be a part of the proposal. Advantages - quiet use of property. Less traffic with lengthy stays. No special events. Economic motor is the wellness retreat. Stefan also owns the Saint Regis. Stefan is underwriting AI camera on Elephant Mountain to spot real fires. Someone asks about anticipated staff - about 35. Stay on site. His extended family. He plans to stay open year-round. Susan McCoy asks if the inside will change and he says yes. Hank asks about implications for water and sewage. This will prevent future development by others that would be on the water and sewage. Glenn says engineers said it could be accommodated. Ryan says that the sewer plant may not be able to handle all of the sewage without an addition. Concern and it can be expanded but costs fall on the developer. Close to capacity. First Glenn said they heard of this but will talk to their engineers. Ryan says there were some conversations with Colby - county engineer.

A man asks about the new cabins - will they mimic the historic architecture. Glenn says they will not detract but will not emulate the history. New build will fit into the landscape but will not look historic. Stefan wants it to be true to the beauty of the site. John thanks them.

Last thing is an open discussion in terms of items needing to be addressed. Kevin Warner addresses Kate's question about the Redstone to McClure trail. Objection process is complete. Regional review of project completed. Objectors should have received a letter. Next step in the process is the decision notice needs to be signed by Scott Fitzwilliams. He has not signed yet. Instructions need to be addressed first and then signing. Assumes prior to end of summer likely to be a signed decision.

April stands up and asks that people speak up and let the Caucus know about new items that don't typically get discussed. Andrea speaks regarding emergency services. She thinks that is a good topic. April was a first responder and has similar concerns. Kate would like to see the caucus involve more people within the caucus area. How do we get more attendance. Maciej says we did a mass mailing.

Suzanne Wolf suggests an event at a different time of day like a weekend event for people with jobs and children. Bill makes a motion to adjourn and Bob seconds.

## Crystal River Caucus Meeting Minutes for September 14, 2023

John E. starts meeting – first item approval of minutes from the Crystal River Caucus meeting on July 13, 2023

Patrick F. moves to approve minutes. Bob D. seconds. No discussion. Approved.

Treasurer report. Nothing has changed according to Bob. He needs to reach out to Phil Youngman to see how long we need to wait to receive money. Phil is in attendance and says don't wait. Bob says he will talk to Francie. John says to email Charlotte Anderson – county staff for caucuses.

Carly of PCOST presents draft plan - directs members to web site featuring plan. Tonight, we just see Redstone Parks and a few other Open Space parcels in Redstone to Review. Carly discusses changes to the park. Management actions show limited upcoming changes to the parks and The Drool and Sawmill Hill. Limited management suggested for the next few years. Plan focuses on maintenance and signage and educational opportunities. Plan does not take a position on future trail efforts. If Redstone to McClure moves forward Drool would be a part of that. Still striving for a long-term lease plan of the open space behind the coke ovens. Selected lessee will be put into that space in an agricultural capacity for next ten years. Additional maintenance will be included. Seasonal housing could be permitted. Hope is to achieve improvement of irrigation and habitat. OST would also like a walking trail at the Coke Ovens and the other part of plan for that parcel is the closure of the access for vehicular traffic between the coke ovens while directing traffic to Coal Creek. Long term management action. Not a ton of big changes. Revised some of the special use commercial policies for coke ovens and the two parks. Page 50 in the management plan describes – no change in parks except for ability to utilize temp shade structures for public events only. At the coke ovens to preserve the agricultural integrity of the space, events are allowed in a case-by-case process, but users must coordinate with lessees and get special use permits. 6 events allowed annually.

Comments – natural surface for trail, trail location clarification – utilize existing trail. Bill Argeros asks if there is any consideration of public crossing the highway there. Carly says yes, they are considering a future crossing with signage, but must coordinate with CDOT. There will be more opportunities for the public to weigh in. Maciej asks if there are any formal plans for septic treatment on the stables parcel. Carly says there is currently no housing on site and it has not been flagged as an issue. Campers on site must be self-contained. Majiec points out how far away dumping sites are for campers.

Welcoming of any feedback. [www.pitkin.ostprojects.com](http://www.pitkin.ostprojects.com).

John thanks Carly

John says our guest presenter from CDOT did not attend. Too bad. Lots of questions. John discusses the scraping of the forest alongside the highway corridor. John received email about walls being installed and color choices - Chuck Downey requested time to discuss wall at Penny Hot Springs.

Chuck says it would be best to follow CDOT. He presents photographs of enormous wall at Penny. He would like to get permission to look into colors applied to wall to make it blend better with the surrounding environment. Chuck called Josh Cohen of CDOT who said color was discussed but decided that concrete color was adequate. Chuck thinks we can do better. Never knew color was optional. West of Boulder he saw a CDOT rock wall similar to ours but more appropriately colored. Chuck wants to

incorporate color. John asks Chuck about the color he saw by Boulder. Chuck was told it was hand painted. Patrick agrees with Chuck but wonders if age had something to do with improved aesthetic appearance of wall. Chuck was encouraged to continue to pursue a resolution for improvement.

Next on agenda is Sheriff Buglione. He has experience in concrete construction – says applied colors don't last long.

He was invited to present how much time and how often PC Sheriff presence in Redstone. Between June 1<sup>st</sup> to August 31<sup>st</sup> 128 visits with average time of 2.5 hours. Response time depends on where officers are during time of need. Recently needed to use Carbondale police for a domestic incident in Redstone because PC Sheriff could not get here. Edie brought up aggressive driving. Maciej brings up large boulder that came down and the response was just not timely enough. What is protocol? Sheriff Michael B. says they would have dispatch page out to get someone there before they can get there. CDOT not first responders but will eventually get there. It just depends on the nature of the incident.

Patrick asks Sheriff Buglione if at some point in the future we could know the percentage of time they are spending in the RF valley versus the Crystal. Sheriff does not have it with him, but says it is not close based on population and travel. He will get us those percentages. Even fully staffed they are short staffed...hoping to reach out to county commissioners to ask for increased staffing once he has supported data. He promises we will see more of them if that happens. John asks if it would be helpful for the caucus to support that ask. Buglione says not yet. He needs to hire a staff assessment company and hopes to have report next year. Training takes about 11 months before they are out on their own patrolling. Maciej asks how many deputies? Three! John asks if he hopes to double his staff. Michael says he's not sure but thinking an additional 12.

Last item on agenda proposed changes to the Caucus Bylaws. We will be voting on those at our annual meeting. John shows existing bylaws in black and proposed changes in green. John discusses changes to enhance understanding. We no longer have a po box as described in the bylaws. Up for discussion if we need a permanent mailing address. Under committees, there is a nominating committee and bylaw committee. Last page addresses when meetings have been held but need to add Zoom and scheduling of special meetings on different days as needed and to accommodate people that cannot attend scheduled dates and times. Bob Dupre comments on proposed procedure for nominations. Changes give us more flexibility. Bob says 100 bucks was going to PO Box that we never used. Maciej asks if we can redirect mail to Pitkin County John says he will check with county. April asks if we can at least have an email address and have it on an updated website. John says all members get announcements from our google account and can respond to that address. John checks it approximately once a week. Bill agrees with April on email and revamping of website. Bill goes on to support the bylaw changes to better accommodate new members.

John thanks everyone for attending. Motion to adjourn and seconded.

## **Crystal River Caucus Annual Meeting Minutes – November 9, 2023**

### Call to order

The meeting at the Church at Redstone and on Zoom was called to order with a quorum at 7:16 pm due to technical difficulties that continued for several minutes.

### Approval of draft minutes from September 14, 2023

Motion made by Maciej Mrotek to approve the draft minutes and seconded by Bob Dupre. Any objections – none. Any abstentions – none. Approved.

### Treasurer's report

Bob Dupre gave the treasurer's report. A month ago (10/31) we had \$1,096.27. At the end of November, we should have \$1,446.00 after we get money from the county and pay for the annual meeting advertisement. No \$600.00 Caucus stipend quite yet from the county. According to someone at Pitkin County the Invoice got lost but Bob was assured we will have it soon. Advertising for the annual meeting needs to be paid in the days ahead. Around \$250.00 expected ad cost. Projected balance considers stipend and costs.

### Announcements and Brief Comments from Membership

Delia Malone says Commissioner Jacober had called and had planned to be here for tonight's meeting, but a commissioner meeting in Aspen ran late and she couldn't make it. No other announcements.

### Election of Board Members

Bill Argeros, Edie Engstrom, Bob Dupre, and Patrick Fagan are up for reelection. All willing to continue. April Brooks makes motion to reelect same 4 board members. Lisa Dupre seconds. John asks if there are any other members interested in running. No one comes forward. A majority voted to confirm all 4 members. One abstention. All 4 members were reelected.

### Update on Wild and Scenic Designation for the Crystal River

Update on Wild and Scenic will be deferred since Bill Argeros is not in attendance. Kate Hudson volunteered to update on the collaborative effort but wanted to clarify that there are two separate efforts being made by two separate committees...those two being a collaborative steering committee and another committee for advocacy.

Kate reports that there are over 1000 signatures in favor of Wild and Scenic. Next Thursday is the next meeting of the collaborative steering committee on Zoom. Kate encourages attendance. What came out of the most recent collaborative meeting was a lot of different options to protect the river and they are not mutually exclusive. Kate urges membership to continue to weigh in on the process. Support over the last two years cannot be forgotten. Dee asks Kate to send out the link to join the committee meeting. Kate will email the link to John. Steering committee meetings are open to the public.

### Update on Pitkin County's Short-Term Rental Process

Pitkin County administrative manager of the short-term rental (STR) process for unincorporated Pitkin County, Jeanette Muzio, stated that we are one year into the ordinance that went into effect in

September 20 of 2022. Janette said there was an annual review in September. No permits approved for rural and remote properties. There was an outreach program to Redstone due to a concern about different needs for areas like Redstone. The 120-night maximum and 4-night minimum for Redstone was felt to be too restrictive and was extended to a 180-night maximum and 2-night minimum. Jeanette showed a map of where STRs are distributed throughout the county. There is a total of 166 STRs in unincorporated areas. 4 STRs were denied in rural and remote areas. There is one existing violation with a lawsuit pending. A STR is defined as a stay of 30 days or less. 31 days or more is considered long term, and no license is required, to encourage more local housing. STRs are down from last year and less renewals due to a decrease in revenue stream. All licensees surveyed and expressed concern about fees being too high. STR fees are based on property values and the number of rental nights. The fees cover the cost of the program. There are no fees for unincorporated areas. The minimum fee is up for discussion. 4 nights minimum is hard for families traveling here. One licensee requirement is a Certificate of Occupancy to make sure rentals are up to code. There is a good neighbor guide about bears and fire safety. Rental activity is tracked and monitored to be sure it is legal. Fines of up to \$1000 per day are possible for not being licensed. The license must be displayed along with the good neighbor guide. The intent is to encourage long term rentals for additional housing. There is a requirement for public noticing for all rentals applications of 15 days to neighbors. The goal of the program is to have an impact study in 2024. Rules and regulations of the program are posted online.

#### Coal Basin Methane Monitoring Project Update

Mona Newton stated that over the summer data were collected in Coal Basin. Some collected on plane flights as well as from on-the-ground sensors. They are analyzing the data now. They are moving forward with options and a cost-benefit analysis will be presented to CORE first and then decide where to go from there. They hope to get a go ahead from the Forest Service for 2024 and 2025. In spring of 2024 they should be able to present options to the caucus. The quantity of methane emitted is not high enough to suggest any electric generation. Data gathering stopped at the end of October. Kate Hudson asked about the quality of the methane. Mona said it is more appropriate for flaring. Emissions would be much lower from flaring, but Greenhouse gases would still be emitted. They need funding to do anything further.

#### Update on the Crystal Valley Recreational Trail

Jennifer Schuller, Deputy District Ranger, U.S. Forest Service, said that the Forest Service will be reviewing the coal basin methane project. Jennifer has been stepping into Kevin Warner's role for a couple of months. Regarding the Redstone to McClure trail project, there were objections from the public. They are still working through addressing those objections. No date yet for a release of a decision. Delia Malone states that the Sierra Club and Roaring Fork Audubon are objectors to the trail and they stand by those objections as they relate to Wildlife issues.

A motion to adjourn is made and seconded.

Post meeting, several board members discussed giving the church a \$50.00 donation for use of the facilities for tonight's meeting. A motion was made among the members and seconded. Bob will be sending the church a check.

# Crystal River Caucus Regular Meeting Minutes

January 11, 2024

John Emerick called the meeting to order at 7:08 PM: 41 people in attendance with 23 on Zoom and the balance in person.

Approval of the Draft minutes from the November 8, 2023, Annual Caucus Meeting: Bill Argeros moved to approve. Bob Dupre seconded. None opposed.

Treasurer's report: Earned .35 cents in interest since last meeting. Sent \$50.00 donation to church for facility use at last caucus meeting. Balance in account of \$1,646.76. Edie Engstrom makes motion to donate \$50.00 to church for tonight's meeting and all future meetings. Maciej Mrotek seconds. All approve.

Announcements from membership – None.

Presentation on Redstone Castle Plans:

Land use planner Glenn Horn presented on behalf of the Redstone Castle. The Castle plan is going to the planning commission on 1/23. Leslie Lamont is overseeing the project on behalf of the planning department. The people in attendance on behalf of the Castle are introduced: owner Stephane De Baets, Jason Jaynes with DHM, Colby Christoff and Yancy Nichol with Sopris Engineering. The plan is to convert the Castle into a wellness and longevity resort operated by Stephane. He and his partners have two other retreats in Thailand and Italy. The castle and carriage house will be used for treatments, as well as a proposal to build four two-bedroom cottages and four three-bedroom cabins at the north end of the castle property. Additionally, housing for employees, a greenhouse, an 85-acre wildlife conservation easement, and a 21-acre historical easement are all part of the plan. Ten of the former guest rooms in the castle will be used for treatment.

Special events as per previous approvals are not part of the proposal but looking to do possibly 3 – 4 events per year. No weddings. Guest use of the property is compatible to the Crystal Valley. Stephane has met with the planning commission. He plans to save the big ponderosas that exist within and around the proposed development area. Stephane would love community feedback now before the meeting with the commission so that he can address issues proactively. Ted Allegra asks what is included in their plan that was part of the Carver's development plan and what is newly proposed. The new plan eliminates the development of cabins from the previously approved south side of the Castle. Employee housing is new as well and will be where the historic dog kennel now exists. That has not yet been approved. A traffic study was done, and traffic will be minimal with the plan, and they are also stabilizing the road.

Yancy has been looking into the Redstone sanitation district saying there was not enough capacity for sewage from the Castle. Apparently, there are some ongoing issues with groundwater infiltration into the system/plant that has reduced treatment capacity. That problem has been addressed but more work can be done to eliminate that added load provided by groundwater. The proposed castle plan requires 23 eqr's and Yancy says that is available through the present sanitation plant, which is rated for 50,000

gallons. With the castle, the plant would be hitting around 80 percent of capacity. The plant is in good shape, and can be added on to if necessary going forward. Tim Blocker asks how much the Castle will be paying for sanitation. It is \$10,000 for each tap – \$460,000 for the taps. 20 percent of the district will remain designated for future development.

There was a question about trees. Jason joined the conversation and reported an overabundance of spruce and low growth leading to a fire hazard. They will be clearing low growth and 3 – 5 mature spruce and ponderosa will be removed. Tim Blocker asks why the proposal is moving cabins from south to north side. Glenn says it is too tight at south end and didn't create the privacy they are looking to attain. As well it would have required extended utility services a longer distance to develop the south side of castle and potentially would be more easily seen from the highway. Bill Argeros asked about the debris flow that has been ongoing for many years. The plan is to go above the T-bar and put in a flexible geo grooved fence to catch debris and then only the clear water will run through channel and culvert and come out below access road into Crystal. They are talking to OST to continue to provide access to ice climbing. Glenn encourages people with concerns to reach out to Leslie and attend the commission meeting on 1/23. Leslie says there will be a public hearing which will allow for comment, but people can comment in the next week as well. Francie Jacober clarifies that you don't have to attend the meeting to make comments.

Filoha Management Plan update:

Carly Oconnell from OST presented update, and Jessie Young also with OST was present on Zoom. OST is about to release the management plan. The planned release date is 1/15 and is an update to the original plan approved in 2008. Since then, OST acquired two additional parcels that are contiguous to Filoha. One includes 9 acres called the Grange loadout as well as the Wildin parcel. The Wildin parcel is proposed to be a ranger hub for management of Filoha and other OST properties in the Crystal River. The draft plan will be posted, and comments taken from 1/15 through 2/16; plans can be accessed at [pitkinostprojects.com](http://pitkinostprojects.com). The Action plan includes a seasonal closure and continuation of native habitat, and collaboration with governmental agencies to maintain wildlife and pollinator habitat and protection of rare orchids, riparian protection and more. Action 11 addresses wolf reintroduction. External research has been considered, and education and outreach will continue. An informational panel will be added to the signage at the trailhead. Recreational uses will continue as with the old plan except fishing and wading will be prohibited on the more recently acquired Grange loadout riverbank area. Maintenance is going to explore the potential for burying above-ground utilities.

The administrative unit part of the Wildin parcel looks to formalize the existing rough and steep two-track access through Wildin to gain access to the existing Dorais Way referred to as County Road 3B and from there access to the meadows with equipment. Parking for programs will be developed on the Wildin parcel. Housing on the parcel will be improved for staff and the garage space will become a ranger touchdown space with Wi-Fi and radio connections. Francie asked if people can float through during the time of closure. Yes, just cannot access riverbank. Does this plan prohibit biking? Yes, no biking through the nature preserve. Should the bike trail plan be approved, the bike trail could go through the administrative parcel. Delia Malone speaks up and says she has asked previously but never got a response as to the issue of the ongoing lawsuit whereby the county has sued the neighborhood. This plan being presented assumes the court will decide to take private property for access. Delia asks - is it not presumptuous and disingenuous to present this access in the throes of an ongoing lawsuit. Delia

asks for a response as to why the county is purporting this as an already approved access. Jessie says plan reflects historic use through the property and says the plans are always flexible. She encourages Delia to reach out to county attorney. Francie Jacober says we will not be responding as litigation is ongoing. Delia says exactly her point! Maciej asks about modifying Penny parking lot. Quick update to come. OST approved construction drawings at the beginning of January so they are moving ahead with complete construction documents. John thanks Jessie and Carly.

Update on Wild and Scenic designation for the Crystal River:

The collaborative steering committee had a meeting on Nov 16<sup>th</sup> and the committee was divided into 3 groups. Spent most of meeting addressing ongoing comments and concerns. The last meeting on Dec 14<sup>th</sup> was organized so that the steering committee stayed in one group in a big circle. Each member was asked to discuss their most prominent thoughts. Most comments focused on W & S designation and state protection, and very few on USFS package. Outcome seemed to imply dropping discussion of the USFS option with increased focus on W & S and/or state protections going forward. Enough misinformation has confused the whole issue. In the end it was decided that in the next month there will be one more meeting that will focus on W & S, which is for the most part considered the most lasting and durable protection for the river. Ongoing concerns about private property rights and what W & S might mean for instream water rights. Clarification is needed and should be coming. State and local strategies could be put into place rather quickly while W & S designation has a lengthy political process that may take a couple years. A combination of the two might be best option to get quick protection and ultimately better protection once W & S is implemented. The Next meeting will be February 8<sup>th</sup> from 6-7:30 and will be a virtual meeting on Zoom.

Tim Blocker asked how that upcoming W & S meeting will be configured to discuss questions. Roy Smith and Jennifer Back will be attending that meeting. Feb 29<sup>th</sup> will probably be the last steering committee meeting going forward. All meetings are open to the public, but no questions perhaps allowed by members of the public. Francie asked why the concerns haven't been put to rest. Has that been Intentional or just confusion? John said the facilitators feel they cannot provide info and answer questions because they are afraid they will be considered slanted. This prevents clear communication. Kate Hudson has a lot of concern that the process is ignoring the caucus and the over 1000 people that have signed petitions favoring W & S, not to mention the County position. The facilitators have not chosen to focus on W & S over any of the other options. John said he brought up the fact that the misinformation needs to be mitigated by accurate info – what it really is, what it isn't, what it will do and won't do, how it affects water rights and private property. Tim asked how the W & S will be designated – by the House or by the senate? All congressional reps are involved, but Hickenlooper and Bennett are most involved. The process was intended to be a public process, but minority voices have been suppressed, resulting in a confusing message to our congressional reps. John said this is the 3<sup>rd</sup> time we have tried to pass W & S but there was so much resistance from Gunnison County in the past that it was dismissed. Opposition was primarily from a small group of people. Ted Allegra recommended that at the next meeting 2/8 there be a quick fact sheet presentation to put out all facts and address and put to rest the misconceptions. Kate added that questions are not getting answered. John said the steering committee has been emailed to collect questions.

Bob Dupre made motion to adjourn, and it was seconded. The meeting was adjourned.

# Crystal River Caucus Meeting Minutes

March 14, 2024

John Emerick called the meeting to order at 7:02 PM 3/14/24. Approximately 23 people in attendance at the Church at Redstone and 13 on Zoom.

Approval of draft minutes from the January 11, 2024, regular caucus meeting: There was no discussion. Francie Jacober moves to approve minutes, seconded: none opposed - approved unanimously.

Treasurer's report: Bob Dupre reported a beginning balance of \$1646.97. Expenses were donation to the church of \$50.00 for the last meeting. Interest earned 19 cents. The ending balance is \$1597.16.

John asks for any announcements. County Commissioner Francie Jacober says the Redstone Castle came before the BOCC yesterday. Stefan was there. People came just to talk about Stefan's fine attributes, including the fire chief who said how incredibly cooperative Stefan had been. People spoke to his integrity. Francie said this kind of advocacy was unusual. Commissioners looked at entirety of project. No conclusive decisions as the topic was continued until April. Bob McCormick did attend to talk about the road and the need for servicing before any construction. Francie said she talked to Leslie Lamont at some point and asked her what would happen if Stefan went bankrupt? They discussed bonding. Leslie is looking into that and will report back to Francie.

Next agenda item is an update from CDOT. Joshua Cullen is a no show, so John moved on to the third agenda item.

John Groves from Colorado Parks and Wildlife has an update on the populations of the elk and bighorn sheep. John has been our CPW wildlife officer for twenty years. The local bighorn herd is dwindling, primarily because of disease issues. About 40 to 50 animals in the area are under study, but historically there were 250 plus. There has been 95 percent mortality on the lambs, mainly from Pneumonia and Pasteurella. There is recurring infection from carriers and a subsequent lamb die off. CPW is hoping that with the buyout of grazing allotments further to the south we will see more survivability, but it is too early to tell. They have discussed testing and removal of carriers, but there is no certainty as to the potential benefit/risk. Their habitat appears to be great.

The elk referred to as DAU15 (Avalanche Creek herd) have been part of a study and CPW has been catching female elk and collaring, as well as using vaginal transmitters to capture calving. Over the years there has been a steady decline in the population. Today the 3-year average is 32 calves per 100 cows. Part of the decline could be predation, loss of habitat, and recreation. At this number, it is hard to maintain herds. There are no disease issues, and there is a high pregnancy rate, so this is not blamed on disruption during rut. The herd is maintaining a stable population, not increasing or decreasing. The area of this herd is from Castle Creek to Glenwood Springs. CPW has been doing post winter visits to see how many young there are. The calves first year is the toughest.

Bear populations are healthy and robust. 10 plus years ago they were using snares with bait to examine DNA. There are presently 1.1 bears per square km. CPW relies on folks to behave and be bear aware and keep a clean site. We are living amongst bears and need to take responsibility.

Francie asks about the stress of catching elk cows up by her house for the study. What effect does that program have on the elk? John Groves says they try to be mindful knowing it is a disturbance, but collaring is the only tool they have. Anytime they are working with wildlife there are impacts. They do it in winter to prevent overheating. They try to be fast and not run them for over thirty seconds. There is no evidence that the stress is killing them. Francie asked about the vulnerability of the herd at Mad Dog being in pastures. John says the elk have adapted and that there is more intrusion up higher with recreationists. They still know how to escape predators; John is seeing calves delivered at 12,000 feet to avoid predation. Francie asked about the wolves: House bill dropped by Representative Story regarding nonlethal existence. John Groves can't speak to it – just saw it today. Kevin Kelly asks if there is any liability for bear's damage. John says that you can shoot to protect human health and safety, though there is controversy about killing bears. John says call him if there is a problem bear.

Larry Darien asks about protection for mountain lions that are coming forth. If we are having a problem with predation how will that affect survivability of herds. Delia is on Zoom: on the topic of predation on ungulates, the science shows that the predators are removing diseased animals. Apex predators include only 12 wolves in Colorado. Cougars and bears primarily prey on weak as well. They are helpful to create a healthy population. The coexistence bill would provide funding for nonlethal funding for ranchers in CO if they implement nonlethal coexistence measures. USDA says only 15 percent of ranchers in CO are implementing nonlethal coexistence strategies. Delia speaks to the success of these nonlethal measures in other states.

Kate Hudson asks John Groves what if any impact the prescribed burns have on elk and sheep. He says they are a healthy measure providing for nutritious new growth. It may temporarily displace them but after a year or so you will see more animals than before. Kevin Kelly asks if there are any more planned. John speaks to the Braderich area being on the table again as well as more prescribed burns behind Filoha and up Avalanche Creek.

Bill O'Reilly on Zoom asks John Groves - Do we know the vectors, and can we help mitigate the bighorn diseases? John says most are old world diseases from domestic sheep which have been taken off the landscape, but carriers do continue to reinfect. Nose to nose contact and overlap on feeding grounds is believed to lead to transmission.

Next item on the agenda is presentation on the revisioning of the Wild Hearts building in Redstone, by Larisa LaLond with Roaring Fork Leadership – a program that trains leaders in the community. As part of the leadership process this project came up and Larisa and Matt and Kevin chose it as one of their projects. The main goal of the project for RFL is to come up with a strategic plan. There are two families running Wild hearts and the General Store. Some of the concerns are seasonal tourism, tech limitations, and site and zoning constraints. This project is about building community. Matt created a drawing to give context to the project, and it shows the General Store and Wild Hearts buildings across from the park. A goal is to enhance the Wild Hearts building for activities like farmers markets, canning, library, tools borrowing - all provided by the community and for the community. Kevin Kelly asks about the cabins behind. They are being imagined as employee

housing for Redstone. No building of more structures is planned, rather repurposing the spaces. Art classes, cooking classes, hobbies for the community to come together. There is a survey and the need to collect data. The survey is either hard copy or can be taken online. RFL has been working on this for 4 months and has two more months of involvement. Owner Oriana expresses how grateful they have been to work with RFL. The intention is to move the buildings into a non-profit and raise money for the community. They hope to get feedback and then present it to investors to get it off the ground. They got a grant for the grocery store to stay open year-round. Please fill out the survey.

Questions from Andrea: Will ownership remain the same and have they approached Pitkin County about having a community center? Oriana says hope is that the county can be involved. Francie has met with Rochelle and Oriana and says the Board is very interested in helping. They especially like the idea of a disaster relief program and right now there is none. Government moves slowly and the county isn't far down this path. Andrea asks if there is something we can do to help move this along. Oriana says taking the survey and writing letters would be helpful.

Next topic on the agenda is a presentation of watershed protections by Michael Gorman from Wilderness Workshop. WW is part of a coalition called Outstanding Waters and working with American Rivers, the Healthy Rivers Board, and a number of other statewide groups. Today he is here to talk about a couple of segments – one on Avalanche Creek and the other on Thompson Creek. Outstanding Waters designation is managed by the Colorado Water Quality Control Commission. Protections can be designated on streams with outstanding water quality. They look at 13 parameters including metals, *E. coli*, nitrites and nitrates, etc. to assess high quality for designation. Avalanche Creek meets those standards and supports cutthroats and nesting black swifts up Bulldog Creek and is a potential conservation area for plant species. Thompson Creek also supports cutthroats and has great potential. High water levels are important for trout and support the protection from point source pollution identified by the state as mining, stormwater, sewage, and more. Ranching is not considered a point source of pollution. These safeguards would prevent future activities from impacting the water quality. They are at the end of a 3-year process with these streams in obtaining Outstanding Water designations and are in a public outreach phase. John asks if this is supportive of the Crystal River Wild and Scenic designation. Michael says yes. Andrea asks if there is any concern of not getting the designation and are there any downsides to not getting the designation. Michael says it is possible it will not be granted. The downside would be loss of protection from potential polluters.

Eddie makes a motion that the Caucus send a letter to the State of Colorado and support the designation. Francie seconds. Timeline is within a month. Delia asks if this will in any way impact Wild and Scenic designation. Michael says it is totally different and does not impact W and S designation for the Crystal River. Eddie asks if ranching is ever considered a potential polluter? Only in CAFO situations. There were 16 in support of supporting the designation and writing a letter of support to the state, and none opposed.

The last item on the agenda is Wild and Scenic designation of the Crystal River. The last meeting of the Crystal River Collaborative steering committee was on 2/25/24. The Committee achieved consensus that three protections (not mutually exclusive) for the Crystal River should continue to be evaluated: Intergovernmental Agreement to commit protection against dams and trans-basin diversions; Peaking instream flow to protect peak flows and diversions of the free river; and Wild

and Scenic designation designed to meet the flexibility necessary to address the specific needs of landowners and stakeholders along the river.

The steering committee formed a subcommittee for each protection to provide monthly updates. John is on the Wild and Scenic subcommittee, which will be meeting on the 4<sup>th</sup> Thursday of the month. Kevin Kelly asks if there is any hope of preventing a dam without implementing W and S. John says that will continue to be studied by the subcommittee. John says potentially there is. Kate wants to confirm that the Caucus is still in favor of continued support. John says yes. John pulls up the resolution from the Caucus Board and reads it expressing support. John says the Caucus has been strong on supporting W and S. Jason asks what peaking instream flow is. John says that during peak runoff waters flood the floodplain and later support the river during times of drought.

Francie thanks John for his work with the collaborative. The CRC continues to strongly support W and S and John Emerick makes motion: "The Crystal River Caucus continues to strongly support Wild and Scenic designation for the Crystal River and recommends that Pitkin County not support displacement of such designation by other protections currently being considered by the Crystal River Wild and Scenic Feasibility Collaborative." The motion was seconded, and a vote taken with 15 in favor, and none opposed. Resolution passed. Larry asks if the caucus can do better to get more people's voices. John says we send out letters and try to get as many people as we can to share contact info. There are about 300 people on the caucus email list.

Motion by Bob Dupre to donate \$50 to church for tonight's meeting. Edie seconded. None opposed.

Meeting adjourned!

## Crystal River Caucus Meeting Minutes May 9, 2024

A quorum is declared. John Emerick calls meeting to order and asks for approval of draft minutes from March 14, 2024, caucus meeting. Maciej moved to approve, and April seconded. No objections or discussion. Minutes approved.

Treasurer's report: Bob Dupre says the info comes from most current statement. Account earned a small amount of interest and made a \$50 donation to the Church at Redstone. Balance \$1547.56. Bob makes motion to make another \$50 donation to church for tonight's meeting. Motion approved.

John asks for any comments from the membership. DJ says that he is there on behalf of Josh because at the last meeting there was a motion for denial for Josh's permit to continue to operate his outfitting business and the motion was approved. DJ says he has a petition with 200 signatures. Francie says the Board took that into consideration and it influenced them. Francie felt good about the 2-year lease resolution with OST to run his business. If Josh proves he's doing his best, that lease will be extended, and if there is a problem it will be reevaluated.

Francie wants to talk about the Dooley farm, which suffered devastating fire. Their permit will be expedited by the county. Also, an airport layout plan has been agreed upon by the BOCC which will come back in its final form – the hope is to update the runway.

The primary presentation of the evening was the wolf issue by Suzanne Asha Stone. Most wolves have stayed north of I-70. 8 cows have been depredated by wolves. Ranchers are calling for the elimination of the wolves responsible. Suzanne has been involved in wolf reintroduction for 25 years, and wolf management using non-lethal strategies. She is the founder of the wildlife coexistence network, joining via Zoom from Idaho. Suzanne is also with Maxwell McDonnel. He is with her to help answer questions. He is more knowledgeable about cattle. In 2007 Idaho was in a similar situation to CO at present, with wolves for first time. They had depredation and some members of the community wanted the wolves eradicated and some wanted the sheep eradicated. The situation was very divisive. Fladry was implemented and tested and there were no more losses for the rest of the grazing period. The fladry idea came from eastern Europe. It must be installed properly and maintained on a daily basis. The community needed more proof so in 2008 they brought all of the groups together to align goals. They used dogs. Wolves did not like the dogs and were also very protective of their young. Project became official in 2008. Under 5 sheep a year loss since 2008. Where they are relying on lethal methods, they are losing more sheep than in the areas of non-lethal. Funding is now coming from some federal sources but almost all is private. Not much federal money for non-lethal management. Motivation is a key factor. If the rancher is motivated to protect livestock, they can make it work. The model is going international and also throughout the western US.

Next on the agenda was an update on the Coal Basin Methane Project. Chris Caskey is on Zoom. John asks Chris to speak for ten minutes. They determined that Coal Basin was just shy of 2000 metric tons of methane – much less than they anticipated, but still enough to mitigate. Chris shows map of coal basin where methane is leaking. They flew an aircraft in cylindrical pattern around the

basin to measure and also flew in a zig zag pattern. Data indicates that methane is coming from up high and mostly in the center of the basin. Visited all of the sites they could and got a very robust data set and had statisticians help evaluate the data. Lots of methane from Dutch Creek mines, but some mines showed no methane. There are a large number of things we can do. The mitigation cost is estimated at 4 million dollars for one option and would impact a lot of acreage. There are lots of challenges – getting electricity, doing the permitting, and sediment prevention into the creek. LS Wood mine in Paonia experimenting with bacteria that eats methane and can be brought in on horseback. There is lots of community interaction, and also concerns about wildlife and watershed erosion in Coal Basin remain a concern. They know that 20 percent of the methane comes from Dutch Creek mines. Community engagement and looking for funding is ongoing. They are hoping to start in 2026.

Kate Hudson had a question. She works in this field professionally and said this is a very minimal amount of methane compared to other activities in Colorado. There does not seem to be a lot of climate benefit and would introduce re-disturbance of previously disturbed areas. She is concerned about sediment into the creek and thus the river. Reopening the road and other activities will cause that problem to increase, and a reindustrialization of the area that has recovered greatly for wildlife and recreation and open space. Chris says he will share Kate's comments, but he disagrees regarding the climate action should occur elsewhere. He denies that a well-designed system will put sediment into the creek. Chuck Downey asks about the RTO at 10000 feet. What about putting that at 8000 feet to reduce environmental impact. Chris says you need a pipe between the leak site and the RTO and if they put it down at 8000 feet, it doesn't reduce the impact much. Chuck says he thinks Chris is underestimating the environmental impact and the winters. He chose 8000 feet because that is where the lamphouse is and it is an option to minimize cost and environmental impact. Maintenance would also be much easier especially in the winter. Chuck would reconsider if they made that change but agrees with Kate. Delia Malone suggested planting a whole lot more trees to reduce CO2 and have a positive wildlife and recreation effect. Chris agrees that planting a lot of trees would be great.

The next presentation was from Phil Nyland, a wildlife biologist from the U.S. Forest Service. He thanks the Caucus for the opportunity to present and is heading the team for prescribed fires. Phil says he wanted to brief folks about two projects. Filoha has been accomplished and Braderich Creek is to come. Phil presented a map showing Filoha prescribed burn as well as areas of mechanical thinning - about 40 acres and then the subsequent burn. Both projects are similar in objective. 456 acres of burning were accomplished in Filoha. In the past 15 years they have seen a better response in the spring in aspen forest. They can run fire through aspen to regenerate and the forest responds, providing better wildlife habitat and calving for elk. Francie asks why we burn? He says there is a hormonal response, and the aspen sucker from the roots. Brush responds well to fire and is good for wildlife. They used a drone to bring ignition fuel up high, and there is less risk than using a helicopter.

The Braderich project is shown on the map. They had some success in 2019 but it was pretty wet. They hope to take another shot in the next couple weeks – hoping for habitat improvement, aspen regeneration, and fuels reduction. The project start is conditions based – weather, fuel, moisture, and arrival of migratory birds. Phil asks that people add their names to email chain so he can keep more people informed. Supervisor Jennifer Shuller is on Zoom and adds that Phil has done a great

job. She reminds Phil that he should address smoke reporting. Kate Hudson asked if they consider wind direction. Phil says it is a key component to a go or no go. They want to keep smoke away from the denser populations. They shoot for a good dispersion day and don't burn on days when smoke will just settle. Chuck asks what the total acreage would be. Phil said it is about 2000 acres. They burned 1200 acres last time, with 60 to 70 percent oak. Phil will send out an alert the day before or the morning of the burn.

Josh Cullen from CDOT provided an update on HWY 133. Nothing is slated for engineering this season. One caveat is a dip up by the north Redstone entrance where they installed a pipe in the past and it settled. They are going to repair it before Memorial Day – will let us know when that gets scheduled. Scheduled for 2025 is a chip seal project from the pass down to Roaring Fork High School in Carbondale. He describes it as a low-cost preservation of the pavement and adds ten to 15 years to the pavement. Francie Jacober asked if they can just widen the highway so they can avoid building the bike trail. Maciej asked what the time frame would be for the chip seal. Josh said it would be very sensitive to weather, but theoretically no earlier than mid-May or the first of June through mid-august. Wayne Ives says he lives in the subdivision by the KOA and asks how chip seal will impact the rumble strip. Josh says it may soften the rumble strip. Wayne asks if they could please fill in the rumble strips. Josh says he will explore that.

Brief update on Wild and Scenic for the Crystal River. The subcommittee reviewed some poll results and addressed some concerns. Kestrel Kunz from American Whitewater updated about what was being considered relative to the Wild and Scenic Rivers Act. Next meeting will be held on May 23, where the subcommittee will review specific topics. Kate asks that it be known that interested people can attend. John says anyone can observe. Kestrel mentioned that several W & S bills she has worked on with other rivers have a commonality of questions.

Maciej moves to adjourn. Kate seconds.

## **Regular Crystal River Caucus Meeting Minutes for July 11, 2024**

The annual Ice Cream Social was held from 6pm to 7pm in the area of the Church of Redstone's pergola. Attendance was not as good as 2023.

John Emerick, Chair called the meeting to order at 7:15pm due to Zoom issues and declared a quorum between the members in the room and on Zoom. Lisa Tasker of Pitkin County attended via Zoom.

John requested a motion to approve the minutes of the May 9, 2024, regular caucus meeting. The motion was made seconded and unanimously approved.

Bob Dupre reported that the Caucus finances are essentially unchanged from the prior period with a balance of \$1,548, after accounting for an unpaid stipend to the church for facility usage. A motion was made and seconded to accept the report, passed unanimously.

Andrea Garr requested a clarification on public access on Dorais Way and asked for a presentation by the sheriff's department for an emergency evacuation plan for the caucus area.

There was a discussion about poor attendance at Caucus meetings. This is a recurring discussion, usually during vacation season and times when there are few controversial topics on the agenda. This led to a discussion about ways to increase membership. Since our stipend from Pitkin County is \$600 per year and our gratuity for the use of the Church facilities is also \$600, we have little or no funds available for marketing. Perhaps our marketing methods are outdated. Bob Dupre, Cathy Montgomery and Anrea Garr agreed to explore possibilities.

John Emerick reported on progress at the Wild and Scenic Subcommittee meeting. Most of the subcommittee's time has been spent on understanding the Wild and Scenic Act and how legislation for specific designation for the Crystal River might look like. Ensuing discussion revealed a concern among caucus members that the subcommittee doesn't have a timeline or a well-defined endpoint. A motion was made and seconded for John Emerick, who is representing the caucus in the subcommittee, to voice these concerns to the subcommittee at their next meeting and request a realistic timeline to expedite the subcommittee processes for accountability. The motion passed unanimously.

The meeting was adjourned.

## **Crystal River Caucus Regular Membership Meeting Minutes, September 12, 2024**

The meeting was called to order by John Emerick at 7:00 pm. John initially called for a motion on the minutes for the July meeting. Bill Argeros made the motion to accept those minutes. Francie Jacober seconded it. Andrea Garr requested to make a comment, and her comment was that she had requested at the previous meeting a clarification on public access on Dorais Way and asked for a presentation by the sheriff's department for an emergency evacuation plan for the caucus area. Those two items do not appear in the July minutes. Bob Dupre stated there cannot be a discussion regarding Dorais Way because it is in litigation and not settled and Francie agreed. John stated he dropped the ball on the evacuation presentation. He will reach out to the sheriff.

Maciej Mrotek interjected that he just received a text from the Pitkin County attorney stating that both sides of the Dorais way litigation had arrived at a mutual agreement. And that it would be appearing before a judge next week. (beginning week of Sept 16<sup>th</sup>).

Bill amended his motion to accept the July minutes with the two items added. Francie Jacober agreed with his amended motion. John called the vote, and it passed unanimously. John stated that we had a quorum. Vote on bylaws changes, we'll discuss the slate for board elections coming in the November meeting. Any general comments or announcement not included? None.

The first agenda item was Francie presenting information on the airport modification update and the Aspen entrance project and employee housing. Details of her presentation are available on the Pitkin County website.

The next agenda item is Wild and Scenic Designation update. John stated Wild and Scenic subcommittee met August 26<sup>th</sup>. A lengthy overview was given by John followed by a lengthy discussion from the attendees. The Wild and Scenic subcommittees appear to be moving toward a resolution very slowly.

There was a discussion on how to make residents more aware of the Crystal River Caucus and its functions. Cathy Montgomery presented the idea of distributing something similar to a welcome basket to new residents. Another suggestion was to print a Caucus information flyer to be distributed at polling places and other places young people congregate.

A discussion ensued clarifying the process and timeline for nominating and electing new board members. Candidates are selected prior to the November annual meeting and voted on or elected at the November meeting. Motion and second to adjourn. All in favor.

Summarized minutes by Bob from recordings by Maciej and John.

## **Minutes for the November 2024 Crystal River Caucus Annual General Membership Meeting**

The meeting was called to order at 7:05pm by Chairman John Emerick. There was a quorum of 15 people in attendance including ZOOM attendees. John called for questions on the minutes.

Bob Dupre pointed out that between the September meeting and preparation of the minutes, new information became available that refuted the statement that a mutually acceptable agreement had been reached and that agreement between Pitkin County and the RCA (Rock Creek Association) regarding ownership of sections of Dorais Way, and that the agreement would be reviewed by the Court during the week following the September Caucus meeting.

The new information, established that, after 6 ½ years of litigation, no agreement had been accomplished and nothing was reviewed by the Court.

M&2 by Argeros and Dupre to allow the erroneous information to stand in the September 2024 meeting minutes and include the above wording in the November 2024 meeting minutes. Motion carried unanimously.

Treasurer's Report by Bob Dupre, the Caucus Checking Account had an ending balance of \$1398.72 including bank interest and two months donations to the church at Redstone. M&2 Argeros and Dupre, Passed unanimously on report.

Castle Report; Glen Horn: Various County Documents are being reviewed by the County. The Castle Master Plan is being reviewed by the County, as are interim and final road improvements. Road improvements will begin in spring, cabin development will begin in summer.

### Election of Board Members and Chairperson.

Up for reelection: Maciej Mrotek, April Brooks (moving up from an alternate to a regular director), Jason Sewell, John Emerick (Chair)

Jason declined reelection, but nominated Jaymeson Leo, who was then approved by the nominating committee. M&2 Bill Argeros and April Brooks, Approved unanimously

Jaymeson will serve as the alternate board member.

Bylaws changes, which were discussed at the September 2024 meeting and emailed to everyone on the email list. M&2 to approve Bob Dupre, Bill Argeros; passed unanimously.

Pitkin County Election Results and Wolf release update: Francie Jacober, Commissioner for district 5

1C (Allowing commissioners to make executive decisions on the airport) passed with 67% in favor. 200 (asking for Airport decisions be made by the voters) Did not pass.

1A Affordable housing bill Passed by 73% of the voters.

1B Landfill extension Passed with 80% of voters in favor (extends the landfill expected life from four years to seventy years)

Wolves - Wolf release will take place between December and February. Ten to fifteen wolves from British Columbia plus three from Copper Creek. While Rio Blanco County has more land available, CPW decided not to include them so now wolves will not be released in Rio Blanco County, leaving Pitkin and Garfield Counties. The only land in Pitkin is above Thomasville, which is not Elk terrain, so it is unlikely they will release wolves there.

After Francie concluded, Delia Malone commented that there is currently a series of workshops being presented by range riders who work with Ranchers on how to implement non-lethal methods of preventing wolf depredation of livestock

Short term rentals discussion - has already been reviewed and resolved by the county in Rural Remote areas of Pitkin County

Transcribed by Bob Dupre from recording supplied by John Emerick

Audio files available by email