

Notes from the Master Plan Committee Meeting
October 19, 2023

A. Meeting Call to Order – Present: Jeff Evans, Sue Blue, Brian Suter, Tony Treleven, Richard Wells, Jeremiah Akers, Angus Barber. Also present: Mark Chain, Alie Wettstein, Terry Langley, Ron Leach

B. Review and Approval of September 21, MPC meeting notes – no changes

C. Bill Jochems – talk, conversation, discussion and Q&A on Crystal River Issues including augmentation plans, water rights, and background on anything related do Crystal River and Crystal River Valley. Bill explained that he had lived in Redstone beginning in 1972. He serves on Pitkin County Healthy Rivers Fund, is a retired attorney and was Marble’s judge for 3-4 years. Bill now lives in Carbondale but was in Redstone for 50 years. He is a proponent of the Wild & Scenic (W&S) designation for the Crystal. He explained that with the Authorization Act of 1968, US Congress authorized itself to designate certain streams with outstanding and remarkable values as W&S with the main focus of prohibiting dams. From 1968-1988 many rivers were so designated. Colorado has only W&S – the Poudre River. In 1988 the Forest Service (FS) classified the upper Crystal as suitable for W&S designation. This included 39 miles of the Crystal, from the Sweet Jessup canal up to the headwaters. In 1990 a campaign was started by those who favored the designation and to defeat the proposed Placita and Osgood reservoirs. These would have covered land from Placita to the Darien bridge (Placita) and Redstone (Osgood). The Colorado River District and West Divide Water District had rights to that. In 2013 a number of groups went to court to challenge the right saying they were not exercising their proper diligence. The water districts made a deal with the FS, CVEPA and Pitkin County not to build either reservoir or dams on the Crystal but they do retain the water rights. In 2015 there was another W&S campaign. They wrote a proposed act to send to Congress that included two restrictions – no dams on main stem of Crystal and no exporting of water out of the basin (trans basin diversion). The Marble town board and Gunnison County both said it sounded like a good idea but they weren’t ready to vote. Pitkin Co was already on board. Local opposition developed and the Marble Board said they would not approve and Gunnison followed suit. There was no vote but the project fizzled. Today there is a move to develop water resources and keep existing reservoirs full. There are currently 24 tunnels through Continental Divide taking water to the front range. We owe almost 4 million acre feet of water a year to California and other downriver entities They can shut down water rights from 1922. Western Colorado is outnumbered in legislature 5-1. Western Colorado agriculture in more peril than front range. Currently, a dam could be built up high on the Crystal and water could be diverted to the Gunnison River allowing more to be taken from upper Gunnison to the front range. Sue Blue asked when the last dam was built in Colorado and Bill said that the Gross reservoir is currently being enlarged. There is a proposal to build the Pueblo reservoir higher. One in Rangely now. One in Steamboat late 70’s. Jeremiah reported on two new ones near Boulder. Sue asked how long it would take to get a dam in, starting from scratch, going through environmental groups, etc. Sue doesn’t feel it is logical to pursue W&S. Bill disagreed due to shortages and the need to look at the long-term future of the river. He said that Scott Fitzwilliams characterized it as preservation of the status quo – keep it like it is. Some don’t want more government control but it would be administered by the Forest Service. Alie asked if the trans basin diversions were easier to pass than dams. Bill said they are about equal. Mark asked if the state could attack senior water rights. Bill said they are using the words voluntary and compensated and look at buying water rights to avoid having to condemn. If the town board would pass a resolution that they favor W&S, Gunnison County would as

well. Angus asked why the town flip flopped. Bill said Larry Darian, Larry Hall and others were opposed. The last 20 W&S designations in the U.S. have only been for the prohibitions of dams. Brian Suter asked about the things that are said to affect land owners. Bill said that the legislation COULD include those types of things but they are not required. The designation can be crafted to include only what is wanted, such as the prohibition of dams and trans basin diversion. Sue objects to the possibility of amendments. Bill said if it is approved on the local level it would be adopted as written. Brian asked how long it would take once (or if) Marble agrees and Bill said it would take 5-10 years. Angus asked what the economic situation is for towns that are flooded. Bill said land owners would be compensated at appraised value.

Mark asked about augmentation and the past call on the river. Bill said it has never happened that houses are cut off. The engineer said there is a need for 100 acre feet to augment all of the people who got the letter, for example, a 10 acre pond 10 feet deep. 1 cfs running 24 hours creates an acre foot. Healthy River is working on a plan to purchase that from irrigators. Decrees are out of balance in terms of need/use/rights. Brian suggested re-presenting to the town board. Ron will send the study to committee members.

There was a brief discussion of enforcement. This would need the laws to be codified and court to be held regularly, perhaps 1 evening a month.

D. Report on micro Hydro possibilities – Mark reported that hydro is feasible here. They are looking at it for Darian ranch but there is not easy access to three phase power in Marble. He has been in conversation with Bruce Lewis, Boundaries Unlimited. Brian asked if this would be in place of Holy Cross and could mean a town power company. Richard Wells spoke to partnering with HC.

E. Draft - and discussion on Mission Statement and beginning of Goals and Objectives (Mark) – Mark presented the 2000 MP Mission Statement and a proposed 2023 statement. Brian asked the difference between a M.S. and goals. Mark gave an example of a goal with objectives, implementation, mechanism, responsibility and timing. Another option is to have core values rather than a m.s. or to have a combination of the two. Another is vision/values. Mark will work on this.

Surveys have been mailed.

F. Comments from Committee Members – Angus asked about broadband and it continues to be worked on.

G. Determine next Meeting Date/Location – Nov 30 - 6p.m.

H. Adjourn The meeting was adjourned at 8 p.m.

Respectfully submitted,

Terry Langley