



## OPEN SPACE & TRAILS DEPARTMENT

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### **STAFF REPORT**

**TO:** Board of County Commissioners

**FROM:** Jordan Mead, Open Space and Trails Resource Specialist  
Jim Curnutte, Acting Open Space and Trails Director

**DATE:** September 14th, 2021

**SUBJECT:** 2<sup>nd</sup> Reading and Public Hearing of a Resolution Approving Amended Rules and Regulations for Lands and Waters within the Dillon Reservoir Recreation Area

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### **BACKGROUND**

The proposed amendments contained in the attached draft resolution have been reviewed by the BoCC and were discussed at the June 1<sup>st</sup>, 2021 work session. On July 13<sup>th</sup>, the first reading of the proposed changes was held and the full resolution was published in the Summit Daily News on July 23<sup>rd</sup>, 2021. The attached Draft Resolution contains all of the changes that were outline in the June 1<sup>st</sup>, 2021 Staff Report, read at the July 13<sup>th</sup> meeting, and published in the Summit Daily. No revisions have been made to the document since introduction.

At the July 20<sup>th</sup>, 2021 regular meeting of the DRReC, Joe McIntyre, a local eFoil user, was in attendance to voice concerns about the proposed revisions to the DRRRA Rules and Regulations as they pertained to specialty prop craft, specifically eFoil boards. DRReC Board members did not express any change in opinion on the proposed rules for specialty prop craft during or following the July 2021 meeting.

At the public hearing on August 10<sup>th</sup>, 2021, Joe McIntyre was in attendance to voice his opinion that the word “and” be changed to “or” in Section 3.40.B regarding specialty prop craft speeds. BoCC asked that staff clarify with the DRReC board that the word “and” was used intentionally. BoCC also asked staff what was meant by “express authorization by the Board” in Section 3.40 and how that authorization would be granted. The BoCC continued the item to September 14, 2021 to give Staff the opportunity to further discuss the issues raised by the public with the DRReC Board.

As directed by the BoCC, these two issues were raised to the DRReC Board at the August 17<sup>th</sup>, 2021 regular meeting. DRReC clarified that the word “and” was used intentionally to match language in the Colorado State Boating Regulations for wakeless speeds and to specifically address devices, including the eFoil, which can exceed 5mph without creating a wake. Importantly, there are other crafts in addition to the eFoil that would fit in the amended category if the word “and” was changed to “or”, and the Board did not feel comfortable making that change at this time. The Board also clarified that “express authorization” is intended to refer to either a Special Use or Special Event permit and that no other type of authorization process exists within the DRRRA. Staff recommends approving the Amended Rules and Regulations as originally proposed. A Special Use or Special Event authorization could be utilized to allow new uses like the eFoil depending on the type of proposal and DRReC has the ability to consider any such proposal under the existing rules and regulations.

### **REQUESTED ACTIONS**

Staff requests that the BOCC hold a second reading, consider public comments, and adopt the amended DRRRA Rules and Regulations as a Resolution.

Attachments:

- I. Draft Resolution adopting the Amended Rules and Regulations for Lands and Waters within the DRRRA(Separate)