



BOARD OF COUNTY COMMISSIONERS

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TO: Board of County Commissioners
Bentley Henderson
Jeff Huntley
FROM: Millicent Marter
RE: Work Session Meeting of October 12, 2021
DATE: Tuesday, October 12, 2021

Attendees:

Elected Officials: Elisabeth Lawrence, Tamara Pogue and Josh Blanchard – Commissioners

Staff: Jeff Huntley, County Attorney; Bentley Henderson, Assistant County Manager; Marty Ferris, Finance Director; Jason Dietz, Housing Director; Jim Curnutte, Planning Director; Jessica Potter, Senior Planner; Sarah Schwartz, Planning Technician/STR; Brandi Timm, Planning Technician/STR; Nicole Valentine, Director of Communications; Adam Kisiel, Public Affairs Coordinator; Brent Spahn, Director of Public Works; April Paige, Executive Administrative Manager; and Millicent Marter, Administrative Assistant.

Guests (in person or via Zoom): Kendra Fuller, Peggy Bailey, Bryan Webinger, Samantha Nuechterlein, Sarah Thorsteinson, Christine Staberg, Rachel Zerowin, Jenna deJong, and others who did not sign in.

I. Blue River Watershed/Trout Unlimited/Integrated Water Management Plan Discussion

Kendra Fuller gave an update on the following topics including but not limited to:

Blue River Watershed (BRW) Group's mission statement – to promote and protect the BRW.

Overview of BRW – Borders include from the Continental Divide north to CO river, all of Summit County plus 80 square mile in Grand County and all small area at the head of Tenmile Basin in Lake County and features non consumptive uses such as recreational and environmental. Snow and rain in this area generates 310,000 AF annually, local municipalities use 4% on average. BRW Group is a large water producer but 25-30% is allocated to transmountain diversion. Commissioners asked for further information on how much of its water get allocated to different parts of Colorado annually and the importance of the timing regarding significant changes in flows.

Ms. Fuller also noted that water is a highlight in tourism including skiing, boating, fishing, hiking etc. so it's a huge life blood for Summit County. Water quality issues have been identified and are notable on the higher regions such as Snake River, Straight Creek, and French Gulch. Also included are "Gold Medal Streams" that are classified as highly regarded bodies of water that fishermen want to fish in due to high quality of water and fishes.

Blue River Integrated Water Management Plan and Reaches – They aim to enable consumptive and non-consumptive water users to understand and quantify current and future use and integrate those

for the maximum benefit of all users while protecting the existing water resources. The Reaches are in 3 sections: 1) Headwaters region to Dillon Road 2) Middle Reach to Green Mountain Reservoir, 3) Green Mountain Reservoir to Colorado River.

A Report of Blue River Integrated Water Management Plan (IWMP) – Phase 1 (which began in August 2019) planning/logistics/conclusions – Form an advisory team, investigate causes for the declining fishery between the Dillon dam and GMR, compiled all existing data and determined the areas lacking info and research, and develop next steps for Phase 2.

Next Steps – Working to regulate, time, and take care of the water that BRWG has through their current management practices so that they can change how they address them.

Swan River Restoration – Swan River off Tiger Road is heavily impacted from historic dredge mining. Summit County Open Space has completed Reach A and has just now started on Reach B. BRWG will spearhead the efforts on Reach C and D as it is private land.

Ms. Fuller also presented ways in which the community can help BRWG for “getting the Blue back to Gold” – Joining volunteering opportunities, support Phase 2 research efforts, fund and support upcoming projects, join the board of directors, and become a member.

Ms. Fuller clarified that Phase 1 is complete, and Phase 2 should be completed by summer of 2022. They also had questions on if water quality (for fishing) will continue to trend in this direction of colder water temperatures and lower flows. Ms. Fuller noted that drought cycles heavily impact the quality so if we get more water in future seasons/years then the temperatures and flows will improve but likely warmer climate temperatures and snow making will continue to impact Blue River.

II. Colorado River Basin

Peggy Bailey gave an update on the following topics including but not limited:

- Formal description of the Colorado Water Plan
- Colorado River Basin Roundtable (7 sub regions, focus on west slope priorities, and detail regarding completing the Basin Implementation Plan to address water needs within the basin, and allocating grant funding to address the region’s water challenges)

Colorado Basin Implementation Plan 2021 Update

- 6 Themes
 - Secure Safe Drinking Water
 - Encourage a High Level of Basin wide Conservation
 - Protect and Restore Healthy Streams, Rivers, Lakes and Riparian Areas
 - Assure Dependable Basin Administration (noted that east and west water courts have begun to collaborate more)
 - Sustain Agriculture
 - Develop Local Water Conscious Land Use Strategies
- 2021 BIP Update Process (Themes, Goals, Identified Project Plans)
- Priorities

- Shortages in headwaters
- Trans-mountain diversions
- Compact delivery impacts
- Endangered species
- Adequate water supply for future needs
- Summit County Region Projects
- Summit Focus (Environment, Recreation, Municipal Water Needs, Industrial Water Demands)
- Colorado River Basin Roundtable Members – Ms. Bailey noted that the Members agree that there needs to be more seats at the table and proposed a county staff or commissioner to be a member.
 - 35 members
 - By-laws Summit Rep
 - Zach Margolis (Summit Municipality)
 - Peggy Bailey (Summit Rep)

Commissioner Blanchard expressed interest in joining and being the elected official. Commissioners asked Ms. Bailey that as they're thinking of future projects and events to keep them in mind for future collaborations and sharing new information.

III. **Managers' & Commissioners' Issues**

Senior Management and Commissioners discussed several topics including but not limited to:

Nicole Valentine

- Follow up on Town Hall – want to remind locals that we encourage feedback and 1-1 interactions. Will send that info to Summit Daily to promote participation.

Bentley Henderson

- Introduced new Public Works Director, Brent Spahn

Scott Vargo

- Gave a recap on Commissioners and Planning Department on last week's Open House and noted that everything went smoothly, good turnout (owners and neighbors), good format. Commissioner Lawrence seconded that and appreciated being able to meet people face to face and excited for this week's event.

Jeff Huntley requested an Executive Session to discuss legal procedural issues.

A motion was made by Commissioner Lawrence and seconded by Commissioner Pogue to go into Executive Session to discuss legal procedural issues. The BOCC voted 3 to 0 to go into Executive Session per CRS 24-6-402 (4) (b). The motion was approved.

Commissioners and staff returned from Executive Session at 11:15 a.m.

IV. **Code Amendment Discussion (Planning)**

Jessica Potter, Brandi Timm, Bentley Henderson and Jim Curnutte gave a recap of the topics covered at the previous Work Sessions and provided an update.

Commissioners and staff discussed creating a staff report before the upcoming Planning Commission meeting and discussed the future of the vendor Host Compliance and Summit County Government.

Status of Regulation Development, Outstanding Items, Consensus Moving Forward

- Big Picture Changes
 - Creation of Countywide Overlay Zones
 - Resort Overlay Zone
 - Copper Mt.
 - Keystone Resort Area
 - Peak 8
 - Tiger Run RV Resort
 - Neighborhood Overlay Zone
 - This overlay Zone will be effectively the rest of the County
- Commissioners requested to have more data on the different neighborhoods and how/if there will be caps placed depending on space, sizes, and numbers of STRs within that specific neighborhood.
- Recap regarding STR License Type
- Matters requiring further discussion
 - Maximum number of nights allowed by a Type II License
 - The allowance of Type III Licenses outside of the Resort Zone
 - Current Licenses and Two Proposed New Regulations
 - All new applicants would be bound by the new regulations
 - Those properties that have an existing license could continue to operate under present conditions pending compliance with the following:
 - A demonstrated need (evidenced by rental history) that shows rentals that are in excess of the limitation established for a Type II License.
 - Absence of ongoing complaints
 - Items for additional consideration:
 - Does not reduce the intensity of STR use
 - Allows property owners to continue current operations
 - Complaint evaluation is very subjective
 - Difficulty in rental history analysis/data gathering
 - Potential for operational challenges for vendor, staff, etc., when creating significant differential applications within License class

Planning Staff noted that they will attend future Work Sessions to discuss further points that will be brought up in future open houses this week.

Staff will return to the Work Session on Tuesday, October 19, 2021. Commissioners thanked the team for their work.

Meeting Adjourned.

Respectfully submitted:

Approved by:

Millicent Marter

Millicent Marter, Deputy Clerk



Elisabeth Lawrence

Elisabeth Lawrence, Chair