

**HEALTHY RIVERS AND STREAMS  
CITIZENS ADVISORY BOARD**

**Courthouse Plaza Building  
Plaza 1  
Aspen, CO  
January 19, 2012 - 4 p.m.**

<b>4:00</b>	<b>Discussion of Reports on Roaring Fork River Health Study and Northstar Assessment</b> Bill Miller - Miller Ecological Consultants	
	<b>Appointment of Chair and Vice Chair for 2012</b>	
	<b>Approval of Minutes</b> October 20, 2011, November 17, 2011 December 6, 2011	
	<b>Discussion of Colorado River Basin Water Supply and Demand Study</b>	
	<b>Mesa Land Trust</b> Request for participation in Amicus Brief	
	<b>Executive Session</b> a. Aspen Hydro Project b. Aspen Diligence Water Application C.R.S. 24-6-402 (4)(b)	

**Upcoming 2012 regular meeting dates**

February 16

March 15

April 19

**HEALTHY RIVERS AND STREAMS CITIZENS ADVISORY BOARD**  
**Meeting Minutes**  
**October 20, 2011**  
**Aspen, CO**

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**Board members present:** Ruthie Brown, Greg Poschman, Lisa Tasker, Andre Wille, Rick Neiley and Bill Jochems

**Board members absent:** Steve Hunter

**Others present:** John Ely, Lisa MacDonald, Michael Owsley, Tim Beaton and Patricia DeChristopher

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**Public Comment**

None

**Board Comments**

None

**Approval of Minutes**

*Ms. Tasker moved to approve the minutes of September 15, 2011. Mr. Wille seconded the motion. The motion passed 6 to 0.*

**Coal Creek Grant Request**

Roaring Fork Conservancy - Sharon Clarke & USFS – Mark Lacy

Ms. Clarke gave a power point presentation to the Board reviewing the issues, objectives and next steps funding plans for the Coal Basin and Crystal River confluence area. Funding costs would cover project planning, restoration plan, baseline sediment & effectiveness monitoring plan design, implementation of baseline water quality plan, implementation of a baseline & sediment & effectiveness monitoring plant and grant writing.

The Board asked Ms. Clarke to come back with a more refined breakdown of costs, committed partners and grant sources.

*Mr. Neiley left at approximately 4:50 pm.*

*Ms. Brown left the meeting at approximately 5:15 pm.*

**Executive Session**

*Mr. Poschman moved to enter into executive session pursuant to C.R.S. § 24-6-402 (4) (b) for the purpose of discussing current litigation issues. Mr. Jochems seconded the motion. Motion passed 4 to 0.*

The Board returned from executive session and reconvened at approximately 6:45 pm.

**Adjourn**

The meeting adjourned at approximately at 6:45 pm.

**Approved:**

**Attest:**

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Greg Poschman – Chairman  
Healthy Rivers and Streams Board

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Lisa MacDonald

**HEALTHY RIVERS AND STREAMS CITIZENS ADVISORY BOARD**  
**Joint Meeting with the Pitkin County Board of County Commissioners**  
**Meeting Minutes**  
**November 17, 2011**  
**Aspen, CO**

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**River Board members present:** Greg Poschman, Lisa Tasker, Rick Neiley, Bill Jochems, Steve Hunter

**River Board members absent:** Andre Wille, Ruthie Brown

**BOCC Members present:** Rachel Richards, Michael Owsley, George Newman, Jack Hatfield  
Rob Ittner

**Others present:** John Ely, Lisa MacDonald, John Peacock, Cindy Houben

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**Public Comment**

None

**Board Comments**

Ms. Richards attended several water meetings recently and gave a brief update on them.

**Approval of Minutes**

*Approval of October 20, 2011 minutes continued to the next regular meeting.*

**Status of the Fund and Program Goals**

John Ely gave an update on the fund status and reviewed the program goals.

**Executive Session**

*Mr. Neiley moved to enter into executive session pursuant to C.R.S. § 24-6-402 (4) (b) for the purpose of discussing current litigation issues. Chairman Poschman seconded the motion. Motion passed 5 to 0.*

*Mr. Neiley moved to reconvene into regular session. Mr. Hunter seconded the motion. Motion passed 5 to 0.*

*Commissioner Hatfield left at approximately 5:40 pm.*

**Coal Creek Grant Request**

Roaring Fork Conservancy, Sharon Clarke

Mark Lacy USFS, Scott Snelson, District Ranger USFS and Craig White Property Representative for John Morris a major land owner in the area were also present.

Ms. Clarke gave a power point presentation reviewing the issues, objectives and next steps funding plans for the Coal Basin and Crystal River confluence area. Funding costs would cover project planning, restoration plan, baseline sediment & effectiveness monitoring plan design, implementation of baseline water quality plan, implementation of a baseline & sediment & effectiveness monitoring plant and grant writing.

Due to time constraints the River Board will set a special meeting to consider the funding request in the near future.

*Executive session continued.*

*Commissioner Newman left at approximately 6:10 pm.*

*Commissioner Owsley left at approximately 6:45 pm.*

*Mr. Hunter left at approximately 7:05.*

The Board returned from executive session and reconvened at approximately 7:15 pm.

***Mr. Neily moved to adjourn the meeting. Ms. Tasker seconded the motion. Motion passed 4 to 0.***

**Adjourn**

The meeting adjourned at approximately at 7:20 pm.

**Approved:**

**Attest:**

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Greg Poschman – Chairman  
Healthy Rivers and Streams Board

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Lisa MacDonald

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# HEALTHY RIVERS AND STREAMS CITIZENS ADVISORY BOARD

## Meeting Minutes

December 6, 2011

Special Telephonic Meeting

Aspen, CO

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**Board members present:** Ruthie Brown, Greg Poschman, Lisa Tasker, Andre Wille, Rick Neiley and Bill Jochems, Steve Hunter

**Board members absent:** None

**Others present:** John Ely, Lisa MacDonald, Sharon Clarke

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### **Coal Creek Grant Request**

The Board met telephonically to vote on the funding request from the Roaring Fork Conservancy presented by the Roaring Fork Conservancy's Sharon Clarke at its November meeting.

Chairman Poschman suggested \$54,000 to get the project started through their conference next summer. This number was from RFC's October proposal.

At its joint meeting with the Board of County Commissioners on November 17, 2011, the Board viewed a power point presentation including refined numbers and other agency commitments per the River Board's October request. The funding requested was \$48,269. The funds would cover the following costs:

<b>Project Coordination</b>	<b>\$ 9,000</b>
<b>Assess existing water quality data</b>	<b>\$ 9,686</b>
<b>Project Outreach and Planning</b>	
Technical Workshop	<b>\$11,958</b>
Education/Outreach	<b>\$ 8,625</b>
<b>Grant Writing/Funding Partnerships</b>	<b>\$ 9,000</b>

*Ms. Brown moved to recommend to the BOCC a one-time grant for the initial implementation of the proposal in the amount of \$54,000 to the RFC to assess the data, plan the project, hold a conference, make and overall restoration plan, design a baseline sediment and effectiveness plan and grant writing. Ms. Tasker seconded the motion.*

Ms. Brown asked Ms. Clarke to bring other partners during this period. Ms. Clarke did state they are pursuing avenues of other funding sources.

Chairman Poschman asked if the Board was comfortable with funding the grant writing process. Ms. Tasker commented that this is an interesting step for the River Board to fund grant writing. She is concerned about setting a precedent by funding grant writing.

***Motion passed 5 to 0. With Mr. Hunter recusing himself and Mr. Neiley abstaining.***

### **New Business**

Mr. Neiley received an email requesting participation in an amicus brief regarding the Mesa County Land Trust potential appeal of water rights associated with conservation. He would support the River Board participating with Open Space and Trails if the attorney's office feels inclined to file an amicus brief. This issue is whether or not conservation easements which call for water rights to be tied to the easement can be enforced in that regard.

Mr. Ely stated that it implicates a conservation easement in Mesa County and that there is a challenge in the inclusion of the water rights appurtenant to the real property that is the subject of the conservation easement. Mr. Ely thought it is something we would be interested in and suggested a motion of support for that action if nothing else appears in the examination of it that would change that particular profile.

Mr. Neiley stated the amicus brief would be due January 26, 2012.

Mr. Ely will send the memo to the Board for further discussion.

***Ms. Tasker moved to adjourn the meeting. Mr. Neiley seconded the motion. Motion passed 7 to 0.***

**Adjourn**

The meeting adjourned at approximately at 12:49 pm.

**Approved:**

**Attest:**

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Greg Poschman – Chairman  
Healthy Rivers and Streams Board

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Lisa MacDonald

## AGENDA ITEM SUMMARY

January 19, 2012

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**TO:** River Board

**FROM:** Lisa MacDonald  
Administrative Assistant

**SUBJECT:** Mesa Land Trust - Amicus Brief

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**Information:** We are in receipt of a request on behalf of Mesa Land Trust (MLT) asking for support from the land trust community in filing an *amicus curiae* (friend of the court) brief with the Colorado Court of Appeals, in the case of *Mesa County Land Conservancy v. Sam A. Allen, et al*, Colorado Court of Appeals Case No. 2011CA1416. On June 2, 2011, the Mesa County District Court entered a final order in favor of MLT compelling the water rights in question remain tied to the land, as required by the conservation easement.

The Board had a brief discussion on this during the Dec 6, 2011 special meeting and has received follow-up information as well.

**Requested Board Action:** Motion of River Board to support the filing of an amicus brief in *Mesa County Land Conservancy v. Sam A. Allen, et al*, Colorado Court of Appeals Case No. 2011CA1416.