



AQUATIC RESOURCES MANAGEMENT AND REGULATIONS

FOR COMMUNITY MEMBERS OF THE TOWN OF MOUNTAIN VILLAGE

The natural environment of the Town of Mountain Village (Town) and adjacent U.S. Forest Service lands are our greatest asset. While the mountains are most visually prominent, our streams, lakes, ponds, and wetlands, which are fed by run-off from the high mountains and natural seeps, are critical to the health of our fragile high-altitude ecosystem. These important aquatic resources are regulated both locally and federally to assure protection from development impacts.

RESOURCES

Information regarding the Clean Water Act Section 404 permit requirements and related questions may be directed to:

U.S. ARMY CORPS OF ENGINEERS

Sacramento District, Grand Junction Regulatory Office

970-243-1199

<http://www.spk.usace.army.mil/Missions/Regulatory/>

U.S. ENVIRONMENTAL PROTECTION AGENCY

Region 8 Office in Denver, CO:
r8eisc@epa.gov

303-312-6312

Español 303-312-6384 or 800-227-8917, oprima 5

800-227-8917 (toll free Region 8 states only: CO, MT, ND, SD, UT, WY)

For info on the importance of wetland functions, EPA's regulatory role, and other topics: <https://www.epa.gov/wetlands>

WHAT IS A WETLAND?

In addition to obvious aquatic resources such as streams and ponds, wetlands are also important aquatic resources. The Town of Mountain Village Community Development Code (CDC) defines a wetland as, "An area where water is at, near or above the land surface long enough to support aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. Determination of wetlands area boundaries shall be according to the United States Army Corps of Engineers delineation requirements." (CDC, p. 289). Evaluations that describe the presence, size, and location of aquatic resources, including wetlands, must be conducted according to the same standards required by the U.S. Army Corps of Engineers (Corps).

WHY PROTECT WETLANDS?

Wetlands are some of the most valuable land in Colorado in terms of flood control, water storage, water quality, tourism, outdoor recreation, wildlife habitat, and livestock forage production. Recognition of their protected status has been in place federally since 1972 when the Clean Water Act was adopted and locally since the first Land Use Ordinance in 1995 when the Town of Mountain Village incorporated. Impacts to aquatic resources over time have resulted in greater scrutiny to protect these valuable assets.

How to determine whether an aquatic resource, including wetlands, is on your property.

The Town recommends you review a full title report on your property which may provide information regarding ownership history, previously conducted delineations of aquatic resources, or restrictive easements.

A new aquatic resource delineation will be needed if there is a potential for such resources, including wetlands, on the property. Contact the Grand Junction Corps office for a current list of wetland consultants working in Colorado.

REFERENCES

1. Wetlands of the San Juan Mountain Region, Information and Guidance for Residents and Land Managers, Mountain Studies Institute
2. Recognizing Wetlands, An Informational Pamphlet
3. Community Development Code Wetland Regulations, Section 17.6.1.B
4. Wetlands Management Plan for the Town of Mountain Village dated October 1996

Contact the Town's Planning and Development Services Department with questions or to schedule a meeting with a planner.

(970) 369.3242 OR cd@mtnvillage.org

REGULATIONS TO PROTECT AQUATIC RESOURCES

Areas defined as wetlands are regulated by the Town pursuant to CDC Section 17.6.1.B Wetland Regulations. Wetlands are also regulated by Section 404 of the federal Clean Water Act (CWA). Federal regulations require that anyone proposing to discharge dredged or fill materials into waters of the United States, including wetlands, must receive authorization from the Corps prior to initiating the proposed activities.

In the Town, some lots currently owned by Telluride Ski and Golf Company (TSG), are subject to the Wetlands Management Plan for the Town of Mountain Village dated October 1996 (Management Plan). Additionally, lots that were owned by TSG on April 25, 1997, but have been since sold to other parties are also subject to the Management Plan. TSG or subsequent owners must examine all practicable alternatives to any activities that may directly or indirectly have an impact upon size or function of aquatic resources on property subject to the Management Plan. If an owner proposes to disturb aquatic resources, an analysis of the alternatives that were considered to avoid and minimize impacts, and mitigation for unavoidable impacts, must be submitted to the U.S. Environmental Protection Agency (EPA) for review. If a Section 404 permit or other authorizations are required for the activity, EPA's review must be included in the application for the authorization. Refer to page 9 of the Management Plan for more detailed information.

MOUNTAIN VILLAGE WETLAND REGULATIONS

Town regulations and standards emphasize avoidance of wetland areas. If disturbance is unavoidable applicants must minimize disturbance and mitigate for all unavoidable impacts.

- Practical alternatives to avoid any fill, excavation, or disturbance are required.
- Reasonable use of property is considered such as reconfiguration of a lot to avoid wetland impacts through a Town subdivision process.
- Setbacks will be required through development review for new construction or any alteration of a property.