

Appendix 1.4 Applicable County Code Sections for the Protection of Water Quantity and Quality

Pitkin County (email Warren Rider, M.S., CFM Natural Resource Specialist 7/25/2008)

County Code Title 6, Chapter 6.28 Onsite Wastewater Treatment Systems

Provides sizing criteria for system components as well as setbacks to springs, wells, lakes, rivers, streams and other water courses, wetlands, riparian areas, irrigation ditches, and dry gulches for the protection of water quality.

County Code Title 8, Chapter 7 Development Standards

7-20: RURAL CHARACTER, ENVIRONMENTAL PROTECTION, AND NATURAL HAZARDS

7-20-10: SITE PREPARATION AND GRADING

(d) Protection of Natural Terrain

(5) EROSION, SEDIMENTATION, AND STORMWATER MANAGEMENT

Provides protection of water quality from the effects of construction and other land disturbing activities through minimized disturbance and the retention of natural soils and vegetation.

7-20-30: WATER COURSES AND DRAINAGE

Sets standards for site modification to eliminate channeling of natural water courses, minimize the modification of drainage patterns, minimize increases in runoff from sites, and requires the on-site treatment of stormwater. Also provides for the protection of groundwater resources from the introduction of pollutants, requires that sediment generated on-site remain on site and not be discharged to any water body, and promotes the efficient use of water.

7-20-40: FLOODPLAIN HAZARDS

Generally prohibits any new development in the 100-year floodplain. Prohibits trash disposal in the floodplain, storage of materials or construction that may cause contamination or become buoyant and activities that will cause increased sedimentation during times of high water.

7-20-70: WILDLIFE HABITAT AREAS

(e) General Livestock and Domestic Animals

(1) WETLAND AND RIPARIAN AREAS

Requires site design to protect wetland and riparian areas from damage due to livestock and domestic animals.

7-20-80: RIVER AND STREAM CORRIDORS AND WETLANDS

(a) Riparian and Wetland Areas and Buffers

Defines setbacks for the protection of rivers, streams, and isolated wetland and riparian areas: 100 feet for perennial and intermittent streams or streambeds, 25 feet from isolated wetland and riparian areas.

Defines mitigation standards for approved work within the defined setbacks.

Provides guidance for reclamation of previously disturbed or developed areas within defined setbacks.

Allows for setbacks greater than those defined in cases of extraordinary circumstances that warrant greater protections.

MEMORANDUM

To: Albert J. Slap, Director, Colorado River Headwaters Project
From: David Pesnichak, Senior Planner – Long-Range
Date: 1/3/2008
Re: Garfield County Water Regulations

The following regulations apply in unincorporated Garfield County for the protection of water quantity and quality:

Section 5.05.02 of Zoning Resolution, Supplementary Setback Regulations, Live Stream: No development within 30 feet of the high water mark which shall be protected as Greenbelt.

Section 5.03.08 of Zoning Regulations, Industrial Performance Standards: Requires performance based safeguards to prevent any potential water pollution where a hazard exists in relation to industrial developments.

Section 6.00 of Zoning Resolution, Floodplain Regulations: The purpose of this section is to encourage but not limit the use of the floodplain for agriculture, open space and wildlife refuge purposes. This Section requires that any use except for agriculture, open space and wildlife refuge be permitted with a Floodplain Permit. Further, this Section prohibits the placement of fill, materials and structures which would significantly obstruct flood flows and minimizes the pollution of water by prohibiting the disposal of garbage and other solid waste materials in the floodplain. The incorporation of this Section was mandated by the State in order to participate in FRIP.

Section 4.80 of Subdivision Regulations, Drainage Plan: The intention of these regulations is to prevent drainage flows caused by a proposed development from exceeding the historic flows from the site.

Section 8.42(D) and Section 4.91 of Subdivision Regulations, Subdivision Utility Plan and Exemption from the Definition of Subdivision: Requires that a development demonstrate an adequate quantity and quality of water for the proposed development. This demonstration of adequate water is determined primarily by the Office of the State Engineer to issue of letter of “No Material Injury”. Water quality is determined based on State requirements for Nitrites, Nitrates and E. Coli.

Section 4.92 of Subdivision Regulations, Sanitary Sewage Disposal Plan: Standards for individual systems. If Subdivision is part of a Planned Unit Development under Section 10.00 of the Subdivision Regulations, a community sewage disposal system can be required.

Finally, all land use proposals must be consistent with the Garfield County Comprehensive Plan of 2000.

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RAYMOND P. MERRY, REHS
Director

MEMORANDUM

To: Albert J. Slap, Director, Colorado River Headwaters Project
From: Ray Merry, Director, Eagle County Environmental Health
Date: 12/31/2007
Re: Eagle County Watershed and Stream Protection Regulations

The following regulations apply in unincorporated Eagle County for the protection of water quantity and quality:

Article 3, Section 3-340 (6), Stream Setbacks and Water Resource Protection: No development within 75 feet of the high water mark or 100 year floodplain, whichever is greater.

Article 4, Division 4-2, Landscaping and Illumination standards: Provides standards for landscaping to prevent soil erosion and promote water conservation relative to landscaping for commercial, residential, and industrial development.

Article 4, Section 4-560, Water Quality Standards: No commercial activity may discharge any pollutant unless permitted by the Colorado Water Quality Control Division. Where potential hazards to water quality exist, safeguards and mitigation measures must be installed to the satisfaction of the County Environmental Health Manager.

Article 4, Section 4-650, Drainage Standards: These standards are designed to minimize the likelihood and extent of flooding and environmental damage from uncontrolled urban runoff. The standards apply to any proposed subdivision, planned unit development, or any development creating 10,000 square feet or more of impervious surface area.

Article 4, Section 4-665, Erosion Control Standards: These requirements are intended to minimize the water quality impacts resulting from land development or other land disturbance. The standards are broad in their applicability and among other things, require phased construction, sediment and mud control, permanent revegetation, and minimum inspection requirements.

Article 4, Section 4-690, Sanitary Sewage Disposal Standards: Standards for public and individual systems. Proposed development must connect to a public system if within 400 feet of the development.

Article 4, Section 4-830.1, ECO-Build Site/Water Conservation: ECO-Build points for development that promotes water conservation.

Finally, all land use proposals must be consistent with the Eagle County Master Plans, which includes the Eagle River Watershed Plan.