



Upper Eagle River Water and Sanitation District service area.

Letters to Vail

VAIL HOMEOWNERS ASSOCIATION

August 30, 2023

Vail Town Council Election Issues: Water Supply – Part 1 of 3.

The availability of water supply is the foundation on which growth and economic development rest. The Town of Vail Destination Stewardship strategy and plan calls for evaluation of key factors that will guide the community's growth toward full development. Water supply and related issues are important concerns that the candidates for Town Council should address. ([See VHA Research of future development in Vail and the Upper Eagle River Valley](#)).

Earlier this summer meetings were held with the [Vail Town Council](#) (7:49) and [Eagle County commissioners](#) (41:30) and Upper Eagle River Water and Sanitation District, the water providers and developers who serve the Upper Eagle River Valley, including Vail (see map above).

The District's system is the third largest in Colorado. The District recently completed a comprehensive modeling of water usage and infrastructure needs based on a projected build out of the area that they administer, covering the area along Interstate 70 from Vail to Wolcott and south to Minturn.

Flowing from the wilderness surrounding Vail, the region's streams are prized by water developers and providers both east and west of the Continental Divide. An intricate system of storage and diversion is used to distribute prescribed amounts of water based upon ownership seniority of water rights. The adjudication of senior rights comes into play when the volume claimed on paper does not reflect the actual amount of water available in the waterway.

Vail and the communities along Interstate 70 in Eagle County are vulnerable to seniority demands from downstream users and transmountain diversions. Vail's headwater location puts it in a tug-of-war between development and conservation factions.

A presumption of intensifying drought conditions throughout the West is causing the local water suppliers in the upper Eagle River and Gore Creek Valleys to embark on a three-year plan (2026) to clamp down on outdoor water use for irrigated landscape. User fees are going to increase, particularly for larger homes and properties. These steps are to be taken to incentivize owners to replace irrigated lawns and landscaping with wildfire resistant native ground vegetation and shade trees. The clean-up of Gore Creek and its tributaries is making steady, but slow progress.

The District says urban indoor use is preferable to outdoor use. Indoor water usage returns 98% to the Eagle River while outdoor irrigation only 25%. Runoff from outdoor irrigation carries harmful chemicals used to maintain lawns and non-native landscape into the ground water and waterways. According to the District the Vail Golf Course meets anti-pollutant standards. Indoor use returns treated water to west slope and downstream users in the drought prone Colorado River Basin.

Water supply is calibrated in units known as Single-Family Equivalents (SFE). One SFE is the amount of water consumed by a 3000 sq. ft. home. Single-family homes comprise eighty percent (80%) of the current users within the District's service area.

It is estimated, by applying conservation rate pricing, there will be a 5% decrease in water consumption. Even so, the District says water rates in the upper valley will go up even though usage goes down. According to District projections, the amount saved by conservation is insufficient to ward off the effects of extreme drought conditions.

Taking an aggressive approach over the next three years in mandating property owners to replace millions of dollars in outdoor irrigated lands, could set in motion the same negative response that occurred with the Firewise Five proposal.

Water rates and availability have a significant effect on the Vail community. The town has been experiencing an out migration in recent years. Higher living costs in the upper valley cause many in the workforce to live down valley. This trend has instigated discussions among officials about having preferential rates for the workforce and local residents. Preferential water rates for local residents and punitive ones for all others risk opening a Pandora's box of contentious and divisive issues, a potential factor in fragmenting the cohesiveness of the Vail community.

Utility rates and higher taxes are contributing factors in raising the cost of living in an already expense lifestyle market. Workforce housing developers are asking for special needs lower connection fees (tap). Lower rates for special classes could further drive-up utility cost for non-preferential customers.

Questions arise as to why Vail rate payers should subsidize the cost of expanding water supplies and systems beyond its boundaries. What happens when Vail's workforce housing needs are met?

The TOV is going full steam ahead with obligating resources for work-force housing, which includes gaining priority status for a sizable allocation of the TOV's remaining 2000 SFE water rights. Notably work-force

housing advocates, strenuously suggests a policy be adopted which says – “To qualify for Vail government work-force subsidies all occupants must demonstrate a duration of employment within the Town of Vail.”

[The rush for water rights allocation is causing Vail’s work-force housing developers to propose removing most zoning controls from public/private work force housing projects.](#) The proposal removes most neighborhood compatibility regulations, creating the prospect for 70’ - 85’ feet high-rises in 2-3 story low-rise neighborhoods. The Town of Vail Housing Department and Housing Authority are proposing to the Vail Town Council several changes in the Development Review Process for public/private workforce housing initiatives. (See VHA research link)

The proposal basically bypasses the Planning and Environmental Commission, (PEC) and goes directly to Design Review Board (DRB) and then Council. Some of the changes include no development plan, no cap on density, reduction in landscaping, and no limit on GRFA. TOV Staff agrees with these changes.

The Housing Authority proposal parallels a State of Colorado effort to abolish single-family and duplex zoning throughout the state. The State’s 2022 proposal would allow up to six accessory housing units to be built on single-family and duplex lots. A similar proposal is forecast for the upcoming State legislative session.

Why should the Town of Vail accept lower standards than it expects of private developers now that it is closing in on its 2027 work force housing plan? VHA advocate greater articulation of setbacks and step-ups in building facades and height, equal to buildings of a similar size existing in the community.

Higher user rates and taxes of any kind make Vail’s work force both subsidy restricted and free market resident housing less affordable to own and maintain.

Should work-force housing and related projects proceed when interest rate are at the highest level since the 1970’s and are predicted to go higher. Vail has historically been the last -in and first-out of deflationary eposides. Should any major TOV project be allowed to proceed which requires public financing in a period of where high anti-inflationary credit rates apply?

The questions raised by VHA should be asked of the Candidates for the Vail Town Council. The candidates include those on the following.

- Jack Bergey
- Samantha Biszantz
- Dave Chapin
- Scott McBride
- Reid Phillips
- John Rediker
- Christine Santucci
- Brian Sipes
- Jonathan Staufer
- Dave Tucker

VHA’s role, over the course of the Town Council election as voiced in its communications, intends to stimulate discussion of important issues and to provide insight into the candidates’ qualifications and perspectives. VHA

is hosting interviews and mentoring sessions with candidates and community leaders. Contact VHA for times and locations.

VHA provides clear and concise discussions of matters affecting the Vail community in the belief that an informed citizenry will be an engaged citizenry. Our intent is to promote more citizen involvement and community discussions of issues facing the Town. If these are issues that concerns you, please make your views known to candidates and [town officials](#). By joining with VHA, as a member, paid-subscriber or reader, you can add your voice to sustain what is good about our community and to shine a spotlight on important issues. See back editions of VHA communications on the Association’s website.

To receive VHA letters and reports as a Reader, Paid-Subscriber or Member.

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