



# District Plan Commission Meeting Notes

Approved as amended



**Type of meeting:** Regular

**Date:** Thursday, February 25, 2021

**Location:** Virtual Meeting via Zoom

## **1. Call to Order/Roll Call/Pledge of Allegiance**

Meeting called to order by A. Hale at 2:05 p.m.

Members present: Mr. Alan Hale (Chair), Ms. Amanda Griffin (Vice Chair), Ms. Christy Dowling (Secretary), Mr. Dennis Tonsager, Mr. Adam Kniss, Ms. Holly Peterson, Ms. Michelle Seubert, Mr. Wayne Walvoord, Mr. Wayne Scott

Members absent: None

Staff present: Anneli Berube (Adams County/City of Brighton), Libby Tart (Adams County), Byron Fanning (Adams County), Mark Pedrucci (Adams County), Aaron Clark (Adams County), Christopher McMichael (Adams County), Jen Rutter (Adams County), Holly Prather (City of Brighton), Travis Haines (City of Brighton), Brett Sherman (City of Brighton), Kyle Sylvester (City of Brighton), Austin Creswell (City of Brighton), Kate Lesser (City of Brighton)

Public present: Robert Sakata (Sakata Farms), Christine Quinlan (The Conservation Fund)

## **2. Approve minutes from January 28, 2021 meeting**

A. Kniss moved to approve the minutes as presented from the January 28, 2021 meeting. C. Dowling seconded.

☑ Minutes from the January 28, 2021 meeting were approved as presented.

## **3. (I) Water for Ag in Historic Splendid Valley informational presentation**

A. Berube presented [Water for Agriculture in Historic Splendid Valley PowerPoint](#).

R. Sakata presented Water for Ag in Historic Splendid Valley PowerPoint.

W. Scott questioned whether water rights from one property could be used on another property if the total amount of shares was not used on one property. He also if water rights can be lost if consumption is consistently lower than the amount allotted. Also, could the City or County be involved in helping our farms in an augmentation plan and using City equipment and ponds to do that?

R. Sakata clarified that water shares on a property can only be used once. The amount of water available is based on the historic consumptive use, so the right to use the water would not change but the amount that you have available to market later would decrease. The City's or County's involvement in an augmentation plan would have to be reviewed by an attorney.

A. Creswell stated that when developers propose new projects the City requires that they bring water rights. They are able to do this by purchasing ditch rights from local farmers. The City would not accept rights that a developer obtained from a farm in Historic Splendid Valley. However, there is nothing we could do to stop another city from coming in to buy those rights.

C. Quinlan commented the City and County are now seeing the effects of our conservation efforts in this area. She mentioned the buy-protect-sell model of preservation that they've been using. In a previous conversation with Brice Steele, the attorney for the Fulton Ditch, he expressed that he thinks that our current system of purchasing rights from farm by farm, as opposed to a ditch-wide approach, is the right approach.

W. Walvoord asked how much land is required in order to produce enough food for everyone in the immediate area.

R. Sakata responded that he hopes local communities will continue to support local agriculture because he is concerned that the growing of fruits and vegetables is becoming increasingly centralized. This can cause



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disruptions in supply, using the example of the majority of romaine lettuce being grown in Arizona. He noted that supporting local farmers can help combat this problem.

C. Dowling inquired as to how the oil and gas industry impacts water rights, as well as what are the implications when people buy and dry the land. Also, since conservation and riparian terminology can mean different things when referring to water (e.g. conservation versus efficiency), are there any actions which can help clarify this.

R. Sakata stated that the oil and gas industry drove the cost of water rights up due to the increased demand. While they did not buy any shares of Fulton Ditch, the ditch benefited because they paid to enter into carriage agreements with the oil and gas companies. Some water court cases stipulate what must be done to the land after water is removed. How land can be rehabilitated on a property where irrigation water has been removed is difficult and still being understood. The South Platte Roundtable is part of a study to evaluate the contribution of irrigated agriculture to wildlife, alluvial systems, and riparian areas.

C. Dowling questioned if there is any opportunity to preserve dry land off the Burlington Ditch for agricultural use.

R. Sakata replied that there are possible agricultural uses for dry land, but steps would need to be taken to ensure that those activities aren't getting water indirectly from the river.

W. Walvoord asked whether controlled environment agriculture might be a viable option for producing food in the future when water rights are more limited.

R. Sakata responded that he thinks that controlled environment agriculture has a positive future in this area. The irrigation ditches shut down in the winter, so water would have to be sourced from elsewhere. Costs of production have gone way down with new technology.

R. Sakata also thanked the City of Brighton for their support on the Fulton Ditch board for providing their expertise through multiple representatives on the board.

W. Scott inquired about the possibility of having a transfer of water rights program for water.

R. Sakata stated that he is not aware of any programs such as that.

C. Quinlan commented that the Harvard paper regarding the Bessemer project is a helpful resource to understand the buy and dry concept and the new precedent of establishing a substitution buy and dry system to mitigate impacts, although this system may not be replicable in this area.

C. Dowling asked whether water rights could be purchased through an Adams County Open Space grant.

M. Pedrucci confirmed that Adams County Open Space does allow grant money to go towards the purchasing of water rights, but in the past this has only been done in conjunction with land purchases.

D. Tonsager questioned whether there is any evidence that the oil and gas industry has contaminated the groundwater and affected crop irrigation.

R. Sakata stated that he is not aware of any evidence that oil and gas operations have contaminated the water supply for agricultural use, but he thinks that the bigger issue is leakage of contaminated water from flow lines.

### **4. Public Comment**

No public comments were made.

### **5. Staff Updates**

A. Berube noted that the latest monitoring report update is included in the agenda packet.

A. Berube the possibility of adding the Historic Splendid Valley logo to the billboards that Lulu's Farm puts up.



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A. Berube provided an update regarding the Advancing Adams presentation earlier this month. She encouraged folks to go to the website, [advancingadams.org](http://advancingadams.org) to review materials and provide comments.

### **6. Announcements, Suggestions & Comments**

C. Dowling requested an update regarding the gravel mining proposal along Highway 7.

W. Scott commented that he believes the plan was accepted by the City of Brighton.

M. Pedrucci stated that the project is being reviewed for approval by the Board of County Commissioners on March 9, 2021 at 9:30 a.m.

C. Dowling noted that she would be happy to help arrange for Commission members to go out and tour Barr Lake State Park to see the bald eagles.

A. Kniss commented that he logged on to the Riverdale Buffs public meeting last night. He thinks that it is a great project.

M. Seubert noted that Barr Lake is at 50% right now which is very low for this time of year.

A. Berube noted that D. Tonsager was very helpful in making contacts and making the water presentation possible today.

### **7. Adjournment**

Meeting adjourned at 3:35 p.m.

**Recorded by: K. Lesser**