



# Stream Corridor Protection Ordinance Proposal



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# Riparian restoration is needed in Vail



An outside audit identified approximately 1.6 miles of private stream frontage and 3.5 miles of town or CDOT-owned stream frontage in need of restoration at the outset of the Restore the Gore campaign.



# The Town has set the example



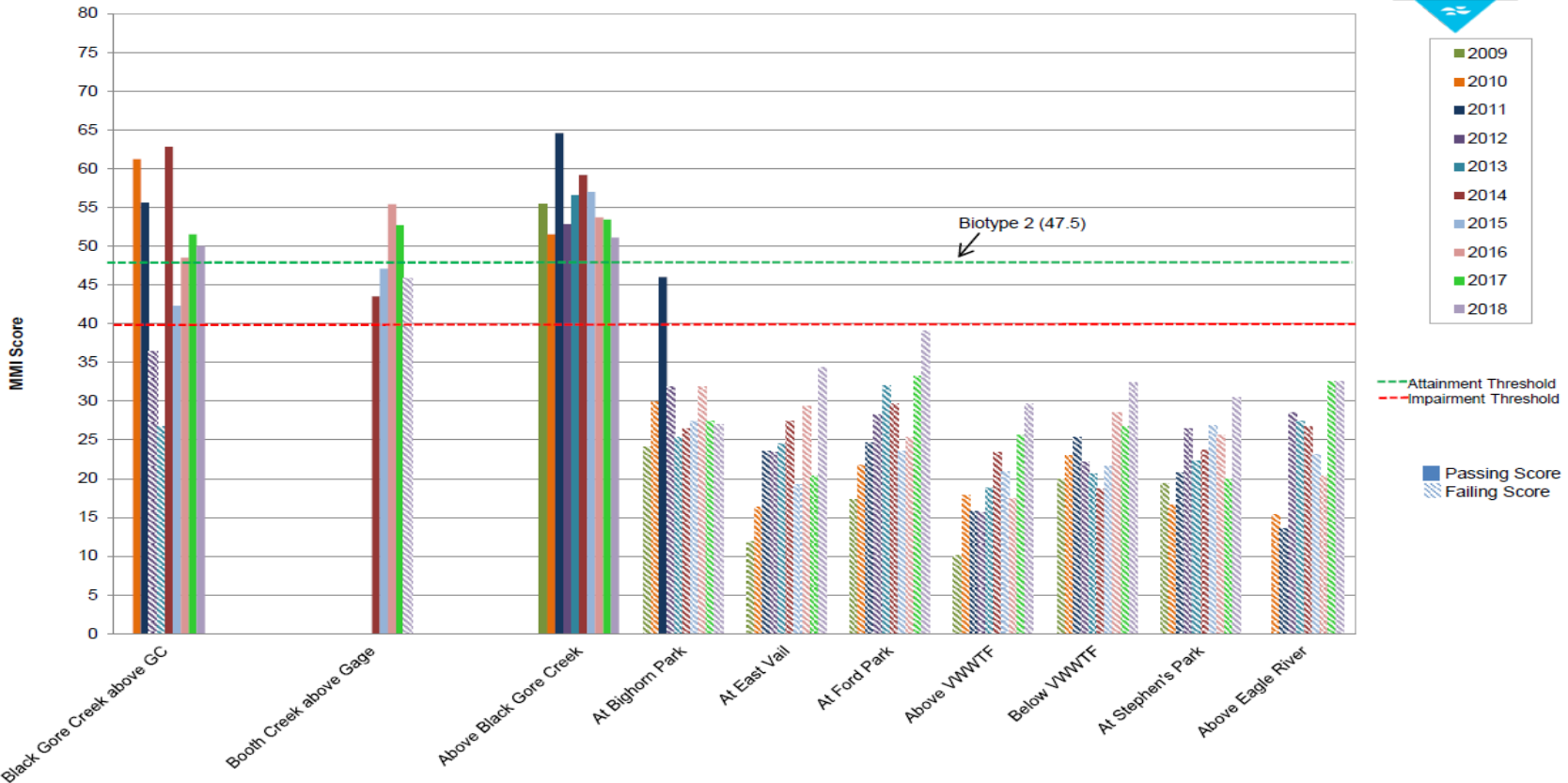
- East Vail interchange
- Ford Park
- Stream Walk
- Village Center/ Gore Creek Promenade
- Lions Square Lodge/ Skier Bride
- Vail Public Library
- Gore Creek Townhomes
- Vail Trails

The town expects to pass the benchmark of 10,000 trees and shrubs planted as part of the Restore the Gore effort by summer 2020

# The Town has set the example



## Gore Creek MMI v4 Fall 2009-2018



Town of Vail has eliminated the use of foliar applied pesticides on town property; likely a leading cause for steadily improving macroinvertebrate populations





# Elevated pesticide use persists post pine beetle



In a survey of actions taken in response to mountain pine beetle, the number of Vail residents who reported “spraying trees with chemicals” jumped from 35% in 2007 to nearly 50% in 2018.



# Elevated pesticide use persists post pine beetle



Irresponsible use of pesticides has been documented in Vail. The image above shows pesticide flowing into a storm drain that discharges directly to Gore Creek

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# Status of Pesticide Regulations

A bill to restore some local control of pesticide regulations was about to go before the State Senate Agriculture Committee just as the legislative session was suspended due to Covid-19.

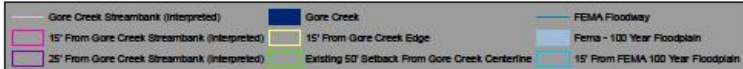
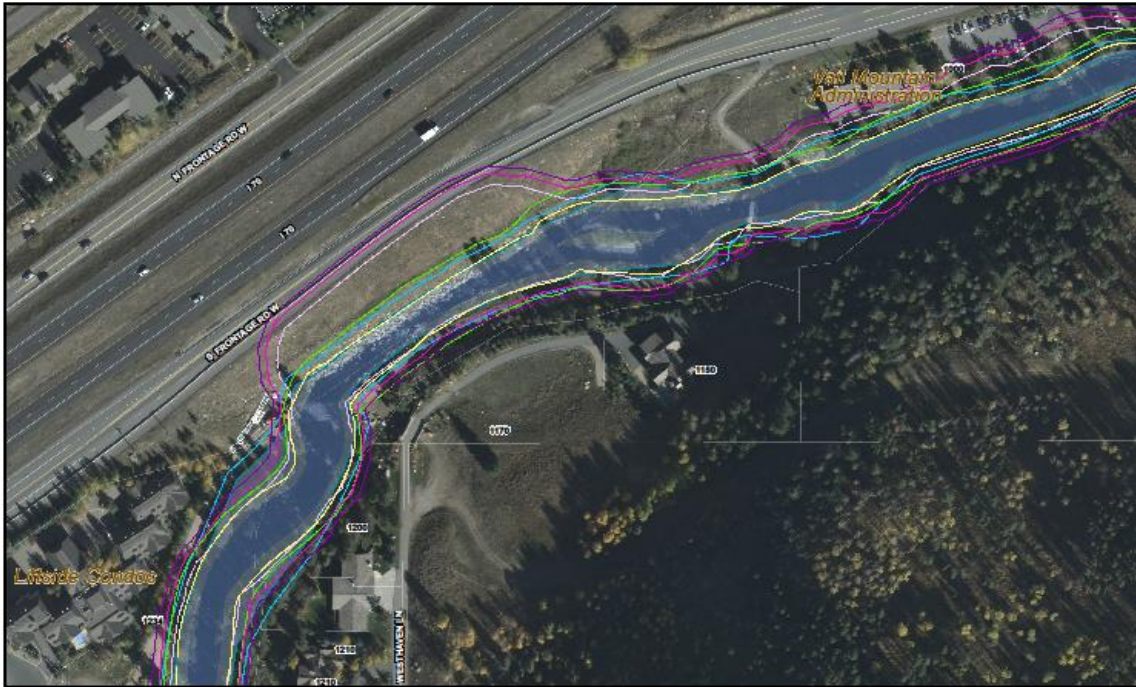
Under current law, Vail has very limited options to increase oversight of pesticide applicators:

1. Wait and hope the legislature takes up the bill and restores local control
2. Establish pesticide regulations for the purpose of source water protection (see examples like Colbran)
  - A source water protection planning process was underway with ERWSD in early March but has also been postponed due to Covid concerns



# Challenges

COMPARISON OF STREAM SETBACK OPTIONS  
TOWN OF VAIL



0 75 150 Feet  
This map was prepared by the Town of Vail GIS Team. Use of this map is limited to the general information only. (Where shown, general location is approximate).  
Aerial imagery provided by Eagle County GIS Department (Data to 2010).  
Department of Public Works provided by Eagle County GIS Department. Department of Public Works provided by Eagle County GIS Department. Department of Public Works provided by Eagle County GIS Department.  
Last Modified: September 07, 2010

- The Town's legal ability to regulate pesticides is limited at this time
- The need to work within the reality of existing land use and buildings in Vail – many of which were built very close to waterways

EPA recommends a tiered riparian setback of 50 and 100 feet. Such a large setback would likely not be possible considering the realities of existing buildings, roads and pathways in Vail.



# Implementation and Support



TOV staff and partners will offer support in the form of plant giveaways, consultations, and ongoing education for landscape contractors and property owners.

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# Does the Vail Town Council support staff moving forward with the research and development, of a stream corridor protection ordinance including the elements as presented?

Staff recommends the Vail Town Council support development of a stream corridor protection ordinance that includes;

1. A two-tiered setback from the high-water mark that limits removal of vegetation, establishment of hardscapes, and construction while deterring excessive chemical use near waterways.
2. Exemptions for specific cases (existing structure, requirements for fire protection and fuels reduction and hazard tree removal).
3. At a later date, if and when the opportunity becomes available, implement pesticide restrictions within the buffer zone established by this ordinance.





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