

# THE RED ROCK RAG

Volume 3, Number 1

News and Views on Red Rock Canyon

January, 2002

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[www.saveredrockcanyon.com](http://www.saveredrockcanyon.com)

## Everest slide show benefits Red Rock Canyon Committee

Ed Webster, a 1978 Colorado College graduate, presented a slide show on his 1988 ascent of the East Face of Mount Everest at the Fine Arts Center on December 5. The show was sponsored by Mountain Chalet which donated a portion of the proceeds to benefit the Red Rock Canyon Committee.

At the show, Ed Webster autographed copies his recent book, *Snow in the Kingdom: My Storm Years on Mount Everest*, in which he describes the climb. In addition to spectacular photos and a riveting description of an epic climb, Webster presented fascinating bits of mountaineering history gleaned from his contacts with the Mallory family and from a member of the expedition's support team who identified the Tibetan childhood home of Tenzing who climbed Mount Everest with Edmund Hillary in 1953.

## Zydeco sues Colorado Springs for water

The last week of November, Zydeco filed suit in district court in El Paso County against the City of Colorado Springs seeking to obtain water from the City under terms of two nineteenth century pipeline right of way grants.

The two documents provided the City of Colorado Springs with a right of way for the Bear Creek water line and granted future owners of the Anthony Bott and Fredricka Langmeyer properties the right to use water from that pipeline "under the same restrictions and at the same rates as given to citizens of Colorado Springs." Even before the suit was filed, the two documents were included in Zydeco's Special Use Permit application as evidence to El Paso County that Zydeco had a source of non-potable water for the Red Rock Reserve golf course.

However, Colorado Springs Utilities attorney Greg Johnson argues that the agreements are no longer in force because they specifically refer to water from the Bear Creek pipeline, and the Bear Creek pipeline referred to is no longer in service.

Both documents appear ambiguous as to what tracts of land carried the right to use water from the pipeline. However, even the most liberal interpretation should limit the use of water to land owned by Mr. Bott

or Mrs. Langmeyer at the time of the agreements. So, even if Zydeco were to prevail, the victory might be a limited one for Zydeco since the Bott and Langmeyer properties essentially encompassed the southern three quarters of the landfill and a large part of the hogbacks but little of the area west of the hogbacks where a major portion of Zydeco's proposed golf course would be situated.

## Our Thanks

The Red Rock Canyon Committee wishes to express its appreciation to the following people who have made contributions for operating expenses during the past month.

Theresa Klein  
and two anonymous contributors

We would also like to express our special appreciation to *Mountain Chalet* for contributing a portion of the proceeds from Ed Webster's Mount Everest slide show and to *Bill Koerner* for sponsoring this issue of the Red Rock Rag.

## Scott Flora to leave Trails and Open Space Coalition

Scott Flora has announced that he will be leaving his position as Assistant Director of the Trails and Open Space Coalition.

Scott was instrumental in the formation of the Red Rock Canyon Committee and has been a constant supporter of efforts to preserve the Red Rock Canyon area as public open space. His guidance and encouragement have been invaluable to the continuing efforts of the Red Rock Canyon Committee.

We wish Scott every success in his future ventures and sincerely hope that he will be able to continue his involvement with the Red Rock Canyon Committee.

**CALENDAR****Meetings of Possible Interest:**

- January 3 **Red Rock Canyon Committee**  
7:00 P.M. Village at Skyline (off Lower Gold Camp Road), Activities Room, Building No. 4 (The Easternmost Building - enter from the parking lot north of the building)
- January 8 Colorado Springs City Council  
9:00 A.M. City Council Chambers, The historic City Hall, Nevada & Kiowa
- January 15 **El Paso County Planning Commission**  
9:00 A.M. Hearing Room, 3rd Floor County Office Building, 27 East Vermija
- January 22 Colorado Springs City Council  
9:00 A.M. City Council Chambers, The historic City Hall, Nevada & Kiowa
- January 23 **TOPS Working Committee**  
7:30 A.M. Colorado Springs Parks and Recreation Building 1401 Recreation Way (East of I-25, 2 blocks north of Uintah)
- January 23 **Manitou Springs Open Space Advisory Committee**  
7:00 P.M. Manitou Springs City Hall 606 Manitou Avenue
- February 7 **Red Rock Canyon Committee**  
7:00 P.M. Village at Skyline (off Lower Gold Camp Road), Activities Room, Building No. 4 (The Easternmost Building - enter from the parking lot north of the building)

NOTE: Scheduled meetings can be subject to change or cancellation.

Check these web pages within a week of scheduled meeting for items of interest:

Colorado Springs City government:  
[www.springsgov.com](http://www.springsgov.com)

El Paso County government:  
[www.elpasoco.com](http://www.elpasoco.com)

Also, check the CONO web site for related announcements and links:  
[www.csono.org](http://www.csono.org)

***STAY CONNECTED!***

With frequent Red Rock Canyon news and a growing need for citizen involvement, it is more important than ever to have effective communication among Red Rock Canyon open space supporters.

If you get the Red Rock Rag and don't get other updates, please let us know your e-mail address and phone number so we can all keep connected and up to date. Please send your contact information to:

[fskeeter@jun0.com](mailto:fskeeter@jun0.com)

or

Red Rock Canyon Committee  
P. O. Box 2352  
Colorado Springs, CO 80901-2352

**Utilities Board denies larger water line**

At its December 19 meeting, the Colorado Springs City Council sitting as the Board of Directors of Colorado Springs Utilities took final action on a request which was made earlier this year to increase the 2" water service to the Bock Property to 4". In presenting the original request on behalf of John Bock, Jim Phillips asserted that the increased capacity was needed for the mobile homes on the property.

In his memo presenting the agenda item to the Utilities Board, Utilities CEO Phil Tollefson noted two developments which had occurred since the original request was filed: 1) the filing of an El Paso County Special Use Permit application for the Red Rock Reserve golf course which states, "(a)s part of the golf course development, the existing residences currently using portions of the water would be eliminated," and 2) the lawsuit filed by Zydeco and John Bock against Colorado Springs seeking water under the Bott and Langmeyer right of way grants.

Mr. Tollefson's memo offered three possible actions for the Utilities Board: 1) Grant the request for a 4" connection and prepare a written agreement in which Mr. Bock acknowledges that the added capacity could only be used to provide water service to the existing residences and that an application to City Council for any change in use would be required, or 2) Deny the request for increased service, or 3) Defer a decision pending the outcome of the lawsuit. Interestingly, at the December 19 Utilities Board meeting, Jim Phillips indicated that the first of these options would not be acceptable to Mr. Bock.

The Utilities Board unanimously voted to deny the request for increased service. This action was reported by Ed Sealoover in a front page story in the December 20 *Gazette*.

## Planning receives comments, requests documentation

The El Paso County Planning Department has received numerous comments and related documents concerning Zydeco's application for a Special Use Permit for the Red Rock Reserve golf course. Concerned citizens, organizations, and government entities and agencies have provided comments and information.

In turn, the El Paso County Planning Department has requested Zydeco to supply various supporting documents related to its application.

We are only able to report some of the highlights:

Among the related documents provided to County Planning was a copy of a forcefully worded August 27 letter from Phil Tollefson, CEO of Colorado Springs Utilities, to Mr. MacDougall, the water attorney representing Zydeco. Mr. Tollefson notes that, "any water service to the Red Rocks property is highly controversial" and concludes his letter with a statement that, "neither CSU nor the City of Colorado Springs has made any commitments or representations that water service of any kind will be provided ..."

Mr. Tollefson's letter was a response to an August 23 letter from Mr. MacDougall which is also included in the documents provided to Planning. In this letter, Mr. MacDougall had noted that "Present projected maximum potable water demands are 550 acre-feet per year, or about 500,000 gallons per day, average." This 550 acre-feet per year is presumably in addition to the non-potable water needed for the golf course, which is reported to be 150 acre-feet per year.

In her letter to County Planning, the City of Colorado Springs attorney noted that a change in use of the existing water service could not be granted without City Council approval and that the City intends to defend its claims that the City is not obligated to supply water service.

**The El Paso County Planning Department has requested that Zydeco, "provide proof of water rights and plans for related water pump facilities, etc., which will serve, as the non-potable water source to water the golf course." Planning has also requested Zydeco to, "provide proof of service from Colorado Springs Utilities for the proposed commercial uses associated with the golf course ... as it pertains to water, sanitary sewer, gas and electric."**

While Zydeco proposed to submit erosion control and drainage plans later when they applied for a building permit, the El Paso County Soil Conservation District indicated: "We feel that the review of the erosion control plan and drainage plan is essential before the special use permit is allowed" Citizen comments also expressed concern about the run off of lawn chemicals from the golf course.

The Planning Department requested Zydeco to provide six copies each of a grading plan, erosion plan, drainage report, and fertilizer management plan.

The El Paso County Environmental Services Department offered extensive comments on the landfill voluntary cleanup plan, suggesting, among other concerns, that the proposed landfill cover may be inadequate and that data on groundwater flow is lacking.

**The Planning Department requested that Zydeco provide additional information required by the Colorado Department of Health and the Environment and proof from CDPHE that its regulations would be followed by Zydeco.**

While citizen comments reflected all of the concerns addressed by various government entities, a major concern of citizens was open space preservation. Open space was also addressed by the City of Colorado Springs' attorney, the City of Manitou Springs, the Manitou Springs Open Space Advisory Committee, the El Paso County Environmental Services Department and the El Paso County Parks Department.

**The Planning Department asked of Zydeco: "In accordance with El Paso County Goals 8.1 and 8.5 where has the applicant shown trail connections and preservation of open space?"**

Two citizens specifically challenged assertions suggesting the absence of archeological sites. One of them referred to Richard Mariotti's investigation as "an archeological fly-by."

## Colorado Springs Utilities Board clarifies water policy

At its November 28 meeting, the Colorado Springs City Council, sitting as the Board of Colorado Springs Utilities, affirmed the policy that those who have Colorado Springs Utilities water connections outside the city limits cannot change the use of the water without reapplying for a water permit.

This policy aligns the policies of Colorado Springs Utilities with provisions of the City's Annexation Ordinance relating to water service. As such, it represents more of a clarification of existing policy than anything new. It does, however, make it abundantly clear that the Red Rock Canyon developer cannot take water which now serves residences and use that water for a clubhouse and golf course irrigation without a new water permit.

Council members have acknowledged that the clarification of Utilities' policy was prompted by Zydeco's proposal for Red Rock Canyon development.

The action of the Utilities Board was reported in the November 29 *Gazette*.

**YES, I WANT TO SUPPORT RED ROCK CANYON OPEN SPACE!**

- Enclosed is my contribution to the Red Rock Canyon Committee for operating expenses  
(Check payable to "Red Rock Canyon Committee", not tax deductible.)  
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- I want to be involved  
My efforts could best be used for: \_\_\_\_\_
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NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

For more information, contact **Linda Hodges** at the **Trails and Open Space Coalition**: 633-6884,  
or e-mail: fskeeter@juno.com

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of the Red Rock Canyon Committee.

**WE WANT YOUR INPUT!**

Letters, articles, comments (and glossy photos) may be sent to:  
Rag Editor  
Red Rock Canyon Committee  
P. O. Box 2352  
Colorado Springs, CO 80901-2352

Electronic submissions may be sent to:  
help@saveredrockcanyon.com  
***Please*** send electronic text in plain ASCII (txt) format.  
Digital images are welcome and should be 200 dpi or better  
at the size the image will be reproduced.

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