

SUNDAY BUSINESS

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New bank in town

Steamboat man offering solutions to damaged wetlands

STEAMBOAT SPRINGS

Ren Martyn's new bank will be open for deposits in South Routt County later this summer. But it's not what you think.

Finger Rock Preserve LLC is a "wetland mitigation bank." It comprises 620 acres of former cow pasture along Colorado Highway 131 south of Yampa. The land contains the confluence of Chimney and Brinker creeks.

Martyn's plan, approved by the Army Corps of Engineers in December, is to create new wetlands to offset wetlands being damaged or destroyed elsewhere in Routt County and, possibly, Eagle County.

The federal government prohibits developers from moving forward on land projects until they have wetland mitigation plans in place, often a difficult prospect.

SUNDAY FOCUS

STORY BY
TOM ROSS

"It takes time, and time is money," Martyn said.

Martyn's business plan is to charge commercial developers and government agencies a fee for newly created wetlands that will allow their projects to proceed with fewer complications than they would have otherwise. Finger Rock's service will allow them to easily meet federal requirements meant to ensure that there is no net loss of wetlands in the construction of new buildings and roads, for example.

"I really look forward to seeing this property in 10 years," Martyn said. "It will appear entirely different from how it is today. It will contain two healthy wetland drainages."

Wetland mitigation banks are relatively commonplace in other parts of the country, including his native Florida, Martyn said. Now, he's prepared to help developers in this area, both private and public, quickly satisfy a regulatory requirement that might otherwise take up many months of sometimes fruitless effort.

"This is a much-needed service,"



TOM ROSS/STAFF

Ren Martyn is looking forward to the construction phase of the Finger Rock Preserve wetland mitigation bank this summer.

developer and Realtor Rob Dick said. "You can have a small wetlands in the middle of a site that can affect your whole site plan. There are projects that would have been much better (with off-site mitigation)."

Dick is in the midst of developing an

entry-level housing project on U.S. Highway 40 that required complex wetlands permitting.

"River Place was designed around wetlands," he said. "Had (Finger Rock

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Wetland mitigation banks appeal to regulators, developers

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Preserve) been available, it would have been a very different site plan. It would have been less costly and a lot easier."

In Colorado, wetland impacts from development are governed by a portion of the Clean Water Act commonly referred to as Section 404. Before developers can proceed with construction plans that affect wetlands, they must obtain a permit from the Army Corps of Engineers. To be successful, developers (including government agencies such as the highway department) must first demonstrate that the impacts to the wetland cannot be avoided.

Second, they must show that their project has been modified to minimize wetland impacts. Finally, they must develop a mitigation plan for the impacts.

Typically, Martyn said, developers are working to mitigate impacts to very small pieces of wetlands. Often small wetlands can be mitigated on site. However, when they cannot, their small size can make the cost and effort involved in finding suitable off-site mitigation prohibitive.

Ultimately, the Army Corps of Engineers dictates whether the developer can mitigate on site, or off site.

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Federal agencies have changed their outlook on the desirability of small wetlands mitigation efforts, Martyn said. Too often, they find that isolated islands of relocated wetlands don't function in the broader watershed the way they might have in an undisturbed area.

Wetland mitigation banks have appealing aspects from the viewpoints of both regulators and developers. Developers pay a negotiated fee for a turnkey solution to their wetlands problem that absolves them from any further liability. Regulators receive the reassurance that newly created wetlands at the "bank" will be part of a carefully engineered larger wetlands. For regulators, wetland banks also solve another problem, which they lack the budget to tackle.

History shows, Martyn said, that over time, small, onsite mitigation projects gradually can become overwhelmed by unplanned human activity. Sometimes they just dry up. Lacking the means for regulatory oversight, federal regulators cannot always be certain that wetlands mitigation projects will

remain in place, he said.

Martyn first began coming to Steamboat Springs as a young boy and later returned to teach at The Lowell Whiteman School. He moved to Florida to work in the citrus business but found himself seeking a way to return to the Yampa Valley.

He became aware of the parcel that is now Finger Rock Preserve and recognized an opportunity. The land had been purchased from the Brinker Ranch by the prospective developers of the original Catamount Ski Area proposal and for Wolford Mountain Reservoir. The intent was to use the land to mitigate wetlands impacts on those two separate projects. Although much of the permit work with federal agencies had been completed, the wetland bank was never brought into play.

When Cordillera acquired the downsized Catamount project, it inherited the 620 acres near the Finger Rock Fish Hatchery, but had no need for off-site wetlands mitigation.

Martyn convinced family members to invest in a private wetlands mitigation bank.

Work on Finger Rock Preserve begins in earnest this summer with the dredging of five open water areas on the properties. The initial permit is for 238 acres of the over-

all 620 acres. The goal is to create several types of wetlands on the land to permit mitigation that matches different projects. Finger Rock should absorb projects for seven to 10 years before it matures and his company turns the land over to a conservation organization, Martyn said.

Martyn said Finger Rock owns senior water rights in Brinker and Chimney creeks, as well as from the Gibbs Ditch and the Mandall Ditch. However, the wetland mitigation bank's use of water is non-consumptive, Martyn said, and the volume of water flowing out of the property will not be reduced.

Rubber-tired track hoes will go to work this summer, regrading the property and storing native plants where dredging for the ponds takes place. As the bank is developed, weirs will be used to create partial dams that will flood portions of the property. The work should be visible to passing motorists on Colorado Highway 131, near the turnoff to the fish hatchery.

"We have worked on this project for two years now. It's going to be interesting this summer, working to get the proper hydrology on the land," Martyn said.