



City of
Golden

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July 2, 2020

The Honorable Governor Jared Polis
State Capitol Building
200 E. Colfax Ave., Rm. 136
Denver, CO 80203

RE: Local control for waterways during COVID-19 pandemic

Dear Governor Polis,

On behalf of the City of Golden, I would like to thank you for your leadership during this pandemic. As a fellow public official, I know that there seems to be no clear “right” answers and the best we can do is to follow the science and do what is best for the health and well-being of our communities.

I am writing to you to discuss a very specific issue that has presented a considerable challenge for us in the City of Golden. As we have seen during the pandemic, often a community’s greatest asset becomes its greatest liability. In our case, Clear Creek is one of our treasures that attracts people from all over Colorado and neighboring states as well. In normal times, we struggle with managing crowds of hundreds, people with tubes crowding the narrow trails, intense usage of the creek, and our ability to conduct swift water rescues to save lives. Our small mostly-volunteer fire department is busy every summer with swift water rescues and tragically, even some deaths. This year with COVID-19 we are concerned for the safety of our community and our ability to manage creek uses.

According to current State statute, the police chief has the authority to close the creek to single chamber vessels, but that delegation is limited to specific criteria related to dangerous water conditions that exist in the creek itself and the authority does not extend to closure due to health concerns that arise out of this public health emergency, particularly the gathering of large crowds. As of today, our City Manager Jason Slowinski has instituted an administrative order closing and restricting all access to city-owned property located immediately adjacent to the creek. For us, this is not an ideal policy in that it does not allow us to distinguish between safe recreational uses of the creek and those that draw large gatherings of people. We would prefer instead the ability to close the creek to the unsafe uses that are drawing large crowds and that do not allow for social distancing while at the same time allow for outdoor recreation uses that can happen safely.

We respectfully request that the State grant the ability for the City of Golden to regulate creek uses during the duration of the state, county, and city’s emergency declarations related to the COVID-19 pandemic. If we are able to manage Clear Creek locally during this emergency, we believe we will have the ability to keep our community safer while allowing for the utmost freedom to residents and visitors to experience the great outdoors that we all love about this beautiful state.

Thank you for your consideration of this request and for your leadership and service to Colorado.
Sincerely,

Laura M. Weinberg
Mayor