

Commissioner's meeting 2/4/19 Douglas Road is Still the Answer

SLIDE ONE - TITLE

Good Evening, my name is Mark Heiden, President of the Eagle Lake HOA, and probably the most unpopular guy in the room because I do not favor the Poudre River option for Thornton's water.

I do not have a speech filled with emotional applause lines or outdoor and wildlife pictures to appeal to everyone's inner peace and tranquility. I'm here to present some inconvenient truths about the Poudre River option and to advocate for decision making over wishful thinking, critical thinking over political convenience, and problem solving over a path of least resistance.

The reality is we live in a high growth area where no one can see an end to the challenges we face as communities along the Front Range. We're all dealing with infrastructure, transportation, utility, and social issues caused by unrestricted growth. But I'm certain the answers are not 'to hell with my neighbor, every man for himself'.

But that's the attitude emanating from these proceedings.

Every time the Save the Poudre or No Pipeline groups advocate for sending the water down the river, their plan is to have Thornton take the water out in Windsor. They never say where, they never say how, they never say at what expense, it's just somewhere in Windsor. That it's Thornton's problem to figure out. No one has talked to Windsor about it. No one knows where a reservoir or water treatment plant would go, and no one has a plan. In my world no one would take this seriously because it's just wishful thinking. The same people who say let Thornton figure it out will be the first ones to object to and obstruct any solution that involves another reservoir. But to hell with Thornton and Windsor. We want the water.

SLIDE TWO – What’s Changed

To me this is an unethical and immoral attempt to take someone’s property and then return it to them in a dilapidated, worsened condition in need of repair before it can be used again. It’s not unlike borrowing a neighbor’s new car and returning it to them with chipped paint, a dented body, a broken windshield, and flat tires while saying thanks for letting me borrow your car - even though it takes the owner thousands of dollars to get it back to its original condition. I hope nobody here would do that and I hope you don’t suggest doing that to Thornton.

And from you Commissioners come statements like ‘your mitigation proposals are paltry’, Thornton has to do more, it’s insulting what you came in here with – as if Thornton is a bad corporate character like an Exxon Mobil instead of a fellow Colorado community with families just like ours working for its citizens while trying to keep costs in line. We would expect the same from our representatives if the shoe was on the other foot. It’s perfectly reasonable to ask for concessions but very unreasonable to engage in extortion for them to get back what they already own.

SLIDE THREE – Make Dick Happy

Then there’s the issue of property rights. Most of you Commissioners have expressed that you are strong believers in them. Hopefully you’re not buying the creative assertions of Mr. Barth who believes senior water rights accrue at the point of usage instead of the point of purchase- which is the 100 year old diversion point at the Larimer Canal. I’d hate to bet lawyer’s fees for both water and district court on that one. But to hell with Thornton, let their people drink agricultural water from Weld County.

Speaking of property rights – how about all of the people whose property is now directly impacted by the new route alignment? Commissioner Donnelly is correct to question the need for purchasing easements along County Rd 56 when Thornton could be using the right of way. The property value of the homes or land that may require an easement to construct this route west of I-25, including Braidwood, Eagle Lake, open land, CR 56 and properties near HWY 1 involves 23 property owners with nearly 19 million dollars (\$18,915,000) in value based on County valuation records and the route as presented. This doesn't include the 4.5 miles on private property along CR 56 that was roughly calculated at the last meeting that may be in need of easements.

Does anyone care that other than the land valued at \$12,950 for the pump station, the Douglas Road option is 100% right of way and no private properties will be impacted? But to hell with property owners along the CR 56 route, people might be inconvenienced by construction if it went down Douglas Road.

SLIDE 4 – Be Like Solomon

So let's take the water down the river. Half of the water in Reservoirs 3 and 4 belongs to Thornton. The potential that water levels in those reservoirs will be permanently and significantly lower because the storage is no longer needed is almost guaranteed. Homeowners in Braidwood and Eagle Lake will likely see a negative impact on home values, recreation, and natural aesthetics around the reservoirs. But to hell with them, it doesn't impact me on Terry Lake, Richard's Lake or whatever body of water I may live on.

SLIDE 5 – Benefits of Justice

No – the answer is really staring everyone right in the face. And it relies on utilizing public right of ways for what they are intended – moving traffic above ground and utilities under the right of way underground.

Is it going to be easy – no. Is it the politically popular thing to do – no. Is it the path of least resistance for the County – no. But it is absolutely the most common sense, practical application of the 1041 process to avoid as much intrusion on private property as possible while still benefitting the County in many ways. Especially with open space and land buffers. And it gives the Poudre River a small victory with more water running through it with Thornton's concessions – but is a big step in a long process of river revitalization.

Make the tough decision to take the pipeline down Douglas road. Years from now, long after the temporary inconvenience of this

SLIDE 6 – Construction

(slide of road construction) is gone and people forget there's even a pipeline in the road, comes the permanent, life-altering inconvenience of this

SLIDE 7 – Sprawl

and maybe someone will say, we should have listened to that crazy old guy from Eagle Lake and preserved more open space.

Thank you for giving me the time to express what many people feel but is unpopular to say. Take the pipeline down Douglas Road.

