

# LARIMER COUNTY PLANNING COMMISSION

## Minutes of July 15, 2020

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The Larimer County Planning Commission met in a special session on Wednesday, July 15, 2020, at 6:00 p.m. in the Hearing Room as well as virtual video. Commissioners Wallace, Jensen, Miller, and Pontius physically attended with Commissioner Wallace presiding as Chair. Commissioner Stasiewicz and Barnett attended virtually. The Larimer County staff that physically attended were Don Threewitt, Planning Manager; Katie Beilby, Office Supervisor; Lesli Ellis, Community Development Director; Rob Helmick, Senior Planner; Steven Rothwell, Civil Engineer II; Mark Peterson, County Engineer and Frank Haug, Assistant County Attorney II. The Larimer County Staff that attended virtually were Lea Schneider, Environmental Health Planner and Daylan Figgs, Natural Resource Director.

### **ANNOUNCEMENTS:**

Chairwoman Wallace made comment regarding an email that was sent on July 15, 2020, before the hearing, stating members of the public did not get to participate in the Planning Commission Public Comment. She explained the members of the public will be able to participate during Public Comment for the Board of County Commission Hearing. She also made a statement that the Planning Commission voted on the County Master Plan regarding the parks with no reference to the Glade Reservoir.

Ms. Ellis provided information regarding the Northern Integrated Supply Project being scheduled for the Board of County Commission hearings starting August 17, 2020. A registration form will be available online for members of the public who have already or have not testified starting August 3, 2020. The upcoming Board of County Commission hearing are scheduled for the following dates and times: August 17, 2020 starting at 6:00 p.m., August 24, 2020 starting at 2:00 p.m. if continued, and August 31, 2020 starting at 3:00 p.m. if continued. If the Board of County Commissioners need more time, September 2, 2020, has been reserved to deliberate complete the hearing process.

### **ITEM #1 – NORTHERN INTEGRATED SUPPLY PROJECT, FILE #20-ZONE2657:**

Mr. Threewitt gave a brief recap of the application and the past Planning Commission hearings.

### **LARIMER COUNTY STAFF PUBLIC COMMENT REBUTLE:**

Mr. Rothwell stated questions regarding the technical details will be referred to Northern staff to answer.

Mr. Peterson stated questions regarding placing the reservoir under ground will be referred to Northern staff to answer.

Mr. Rothwell addressed the concerns regarding the net change in mileage to the center line for Highway 287 and the total project cost will be referred to Northern staff to answer.

Ms. Schneider presented two maps to help address the TCE Plume concerns and the design for the liner was referred to Northern staff to answer.

Mr. Figgs stated that Meghan Flannigan and Zach \_\_\_ will be addressing for him.

Ms. Flannigan introduced Ken Brink to address the concerns regarding recreation at the reservoir, the determination for the 25% cost share, a park and ride, and economic benefits of recreation to Larimer County.

Mr. Brink stated that after much research and communication the 25% cost share is a reasonable agreement. The parking lot would be maintained and accommodate a park and ride service. Three important components to the Glade Reservoir would be a large enough land to accommodate camping, trailer boating, and hand launch boating. He also stated the water level concern will not have an effect to camping, or hand launch boating but a significant effect to motorized boating.

Ms. Flannigan wanted to state it was the county's understanding that the 25% cost share on the 1041 document, was not responsible for the full amount but will be a variety of other sources.

Commissioner Jensen asked if the 25-year lease agreement could be increased to a 50-year lease agreement.

Mr. Brink explained the agreement is a 25-year agreement with the option to extend another 25-year agreement.

Chairwoman Wallace asked how much revenue Horsetooth Reservoir produces?

Mr. Brinks stated that Horsetooth Reservoir produces enough revenue for operational costs.

Chairwoman Wallace asked if the reservoir is not full, how much will it affect motorized boating and if wakeless boating would be easier to manage with fluctuating water levels?

Mr. Brinks explained they have developed ways to move the curtesy dock sufficiently and there are facility designs to accommodate for the fluctuating water levels.

Chairwoman Wallace asked what impacts would affect the environment?

Mr. Brink stated the pollution from the boat motors are minimal and Larimer County has adopted the States standards for safe boating operations to help mitigate noise.

Chairwoman Wallace asked what the financial impact would be if the reservoir were restricted to wakeless boating and if it would be successful?

Mr. Brink stated it would be less likely the reservoir would be successful.

Mr. Helmick address the concerns regarding the roles between EIS and Larimer County as a cooperating agency, a powerline, colocation, and language on two conditions of approval. Larimer County looked to EIS to seek guidance in answering the criteria that was mentioned in the analysis. Larimer County participated principally commenting on content and County interests. The powerline will be moved onto property controlled by the applicant as well as only servicing the applicant. Larimer County staff believes the colocation is appropriate and reasonable as a policy position. If and when another proposal comes forward the county would recommend where feasible colocation be encouraged. New language was placed on the screen for the Projectwide 2.d and Pipeline 2.b conditions of approval. The concern regarding the pipeline impacts will be referred to Northern.

### **NORTHERN WATER PUBLIC COMMENT REBUTLE:**

Brad Wind gave an opening presentation and included a guideline of the concerns Northern Water will address throughout their presentations.

### **Pipeline Easements and Routing (Jim Struble and Stephanie Cecil)**

Mr. Struble stated that Northern Water's real-estate group will work with every property owner in hopes of bringing negotiations to an amicable closing. During the permitting process, Northern has not acquired any easements related to NISP conveyance project. However, they have started the process of obtaining biometry's to access properties for footwork related to the proposed easements and the design of the project. Northern Water currently owns most of the Glade Reservoir property. An image was shown for a visual explanation of Northern Water, seeking to acquire a 60-ft easement.

Mr. Struble mentions that within Northern Water's Easement document, it is explained what will be done on the easement, what will be allowed and what will not be allowed within the easement. He also gave information regarding maintenance activities, composing a reclamation of the easement, and a temporary easement, the overlapping of the easements and a walk through of the easement acquisition process.

Commissioner Miller asked if trees are placed above the easement?

Mr. Struble stated there will be certain types of trees that can be placed above the easement so that they do not impact the pipes.

Ms. Cecil presented information regarding the notification process and additional reach out to the public and residents that will be impacted. She also addressed concerns regarding the aspect of the pipeline and why the chosen route for the installation of the pipeline was preferred over other routes. Images were shown for a visual explanation of the proposed routes, alternative routes, and the impact each route would encounter.

Commissioner Miller asked if a horse arena could be replaced over the easement.

Ms. Cecil stated horse arenas will be replaced over the easement.

### **Glade Reservoir Geology and Design (Greg Zamensky and Jennifer Williams)**

Mr. Zamensky introduced Jennifer Williams to address the concerns regarding the geologic.

Ms. Williams explained the design of the dam that will be part of Glade Reservoir, and addressed the North Fork fault, and the Bellevue fault.

Commissioner Jensen would like an explanation of similarities between Horsetooth Reservoir dams and the proposed Glade Reservoir dam to be addressed.

Ms. Williams explained there would be an embankment design similarity.

Mr. Zamensky addressed concerns and gave additional detailed information regarding the Munroe Canal bypass.

Chairwoman Wallace asked if the proposed canal carry the same amount as the Munroe Canal?

Mr. Zamensky stated the proposed canal was designed to accommodate the same amount of water as the Munroe.

Chairwoman Wallace asked if the proposed canal would carry the "free water" flow?

Mr. Zamensky stated the canal will function as proposed as it has historically along with an explanation of safety measures for the "free water" flow.

Commissioner Jensen asked for more information regarding water being left in the Munroe pipes when it is not flowing and what will happen when the Munroe pipes start to flow again.

Mr. Zamensky explained that the sitting water will be flushed out of the Munroe pipes at the beginning of a season and the water will not spoil.

Mr. Barnett asked what would happen as sediment comes into the system and potentially fills the sag where the pipe is located and how are they being maintained?

Mr. Zamensky stated they completed research regarding sediment and found there is not much that can be done to remove them from the existing canal and gave a more detailed explanation on how they will help mitigate sediment.

Chairwoman Wallace asked if there has been any discussion with North Poudre regarding the operation process?

Mr. Zamensky stated there have been brief discussion but have not had an in-depth discussion yet.

Chairwoman Wallace clarified that the reason for her question was due to not seeing North Poudre on the referral list nor did she see any comments made with in their packet.

Mr. Wind explained that Northern Water owns the canal from its point of diversion up and though the vicinity that has created a relationship to communicated, and will continue to communicate, regarding the canal, how it is operated, and how to make appropriate investment for the system. He addressed the concern regarding the proposed bypass and gave information of its design, the TCE Plume, and ground water monitoring wells.

Commissioner Jensen asked how the forebay will be lined or how will it be isolated to the TCE contamination?

Mr. Zamensky stated that Northern is looking at alternatives in order to prevent migration of water flowing out, but have not made a decision yet regarding a liner system for the migration of water materials flowing in.

Mr. Zamensky addressed the concern regarding dust potential.

Commissioner Jensen asked if the surface of the Glade Reservoir similar to Horsetooths surface?

Ms. Williams stated there is more of a clay surface at the Glade Reservoir location.

Mr. Zamensky address the concern regarding hydroelectric power

**BREAK STARTED:** 7:55 p.m.

**BREAK ENDNED:** 8:00 p.m.

### **Response to Glade, recreation, Highway 287 Questions (Christie Coleman)**

Ms. Coleman addressed the concerns by showing images and gave detailed information regarding Highway 287 and how it will be sequenced during the project, how the existing KOA will be used during the construction, and how NISP will be funding the recreational plan.

Commissioner Jensen asked if Northern Water would consider a 35-year lease with the option to extend for another 25-year lease?

Ms. Coleman stated Northern Water has not discussed other lease agreements with their management team but would be willing to continue the possibility of other lease options to Board of County Commissioner hearings.

Ms. Coleman addressed more of concerns regarding wakeless boating, the Glade Reservoir, length of the projects hydrologic model, climate change, the impact of droughts, and water quality monitoring.

### **Mitigation and Enhancement Summary (Stephanie Cecil)**

Ms. Cecil addressed the concerns by showing images and gave more detailed information regarding the Mitigation and Enhancement Plan.

Commissioner Jensen asked where the water flow came from during the opening of the Fort Collins White Water Park.

Mr. Wind explained they have the option to deliver what is known as “late water” and Northern Water coordinated with the State to have the water flow delivered during the opening of the Fort Collins White Water Park.

Commissioner Miller asked if Northern Water could complete a water transfer into the Poudre River using the CBT project water?

Mr. Wind confirmed that most of the water is delivered into the Poudre River.

### **Alternatives Analysis and Conditions (Peggy Montaño)**

Ms. Montaño stated they accept the modified conditions received by Mr. Helmick and she also address the alternative concerns and included detailed information.

### **NISP Participant Conservation Programs (Christine Coleman)**

Ms. Coleman presented two videos. The first video was an example of one of conservation efforts being initiated by NISP participants, such as the Garden in a Box Program. Ms. Coleman followed with a power point presentation detailed information regarding positive impacts from conservation programs like the Garden in a Box. The second video showed NISP’s conservation programs with three additional NISP participants.

### **Closing Comments (Brad Wind)**

Mr. Wind closed the Northern Water’s presentation by expressing gratitude and a brief closing statement for recommendation of approval

Chairwoman Wallace asked if there are any limitation on Northern Waters ability to proceed without the south component of the project?

Mr. Wind stated that the project is anticipated to be phased with possibility of a two-year delay in the south plat component.

## **DISCUSSION**

Commissioner Jensen, Miller, Barnett, and Chairwoman Wallace discussed additions to the accepted conditions earlier in the hearing.

### **MOTION:**

*Commissioner Jensen moved that the Planning Commission adopt the following Resolution:*

*BE IT RESOLVED that the Planning Commission add a condition of approval to seek negotiations to attempt to add a 35-year management plan with a 25-year option to extend.*

*Commissioner Miller seconded the motion.*

*Commissioner Barnett, Jensen, Miller, Pontius and Stasiewicz voted in favor of the motion.*

*Chairwoman Wallace voted in opposition of the motion*

*Motion passed 5-1.*

**MOTION:**

*Commissioner Jensen moved that the Planning Commission adopt the following Resolution:*

*BE IT RESOLVED that the Planning Commission recommend approval to the Board of County Commissioners adoption of the Northern Integrated Supply Project, File #20-ZONE2657, subject to the conditions, the added condition of approval and accepting the language for the revised two conditions of approval presented on July 15, 2020.*

*Commissioner Miller seconded the motion.*

*Commissioner Stasiewicz, Pontius, Miller, and Jensen voted in favor of the motion.*

*Commissioner Barnett and Chairwoman Wallace voted in opposition of the motion.*

*Motion passed 4-2.*

**ADJOURN**

With there being no further business, the hearing adjourned at 9:18 p.m.

These minutes constitute the Resolution of the Larimer County Planning Commission for the recommendations contained herein which are hereby certified to the Larimer County Board of Commissioners.

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Nancy Wallace, Acting Chair

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Jeff Jensen, Acting Secretary