

LARIMER COUNTY: COMMUNITY DEVELOPMENT



NORTHERN INTEGRATED SUPPLY PROJECT (NISP)
1041 APPLICATION
20-ZONE2657

AUGUST 17, 2020



PUBLIC HEARING TONIGHT

1. Presentations

- Staff
- Applicant

2. Questions and answers from Commissioners

Starting on August 24, 2020 at 2:00 PM:

1. Public testimony (continue to August 24 and August 31 as needed)
2. September 2 at 6:30 PM, Q&A and Deliberation (no public testimony)
3. Motion and Recommendation

PRESENTATION OVERVIEW

Staff Report including attachments

- **Pages 3-16**, Staff Report to the Board of County Commissioners.
- **Pages 15-46 (Attachment A)**, Staff report to the Larimer County Planning Commission.
- **Pages 46-1139 (Attachment B)**, NISP WAE Application and Appendices, NISP WAE Supplemental Application Materials.
- **Pages 1140-1238 (Attachment C)**, Referral Agency Comments.
- **Pages 1239-1709 (Attachment D)**, Public Comments July 15 through August 6, 2020.
- **Pages 1710-3979 (Attachment E)**, Planning Commission public comments through July 15.
- **Pages 3980-3999 (Attachment F)**, Planning Commission minutes June 24, July 8, and July 15, 2020.

DEVELOPMENT REVIEW TEAM

- Rob Helmick, Senior Planner
- Don Threewitt, Planning Manager
- Daylan Figgs, Director, Department of Natural Resources
- Steven Rothwell, Civil Engineer II
- Lea Schneider, Environmental Health Planner
- Mark Peterson, County Engineer
- Lesli Ellis, Community Development Director

ORDER OF PRESENTATION

1. Introduction of 1041 Regulation and Process (Don)
2. Overview of application and history (Rob)
3. Referral Agency and Public Comments (Rob)
4. Recreation component (Daylan)
5. Review Criteria and Analysis (Don)
6. Construction Impacts (Steven)
7. Health and Safety Impacts (Lea)
8. Overall findings, staff and Planning Commission recommendations (Don)
9. Conditions of approval, Conclusions (Lesli)

1041 PERMIT: PURPOSE AND PROCESS

- **Chapter 14 of Larimer County Land Use Code (LCLUC)**

Purpose: *"to facilitate the identification, designation and regulation of areas or activities of state interest consistent with applicable statutory requirements."*

Applicability:

- **(Reservoir)** *"Site selection and construction of a new water storage reservoir or expansion of an existing water storage reservoir...in excess of 50 acres...used for the storage, regulation and/or control of water for human consumption or domestic use... A water storage reservoir shall also include all appurtenant uses, structures and facilities, roads, parks, parking, trails and other uses which are developed as part of the water storage reservoir."*
- **(Conveyances)** *"Siting and development of new or extended domestic water or sewer transmission lines which are contained within new permanent easements greater than 30 feet..."*

1041 PERMIT: CODE CONDITIONS TO BE MET

- **Chapter 14 of Larimer County Land Use Code** (LCLUC)
- **14.10 A** Applicant must submit a complete and sufficient application consistent with pre-application conference.
- **14.10 B** Applicant must demonstrate that the proposal, including all mitigation measures, complies with all applicable criteria set out in Section 14.
- **14.10 C** County Commissioners determine sufficient information.
- **14.10 D** Review Criteria for approval

1041 PERMIT: PURPOSE AND PROCESS

12 Review Criteria

- Section 14.2 D of the Larimer County Land Use Code
- Criteria evaluation: pgs. 24-35 of staff report
- Application must meet all 12 criteria, or conditions may be imposed.

1041 PERMIT: PURPOSE AND PROCESS

- Application submitted (2/21/20)
- Determined complete (3/18/2020)
- Internal analysis, agency referrals, and public comment period (3/18 – 6/24/2020)
- PC Hearing (June/July 2020)
- BCC Hearing (August 2020)

APPLICATION REQUEST

Northern Integrated Supply Project Water Activity Enterprise 1041 Permit Application Request for:

- A. Reservoir:** The siting and development of a water storage facility (Glade Reservoir), including recreational uses, facilities, and other appurtenances, in accordance with Section 14.4.K of the Larimer County Land Use Code, and
- B. Conveyances:** The siting and development of four separate raw water line segments, including supporting facilities and appurtenances, in accordance with Section 14.4.J. of the Larimer County Land Use Code.

APPLICATION REQUEST

- 170,000 acre-foot water storage reservoir,
- forebay, pumping facilities and
- Visitor center and recreational facilities
- Four 32 to 54-inch waterline segments and appurtenant facilities,
 - New 60-foot easement outside of ROW
 - New 40-foot temporary construction easement – or-
 - Within existing ROW

THE RESERVOIR

Glade Reservoir (pg. 5)

- 10 miles northwest of Fort Collins, and just north of the intersection of US 287 and SH 14 (Ted's Place)
- Five miles long, 250 feet deep, and have the capacity to store 170,000 acre-feet of water
-
- Surface area at full capacity will be approximately 1,600 acres (2.5 square miles)
-
- Dam 275 feet high, includes a spillway structure, low level inlet/outlet works, and a multi-level inlet/outlet tower
-
- Reconstructed diversion for the Poudre Valley canal
-
- Forebay reservoir which can store up to 2,000-acre feet, from which water will be pumped by 40,000 horsepower pumps

THE RESERVOIR



Left: Looking down valley (south) from the northern end of the project site.



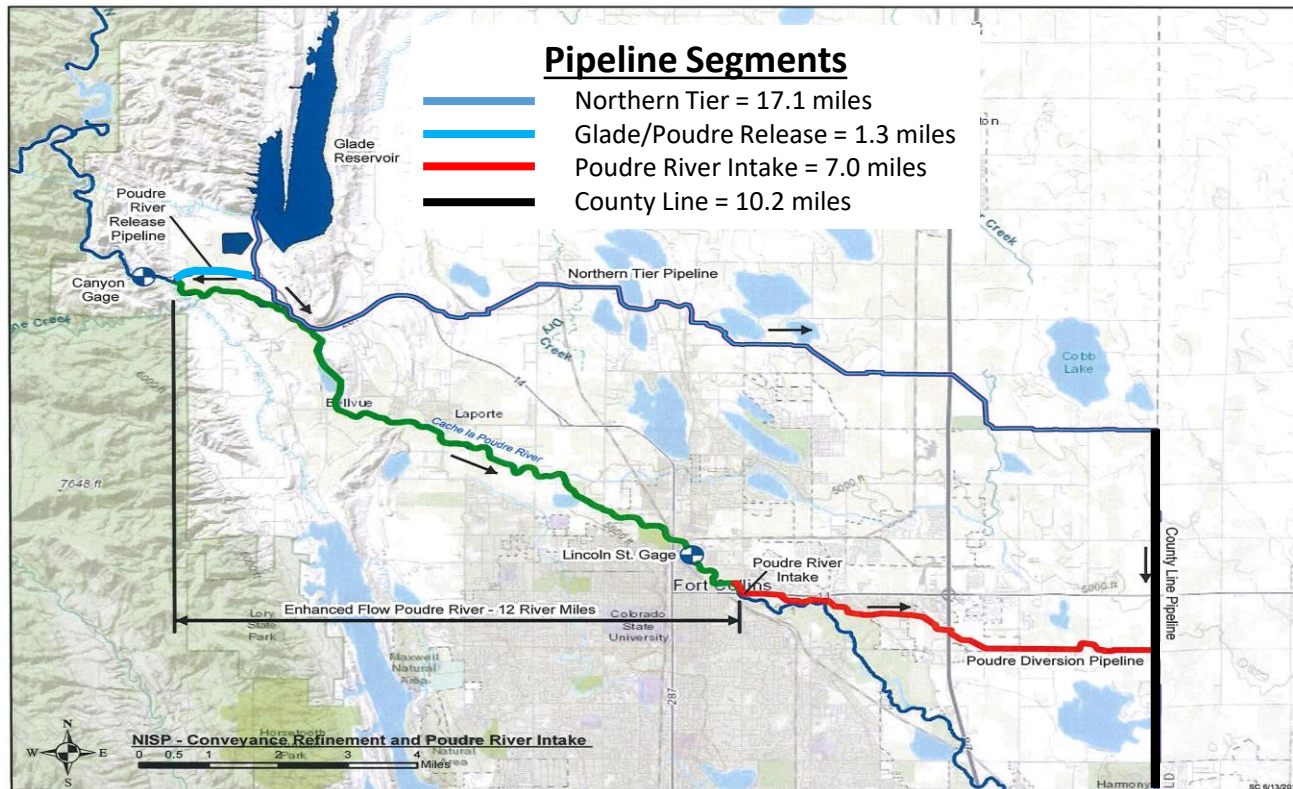
Left: Current conditions - looking north from Hwy 287 and Hwy 14.

Below: Proposed conditions with Glade Reservoir and Hwy 287 re-alignment.

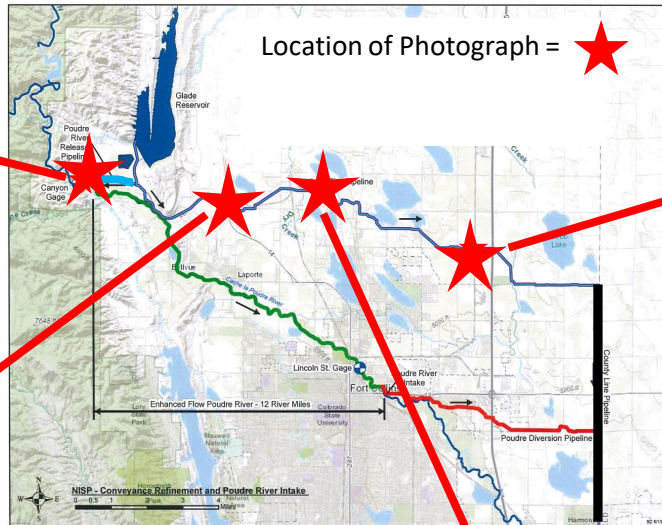


THE FOUR PIPELINE SEGMENTS

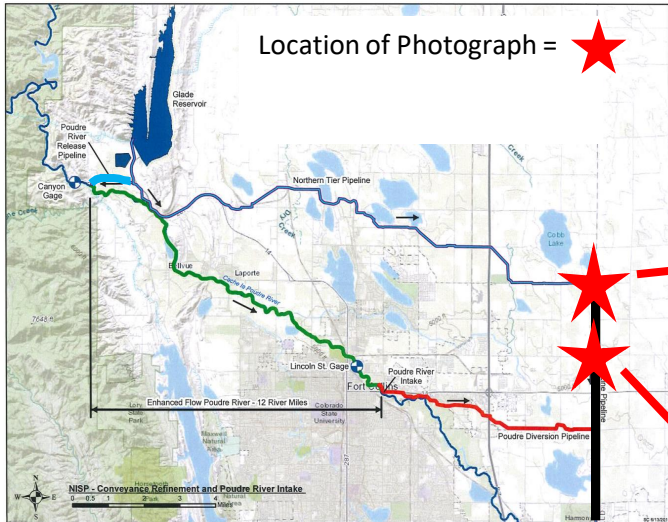
Pipelines, (pg. 6)



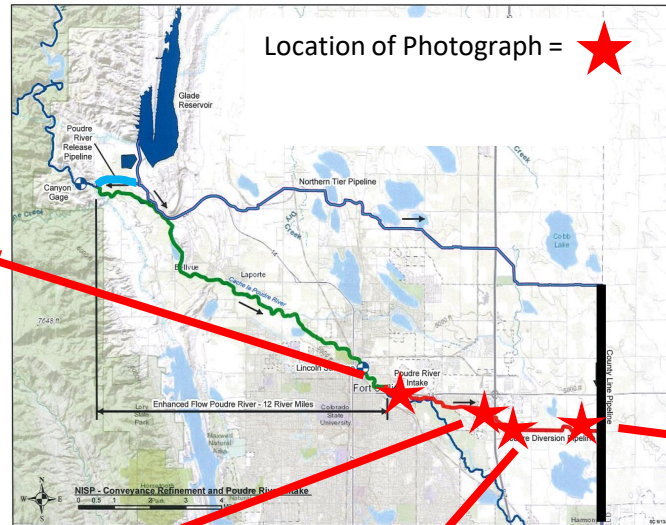
NORTHERN TIER



COUNTY LINE



POUDRE RIVER INTAKE



COOPERATING AGENCY, DEFINED

- Larimer County has been a cooperating agency beginning in 2004 and throughout the EIS process
- Public concerns about meaning of “cooperating agency”

CFR § 1501.6 Cooperating agencies.

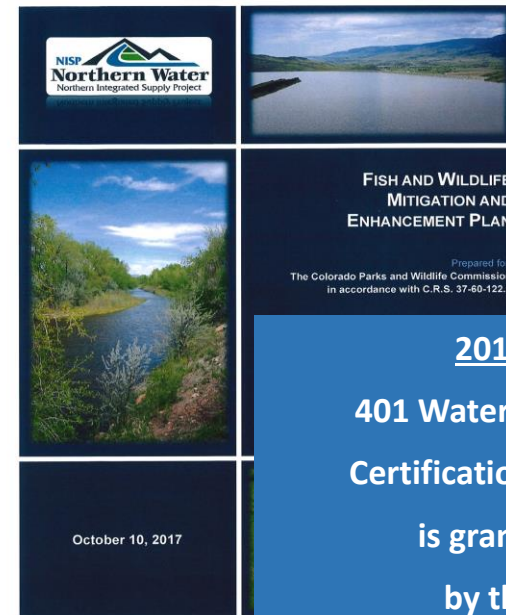
The purpose of this section is to emphasize agency cooperation early in the NEPA process. An agency may request the lead agency to designate it a cooperating agency.

(b) Each cooperating agency shall:

- (1)** Participate in the NEPA process at the earliest possible time.
- (2)** Participate in the scoping process (described in [§ 1501.7](#)).
- (3)** Assume on request of the lead agency responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.
- (4)** Make available staff support at the lead agency's request to enhance the latter's interdisciplinary capability.
- (5)** Normally use its own funds. The lead agency shall, to the extent available funds permit, fund those major activities or analyses it requests from cooperating agencies. Potential lead agencies shall include such funding requirements in their budget requests.

PROJECT HISTORY AND PERMITTING

Associated Documents and County Role



2019
**401 Water Quality
Certification Permit
is granted
by the
State of Colorado
as required
by the
Clean Water Act**

PERMITTING / OTHER AGENCIES

Additional permits and approvals pending or required:

- Record of Decision on the FEIS
- ACOE 404 permit(s)
- Permit from The State of Colorado –State Engineer –Dam Safety for the dam, inlet and outlet works and the forebay reservoir
- Permits from the State of Colorado CDPHE air and water quality
- Larimer County Floodplain Permits
- Larimer County ROW and Access permits
- Site Plan Review
- Building permits

REFERRAL AGENCY COMMENTS

Sent to over 30 agencies (Attachment C)

Comments received on technical and planning basis from:

- Internal Agencies
 - County Engineering
 - Road and Bridge
 - Environmental Health
 - Department of Natural Resources

REFERRAL AGENCY COMMENTS

Comments referred for technical and planning input from:

- External Agencies

CO Div. Parks and Wildlife	Soil Conservation	Division of Water Resources	CO Dept. of Transportation
Poudre Fire Authority	Livermore Fire District	Wellington Fire District	Xcel Energy
Fort Collins Sanitation District	Boxelder Sanitation District	North Weld County Water District	ELCO Water District
Northern Colorado Water Association	Town of Timnath	City of Fort Collins	City of Loveland
Town of Windsor	Town of Johnstown	Poudre Valley REA	BNSF Railroad
City of Greeley	Union Pacific Railroad	Windsor Reservoir and Canal	Water Supply and Storage
Jackson Ditch	Larimer Emergency Telephone Authority	North 40 News	

PUBLIC COMMENTS

Neighboring Property Owners

- Notice sent to property owners within 500 feet of pipelines and ½ mile of the reservoir site, approximately 1,200 total
- **Attachment D:** Comments directed to the Board of County Commissioners
- **Attachment E:** Comments directed to staff and the Planning Commission
- Over 800 responses

RECREATION REVIEW

2017 Reservoir Parks Master Plan

- Outlines future activities and development needs at existing reservoir parks
- Looks to the future to address population growth and recreation demands
- Identifies the need for additional flatwater recreation and diversity of recreation experience
- Emphasizes economical and environmental sustainability

RECREATION REVIEW

2017 Reservoir Parks Master Plan

- Does the property meet demand for public use and diversify recreation opportunities?
- Can enough revenue be generated at the reservoir park to cover the cost of managing recreation and park resources?
- Does the park have valuable natural or cultural resources?
- Does the purchase make additional recreational capacity possible in proximity to existing park and staff resources?
- Is Larimer County the best agency to manage the park?
- Does Larimer County's management increase public access and recreation opportunities or merely divert management from another agency's responsibility?

RECREATION PROPOSAL

1041 Application Proposed Amenities

- Camping sites (150 sites)
- Parking and day use (350 spaces)
- East side boat ramp & parking (200 spaces)

DNR Proposed Amenities (Unresolved)

- West side hand launch and parking



NOTE: Plan depicts a conceptual range of options and is subject to change.

GLADE RESERVOIR RECREATION AREA - ILLUSTRATIVE SITE PLAN
JANUARY 2020

- | | |
|-----------------------------------|--|
| 1 CAMPING AREA 1: 15-20 CAMPSITES | 4 FULL SERVICE CAMPING AREA: 70-80 RENTAL UNITS |
| 2 CAMPING AREA 2: 10-15 CAMPSITES | 5 VISITOR CENTER: 8,000-10,000 SF BUILDING + 40-50 SPACES |
| 3 CAMPING AREA 3: 10-15 CAMPSITES | 6 BOAT RAMP PARKING - LONG TERM: 20-30 SPACES + 40-50 TRAILER SPACES |
| 4 CAMPING AREA 4: 10-15 CAMPSITES | 7 BOAT RAMP PARKING - SHORT TERM: 15 SPACES + 18 TRAILER SPACES |
| 5 CAMPING AREA 5: 5-15 CAMPSITES | |



1041 RECREATION PROPOSAL

- \$21.8M in total recreation commitments proposed in 1041 application
 - \$16.35M committed by NISP-WAE (75%)
 - \$5.45M partnership contributions (25%)
- Prior \$5.25M in recreation commitments were made as conditions of approval by other entities (100% funding committed by NISP WAE)
 - Poudre Canyon recreation parking
 - Glade Reservoir fishery and boat access
 - West and north side trails
 - Visitor Center

RECREATION COMMENTS

- Resolve provision for hand launch & parking at the west abutment prior to 1041 approval.
- Support change in lease terms as recommended by Planning Commission.
- NISP WAE is 100% responsible for recreation commitments made prior to the 1041 as conditions of approval by other entities.
- NISP WAE will fund a minimum of 75% of additional recreation commitments outlined in the 1041 application.
- Identify the need and support the development of a *Recreation Development Plan*.

ENVIRONMENTAL CONSIDERATIONS

- Environmental impacts are considered through various federal and state processes
- Various plans and requirements are in place for mitigating impacts to aquatic resources, wildlife and wetlands.
- Mitigation efforts include habitat improvement and/or replacement, flow regulation, and land conservation.

ENVIRONMENTAL COMMENTS

- NISP WAE be responsible to conserve land equivalent to the acres permanently impacted by reservoir site.
- NISP WAE will consult with DNR when implementing commitments for land conservation efforts near Glade Reservoir.
- NISP WAE is fully responsible for environmental commitments made outside of the 1041 process.
- Larimer County staff will participate as a stakeholder in NISP WAE ongoing adaptive management planning on the Poudre River.

REVIEW CRITERIA OVERVIEW (1/2)

1. The proposal is consistent with the master plan and applicable intergovernmental agreements affecting land use and development.
2. The applicant has presented reasonable siting and design alternatives or explained why no reasonable alternatives are available.
3. The proposal conforms with adopted county standards, review criteria and mitigation requirements concerning environmental impacts, including but not limited to those contained in [the Larimer County] Code.
4. The proposal will not have a significant adverse affect on or will adequately mitigate significant adverse affects on the land or its natural resources, on which the proposal is situated and on lands adjacent to the proposal.
5. The proposal will not adversely affect any sites and structures listed on the State or National Registers of Historic Places.
6. The proposal will not negatively impact public health and safety.

REVIEW CRITERIA OVERVIEW (2/2)

7. The proposal will not be subject to significant risk from natural hazards including floods, wildfire or geologic hazards.
8. Adequate public facilities and services are available for the proposal or will be provided by the applicant, and the proposal will not have a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems.
9. The applicant will mitigate any construction impacts to county roads, bridges and related facilities. Construction access will be re-graded and re-vegetated to minimize environmental impacts.
10. The benefits of the proposed development outweigh the losses of any natural resources or reduction of productivity of agricultural lands as a result of the proposed development.
11. The proposal demonstrates a reasonable balance between the costs to the applicant to mitigate significant adverse affects and the benefits achieved by such mitigation.
12. The recommendations of staff and referral agencies have been addressed to the satisfaction of the county commissioners.

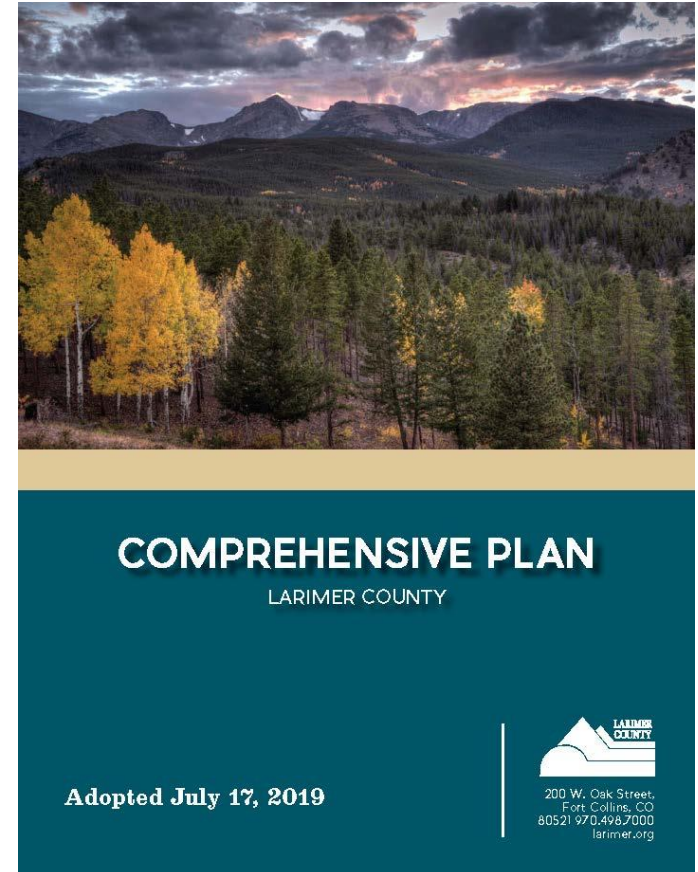
CRITERION 1: PLAN CONFORMITY (PG. 9)

The proposal is consistent with the master plan and applicable intergovernmental agreements affecting land use and development.

Larimer County Comprehensive Plan (2019)

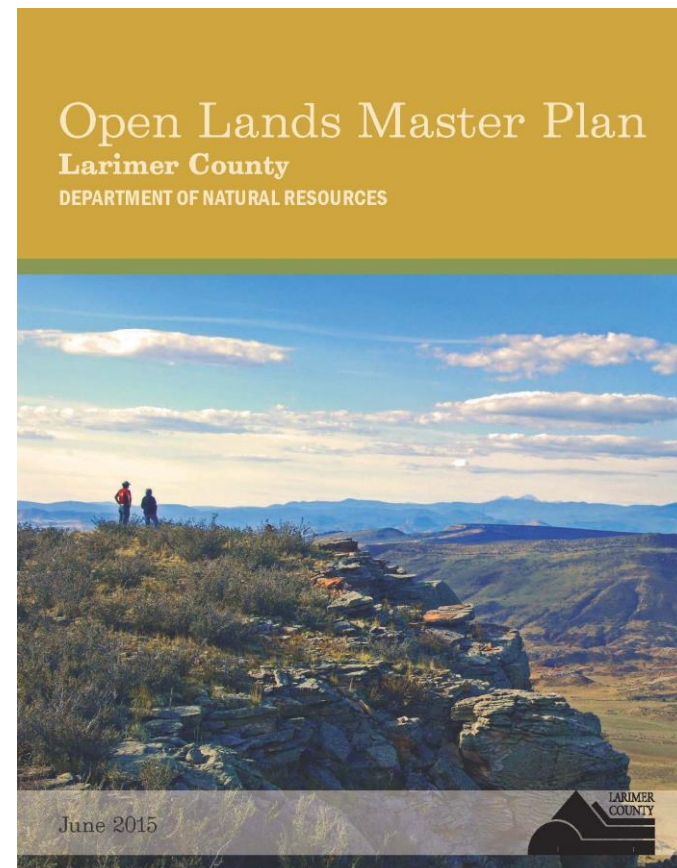
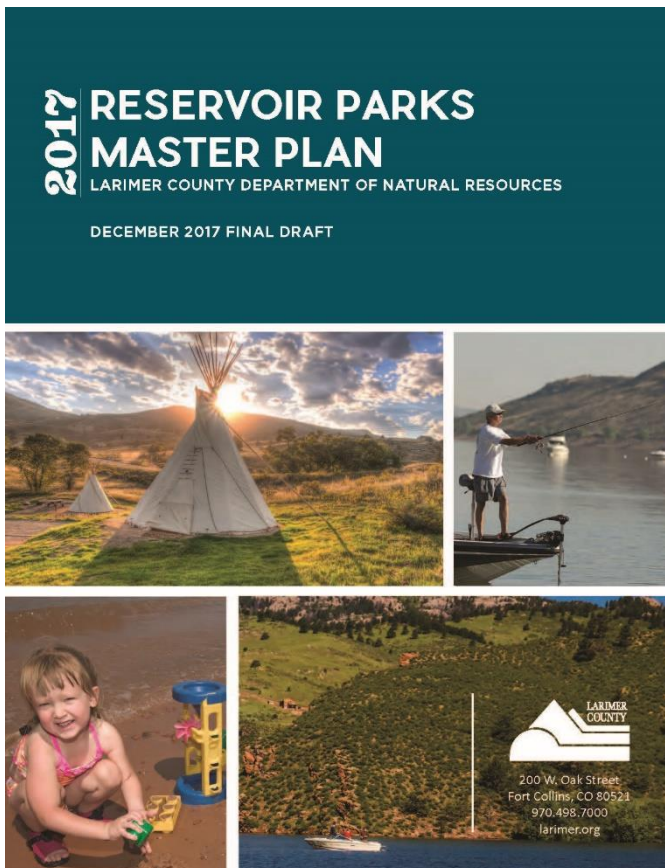
Reservoirs not explicitly defined, but align with broad goals, criteria and metrics:

1. Mountain and Foothills Framework Map “essential questions.”
2. Watershed and Natural Resources component.



CRITERION 1: PLAN CONFORMITY (PG. 9)

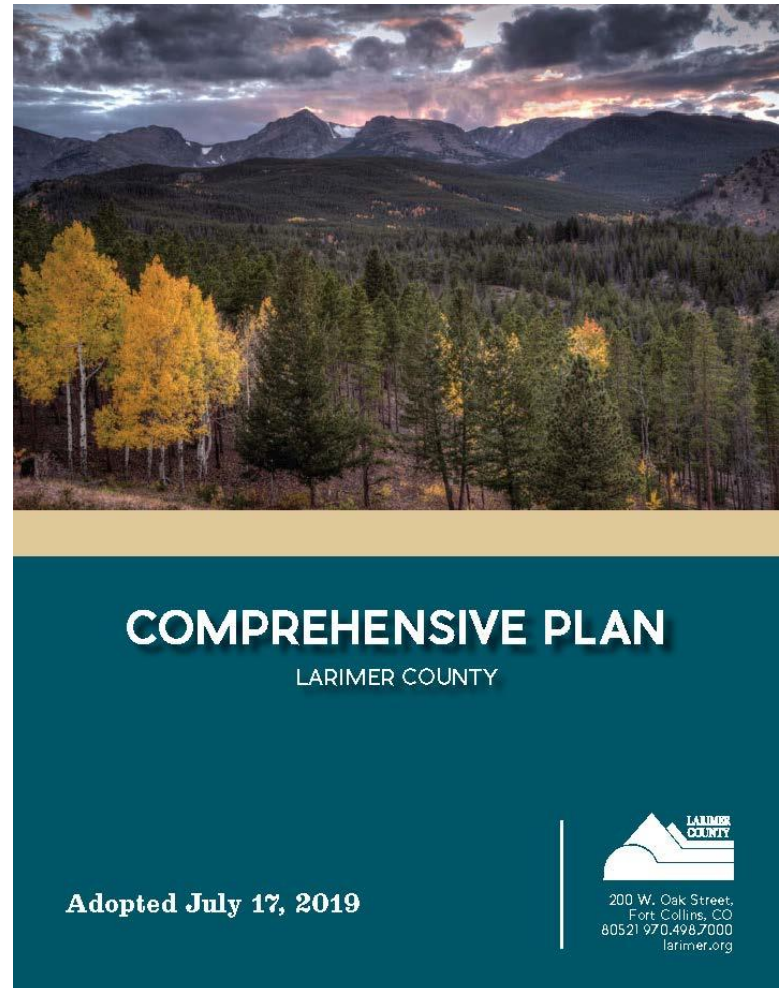
Larimer County Parks Master Plan (2017) and Open Lands Master Plan (2015)



CRITERION 1: PLAN CONFORMITY (PG. 24)

Larimer County Comprehensive Plan (2019)

Conveyances not explicitly defined, but align with broad goals, criteria and metrics.



CRITERION 2: ALTERNATIVES (PG. 26)

The applicant has presented reasonable siting and design alternatives or explained why no reasonable alternatives are available.

EIS conducted alternatives analysis, including “No Action”

Final EIS (2018), Chapter 2

- 215 elements screened:

Reservoir

- 15 reservoir rehabilitation sites,
- 35 reservoir enlargement sites,
- 147 new reservoir sites,
- 6 groundwater aquifers,
- 12 gravel lakes

CRITERION 2: ALTERNATIVES (PG. 26)

Conveyance alternatives outlined in the NISP WAE Application:

Technical Memo 3 “Conveyance Routing Assessment,” and
Appendix A “Route Alternatives Analysis.”

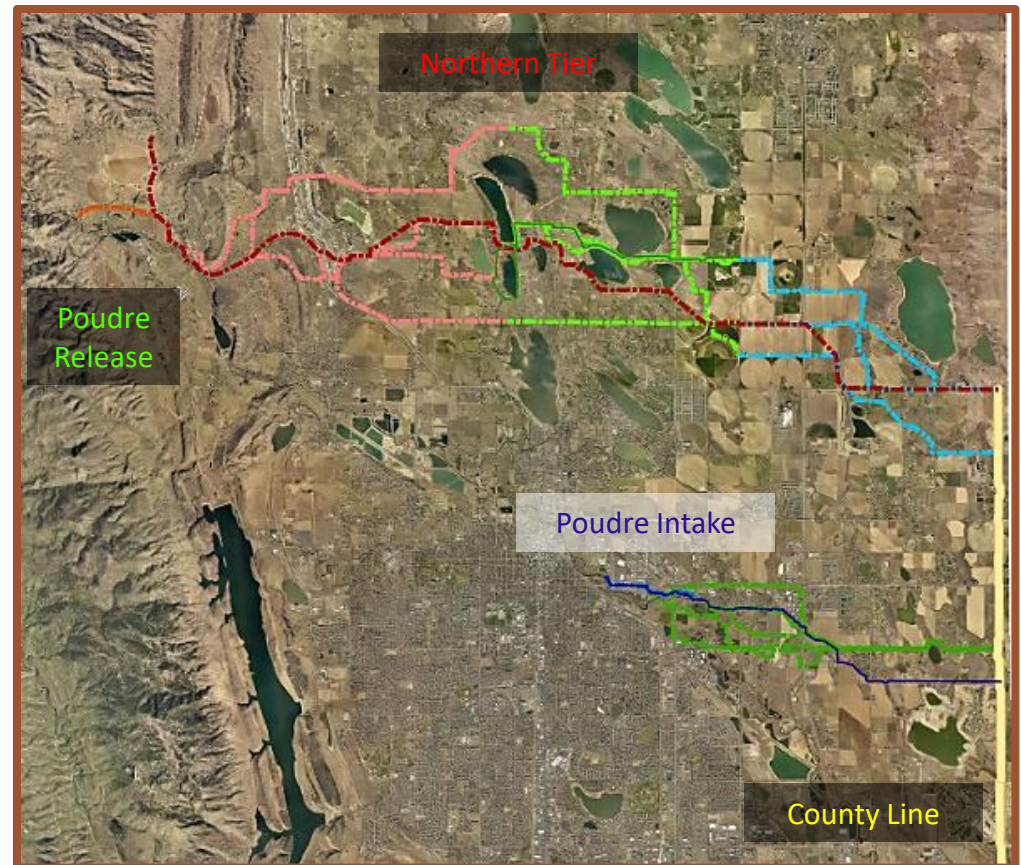
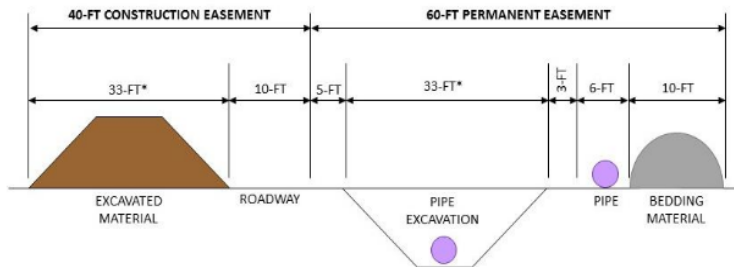
- Criteria: major corridors, land and residential impacts, environmental impacts, county facilities.
- Multiple alternatives for each pipeline segment.

CONVEYANCE LINES

Conveyance Lines

- Poudre Intake
- Glade/Poudre Release
- Northern Tier
- County Line

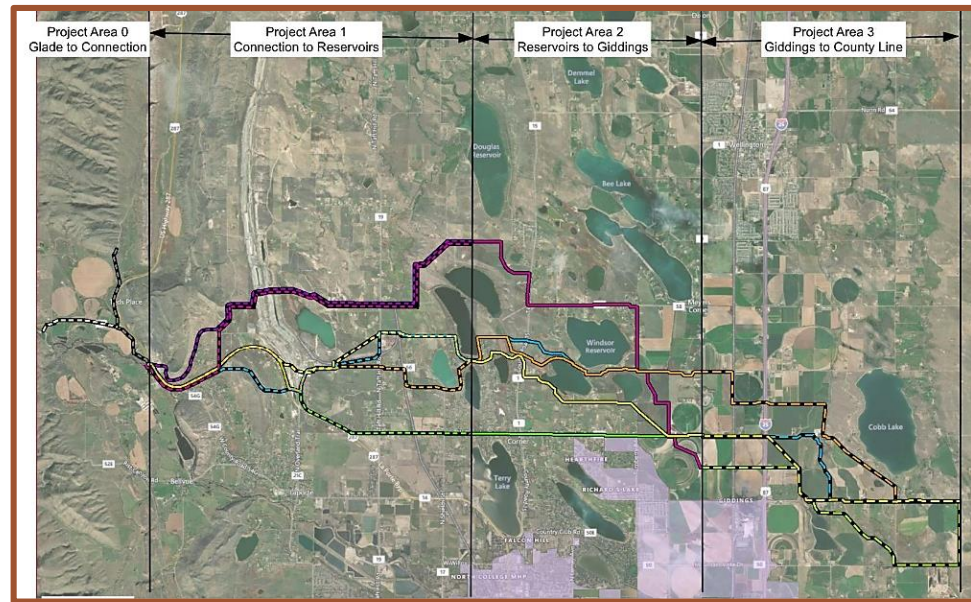
Northern Integrated Supply Project
PRELIMINARY 100-ft Easement
for Single 48-inch Pipeline



ALTERNATIVE ANALYSIS

1. Selection of Evaluation Performance Criteria

- Examples include the Proximity to
 - Occupied Structures
 - High Volume Roadways
 - ROW (In or Out)
 - Congested Utility Corridors
 - Subdivisions and Urbanized Areas
 - Hazardous Areas (Floodplain)



2. Evaluation of Alternative Alignment Segments

3. Selection of Preferred Alignment

EXAMPLE ALIGNMENT EVALUATION

ALTERNATIVE WITH HIGHER TOTAL IMPACTS

Alternative Name	Alignment P-1	
Alternative Location & Description	Poudre Intake Alternative P-1 begins at the same location as Alternative P-0 and follows the same path until just east of the I-25 crossing. From this point, Alternative P-1 stays on the north side of the Cache to Poudre Inlet canal and the north side of East Prospect Road. Traversing Easterly along the north side of East Prospect Road, the alignment diverts around Deadman Lake. After getting past the lake, the alignment crosses Prospect Rd twice to avoid residences before ending at the intersection of Prospect Rd and County Line Road, where it ties in with the proposed County Line Alignment.	
Criteria	Ranking	Comments
Capital Cost	Green	\$ 11,749,000
Conduit Length	Green	5.9 miles; 31,100 feet
Easement Difficulty	Green	32 parcels crossed, 5 non-perimeter crossings
Right-of-Way Impact	Green	400 LF in ROW
Land Owner Impact	Yellow	3 driveways crossed, moderate subjective landowner impacts
Proximity to Occupied Dwellings	Red	Within 100-feet of 48 dwellings
Environmental Impacts and Floodplain Crossings	Yellow	1,000 LF of wetlands/riparian areas crossed and 8,800 LF of floodplain crossed
Existing Utilities	Green	Low utility density
Hazardous/Permitted Crossings	Green	No hazardous/permitted crossings known
Surface and Street Impacts	Green	0 LF in gravel roads and 400 LF in paved roads (Cherry St)
Traffic Impacts	Green	1,400 LF of low, 0 LF of medium, 400 LF of high, traffic impact score of 3,000
Water Storage Reservoirs Impacts	Green	No impacts expected
Construction Duration and Relative Constructability	Yellow	298 days of construction
Required Trenchless Crossing	Yellow	1 HW crossing (I-25), 2 CR crossings (CR-5, CR-3), 4 other road crossings (Timberline, Summit View, Prospect 2a) and 1,400 feet total trenchless
Development Pressure	Yellow	7500 LF of near-term developments
Operation and Maintenance Access	Yellow	Convenient access with trail system and ditch road west of I-25. East of I-25, proximity to Prospect makes for relatively easy access.
O&M Requirements	Yellow	6 ARV and B/O pairs
Natural Resources Impacts	Yellow	5,700 LF ₂ in Fort Collins Natural Areas, 450 LF in riparian corridor
1 Score was adjusted relative to the newly assessed alternative		
2 Length was changed from previous submittal due to additional information acquired		

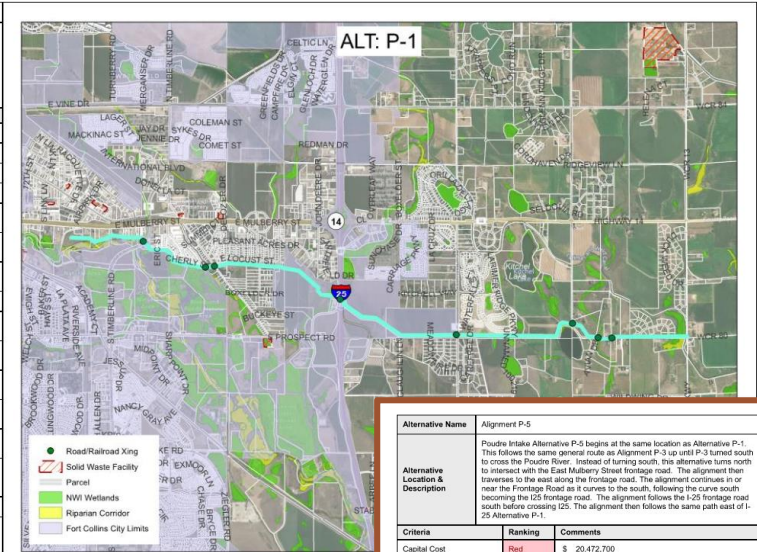


Figure P.3 – Alternative P-1

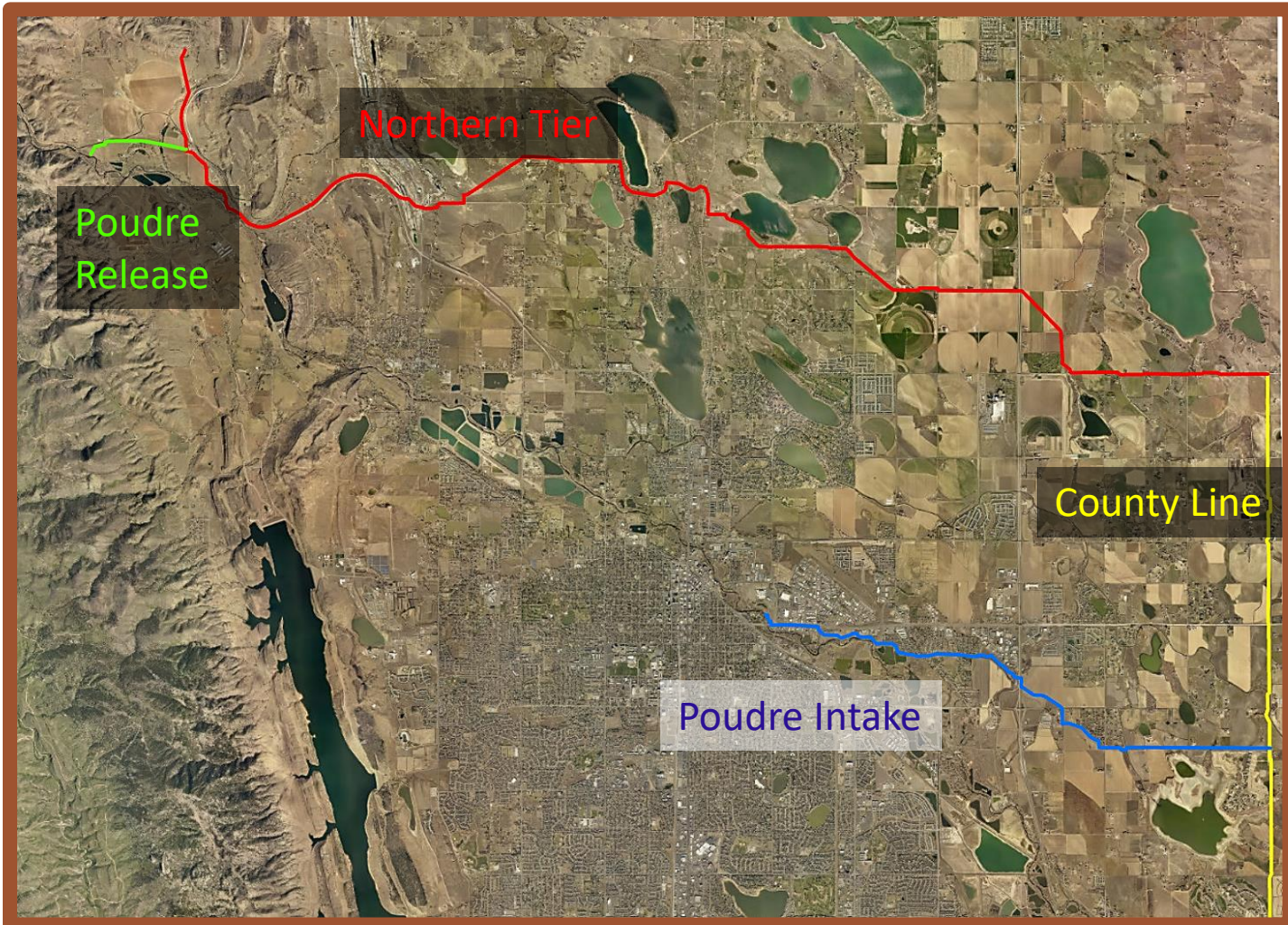
ALTERNATIVE WITH FEWER TOTAL IMPACTS

Alternative Name	Alignment P-5		
Alternative Location & Description	Poudre Intake Alternative P-5 begins at the same location as Alternative P-1. This follows the same general route as Alignment P-3 up until P-3 turned south to cross the Poudre River. Instead of turning south, this alternative turns north to intersect with the East Mulberry Street frontage road. The alignment then traverses to the east along the frontage road. The alignment continues in or near the Frontage Road as it curves to the south, following the curve south becoming the US frontage road. The alignment follows the I-25 frontage road south before crossing I-25. The alignment then follows the same path east of I-25 Alternative P-1.		
	Criteria	Ranking	Comments
	Capital Cost	Red	\$ 20,472,700
	Conduit Length	Yellow	6.3 miles, 33, 000 feet
	Easement Difficulty	Green	29 parcels crossed, 3 non-perimeter crossings
Right-of-Way Impact	Red	12,000 LF in ROW.	
Land Owner Impact	Red	9 driveways crossed, significant subjective landowner impacts	
Proximity to Occupied Dwellings	Red	Within 100 feet of 33 dwellings	
Environmental Impacts and Floodplain Crossings	Green	400 LF wetlands/riparian areas crossed and 2,100 LF of floodplain crossed	
Existing Utilities	Red	High utility density	
Hazardous/Permitted Crossings	Red	1 hazardous/permitted crossing known	
Surface and Street Impacts	Red	0 LF in gravel roads and 10,000 LF in paved roads (Frontage Road 5)	
Traffic Impacts	Red	1,250 LF of low, 0 LF of medium, 10,000 LF of high, traffic impact score of 41,250	
Water Storage Reservoirs Impacts	Green	No impacts expected	
Construction Duration and Relative Constructability	Red	392 days of construction	
Required Trenchless Crossings	Green	1 HW crossing (I-25), 2 CR crossings (CR-5, CR-3), 3 other road crossings and (Timberline, Prospect 2a) 1,250 feet total trenchless	
Development Pressure	Green	5000 LF of near-term developments	
Operation and Maintenance Access	Red	Inconvenient access due to traffic control and safety from being in/near existing busy roads for majority of length	
O&M Requirements	Red	3 ARV and BO pairs. Multiple foreign pipeline crossings, high CF O&M requirements.	
Natural Resources Impacts	Green	2,000 LF ₂ in Fort Collins Natural Areas	
1 Score was changed relative to the newly assessed alternative 2 Length was adjusted from previous submittal due to additional information acquired			



Figure P.7 – Alternative P-5

NORTHERN'S PREFERRED ALIGNMENTS



CRITERION 9: CONSTRUCTION IMPACT MITIGATION (PG. 33)

The applicant will mitigate any construction impacts to county roads, bridges and related facilities. Construction access will be re-graded and re-vegetated to minimize environmental impacts.

Construction Impacts

- Public/Private Property and Roadways
- Traveling Public (Traffic & Access)
- Land (Drainage, Vegetation, Future Use)

CONSTRUCTION IMPACTS (ROADWAYS)

Roadway Surfacing (Indirect & Direct)

- Direct
 - Conveyance Crossings
 - Conveyance Construction within ROW
- Indirect
 - Haul Routes
 - Staging & Access



Example Construction Photo from Southern Water Supply Line

TRAFFIC IMPACTS

Project Components

Reservoir Component (SH14 & US287)

- 393-1,572 ADT

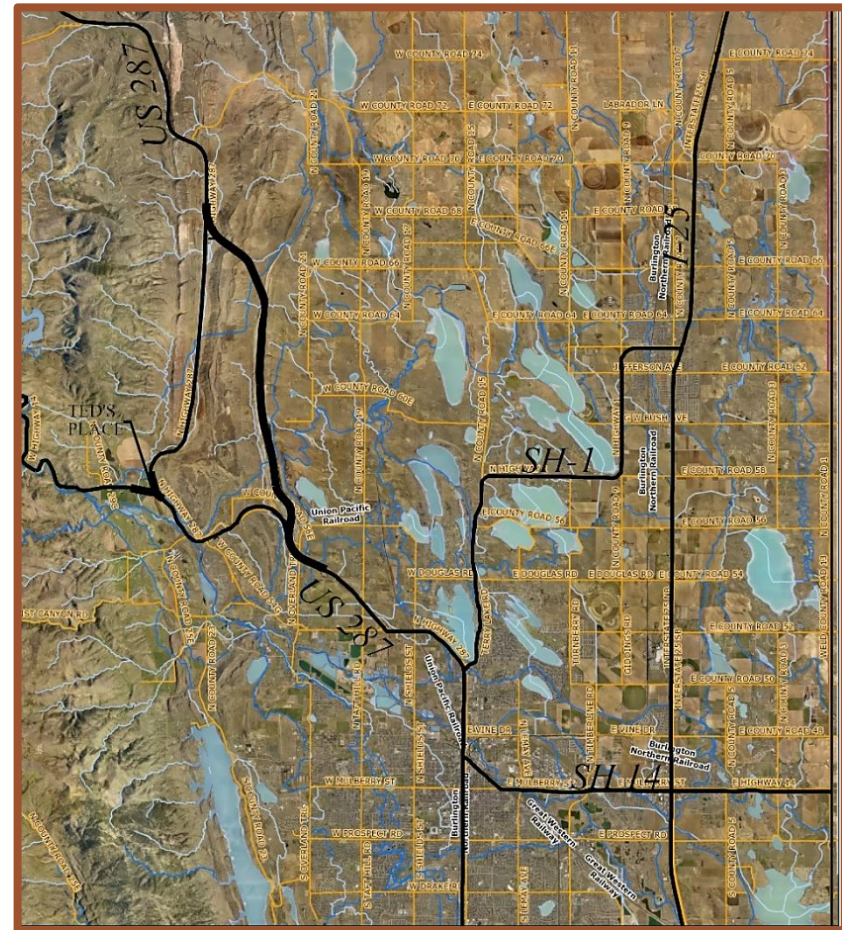
Recreation Component (SH14 & US287)

- 1,150 ADT

Conveyance Construction (Various)

- 82-300 ADT

*Average Daily Trips (ADT)



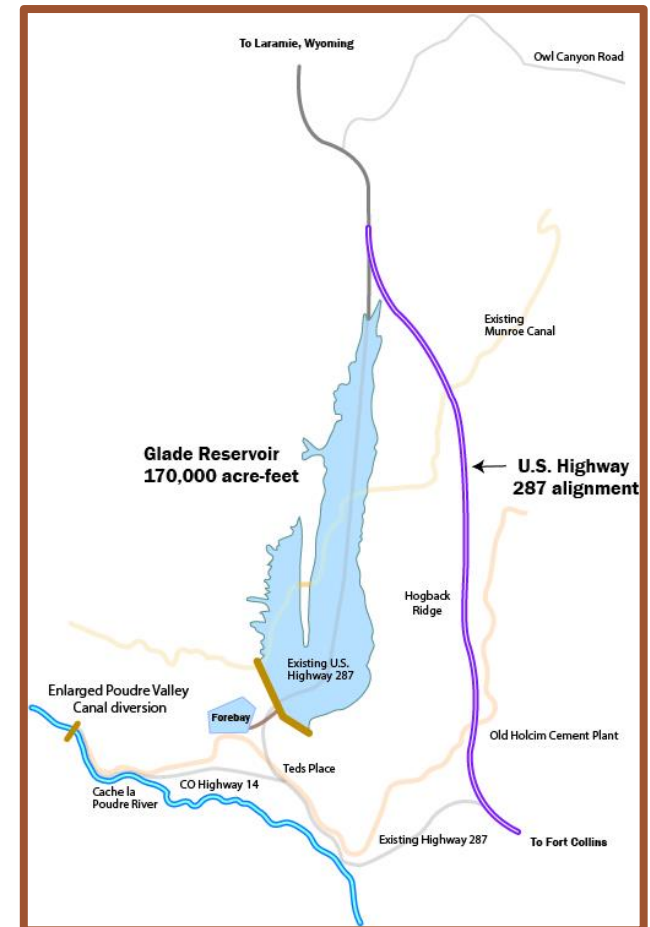
US 287 REALIGNMENT

Realignment Process

- County 1041 Regulations do not regulate State Highways
- If approved, CDOT will manage realignment design and construction
- Realignment Funding to come from NISP

Areas of Concern

- Increased traffic to US-287 & CR-21C Intersection
- Maintain access to parcels currently taking access off US-287 or adjoining County Roadways



CRITERION 9: CONSTRUCTION IMPACT MITIGATION (PG. 33)

Impact Mitigation Measures

- Construction Specific Conditions of Approval
 - Construction Access and Traffic Management Plan
 - Dust & Noise Mitigation Plan
 - Local and State Construction Permitting Processes (e.g. ROW, Floodplain, Stormwater)
 - Groundwater Monitoring
 - Alignment Variation Review
 - US287's impact to County Roadways

CRITERION 3: COUNTY STANDARDS (PG. 27)

The proposal conforms with adopted county standards, review criteria and mitigation requirements concerning environmental impacts.

Standards, criteria and mitigation requirements include, but are not limited to regulations contained in Section 8 of LCLUC.

- **Reservoir and Conveyances--**
 - Section 8.2 Wetland Areas
 - Section 8.3 Hazard Areas
 - Section 8.4 Wildlife
 - Section 8.8 Irrigation Facilities
 - Section 8.11 Air Quality Standards
 - Section 8.12 Water Quality Management Standards

CRITERION 4: NATURAL RESOURCES IMPACTS (PG. 29)

The proposal will not have a significant adverse affect on or will adequately mitigate significant adverse affects on the land or its natural resources, on which the proposal is situated and on lands adjacent to the proposal.

Reservoir- Commitments, mitigation, enhancements and permits secured preceding this application adequately mitigate impacts, and include:

- FEIS and 404 permit- wetland and wildlife habitat impacts
- FWMEP- stream flow, fisheries and wildlife impacts
- 401 permit- water quality mitigation and long-term monitoring

CRITERION 4: NATURAL RESOURCES IMPACTS (PG. 29)

Conveyances- Sited in generally undeveloped areas (Northern Tier) and significantly developed areas (pt. Northern Tier, Poudre Intake, pt. County Line), impacts include:

- Vegetation disruption – mitigated by BMPs
- Ecological impacts to natural areas.

CRITERION 5: CULTURAL RESOURCES

(PG. 30)

The proposal will not adversely affect any sites and structures listed on the State or National Registers of Historic Places.

- FEIS – 2018 Cultural Resources study
- ACOE analysis evaluated Cultural Resources impacts.
- Programmatic Agreement with SCHPO to comply with National Historic Preservation Act (NHPA) required in the event of future discoveries.

CRITERION 6: PUBLIC HEALTH AND SAFETY (PG. 31)

The proposal will not negatively impact public health and safety.

- Air Quality
 - Construction Phases
 - Short-term impacts from dust and nitrogen oxides
 - Mitigation conditions:
 - Fugitive dust control plan and State-level air quality permits
 - Air Quality Mitigation Plan for ozone precursors

CRITERION 6: PUBLIC HEALTH AND SAFETY (PG. 31)

The proposal will not negatively impact public health and safety.

- Noise
 - Construction Phases
 - Mitigation condition:
 - Noise mitigation plan with active monitoring
 - Operation of Glade Unit Complex and Recreation
 - Condition for technical review applications:
 - Predictive noise analysis with mitigation strategies to reduce impacts

CRITERION 6: PUBLIC HEALTH AND SAFETY (PG. 31)

The proposal will not negatively impact public health and safety.

- Drinking Water
 - Construction & Operation of the Glade Unit
 - Historic trichloroethylene (TCE) contaminant is now below cleanup criteria of 5µg/L
 - Mitigation condition
 - Private Well Water Monitoring Plan for properties west of Highway 287, north of Highway 14 and 5,000 ft or less from the former missile site.

CRITERION 7: HAZARDS RISK (PG. 31)

The proposal will not be subject to significant risk from natural hazards including floods, wildfire or geologic hazards.

LCLUC Section 8.3; Application Technical Memo 8

Reservoir

Seismic Concerns

- *Colorado Office of the State Engineer, Dam Safety* to permit dam construction
- 3 studies conducted; findings incorporated into final design
- 2 inactive faults associated with dam and reservoir components

Wildfire Concerns

- Increased risk from recreation, mitigation strategies identified
- Access on west side of reservoir, PVA requests additional study

Conveyances

Floodplain

- Pipeline routes cross several floodplains, analysis needed at technical review

CRITERION 8: ADEQUATE PUBLIC FACILITIES (PG. 32)

Adequate public facilities and services are available for the proposal or will be provided by the applicant, and the proposal will not have a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems.

Reservoir

- Water and sewer provision for recreational uses -- Technical Review phase
- 287 Relocation impacts:
 - Request further analysis and coordination with CDoT for intersection at realignment
 - Request applicant traffic study of affected roadways and intersections.

Conveyances

- Temporary impacts mitigated through permitting standards and BMPs.

CRITERION 10: COST/BENEFIT RESOURCES AND AG LAND (PG. 34)

The benefits of the proposed development outweigh the losses of any natural resources or reduction of productivity of agricultural lands as a result of the proposed development.

FEIS, FWMEP

Reservoir

- Agricultural land
 - 150 acres directly impacted
 - WaterSecure program initiated
- Recreational
 - DNR input on scope, scale, location, and character
 - DNR recommends cost-share
 - Applicant contributions are part mitigation resulting from previous approvals, part are voluntary

Conveyances – Temporary construction disruptions adequately mitigated.

CRITERION 11: BALANCED MITIGATION

(PG. 34)

The proposal demonstrates a reasonable balance between the costs to the applicant to mitigate significant adverse affects and the benefits achieved by such mitigation.

Reservoir

- FWMEP commits \$53M to mitigation and enhancement.
- 80% of improvements occur in the county totaling \$49M.
- 90% of plan's funding benefits Larimer County.

Conveyances

- Temporary construction impacts
- Easement agreements – restoration and compensation
- Ecological impacts to specified natural areas
- Some owner impacts may require additional mitigation or realignment

CRITERION 12: STAFF AND AGENCY RECOMMENDATIONS (PG. 38)

The recommendations of staff and referral agencies have been addressed to the satisfaction of the county commissioners.

- 31 internal and external referral agencies contacted
- All written responses included in Attachment C
- Referral comments generally include:
 - Requests for additional analysis
 - Requests for alternatives to avoid impacts
 - Provide conditions which have been incorporated or are referenced
 - Identify additional permits, permissions, and coordination needed

CRITERION 12: STAFF AND AGENCY RECOMMENDATIONS (PG. 38)

The recommendations of staff and referral agencies have been addressed to the satisfaction of the county commissioners.

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- All written responses included in Attachment C
- Referral comments generally include:
 - Requests for additional analysis
 - Requests for alternatives to avoid impacts
 - Provide conditions which have been incorporated or are referenced
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OVERALL FINDINGS (PG. 38)

- Staff finds that the application meets the Review Criteria as presented subject to:
 - Requests for mitigation, resolution, or further analysis as outlined.
 - Components of each request are included in staff and Planning Commission's recommended Conditions of Approval.
 - Commissioners may add or amend to the Conditions at their discretion.

UNRESOLVED FINDINGS (PG. 5)

- Staff finds that 2 unresolved topics warrant additional discussion:
 - Addressing communication, temporary and permanent impacts on residential areas, including the Eagle Lake neighborhood.
 - Addressing the City of Fort Collins' concerns regarding easements and construction through the City Natural Areas (Attachment C, pg. 1145).

SUGGESTED MOTION (P. 7)

- I move that the Board of County Commissioners Approve of the NORTHERN INTEGRATED SUPPLY PROJECT 1041, FILE #20-ZONE2657 subject to the conditions outlined in the memo.

PC RECOMMENDATION (P. 7)

Planning Commission's recommendation to the BCC:

- The Larimer County Planning Commission recommends that the Board of County Commissioners Approve of the NORTHERN INTEGRATED SUPPLY PROJECT 1041, FILE #20-ZONE2657 subject to the conditions outlined in the memo and the new condition of approval and accepting the change of wording for the other two conditions as discussed (4-2).

AMENDMENTS TO CONDITIONS OF APPROVAL (P. 6)

- **Project wide 2.d Condition.**
- *Prior to construction, the applicant shall obtain all permits, permissions, and licenses necessary to cross all affected irrigation companies and other utility and infrastructure that are impacted by this project –either at the reservoir or due to pipelines crossing their facilities.*
- **Pipeline 2.b Condition.**
- *The approval of pipeline(s) alignments anticipates that there may be minor deviations from said alignment, 100 feet or less on either side of the approved alignment to accommodate field issues without reconsideration of the approval. Significant alterations to the route, 100-feet or more on either side of the approved alignment or alignment changes on private property without explicit the approval of the landowner, shall be evaluated by the County prior to commencing activity and may be subject to reconsideration by the Board of County Commissioners.*

PC PROPOSED AMENDMENT, CONDITIONS OF APPROVAL (P. 6)

- **Condition 1.a. New Recreation Facility Condition Proposed:**
- *To seek negotiations to attempt to add a 35-year management plan with a 25-year option to extend (5-1).*

PROJECT-WIDE CONDITIONS (P. 7-11)

1. General
2. Development Review and Construction Permitting
 - a. All state, federal, and local permits
 - b. Traffic Control and Management plan
 - c. Crossings, closures, obstructions to roadways
 - d. Irrigation companies
 - e. Prior to construction, 11 submittals
 - f. Comply with Floodplain regulations

PROJECT-WIDE, CONT. (P.7-11)

3. Construction (applicant) must:

- a. Comply with all permits
- b. Allow county staff access
- c. Reimburse county for reasonable costs
- d. Invite to regularly scheduled coordination meetings
- e. As-built construction plans
- f. Septic systems
- g. Acceptable workdays and hours
- h. As built survey data and GIS shapefiles
- i. Noise ordinance

OTHER CONDITIONS

Reservoir (p. 11)

1. Next Steps – Site Plan Review
2. Development Review
3. Noise
4. Other

Recreation Facility (p. 11)

Pipelines (p. 12)

1. Development Review
2. Construction

UPCOMING DATES

- Aug. 24** 2 p.m. Public testimony begins
- Aug. 31** 3 p.m. Public testimony may continue
- Sep. 2** 6:30 p.m. Q&A and Deliberation as needed, no public testimony

PUBLIC REGISTRATION

Sign-up through Aug 24 at 10 am.

- Here:

**[https://www.larimer.org/planning/
NISP-1041](https://www.larimer.org/planning/NISP-1041)**

- Individuals will speak in the order of registrations received.
- No groups, but individuals may coordinate order. Email Lesli Ellis: ellislk@larimer.org

Questions for Staff?

END OF PRESENTATION