

Northern Water, environmental groups settle Chimney Hollow lawsuit for \$15 million in river improvements

Construction will begin this year on reservoir west of Loveland



Power lines for the Western Area Power Administration run through a valley at Chimney Hollow west of Loveland Wednesday, Sept. 16, 2020. These power lines were moved in December to make way for Chimney Hollow Reservoir. (Jenny Sparks/Loveland Reporter-Herald)

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<https://www.reporterherald.com/2021/04/21/northern-water-environmental-groups-settle-chimney-hollow-lawsuit-for-15-million-in-river-improvements/>

A settlement that funnels \$15 million to improve habitat and water quality on the Colorado River has ended a lawsuit over Chimney Hollow Reservoir.

Northern Water agreed to contribute \$15 million to a foundation to pay for projects that enhance the Colorado River, and a coalition of environmental groups agreed to dismiss the lawsuit that was before the 10th Circuit Court of Appeals in Colorado.

Jeff Stahla, spokesman for Northern Water, said the water district decided to settle the case so construction could begin yet in 2021, halting any further delays.

“When we see where the money is going to go — it’s going to projects in the headwaters of the Colorado River — that’s something we could get behind,” said Stahla.

Northern Water referred to the agreement as a compromise. Gary Wockner, spokesman for Save the Poudre, specified that it was a settlement, not a compromise.

“The federal laws are weak, and the courts are unfriendly to environmental arguments against dams,” Wockner said, “and so we decided the best path forward was to settle the lawsuit.”

He said the agreement ends an 18-year battle over the permitting and construction of Chimney Hollow and three years of litigation in federal court. And it pumps \$15 million into projects in Grand County aimed at improving riparian zones, aquatic habitat and water quality.

The Grand Foundation will hold the \$15 million in trust, and both sides of the lawsuit will appoint three advisers to decide what projects on which to spend the money.

All of the money goes to help the river, Wockner said, specifying that none of the environmental groups that filed the lawsuit will receive any settlement funds.

The Northern Water Municipal Subdistrict voted 10-1 on Wednesday to accept the settlement, and the slate of environmental groups — Save the Poudre, Save the Colorado, Sierra Club, WildEarth Guardians, Living Rivers, Waterkeeper Alliance — also approved the settlement Wednesday.

Northern Water plans to build Chimney Hollow Reservoir west of Loveland, near Carter Lake and Flatiron Reservoir, to hold up to 90,000 acre-feet of water from the Windy Gap supply.

The reservoir will provide up to 30,000 acre-feet per year to the nine cities, two water districts and one power provider that are participants in the project, offering a more reliable water source, according to information from Northern Water. These include Loveland, Longmont, Greeley, the Little Thompson Water District and Platte River Power Authority.



In this photo from 2017, rocks and dirt fly into the air as crews blast an area of the future Chimney Hollow Reservoir site. (Jenny Sparks/Loveland Reporter-Herald)

Both the U.S. Bureau of Reclamation and the U.S. Army Corps of Engineers have given the project official approval, and Northern Water was poised to begin work on the dam in 2017.

Then, the environmental groups filed a lawsuit in U.S. District Court that same year aimed at stopping construction of a project they said would irrevocably harm the Colorado River.

In December 2020, the judge ruled in favor of Northern Water, paving the way for the project to continue.

In February, the environmental groups appealed that decision to the 10th Circuit Court of Appeals. As part of the appeals process, the court required both sides to meet with a mediator, Stahla said, explaining that this settlement came out of that mediation process.

“The settlement shows there is an alternative to costly litigation that can provide benefits both to the environment in Grand County and the Colorado River, as well as acknowledging the need for water storage,” Brad Wind, general manager of Northern Water, said in a press release.

Had the lawsuit continued, it could have delayed construction by at least another year, Stahla said. Now, Northern Water expects to break ground this summer and begin construction this year. The reservoir could begin filling in 2025; the length of time it will take to fill depends on water supply.

Larimer County to take input on managing Horsetooth Reservoir



Denver Post file: The Larimer County Department of Natural Resources will hold a Horsetooth Reservoir Community Forum online at 6-7:30 p.m. Thursday, May 20, 2021.

By REPORTER-HERALD STAFF | May 9, 2021 at 9:20 a.m.

<https://www.reporterherald.com/2021/05/09/larimer-county-to-take-input-on-managing-horsetooth-reservoir/>

The Larimer County Department of Natural Resources will hold a Horsetooth Reservoir Community Forum online at 6-7:30 p.m. Thursday, May 20.

The agency wants community members to share their views on visitor management and recreation at the reservoir, to help inform and guide visitor management practices at the increasingly crowded reservoir park.

According to a news release, the community is being asked to share views on potential strategies of visitor management, the separation of recreation uses on water and on land, future capital infrastructure plans, and potential long-range considerations, such as timed entry or reservation systems.

Natural Resources staff will discuss visitor highlights from 2020 and current visitor management strategies, priorities and constraints.

After the short presentation, input will be gathered via a moderated question and answer session and survey.

Anyone unable to attend will be given the chance to provide feedback later, according to the release.

Register in advance for the webinar at <https://bit.ly/3tzh8hM>.

For details, visit <https://bit.ly/3uz0Cj4>.

Check it out: Larimer County to offer parks passes at Loveland, other libraries

Explorer Packs to be available by July 4



People on a sailboat are framed by other sailboats on the dock Tuesday, May 18, 2021, at Carter Lake west of Loveland. The Larimer County Department of Natural Resources announced a new backpack program on Tuesday that will give residents a chance to check out backpacks with passes and maps, safety and conservation information to visit county parks and open spaces. (Jenny Sparks/Loveland Reporter-Herald)

By PAMELA JOHNSON | johnsonp@reporter-herald.com | Loveland Reporter-Herald
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<https://www.reporterherald.com/2021/05/18/check-it-out-larimer-county-to-offer-parks-passes-at-loveland-other-libraries/>

Larimer County will allow residents to check out access to its parks and open spaces from local libraries starting this summer.

“The aim is finding ways to get all into our public open lands and remove the barriers that may be preventing that from happening,” Daylan Figgs, director of the Larimer County Department of Natural Resources said while announcing a new backpack program on Tuesday.

Figgs and Korrie Johnston, spokeswoman for the department, announced at the county commissioners meeting that, by July 4, the department will have 50 Explorer Packs available at public libraries as well as at Department of Natural Resources facilities across the county.

“This is a good way for us to introduce our parks system, and clearly to love and how to take care of those parks as well,” said Commissioner Kristin Stephens.

Five of the backpacks, which include a pass to allow access to Larimer County parks and open spaces that charge fees, as well as maps, safety and conservation information, will be at the Loveland Public Library. They will be available on a first-come, first-served basis with no holds available, Johnston said.

Johnston said staff members are currently working on choosing a bag that will be small enough to store at libraries and conducive to disinfecting, as well as ordering supplies. The commissioners on Tuesday voted 2-0, with John Kefalas absent, to provide up to \$10,000 for supplies, printing and materials.

“That will support us through this year and into next,” said Johnston.

The county’s backpack program is modeled after one from Colorado State Parks that allows residents to check out passes to state parks and similar recreation and safety information.

Ken Graves, director of the Poudre River Public Library District, said the state parks passes are popular. With 11 available at Fort Collins libraries, they are checked out, for a week at a time, about 32 times per year. Typically, if a book or other material is checked out six times per year “that’s great,” said Graves.

The Loveland Public Library has four of the Colorado State Parks backpacks.

“They are often checked out, and we do have a wait list,” Diane Lapierre, director of the Loveland library, said when reached by phone after the meeting. “Much like a new release, best seller, you can put it on hold. They can find it under Check Out State Parks in our catalog ... People get out and do something they might not otherwise do.”

County officials said they are offering the backpacks to allow residents to learn about the parks and open spaces that are available in the county, and to allow access for those who may not otherwise be able to afford the cost of a parks pass.

The two county commissioners at the meeting, Stephens and Jody Shaddock-McNally, supported this mission, stressing the importance of teaching new generations to love and care for the land, and of finding ways to spread the program out into the community, to reach all residents.

Stephens suggested that libraries include Explorer Packs in outreach efforts, such as visits to mobile home parks, and Shaddock-McNally suggested expanding the program to have them available at Boys & Girls Clubs.

Shaddock-McNally also mentioned the mental health benefits of taking time in the great outdoors.

“This is another important piece to me, to get our youth and their families outside, and for them to have those benefits,” Shaddock-McNally said. “Maybe they don’t realize that just going for a walk, being outdoors and being among the trees and even on our beautiful public lands is such a great way to do some self-care and to have some de-stress time and build some resiliency.”