AGENDA
LARIMER COUNTY BOARD OF COMMISSIONERS
Monday, January 28, 2019/6:30 P.M./Hearing Room

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. DISCUSSION ITEM REMOVED FROM MARCH 26, 2018, TABLED TO JULY 9, 2018, TABLED TO JULY 23, 2018 TABLED TO AUGUST 1, 2018, CONINUTED TO DECEMBER 17, 2018

1. THORNTON WATER PROJECT 1041, FILE #18-ZONE2305

Staff Contacts: Rob Helmick, Planning, Mark Peterson, Engineering, Lea Schneider, Health

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D. ADJOURN

1. REPORT DATE:	January 14, 2019
TITLE:	Thornton Water Project, Supplement
REQUEST:	1041 Permit, Larimer County Land Use Code `Section 14.4.J, approval for 26 miles of 48-inch water line, pumping facility, and other appurtenant facilities.
LOCATION:	From north of Fort Collins west of Hwy 1 and generally following CR 56 east to the Weld County line then south to the south county line at Johnstown.
APPLICANT:	City of Thornton 12450 Washington St. Thornton CO 80241
PROPERTY OWNER:	Numerous affected properties - over 2,400 notices sent, includes properties in municipalities and right of way properties and 250 sent in January.
STAFF CONTACTS:	Robert Helmick, AICP, Planning Lea Schneider, Health Department Mark Peterson, County Engineer
FILE #:	18-ZONE2305
NOTICE GIVEN:	Posting in the officially designated area of the Larimer County Courthouse Offices no less than twenty-four hours in advance of the hearing.
LCPC HEARING DATE:	May 16, 2018
LCPC RECOMMENDATION:	Planning Commission recommended denial of the Douglas Road alternative alignment on a 4-2 vote
BCC HEARING DATES:	7/09/18 continued to7/23/18, & 8/01/18 – then continued to 12/17/18 and 1/28/19

PROJECT DESCRIPTION:

The City of Thornton ("City") proposes to obtain a 1041 permit for the construction of a 48" water transmission line, a 40 million gallon per day pumping facility, and other appurtenant facilities.

The Larimer County Land Use Code Section 14 regulates such matters of state interest and specifically describes the designated activities in Section 14.4 as follows:

> Siting and development of new or extended domestic **water or sewer transmission lines** which are contained within new permanent easements greater than 30 feet or within new permanent easements greater than 20 feet that are adjacent to existing easements. Domestic water transmission lines include those used to transport both raw and treated water. This designation shall not include the maintenance, repair, adjustment or removal of an existing pipeline or the relocation, replacement or enlargement of an existing pipeline within the same easement or right-of-way, provided no additional permanent property acquisitions are required. The designation shall also not include the addition, replacement, expansion or maintenance of appurtenant facilities on existing pipelines.

The City proposes that the facilities will be located either in new easements (50-foot permanent + 40-foot temporary) acquired by the City of Thornton or in existing County Road right of way (ROW). The length of the water transmission line ("pipeline") in the unincorporated county is 26 miles. The waterline is also located in the town limits of Timanth, Windsor and Johnstown. Due to the proposed alignment of the pipeline along the county line, at WCR 13 some of the pipeline will be located in Weld County. The City is concurrently seeking approval from Weld County. The pipeline proposal includes the pipeline, appurtenant control structures (i.e. blow off valves, drains and access points), and a pumping facility.

The City also proposes this pipeline to move their water, the rights to which they acquired in the late 1980s and subsequently received Court approval to utilize these rights for municipal use. The City and County staff maintained communication on the City's plans for this pipeline during their initial planning phase. Preliminary discussions about alignments and corridors began as early as 2014 with more discussions in 2015 and ultimately culminating in a pre-application conference for a 1041 application in May of 2016. The City began public outreach through a series of mailings and open houses started in late 2016 and continued through 2017. The application was originally submitted in late 2017 and scheduled for hearing with the Larimer County Planning Commission in March and April of 2018. However, the hearings were postponed allowing additional information requested by the County to be developed and submitted by the City. The first hearing with Planning Commission was May 16, 2018, and the first hearing at the Board of County Commissioners occurred July 9, 2018.

Following tabling at the Commissioner's hearing on August 1, on December 10, 2018, the City submitted a document entitled Supplement 3 to Larimer County (See **Attachment E**). This document follows the community engagement process and input from the Water Projects "Working Group". In the December supplement, the City proposes a new preferred alternative pipeline route referenced as "Alternative 3" generally along County Road 56 and substantially similar to the West 2 Alternative in the original 2018 submittal.

This Alternative 3 route proposes to draw water from Water Supply and Storage Company (WSSC) reservoir #4 and pump the water from a pump station south of WSSC #4 into a pipeline

that would cross north through the Braidwood development – either in the right of way of Lake Vista Rd. or along the #4 lake frontage, thence onto WSSC property crossing between #3 and #4 Reservoirs, then north along the east lake frontage of #3 to the northern extent of the Eagle Lake development, then east to Hwy 1 crossing to CR 56 which would then be followed to CR 9, further extending to LCR 1, then south to the southern County boundary. (See **Attachment A: Corridor Alignment Maps**) This alignment is consistent with all or parts of several of the northern variants proposed and analyzed by the City of Thornton in their original application materials. The original application included a water storage tank, located north of CR 56. This tank has been eliminated from the Larimer County application and is proposed by the City to be in Weld County.

These supplemental materials were posted to both the portal web site as well as the Larimer Water Projects web site on December 10. The County sent referrals to the following agencies soliciting their comments on the revised preferred alternative:

Internal Referrals
- Engineering Department
- Road & Bridge
- County Attorney
- Health Department
- Natural Resources

External Referrals
- Colorado Division of Parks & Wildlife S of CR 38E/ CR 32
- Colorado Division of Parks & Wildlife N of CR 38E/32
- Soil Conservation
- Division of Water Resources
- Colorado Department of Transportation
- Poudre Fire Authority
- Cherry Hills Sanitation District
- Fort Collins Sanitation District
- Boxelder Sanitation District
- North Weld County Water District
- ELCO Water District
- Town of Timnath
- City Fort Collins
- Town of Windsor
- Town of Johnstown
- Poudre Valley REA
- Railroad – BNSF
- City of Greeley
- Railroad- Union Pacific
- Windsor Reservoir & Canal
- Water Supply & Storage
- Jackson Ditch
- LETA
- North 40 News

The County also provided postcard notice of the January 28 hearing to 250 property owners along and within 500 feet of this revised route.

The request continues to be for the entire pipeline from north to south not just the area where the preferred alternative has been revised north of Fort Collins. The City of Thornton has identified a planning corridor of 500 feet to ¼ mile in most locations. This not a proposed right of way or easement, but only the area within which the pipeline might be located. The actual location will be determined after property negotiations and specific physical analysis of the alignment. It is intended this way to avoid the potential for numerous amendments to an application where site specific issues can affect the specific locations.

Benefits to Larimer County

As part of its proposal, the City proposed two benefits that are directly related to the pipeline:

1. Emergency Raw Water Interconnects. As the pipeline will be constructed near infrastructure of other municipal water supply agencies in Larimer County, the City of Thornton is willing to agree with those agencies to provide interconnects to deliver short-term water supplies in the case of emergencies where the raw water supply is temporarily impacted.
2. Transportation Mitigation and Improvement. The City has agreed to a number of terms, including but not limited to returning roadways and rights of way to as good or better condition and providing monetary compensation for off-site impact mitigation. These mitigation measures are further described in the City's proposal and under Criterion #9 later in this memo and in Attachment C: County Engineering Analysis.

Additionally, the City of Thornton has proposed to enter into a separate Intergovernmental Agreement (IGA) that would address a package of additional enhanced benefits that would accrue to the citizens of Larimer County as mitigation for project impacts. The City submitted an addendum on January 10, 2019 (**Attachment B**) that describes additional land conservation and agricultural benefits.

Included in the benefits package to be addressed in the IGA are the following:

1. Cache la Poudre River Health, including a commitment for:
    - Contributing to Poudre Flows to add flow to the Cache la Poudre River in cooperation with a number of agencies including coordination of a legal framework to enhance river flows;
    - dedication of 3,000-acre feet a year of water to the Colorado River Conservation Board (CWCB) for use, physical improvements in the river to maximize the benefits of added river flow, which constitutes 20 percent of total project yield, and
    - establishing a "Water Innovation Fund" in the sum of $1 million to address challenges and creative strategies related to supporting agriculture, water supply challenges, and vitality of the river.
2. Land and Telecommunications, including a commitment for:
    - Disposition of Thornton-owned farms in Larimer County, including offer for conservation easements with very limited development on farms 52, 63 & 83 (approximately 600 acres east of I-25) to support regional community separator goals.

- working with the City of Fort Collins to conserve farm 44 north of Douglas Road at Turnberry to support regional community separator goals.
- Retaining farms 6 and 26 in natural grasses until at least 2030.
- Maintaining farms 56 and 57 in irrigated agriculture until 2030.
- Dedicating 1.25 miles of 50-foot easement for Boxelder creek trail through City property east of I-25.
- Installing fiber optic conduit with 12 strand, 115 terabits per second throughput capacity throughout the length of the water pipeline for use by Larimer County.
- Continued voluntary payment in lieu of taxes for City-owned properties in Larimer County.
- Realignment of Turnberry Road through Thornton's property to improve safety and efficiency.

Northern Water and NISP

Northern Water, the applicant for the NISP/Glade Reservoir project, has proposed as a part of their project a raw water conveyance pipeline of similar size and routing. They have entered into a memorandum of understanding with the County to pursue an Intergovernmental Agreement (IGA) as authorized by Section 14 of the Larimer County Land Use Code. They have not submitted a final IGA for review and the public process, so any decision on the specifics of a pipeline would not be appropriate. However, due to the timing and the coincidence of the corridors, staff believes it appropriate to acknowledge that if the NISP facilities are approved through the IGA or a separate 1041 application, the CR 56 corridor is the appropriate location. Furthermore, the City's consultant has indicated that the corridor is adequate to accommodate both pipelines if built.

BACKGROUND AND PROCESS

At the end of the August 1, 2018 hearing of the Board of County Commissioners, the Commissioners provided guidance to the City and staff about their concerns. The following sections reflect minutes of the meeting.

On August 1, the Commissioners continued Thornton Water Project (TWP) hearing to December 17, 2018 and directed staff to:

1. Work with City of Thornton to provide specific additional information, and
2. Involve the public through public meetings and open houses

The Commissioners also discussed collaboration between other parties that might be considering large scale water projects in the county/ Northern CO and to look at alternatives and seek a less impactful way to do the project and potentially achieve benefits to Larimer County.

Staff provided a report and analysis of the Douglas Road alignment for the July 9, 2018 hearing. This report replaces that previous analysis. On December 10, 2018, the development services team provided Peak Facilitation's report and summary of the Water Project Engagement Process that took place from August to December 2018. That December memo and summary is still relevant. Also, a part of that Board of County Commissioners report was a full copy of the Supplement 3 information provided by the City of Thornton.

At the conclusion of the December 17, 2018 hearing the Board of County Commissioners provided additional direction to County staff and Thornton with respect to more information or study on specific issues. Those included:

- A thorough analysis of traffic impact and impact to the transportation system. Thornton has provided mapping and information about area of work within the ROW of roads. The Engineering department has completed a preliminary analysis of the transportation impacts as a result of construction.
- Contact affected landowners. The City of Thornton has provided a map of all the impacted driveway location for the alignment. Based on information and contact with County staff, it is apparent that the City has begun talking with potentially affected landowners.
- Environmental analysis. The City of Thornton conducted a thorough analysis of the routes and proposed alignment segments in their original application. This can be found in Volume 2 of the original application materials. This was updated as necessary for Supplement 3. The conclusion of the analysis is that through mitigation and construction scheduling the pipeline construction and location reasonably avoid conflict with or adverse impact to the natural environment.

ANALYSIS OF 1041 CRITERIA

The City of Thornton has requested a 1041 permit for the Thornton Water Project water transmission pipeline in Larimer County, the siting and development of which is designated as an area and activity of state interest. Larimer County regulates matters of stated interest in the Land Use Code under Section 14. The regulations address the siting and development of a new domestic water transmission line contained within new permanent easements greater than 30 feet, which applies in this case. The State of Colorado regulates other matters related to water rights and distribution of water in accordance with statutes, decrees and interstate compacts.

The 1041 Review regulations (Section 14.10.D) include 12 Criteria. In August, the Board of County Commissioners expressed concern and interest in making sure the City better addressed Criteria 2, 4, 8 and 9 in their application, so particular emphasis is placed on those criteria, however analysis for all the criteria are noted below.

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

   The analysis conducted by the City of Thornton regarding the alternative analysis and the preferred pipeline alignment and support facilities and appurtenances address the principles in the Master Plan with respect to both the natural and manmade environment.

   The route is within the Growth Management Areas (GMA) of Fort Collins and Windsor, as adopted by Larimer County and neither of those jurisdictions have identified a GMA issue nor have Timanth or Johnstown, who do not have GMAs with Larimer County.

   The Master Plan contains a specific principle which speaks to future transfers of water out of the County. This was adopted in part in response to the City of Thornton's actions. Their transfers were essentially complete by the time this policy was adopted.

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

   In 2018, the City of Thornton supplied an extensive environmental and physical analysis of several alternative routes. The supplement proposal for a preferred route Alternative 3 also was evaluated as a part of those original alternatives. In the supplemental submittal of December 2018, the City has also provided an evaluation of the alternatives initiated through the fall engagement process and by the Working Group. Those include:

   A. Utilizing Douglas Road.
   B. Keeping the water in the existing canal system to some point east including the county line.
   C. Following a northern route around or through reservoirs #3 & #4 to cross Hwy 1 and connect at CR 56 thence east to the original alignment at CR 9 (Alternative 3 in the supplement).
   D. Keeping the water or some portion of the water in the river, either to downstream of Old Town Fort Collins or all the way to Windsor.
   E. Piping the water down Shields St. to the river then sending it downstream.

   In refining and selecting the current proposal – Alternative 3 – the City of Thornton has concluded that there are operational, environmental, water quality and cost issues which make the proposed northern route the best alternative. In evaluating the alternatives, the original findings for the Douglas Road alignment had flaws relating to construction timing and impacts which caused the Douglas Road alternate to be dismissed.

   Of the non-pipeline alternatives explored during the process, the down the river concept had support by about half of the Working Group members and a number of community members who participated at events. The City of Thornton has cited multiple feasibility challenges with these alternatives. The development services team concurs with the City's analysis regarding the river and canal concepts. The cost and timing of litigating the water rights and point of diversion, the need for new or additional diversion structures or by-passes in the river, the cost and time associated with an Army Corps permit, the need for a new storage structure, the cost of water treatment, as well as the generally diminished water quality are addressed in the analysis. There have been some questions raised with respect to whether the County should have conducted a separate independent analysis of the water quality issue, rather than relying upon the City's analysis. We find the City and consultants' analysis of water quality complete and credible. Most importantly, however, the County's 1041 regulations address the location of pipelines within easements. They do not address (or apply to) county approval for conveyance of water through rivers or canals.

3 **The proposal conforms with adopted county standards, review criteria and mitigation requirements concerning environmental impacts, including but not limited to those contained in Section 8 of this (Land Use) Code.**

The City of Thornton's packet addresses the following topics:

8.2. Wetland Areas:

The City of Thornton proposes to bore under all designated wetland areas. Wetland areas affected by the proposal are non-jurisdictional. A Nationwide Permit from the Army Corps

of Engineers may be required for the City to confirm that no jurisdictional wetland areas are affected by construction.

8.3. Hazard Areas:
There are hazard areas and flood plain on the Poudre and Big Thompson Rivers and Boxelder Creek identified along the route. The City proposes to bore under these river corridors to avoid any issues.

8.4. Wildlife:
The City of Thornton's environmental analysis identifies that there were possible conflicts with wildlife both listed and other species of concern. Colorado Parks and Wildlife provided information back during referral and recommends that mitigation for this includes avoidance and seasonal limitations or prohibitions on activities, as noted in the conditions. No other significant wildlife issues have been identified. This may in part result in construction scheduling to avoid issues with nesting birds and other seasonal conflicts.

8.8. Irrigation Facilities:
Multiple irrigation ditches will need to be bored or cut with this proposal. Thornton will be required to cooperate and mitigate any issues with the respective ditch company. If agreements or licenses are required, the City must obtain them.

8.11. Air Quality Standards:
Given the potential disturbed area of this request, an Air Quality permit will be necessary to require compliance with the standards.

8.12. Water Quality Management Standards:
Thornton will need to obtain a storm water quality permit for the construction impacts.

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

The City of Thornton has demonstrated that it will restore to as good or better condition all the areas disturbed by the installation of this pipeline. They, as a result of decisions related to process, are avoiding all wetland areas and river crossing by boring. Further they will be avoiding conflicts with wildlife with seasonal construction limits and on-site studies to insure no new conflicts.

Additionally, it should be noted that all the farms in Larimer County currently owned by the City are either still being irrigated and are anticipated to remain irrigated until at least 2030 or have passed the NRCS review of self-sustaining cover as grassland required in the "dry-up" agreements required by the Water Court decrees.

As a part of the enhanced project benefits, the City has proposed several farm properties for future conservation, or has agreed to work with and/or coordinated between Larimer County and other affected partners and entities such as Fort Collins and Timnath.

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

The environmental analysis includes a review of all known and designated historic structures or places within the proposed alignments. There are not historic structures known to exist along or in the alignment of this pipeline that would be negatively affected by the construction of these facilities.

6. The proposal will not negatively impact public health and safety.

There are no identified public health or safety risks associated with this project. The City will be required to maintain adjacent property access at all times during the construction of the pipeline. Furthermore, a traffic plan will be required so all services can continue to be provided to all properties.

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

The preferred alignment has mitigated any risks principally by avoidance, or there are no risk factors associated with the preferred alignment.

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.

Coordination of the construction impacts along any of the County roads is a critical issue. Assuring access to properties and avoiding long term detours that will negatively affect neighborhoods are a significant concern. Construction permits shall insure that these impacts are minimized and mitigated to the greatest extent possible. The City of Thornton will be required to maintain access to all properties at all times during the construction of the pipeline. A traffic plan will be required to ensure that all services can continue to be provided to all properties.

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.

The City has committed to restoring any affected road bridges and facilities to as good or better condition, has offered a monetary compensation for additional impact mitigation. This mitigation and or compensation will be required as conditions of approval and enforced either through the administration of construction permits and/or any agreement executed as a part of any approval. **Attachment C** includes the Engineering memo that includes traffic analysis and shows the maps noting rights of way affected by the proposed alignment, and a number of the conditions address mitigation of construction impacts.

The County's consultants evaluated the impacts of one or two pipelines in right of way corridors for Douglas Road and CR 56 alignments and found that the CR 56 alignment has substantially fewer impacts than the previous preferred alignment along Douglas Road and has better potential for co-locating pipelines to minimize construction impact to County residents in the vicinity of the pipelines.

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.

No permanent adverse impacts to natural resources have been identified in the analysis of this project**.** The City of Thornton has conducted a thorough reconnaissance of the natural resources of the area and demonstrated either by design, location or avoidance that there will no losses of natural resources or agricultural lands. Furthermore, no evidence has been presented which would suggest that the pipeline and its construction will cause a reduction in the productivity of agricultural lands.

Despite the minimal or lack of impact to natural resources, the City has provided additional information about its farm properties and how they may continue to contribute to the region's longer-term goals related to farming, agriculture, and land conservation for separators. Additionally, the water innovation fund may help support research and action on issues related to the reduction of productivity of agricultural lands resulting from the project.

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.

The proposals by the City propose to avoid, where possible conflict with individual properties by placing he pipeline in ROW or adjacent to a ROW. Cross county alignments are mostly avoided. In the case of the alignment adjacent to Reservoir #4 the alignment is either within a ROW or in an area that is not available for development on the properties affected. These alignments were selected rather than the use of a lake tap, which was evaluated, the costs and risks associated with the lake tap concept represented an excess cost to mitigate temporary impacts. In the supplemental materials prepared by the applicant the selected alternative is evaluated with respect to the same criteria as the original application.

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

The agency referral comments received do not indicate any conflict or issue with the City's pipeline proposal. They all point to the need for permits, permissions and coordination, and recommended mitigation measures appear in the conditions below.

There has been substantial public comment. Copies of the written correspondence and e-mails are a part of the extensive record. The majority of comments received have addressed the impacts in and around the Douglas Road corridor during July 2018 before the Commissioners continued the hearing to December 17, 2018 to allow for greater community engagement. Comments with respect to the working group process and the desire to have the Poudre River options be utilized are significant. There have been less than a dozen comments from landowners in municipalities or in other locations along the route/alignment proposed by the City. Most of those other comments have come from land owners located at narrow points where development comes close to the road on both side of the road. In those cases, the owners are requesting the pipe be located within the ROW. The city has provided an exhibit which notes those areas where the alignment is within the ROW to avoid conflicts.

DEVELOPMENT SERVICES TEAM FINDINGS:

The Team finds that the City of Thornton Water Project pipeline alignment proposal:

- Is consistent with the Master Plan in insuring the provision of adequate public facilities and insuring public safety.
- Causes no significant long-term impacts to the natural or man-made environment from the siting of the pipeline.
- Is a reasonable alternative selected from multiple alternatives considered.
- Identifies the needed permits and permissions and commits to obtain those prior to construction.
- Demonstrates a reasonable balance between the costs to the applicant to mitigate significant adverse effects and the benefits achieved by such mitigation.
- Includes project mitigation benefits to Larimer County offered by the City of Thornton and to be addressed through an Intergovernmental Agreement between the County and City.

RECOMMENDED CONDITIONS

The conditions are organized by topic as follows:

- Pre-construction and planning
- Pipeline coordination with NISP
- Utility and well and septic coordination
- Roadway restoration
- Construction monitoring
- Other impact mitigation (including restoration, access, coordinating with property owners)
- Intergovernmental Agreement Addressing Other Benefits

Pre-Construction and Planning Conditions

1. The activity authorized by this permit shall be consistent with the approved plans Attachments A-E to this report and with the information contained in the City of Thornton Water Project File # 18-ZONE2305, except as modified by the conditions of approval. The applicant shall be subject to all other verbal or written representations and commitments of record for the Thornton Water Project File # 18-ZONE2305.
2. The approval of this pipeline designates a corridor along the alignment and deviations within the corridor to accommodate field issues will not affect the approval. Significant alterations to the route shall be evaluated by the county prior to commencing activity and may be subject to further review.
3. A geotechnical subsurface investigation shall be submitted to Larimer County during the design process for those portions of the alignment to be within County road right of way (ROW), to determine required trench backfill and compaction specifications, subgrade mitigation, and pavement design for areas disturbed by the pipeline installation.
4. All construction activities shall only occur upon approval of the required County permits, including Site Plan Review, building permits, development construction permits and access permits. Furthermore, the City shall obtain and conduct construction activities in compliance with all required county, state, and federal permits (including but not limited to: right-of-way construction permit, Stormwater permit, floodplain permit, air quality, noise, groundwater discharge permit, etc.).

5. The siting of the pump station shall be addressed in the Site Plan Review and designed to reflect input from neighborhood residents and be consistent in style and character with the neighborhood (e.g. ranch or agrarian with landscape screening).
6. The City shall obtain all required and necessary crossing permit, licenses and permissions for all ditch, roadway and other infrastructure crossings prior to commencing any construction.
7. At any locations where the City locates the pipeline outside of the existing County road right-of-way, it shall do so in a manner to either: a) be located outside of the ultimate right-of-way width corresponding to the functional classification of the roadway or b) obtain and convey to Larimer County a road right-of-way easement for any additional pipeline easement widths falling within the ultimate roadway right-of-way.
8. The City shall be required to, for those reaches of the alignment that are parallel to a County Road, to locate the pipeline within the ROW unless an easement for the pipeline can be obtained from a willing seller outside of the ROW. This limitation does not apply to appurtenances and when there are unreasonable physical challenges to pipeline construction in the ROW as determined by the Larimer County Engineer.
9. Offsite easements will be required for work areas outside of the county road rights-of-way and shall be recorded and submitted to Larimer County prior to the issuance of a right-of-way permit.

Pipeline Coordination

10. The final pipeline alignment location along County Line Road south of State Highway 14 shall be established based on input and recommendations from the Towns of Timnath, Windsor, and Johnstown as well as Larimer and Weld Counties, with respect to the pipeline being located within or outside of the public road right-of-way.
11. If the County grants approval of both the Northern Pipeline project and approval of the Thornton Pipeline Project 1041 application, the following conditions apply:
    a. Individual pipeline alignments within unincorporated Larimer County shall be coordinated between Northern Water and the City of Thornton to arrive at a common final pipeline alignment with a maximum centerline pipe separation of 25 feet within locations were the two pipelines are parallel, or as otherwise approved by the County Engineer;
    b. Construction of the Northern Water and Thornton pipeline segments shall be constructed concurrently at the following locations 1.) starting where the alignments intersect south of Reservoir #3 continuing along the alignment to north of the Eagle Lake subdivision, and 2.) from South west of North Poudre Reservoir #10 to CR 13.
12. Larimer County Engineering staff shall be invited to attend regularly scheduled coordination meetings during construction - at a frequency to-be-determined - to understand planned construction activities and stay abreast of issues arising from construction impacts to County infrastructure or the public.
13. A County right-of-way work permit will be required to be obtained for each perpendicular crossing or contiguous segment of pipeline to be located within County ROW.

Utility and Well and Septic Coordination

14. The City of Thornton shall be responsible for arranging for and paying all costs of utility relocations and irrigation company requirements necessary to accommodate the water pipeline in the road right-of-way.

15. The City shall be responsible for all costs associated with the replacement of existing storm drainage infrastructure, culverts, roadway signage, pavement striping/symbols, landscaping and property fencing necessary to accommodate the water pipeline in the road right-of-way
16. On-site wastewater treatment systems (OWTS) and other private, on-site services for residences along the Alternative 3 (Option C) Corridor shall be identified as part of the final design plans and in the field prior to construction.
17. The City shall be responsible for arranging for and paying all costs of damage or relocation of private property services as necessary to accommodate the water pipeline Corridor if a reasonable alternative is not possible.
18. In the event septic system and/or well components are damaged during construction activities, the City will be responsible for immediate repair/replacement and all associated costs in order to prevent extended disruption of the property owner's quality of life.

Roadway Restoration

19. The pipeline alignment in rights of way shown in the 1041 application and Attachment C in the Engineering Memo, Routing and Right of Way map (red sections on the map), is considered conceptual in nature and demonstrates the general location of the pipeline alignment. The City shall prepare final design plans and specifications for alignments in ROW for review and approval by the Larimer County Engineering Department. Should it be discovered that the final design, in the County Engineer's opinion, deviates significantly from the conceptual alignment to change the nature or impacts of the pipeline within the permit limits, the County reserves the right to require that the design and alignment be modified to address infrastructure and property impacts as deemed necessary by the County Engineering Department.
20. The City shall stabilize and repave all pavement areas disturbed or damaged during pipeline installation in accordance with the Larimer County Urban Area Street Standards for work areas within the Growth Management Area (GMA) or Larimer County Rural Area Road Standards for work areas outside the GMA as directed by the County.
21. If pipeline construction activities involve more than 100 lineal feet of disturbance to a paved roadway, the City of Thornton shall be responsible for pavement repairs and patching/overlay extending to the full limits (width) of the existing pavement. This condition is in addition to the pavement patching requirements outlined in the preceding engineering condition above.
22. Materials test reports, as per Larimer County standards, must be submitted to and approved by Larimer County for any work to take place within county road rights-of-way.

Access Conditions

23. The City of Thornton will maintain access to all adjacent properties at all times.
24. Prior to commencing construction, the City shall submit a plan to the County Engineering Department for review and approval establishing construction requirements to provide safe and acceptable access for emergency responders, mail and package delivery, garbage pickup, and school bus stops for the duration of the project.

Construction Related Mitigation Measures

25. The City of Thornton shall reimburse Larimer County for costs associated with County-provided construction observation/inspection staff and/or independent, supplemental geotechnical or materials testing deemed appropriate by the County Engineer for purposes of quality assurance/control. Thornton shall also reimburse Larimer County for time and expenses incurred with project coordination, design review, permit review and processing

and related project activities during the duration of project construction and closeout for the work conducted in unincorporated Larimer County.

26. The City shall allow for or insure access to Larimer County for inspections and construction observation at all times throughout the corridor and for the term of the construction project.
27. The City shall construct the pipeline in phases, subject to phasing plans to be approved by Larimer County Engineering Department. Maximum open trench lengths will be defined in consultation with Thornton and are subject to approval by Larimer County Engineering Department.
28. The City shall develop and provide Larimer County with accurate as-built horizontal and vertical survey data (state plane coordinates and elevations in NAVD 88) and GIS shapefiles describing the location of the pipeline and all appurtenant structures.
29. The City shall provide Larimer County with as-built construction drawings certified by a Colorado registered professional engineer, for all portions of the pipeline located in unincorporated Larimer County.
30. The City shall provide to Larimer County a pre-project video capturing existing conditions of the proposed water line installation corridor in and near the existing road right-of-way.
31. The City shall establish and maintain a website with daily updates on the project describing the status of the project and the traffic impacts for that day, and the upcoming week.
32. The City shall provide a public information contact with a phone number and email address that the public can contact to ask questions, express concerns or for project updates.
33. Acceptable work days and hours for the project are subject to approval by the County Engineering Department.
34. If a relocation of the Thornton pipeline should in the future be desirable to accommodate some other or enlarged use of the County road right-of-way by any party or entity other than the County, and provided that Thornton agrees to such relocation, then all expenses of such relocation shall be paid for entirely by the party or entity desiring such relocation. If the relocation is to be made at the request of the County to accommodate changes in or improvements of public roadways or associated infrastructure, and not for purposes of accommodating any third party, then Thornton shall provide for pipeline relocations at the city of Thornton's cost on a reasonable schedule established by the County Engineering Department.
35. The City shall develop a comprehensive document describing best management practices (BMPs) to be employed for utility planning and construction that potentially affects developed, rural, wetland and riparian land areas or may involve stream crossings. Such documentation shall include but not be limited to preconstruction and construction BMPs relating to surface water, erosion and sediment control and prevention; groundwater considerations and protection; topsoil conservation and restoration and vegetation/revegetation considerations. The document shall also cover post-construction BMPs and monitoring requirements relating to these same topics.
36. The City shall comply with maximum decibels for construction activities as outlined in the Larimer County Noise Ordinance. Any exceptions to these parameters must be approved by Larimer County.
37. The City shall submit a noise mitigation plan with the final design plans of the Corridor outlining control methods that will be implemented during construction amongst residences.

Wildlife Mitigation and Revegetation Conditions

38. The City shall coordinate all construction activities with and respect all seasonal avoidance requirements established by the CDPW and USFWS.

39. There is a potential for raptor nests and burrowing owls to be encountered along the project pathway (depending upon time of year). If construction for the project is to take place between February 1 and July 31st, Thornton shall perform raptor surveys prior to construction and throughout the project to detect any new nests that may occur.
40. The City shall work with the Larimer County Natural Resources Department-Weed Division to develop and implement a plan for control of noxious weeds during and post construction phases of the pipeline project. To avoid the spread of noxious weeds to other sites and to prevent new species from being introduced, all construction equipment shall be thoroughly cleaned prior to arriving on site and after construction is completed. Restoration of any sites should be of a mixture of native grasses and forbs. Any native trees that are removed should be replaced on a 3 to 1 basis, especially in the riparian areas of the Cache la Poudre and Little Thompson Rivers.
41. The City shall limit pipeline construction to within the CR 56 ROW where it coincides with the boundary of Wellington State Wildlife Area-Cobb Lake Unit west of CR 3. If such a limitation is not feasible, Colorado Parks and Wildlife (CPW) requires a special use permit for commercial/industrial related activity/access on the State Wildlife Area property as well as a Real Estate Action Request (REAP) for easement access in the event of any permanent structures established on the property. In addition, CPW requests that timing of such construction does not occur from September 1 to the close of dark goose season, roughly February 17th.
42. CPW also shall have additional opportunity to comment on potential impacts to the State Wildlife Area property, wildlife related activity, and reclamation of the impact site related to the construction of this project including weed control, dust control, wetland mitigation and public access throughout the planning and construction process.

Intergovernmental Agreement (IGA) Addressing Other Benefits

43. The IGA between the City of Thornton and Larimer County with respect to the project mitigation benefits listed in Section 12 of the Supplement 3 application and updated information dated January 10, 2018, (**Attachment B**) shall be completed prior to issuance of a right of way or construction permit.

SUGGESTED MOTION:

I move that the Board of County Commissioners Approve Thornton Water Project File # 18-ZONE2305 subject to the condition(s) as outlined above.

Attachments

A – Corridor/Alignment Maps (pages 16-43)
B – Thornton Addendum to the Supplement provided on January 10 (pages 44-52)
C – County Engineering Analysis, including Exhibit Maps (pages 53-63)
D – Supplement 3 to the City of Thornton's application dated 12/10/18 (pages 64-72)
E – Board of County Commissioners Minutes from December 17, 2018 & NISP L(pages 73-80)
F – Citizens Comments (pages 81-126)

ATTACHMENT "A"

Corridor/Alignment Maps

Thornton Water Project



CITY OF THORNTON
COLORADO
12450 WASHINGTON ST
THORNTON, CO 80241-2405

12/27/2018

0 350 700 Feet
1 inch = 703 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch
TWP Larimer County ROW

Figure X- 1
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NAIP

Thornton Water Project



CITY OF THORNTON
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12450 WASHINGTON ST
THORNTON, CO 80241-2405

12/27/2018

0 350 700 Feet
1 inch = 703 feet

- TWP Corridor in Unincorporated Larimer County
- TWP Larimer County ROW
- TWP Corridor outside Unincorporated Larimer County
- County Boundary
- Railroad
- River/Stream/Canal/Ditch

Figure X- 2
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NAIP

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Thornton Water Project



Thornton WATER PROJECT

CITY OF THORNTON
COLORADO
12450 WASHINGTON ST
THORNTON, CO 80241-2405

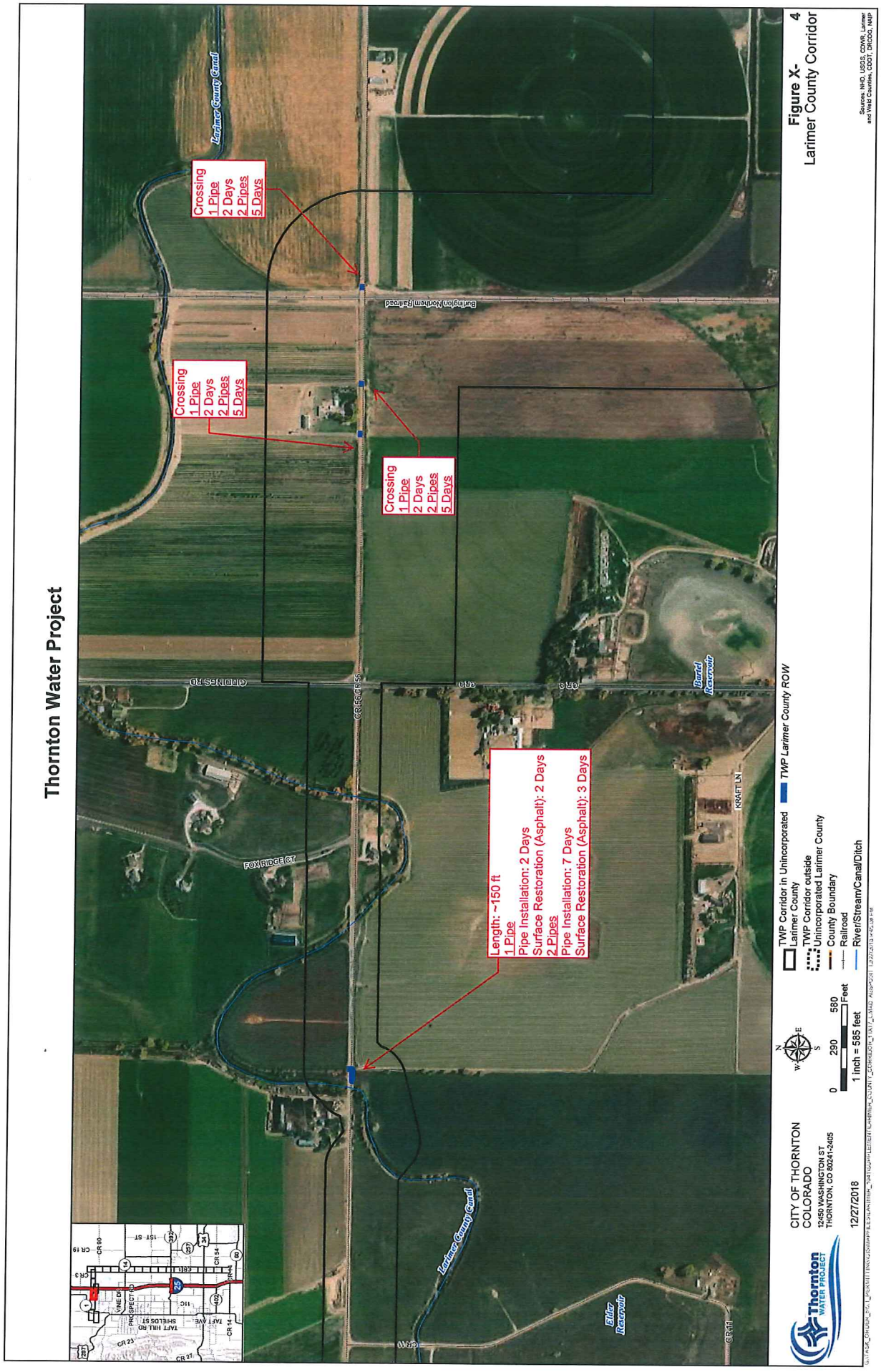
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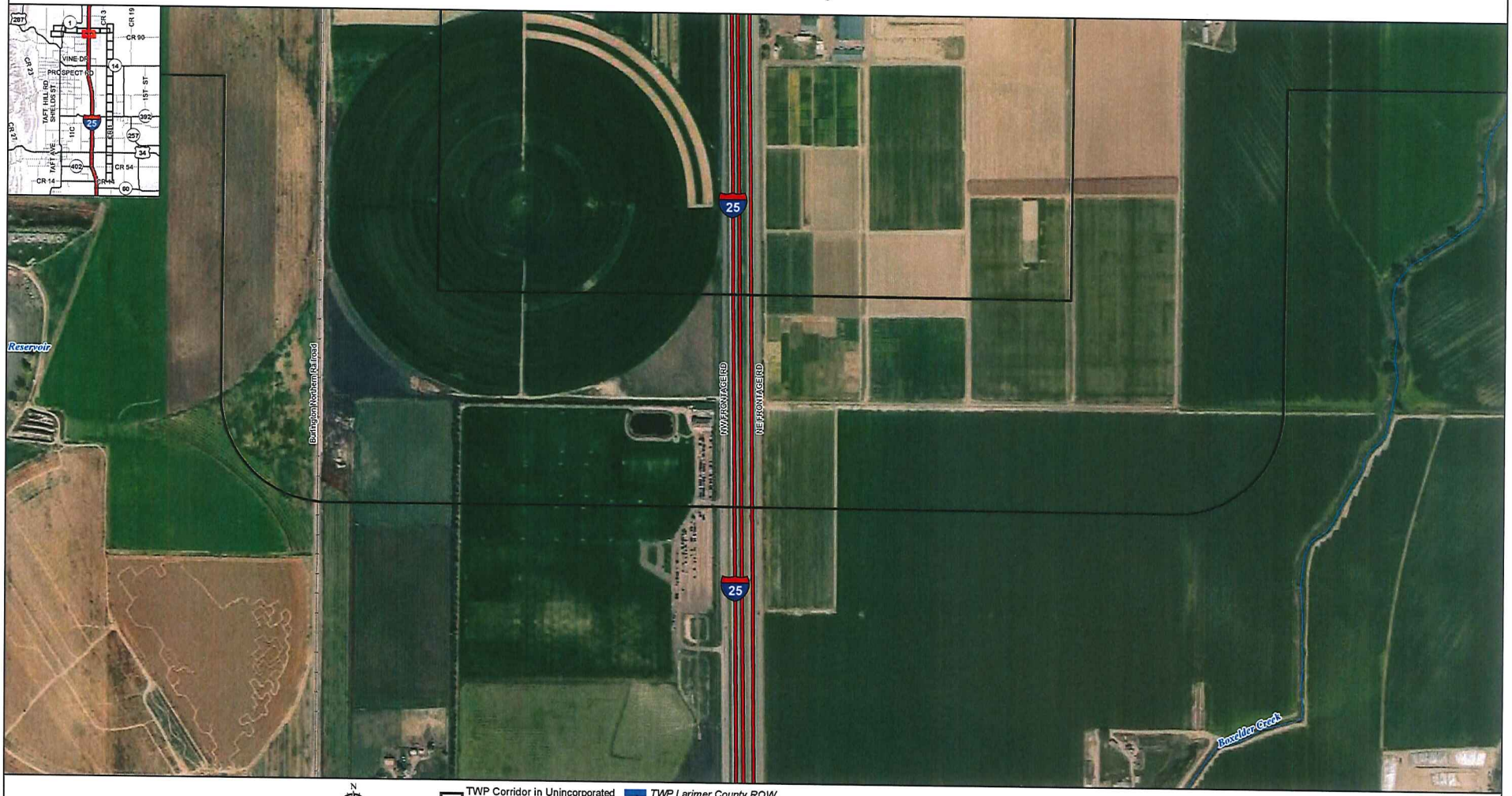
- TWP Corridor in Unincorporated Larimer County
- TWP Corridor outside Unincorporated Larimer County
- County Boundary
- Railroad
- River/Stream/Canal/Ditch
- *TWP Larimer County ROW*

Figure X- 3
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NAIP


Thornton Water Project
Crossing
1 Pipe
2 Days
2 Pipes
5 Days
Crossing
1 Pipe
2 Days
2 Pipes
5 Days
Crossing
1 Pipe
2 Days
2 Pipes
5 Days
Length: ~150 ft
1 Pipe
Pipe Installation: 2 Days
Surface Restoration (Asphalt): 2 Days
2 Pipes
Pipe Installation: 7 Days
Surface Restoration (Asphalt): 3 Days
Larimer County Canal
Larimer County Canal
Burlington Northern Railroad
GLEDNESS RD
CR 9 / CR 5
FOX RIDGE CT
KRAFT LN
Burtel Reservoir
Elder Reservoir
CR 11
CR 9
CR 7
CR 5
CITY OF THORNTON
COLORADO
12450 WASHINGTON ST
THORNTON, CO 80241-2405
12/27/2018
TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch
TWP Larimer County ROW
0 290 580 Feet
1 inch = 585 feet
Figure X- 4
Larimer County Corridor
Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NAIP

Thornton Water Project



CITY OF THORNTON
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THORNTON, CO 80241-2405

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0 290 580 Feet
1 inch = 585 feet

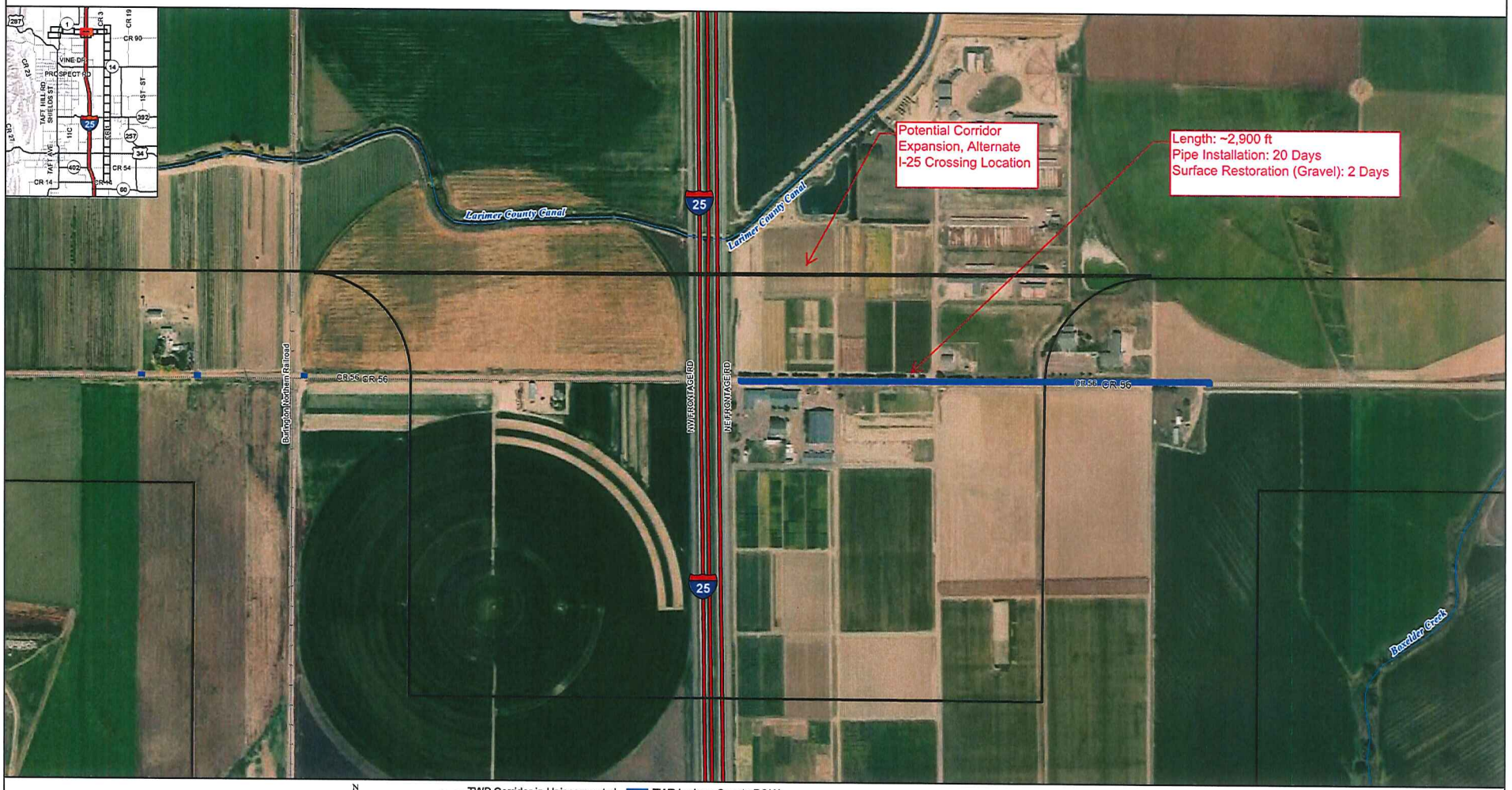
- TWP Corridor in Unincorporated Larimer County
- TWP Larimer County ROW
- TWP Corridor outside Unincorporated Larimer County
- County Boundary
- Railroad
- River/Stream/Canal/Ditch

Figure X- 5
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NAIP

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Thornton Water Project



CITY OF THORNTON
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12450 WASHINGTON ST
THORNTON, CO 80241-2405

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0 290 580 Feet
1 inch = 585 feet

- TWP Corridor in Unincorporated Larimer County
- TWP Corridor outside Unincorporated Larimer County
- County Boundary
- Railroad
- River/Stream/Canal/Ditch
- TWP Larimer County ROW

Figure X- 5
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NAIP

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COLORADO
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THORNTON, CO 80241-2405

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Feet
1 inch = 585 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch
TWP Larimer County ROW

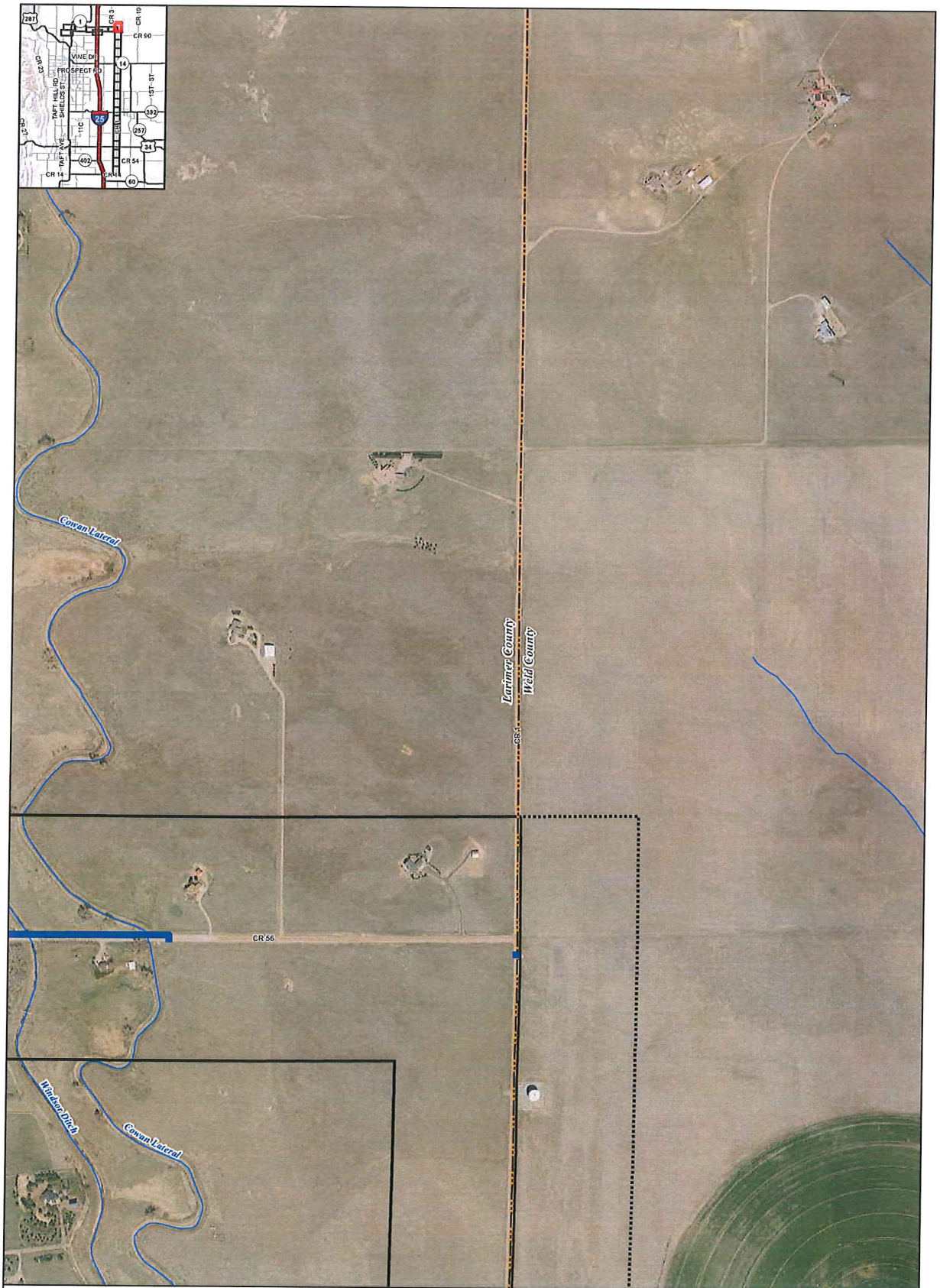
Figure X- 6
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NAIP

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Thornton Water Project
Crossing
2 Days
Length: ~5,900 ft
Pipe Installation: 40 Days
Surface Restoration (Gravel): 15 Days
Gowan Lateral
Windsor Ditch
Gowan Lateral
Windsor Ditch
COBB LAKE DR
COBB LAKE DR
CR 96
CR 96
CR 96

Thornton Water Project



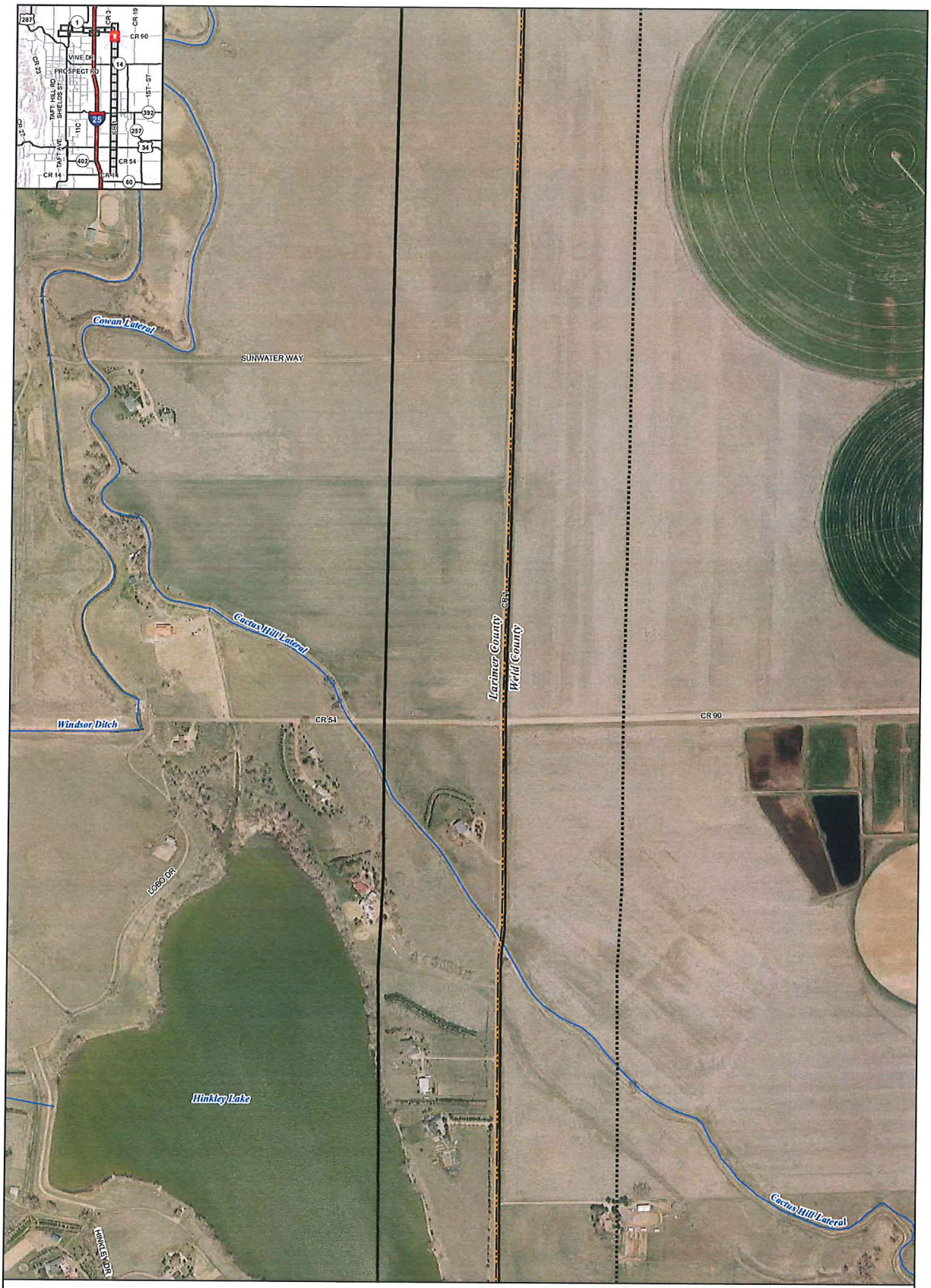
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COLORADO

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THORNTON, CO 80241-2405

12/27/2018

Figure X-8
Larimer County Corridor

Thornton Water Project



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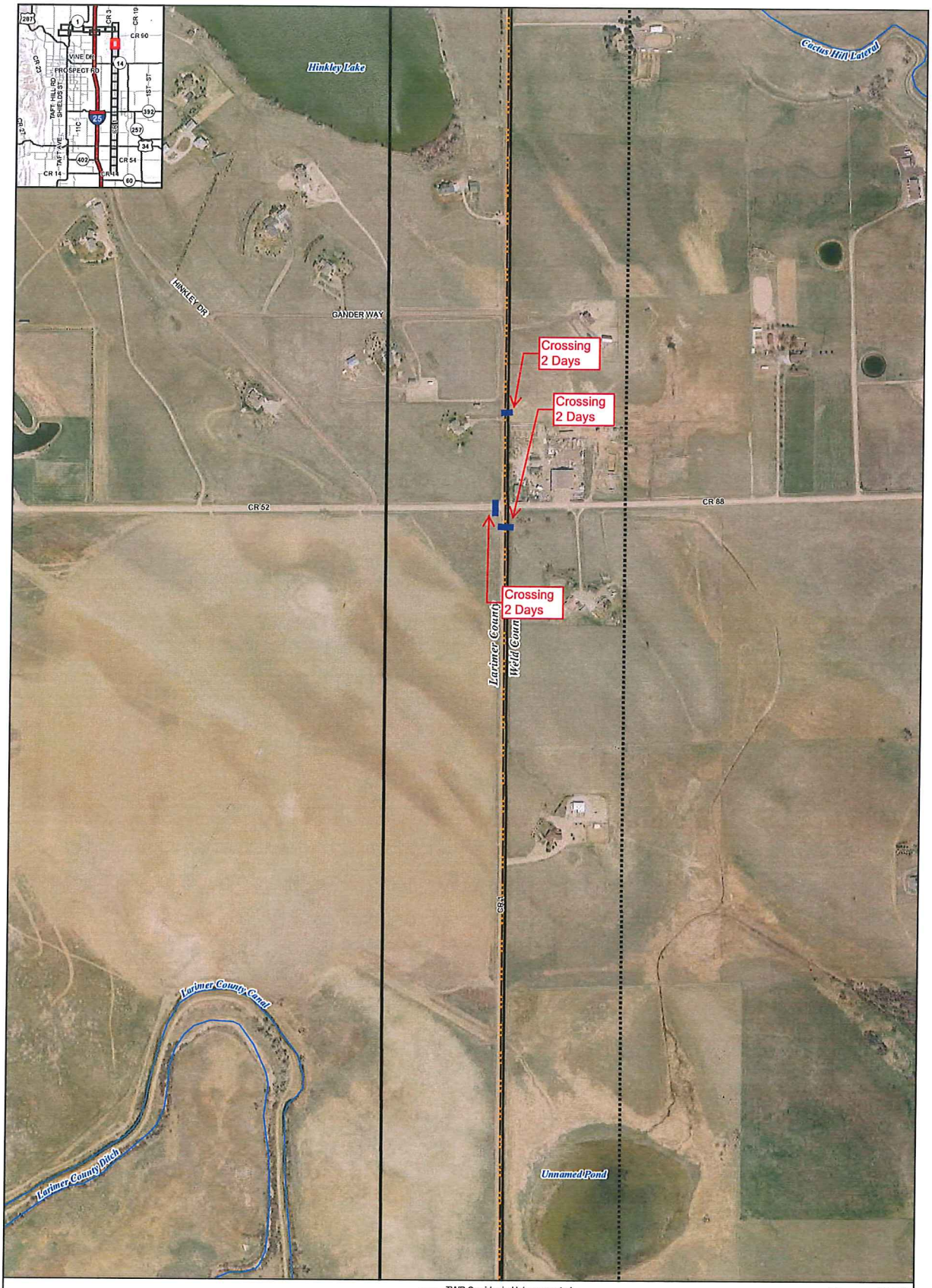
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Figure X-9
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NAIP

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Thornton Water Project



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COLORADO

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THORNTON, CO 80241-2405

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Feet

1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

Figure X-10
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, ESRI, DRCOG, NHD

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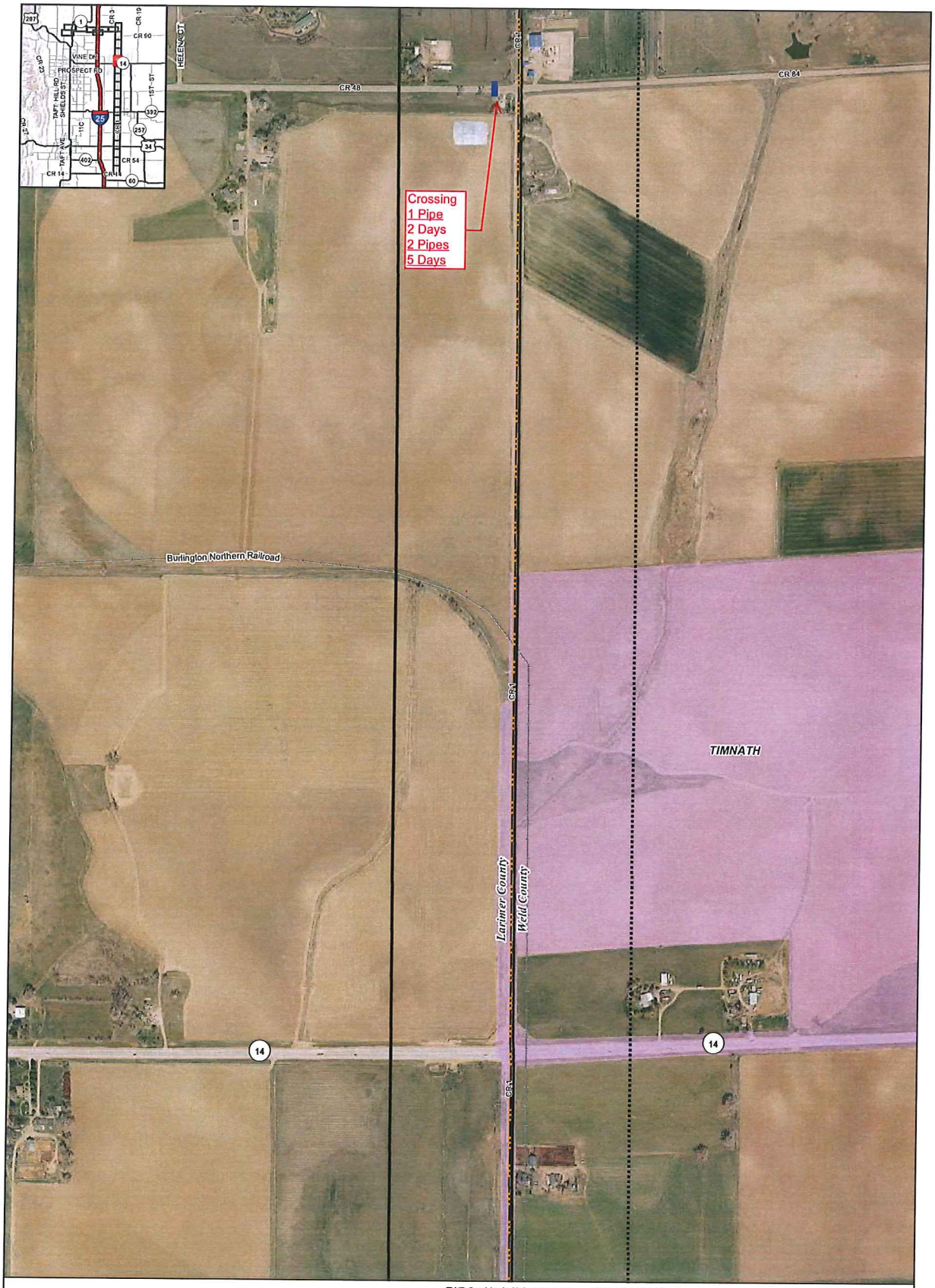
TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

Figure X-11
Larimer County Corridor

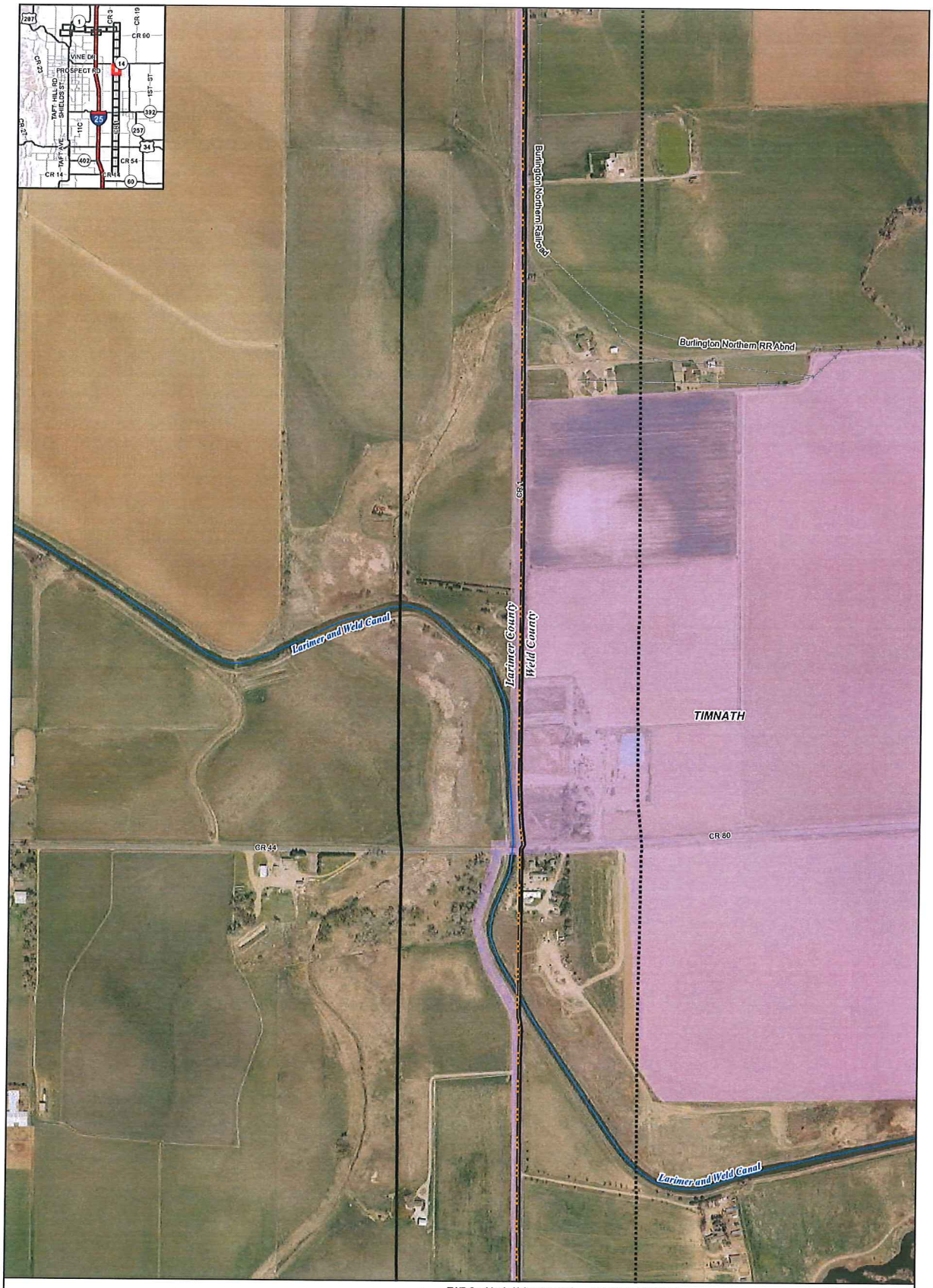
Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, HMB

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Thornton Water Project



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0 250 500 Feet

1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

Corporate Boundary
Timnath

Figure X-13
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer

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THORNTON, CO 80241-2405

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1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

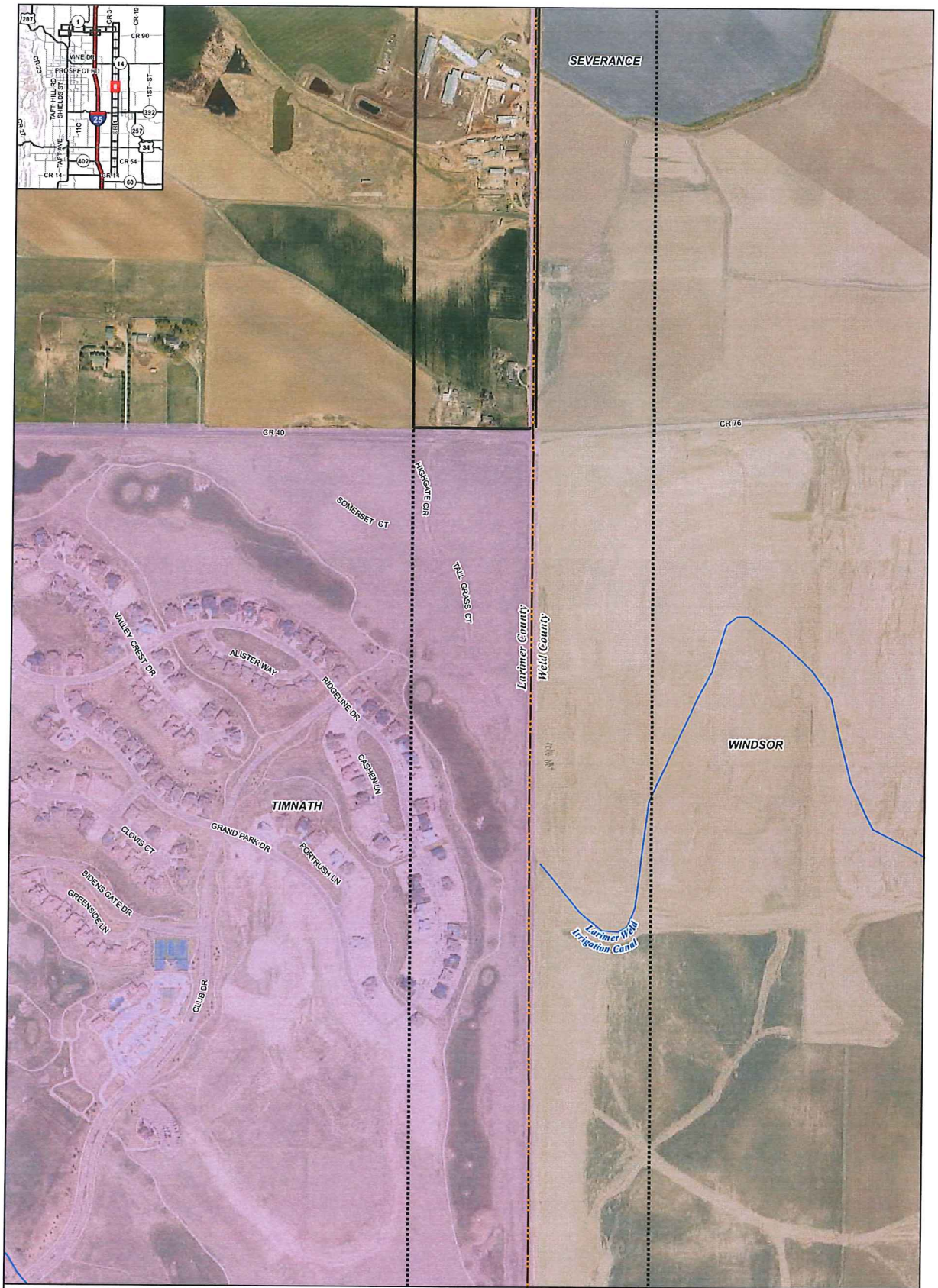
Corporate Boundary
Severance
Timnath
Windsor

Figure X-14
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NAIP

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Thornton Water Project



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1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

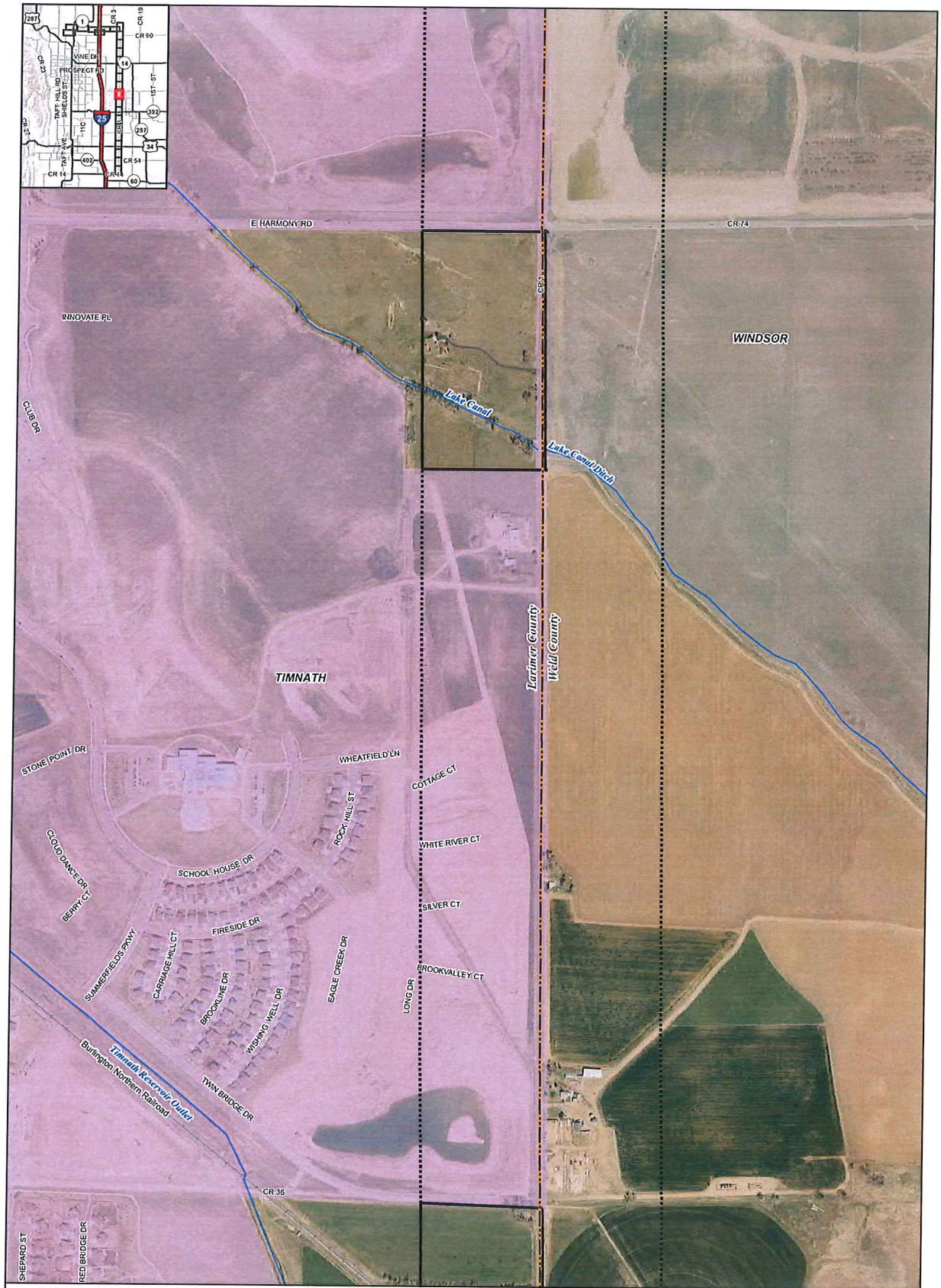
Corporate Boundary
Severance
Timnath
Windsor

Figure X-15
Larimer County Corridor

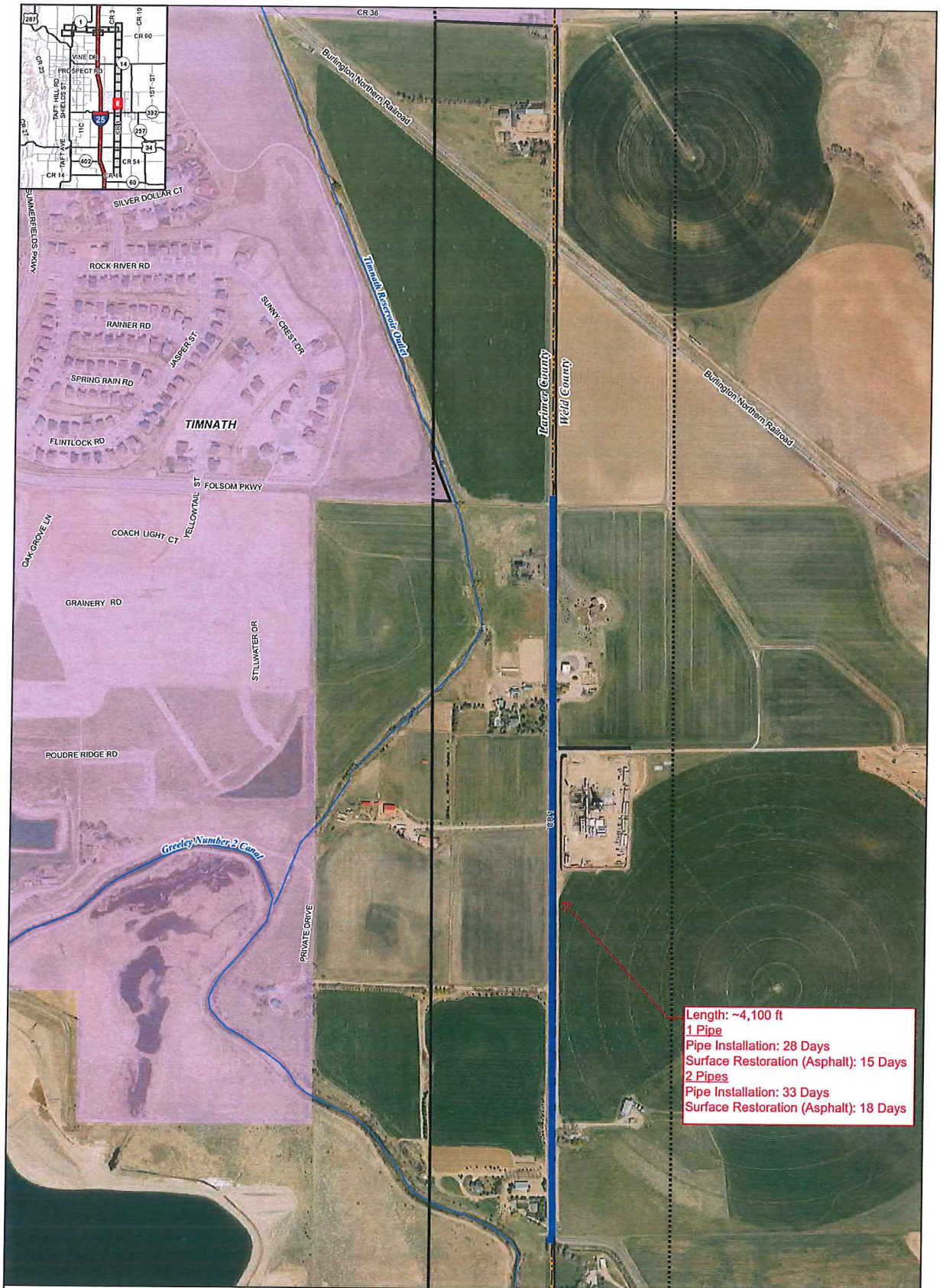
Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NRP

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Thornton Water Project



Thornton Water Project



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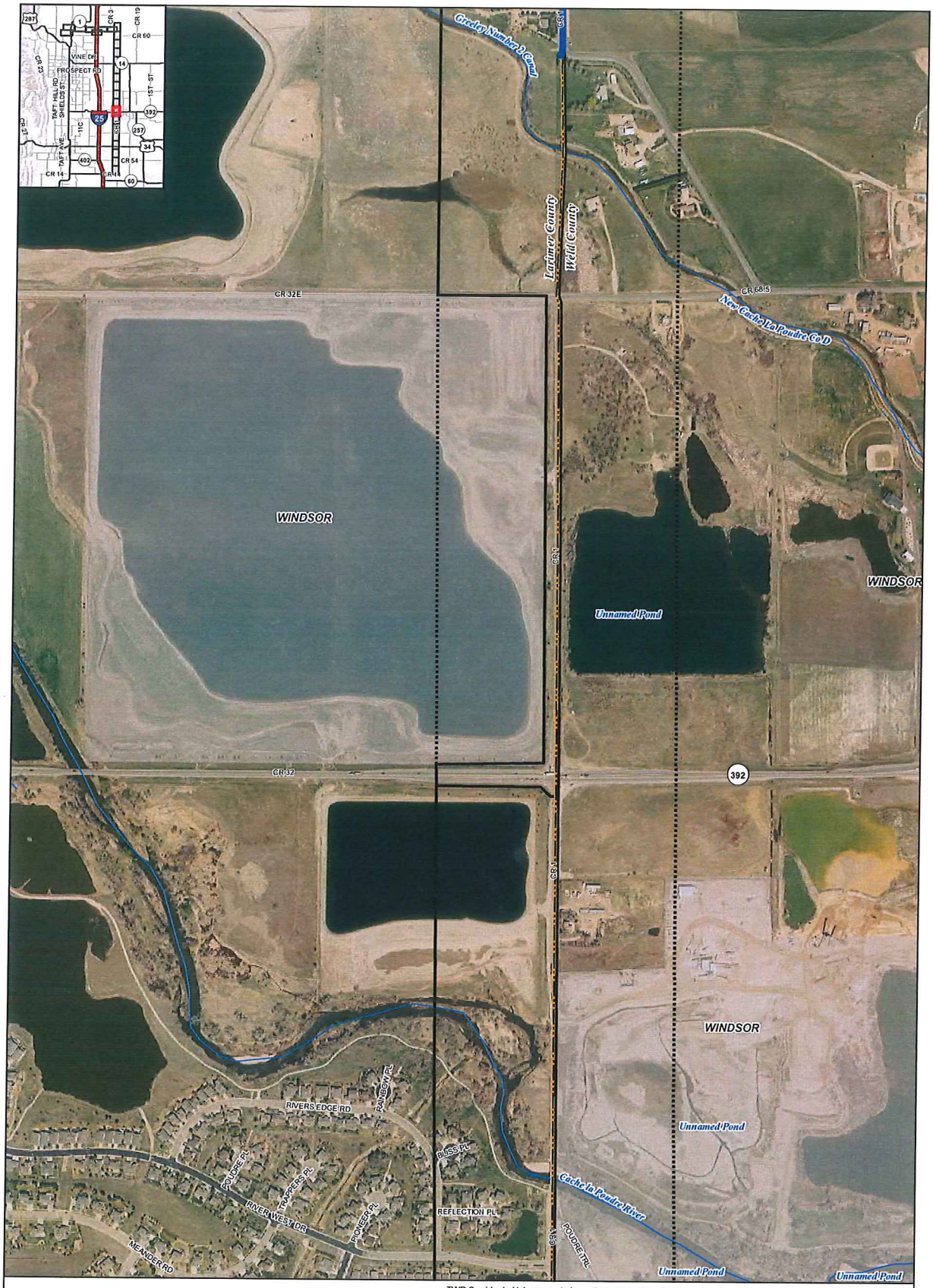
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1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

Corporate Boundary
Timnath

Figure X-17
Larimer County Corridor

Thornton Water Project



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COLORADO

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THORNTON, CO 80241-2405

12/27/2018

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1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

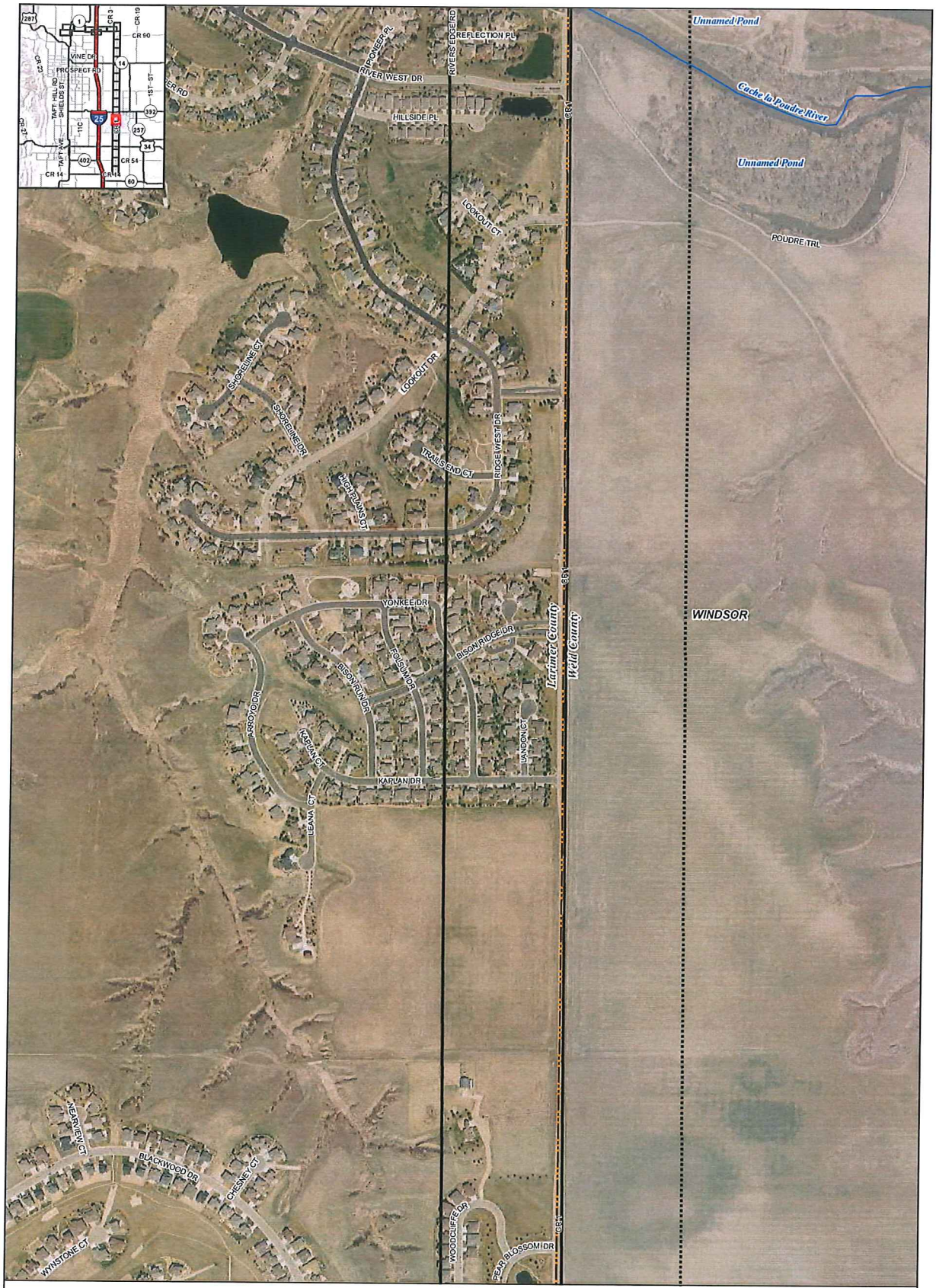
Corporate Boundary
Windsor

Figure X-18
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer

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COLORADO

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1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

Corporate Boundary
Windsor

Figure X-19
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer

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1 inch = 500 feet

- TWP Corridor in Unincorporated Larimer County
- TWP Corridor outside Unincorporated Larimer County
- County Boundary
- Railroad
- River/Stream/Canal/Ditch

Corporate Boundary
- Windsor

Figure X-20
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer

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Thornton Water Project



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COLORADO

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1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

Corporate Boundary
Johnstown
Windsor

Figure X-21
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, NHP

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Thornton Water Project



CITY OF THORNTON
COLORADO

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THORNTON, CO 80241-2405

12/27/2018

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1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

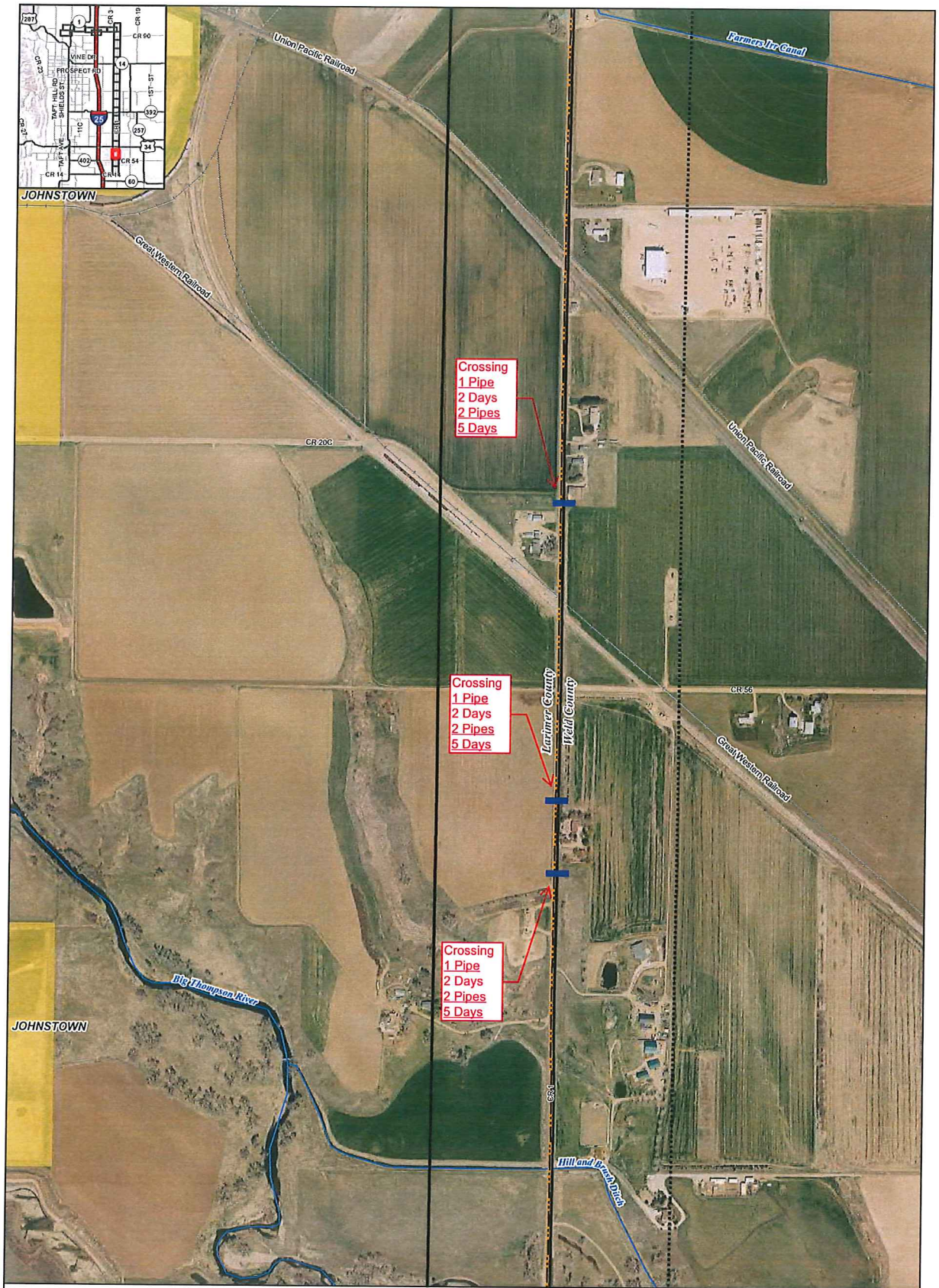
Corporate Boundary
Johnstown
Windsor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, ESRI, ESRI

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Figure X-22
Larimer County Corridor

Thornton Water Project



CITY OF THORNTON
COLORADO

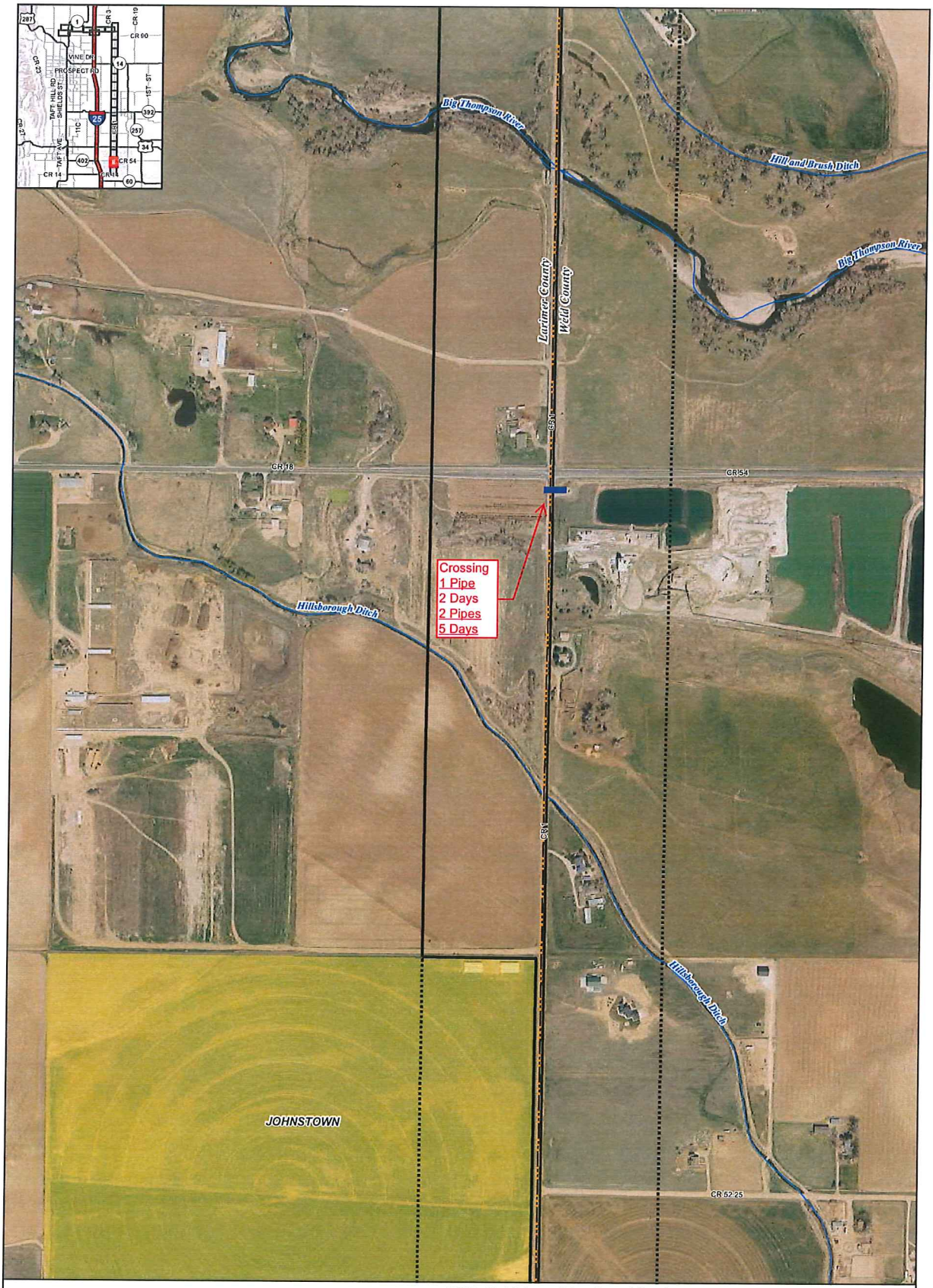
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Figure X-23
Larimer County Corridor

Thornton Water Project



CITY OF THORNTON
COLORADO

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THORNTON, CO 80241-2405

12/27/2018

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0 250 500 Feet

1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

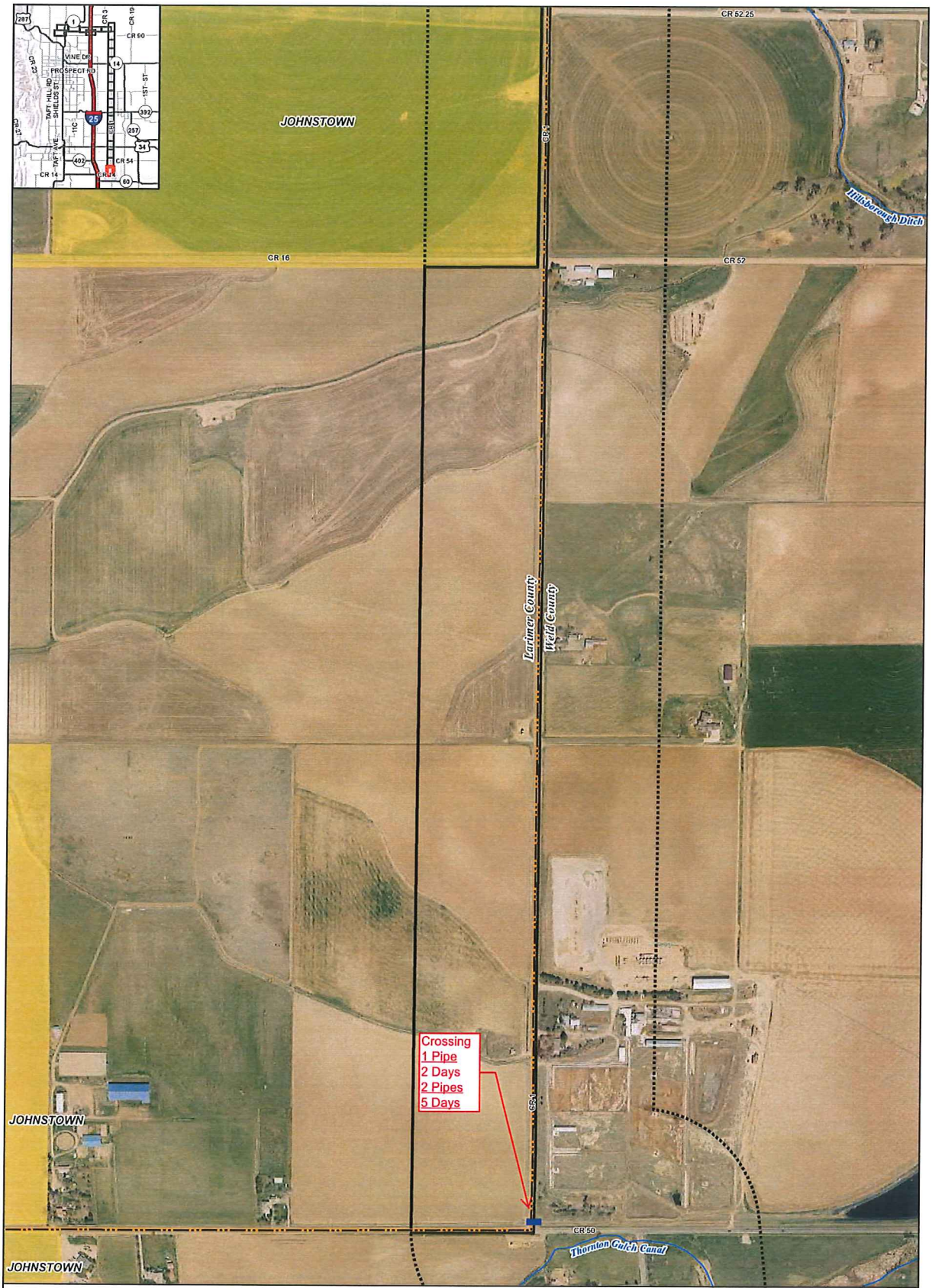
Corporate Boundary
Johnstown

Figure X-24
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, ESRI, USGS, NHD

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Thornton Water Project



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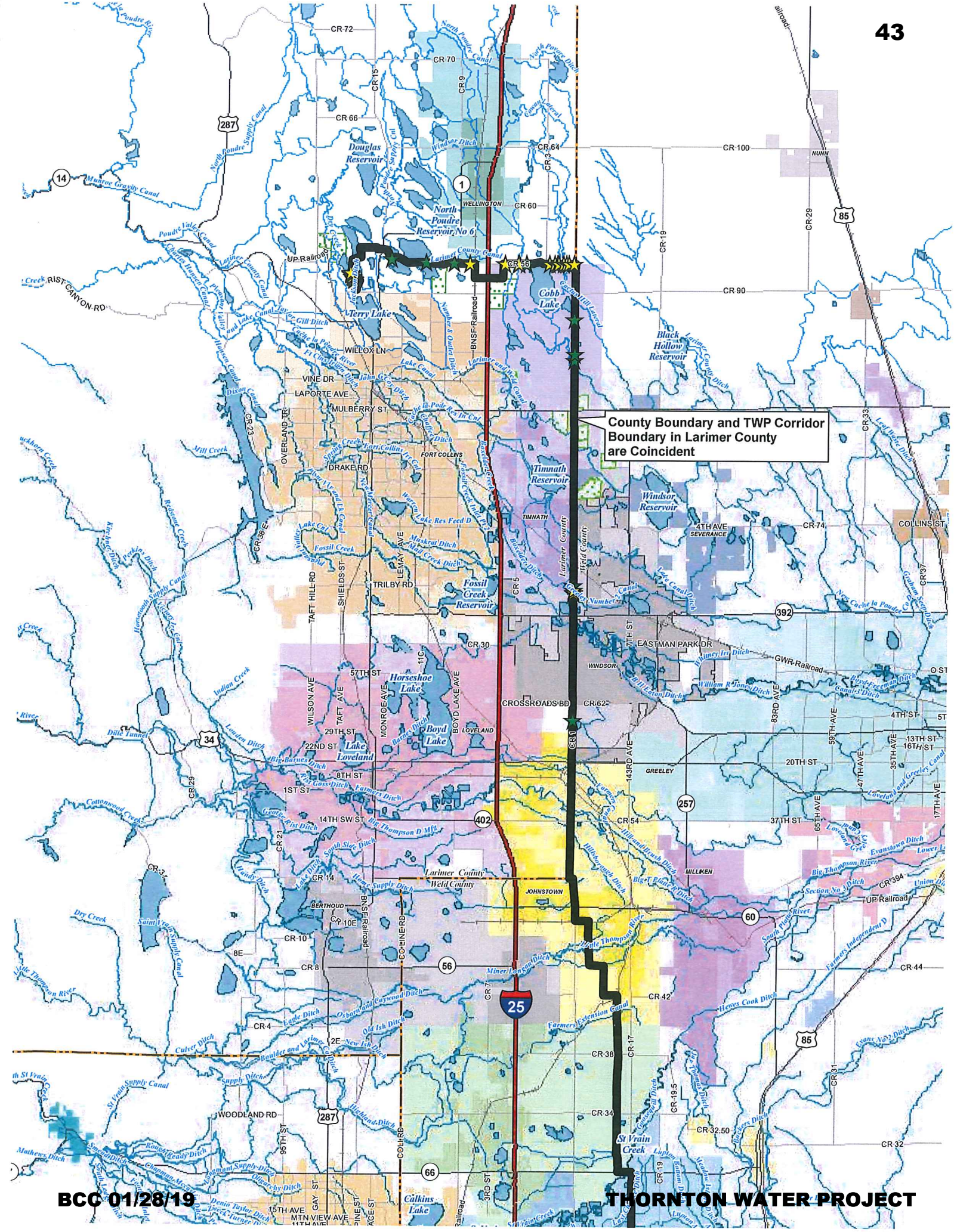
0 250 500 Feet
1 inch = 500 feet

TWP Corridor in Unincorporated Larimer County
TWP Corridor outside Unincorporated Larimer County
County Boundary
Railroad
River/Stream/Canal/Ditch

Corporate Boundary
Johnstown

Figure X-25
Larimer County Corridor

Sources: NHD, USGS, CDWR, Larimer and Weld Counties, CDOT, DRCOG, HMP


County Boundary and TWP Corridor Boundary in Larimer County are Coincident
CR 72
CR 70
CR 66
CR 64
CR 60
CR 56
CR 100
CR 90
CR 74
CR 30
CR 62
CR 54
CR 44
CR 42
CR 38
CR 34
CR 32.50
CR 32
CR 14
CR 10
CR 8
CR 4
WILLOW LN
VINE DR
LAPORTE AVE
MULBERRY ST
DRAKE RD
TRILBY RD
EASTMAN PARK DR
CROSSROADS BD
WOODLAND RD
Douglas Reservoir
North Poudre Reservoir No 6
Terry Lake
Cobb Lake
Black Hollow Reservoir
Timnath Reservoir
Windsor Reservoir
Fossil Creek Reservoir
Horseshoe Lake
Boyd Lake
Lake Loveland
Calkins Lake
St Vrain Creek
BNSF Railroad
UP Railroad
GWR Railroad
WELLINGTON
FORT COLLINS
TIMNATH
SEVERANCE
WINDSOR
LOVELAND
GREELEY
JOHNSTOWN
MILLIKEN
BERTHOUD
NUNN
COLLINS ST
Larimer County
Weld County
Larimer County Canal
Poudre Valley Canal
North Poudre Supply Canal
St Vrain Supply Canal
Munroe Gravity Canal
Dixon Canal
Larimer and Weld Canal
Big Thompson River
Cache la Poudre River
Boulder and Larimer Ditch
Farmers Extension Canal
Miner Langsdorf Ditch
Lake Canal Ditch
Number 2 Canal
Number 3 Canal
Number 4 Canal
Number 5 Canal
Number 6 Canal
Number 7 Canal
Number 8 Canal
Fossil Creek
Spring Creek
Dry Creek
Indian Creek
Cottonwood Creek
Mill Creek
Redstone Creek
Lone Tree Creek
Boxelder Creek
Crossroads Ditch
Barnes Ditch
Big Barnes Ditch
Lone Tree Ditch
Lake Ditch
Handy Ditch
Home Supply Ditch
Eagle Ditch
Culver Ditch
Old Ish Ditch
New Ish Ditch
Supply Ditch
Highland Ditch
Rough and Ready Ditch
Chapman Ditch
Oligarchy Ditch
Denia Taylor Ditch
Tweto Turner Ditch
Mathews Ditch
Osborn and Gaywood Ditch
Hillsborough Ditch
Big T Bauer Ditch
Evanstown Ditch
Union Ditch
Section No 3 Ditch
Farmers Independent D
Hewes Cook Ditch
Eaton Ditch
Jones Ditch
Freeman Ditch
Canals Ditch
Greeley and Loveland Canal
Loveland and Greeley Canal
Lateral
Ditch
Canal
Railroad
Creek
River
287
14
34
85
392
257
402
56
66
25
1
WILSON AVE
TAFT AVE
MONROE AVE
BOYD LAKE AVE
TAFT HILL RD
SHIELDS ST
LEMAY AVE
OVERLAND TR
CR 23
CR 38E
CR 29
CR 21
CR 17
CR 19
CR 15
CR 9
CR 7
CR 5
CR 3
CR 1
11C
2E
8E
10E
95TH ST
83RD AVE
59TH AVE
47TH AVE
37TH AVE
35TH AVE
17TH AVE
65TH AVE
143RD AVE
29TH ST
22ND ST
20TH ST
16TH ST
14TH SW ST
13TH ST
8TH ST
4TH ST
1ST ST
57TH ST
37TH ST
15TH AVE
MTN VIEW AVE
GAY ST
PINE ST
ACE ST
3RD ST
COLLINER RD
COLLINS RD
4TH AVE
7TH ST
O ST
5T

ATTACHMENT "B"

Thornton Addendum to the Supplement provided on January 10

Section 12 Additional Information

12.a Benefits to Larimer County Associated with the Water Pipeline Construction Project

Emergency Raw Water Interconnects:

The TWP water pipeline will be constructed in proximity to the raw water collection infrastructure of other municipal water supply agencies in Larimer County. Thornton is willing to enter into agreements with other municipal water supply agencies in Larimer County to provide an interconnect with the TWP water pipeline to deliver short-term raw water supplies in the case of emergencies where the raw water supply for those agencies is temporarily impacted due to circumstances outside the control of such agencies such as infrastructure failure.

Transportation Mitigation and Improvement:

Through Working Group meetings, associated Open House meetings and discussions with Larimer County staff, Thornton has heard interests related to transportation infrastructure, including both mitigation of traffic impacts and degradation of transportation assets associated with TWP construction, as well as enhancements to area roadways to improve mobility. Thornton will return roadways and rights of way in which the TWP is installed to as good or better condition as they were before construction. In addition, separate from the roadways or right of way in which the TWP is installed, Thornton has heard concerns regarding impacts to east-west mobility related to construction of the TWP, as well as potential impacts to roadways, bridges, intersections or other transportation assets that might become alternate routes for the traveling public as a result of TWP construction. Thornton has also heard interests regarding general mobility concerns in the area of Larimer County from County Road 56 south, and from Shields to County Line Road. As mitigation for impacts to transportation assets affected by TWP construction, as well as providing additional community benefit, Thornton proposes contributing $1,000,000 to Larimer County for use at its discretion for mitigation of "off-site" impacts of TWP construction on transportation assets, or for transportation improvements that are important to the community. In addition, Thornton proposes to work with Larimer County identify and dedicate rights of way on Thornton-owned property located at Turnberry and Douglas Roads to facilitate Larimer County's transportation objectives, including the realignment of Turnberry Road through Thornton's property to improve the safety and efficiency of the road for the residents of the County.

12.b Additional Benefits to Larimer County

At the August 1, 2018 hearing on Thornton's 1041 Application, the Larimer County Board of County Commissioners made several comments suggesting that Thornton identify broader community benefits as a part of its Application. While this Supplemental 3 addresses impacts, minimization of impacts, and benefits directly associated with Thornton's water pipeline construction, this section 12.b. identifies proposed commitments to broader community benefits that go above and beyond direct mitigation of the pipeline construction impacts. Because these benefits are not directly related to the pipeline construction project, Thornton proposes to memorialize these community benefits in a separate Intergovernmental Agreement (Community Benefits IGA) to be entered into between Larimer County and Thornton upon issuance of a 1041 Permit to Thornton for the TWP corridor with Alternative 3 (Option C) Corridor with terms and conditions as agreed to by Thornton.

Thornton has collected input regarding community interests and enhanced benefits from a broad range of sources, including Planning Commission and public comments made during the May 16, 2018 Larimer County Planning Commission hearing; BOCC and public comments made during the July 6, 23, August 1, and December 17, 2018 BOCC hearings; the water working group meetings and associated open house meetings; discussions with Larimer County staff; and discussions with project stakeholders.

Based on this input, Thornton's objective in proposing these additional benefits is to provide enhancements to the following areas of community interests and concern: Cache la Poudre River health and community planning and infrastructure. The total project cost for the TWP is estimated at $450 million dollars. The total estimated value to the Larimer County community of the proposals described herein are approximately $60 million dollars. As a part of the Community Benefits IGA, and upon approval of a 1041 permit to Thornton with terms and conditions as agreed to by Thornton, Thornton proposes the following:

Cache la Poudre River Health

Over 150 years of human development along the Cache la Poudre River has resulted in significant changes to the river. Agricultural, industrial and municipal diversions physically remove water from the river; this reduces flows and alters river morphology, resulting in impacts to the overall health of the Cache la Poudre River. In order to prevent against injury to existing water rights, efforts to preserve and improve Cache la Poudre River flows: must conform to Colorado water law; will necessitate cooperative agreements among water rights holders; and will require infrastructure improvements to existing river diversions and other structures. The Thornton Water Project has no impact on Poudre River flow conditions; however, through the Community Benefits IGA, Thornton proposes to improve Cache la Poudre River health by providing river flow enhancements, providing funding for physical river modifications to provide better river administration and improve aquatic and riparian habitats, and funding innovative strategies for enhancing Cache la Poudre River health and addressing other local water supply challenges.

Adding Flows to the Cache la Poudre River

Thornton is working with the Colorado Water Conservation Board (CWCB), the Colorado Division of Parks and Wildlife (CPW), the Colorado Water Trust, the cities of Fort Collins and Greeley, the Northern Water Conservation District (Northern Water), and the Cache la Poudre Water Users Association on an effort called Poudre Flows. Because current Colorado water law does not permit entities other than the CWCB to hold water rights for environmental purposes (instream flow rights), there is currently no mechanism for water rights holders to add water to the river and protect that water through any stretch of river. Poudre Flows, therefore, seeks to establish the legal framework necessary to protect and improve flows in a 50-mile reach of the Cache la Poudre River from the canyon mouth to its confluence with the South Platte River. The current Poudre Flows approach involves obtaining approval from the CWCB, the water court and other authorities, if necessary, to obtain an Instream Flow Augmentation Plan for the Poudre River (Poudre Flows Augmentation Plan). The Poudre Flows Augmentation Plan would establish minimum seasonal flows in specific reaches of the Poudre River to protect and improve the natural environment. These minimum flow designations are recognized by Colorado law, established by the CWCB in conjunction with CPW, and the water dedicated to these reaches is then administered within Colorado's water rights priority system by the State and Division Engineers. Cache la Poudre River water rights holders could then temporarily or permanently convey water to the CWCB that would be

Additional streamflow measurement may be required to administer the added flows from the Poudre Flows Augmentation Plan and other flow enhancement efforts. This may entail the installation of new stream gages in the river, or the modification of existing structures to provide better measurements.

Additional physical improvements may be helpful in improving stream habitat, including construction of in-channel structures made of natural materials to create riffles and pools with a defined low-flow channel. Strategic placement of these improvements would result in increased channel depth, especially during low-flows, which would enhance river connectivity.

Many parties including Northern Water, the Poudre Runs Through It, the city of Fort Collins, the city of Greeley, and the Coalition for the Poudre River are actively pursuing these and other efforts to improve the health of the Cache la Poudre River. Thornton commits to partnering with these and other entities, and proposes contributing $750,000 toward the study, implementation and evaluation of efforts related to improving Cache la Poudre River connectivity, aquatic and environmental health, and water rights administration.

Water Innovation Fund

As a community with both urban and rural landscapes, Larimer County is center stage when it comes to balancing the opportunities that come with a thriving urban economy, active recreational community, and an agricultural heritage. Colorado's Water Plan identifies viable and productive agriculture as one of the State's core water values. Agriculture is the largest user of water in the state, and is a critical component to the state's economy. In addition, the Water Plan also anticipates that by 2050, Colorado's population will double, and municipal and industrial demand for water will increase with that population growth. Demands on the Cache la Poudre River are diverse and significant, and will likely continue to intensify into the future.

The water supply challenges on the Cache la Poudre River are complex, and are just one factor of many that influence overall Cache la Poudre River health. No single entity or project can restore and protect the vitality of the Cache la Poudre River; progress and improvement will be incremental and will require the cooperation and commitment of a large and diverse stakeholder group. To help address these challenges, Thornton proposes to contribute $1,000,000 toward the establishment of a Water Innovation Fund which could be used to fund creative strategies to enhance Cache la Poudre River health and address local water supply challenges. Examples of possible uses of this fund include: acquisition and development of additional water supplies to add to the Cache la Poudre River; development of strategies for water sharing arrangements between agricultural, municipal, recreational and environmental uses; facilitation of regional planning efforts to cultivate water supply resiliency across all uses; establishment of an endowment which could be used to fund existing Poudre River efforts.

Community Planning and Infrastructure

There are opportunities for Thornton to utilize its project and its land ownership in Larimer County to help further County objectives. Through the Community Benefits IGA, Thornton proposes to partner with Larimer County in the following ways:

used to meet these minimum flow designations, resulting in additional water to the river that is protected through the river reach by Colorado water law.

In addition to its efforts to help establish the legal and transactional mechanisms to protect and improve Cache la Poudre River flows, and as a broader community benefit, Thornton proposes to dedicate and deliver up to 3,000 acre-feet a year of water to the CWCB for use in the Poudre Flows Augmentation Plan. This 3,000 acre-feet of water Thornton will deliver consists of approximately 2,250 acre-feet for other water rights holders on the Poudre River and South Platte River, plus approximately 750 acre-feet of additional water necessary to account for stream losses. Under the Poudre Flows Augmentation Plan, Thornton will make this water available to the CWCB to release to the Poudre River upstream of the locations where Thornton is required to deliver the water. This water will be released at specific times and locations upstream of critical river reaches to help meet the flow targets identified in the Poudre Flows Augmentation Plan, and will be protected from diversion or exchange as it flows through the protected reaches. As noted above, this is not something that Thornton can legally accomplish on its own. The ultimate average annual delivery of water from the Thornton Water Project is approximately 14,000 acre-feet; therefore, Thornton is proposing to provide the equivalent of over 20% of the total project yield to upstream locations on the Cache la Poudre River to meet flow targets. It would cost about $45 million dollars to acquire 3,000 acre feet of comparable Poudre River water on the open market.

Thornton has additional Cache la Poudre River supplies that it may voluntarily lease to the CWCB for use in Poudre Flows on a temporary or permanent basis. Thornton will continue to explore ways to utilize its water rights in ways that are beneficial to multiple uses as allowed by law.

Thornton proposes to provide the Commissioners a verbal report annually at a regularly scheduled public meeting concerning the status of the approval processes of the Poudre Flows Augmentation Plan with the CWCB and the water court. After CWB and water court approvals have been obtained and as part of its annual report, Thornton will provide the Commissioners with a written accounting of the amount of water has been added to the Cache la Poudre River in the previous year via Poudre Flows.

If the Poudre Flows Augmentation Plan cannot be implemented as described above, Thornton intends to continue to coordinate with Poudre Flows in pursuing other legal options, as necessary, to establish a mechanism for Cache la Poudre River flow protection and enhancement, and to protect Thornton's flow additions identified herein.

Physical Improvement to the Cache la Poudre River

Physical modifications to various diversion structures on the Cache la Poudre River will be necessary in order to maximize the benefits of added flows from the Poudre Flows Augmentation Plan and other flow enhancement efforts. Several irrigation diversion dams create dry-up points on the river which restrict river connectivity; these dry-up points inhibit fish passage, impact the aquatic and riparian environments, and would prevent added flows from being shepherded and administered down the river. Anticipated modification of these structures would be made to allow the structures to serve the multiple functions of water delivery, water rights administration, and river connectivity. Improvements to these structures will require engineering, construction, agreements with structure owners, other water rights holders, and administrative approvals.

Thornton Agricultural Properties

In 1986 and 1987, Thornton purchased farms and associated water rights in Larimer and Weld Counties. Thornton's Water Court decree for the change of the Water Supply and Storage Company shares it acquired in these purchases requires that the irrigated properties which Thornton owns must be removed from irrigated agriculture prior to the water from a specific property being delivered to Thornton for municipal use. The timing of converting farms from irrigated production to non-irrigated agriculture is dependent upon Thornton's water supply needs. Thornton's decree has extremely restrictive requirements regarding the removal of irrigation from farms – more restrictive than subsequent WSSC change decrees obtained by East Larimer County Water District, North Weld Water District and the cities of Fort Collins and Greeley. Thornton's decree states that one of the following must be established: 1) dryland farming practices; or 2) native grasses or such other self-sustaining suitable dryland ground cover, with weeds adequately controlled, or 3) suitable non-agricultural uses. In most cases, Thornton has chosen to revegetate the land back to native grasses. The determination that a self-sustaining suitable dryland ground cover has been established must be obtained in accordance with the methodology used by the USDA Soil Conservation Service (now the Natural Resources Conservation Service - NRCS) in its Conservation Reserve Program.

Thornton understands that Larimer County values open lands – be it irrigated agriculture, dry-land agriculture, or native grasslands – for a variety of economic, social, and environmental reasons. Larimer County's 2015 Open Lands Master Plan identifies Habitat Restoration as a conservation vision, and acknowledges the role of native grasslands play in that role. The Master Plan notes that "native grasslands have disappeared for multiple reasons, including natural disasters, agricultural practices, and development. Restoring native grasslands provides important habitat, increases biologic diversity, and reduces land fragmentation." p. 50.

Thornton currently owns eight properties on approximately 1,590 acres in Larimer County. Thornton originally acquired nine properties in Larimer County, but one has been sold and is now back in private ownership as a part of the Dyecrest Dairy. Three of Thornton's remaining properties and a portion of a fourth, totaling approximately 788 acres, have been converted to native grasses pursuant to Thornton's decree. The remaining properties Thornton owns in Larimer County are in irrigated agricultural production, and are farmed by four local farmers.

When adequate natural moisture is available to produce a harvestable stand of grass on the properties with native grasses, these properties are cut and baled by local vendors and the grass is sold to local cattle producers. Weed control, over seeding and other maintenance activities on the native grasses is also completed by local vendors. One of the properties has a cattle grazing lease on it. Thornton's revegetated farms continue to contribute to the local agricultural economy. The native grasses produced from Thornton's farms are used by local cattle producers, and several of the local vendors Thornton contracts with have invested in specialized equipment to assist with Thornton's revegetation project.

Through Thornton's 1041 application process, Thornton has heard community interests related to both the near and long-term uses of Thornton's properties. As an expanded community benefit, in response to these interests and to support the vision identified in Larimer County's Open Lands Master Plan, Thornton proposes the following:

Thornton Farm 44



Thornton Farm 44 is located at the northeast corner of Turnberry Road and Douglas Road, surrounds Elder Reservoir, and is approximately 309 acres. This property has been converted to native grasses and has been certified as self-sustaining native grasses by the NRCS.

This property is located in the Wellington Separator, which is identified as a Priority Partnership Area in the Larimer County Open Lands Master Plan. Thornton proposes to work with the pubic partners who are establishing this separator to ensure that Thornton's property can be used to meet conservation objectives. Thornton and the city of Fort Collins are currently discussing the purchase of this property by Fort Collins, subject to a conservation easement which would be held by Larimer County. The conservation easement would reduce the cost of the acquisition for Fort Collins, and Fort Collins would direct those saved funds toward other conservation projects in Larimer County. Thornton will continue to engage in good faith negotiations with Fort Collins on this property, which would provide additional open space within the Wellington Separator. In addition, Thornton proposes to work with Larimer County and Fort Collins to identify and dedicate rights of way on this property to facilitate Larimer County's transportation objectives, including the realignment of Turnberry Road through Thornton's Farm 44 to improve the safety and efficiency of the road for the residents of the County.

Thornton Farms 83, 52 and 63



Thornton Farms 83, 52 and 63 are located east of I-25 and west of Cobb Lake, and are a combined 601 acres. These properties are currently in irrigated agricultural production and are being farmed by two local farmers. Boxelder Creek flows through Farms 83 and 52. Farms 83, 52 and 63 are located in the Wellington Separator.

Thornton will maintain Farms 83, 52 and 63 in irrigated agriculture until at least 2030. In addition, Thornton proposes to conserve these properties in a manner consistent with the conservation values identified by Larimer County. Thornton proposes to place a conservation easement on the properties which would be held by Larimer County, reserving no more than two lots per quarter section that

would be arranged with the objective to conserve as much contiguous open land as possible, cluster the lots, and identify single ownership for the conserved portion of the property.

The Boxelder Creek Regional Trail is a highly valued community project which will provide a recreational trail corridor along Boxelder Creek. Boxelder Creek flows through Thornton Farms 83 and 52. Thornton proposes providing Larimer County with approximately 1.25 miles of 50 foot wide easement across Thornton-owned properties along Boxelder Creek for connectivity of this regional trail. This easement has an approximate value of $65,000.

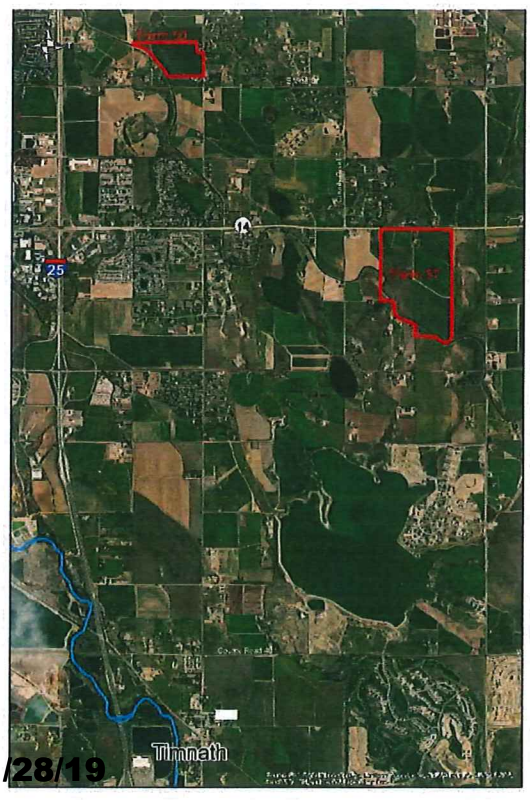
Thornton Farms 6 and 26



Thornton Farms 6 and 26 are located west of Water Supply and Storage Company Reservoir No. 3 and are a combined 414 acres. These properties have been converted to native grasses and has been certified as self-sustaining native grasses by the NRCS. In addition, on June 28, 2005, the cities of Thornton and Fort Collins entered into an Intergovernmental Agreement whereby portions of Thornton's Farms 6 and 26, were placed in the flood plain as part of the Dry Creek Flood Control Project. Fort Collins acquired a permanent easement of approximately 51 acres from Thornton for this project.

While under Thornton ownership, these properties will remain in native grasses. Should Thornton decide to divest itself of the properties, Thornton proposes to work with Larimer County in its Rural Land Use Process to ensure that any development of the property preserves conservation values. This is consistent with the objectives for this area identified in the Larimer County Comprehensive Plan Update.

Thornton Farms 56 and 57



Thornton Farm 56 is located near the intersection of East Vine Drive and North County Road 5 and is approximately 52 acres. This property is currently in irrigated agricultural production. Farm 57 is located near the intersection of County Line Road and Highway 14 and is approximately 218 acres. The eastern portion of this farm is in irrigated agricultural production, and all but 11 acres of the western portion of the farm have been converted to native grasses. Two farmers manage the irrigated agricultural operations on both of these farms.

Thornton intends to maintain these properties in irrigated agriculture until at least 2030. Thornton proposes to work with the Town of Timnath to develop or conserve these properties in accordance with Timnath's land use policies.

Broadband Services via Thornton Water Project

Infrastructure for broadband services is extremely valuable and difficult to come by for many communities, particularly in rural areas where data speeds and reliability are typically a challenge. As part of the TWP, a fiber optic conduit will be installed throughout the length of the water pipeline to provide for communication and operability of the many mechanisms needed to transmit and monitor the water supply. As an enhanced community benefit, where legally possible, Thornton will provide Larimer County with 12 strands of fiber-optic cable in the TWP corridor Alternative 3 (Option C) Corridor within Larimer County for the County to use for institutional services or its residents. This much fiber has the capability of providing up to 115 terabits per second of throughput. Access to this fiber is conservatively valued at $12 million dollars.

Voluntary Payments in Lieu of Taxes

Since 1987, Thornton has made voluntarily payments in lieu of taxes on the farms that Thornton owns in Larimer County, even though as a governmental entity Thornton is exempt from taxation on those properties. Total payments to Larimer County taxing districts since 1987 have exceeded $800,000. Thornton proposes that as long as Thornton is the fee owner of farms in Larimer County, Thornton pay the assessed valuation of those farms as agricultural property as a voluntary payment in lieu of taxes.

Conclusion

Thornton has listened to the Board of County Commissioners, County staff, the water stakeholder group, and community members and other stakeholders in order to gain a better understanding of what is important to Larimer County and its residents. The enhanced community benefits described here are direct response to this input and represent approximately $60 million dollars of value to Larimer County and its residents.

ATTACHMENT "C"

County Engineering Analysis, including Exhibit Maps

LARIMER COUNTY | ENGINEERING DEPARTMENT

P.O. Box 1190, Fort Collins, Colorado 80522-1190, 970.498.5700, Larimer.org

MEMORANDUM

TO: Rob Helmick, Senior Planner

FROM: Mark Peterson, County Engineer

DATE: January 11, 2019

RE: Construction Impacts for proposed Thornton 1041 permit application resubmittal

Larimer County Engineering Staff has reviewed the proposed Thornton water pipeline alignment and information provided by Thornton about pipeline segments to be constructed in the public right-of-way to assess:

- Potential impacts that the proposed pipeline construction would have on the traveling public in terms of travel delay and/or increased travel distance and associated estimates of costs.
- Potential impacts to maintenance costs on the county roads that could result from the necessity of detouring traffic around the construction zones.

Traffic information needed to make this assessment were obtained from traffic impact analyses performed by Felsburg, Holt & Ullevig (FHU) that focused on peak hour traffic volumes and level of service conditions at various intersections along the potential east-west pipeline alignments (LCR 54 & LCR 56) and average daily traffic (ADT) count data routinely collected by Larimer County Engineering's traffic counting program.

Traffic Volumes

Thornton's revised proposal for the water pipeline is to generally follow LCR 56 from SH 1 eastward to the County Line and turn southwards, following County Line Road (LCR 1) for approximately 21 miles to the south Larimer County boundary, with further proposed pipeline extensions into Weld County. Along the LCR 56 alignment, traffic impacts are significantly reduced as compared to the previous proposal to place the pipeline in Douglas Road (LCR 54). LCR 56 is a low-volume, rural gravel roadway corridor over the length between LCR 1 and State Highway (SH) 1. Peak hourly traffic data collected by FHU show low volumes and high levels of service at all intersections along LCR 56 in the areas east of I-25.

A map showing the locations of traffic counting stations and the most recent average daily traffic (ADT) counts was prepared by Larimer County Engineering and is shown in Exhibit A. Average daily traffic count data for LCR 56 west of I-25 range from a low of 50 (east of LCR 9) to a high of 130 (immediately east of SH 1).

For construction taking place on LCR 56 west of I-25, alternative routes are readily available on a one-mile grid system (although there are somewhat circuitous routes around the lakes). Property owners residing along the construction routes will be inconvenienced, however Thornton has anticipated that construction activities associated with a single pipeline can often be carried out with a one-lane closure. If a detour is necessary, the traffic volumes in the area are low enough that impacts along the detour routes should be minimal.

Peak hourly data were not collected east of I-25, however daily traffic count data collected by Larimer County – shown on the map in Exhibit A - indicate relatively low daily total traffic counts. The highest volumes on LCR 56 of 325 ADT, occur just east of the I-25 frontage road where CSU's Agricultural Research, Development and Education Center (ARDEC) is located. Daily count data for the east end of LCR 56 at a counting station immediately west of LCR 1, shows an ADT of 95.

The eastern boundary of Larimer County – Weld County, generally coincides with County Line Road (Larimer County Road 1 or Weld County Road 13) so the roadway is split jurisdictionally. Larimer County and Weld County have agreements defining maintenance responsibilities and Larimer County maintains the unincorporated portions of LCR 1 north of SH 14 and the two-mile segment north of US 34. Weld County maintains the unincorporated segments of LCR 1/WCR 13 between LCR 38 and LCR 26 and the segment south of US 34 to the south Larimer County line at SH 60. Traffic volumes in the northern portion of LCR 1 range from 200 ADT immediately south of LCR 56 to 500 ADT north of SH 14. Traffic volumes on LCR 1 south of LCR 38 (Harmony Road) reflect the surrounding levels of urbanization in Timnath and Windsor. North of SH 392, traffic volume is in excess of 2,000 ADT. South of the Windsor town limits on LCR 26, traffic counts show 5,500 ADT.

Construction Durations & Impacts

Thornton prepared exhibits that identify where pipeline construction is expected to take place within public right-of-way. The exhibits also show estimated durations for pipeline construction and associated road restoration. In unincorporated Larimer County, there are expected to be 18 perpendicular crossings of public right-of-way. Approximately 3.25 miles (17,350 lineal feet) of pipeline construction is expected to run longitudinally within the mainline County road right-of-way, primarily along LCR 56 and along a portion of County Line Road (LCR 1) north of CR 32E.

Impacts on Local Accesses

Thornton has provided information describing the sequence of pipeline construction and installation of temporary driveways and access roadways that demonstrates an ability to provided uninterrupted access to property owners. This process appropriately mitigates pipeline construction impacts on access to property owners.

Pipeline Construction Delay/Detour Costs

To calculate an estimate of the monetized impact to the public, County staff used a "Delay Related User Cost" formula. The "Delay Related User Cost" calculation is a formula used by the federal government. An "Average User Wage", "Cost per Vehicle", "Length of Detour", "Detour Travel Time", and "Duration of Closure" are all variables used in calculating the cost to the user. Calculations were made using the construction durations shown for a single pipeline.

The various locations where the pipe will either be installed longitudinally in the public right of way or cross the road perpendicularly were identified by Thornton in their submittal. County staff took this information and added it to the total average daily traffic (ADT) data provided in Exhibit A. More detailed depictions of these data along the proposed pipeline corridor are attached as Exhibits B, C and D.

All perpendicular crossing locations were assumed to be constructed under a full road closure condition. At each of these locations, staff identified likely detour routes and applied a "Delay Related User Cost" formula to each site.

For longitudinal pipeline construction of a single pipeline, it is likely that most construction activities for a single pipeline could be carried out under a one-lane flagged operation (with some delay) through the active construction zone. To account for situations where through traffic could not be maintained throughout the entire duration of the work activities, the County assumed that for the sections of pipe being installed longitudinally that 25% of the construction would take place under a full closure and 75% would occur under a one-lane traffic scenario.

An example of the methodology applied for a section of pipeline being placed longitudinally in LCR 56 just east of SH 1 is shown on Exhibit E. Also shown in this exhibit, is the assumed detour. Summing up the calculated vehicle and user cost for each work site in public right-of-way resulted in total user delay costs of $992,335. However, this amount represents user cost for all vehicles, including vehicles operated by residents of Weld County. The estimated amount is not adjusted to reflect user costs of Larimer County residents only. Weld County has a separate approval and cost recovery process for proposed work within their jurisdiction.

It should be noted that there are a variety of methodologies for estimating roadway construction delay/detour costs to the public and some methods would require much more detailed analyses of hourly trip distribution and detour routing. The method used for this assessment appeared reasonable for consideration of overall potential delay/detour cost impacts associated with work in the public right-of-way along the proposed pipeline route.

Potential County Maintenance Costs from Construction Detours

Rehabilitation of the roadways where pipeline construction will occur is a requirement of the County's right-of-way permitting process for work in public right-of-way and will be carried out should the Thornton pipeline project be approved. Thornton identified roadway rehabilitation activities in the work durations for each work site in public right-of-way. Road restoration work is a requirement of the permit and, therefore, not calculated separately in this memorandum.

To estimate the potential maintenance impacts of having additional traffic diverted onto the County's maintained roadways during pipeline construction activities, staff took a closer look at the detour routes. For detour routes on paved roadways, there was not considered to be a significant maintenance impact from the limited duration construction activities. Many of the detour routes, however, are on unpaved (treated gravel) roadways. In these cases, it was assumed that the impact from additional traffic would trigger the need for an additional round of maintenance by the County Road and Bridge Department. The County's average maintenance cycle on gravel roads involves blading, shaping and application of dust treatment two times per year. The total miles of gravel roads impacted by the detours (36.55 miles) and the cost per mile per maintenance cycle ($5,500/mile) were used to calculate a maintenance cost of $201,250.

Limitations & Qualifiers

There are a variety of assumptions and estimations that were made and used in assessing potential traffic impacts from the proposed pipeline construction which include:

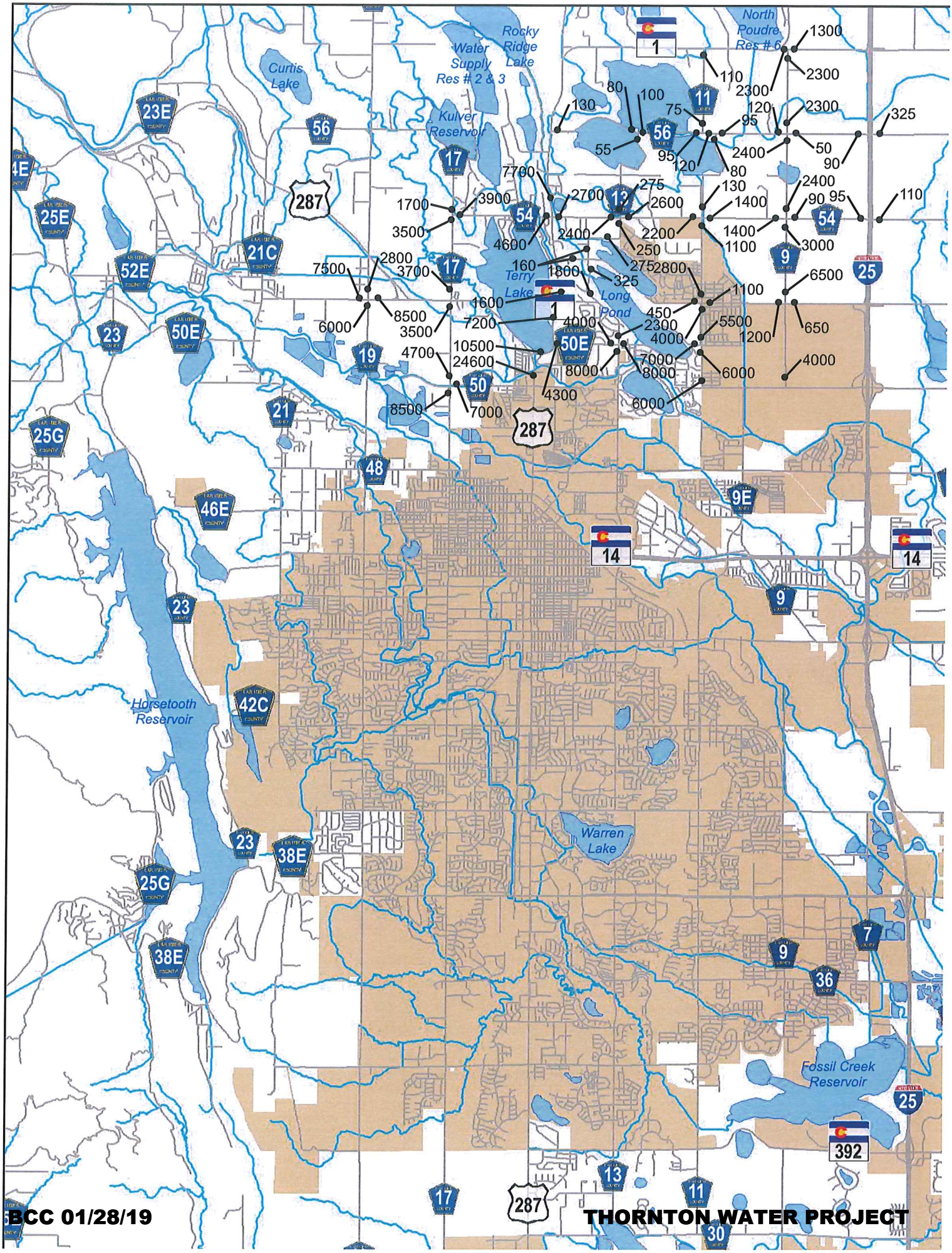
- Larimer County staff have used construction durations for work in public right-of-way developed by Thornton in conjunction with available daily traffic data in this analysis.
- Full closures were assumed for pipeline crossings perpendicular to the roadway.
- Pipeline construction occurring longitudinally in public road right-of-way was assumed to be done under traffic through a flagged/traffic-controlled work zone for 75 percent of the total duration. Road closures were assumed to be needed for 25 percent of the total duration of construction to account for potential constraints and the need for shorter duration closures.
- Detour routes were estimated by County staff. Greater detail of detour routes would be determined during a project design process.
- Pipeline construction activities along County Line Road (LCR 1/WCR 13) will affect some unknown percentage of Weld County versus Larimer County residents and road users.
- No consideration of construction impacts on users of roadways in the incorporated limits of Windsor or Timnath was considered and these entities are working with Thornton separately for permitting of pipeline construction within incorporated town limits. For the same reason, additional road maintenance needs were only considered for potential detour routes using unincorporated mainline roadways in Larimer County.
- The results obtained from the analysis of construction travel delay/detour are judged to be a fair approximation of the cost to the public resulting from travel delay and detours during pipeline construction based on a high-level analysis being conducted for this 1041 permitting process.

Results

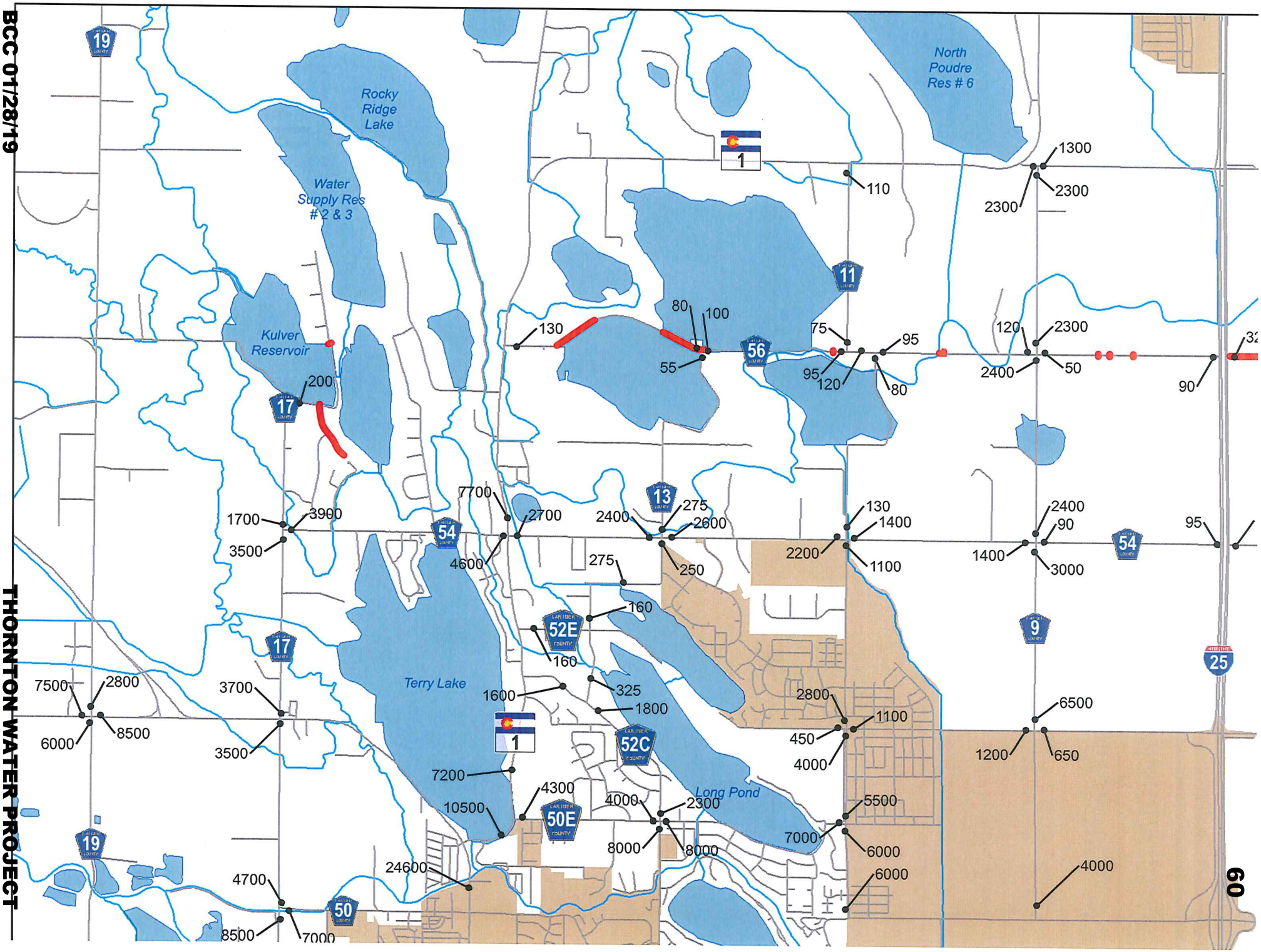
Based on Larimer County staff's review and analysis of potential construction impacts on access, travel delay/detour and additional road maintenance costs:

- Thornton has shown an approach to mitigate potential impacts on access to adjacent properties and maintain unimpeded access during construction.

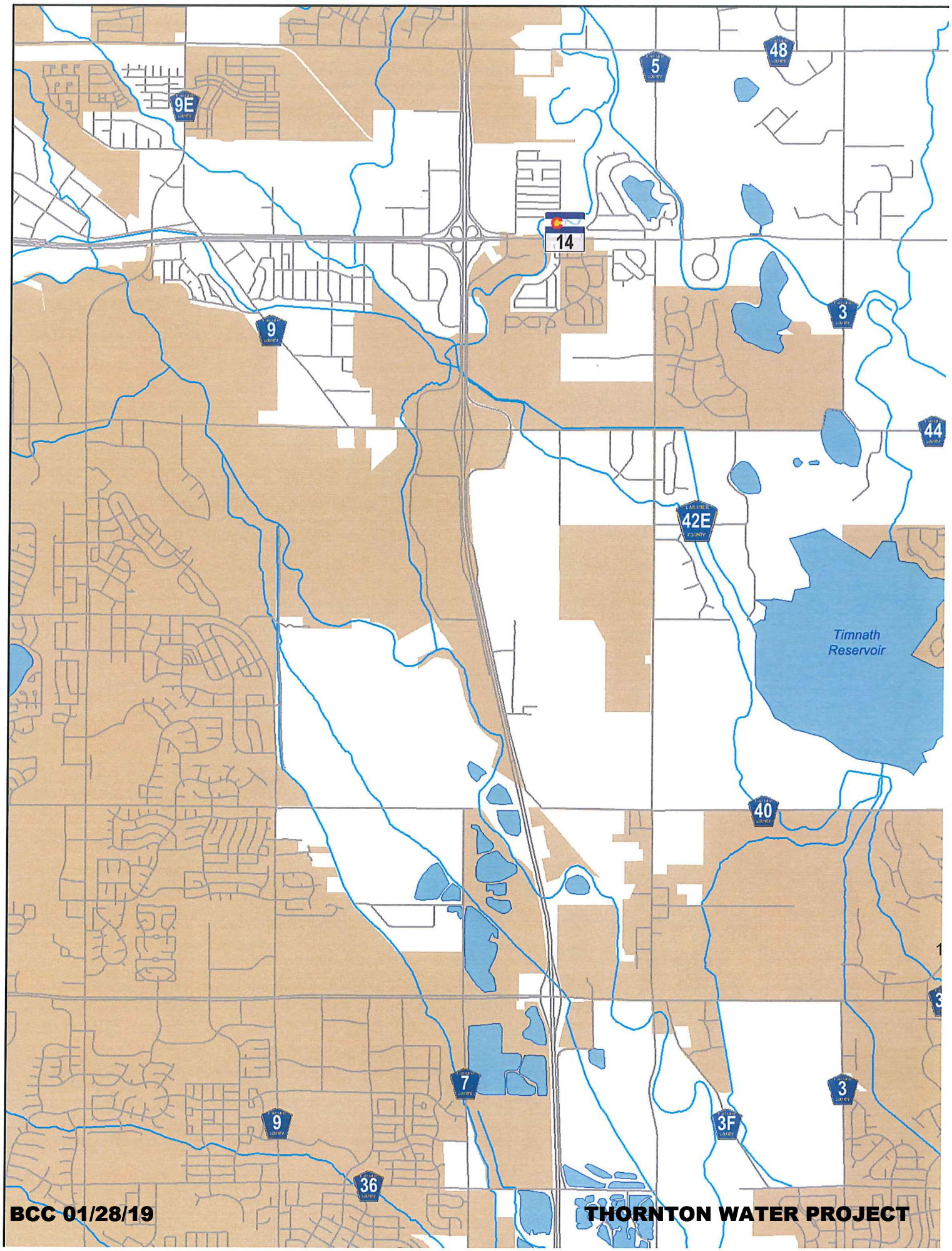
- An estimated user cost resulting from travel delay and detour routing was estimated to be less than $992,335 for Larimer County residents, using a federal Delay Related User Cost methodology. Since County Line Road is split jurisdictionally between Larimer County and Weld County, not all of this impact cost is attributable to Larimer County citizens and road users.
- Additional maintenance costs of $201,350 were computed for the unincorporated gravel road system that is expected to accommodate detour traffic.
- It is Larimer County staff's opinion that the $1 million offered by Thornton to offset impacts to the Larimer County traveling public and the Larimer County road system is equitable, in addition to stringent roadway restoration requirements recommended as a condition of the 1041 permit review.


Curtis Lake
Rocky Ridge Lake
Water Supply Res # 2 & 3
Kulver Reservoir
North Poudre Res # 6
Terry Lake
Long Pond
Horsetooth Reservoir
Warren Lake
Fossil Creek Reservoir
287
1
14
25
392

BCC 01/28/19



THORNTON WATER PROJECT



BCC 01/28/19

THORNTON WATER PROJECT

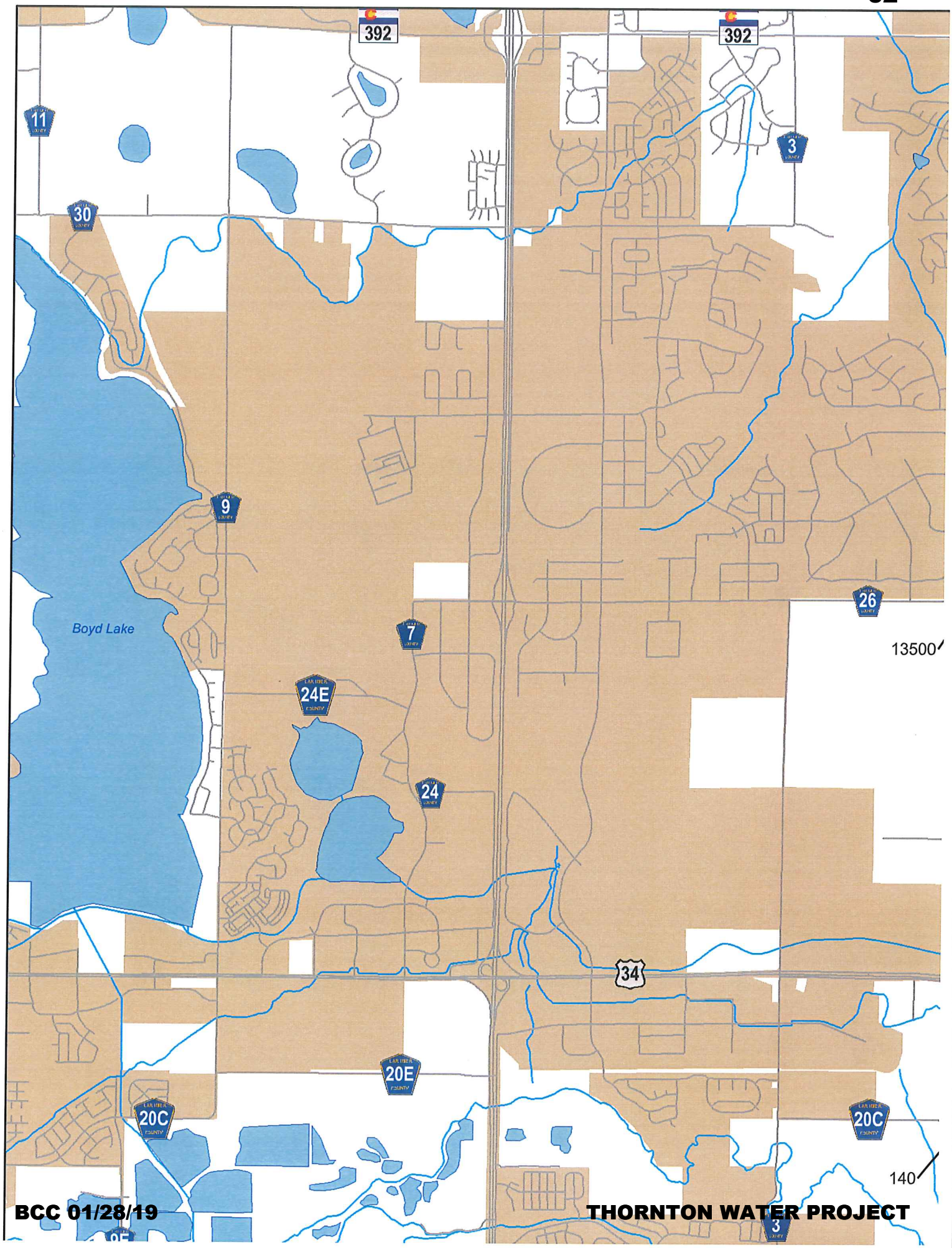
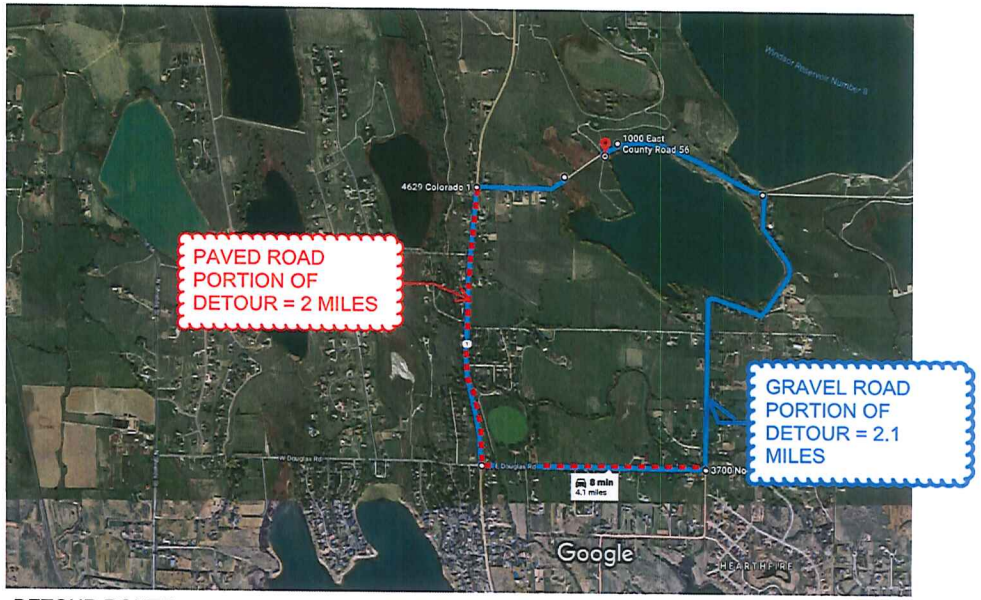

392
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Boyd Lake
7
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24E
24
34
20E
20C
20C
140
3

EXHIBIT E: EXAMPLE COST FACTORS PER WORK SITE (USER COSTS AND COUNTY ROAD MAINTENANCE COSTS)



WORK SITE DETAIL



DETOUR ROUTE

via E Co Rd 56
8 min without traffic

8 min
4.1 miles

ROAD USER DELAY/DETOUR AND ROAD MAINTENANCE IMPACT COST FACTORS

Construction Location	Construction Durration (days)	Construction Duration for total closure (days)	Construction Duration for one lane work (days).	Round Trip Detour Legnth (miles)	Length of Larimer County's, Gravel Road within the detour route (miles)	Round Trip Detour Time (minutes)	ADT (vehicles)	USER COST	ROAD AND BRIDGE COST ($5500/MILE)	TOTAL COST (USER + ROAD AND BRIDGE)
ounty Road 56 At the North west Corner of Annex Reservoir 8	13	3	10	8.2	2.1	18.00	130	$6,042.33	$11,550.00	$17,592.33

ATTACHMENT "D"

Supplement 3 to the City of Thornton's application dated 12/10/18

LARIMER COUNTY | HEALTH AND ENVIRONMENT

1525 Blue Spruce Drive, Fort Collins, Colorado 80524-2004, 970.498.6775, www.larimer.org/health/ehs/

TO: Rob Helmick
Larimer County Planning Department

FROM: Lea Schneider

DATE: January 8, 2019

SUBJECT: Thornton Water Project 1041, Supplement 3; 18-ZONE2305

This review is in response to the addendums to the previous Volume 2 submittal by Thornton Water Project (TWP). As previously indicated, the City of Thornton, Colorado, is requesting a 1041 permit from Larimer County for the TWP. The TWP is a 27-mile water delivery system that will convey domestic water from the Water Supply and Storage Company (WSSC) Reservoir No. 4 in Larimer County to the City of Thornton for treatment and distribution. The 1041 permit application requests approval of the project corridor to construct, operate and maintain the TWP in areas of Larimer County. The TWP will consist of buried 48-inch domestic water transmission pipeline and associated appurtenances of valve vaults including access manways, blow-off assemblies, air release vaults, and isolation valve vaults.

As requested of the Board of County Commissioners at the August 2018 Land Use Hearing, additional time was permitted for Larimer County and Thornton to work with the public to better define and analyze issues and alternatives related to the TWP. As a result, Thornton has submitted Supplement 3, with Alternative 3 (Option C) Corridor rather than the original Douglas Road corridor. The Alternative 3 (Option C) Corridor (referred to as "Corridor") will still allow for co-location with the Northern Integrated Supply Project pipeline as specified in the description. Per Supplement 3, the above ground storage tank previously proposed in Larimer County has now been relocated east of the County Line to Weld County. The 40-million gallon per day source water pump station is still proposed in Larimer County on a parcel off of Douglas Road. It is understood that the source water pump station will be reviewed separately by means of a Site Plan process.

The health department was not part of the outreach and working groups, but did have an opportunity to review applicable materials specific to the preferred Corridor as they related to public health. Please note that other items addressed in previous comments on TWP submittals are still applicable even though they may not be repeated in this referral comment memo.

1. The preferred Corridor in Supplement 3 proposes alignments that will impact residential properties, including properties in the Cimarron Lake/Braidwood Community and Eagle Lake subdivisions. Public utility service lines (water, sewer, gas, etc) have been identified along the Corridor, but private on-site services have not such as wells (potable, monitoring, irrigation, etc), wastewater, propane/natural gas tanks, etc. It is known that septic systems for properties along the entire Corridor may be located near right-of-ways (examples include parcels 9823311027 and 9823311028) or between the residence and body of water. Investigation into these on-site services shall be completed with identification in the final design plans and in the field/on-site prior to construction to prevent damage from construction traffic, equipment, pipe/materials, and temporarily stockpiled excavated material. In the event on-site services are damaged during construction activities, Thornton will be responsible for immediate repair/replacement and all associated costs in order to prevent extended disruption of the property owner's quality of life. We propose the following conditions for approval:
    a. **On-site wastewater treatment systems (OWTS) and other private, on-site services for residences along the Alternative 3 (Option C) Corridor shall be identified as part of the final design plans and in the field prior to construction.**
    b. **The City of Thornton shall be responsible for arranging for and paying all costs of damage or relocation of private property services as necessary to accommodate the water pipeline Corridor if a reasonable alternative is not possible.**

2. It has been brought to our attention that a section of the preferred Corridor alignment may be routed in an easement north of parcel 9813000011 as part of the proposed Rocky Ridge Conservation Development along Highway 1. This easement would reduce the developable areas of Lots 20-22, creating small, irregular lot boundaries making it increasingly difficult for placement of a septic system and residence. The soils of the area are already not ideal for a traditional septic system so larger, engineered septic systems may be necessary. **It is our recommendation that an alternative easement be created with the land owner or the land owner reconfigure Lots 20-22 of the Rocky Ridge Conservation Division prior to submitting an application for preliminary plat.**

3. Thornton has acknowledged the requirements for Air Quality Regulations of Colorado and will comply. As a condition of approval, it is recommended to add:
    a. **The City of Thornton shall develop a fugitive dust control plan, submit an Air Pollutant Emissions Notice (APEN) for construction activities and obtain a construction air permit from Colorado Department of Public Health and Environment's Air Pollution Control Division prior to construction and comply with the conditions of the plan and permit.**

4. The Supplement 3 indicates that the back-up diesel generators for the source water pump station have been removed from the proposal as Thornton was able to confirm that a second independent power source shall be installed by Poudre Valley

Rural Electrical Association (PVREA). The health department concurs with Thornton's proposed condition of approval:

a. **The backup power source for the future source water pump station shall only be provided by a second independent power source provided by PVREA, with no allowance for backup fuel generators.**

5. Thornton has acknowledged the requirements for stormwater, groundwater and process water discharge permits during construction as required by the Division of Water Resources with CDPHE. A condition of approval was included in the initial Staff comments under Condition Item 8 to obtain and comply with all applicable state and local permits.

6. Thornton acknowledges that Larimer County has a Noise Ordinance which sets maximum decibels for construction projects at specific times of the day. Be advised that maximum decibel levels will be measured at the residential property line (not the receptor) or 25 feet from the right-of-way as described in the Ordinance. The decibel levels outlined in the *Appendix A Alternative Analysis* are decibel levels at 50 feet. The only noise mitigation proposed in the project description during the construction phase was the implementation of standard maintenance procedures and use of appropriate mufflers. We ask Thornton and the TWP contractors to also utilize other noise mitigation as applicable, such as white noise backup beepers on all construction equipment/vehicles, new/quiet generators/pumps, sound deadening enclosures for generators/pumps, and use of vibration absorbing platforms or other material to dampen vibrations from equipment set up on the ground. Thornton proposes to operate within the Ordinance parameters, specifically the daytime hours Monday thru Saturday, with exceptions as approved by Larimer County. This has been somewhat captured in the Staff Comments, Condition Item 16, but does not specifically address the local Noise Ordinance as a condition of approval. The health department recommends the following additions:

   a. **The City of Thornton shall comply with maximum decibels for construction activities as outlined in the Larimer County Noise Ordinance. Any exceptions to these parameters must be approved by Larimer County.**
   b. **A noise mitigation plan shall be submitted with the final design plans of the Corridor outlining control methods that will be implemented during construction amongst residences.**

7. It was noted in the project description that some workers may require local lodging or temporary housing in the area during construction. Please be advised, temporary housing such as recreational vehicles would require prior approval by Larimer County.

cc: Mark Koleber via email: info@thorntonwaterproject.com

Poudre fire Authority
102 Remington Street
Fort Collins, CO 80524
Phone: 970-221-6570
Fax: 970-221-6635
Internet: www.poudre-fire.org

TO: Rob Helmick, Senior Planner, rhelmick@larimer.org, 970-498-7682

FROM: Andrew Rosen, Fire Protection Technician, arosen@poudre-fire.org 970.416.2599

PROJECT: Thornton Water Project 1041

LARIMER COUNTY CASE NUMBER: 18-ZONE2305

LOCATION: A pipeline route commencing at Water Storage and Supply Reservoir #4 proceeding east along the Douglas Road alignment to CR(north to CR56 East to the Larimer County Line thence south along the County line to the Weld County line at Johnstown

DESCRIPTION:. To locate and construct a raw water pipeline and appurtenant facilities including pump stations and storage tanks. The pipeline commences north of Fort Collins at WS&S reservoir #4 following along the alignment of Douglas Rd to County Road 9/Turnberry Road. Thence north to CR56 thence east to the County Line to a water tank thence south along the County Line to the Weld County through Timnath, Windsor and Johnstown.

COMMENT DATE: 4-25-2018

OWNERS: City of Thornton Water Project, Mark Koleber, 12450 Washington St, Thornton, CO, 80241. info@ThorntonWaterProject.com

PFA COMMENTS

>PFA is planning to adopt the 2018 International Fire code in the first Quarter of 2019. Please note that all future submittals will be reviewed under the adopted code at that time. PFA comments shall remain active until acknowledged and resolved by the applicant. Please feel free to contact me with questions.

>It is understood from the provided documents that Thornton will provide a Site Plan Review for the 10,000sqft Source Water Pump Station and the Water Storage Tank at a later date. PFA will have comments at that time regarding hydrant placement, fire access, addressing/wayfinding and gate access.

>All of PFA's comments for the previous reviews dated 1-29-2018 and 5-1-2018 still apply.

ALTERNATIVE 3 (OPTION C)

>It is noted in the provided documents that the Applicant states that the backup generator at the Source Pump Station will no longer be required since a second power line will be provided.

Poudre fire Authority
102 Remington Street
Fort Collins, CO 80524
Phone: 970-221-6570
Fax: 970-221-6635
Internet: www.poudre-fire.org

>It is noted that the location of the Option C pipeline is remote from the road infrastructure in some areas from the Source Pump Station until it rejoins County Road 56. PFA will require an access roadway in these areas capable of supporting 40T in case an emergency response is required.

>A wayfinding system along the pipeline route should be developed to assist with prompt emergency response. Please coordinate with PFA

COLORADO
Parks and Wildlife
Department of Natural Resources
Area 4 - Fort Collins Service Center
317 W. Prospect Road
Fort Collins, CO 80526
P 970.4724300

January 7, 2019

Mr. Rob Helmick
Larimer County Planning Services; Senior Planner
200 West Oak Street Suite 3100
PO Box 1190
Fort Collins, CO 80522

Re: Concurrence for a List of Special Status Species and Request for Comments Thornton Water Project

Dear Mr. Helmick,

We received your letter dated December 14, 2018 for a request for concurrence on species of wildlife that may occur within the project path for the first segment of the Thornton Water Project. This segment of the project begins at the Water Storage and Supply Reservoir #4 proceeding east along the Douglas Road alignment to CR 9 north to CR 56 east to the Larimer County Line thence south to the Weld County line at Johnstown. We appreciate the opportunity to comment on this project.

The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. CPW has a statutory responsibility to manage all wildlife species in Colorado, and to promote a variety of recreational opportunities throughout Colorado.

We have reviewed the species and habitats outlined in your letter and agree with your assessment that those species may potentially occur within the boundaries of the pipeline project. CPW appreciates that Thornton is proposing to use trenchless construction methods to cross the Cache la Poudre and Little Thompson Rivers, St. Vrain Creek and associated sloughs and habitats that protect wildlife species that are associated wetland and riparian habitats. We also recommend that trenchless construction methods be employed for Big Dry Creek, Little Dry Creek, and any other ponds and wetlands encountered along pipeline pathway.

As identified in your assessment, there is a potential for raptor nests and burrowing owls to be encountered along the project pathway depending upon what time of year the construction of the pipeline is to occur. If the project is to take place between February 1 and July 31st we recommend that raptor surveys be performed prior to construction and throughout the project to detect any new nests that may occur. CPW has developed a set of guidelines for setbacks for a variety of species of raptors and techniques for surveying burrowing owls. Those guidelines can be found on the CPW website at:

http://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf#search=Raptor%20Nesting%20guidelines

http://cpw.state.co.us/Documents/WildlifeSpecies/Profiles/BUOW SurveyProtocol2007.pdf.

Bob D. Broscheid, Director, Colorado Parks and Wildlife • Parks and Wildlife Commission: Robert W. Bray • Marie Haskett • Carrie Besnette Hauser
John Howard, Chair • Marvin McDaniel • Dale Pizel • James Vigil, Secretary • Dean Wingfield • Michelle Zimmerman, Vice-Chair • Alex Zipp

Colorado Parks and Wildlife recommends that the developer work with the Larimer County Public Works Department-Weed Division to develop and implement a plan for control of noxious weeds during and post construction phases of the pipeline project. To avoid the spread of noxious weeds to other sites and to prevent new species from being introduced, all construction equipment should be thoroughly cleaned prior to arriving on site and after construction is completed. CPW recommends that any restoration of any sites be of a mixture of native grasses and forbs. Any native trees that are removed should be replaced on a 3 to 1 basis, especially in the riparian areas of the Cache la Poudre and Little Thompson Rivers.

CPW requests that pipeline construction be limited to within the CR 56 Right of Way where it coincides with the boundary of Wellington State Wildlife Area-Cobb Lake Unit west of CR 3. If such a limitation is not feasible, CPW requires a special use permit for commercial/industrial related activity/access on the State Wildlife Area property as well as a Real Estate Action Request (REAP) for easement access in the event of any permanent structures established on the property. In addition, CPW requests that timing of such construction does not occur from September 1 to the close of dark goose season, roughly February 17th. CPW also requests additional opportunity to comment on potential impacts to the State Wildlife Area property, wildlife related activity, and reclamation of the impact site related to the construction of this project including weed control, dust control, wetland mitigation and public access throughout the planning and construction process.

If you have any questions or concerns, please feel free to contact District Wildlife Manager Pepper Canterbury at (970) 217-1471 or at pepper.canterbury@state.co.us. Again, thank you for the opportunity to comment on this project.

Sincerely,



Ty Petersburg
Area Wildlife Manager- Area 4

CC: P. Canterbury
A. Curtis
J. George
M. Sherman
Area 4 File
Area 2 File
Area 5 File

LARIMER COUNTY

Rob Helmick <helmicrp@co.larimer.co.us>

18-ZONE2305/Thornton Water Project/Larimer County/various highways

1 message

Hice-Idler - CDOT, Gloria <gloria.hice-idler@state.co.us> Mon, Dec 31, 2018 at 8:42 AM
To: Rob Helmick <rhelmick@larimer.org>
Cc: "Bilobran, Timothy" <timothy.bilobran@state.co.us>, Allyson Mattson - CDOT <allyson.mattson@state.co.us>

The applicant will need to obtain the appropriate CDOT permits as they cross state facilities and access private roads from the state highways.

Gloria Hice-Idler
Rocksol Consulting

(970) 381-8629

cid:image001.png@01D05B52.DA3F45D0

10601 W. 10th Street, Greeley, CO 80634
gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org

People System Technology
Our goal—to be the best DOT ROADX

CDOT COLORADO Department of Transportation Region 4

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17K

BOARD OF COUNTY COMMISSIONERS

MINUTES

DECEMBER 17, 2018

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

Monday, December 17, 2018

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m. with Carol Kuhn, Principal Planner. Chair Johnson presided, and Commissioner Donnelly and Commissioner Dougherty were present. Also present were: Eric Fried, Chief Building Official; Leslie Ellis and Savannah Benedick-Welch, Community Development; Tracy Shambo, Engineering; Lea Schneider, Health Department; Jeannine Haag, County Attorney; and Elizabeth Carter, Deputy Clerk.

Chair Johnson opened the hearing with the Pledge of Allegiance.

Chair Johnson noted that the first item on the Consent Agenda is a continuation item from November 5, 2018. Additionally, he noted that the following items were on the consent agenda and would not be discussed unless requested to do so by the Board, staff, or members of the audience. Members of the audience requested item #4 Puebla Vista Estates Lot 8 Easement Vacation File #18-land3835 be removed from the Consent Agenda.

1. **2018 BUILDING CODES AMENDMENTS:** The measure includes adoption of the 2018 International Residential Code, 2018 International Building Code, 2018 International Plumbing Code, 2018 International Mechanical Code, 2018 International Fuel Gas Code, 2018 International Energy Conservation Code, 2018 International Existing Building Code, and 2018 International Property Maintenance Code, as amended by Larimer County, and repeal the currently adopted 2015 International Residential Code, 2015 International Building Code, 2015 International Plumbing Code, 2015 International Mechanical Code, 2015 International Fuel Gas Code, 2015 International Energy Conservation Code, 2015 International Existing Building Code and 1997 Uniform Code for the Abatement of Dangerous Buildings, as amended by Larimer County, to be effective February 1, 2019.

the vacation per se, he did oppose the overall project. Chair Johnson closed public comment and invited the applicant to come back and address the Board.

Mr. Morrison reported to the Board that he has every intention of bringing his plans to the neighborhood HOA for approval. He is seeking the vacation of the easement as an initial step in the process.

M O T I O N

Commissioner Donnelly moved the Board of County Commissioners approve the Easement Vacation for Puebla Vista Estates, Lot 8, File # 18-LAND3835, subject to the conditions outlined above.

Motion carried 3-0.

With there being no further business, the Board recessed at 3:20 p.m.

LAND USE HEARING

The Board of County Commissioners met at 6:30 p.m. with Carol Kuhn, Principal Planner. Chair Johnson presided, and Commissioner Donnelly and Commissioner Dougherty were present. Also present were: Leslie Ellis and Rob Helmick, Community Development; Mark Peterson, County Engineer; Lea Schneider, Health Department; Todd Blomstrom, Public Works Director; Jeannine Haag, County Attorney; and Elizabeth Carter, Deputy Clerk.

Chair Johnson opened the hearing with the Pledge of Allegiance.

Chair Johnson noted that the following item is a continuation item from August 1, 2018.

1. **THORNTON WATER PROJECT 1041, FILE #18-ZONE2305:** Rob Helmick presented to the Board a staff update. Mr. Helmick reported that the City of Thornton continues its application to obtain a 1041 permit for the construction of a 48" water line, a 40 million gallon per day pumping facility, one million-gallon above ground water tank and other appurtenant facilities.

Mr. Helmick noted that on August 1, 2018, the Board of County Commissioners continued its hearing to December 17, 2018 to allow County staff and Thornton time to provide the specific additional technical information as discussed by the Commissioners, and so County staff could involve the public through meetings and open houses. Specifically, the Commissioners stated concerns with the application's relationship to meeting the review criteria, concerns about seeing

alternatives analysis, and interest in better engaging the public in the process. The Board also discussed mitigating impacts to and seeking better benefits to the County from the project. Mr. Helmick noted that since August, County staff has worked with a Working Group of 28 members, with the community at large, and the City of Thornton to answer questions and address concerns raised by the Board of County Commissioners. Northern Water also participated in the process regarding questions of co-location of their proposed pipeline.

Ms. Ellis then addressed the Board regarding the staff's response to this direction from the Commissioners. Ms. Ellis noted that Larimer County staff proposed a full engagement process including a Working Group, public events, a webpage, and coordination with the City of Thornton as well as Northern Colorado Water Conservation District (Northern) to identify potential synergies of the conveyance of water projects.

Ms. Ellis reported to the Board that staff interviewed three different facilitators and ultimately selected Peak Facilitation to aid in the engagement process. She also noted that the County has also brought in independent consultants to aid in addressing ongoing traffic, water flow and environmental concerns.

Heather Bergman, Peak Facilitation, then addressed the Board. Ms. Bergman noted that based on the participation that had ensued over several months during the hearing process, Peak, in concert with County staff developed a matrix of stakeholders and then invited 30 people to join the Working Group, of whom 28 accepted. With the list of stakeholders and invitations, the County had an eye toward establishing a group that reflected a diversity of geographic neighbors and perspectives.

Ms. Bergman reported that the Working Group met for three hours a total of five times in September, October, and November 2018, with an average of two weeks between meetings which are described below. She noted that although it may have been beneficial for the Working Group to meet more times in order to work through additional issues, questions, and ideas, this was the maximum amount of meeting time possible in the available timeframe between September and December 17. Ms. Bergman reported that it was an aggressive meeting schedule, with many LWPWG members doing additional work in between meetings. Ms. Bergman noted that is a testament to the commitment of the members of the Working Group that participation in meetings never wavered or lagged, even when members were frustrated by the process.

Ms. Bergman also noted that addition to these five meetings, the County also hosted two community meetings to solicit a broader range of feedback from the larger community, as well as three technical webinars to allow for deeper dives

into some of the technical issues and challenges. Ms. Bergman reported that from these meetings, the group was able to better understand community concerns and examine a variety of options for moving the project forward

The Board took an opportunity to thank the members of the Working Group for the effort and energy they have expended in trying to seek viable options for the project. The Board also pointed out that collaboration between partners often yields the best results. Chair Johnson invited the City of Thornton forward to present their updated application.

Todd Barnes, City of Thornton Communication Director; Emily Hunt, City of Thornton Water Quality Manager, Jason Curl, Water Quality and Treatment Specialist, Maria Ostrum, City of Thornton's Chief Finance Officer, and Brett Henry, City of Thornton's Executive Director of Infrastructure addressed the Board. Mr. Barnes reported that the City of Thornton heard the Board's direction for additional public input and a need for enhanced community engagement. He noted that the City of Thornton was not an official member of the Working Group, but rather there to listen and learn as well as act as a resource when needed. Mr. Barnes reported that the City believes that the information gathered led to a better route for the project while minimizing impact.

Ms. Hunt then walked the Board through what the City of Thorton learned from the working groups and the key concerns of the community. The City understood that the Board wanted to hear more about alternatives and community input. The Working Group categorized the community interest into 7 categories: agriculture, conveyance, construction, environment, quality of life, water supply, process and an added category of colocation. Ms. Hunt also noted that the City of Thornton has a number of needs and concerns that the project must meet. The City of Thornton's concerns include: public health/water quality, water yield, executing the water decree, existing storage, a 2025 delivery deadline and fiscal responsibility. Ms. Hunt reported that the City believes that the update application best marries the needs of the City of Thornton along with the concerns of the citizens and communities along the pipeline.

Finally, Brett Henry- Executive Director of Infrastructure for the City of Thorton addressed the Board on the Route 56 Alternative Concept. Mr. Henry walked the Board through how in the City of Thorton's estimation the Road 56 option meets the criteria identified in the 1041 application. He specifically addressed questions the Board had in previous hearings regarding criteria 2, 4, 6, 8 and 11.

Discussion between the Board and Larimer County staff regarding additional information the Board might seek. Specifically, the Board would like the City of Thorton to directly reach out to the property owners who will be impacted. Also, the Board would like a detailed evaluation of the impact to the

transportation system along the pipeline route. Lastly, the Board requested the City of Thorton to take a strong look at environmental impact and look at further means of mitigating that impact.

Chair Johnson noted that the hearing would be continued until January 28, 2018. With there being no further business, the Board adjourned at 9:20 p.m.

TUESDAY, DECEMBER 18, 2018

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with Linda Hoffman, County Manager. Chair Johnson presided, and Commissioner Donnelly and Commissioner Dougherty were present. Also present were: Brenda Gimeson and Alisha Jeffers, Commissioners' Office; and Elizabeth Carter, Deputy Clerk.

Chair Johnson opened the meeting with the Pledge of Allegiance.

1. **PUBLIC COMMENT:** Chair Johnson opened the meeting to public comment giving citizens the opportunity to address the Commissioners regarding events and issues pertaining to Larimer County. There was no public comment.

2. **APPROVAL OF THE MINUTES FOR THE WEEK OF DECEMBER 10, 2018:**

M O T I O N

Commissioner Donnelly moved the Board of County Commissioners approve the minutes for the week of December 10, 2018.

Motion carried 3-0.

3. **REVIEW OF THE SCHEDULE FOR THE WEEK OF DECEMBER 24, 2018, DECEMBER 31, 2018 AND JANUARY 7, 2019:** Ms. Gimeson reviewed the schedule for the upcoming weeks with the Board.

4. **CONSENT AGENDA:**

ABATEMENTS: Recommended Denial-Thomas Langush #R0158089/87163-00-015 (2016/2017). Recommended Denial- Chadwick C. and Brenda L. Nordtvedt # R1612092/88120-00-023 (2016)

12182018A002 CORONER'S OFFICE CHANGE ORDER REQUEST FOR LODOX X-RAY MACHINE BY AND BETWEEN LARIMER COUNTY AND BRYAN CONSTRUCTION

12182018A003 PROFESSIONAL SERVICES AGREEMENT (P18-16) BY AND BETWEEN LARIMER COUNTY AND AVI PROFESSIONAL CORPORATION

Northern Water
Northern Colorado Water Conservancy District
220 Water Avenue Berthoud, Colorado 80513
Phone 1-800-369-7246 • www.northernwater.org

December 17, 2018

Mr. Rob Helmick, Senior Planner
Larimer County Planning Department
200 West Oak Street
Fort Collins, Colorado 80521

Re: Northern Integrated Supply Project and Thornton Water Project Coordination

To Whom It May Concern:

The purpose of this letter is to clarify the commitment and support by the Northern Integrated Supply Project (NISP) to work with the City of Thornton to co-locate conveyance pipelines on the respective projects from the vicinity of Water Supply and Storage Company Reservoir Number 3 along Larimer County Road 56 to approximately the Turnberry Road intersection (see attached Exhibit A).

Larimer County Staff, in response to direction from the Larimer County Commissioners during recent Thornton Water Project hearings, invited Northern Water to participate in the Larimer Water Projects Working Group process along with various community stakeholders and to also participate in several related public meetings. This collaborative process helped inform the pipeline route proposed by the City of Thornton in its 1041 Permit Application Supplement 3 (dated December 10, 2018). By working cooperatively with the City of Thornton, NISP supports minimizing impacts to citizens of Larimer County by co-locating the pipelines adjacent and/or overlapping easements in the corridor shown on the attached Exhibit A. Additionally, NISP supports jointly or cooperatively constructing two segments of this reach with the City of Thornton: 1) from below Water Supply and Storage Company Reservoir Number 3 to north of Eagle Lake; and 2) the reach from southwest of North Poudre Irrigation Company Reservoir Number 10 to Larimer County Road 13. Such cooperation would, however, be contingent upon NISP: 1) securing the appropriate federal, state, and local permits; 2) successfully acquiring easements in the general alignment outlined in Exhibit A; and, 3) that no unforeseen significant challenges are presented throughout the permitting process or encountered during the detailed design and construction phase.

NISP and its participants appreciate the opportunity to work cooperatively with Larimer County Staff & Commissioners, the citizens of Larimer County, and the City of Thornton as these important water projects move forward.

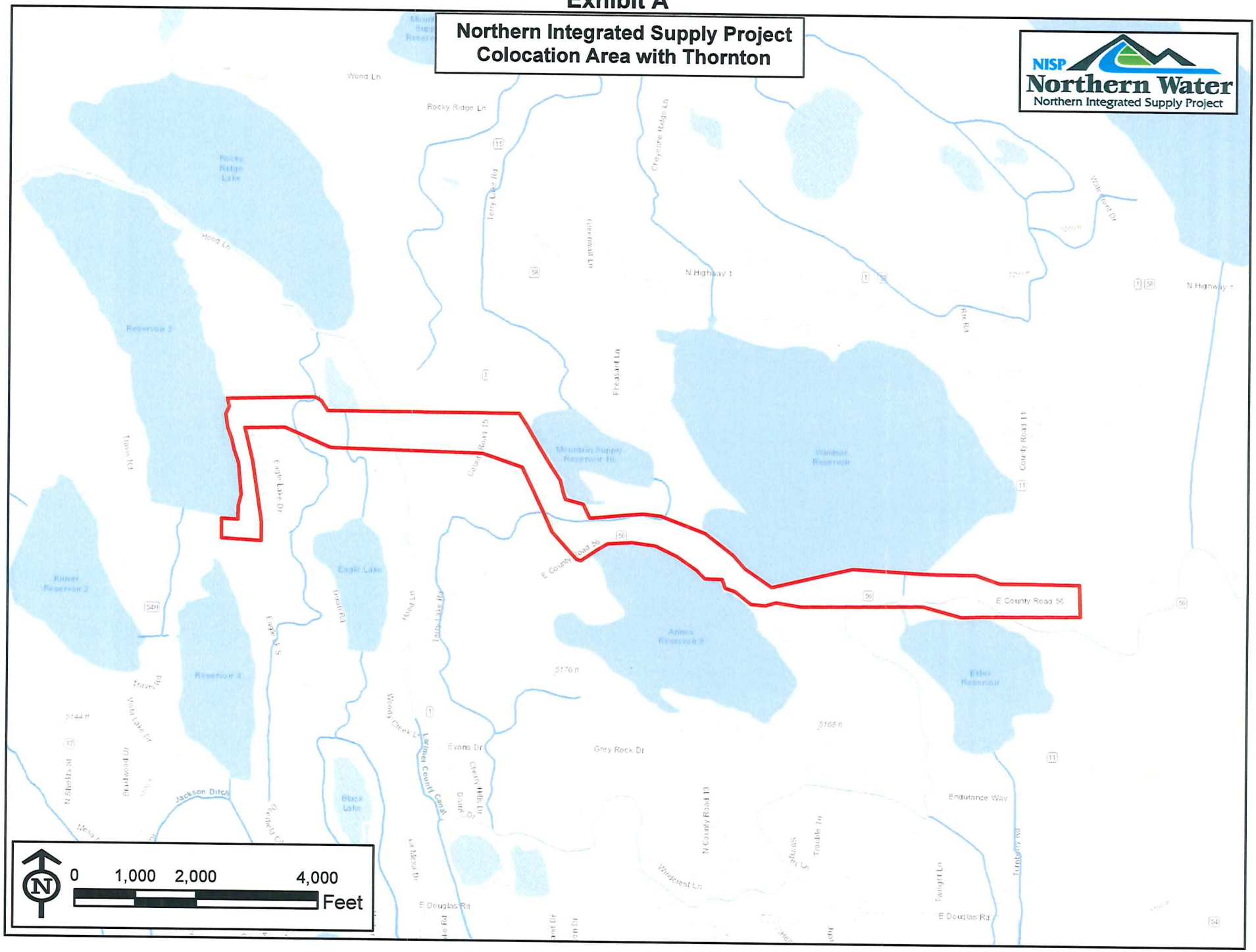
Regards,

Brad

Bradley D. Wind, P.E.
General Manager
Northern Colorado Water Conservancy District

Exhibit A

Northern Integrated Supply Project Colocation Area with Thornton



CITIZENS COMMENTS

To: Larimer County Commissioners
From: Mick Ondris
Re: Shields Street/Poudre River Alternative to the TWP
Cc: Rob Helmick, Planning Department

January 11, 2019

Dear Sirs,

In response to the Commissioners' requests related to the tabling of the Thornton Water Project 1041 Permit application at the August 1, 2018 BoCC meeting, I submitted the "Shields Street/ Poudre River Alternative to the Thornton Pipeline Proposal" to the Board and sixteen other stakeholders, including the City of Thornton, on September 19, 2018.

It was my hope that the Alternative would be available for members of the community to view, evaluate, and comment on during the Larimer County Water Projects Working Group process. Unfortunately, during that process, the City of Thornton was permitted to "modify" the proposal to a degree that it became an unrecognizable component of the existing Thornton pipeline proposals. This "modification" was then presented to the citizens of Larimer County at the November 15 "Open House" and labeled as being partially based on "community" input. It would have been virtually impossible for a member of the community to ascertain any aspect of the actual Shields Street/Poudre River Alternative from the materials presented.

In response to that process and the subsequent resubmittal of the Thornton 1041 application, I would like to provide you with an edited version of the actual Alternative that addresses Thornton's comments related to the Alternative and the modified North Route application. For your comparison, also enclosed is a copy of the "Option E – Shields Street to Poudre River" document as presented by Thornton at the "Open House."

To summarize, the actual Shields Street/Poudre River Alternative is a compromise solution that:

- provides the City of Thornton with its full allocation of water, delivered on the same schedule and of similar quality as either of the pipeline proposals
- honors the Water Supply and Storage Companies Agreement with the City of Thornton, while also complying with the Water Court and Supreme Court change in beneficial use Decrees
- protects the agricultural water rights of other users of the Larimer County Canal
- provides a significant benefit to Larimer County by partially re-watering a 20 mile segment of the Poudre River
- minimizes (in distance and duration) the construction impacts on local traffic
- and minimizes impacts to individual property owners.

I would be happy to address any concerns, questions, or comments you may have via email, phone conversations, or in person. Please feel free to contact me if I may be of further assistance.

Respectfully,

Mick Ondris
(970) 225-0083
2mickon@q.com

SHIELDS STREET/POUDRE RIVER ALTERNATIVE TO THE THORNTON "NORTH ROUTE" PIPELINE PROPOSAL

During the ten month 1041 Permit review process, and particularly during the two public comment periods before the Larimer County Board of Commissioners, several concerns were expressed by the Commissioners, the Larimer County Planning Commission, citizens, and various organizations representing stakeholder groups. These concerns centered on the disruptive nature of the Douglas Road Pipeline Proposal, the lack of public engagement in the decision making process, the short Proposal review period, the perception that the evaluation of Alternatives that utilize the Poudre River as a means of conveyance were superficial, as was the summary dismissal of those Alternatives. As a result, the Commissioners voted unanimously to table the Application until December 17, 2018. In the interim, the Larimer Water Projects Working Group was formed to, in part, "share accurate and current information about the process and analysis related to alternatives." This process was facilitated by Peak Facilitation.

In reference to Alternatives that utilize the Poudre River as a means of conveyance, the City of Thornton expressed concerns regarding water quality, delivery of the full allotment of water, compliance with the Colorado Water Court and Colorado Supreme Court Decrees that authorized the change in beneficial use, and potential increases in the cost of the overall Project.

On September 19, 2018, I submitted the Shields Street/Poudre River Alternative (SS/PR Alt) to the Board of County Commissioners and sixteen other stakeholders including the City of Thornton. Inexplicably, Peak Facilitation allowed the City of Thornton to "modify" the Alternative to the point that it was an unrecognizable adjunct to the existing pipeline proposals. This "modified" proposal was then displayed at the November 15 "Open House" event with the implication that the "modified proposal" was partially based on "community" input. At no point was the community afforded an opportunity to view, analyze, and comment on the *actual* SS/PR Alt. The following is an edited version of the original proposal that addresses modifications to the original 1041 Application (North Route) and comments promulgated by the City of Thornton.

The SS/PR Alt is a compromise Alternative, based on the principle of regional cooperation that is designed to provide the least disruptive, most beneficial option for the delivery of water from the Poudre River to the City of Thornton in a cost effective manner. This Alternative builds on numerous ongoing efforts by a variety of entities that continue to improve the fluvial and biological functions of the Poudre River. While these improvements are often done as individual projects, each of these efforts positively reinforces and compliments the others. As these efforts continue, the overall stream function and health of the Poudre River will continue to improve.

POINT of DIVERSION / EXISTING WATER RIGHTS

The SS/PR Alt utilizes the existing Poudre River "Canyon Mouth" point-of-diversion to the Larimer County Canal (LCC) and the proposed outlet at Water Supply and Storage Company Reservoir #4 (WSSC #4). Utilization of these existing facilities complies with the 1986 operational Agreement between the City of Thornton and WSSC.

When the "beneficial use" of a water right is re-adjudicated, the Courts apply a "no injury" doctrine to protect other existing water rights. In this case, the original agricultural use of the WSSC water right was converted to a municipal use right held by the City of Thornton. The 1994 District Court, Water Division No. 1, State of Colorado (i.e. the "Water Court") decision, the 1996 Colorado Supreme Court remand, and the final 1998 "Thornton Northern Project

Decree" all mandate that the existing point of diversion be used and that the general operational functions of the LCC continue in a manner as to avoid injury to the remaining WSSC shareholders and other existing water rights. Finally, WSSC has emphatically stated that it will not acquiesce to any modifications to the existing Agreement or Decree (July 2 and July 30, 2018).

ALIGNMENT

The SS/PR Alt is comprised of three segments (please refer to the enclosed sketch map that outlines the general routing):

SEGMENT #1 – approximately 1.1 miles. Outtake at WSSC #4 at 5080 ft. elevation. Buried pipeline roughly contouring (with consistent gradient) with the Dry Creek Ditch easement, south across Douglas Road to the west side of Shields Street at 5040 ft. elevation. The 40 foot elevation differential (approximately 36 ft./mile gradient) eliminates the need for the controversial pump station within the residential/agricultural properties in the vicinity of WSSC #4. As with the North Route Proposal, some private residences might be affected by the routing of this segment. Nonetheless, by minimizing residential impacts and eliminating the pump station, this Alternative addresses many of the concerns expressed by Larimer County residents and their respective Home Owners Associations during the two initial Board of County Commissioners public hearings. Note that the properties in the immediate vicinity of the WSSC #4 outlet would be equally impacted regardless of which Alternative might be constructed. In either scenario, equipment access via privately owned Starlite Drive would most likely still be needed during the construction phase.

SEGMENT #2 – approximately 2.3 miles of buried pipeline (or 1.9 miles of pipeline and 0.4 miles of lined ditch south of the Larimer Weld Canal) south to the Poudre River at 4980 ft. elevation. The 60 foot elevation differential provides for an average 26 ft./ mile gradient, allowing for gravity flow through this segment of the alignment. This routing utilizes the existing Shields Street utility right of way or could be sited immediately adjacent to the right of way. The majority of property on this route is undeveloped agricultural land, though there are approximately eleven private residences, two commercial structures, and one public facility that may require some adjustment of the alignment or negotiated easements. The Highway 287/Union Pacific Railroad corridor crossing could employ auger boring technologies similar to the proposed borings under wetlands, Interstate 25, and the Poudre River at County Road 13 (CR 13) as described in the Thornton North Route Pipeline Proposal. Open trench construction bisecting the Larimer Weld Canal would need to occur outside of irrigation season. To reduce surge effects, water entering the Poudre River would be dispersed through a series of riprap check dams and vegetated distributary channels in the vicinity of the North Shields Ponds Natural Area. At maximum delivery of 40 million gallons per day, the Poudre River could fluctuate by 61.9 cubic feet per second, well within the range of daily fluctuation during the irrigation season. The total distance from the WSSC #4 outlet to the Poudre River is approximately 3.4 miles.

The Douglas Road and Shields Street crossings; and the 2.3 mile segment paralleling Shields Street would create some traffic impacts. These impacts would be similar to the impacts created by the North Route CR 56 alignment and the approximately 10.5 mile segment adjacent to County Line Road (CR 13), although the duration of impact would be considerably less with the SS/PR Alt.

SEGMENT #3 – approximately 20 miles within the Poudre River (with the 14 mile Shields Street to I-25 reach within the city limits of Fort Collins) to the intersection of the Poudre River and County Line Road (CR 13) per the proposed Thornton Pipeline Project Corridor (hereafter referred to as the "CR 13 intake"). In this general vicinity, a weir/intake works, settling/storage basins (see below), and a pump station would need to be constructed. Since approximately twenty miles of buried 48" pipeline are eliminated, and the CR13 pump station is located 24.5 miles to 26.5 (as opposed to 44.5 to 46.5) miles from the zone proposed for the Firestone/Frederick pump station, it is possible that one or both of the pump stations could be downsized; or could be consolidated into a single pump station, thereby reducing project and operational costs.

This alignment, particularly the Poudre River Segment, provides the greatest benefit with the least disruption to Larimer and Weld counties while protecting water quality and quantity (discussed below) for the City of Thornton.

The approximately 43 mile long CR 13 to Thornton segment of the pipeline remains identical to the existing Thornton Pipeline Proposal and is therefore not impacted by the SS/PR Alt.

OPERATION

The SS/PR Alt would utilize a seasonal and daily operational reservoir fill and drawdown schedule that would be essentially identical to the Thornton Pipeline Proposal. Fluctuation of shoreline elevation, and any aesthetic impacts on surrounding properties as a result of reservoir drawdown, would remain the same for either Alternative.

WATER QUALITY MITIGATION

The City of Thornton has expressed a concern that water that would flow through the Poudre River may be degraded relative to the quality of water delivered from WSSC #4. Neither source would directly supply potable water to consumers in Thornton. It is the intent of this Alternative to deliver water to the Thornton water treatment facilities that is of similar quality as water delivered from WSSC #4.

Several factors need to be considered in regards to water quality. Among these factors are sediment load, agricultural runoff in the reach from the Canyon Mouth to CR 13, municipal stormwater runoff, discharge from wastewater treatment facilities in the City of Fort Collins, reduced biological function as a result of this combination of factors and, most importantly, the current depleted flow regime within the Poudre River.

The single most effective long-term water quality mitigation is simply the re-watering of the Poudre River from Shields Street to CR 13.

Sedimentation: With the exception of some periodic storm-induced increases in sediment load as a result of recent (2012) fire scars in the upper basin, the Poudre River has relatively low turbidity. A considerable amount of watershed restoration has been performed by the Coalition for the Poudre River Watershed and other volunteer organizations. These notable efforts are ongoing and help reduce the base sediment load through the entire river system. As a result, the stream water that would be "mixed" with outtake from WSSC #4 contains less sediment than pre-mitigation runoff. The Coalition's "Upper Poudre Watershed Resilience Plan" (2017) provides a framework for future mitigation and presents a "Sediment Transport Model" for the Lower Basin.

Of course, turbidity is a function of streamflow (volume, velocity, and gradient) and therefore fluctuates throughout the course of the year. The existing four WSSC reservoirs, in conjunction with Kluver Reservoir, function as a "settling basin" for waters diverted from the Poudre River via the LCC. While this water is relatively sediment free, it is not classified as potable and treatment is still required. In order to achieve similar water clarity, the SS/PR Alt would require the construction of settling/storage basins in the vicinity of the CR 13 diversion and intake. These settling/storage basins could be constructed off-river in locations such as near Jodee Reservoir or south of the Frank State Wildlife Area. Off-river construction would reduce land acquisition costs and significantly reduce the potential for environmental impacts (see Permitting below). WSSC Reservoirs 1–4 and Kluver Reservoir would remain operational and provide auxiliary storage.

As with all works of this type, inlets to the settling/storage basins would be grated, screened, and skimmed and would need to have the capability to shunt water during flood events or anomalous incidents such as forest fire sediment load increases. Note, for example, that the operation of the LCC was not significantly impacted by the 2012 Hewlett Gulch and High Park fires, the subsequent sediment surge during the September 2013 Poudre River flood, or the August 2018 fracking fluid tanker spill, even though all of those events occurred upstream of the LCC diversion and intake. In the event of an extreme and unpredictable occurrence, Thornton maintains an emergency raw water interconnection with Denver Water as do most municipalities along the Front Range.

Depending on configuration, a low-head pump might be required to move water from the river to the settling/storage basins. The final outtake from the basins would require a pump station similar to the station proposed for the WSSC #4 outlet in the various pipeline proposals.

The construction of the basins presents an opportunity for regional cooperation in which the project could also provide floodplain enhancement and/or recreational opportunities.

The annual hydrograph of the Poudre River indicates that the maximum volume, and therefore maximum sediment load, typically increases in May, peaks with the "June Rise," and diminishes rapidly by early July. The water demand curve for the City of Thornton begins its annual rise from May to June, then peaks during the July and August lawn irrigation season, and begins to diminish in September. The implication of this lag in peak consumption demand relative to peak flow/sediment load is that maximum stream withdrawal would occur during periods (July and August) when the sediment load is naturally reduced as a function of reduced streamflow. This also coincides with maximum annual irrigation demand and resulting maximum water diversion at the Canyon Mouth, thereby further reducing the peak flow and peak sediment load in the reach from the Canyon Mouth to CR 13.

Should Glade Reservoir of the Northern Integrated Supply Project (NISP) be constructed, considerable reductions in sediment load would be realized. By design, the peak flow/sediment load would be significantly truncated as this is the exact flow regime from which NISP would be drawing water out of the Poudre River at the Canyon Mouth diversion structure per the Northern Colorado Water Conservancy District's 1980 priority right.

Agricultural Runoff: Agricultural runoff can negatively impact water quality by introducing nutrients, primarily phosphorous and nitrogen compounds, into the stream system. These nutrients often create conditions favorable to algal growth, and in turn increase Biological Oxygen Demand (BOD). While generally moderate, agricultural runoff in the Canyon Mouth to CR 13 reach could be significantly reduced by utilizing voluntary, market-driven Conservation

Easements to create buffer zones along the river corridor. With the incentive of tax benefits for property owners, entities such as the Larimer County Open Lands Program, the City of Fort Collins Natural Areas Program, the Coalition of Colorado Land Trusts, and other non-governmental organizations (NGOs) could identify willing participants and negotiate mutually beneficial agreements that reduce non-point source pollutants while preserving the agricultural heritage of Larimer County. These agreements could include a menu of non-point source mitigation strategies such as berms, vegetated swales, improved fertilizer management, manure management, conservation tillage to reduce soil compaction and runoff, and the use of seasonal cover crops.

Additionally, ongoing improvements in floodplain connectivity (e.g. Fort Collins Natural Areas Program "Riverbend Ponds" enhancement) would increase the amount of time and surface area that river water would be filtered through plants and alluvium, thereby increasing the uptake of nitrogen and phosphorus compounds (while also providing the ancillary benefit of reducing sediment load).

Stormwater Management: Most stormwater runoff occurs in urban areas, particularly from non-permeable surfaces such as roofing and pavement. The primary source of stormwater runoff in the relevant reach of the Poudre River is the City of Fort Collins. Fort Collins continues to address this issue through its Stormwater Management Program. Infrastructure improvements, such as catchment basins that collect and temporarily retain stormwater runoff to facilitate plant and soil filtration, are a primary component of the Program. Also included are public education/enforcement components that focus on automotive byproducts; lawn care contaminants such as fertilizer, pesticides, and herbicides; and construction site runoff and building code modifications that encourage semi-permeable parking and other hardened surfaces. In some cases, rebates are available to facilitate reductions in surface runoff (and reduce overall water consumption). The Colorado State University Stormwater Center also provides resources for Best Management Practices for stormwater districts, so-called "green infrastructure" design and construction guidance, and Low Impact Development strategies.

Wastewater Treatment Discharge: The Boxelder Sanitation District and the City of Fort Collins Mulberry, Drake, and Fossil Creek wastewater treatment plants are operated in a manner that meets or exceeds all state and federal standards for wastewater reclamation. Physical, biological, and chemical processes are used to treat wastewater prior to discharge into the Poudre River (Mulberry and Drake facilities) and into Fossil Creek Reservoir and Boxelder Creek (tributaries of the Poudre). This reclaimed water is essentially free of organic, pathogenic, and metal contaminants that may pose an environmental or human health risk. Aeration is utilized as a means of odor control. The City of Fort Collins has a cooperative service agreement with the United States Geological Survey to monitor water quality within the Poudre River. As with the raw water in WSSC #4, reclaimed municipal wastewater is not categorized as potable and must be treated prior to household consumption. Treatment of reclaimed wastewater is a standard practice in municipal water supplies and is utilized numerous times on the Platte River through the Front Range Urban Corridor.

In view of the fact that the city of Fort Collins would receive considerable quality of life and economic benefits from a re-watered Poudre River, it is reasonable to suggest that the City of Fort Collins may be willing to enter into an Intergovernmental Agreement (IGA) with the City of Thornton to further improve the quality of effluent water from its reclamation operations

(especially the Mulberry and Drake points of discharge), should it be required in addition to the currently planned treatment of WSSC non-potable irrigation water at Thornton's two existing treatment facilities. This IGA could consist of enhanced treatment (e.g. increased aeration or ultraviolet irradiation) at the Fort Collins points of discharge or a financial/in-kind contribution to a pre-treatment facility (if needed) located near CR 13, or at some point along the 43 mile segment of pipeline between CR 13 and the City of Thornton.

It is again important to emphasize that these mitigations would take place in conjunction with, and would complement, existing and future efforts designed to improve overall river health.

Biological Function: Functioning, intact river systems deliver a variety of ecosystem services. The services most relevant to municipal supply water quality are chemical and nutrient uptake, algae control, water temperature moderation, and the resulting dissolved oxygen content.

When healthy, the in-stream and riparian plant communities and streambank alluvium can remove much of the dissolved chemical and nutrient load, further enhancing the above mentioned mitigations related to agricultural and stormwater runoff.

The amount of algae in a stream will remain in general equilibrium unless impacted by increases in nutrients such as phosphorous and nitrogen. Water temperature and exposure to sunlight also influence algal growth. Hence, so called "algal blooms" occur most frequently in warm, standing water that is exposed to sunlight and a high nutrient content; conditions frequently found in water storage reservoirs. A flowing Poudre River would rarely present conditions conducive to algal blooms. Furthermore, a more natural stream ecosystem cools (shading and alluvial flow) and oxygenates the waters within it. These natural stream functions are so effective that the City of Aurora utilizes them as a major purification component in the Prairie Waters Project that treats wastewater effluent to such a high quality that it is directly mixed into the potable water supply. Increased flows from WSSC #4 would enhance these purifying functions of the stream ecosystem as well as improve ecosystem connectivity.

It is important to note that while some degradation of water quality in the Shields Street to CR 13 reach might occur as a result of agricultural runoff, stormwater runoff, and water reclamation discharge; the biological and fluvial functions of a healthier, re-watered Poudre River would simultaneously mitigate many of those impacts.

INSURING FULL ALLOTMENT

The City of Thornton is entitled to its full allotment of water as specified in the Colorado Water Court and Colorado Supreme Court Decrees. A legitimate concern with the SS/PR Alt is water loss during conveyance within the Poudre River. Some loss would occur as a result of increased evapotranspiration from a somewhat more densely vegetated stream course, infiltration to the adjacent alluvium, and direct evaporation from the surface of the river.

The amount of consumed water would decrease over time. The possible initial increase in plant growth and the initial recharge of alluvial bank storage (not actually "consumed," but retained in bank storage) would be greatest in the earliest operation of this Alternative; a timeframe in which full allotment exceeds consumptive demand. In particular, alluvial bank storage would reach a seasonal equilibrium within the first year of operation. While some WSSC water would be stored in the alluvium, the majority of recharge would still be the result of the (diminished) seasonal peak flows that currently occur within the Poudre River watershed. As an additional benefit, when water is released from bank storage during periods of low flow, it is cooler; more oxygenated, and contains less algal growth than water stored in a reservoir.

There are three mechanisms available to mitigate these potential losses. Since full allotment would not be required during the initial phase of alluvial recharge, Alternative Transfer Methods (ATMs) could be employed to compensate for any potential shortage. The Colorado Water Plan calls for acquisition of 50,000 acre feet of water through this mechanism. The most frequently used ATM approach is the "interruptible water supply agreement." Under recent State legislation, these agreements allow agricultural users to fallow lands and lease water held under an agricultural right for municipal use for three out of ten years. The agricultural right may not be challenged as "abandoned" under this legislation. This is an ideal mechanism for compensating for any possible initial shortage in the SS/PR Alternative in that the quantity of leased water can be easily reduced over time, agricultural land is not permanently taken out of production, and the cost is considerably less than outright purchase and conversion of agricultural water rights.

A second mechanism is the continued purchase of existing agricultural rights within the Poudre drainage. This is the least desirable option as it results in permanent removal of productive agricultural lands, has the potential to injure other existing water rights, and is expensive.

A final option that could be used to mitigate the long term evapotranspiration/evaporative loss is an in-kind exchange of water rights between entities that receive a benefit from a re-watered Poudre River, especially the City of Fort Collins. Fort Collins would need to analyze the value of any potential water rights transfer vis-à-vis the economic benefits inherent in a healthier, aesthetically more pleasing re-watered Poudre River flowing through a significant portion of the City. From a legal perspective, any such transfer should be relatively free of contentious litigation as it is a municipal-to-municipal transfer with little potential to injure other existing water rights.

One other potential should be considered. While no formal agreement has been reached, the Northern Colorado Water Conservancy District has discussed a mitigation plan with the City of Fort Collins that would allocate a minimum base flow for the Poudre River as a component of the NISP operational plan. Should such an agreement be reached, the minimal flow would eliminate the seasonal "dry up points" below irrigation diversion structures along the Poudre River and thereby provide ecosystem connectivity, enhancing stream function. This release would help maintain bank storage and partially compensate for evapotranspiration and evaporative losses. The net result would be a decrease in the long term need to acquire water to compensate for any possible depletion of the Thornton allocation.

COST COMPARISON

Until a more detailed engineering and construction cost analysis for the SS/PR Alt and the final alignment of the Thornton North Route Pipeline Proposal is completed, it is difficult to provide much more than a general comparison of the two Alternatives.

Obviously, with a net decrease of approximately seventeen miles of buried 48" pipeline, some cost reduction would be realized with the SS/PR Alt. Extrapolating from Technical Memoranda provided by CHM2HILL (November 12, 2018), the net reduction in cost would be approximately $69 million in addition to the savings attributed to eliminating the Poudre River/CR 13 auger bore and 60" steel casing at $2,200 per foot ($1.1 million for 500 ft.). The "upper end" estimate for the CR 13 diversion structure is $3.2 million. The net result would be $66.9 million for construction of the settling/storage basins. As previously mentioned, construction costs and operational costs would decrease as a result of downsizing or

consolidating the CR 13 and Firestone/Frederick pump stations, although the cost savings cannot be accurately estimated without knowing definitive pump capacities.

Other costs would remain similar regardless of which Alternative is constructed. The outlet works at WSSC #4 would be essentially identical as would be the various "appurtenant structures" generally referred to in the Thornton Pipeline Proposal public presentations. Permitting, water rights acquisition (if needed), and potential adjudication might be additional costs associated with the SS/PR Alt.

Perhaps the most difficult cost to estimate is the possibility that a treatment plant or pre-treatment plant would be needed if the Poudre River is utilized as a means of conveyance. An important consideration is that the SS/PR Alt need only supply water of a quality that is comparable to that supplied by WSSC #4. Again, neither source supplies potable water.

During the Public Hearing on August 1, the City of Thornton presented a table summarizing cost projections for a generic Poudre River Alternative withdrawing water at CR 13. Included in that table was an estimate of $440 million to $760 million for "water treatment." The City of Thornton recently upgraded the Wes Brown Water Treatment Plant at a cost of $75 million. Obviously, the costs of land acquisition and the basic infrastructure associated with a treatment plant are not reflected in the $75 million retrofit. Based on the figures provided by Thornton, $365 million to $685 million is the estimated cost for the basic footprint of a treatment facility located near CR 13 or some point down pipeline (i.e. treatment facilities, if needed, could be located in Adams County or the City of Thornton). Such a cost implies a design criteria based on a water quality parameter far exceeding the existing water quality in WSSC #4.

The Wes Brown Water Treatment Plant is described by the City of Thornton as a facility that "uses advanced water treatment processes including state-of–the-art ultrafiltration membranes." The current primary sources for Thornton's raw water are Clear Creek and the South Platte River. While considerable mitigation has since occurred, it should be noted that the Clear Creek/Central City site was placed on the Superfund National Priority List in 1983. The South Platte River flows through the largest and most densely populated metropolitan area in the State of Colorado and contains some of the oldest stormwater infrastructure in the state. In addition, the Sunoco Refinery ground water contamination site is located on Sand Creek which flows into the South Platte River upstream of the City of Thornton. Reverse osmosis treatment (as suggested in various cost estimates provided by Thornton) is not utilized or required for any of these highly degraded sources. The City of Thornton reports that "aesthetic changes" of a "pondy or dirty taste and odor in your drinking water" occur on an annual basis as do algal blooms in the reservoirs that feed the two Thornton water treatment facilities.

It seems improbable that water that flows from an outtake at WSSC #4 through approximately twenty miles of the Poudre River could be similarly degraded. A (pre)treatment facility that is estimated to cost 5.8 to 10.1 times more than the Wes Brown Water Treatment Plant retrofit is difficult to reconcile with the water quality currently documented in the Poudre River. It is possible that some pre-treatment would be needed for water drawn from the CR 13 settling/storage basins in order to insure that it is of similar quality as water drawn from WSSC #4. That such a facility could possibly cost multiple times more than one of the most sophisticated water treatment facilities in the State of Colorado seems implausible. At the December 17, 2018 BoCC meeting Thornton's Water Resources Manager and a "principal technologist" with Jacobs stated that water treatment costs might range from "$50 million to more than $100 million." Most of Thornton's references to water treatment are predicated with phrases such as "treatment, if needed" and "treatment could be needed." It is difficult to conduct

rational discussion about Alternatives when there is no definitive statement that water treatment (beyond that which is already planned) is actually even needed and a range of $50 million to $720 million is the point of reference. To be valid, any cost comparison between Alternatives must be based on similar water quality standards and use the same technical and financial platform of analysis.

PERMITTING and CONSTRUCTION

The SS/PR Alt could potentially impact wetlands and would therefore be subject to environmental review and permitting requirements. While these processes are time consuming, some factors suggest a somewhat more rapid timeline through permitting and construction. A considerable amount of stream function data, hydrologic modeling, and environmental impact projections are available for the reach contained in the SS/PR Alt as a result of the extensive National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS) requirements for NISP. In addition to this body of work, the City of Fort Collins "River Health Assessment Framework" (2015) and the aforementioned "Sediment Transport Model" provided by the Coalition for the Poudre River Watershed (2017) could be directly incorporated into an assessment of the SS/PR Alt. While public comment is required for any permitting process, it seems reasonable to assume that there would be far fewer, if any, major objections to an Alternative that provides so many tangible, positive environmental benefits as does the SS/PR Alt. By utilizing off-stream settling/storage basins, floodplain impacts are minimized. The appropriate permitting process for the SS/PR Alt is the Clean Water Act Section 404 ("dredge and fill") Permit administered by the U.S. Army Corps of Engineers. The Section 404 application is significantly less detailed, less time consuming, and less expensive than the NEPA permit process; often being completed in a one to two year time frame. When compared to the possibility of lengthy and expensive litigation over permitting or eminent domain disputes related to the Thornton North Route Pipeline Proposal, permitting of the SS/PR Alt lies within a timeframe that appears to be less than onerous.

The City of Thornton began acquisition and planning for water delivery over three decades ago and expects the Project to meet future water needs through 2065. Relative to that timeframe, a reasonable amount of time is required for a thorough and transparent review and planning process that incorporates the involvement of the citizens of Larimer County and other impacted parties; and that utilizes a clearly defined, consistent analysis platform. While Thornton has stated a desire to begin water delivery in 2025, it should be noted that the full allotment of water would not be required at that time. It should also be noted that the 1041 Permit process is not required to be completed based on that proposed timeline, nor is the 1041 Permit process bound by Applicant defined "Exclusion Areas" that implicitly disqualify the Poudre River as a means of conveyance. A combination of continued water conservation, such as the commendable efforts under the Thornton Water Conservation Plan, and possible augmentation through temporary ATMs would be adequate to address any potential short-term deficits until permitting and construction of any Alternative is completed.

Since the Poudre River provides a natural physical break between segments in the SS/PR Alt, construction of various segments of the supply system could occur simultaneously. For example, the WSSC #4 outlet works and Shields Street pipeline component could be built while simultaneously building the CR 13 to Thornton segment of the pipeline. Since the Weld County and Adams County segments of pipeline remain identical in either Alternative, construction could begin on those segments upon issuance of the Weld, Adams, and other jurisdictions'

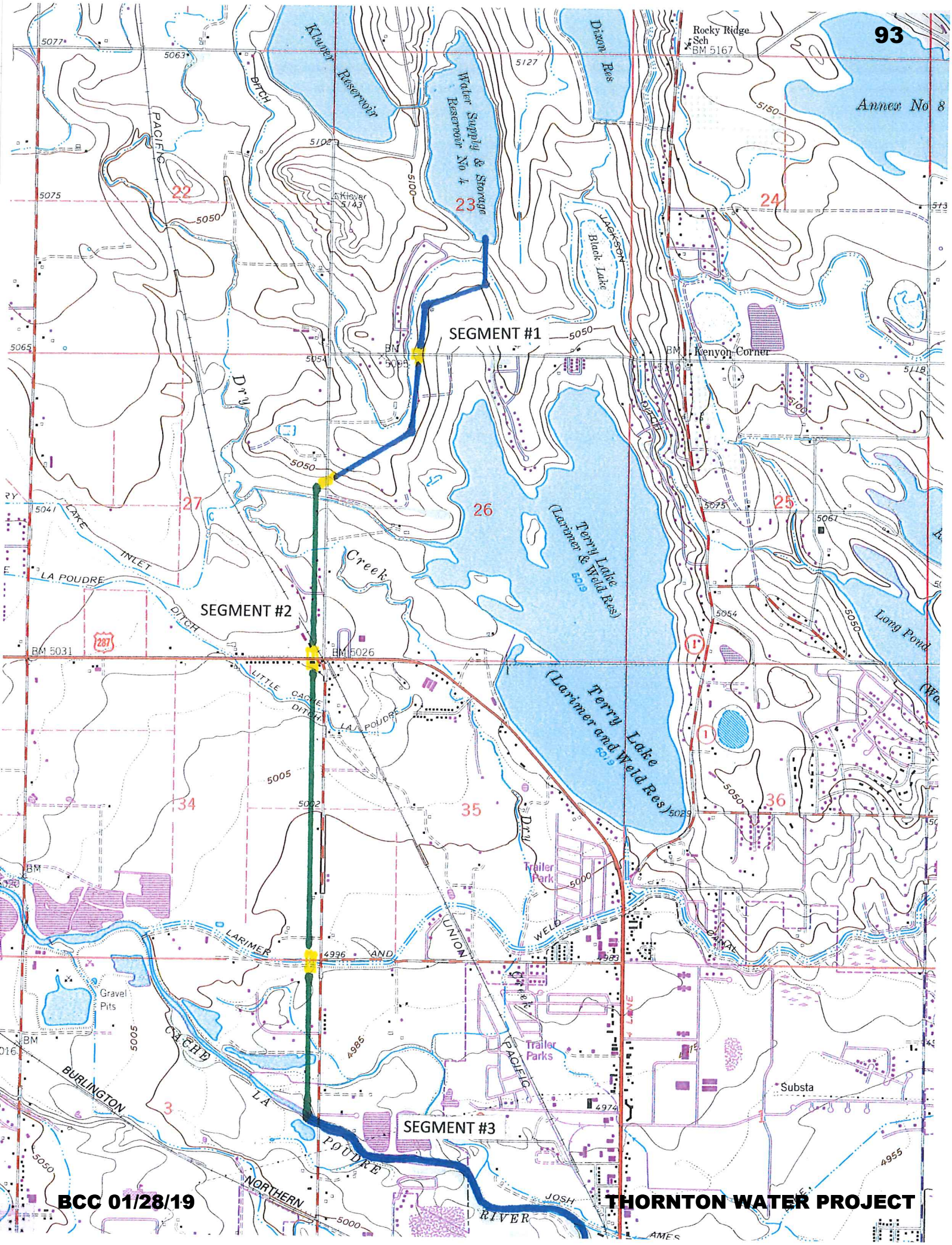
permits. Similarly, any intake works and other infrastructure needed to deliver raw water to either or both of Thornton's existing water treatment plants could also proceed.

A GENERATIONAL LEGACY

The SS/PR Alt represents an irreplaceable opportunity to re-water a significant portion of the Poudre River and create what would truly be a generational legacy for Larimer County, Weld County, and the State of Colorado. The twenty mile Shields Street to CR 13 reach would serve as a functional, permanent anchor and provide an incentive for continued restoration of the health of the entire length of the Poudre River. As mentioned above, a variety of entities are currently working to restore the Poudre River and have made significant improvements in river health and stream function. SB 97 (1973) created the legislative authority for the Colorado Water Conservation Board (CWCB) to acquire water rights for "in stream flows" to protect environmental values to a reasonable degree. Subsequent legislation has provided further opportunities to enhance in stream flows though leasing arrangements similar to ATMs and clarified that in stream flows may exceed flows that merely "preserve" minimal stream functions. The Colorado Water Trust is actively engaged in acquiring and transferring to the CWCB such in stream flow rights. While it is imperative to protect the interests of the existing agricultural users and communities in Larimer County; even small, incremental increases in summertime flow in the eight miles from the Canyon Mouth diversions to Shields Street would lead to a connected river system in which the biological and hydrological functions of the Poudre River could be significantly restored. These flows could reduce or replace any potential consumptive loss that might result from an in-river conveyance and thereby deliver the full allotment under the City of Thornton's water rights. The benefits of even minimal in stream flow rights would positively impact the entire River system, including the 30 mile reach from the CR 13 intake to the confluence with the South Platte River at Greeley.

One can envision a future in which "the hardest working river in Colorado" would continue to deliver its historical benefit to the agricultural communities of Northern Colorado while enhancing the quality of life for a growing population along the Colorado Front Range. The SS/PR Alt represents a unique opportunity for intergovernmental and NGO cooperation that respects the concerns and rights of all stakeholders while providing the least disruptive and most beneficial solution to one of Colorado's most important needs.

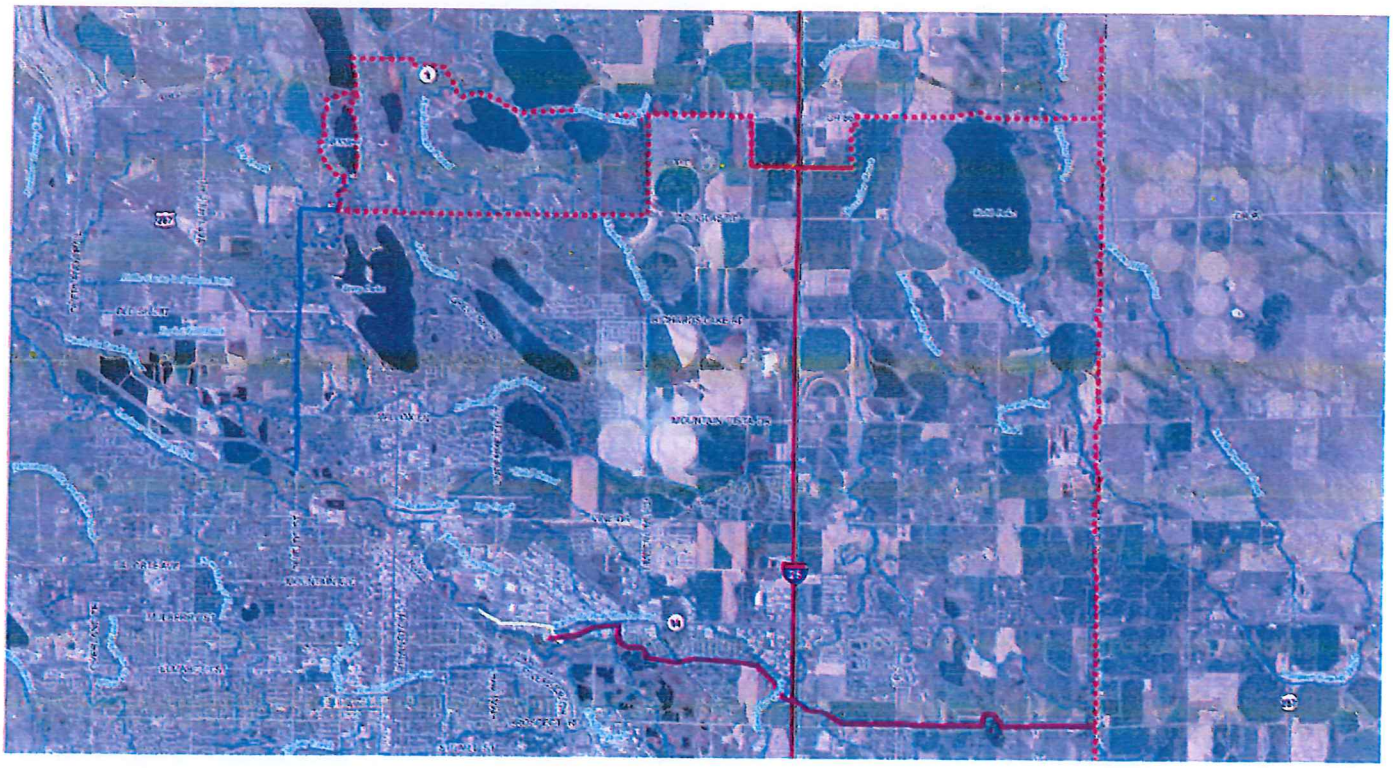
Revised and submitted by Mick Ondris on January 10, 2019.
Questions or comments are welcome at mickspralt@gmail.com



BCC 01/28/19

THORNTON WATER PROJECT

E – Shields Street to Poudre River



Shields Street to Poudre River.

General Description

- Community members proposed some aspects of the concept. It is not in Thornton's 1041 permit application. Thornton addressed it in the Water Flow and Quality webinar on Nov. 5.
- System would carry Thornton's water only, not Northern's.
- Pipeline down Shields to river is a secondary diversion system to allow Thornton's water to flow in the river. It includes an outlet from WSSC Reservoir #4 connecting south to Shields via two possible routes. The Shields pipeline would be partially in and out of the right-of-way. The pipeline could convey 10 to 40 million gallons per day (mgd) of water to the river. Water would be taken out of the river either before the Mulberry wastewater treatment plant (see purple above) or at Windsor.
- A primary pipeline would still be needed for water delivery reliability. This means construction of either the Douglas Road (CR 54) or North (CR 56) routes. The primary pipeline would carry most or all water, particularly when river water quality is not useable for drinking water (e.g., after a fire or containment spill).

Considerations

- **Construction:** 2-4 years on Douglas OR North Route pipelines and construction along Shields Street.
- **Water Quality:** To achieve drinking water quality standards identified by Thornton, some additional treatment may be needed if water is diverted out before the Fort Collins wastewater treatment plant at Mulberry. If removed at Windsor, Reverse Osmosis treatment may be needed.

E – Shields Street to Poudre River, cont.

What are potential community benefits?

- Increased stream flow for recreation use in Fort Collins downtown area and water park, fish and wildlife habitat, etc.
- Increased peak flows to provide for seasonal flooding to benefit riparian areas and habitat.

What other ideas or notes do you have?

-
-
-

What are potential negative impacts (and mitigation measures)?

- Pipeline construction impacts may be similar to either Douglas Road (CR 54) or North (CR 56) alignment (see B and C).
- Traffic impacts on Shields Street are less than CR 54 but more than CR 56. Approximately 125 homes may be disrupted as well as potential impacts to commuter travel on Shields.
- Shields alignment would need more study regarding impacts to adjacent properties and construction impacts of outtake at Mulberry.
- A 40 mgd river flow option may create larger fluctuations in the Poudre River and possible flooding.
- Reverse osmosis treatment, if needed in Windsor, generates a waste byproduct.

What other ideas or notes do you have?

-
-
-

Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Reject Thornton Pipeline proposal

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us> Mon, Jan 14, 2019 at 10:34 AM
To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>
Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

Commissioners -- Forwarded for your information and consideration.

Staff -- Please include this message in the public record for the application.

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **Henry Shands** <henry.shands@outlook.com>
Date: Mon, Jan 14, 2019 at 7:40 AM
Subject: RE: Reject Thornton Pipeline proposal
To: bocc@larimer.org <bocc@larimer.org>
Cc: Penny Hillman <pennyjhillman@yahoo.com>

Board of County Commissioners
c/o bocc@larimer.org
Larimer County, Colorado

January 14, 2019

Dear Commissioners,

We are adamantly opposed to the Thornton pipeline disrupting those of us dependent on Douglas Road. There is no good reason that the water should not continue down the Poudre River and be extracted south of Fort Collins.

There have been numerous "reasons" presented and they are well-documented. Two concerns that we have while living near to the proposed pump site are both the noise and light pollutions. The noise level will be significantly high despite what Thornton says. The use of the gas-fueled motors still requires an opening to vent exhaust gases which will themselves pollute the air as well as vent the noise. The prevailing Northwest winds will blow the gasses onto the nearby neighborhoods. There has been nothing said about the light pollution from powerful lamps for "security". Many communities are making strides to reduce light pollution for multiple reasons. These two factors are important to those of us in the homes near to the proposed pumphouse.

For these and all previous reasons, Thornton cannot mitigate the negative impact of this pumphouse structure on our community. We believe that the water can flow silently down the river without affecting the neighboring homes and disrupting all aspects of the Douglas road corridor.

Thank you for your consideration and your vote to keep the water in the river.

Sincerely,

Henry and Katy Shands

3508 Terry Point Drive
Fort Collins, CO 80524
henry.shands@outlook.com

Letter to the Commissioners 20190114.doc
23K

Board of County Commissioners
c/o bocc@larimer.org
Larimer County, Colorado

January 14, 2019

Dear Commissioners,

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Thank you for your consideration and your vote to keep the water in the river.

Sincerely,

Henry and Katy Shands
3508 Terry Point Drive
Fort Collins, CO 80524

Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Thornton's new 1041 application

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us> Sun, Jan 13, 2019 at 11:53 AM
To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>
Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

Commissioners -- Forwarded for your information and consideration.

Staff -- Please include this message in the public record for the application.

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **Kevin Krause** <kevkrause@gmail.com>
Date: Sat, Jan 12, 2019 at 4:35 PM
Subject: Thornton's new 1041 application
To: <bocc@larimer.org>

Hello - I understand that Thornton's newest proposal is that of a pipeline along County Road 56.

As a Fort Collins and Larimer County resident, I believe this latest plan remains unacceptable. There is a great duty around this process to all involved to do what is right for County residents, our collective properties and for the Poudre River. This obligation is paramount to our precious shared resource, including the economic and many other benefits it provides, which cannot be overlooked.

Thornton should step up and use the river as a conduit for their water.
Please stand up for us and ensure they follow this path.

Thank you,
Kevin Krause
Fort Collins, 80525

Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Thornton's proposed pipeline

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us> Sun, Jan 13, 2019 at 11:55 AM
To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>
Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

Commissioners -- Forwarded for your information and consideration.

Staff -- Please include this message in the public record for the application.

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **Linda Greenman** <greenmanl@yahoo.com>
Date: Sat, Jan 12, 2019 at 7:13 PM
Subject: Thornton's proposed pipeline
To: <bocc@larimer.org>

To: Larimer County Commissioners
From: Linda Greenman, 389 Captains Court, FC
Re: Upcoming approval for Thornton's pipeline in Larimer County

Please accept this as a strong objection to approval of Thornton's pipeline through any part of northern Larimer County as opposed to a denial which would prioritize the wishes of an overwhelming number of northern county residents. This denial might also force Thornton to choose the Poudre River as a last resort route despite the cost to them (which is not our concern) and be of great benefit to the ecology of the river, especially in light of future drought projections.

Sent from Yahoo Mail for iPad

Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Thornton, Larimer County, the Poudre River, and the future of Colorado

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us> Sun, Jan 13, 2019 at 12:00 PM
To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>
Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

Commissioners -- Forwarded for your information and consideration.

Staff -- Please include this message in the public record for the application.

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **DAVID ROY** <david.roy@comcast.net>
Date: Fri, Jan 11, 2019 at 10:16 PM
Subject: Thornton, Larimer County, the Poudre River, and the future of Colorado
To: <bocc@larimer.org>

Good evening, Larimer County Board of County Commissioners;

I am writing to ask that the three of you make using the Cache la Poudre River a requirement as a part of the conveyance solution that the City of Thornton is requesting in their 1041 permit application.

Argument #1 by the City of Thornton is that running their water down the Poudre will be a financial burden because of the cost to treat the water. Fact: they will have to treat the water they receive from the Poudre River. Using the river to convey their water is a higher and better use, and doesn't change the fact that their water will need to be treated before being consumed by the citizens of Thornton.

The final costs of the project are unknown. Saving the costs of trenching, the pipe, the labor, purchasing rights of way, as well as the costs that would be inflicted on the citizens you represent, and who would be affected by the construction of this pipeline, as well as the lost opportunity costs to protect and preserve the Cache la Poudre river, far exceed simply allowing their water to run downstream.

The environment is changing; the Thornton pipeline will run through an arid high plains steppe. Every drop of water in Larimer County is precious. Choosing to require that the City of Thornton use the Cache la Poudre River as a part of their conveyance solution will still ensure that the tens of thousands of citizens projected to move into Thornton will have water. By choosing to use the Cache la Poudre River as a conveyance mechanism, you will become leaders in how to best allocate a scarce resource in a way that supports the environment and the future citizens of Colorado.

The water belongs to the City of Thornton. The river belongs to the citizens of Colorado. As leaders, you can make the choice that protects and preserves a natural resource for the citizens who elected you and for every citizen in Colorado. The City of Thornton and Larimer County have an opportunity to do legacy work; the kind where 40 years from now, you can drive a grandchild up to the Poudre River, and say; "I helped to protect this."

I ask that you make the choice that will make Colorado a better place for every citizen; tell Thornton they must use the Cache la Poudre river as a part of their pipeline.

Best regards,

David Roy

2016 Evergreen Court

Fort Collins CO 80521

(970) 493-9201

Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: NO PIPELINE in Larimer County

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us> Sun, Jan 13, 2019 at 12:28 PM
To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>
Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

Commissioners -- Forwarded for your information and consideration.

Staff -- Please include this message in the public record for the application.

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **D Griffin** <dgrif2002@gmail.com>
Date: Sun, Jan 13, 2019 at 12:03 PM
Subject: NO PIPELINE in Larimer County
To: <bocc@larimer.org>

Dear Larimer County Commissioner's

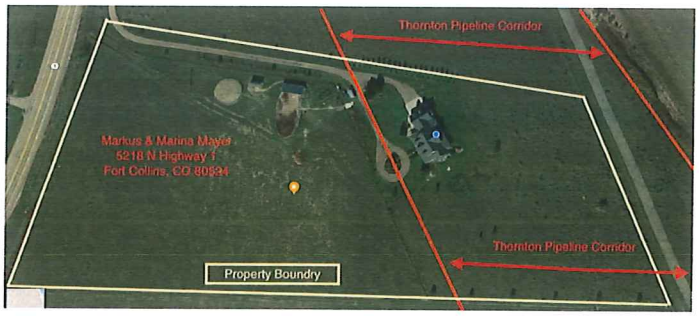
You all represent me as elected officials for my family and my children's family
Therefore I urge you to vote NO against this upcoming meeting regarding Thornton's new 1041 Application

I don't believe this new 1041 meets sufficient conditions of the process regarding looking at alternatives , like going through the Poudre River. In addition, it seems that Thornton is taking a fast approach and not sufficiently considered the environmental impacts of their new pipeline

I look forward to watching you take responsibility to represent what is best for Larimer County & our citizens. We don't want to be left with regrets after this decision has been made.

Sincerely,

Dana Griffin
970-567-4866



Larimer County Board of County Commissioners
200 West Oak, Suite 2200, Fort Collins, CO 80521

Dear Larimer County Planning Commission Board and Larimer County Commissioners,

The City of Thornton came in with a large team, drowning the staff in documents measured not by pages but by pounds, and tries to bulldoze this project through the approval process. Thornton has had 30 years of time to include the public in their planning process, but they completely and utterly failed in that regard. Commissioners, I do understand that Thornton tries to grab all your focus, but I urge you not to forget that every single home and property owner along their ever-changing preferred route deserves your full attention as well! We voted for you to represent us, to lead us, and to protect us.

Compared to Thornton we home- and property-owners are pretty much powerless. We need you to help us defend our families, and our community against a proposal that ruthlessly and recklessly threatens to take away our home, property, property value, and peace of mind when two alternative routes grant Thornton access to their water without causing this enormous impact on many Larimer County families. These two alternative routes, the county canal route, and the Poudre river route are the only ones that received highest marks for acceptability from the workgroup's efforts.

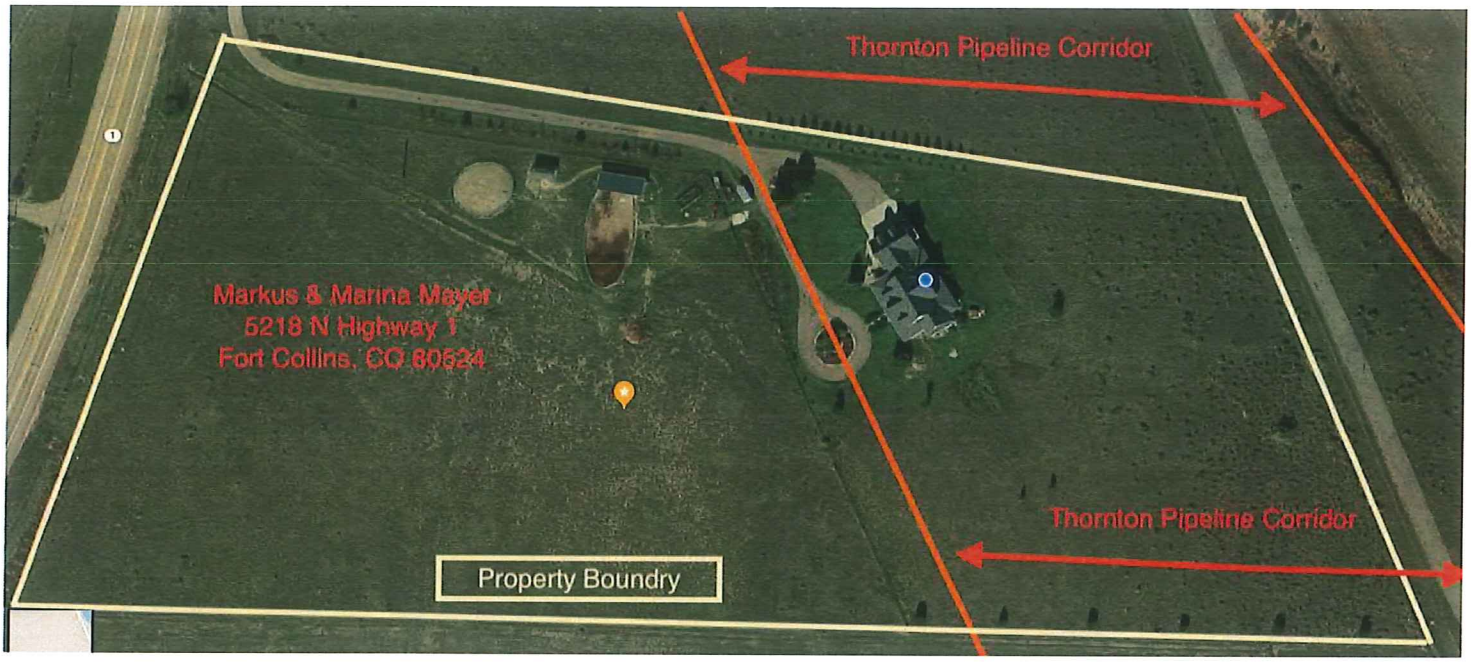
The Thornton pipeline corridor covers between a third to a half of my families property including our beautiful home. Our home sits entirely within the pipeline corridor. Thirty-two of our trees are also affected. Of course, my wife and I are devastated to see everything we worked for now under threat to be destroyed by this project. We love our home, and we beg you not to allow Thornton to take it away.

A Coloradoan article by Kevin Duggan from Feb. 26, 2018 quotes City of Thornton officials as saying that the proposed water pipeline in Larimer County won't require taking over anyone's property along the proposed route. Please hold them to their word and let them not take and destroy our home and property.

We strongly urge the Commissioners to reject the City of Thornton's 1041 pipeline application.

Sincerely,

Markus & Marina Mayer
5218 N Highway 1
Fort Collins, CO 80524


Thornton Pipeline Corridor
Markus & Marina Mayer
5218 N Highway 1
Fort Collins, CO 80524
Thornton Pipeline Corridor
Property Boundry

LARIMER COUNTY

Rob Helmick <helmicrp@co.larimer.co.us>

Re: Thornton Water Project - Comment - Marina & Markus Mayer - 5218 N Highway 1

1 message

Markus Mayer <markuspm@mac.com> Sat, Jan 12, 2019 at 3:40 PM
To: Planning Commision Board <pcboard@larimer.org>
Cc: Rob Helmick <helmicrp@co.larimer.co.us>

Larimer County Planning Commission Board
200 West Oak, Suite 3100,
Fort Collins, CO 80521

RE: Thornton Water Project

Dear Planning Commission Board members,

My wife Marina Mayer and myself Markus Mayer are directly affected by the proposed Thornton Water Project pipeline. Please accept our comment for consideration and please include it in the package to be presented to the Larimer County Commissioners.

Sincerely,

Marina & Markus Mayer
5218 N Highway 1
Fort Collins, CO 80524

Comment: (see also attached image)

Larimer County Board of County Commissioners
200 West Oak, Suite 2200,
Fort Collins, CO 80521

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Markus & Marina Mayer
5218 N Highway 1
Fort Collins, CO 80524

2 attachments



Thornton Pipeline Corridor - 5218 N Highway 1 - Mayer Markus and Marina.png
1652K

TWP-1041-Comment_Mayer_5218_N_Highway_1.pdf
1702K

Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Request for opinions from the Larimer County Water Project Working Group members

3 messages

Lesli Ellis <ellislk@co.larimer.co.us> Thu, Jan 10, 2019 at 4:24 PM
Reply-To: ellislk@larimer.org
To: Todd Blomstrom <blomstta@co.larimer.co.us>, Linda Hoffmann <hoffmalc@co.larimer.co.us>, Rob Helmick <helmicrp@co.larimer.co.us>

FYI

Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-7690
ellislk@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **Mark Heiden** <mheiden@eaglelakefchoa.com>
Date: Thu, Jan 10, 2019 at 4:21 PM
Subject: RE: Request for opinions from the Larimer County Water Project Working Group members
To: JDP <jerroldpault@gmail.com>
Cc: Heather Bergman <heather@peakfacilitation.com>, Lesli Ellis <ellislk@co.larimer.co.us>, Mark Koleber <Mark.Koleber@cityofthornton.net>, <jkefalas@larimer.org>, <swjohnson@larimer.org>, <tdonnelly@larimer.org>, <tblomstrom@larimer.org>

Jerry – I do not agree with most of what you say here and you are misrepresenting the purpose of the Working Group by suggesting there should have been some kind of vote or popularity contest for the ideas created there. Heather Bergman stated from the beginning that there would be no "vote" on the ideas generated from the group and if there had been I would have walked out on the first meeting.

The composition of the group was weighted so heavily with the No Pipeline and Save the Poudre advocates that no other outcome would have been possible other than send the water down the Poudre.

Please don't presume to speak for the Working Group or any of its members. Speak for yourself and your community if you are representing one.

Regards,

Mark Heiden

Mark Heiden, President

Eagle Lake Board of Directors

Cell 970-988-8433

From: JDP [mailto:jerroldpault@gmail.com]
Sent: Tuesday, January 08, 2019 6:40 PM
To: Pault Jerrold <jerroldpault@gmail.com>
Subject: Request for opinions from the Larimer County Water Project Working Group members

To fellow members of the Larimer County Water Projects Working Group,

The final meeting of the Working Group was frustrating to most of us in that the agenda did not provide a format for us to reach any consensus amongst the group and provide any specific recommendations and outcomes. Heather Bergman reported to the Commissioners at the Dec 17th session that she never intended to solicit any conclusions, opinions or final outcomes from us under the premise that we were a small group of citizens that did not reflect the demographics of Larimer Co. I could not disagree with her more and I cannot imagine that the County Commissioners would put Thornton's Pipeline project on hold for 4 months, doing nothing while waiting for our working group to study this issue … and then not want to hear what we thought!

I plan to speak at the next County Commissioners meeting schedule for Jan 28th and I would like to provide the County Commissioners with some outcomes and opinions that I believe were largely developed and reached by the working group. I recognize that we all will never agree 100% on everything, but did feel that the vast majority were leaning in a similar direction. I need your help to support any statements that I might make, so that they are accurate and not just my perception of what I think the working group thought. I would appreciate it if you could answer the following basic questions (yes or no please);

1 Do you agree that there were 5 viable alternative routes for Thornton to get its water?

2 Do you agree that neither pipeline routes proposed, Douglas Road and the North Route (CR56), presented any significant benefit to Larimer County and its citizens, while they would both create significant and negative impacts.

3 Do you agree that the Poudre River Option was the only option that provided a substantive and real benefit to the county?

4 The Canal Conveyance route was endorsed by the Working Group second only to the Poudre River Option. This route produced no benefit to Larimer County, nor did it produce any negative impact. Do you agree with this statement?

6 Did you favor the Poudre River Option as the preferred route for Thornton?

5 Do you believe it is viable for Thornton to get its water via the Poudre River Conveyance?

7 Did you conclude that Thornton was deceptive and evasive during the working group sessions and that we should be careful not to fully trust them?

8 Do you request that the County Commissioners vote No and reject the Amended 1041 application from Thornton for a northern pipeline alignment along CR 56?

If you have any additional comments to provide, please attach them.

Sincerely and thank you in advance for responding promptly to this request.

Jerry Pault - Working Group Member #28

jerroldpault@gmail.com
970/371-1051

Lesli Ellis <ellislk@co.larimer.co.us> Sun, Jan 13, 2019 at 10:06 AM
Reply-To: ellislk@larimer.org
To: Dennis Harmon <dharmon@wtrsupply.com>
Cc: Todd Blomstrom <blomstta@co.larimer.co.us>, Rob Helmick <helmicrp@co.larimer.co.us>

Hi Dennis -

I understand you would like to speak at the hearing on Jan. 28 on behalf of WSSC. Commissioner Donnelly, chair, has approved 10 minutes of time. You likely will be at the end of the group speaking block, so it likely be somewhat late, but allows hearing other comments. If you have any questions before then, please contact one of us (Todd, Rob, me). If you have slides you would like to upload, please coordinate with Rob or me that day or in advance.

Kind regards,
Lesli

LARIMER COUNTY
Lesli Ellis, AICP CEP
Community Development Director
Community Development Department
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-7690
ellislk@larimer.org | www.larimer.org

On Wed, Jan 9, 2019 at 11:15 AM Dennis Harmon <dharmon@wtrsupply.com> wrote:

> 1-9-19
>
> Jerrold:
>
> I do not agree with the majority of the statements in your email below. And I know from conversations I had with several other working group members during the course of the five meetings, that I was not the only one who disagreed.
>
> Please do not, under any circumstances, presume to speak for me on any of the points below.
>
> Thanks,
>
> Dennis
>
> Dennis J. Harmon, General Manager
>
> Water Supply & Storage Co.

Tunnel Water Company

Jackson Ditch Company

970-482-3433

970-443-1855 (cell phone)

970-482-1486 (fax)

2319 E. Mulberry St.

Fort Collins, CO 80524

P.O. Box 2017

Fort Collins, CO 80522-2017 dharmon@wtrsupply.com

From: JDP [mailto:jerroldpault@gmail.com]
Sent: Tuesday, January 08, 2019 6:40 PM
To: Pault Jerrold
Subject: Request for opinions from the Larimer County Water Project Working Group members

To fellow members of the Larimer County Water Projects Working Group,

The final meeting of the Working Group was frustrating to most of us in that the agenda did not provide a format for us to reach any consensus amongst the group and provide any specific recommendations and outcomes. Heather Bergman reported to the Commissioners at the Dec 17th session that she never intended to solicit any conclusions, opinions or final outcomes from us under the premise that we were a small group of citizens that did not reflect the demographics of Larimer Co. I could not disagree with her more and I cannot imagine that the County Commissioners would put Thornton's Pipeline project on hold for 4 months, doing nothing while waiting for our working group to study this issue … and then not want to hear what we thought!

I plan to speak at the next County Commissioners meeting schedule for Jan 28th and I would like to provide the County Commissioners with some outcomes and opinions that I believe were largely developed and reached by the working group. I recognize that we all will never agree 100% on everything, but did feel that the vast majority were leaning in a similar direction. I need your help to support any statements that I might make, so that they are accurate and not just my perception of what I think the working group thought. I would appreciate it if you could answer the following basic questions (yes or no please);

1 Do you agree that there were 5 viable alternative routes for Thornton to get its water?

2 Do you agree that neither pipeline routes proposed, Douglas Road and the North Route (CR56), presented any significant benefit to Larimer County and its citizens, while they would both create significant and negative impacts.

3 Do you agree that the Poudre River Option was the only option that provided a substantive and real benefit to the county?

4 The Canal Conveyance route was endorsed by the Working Group second only to the Poudre River Option. This route produced no benefit to Larimer County, nor did it produce any negative impact. Do you agree with this statement?

6 Did you favor the Poudre River Option as the preferred route for Thornton?

5 Do you believe it is viable for Thornton to get its water via the Poudre River Conveyance?

7 Did you conclude that Thornton was deceptive and evasive during the working group sessions and that we should be careful not to fully trust them?

8 Do you request that the County Commissioners vote No and reject the Amended 1041 application from Thornton for a northern pipeline alignment along CR 56?

If you have any additional comments to provide, please attach them.

Sincerely and thank you in advance for responding promptly to this request.

Jerry Pault - Working Group Member #28

jerroldpault@gmail.com
970/371-1051

Dennis Harmon <dharmon@wtrsupply.com> Sun, Jan 13, 2019 at 10:29 AM
To: "ellislk@larimer.org" <ellislk@larimer.org>
Cc: Todd Blomstrom <blomstta@co.larimer.co.us>, Rob Helmick <helmicrp@co.larimer.co.us>

Got it, thanks, Lesli

Dennis

Get Outlook for iOS

From: Lesli Ellis <ellislk@co.larimer.co.us>
Sent: Sunday, January 13, 2019 10:07 AM
To: Dennis Harmon
Cc: Todd Blomstrom; Rob Helmick
Subject: Re: Request for opinions from the Larimer County Water Project Working Group members

[Quoted text hidden]

Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: County Road 13, Windsor

2 messages

Linda Hoffmann <hoffmalc@co.larimer.co.us> Sun, Jan 13, 2019 at 4:19 PM
To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>
Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

Commissioners -- Forwarded for your information and consideration.

Staff - Please include this message in the public record for the application.

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **carole sondrup** <scooter-pookie@hotmail.com>
Date: Sun, Jan 13, 2019 at 2:58 PM
Subject: County Road 13, Windsor
To: bocc@larimer.org <bocc@larimer.org>
Cc: opinion@coloradoan.com <opinion@coloradoan.com>

To Larimer County Commissioners:

We, like many others in the county, are very concerned with Thornton's pipeline and the impact it will have on the residents of Northern Colorado. We do have skin in the game as the proposed pipe line will run through AND in front of our property located at 34310 CR 13, Windsor. We have been in touch with representatives from Thornton to discuss our concerns. However, we have several friends who live just south of our location in the Bison Ridge subdivision. They have never been contacted by Thornton. We have discovered over the last few months they are unaware of this project! This leads me to question if Thornton has done their due diligence in informing the residences along this stretch of the project. We are certain the commissioners have driven this route down County Road 13 through Windsor, especially at peak morning and afternoon drive times to asses the impact this major project will have. The neighborhoods of River West, Ridge West, Bison Ridge, High Points Estates, Steeple Chase and the new Caltec development ALL use 13 as a main through fare. The concerns so vocally expressed by the good folks along Douglas road I'm certain would be expressed if these residents knew of this project and the proposed impact it will have on their lives for quite some time. Like the Douglas Road folks, there is only one way in and one way out~ with County Road 13 being that route.

Normally, in these kinds of fights, Big Cities get their way at the expense of those they impact. We feel Thornton has waited too long to get this pipeline done. There are simply too many people living along this route now. We are hoping you will deny the petition and have Thornton come up with another plan.

~Ron and Carole Sondrup

Lesli Ellis <ellislk@co.larimer.co.us> Mon, Jan 14, 2019 at 7:59 AM
Reply-To: ellislk@larimer.org
To: Rob Helmick <helmicrp@co.larimer.co.us>

BCC 01/28/19 **THORNTON WATER PROJECT**

FYI

Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-7690
ellislk@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **Linda Hoffmann** <hoffmalc@co.larimer.co.us>
Date: Sun, Jan 13, 2019 at 4:21 PM
Subject: Fwd: County Road 13, Windsor
To: Lesli Ellis <ellislk@co.larimer.co.us>, Todd Blomstrom <blomstta@co.larimer.co.us>, Peterson, Mark <petersmr@co.larimer.co.us>

It may be wise to be prepared to address whether this alignment decision/permitting is a Town of Windsor issue or a Larimer County one.

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **Linda Hoffmann** <hoffmalc@co.larimer.co.us>
Date: Sun, Jan 13, 2019 at 4:19 PM
Subject: Fwd: County Road 13, Windsor
To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>
Cc: Helmick, Rob <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

Commissioners -- Forwarded for your information and consideration.

Staff - Please include this message in the public record for the application.

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **carole sondrup** <scooter-pookie@hotmail.com>
Date: Sun, Jan 13, 2019 at 2:58 PM
Subject: County Road 13, Windsor
To: bocc@larimer.org <bocc@larimer.org>
Cc: opinion@coloradoan.com <opinion@coloradoan.com>

To Larimer County Commissioners:

We, like many others in the county, are very concerned with Thornton's pipeline and the impact it will have on the residents of Northern Colorado. We do have skin in the game as the proposed pipe line will run through AND in front of our property located at 34310 CR 13, Windsor. We have been in touch with representatives from Thornton to discuss our concerns. However, we have several friends who live just south of our location in the Bison Ridge subdivision. They have never been contacted by Thornton. We have discovered over the last few months they are unaware of this project! This leads me to question if Thornton has done their due diligence in informing the residences along this stretch of the project. We are certain the commissioners have driven this route down County Road 13 through Windsor, especially at peak morning and afternoon drive times to asses the impact this major project will have. The neighborhoods of River West, Ridge West, Bison Ridge, High Points Estates, Steeple Chase and the new Caltec development ALL use 13 as a main through fare. The concerns so vocally expressed by the good folks along Douglas road I'm certain would be expressed if these residents knew of this project and the proposed impact it will have on their lives for quite some time. Like the Douglas Road folks, there is only one way in and one way out~ with County Road 13 being that route.

Normally, in these kinds of fights, Big Cities get their way at the expense of those they impact. We feel Thornton has waited too long to get this pipeline done. There are simply too many people living along this route now. We are hoping you will deny the petition and have Thornton come up with another plan.

~Ron and Carole Sondrup

LARIMER COUNTY

Rob Helmick <helmicrp@co.larimer.co.us>

Question regarding TWP and NISP Pipelines

2 messages

Michael Anthony <manthony@skybeam.com> Sun, Jan 13, 2019 at 4:54 PM
To: helmicrp@co.larimer.co.us

Hi Rob,

I have spoken to you briefly at some of the TWP and NISP meetings and a have a few questions I am hoping you can answer.

1. Is there a minimum distance these pipelines have to be from a residential structure?
2. Is there a minimum distance theses pipelines have to be from an earthen dam?
3. If so, are these county , state, or federal regulations?

Thank you for your time,

Mike

Michael Anthony

Rob Helmick <helmicrp@co.larimer.co.us> Mon, Jan 14, 2019 at 8:41 AM
Draft To: Michael Anthony <manthony@skybeam.com>

Mike,

1. The separation distance to a residential structure is determined by the actual easement for the pipe. County rule
2. Distance to a dam is 200 to 50 feet depending on the structure . I understand it can be closer and this is all determined by State rules- the State Engineers office

[Quoted text hidden]
--

LARIMER COUNTY

Robert Helmick
Senior Planner

Community Development Department
200 West Oak Street, Suite 3100
PO Box 1190
Fort Collins, CO 80521
970-498-7682
rhelmick@larimer.org
https://www.larimer.org/planning

Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Pipeline

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us> Wed, Jan 9, 2019 at 4:52 PM
To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>
Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

Commissioners -- Forwarded for your information and consideration.

Staff -- Please include this message in the public record for the application.

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: <bemore970@aol.com>
Date: Wed, Jan 9, 2019 at 4:30 PM
Subject: Pipeline
To: <bocc@larimer.org>

Please do not allow the Thornton pipeline to be placed in northern Larimer county. Two Larimer County commissioners voted to approve the Thornton pipeline on Douglas Rd. Commissioner Gary Gerrard, who joined commissioner Curtis Miller in dissenting votes for the recommendation for denial, said he doesn't have the right to "stand in the way" of another community's access to water it legally purchased. Hopefully these 2 individuals have been removed from their positions. Why are they more concerned with the citizens of Thornton than the residents of Larimer county? Not only will those living near or on Douglas Rd suffer loss of quality of life, loss of property value, and disruption of life style for the convenience of a city 60 miles away, but all the citizens of Fort Collins will suffer the loss of the recreational use and aesthetic beauty of the River as it flows through our city. Let them extract the water in a way that won't be so detrimental to the quality of life of Larimer county residents. Their priorities are not for residents of Larimer county. Please have Thornton construct their pipeline where it will have no adverse effect to our wonderful community; way south of Larimer county. Thank you, Robert Mohr 749 W Douglas Rd, Ft Collins, Co. 970-310-5188

Letter via email to Larimer County Commissioners Steve Johnson, Tom Donnelly, Sean Dougherty and Commissioner Elect John Kefalas, Larimer County Staff Lesli Ellis, Todd Blomstrom and Rob Helmick and Peak Facilitation personnel Heather Bergman and Dan Myers.

Dear Commissioners, County Staff and Peak Facilitation,

I wanted to thank the County Commissioners for their initiative and vision to establish a group of concerned and committed citizens, the Larimer Water Projects Working Group, and to allow them time to review the proposed Thornton Pipeline Project, including the evaluation and vetting of alternative routes. I would also like to thank the County Staff for asking me to be one of the 30 members in this important group of concerned neighbors. I am a retired Vice President of a top 10 national general contracting firm and have worked with all aspects of government from Counties, State and Federal on a wide variety of projects over the years. Of interest to you all may be that I was the General Contractor on the Larimer County building we have been meeting in at 200 West Oak Street, as well as the Justice Center Building down the street!

Our Working Group met for the fifth and final time this past Tuesday evening and at the end of the meeting, Heather Bergman, our facilitator, invited us to send in our comments about the process and its outcomes. My comments are provided below:

I. **Five Options/Routes for Thornton to receive its water were reviewed and/or developed by the Working Group**
   A. Canal Conveyance Route
   B. Douglas Road Pipeline(s)
   C. North Route (CR56) Pipeline(s)
   D. Poudre River Route
   E. Shields Street to Poudre River Route

All of the above options were determined by the group to be viable.

II. Thornton did not prove to be a good partner in this process

It was observed from the beginning that Thornton was not willing to engage in any meaningful dialog about any of the options, other than the pipeline routes. Thornton largely ignored ground rules established by the facilitator to be positive and constructive, open to group interests and to avoid taking positions on issues. Thornton repeatedly stated and restated the same arguments, no matter what new ideas were presented or "what if" questions asked by the Working Group. As the meetings went on, it became clear that Thornton was attempting to mislead the group with inaccurate information and evasive maneuvers, with the singular purpose of advancing their position on the pipeline proposals. They refused to honestly answer many specific questions, for example;

Question on Option A (Canal Conveyance) *– Why can't Thornton take water from the existing canal system which has historically conveyed this water to eastern farmlands over the last 100 years and avoid a pipeline through Larimer County?*

Thornton Answer *– We need our water 12 months a year and we can not get water through the canal system in the winter due to freezing.*

Follow up Question *– Why can't you take the water from the existing canal during the spring/summer time of year that it has historically flowed and build a reservoir in Thornton to store the water so you can access it year round when you need it?*

Thornton Answer *– We don't have any land in Thornton for a reservoir.*

Follow up Question *– Why can't Thornton build a reservoir out east on farmland that it owns, which was purchased to get this water?*

Thornton Answer/Rebuttal *– We purchased the water 30 years ago because we wanted to use the existing reservoir storage in Larimer County.*

It was clear from this kind of exchange that Thornton could in fact viably take their water from the existing Canal Conveyance Route and they were deliberately trying to mislead the Group. When

pressed and they could no longer outrun the questioning from the Group, Thornton effectively changed the subject and restated their original position that a pipeline was the only viable solution. This is but one example, there were many more.

III. NISP

From the very first meeting of the Working Group the inclusion of NISP in the process was questioned. Most of us felt that the direction from the County Commissioners was clear in that we were to evaluate alternative routes for the Thornton Pipeline Project. Working Group members had very little, if any, information about NISP and the vast majority of us wanted to focus on Thornton with a singular focus. Heather and the County Staff spoke to the merits of including NISP in the process, since it was a future potential pipeline project and maybe it could be collocated with Thornton. There was no agreement on this, as the Working Group did not want to presuppose that the solution to Thornton's water would in fact be a pipeline. Heather asked that we listen to a presentation from NISP and then decide whether to include it or not. We agreed and NISP presented a brief presentation in meeting number 2 and in meeting number 3 the Working Group discussed NISP again and requested a vote to remove it from our agenda. Heather did not allow this vote for reasons unknown to the Working Group. Thereafter, the Working Group largely minimized the discussion of NISP in the process and no constructive outcomes were developed relative to NISP.

IV. Outcomes and Recommendations from the Working Group

While the first four meetings of the Working Group were positive and productive, the last meeting on this past Tuesday was not. In what should have been an opportunity to build consensus of the Working Group and develop clear recommendations for the County Commissioners, we spent half of the meeting talking about a separate public meeting held on Thursday November 15th, which the majority of the members of the Working Group did not attend due to insufficient notice. The facilitator presented results of public opinion polled at this meeting and we were asked to "clicker" vote on the opinions from that public meeting? The information presented was confusing, contradictory and full of

errors and the results of this effort were meaningless ... and then the meeting ended!

Despite the fact that the Working Group was never given a chance to finalize our work and formulate our recommendations in a report for the Commissioners, I believe that it was more obvious than not the majority of the members would have agreed to the following recommendations and outcomes:

A. **The Poudre River Route was the only route that produced a clear benefit to Larimer County and its citizens and minimized negative impacts by eliminating miles of pipelines.** This was the preferred route by the Working Group by a significant margin.
B. Neither pipeline routes proposed, Douglas Road and the North Route (CR56), presented any significant benefit to Larimer County and its citizens, while they would both create significant and negative impacts. Larimer County has no obligation to Thornton to allow pipeline pathways thru our county without benefit to the county.
C. The Canal Conveyance route was endorsed by the Working Group second only to the Poudre River Option. This route produced no benefit to Larimer County, nor did it produce any negative impact. Thornton could elect this route and avoid the 1041 approval process with Larimer County altogether.
D. The Shields Street to the Poudre River Route was neither endorsed nor dismissed by the Working Group. One person introduced this option, which had some perceived benefits and impacts, but it never gained much traction. Insufficient time and information did not allow clarity for a final recommendation from the Working Group. I think the fact that this option involved another pipeline and down Shields Street was a deal killer for most.

V. The Process Ahead

The Working Group was told by Lesli Ellis that Thornton would be submitting an amendment to their 1041 application on Dec 10th which they were going to present at the Commissioners meeting scheduled for December 17. I understood that Heather Bergman

would be presenting on behalf of the Working Group, but neither County Staff or public comment would be scheduled.
While I understand that County Staff would not have adequate time to review the Thornton amended 1041 and that public comment would be premature, I was disappointed that the County Commissioners would not want to take comments from the members of the Working Group at this meeting! It would seem that the entire purpose of tabling the 1041 decision and process to December 17th was to give Thornton and the Working Group time to re-evaluate the project and review alternate conveyance routes. Now that we have done this, why are the Commissioners asking only for Thornton to present their proposal without hearing from members of the Working Group?
As stated above, Thornton has proven to not having been a good partner in this process and the Commissioners should not trust them accurately present any information gained from the Working Group. The fact that they are submitting an amended proposal within two weeks from the conclusion of the Working Group meetings should suggest that they had their minds made up all along and will not include any meaningful change from our efforts.
The Working Group has little idea of what the Peak Facilitation report will contain other than a description of the process. What good is a process description without the resultant recommendations and outcomes from our group; which clearly were not obtained in the final meeting**? On behalf of all of the members of the Working Group who have worked long and hard on this project, I am respectfully asking the Commissioners to reconsider and allow members of the Working group to present at the Dec 17 hearing with equal time as given to Thornton.**

Thank you again for inviting me to participate in the Working Group and I hope that our work will prove helpful in your decision making on this critical project with long range implications to Larimer County.
Respectfully submitted,
Jerrold Pault
President of The Hill Community and Cobb Lake Preservation & Recreation Association

LARIMER COUNTY

Rob Helmick <helmicrp@co.larimer.co.us>

Subject: Please Deny Thornton's 1041

1 message

Charmaine Stavedahl <stavedahlc@gmail.com> Wed, Jan 9, 2019 at 1:46 PM
To: Steve Johnson <swjohnson@larimer.org>, Tom Donnelly <donnelt@co.larimer.co.us>, jkefalas@larimer.org, Rob Helmick <helmicrp@co.larimer.co.us>

After 2 years of working with No Pipe Dream in an effort to understand Thornton's 1041 application and it's ramifications, I am now writing to ask you to deny this application.

You asked Thornton, in your August 1 Hearing, to come back with a significantly different application. That did not happen. Instead, you were provided with an alternate route that has exactly the same impacts, with no true benefits, for any of the Larimer citizens who live in this newly considered corridor. The only benefit I could possibly imagine would be the paving of CR56 from it's current dirt road status, and that was not included in Thornton's "Benefits" package, which mentions only returning the road to it's original condition. And that is still not enough to balance the destruction of property along the new proposed route. Fewer traffic issue than with the completely untenable Douglas Road route, and perhaps with fewer properties being adversely impacted, but still at the end of the day, Larimer citizens are asked to bear the burden of Thornton's lack of vision or willingness to provide a solution that benefits us. We still shoulder the significant reduction of our property and home values. Eagle Lake, Braidwood, Cobb Lake and The Hill are exclusive high end communities. They will not passively watch their investments and quality of life suffer.
We have not even discussed the pump station, which was conveniently left out of Thornton's 1041, but which in fact they fully intend to create. The pump station is all too real to Dick Brauch, and the residents of Starlite Drive, Braidwood and Eagle Lake.
Thornton has not changed their position, to my mind. They want what they want, and Larimer citizens are not on that list. The only significant benefit they could provide for Larimer citizens is one we are all aware of: the Poudre River Option, giving residents a healthier Poudre River, with its resultant multiple recreational and economic benefits. And this is the benefit that your citizens have consistently asked for during this whole process. And a benefit that will only come to us if Thornton is forced to provide it. Make them build a downstream modern water treatment plant instead of a costlier disruptive pipeline. You can make that happen by denying their 1041 and having them go back to the drawing board. Not Ready for Prime Time, indeed. They already have a fully fleshed out proposal to utilize the Poudre River as their major conduit which they brought to their city council in 2014. Make them use it.

Virus-free. www.avast.com

Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Say "NO" to the Thornton Pipeline and "YES" to the Poudre River

2 messages

Linda Hoffmann <hoffmalc@co.larimer.co.us> Tue, Jan 8, 2019 at 3:33 PM
To: Lesli Ellis <ellislk@co.larimer.co.us>, "Helmick, Rob" <helmicrp@co.larimer.co.us>

How do you want to handle these? Shall I stick them in a separate folder for now and we'll deal with them on the 21st?

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **Gary Wockner** <gary.wockner@savethepoudre.org>
Date: Tue, Jan 8, 2019 at 9:26 AM
Subject: Re: Say "NO" to the Thornton Pipeline and "YES" to the Poudre River
To: Gary Wockner <gary.wockner@savethepoudre.org>, <bocc@larimer.org>, <jkefalas@larimer.org>, <swjohnson@larimer.org>, <tdonnelly@larimer.org>

Hi Larimer County Commissioners,

Save The Poudre will be asking our supporters to send you the email below over the next three weeks. You will likely get a lot of them.

Our organization greatly appreciates your service to the people of Larimer County. We are happy to meet with you at any time to discuss or answer questions.

Thank you,

Gary

****

On 1/8/2019 9:21 AM, Gary Wockner wrote:
> Dear Commissioners Kefalas, Johnson, and Donnelly,
>
> At your January 28th hearing, you have a once-in-100 years opportunity to provide extraordinary benefits to the people of Larimer County and help restore the Cache la Poudre River through Fort Collins.
>
> At this moment in history when the strain on water resources and the Poudre River seems to be at its highest, you have an opportunity to turn that story around and start restoring the Poudre River rather than further draining it.
>
> The City of Thornton's proposed "Thornton Pipeline" would be massively damaging to the people and communities it would cross in northern Larimer County by impacting private property rights, sensitive ecosystems, and traffic patterns that could imperil human safety. This project is the biggest and most controversial project in recent Larimer County history, and you have done the right thing to delay the decision and appoint a Working Group to address it.
>
> The alternative to the Thornton Pipeline is staring everyone in the face. The City of Thornton has the opportunity to do the right thing and run their water down the Poudre River rather than through a pipeline. In fact, the City of Thornton itself created the "Poudre River Option" early in their planning process because it is a reasonable solution to meet their water supply needs. The Poudre River Option would:

> - have little or no impact on private property rights in Larimer County,
> - cost the City of Thornton significantly less money for construction,
> - provide extraordinary benefits to the people of Larimer County by helping to restore the health and water quality of the depleted Cache la Poudre River through Fort Collins,
> - be perfectly legal and likely only require permits on a short timeline,
> - and still get Thornton all of its water at a diversion point near Windsor.
>
> Thornton needs your leadership to get this done. The people of Larimer County need your leadership to provide this extraordinary beneift to Larimer County's environment.
>
> Please "deny" Thornton's 1041 permit application and strongly encourage them to pursue the "Poudre River Option".
>
> Sincerely,
> Gary Wockner
> gary.wockner@savethepoudre.org
> PO Box 20
> Fort Collins CO 80522
>
>
--
Gary Wockner, PhD, Director
Save The Poudre: Poudre Waterkeeper
Author: "River Warrior: Fighting to Protect the World's Rivers" (2016)
PO Box 20, Fort Collins, CO 80522
http://savethepoudre.org
http://www.facebook.com/SaveThePoudre
https://twitter.com/savethepoudre
970-218-8310

Rob Helmick <helmicrp@co.larimer.co.us> Tue, Jan 8, 2019 at 4:24 PM
To: Linda Hoffmann <hoffmalc@co.larimer.co.us>
Cc: Lesli Ellis <ellislk@co.larimer.co.us>

I think that would work the best, keeping them separate from the balance of the comments

[Quoted text hidden]
--

Robert Helmick
Senior Planner

Community Development Department
200 West Oak Street, Suite 3100
PO Box 1190
Fort Collins, CO 80521
970-498-7682
rhelmick@larimer.org
https://www.larimer.org/planning

126

Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Thornton Water Project

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us> Tue, Jan 8, 2019 at 10:24 AM
To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>
Cc: Lesli Ellis <ellislk@co.larimer.co.us>, "Helmick, Rob" <helmicrp@co.larimer.co.us>

Commissioners -- Forwarded for your information and consideration.

Staff -- Please include this message in the public record for the application.

Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

---------- Forwarded message ---------
From: **Mark Abshire** <mabshire333@gmail.com>
Date: Tue, Jan 8, 2019 at 7:37 AM
Subject: Thornton Water Project
To: <bocc@larimer.org>

Dear Larimer County BOCCs:

I am writing this letter in support of having Thornton deliver their water through Fort Collins in the existing drainage, the Cache La Poudre River. Not only will it be the least disruptive to Larimer County residents (who do not benefit from the project in any way whatsoever), but it will also restore flow to the Poudre that was removed long ago, diminishing the vibrancy of our community along the watershed for generations to come. I urge you to deny 1041 applications for both Douglas Road and CR 56 pipeline routes.

Respectfully,

Mark Abshire

3829 Twilight Lane

Fort Collins, CO 80524