*The role of the Advisory Board is to advise the Board of County Commissioners and appropriate departments on environmental and science-related issues that affect Larimer County.*

MINUTES

Date: February 9th, 2021

Time: 6:00 – 9:00 p.m.

Location: Virtual by Zoom

Contact: Shelley Bayard de Volo, [sbayard@larimer.org](about:blank) or 970.498.5738

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| MEMBERS |  | STAFF |  | GUESTS |
| Rodger Ames | X | John Kefalas\* | X | Coalition for the Poudre River Watershed |
| Daniel Beveridge | X | Shelley Bayard de Volo¥ | X | Jennifer Kovecses |
| John Bleem | X | Steven Decatur§ | X |  |
| Jim Gerek - Chair | X | Lori Hodges§ |  |  |
| David Lehman – Vice-Chair | X |  |  |  |
| Allyson Little | X |  |  |  |
| Kirk Longstein | X |  |  |  |
| George Rinker | X |  |  |  |
| Travis Rounsaville | X |  |  |  |
| Catriona Smith | X |  |  |  |
| Katrina Winborn-Miller |  |  |  |  |
| Chris Wood | X |  |  |  |

X = present; \* = Commissioner Liaison; ǂ = Speaker; ¥ = ESAB Liaison; § = Larimer County Office of Emergency Management (OEM)

Call to Order: 6:00 p.m.

1. Amendments or additions to the agenda – None.
2. Introduction of members, staff, and guests – Jim noted that there were several attendees that were not observable, but present and listening into the Zoom webinar.
3. Public Comment – none
4. Discussion Items

* Larimer County Recovery Collaborative – Lori Hodges, LC OEM. Lori introduced the Recovery Collaborative and its activities planned for spring. Lori is interested in getting feedback from the Board, specifically on whether the Board sees having a role in the Collaborative? And if so, what would that look like? The Recovery Collaborative started with the County’s response to the Covid Pandemic. The goal was to have a coordinated response among the County, and its State, Federal and local partners involved in the response. When the Cameron Peak Fire (CPF) happened, the County already had the Covid Collaborative as a framework and created the CPF Recovery Collaborative, which also involves State, Federal and other local partners.

The plan is to prepare for Spring runoff and be prepared to deal with debris flows and sedimentation. They are working with the Natural Resource Conservation Service (NRCS), the watershed coalitions, and State and Federal partners to limit the impacts. Stephen Decatur is leading the effort to implement suppression repairs that involves repairing dozer and hand lines on private property.

The next piece is the emergency watershed protection programs through the NRCS. That program involves exigent work focused on emergency repairs for protecting roads and structures. They are also working with the Cities of Fort Collins and Greeley to identify project areas for restoration and mitigation activities that will happen Spring and Summer 2021. There will be several mitigation funding opportunities that will become available over the next several years.

One barrier to success is the large amount of private land affected by this fire. Not all landowners want restoration or mitigation work on their properties, so that limits what the County can accomplish. To approach this potential barrier, in partnership with volunteer organizations, they are planning some community days. Working with non-profits and non-governmental organizations to get communities to come together and do projects together on things like mulching, tree planting, and debris clean-up.

Lori then went through the recently distributed community newsletter that highlights upcoming webinars and town halls. Lori explained the disaster declaration requests made to FEMA, and went through the debris removal project, including the hazard tree removal program focused on removing trees along roadways to keep those egresses clear, streamway debris removal and rights-of-way debris removal.

Lori ended by explaining the Community Recovery Services available to assist people with finding the best suited resources for their needs. She then addressed questions from members and attendees.

* Cameron Peak Fire: Watershed impacts and post fire restoration – Jennifer Kovecses. Jenn introduced the topics of her presentation, which include how wildfire affects watershed processes and how that affects the recovery process. Watershed values are at risk and then the watershed restoration activities in the planning stage. She introduced some background on the Coalition for the Poudre River Watershed (CPRW) and how it started after the 2012 High Park Fire and the 2013 Floods. Because the CPRW has been established since that time and has been working with many community partners, they were well positioned and able to pivot their focus towards the CPF recovery.

Recovery includes not only the ecological aspects of the watershed, but also the economic values that the watershed provides – drinking water, whitewater recreation, recreational fishing, and agriculture.

There are two primary watershed processes to highlight. First, normally most of the water in a watershed infiltrates into the upland soils, is taken up by vegetation and then cycled back to the atmosphere through transpiration. What is not absorbed by the upland soils flows down the watershed. Second, fire is an ecosystem process that drives forest structure and composition. Over the past 100 years fire suppression has had variable effects on forests. Forest types, like ponderosa pine, adapted to frequent and low intensity fires have responded different to fire suppression as compared to forest types (lodgepole dominant) adapted to infrequent, high intensity fires. The CPF spanned several elevational zones, each dominated by different forest types, and recovery strategies need to consider these different historical impacts and how they influence the potential for recovery.

Changes in wildfire patterns change hydrology. After high intensity fires, the soil sponge is no longer capable of soaking up as much water, so more water stays in the watershed as surface water. This increases flooding and debris flows impacting which impacts roads, homes and other watershed values at risk including many headwater communities, municipal water supply reservoirs, and the federally designated Wild and Scenic Poudre River. The entire footprint of the CPF involves many different burn severities across the landscape, so identifying areas of higher intensity is a priority and informs prioritization for recovery work. This prioritization process uses data collected by the USFS Burned Area Emergency Response (BAER) team for burn severity, the USGS for the debris flow probability model, as well as data from Colorado Forest Restoration Institute, and Larimer County.

CPRW is working closely with LC OEM, who focuses more on life and property infrastructure, and together they are identifying the zones of opportunities that have shared priorities. This process focuses the use of limited resources on high priority areas to work first.

Jenn then provided the CPF Recovery Team structure, which is comprised of many different federal, state and local and community stakeholders. There is a leadership team and nine workgroups that are specially focused. Jenn leads the water recovery workgroup that coordinates the recovery needs of local water utilities and watershed natural resources. The recovery process is expected to take 3 or more years; the team is in the planning and prioritization phases. Immediate goals are to get to the critical implementation stage by this spring runoff, with the anticipation of acute recovery work taking place over the next 1-3 years. That work involves stabilizing slopes to keep sediment out of streams and protect life and property. Post 3 years it will involve river restoration and forest regeneration work. Assessments of where forest regeneration is likely to be successful versus not, will help to target limited recovery resources.

In the long term there is concern for sediment deposition in the reservoirs that supply municipal water. With that sediment are nutrients that contribute to algal blooms and other systemic water quality issues. These high elevation forests have also been exposed to multiple stressors over the last 20 years, with the CPF now adding to the impacts of beetle kill. These multiple stressors limit the ability of high elevation forests to recover on their own.

Jenn explained the details of recovery in terms of mulching, erosion control, and bio-stabilization. Some of the challenges include funding gaps that come from restrictions on how the USFS can spend their Burned Area Recovery Program (federal lands) dollars and restrictions on where Emergency Watershed Protection grant dollars can be spent (private property). The initial first cut to address the prioritized areas is in the realm of 18-34 million dollars. Another challenge comes from getting permissions to implement recovery projects on private lands and federal lands, especially in designated wilderness areas.

The CPRW plans to track outcomes of the recovery work they do. They are working with utilities and researchers at the Rocky Mountain Research Station to redeploy their citizen science monitoring program that will track stream health metrics.

Jenn took questions from Board members and attendees. Jim then addressed the ESAB’s potential role moving forward. The ESAB certainly has expertise on its membership in wildfire recovery and watersheds. Jim noted that the Collaborative has a great start on the recovery and at this point he is not sure the ESAB has anything additional to contribute. The ESAB’s work is typically to review policy issues and papers. Perhaps they can revisit the question in 6 months, and Steven Decatur could provide a periodic update. Jim asked the other Board members how they see the ESAB’s role moving forward. Travis noted, as the watershed issue coordinator, he is signed up for the monthly newsletters and is keeping up on all the work of CPRW. He also suggested that when outdoor volunteer opportunities come up, it would be a great opportunity for ESAB members to get together, in person, in a Covid-friendly environment. Kirk asked about the citizen science work and asked if that was something board members could get involved with. Jenn noted that the water quality sampling project is not organized at this point in terms of sampling sites or how many volunteers will be needed. Colorado Forest Restoration Institute will be doing tree seed establishment monitoring, and the local bird organizations might be doing bird monitoring. John Bleem asked about STEM education opportunities. Lori and Jenn noted that could be a possibility in the future. John noted the potential involvement of CSU She’s in Power group that promotes women in science.

Lori reminded everyone that the County’s updated Hazard Mitigation Plan is out for review now and ESAB members were encouraged to provide comments through the County’s online portal. Jenn mentioned there was another CSU led citizen science group called “Stream Tracker” that works on collecting data using an app on people’s phones. Daniel asked about whether there were plans to augment the COCORAHS (Community Collaborative Rain, Hail and Snow Network) program throughout the watershed? Lori noted that now is a good time to get more people participating in the program by including that information in the next newsletter. It could be that ¼ inch of rain would trigger National Weather Service warnings in the watershed, as it will not take much precipitation to cause some debris flows in parts of the fire areas. Daniel suggested that the ESAB might be able to assist in getting the word out. Jenn mentioned that she could develop a webinar to introduce what the program is and how people can participate. Daniel asked if there is a coordinated effort to get the County’s Community Welfare [Wildfire?] Protection Plan into the Hazard Mitigation Plan? Lori noted she knew that Emergency Services is trying to get the community wildfire protection plans updated. Jenn noted that those updates should include post-fire mitigation.

Jim ended the discussion by noting the ESAB’s issue coordinators Travis and Daniel and that the ESAB is interested in remaining a resource that the County departments can call upon. He encouraged Lori to come back to the Board in a future meeting.

1. Approval of Minutes – John moved to approve the January minutes, and Daniel seconded. The January minutes were approved by acclamation.

1. Updates and Round Table
   * Chimney Hollow Reservoir – Jim provided the Board an update on the proposed development of the Chimney Hollow Reservoir. The reservoir would tie into several existing reservoirs such as Pinewood and Flatiron. It will lie just west of Carter Lake. The Chimney Hollow reservoir was initially conceptualized as part of the Windy Gap reservoir project as it needed a reservoir on the east side. Permitting started in 2003 and is just now getting finalized. Larimer County signed an IGA with Northern Water in 2004, and a subsequent IGA was signed in 2020 specifically for administering open space recreation on the west side of the reservoir.

There are 12 sponsors of the Chimney Hollow Reservoir, with Broomfield being the largest. Three are local sponsors – Platte River Power Authority (PRPA), City of Loveland, and the Little Thompson Water District. Although the permitting was just finalized, construction has already begun and is expected to take four years with price tag of ~$500 million. The 350 ft tall dam will be constructed of hydraulic asphaltic core, which is unique in North America. It will be the largest dam made of this material in North America.

The final record of decision was issued in 2017, and the litigation that followed was dismissed by the courts last December, which ends permitting process. But Chris noted that there have been some very recent appeals filed. Jim presented this process as an example of what to expect for Glade Reservoir and perhaps the Halligan Reservoir expansion project.

* + Land-Use Code Update 2020 – Jim briefly introduced the history of the ESAB’s work with regard to the County’s Comprehensive Plan during 2018-2019. Following the Comp Plan update, the ESAB commented on the Phase 1 Land Use Code 2020 update. Now Phase 2 of the Land Use Code is in progress. There are several areas of the Code update relevant to the ESAB, and others not so much. Regarding 1041 regulations, there are discussions of allowing advisory boards to comment on 1041 applications. The most significant part of the new code are revisions to the County oil and gas land use regulations. The former ESAB chair, Richard Alper, sat on the stakeholder group that helped develop those regulations. Since then, the State of Colorado has finalized their updated rules and regulations including those of the Colorado Oil and Gas Conservation Commission.

The new State regulations were not in place when the County drafted theirs and now there is need to harmonize the two, as the County’s regs need to, at minimum, be as stringent as the State’s. One specific area is set-back requirements. What is the ESAB’s role in the Oil and Gas process moving forward? The Commissioner Liaison noted in the last coordination meeting that he is in favor of the ESAB’s continued participation.

One item still hanging out there is the term “Greenfields”, which was incorporated into the County’s initial regulations at the last minute. There was concern of the use of the term without a clear definition. Since the ESAB last raised that issue, the Planning Department developed a guidance document for staff on how the term is to be interpreted and applied, however that guidance is not available publicly.

One question Jim wanted to explore was whether the ESAB wants to reconstitute its Oil and Gas Subcommittee? And if so, who would chair that group? The Planning Department has opened a questionnaire on the oil and gas regs, and they have also put out a general open comment period on the Land Use Code Phase 2 - Jim encouraged members to participate in both as individuals.

Jim then opened the floor for discussion for the members and there was discussion on the Estes Park Comprehensive Plan and the Estes Valley Code Integration and integrating climate Smart LC and sustainability into those regulations. Jim then asked if members were interested in volunteering for the Subcommittee? Several members volunteered to participate, including Ally, Chris, Katrina, Catriona, and Ally and Katrina indicated they plan to attend the April 10 Planning Commission joint BoCC work session on this topic.

Regarding other issues discussed, namely affordable housing, climate equity, and Estes Valley Code adoption, Jim noted that the entire ESAB may not have the bandwidth to be involved in everything. But he encouraged interested individuals to follow these issues.

* + Proposed PFAS Regulations – Class-B Firefighting Foams – At the January meeting Catriona reviewed the voluntary CDPHE water sampling effort for drinking water systems and indicated that was the initial survey for PFAs that the Division conducted. The second phase was to look at other facilities that are permitted to release treated wastewater, water used for manufacturing, and other similar uses into local waterways (i.e., through stormwater discharges). The survey specifically asked permittees about the use and storage of certain products containing PFASs, including Class B firefighting foams. The survey was a required activity for permittees, and the survey did not include construction stormwater or dewatering permittees.

Statewide, 193 facilities responded as having some kind of known PFAS presence, with the majority having AFFF or class B firefighting foams (78) or they store or use some other PFAS containing material (80). There were wastewater treatment facilities with PFAS passthrough (29) and six other facilities that reported having known levels of PFAS in their discharge. The Industrial sectors with the highest level of PFAS usage were chemical and allied manufacturing and refining, steam electric generating services, and air transportation.

There were only six facilities in Larimer County that reported having PFAS-containing materials (two in Estes Park, one in Loveland, two in Fort Collins and one at the Rawhide Energy plant near Wellington). The majority of the six facilities have onsite storage of class-B firefighting foams, but they have never been used.

State policy 20-1 provides standard values for PFAS in state waters, but the CDPHE does not anticipate incorporating these levels into waste-water treatment effluent permits for several years nor do they anticipate requirements for sampling. The CDPHE does have a timeline for phasing out Class B foams starting with restrictions in 2021 and by 2023 they will no longer be used for testing firefighting foam systems.

The Board then discussed the survey, and the reporting rates and reasons that some permittees likely did not report – namely that the right person did not receive the request, they were not in the office because they were working at home, and other reasons. Shelley noted that Larimer County participated in the survey, and Chris noted the same for PRPA.

* + Environmental Stewardship Awards – Shelley updated the Board on the status of the awards. The application period is now open and will be until March 28th. Shelley sent a flyer to board members with the agenda email and encouraged them to pass that around to their networks. She encouraged them to try to target diverse communities. The award ceremony is to take place in June so everyone on the current board can participate if they like. Recommendations from the subcommittee will be presented at the April Board meeting. The board discussed a little about recruitment and criteria. Rodger asked whether environmental justice might be considered as an element or criteria. The board discussed this and decided to consider this as a review factor.

* + Commissioner Update –The BOCC had their retreat where they looked at their policies, procedures and workplans. They discussed the Climate Smart Larimer County framework and the next steps of community engagement. There has also been coordination with the County Manager, and all agree that to facilitate an effective community engagement effort there has to be some dedicated resources involved. The team is currently working to update the 12-page document to make it more targeted to the community and they are working with a local graphic design company to do that. They are also working to finalize the larger complete report and do final copy edits, format graphics, and do a Spanish translation.

Looking into the future, there is also discussion of developing a dedicated staff position to carry forward the public engagement and ultimately draft a climate action plan. This position would be something like a Chief Sustainability Officer.

The other thing the Commissioner noted was a bill that will be before the state legislature in their 2021 session, and that is on expansion of electric transmission facilities to enable Colorado to meet its clean energy policy. It’s a 27-page bill, and the Commissioner’s office has not had the bandwidth to review the bill, so it would be helpful if the ESAB could look at it and track the issue. The bill outlines establishing a Colorado Electric Transmission Authority. Commissioner Kefalas asked Chris if PRPA is aware of the Bill and whether they are tracking the progress. He has an email with information on the matter that he can share with anyone interested. Both Ally and Chris said they were interested to see the email and could follow-up. Commissioner Kefalas noted there were two bills, one on renewable energy and the other on the electric transmission. There are potential concerns with property values and the Commissioner is coordinating with the County Assessor for feedback.

1. Issue Index – Was updated with tonight’s discussion.
2. Agenda Topics for Future Meetings – Next meeting is March 9th, 2021. Topics are TBD.
3. Adjourn – Jim asked for a motion to adjourn the meeting. George provided the motion and John seconded. The meeting was adjourned at 9:09 PM.