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September 2, 2015

Mr. John Urbanic
NISP EIS Project Manager
U.S. Army Corp of Engineers, Omaha District
Denver Regulatory Office
9307 S. Wadsworth Blvd.
Littleton, CO 80128

Via Electronic and Hand Delivery
nisp.eis@usace.army.mil

RE: City of Fort Collins' Comments to the Supplemental Draft Environmental Impact Statement for the Northern Integrated Supply Project

Dear Mr. Urbanic:

Please find attached to this letter detailed comments and associated reference material from the City of Fort Collins regarding the Supplemental Draft Environmental Impact Statement for the Northern Integrated Supply Project. Please make this submission a part of the administrative record in this matter. We respectfully submit these comments for your consideration and look forward to the response of the United States Army Corp of Engineers.

On September 1, 2015, the Fort Collins City Council adopted the attached Resolution directing that these comments be submitted on behalf of the City.

If you have any questions, please feel free to contact me, or you may also John Stokes, City of Fort Collins Natural Areas Department Director, at (970) 221-6263, jstokes@fcgov.com.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Attebery".

Darin A. Attebery
City Manager

**Mr. John Urbanic
NISP EIS Project Manager
September 2, 2015
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Attachments:

- 1. Resolution of the City Council of the City of Fort Collins (Exhibit A omitted).**
- 2. City of Fort Collins Comments on Supplemental Draft Environmental Impact Statement for the Northern Integrated Supply Project, Dated September 2, 2015.**

CC:

**Fort Collins Mayor and City Council Members
Carrie Daggett, Fort Collins City Attorney
Eric Potyondy, Fort Collins Assistant City Attorney
John Putnam, Kaplan Kirsch & Rockwell LLP
John Stokes, City of Fort Collins Natural Areas Department Director**

RESOLUTION 2015-082
OF THE CITY OF FORT COLLINS
DIRECTING THE CITY MANAGER TO SUBMIT TO THE U.S. ARMY
CORPS OF ENGINEERS THE CITY'S COMMENTS ON THE
SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR THE NORTHERN INTEGRATED SUPPLY PROJECT

WHEREAS, the Northern Colorado Water Conservancy District ("District") is pursuing the Northern Integrated Supply Project ("NISP"), a water storage and supply project that would divert significant amounts of water from the Cache la Poudre River upstream of Fort Collins; and

WHEREAS, to move forward with the necessary federal permitting for NISP, the District is required by the National Environmental Policy Act ("NEPA") to complete an environmental impact review process, conducted in this case by the U.S. Army Corps of Engineers ("Corps") as the permitting agency under the federal Clean Water Act; and

WHEREAS, as part of the review process, on April 30, 2008, the Corps issued a draft Environmental Impact Statement ("DEIS"), and the City timely submitted comments to the DEIS on September 10, 2008, pursuant to Resolution 2008-002; and

WHEREAS, on June 19, 2015, the Corps issued a supplemental draft Environmental Impact Statement ("SDEIS"), and pursuant to a subsequent extension of time, provided for submission of public comment up to September 3, 2015; and

WHEREAS, at the May 12, 2015, City Council work session, City staff presented background on NISP as well as staff's proposed analytical and data-driven objective approach to commenting on the SDEIS, which approach City Council endorsed; and

WHEREAS, pursuant to the direction of City Council, City staff, working with the assistance of outside technical experts, undertook a thorough and detailed technical analysis of the SDEIS primarily as it pertains to the NISP proposed action and its direct impacts in Fort Collins and to the City; and

WHEREAS, at the July 28, 2015, City Council work session, City staff presented preliminary analyses and findings related to staff's review of the SDEIS; and

WHEREAS, the City wishes to express its support for other communities, including participants in NISP, in their quest to acquire reliable water supplies without significantly adversely affecting other communities and the environment; and

WHEREAS, the City has concluded that the SDEIS is deficient under NEPA and the federal Clean Water Act in various respects, including in its analysis of potential impacts to the City, as set forth in the City's comments to the SDEIS; and

WHEREAS, staff has concluded the project will be harmful to Fort Collins based on a thorough review of the impacts described by the SDEIS as well as the impacts that staff expects from the project; and

WHEREAS, in view of the significance of the impacts that NISP would have on the City and the Fort Collins community, it is in the City's best interest to comment on the SDEIS, to continue to participate in these proceedings, and to monitor the responses to the comments of the City and others.

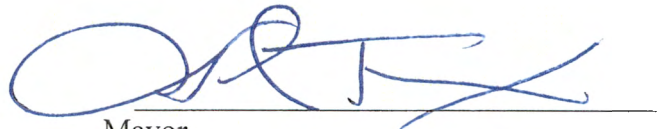
NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council cannot support NISP as it is currently described and proposed in the SDEIS, with the understanding that the City Council may reach a different conclusion with respect to a future variant of NISP, such as the proposed Modified Alternative Number 4 as described in the City's comments, if such variant addresses the City's fundamental concerns expressed in the City's comments to the DEIS and comments to the SDEIS.

Section 2. That the City Manager is hereby authorized and directed to submit to the Corps formal comments to the SDEIS that are substantially similar with those attached hereto as Exhibit "A" and incorporated herein by this reference, in accordance with the deadline for such submission.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 1st day of September, A.D. 2015.





Mayor

ATTEST:



City Clerk