

Larimer County Approves Development Agreement for NISP

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Reporter Pamela Johnson

Larimer County has approved a development agreement that delves into details surrounding construction of certain aspects of the Northern Integrated Supply Project.

The county commissioners on Tuesday voted 2-1 to approve the agreement with the Northern Integrated Supply Project Water Activity Enterprise, putting into writing some of the specific requirements that the elected board had put into place earlier in approving a 1041 permit for the water supply project.

Northern Water has proposed the project on behalf of 14 water providers, and it involves building Glade Reservoir west of Fort Collins and the smaller Galetton Reservoir in Weld County to hold water pulled from the Poudre and South Platte rivers.

Opponents have targeted the environmental effects on the Poudre River, while proponents say it will provide needed water, and the planned mitigations will actually boost the river.

The agreement focuses on recreational facilities for Glade Reservoir, and the amount of money Northern Water committed to that piece, as well as pipeline details, environmental mitigations and requirements surrounding the relocation of U.S. 287.

It puts in writing that the county will be involved in construction meetings and inspections and lays out some safety requirements.

"This agreement really protects the interest of Larimer County ... whether one supports this project or not," said Commissioner Steve Johnson, who along with Commissioner Tom Donnelly voted to approve the development agreement. (Both commissioners also voted in September to grant the 1041 permit, which allows the county some input on certain aspects of this water storage and pipeline project.)

The county does not have final say over whether the Northern Integrated Supply Project will be built. That approval would come from the U.S. Army Corps of Engineers, and the federal agency's decision is expected soon, following more than a decadelong environmental process.

Johnson stressed that the county does not have final say but that he wants to have some say on safety, recreation and construction that will affect residents."If they approve that, I want the reservoir to have

as many benefits as possible to the citizens of Larimer County," Johnson said, noting that Glade Reservoir will provide another source of recreation, which citizens have said is important to them.

Larimer County has agreed to manage the recreation on and around Glade Reservoir, with Northern Water committing to \$20.6 million for recreational facilities and with either the county or another yet-to-be-identified partner bringing \$3.775 million to the table.

The money would cover parking lots, boat ramps, a visitors center, camping areas and environmental mitigations at the reservoir and on the surrounding land.

Commissioner John Kefalas, the sole Democrat on the board and the lone vote against the 1041 permit in September, also voted against the development agreement Tuesday. He said he understands the purpose is to describe the water developer's obligations to the county and "to enhance the general welfare of the county," but that he had concerns about some pieces of the agreement and could not vote in favor of it without further information.

The development agreement was included on the consent agenda at the commissioners' weekly administrative matters meeting. The consent agenda typically is a list of actions approved without discussion and all by a single vote. Kefalas moved the item from that single vote so the board could discuss it.

"My rationale for pulling this item from the consent agenda is first to highlight that approval of the NISP project is indeed one of the most significant decisions made by this board of county commissioners, one that will impact Larimer County and future generations in many ways," Kefalas said. "As such, this development merits public attention and scrutiny and, from my perspective, it is necessary for the people to see how this NISP agreement seeks to mitigate the potential unintended consequences of the proposed Glade Reservoir."

He also expressed "serious concerns" about the overall project and said two provisions in the agreement add to those worries. He highlighted wording in the agreement that stresses that recreation is a secondary use to the water supply and that Northern Water, which will manage the project, may vary water levels and may modify design and location, at its sole discretion, for operations, maintenance or other issues to prioritize water supply over recreational uses.

"So I ask the question: What will happen to the recreational benefits of the NISP project if it takes 10 years to fill the reservoir perhaps due to higher temperatures, extended droughts and reduced snowpack?" Kefalas said. "Without a science-based answer to this question today, I cannot support this NISP development agreement"

Johnson answered that, in his opinion, those provisions are standard and are the same that are in play with current reservoirs that are part of the Colorado-Big Thompson Water Project and are managed for water supply and recreation, including Horsetooth Reservoir. Larimer County and Northern Water are partners on Horsetooth, Carter Lake and Pinewood and Flatiron reservoirs, along with the U.S. Bureau of Reclamation.

Donnelly, who also voted in favor of the development agreement, stressed that it is beneficial to Larimer County to have conditions that were laid out during the 1041 approval "memorialized in an agreement" and that it guarantees Larimer County participation in inspections and provides "necessary protections to taxpayers and citizens of this county."

"This isn't an opportunity to rehear a land use item that has already been heard," Donnelly said. This just memorializes to a finer degree the conditions of the project."