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Mountain-ear
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USFS
<http://www.fs.fed.us/outernet/arnf/contact/feedback/brd/index.shtml>

Senator Mark Udall
http://markudall.senate.gov/?p=contact_us

Senator Michael Bennett
<http://bennet.senate.gov/contact/>

Representative Jared Polis
<https://polisforms.house.gov/Forms/WriteYourRep/default.aspx>

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September 7, 2011

To Boulder County Commissioners and All Concerned Parties,

PUMA (Preserve Unique Magnolia Association) is opposed to the proposed expansion of Gross Reservoir.

PUMA's document, the MEPP (Magnolia Environmental Preservation Plan), is being ignored in considerations of expansion of Gross Reservoir. This document, which the Boulder County Commissioners voted in 2000 to incorporate by reference into the Boulder County Comprehensive Plan, expresses the intent of our Community, must be considered by all entities involved. (We understand that MEPP was inadvertently omitted from the on-line version of the BCCP due to administrative error.) In 2003 the Commissioners expressly admonished that Denver Water and the Army Corps consider the provisions of MEPP, but MEPP is nowhere mentioned in the voluminous draft Environmental Impact Statement.

The MEPP, an area management plan created by Magnolia Road residents in conjunction with a professional land use planner, was begun in 1997 and finished in 2000. The MEPP document constitutes the "vision statement and desired future conditions" for the Magnolia area."

We append to this letter some relevant excerpts from MEPP and referenced Boulder County documents. The entirety of MEPP, as well as a Summary, are available on the web: <http://www.puma-net.org/Mepp.htm>.

We also believe that other goals and features of the land use plans by Boulder County, the U.S. Forest Service, and other entities for the regions surrounding Gross Reservoir should be adhered to. These include the Forestry Zone and the Winiger Ridge Conservation Area.

Should consideration of the Environmental Impact Statement by federal authorities (FERC, EPA, and the Army Corps) continue to ignore local land use

plans, the outdated and minimalist efforts by Denver Water to conserve, and the impacts on river systems throughout Colorado and the western United States, then the Boulder County Commissioners should use their full powers, including denial of permits, to stop this project. After all, Gross Dam and Reservoir are located wholly within Boulder County, despite having negative effects far beyond the County's borders.

We appreciate your attention and concern.

Sincerely,

Jennifer Stewart
PUMA Leadership Group

Clark Chapman
PUMA member and former P&Z Commissioner, Pima County AZ

<http://www.puma-net.org/Mepp/08Scenic/MeppScenic05.htm>

The following policies are excerpted from the Boulder County documents:

App. 11-2 (Forestry zoning)

<http://www.puma-net.org/Mepp/11LandUse/MeppLandA2.htm>

Principal Uses (letters R, S, L specify special reviews)

Major Facility of a Public Utility (R) (S) (L)

Public or Quasi-public Facility Other than Listed (S)

Public Safety Telecommunication Facility (I)

Sewage or Water Transmission Line (R) (L)

Sewage Treatment Facility (R) (S) (L)

Telecommunications Facility, existing structure meeting height requirements

Telecommunications Facility, new structure or not meeting height requirements (S)

Utility Service Facility

Water Reservoir (R) (S)

* Special review is required for any use which:

- generates traffic volumes in excess of 150 average daily trips per lot, as defined by the Institute of Transportation Engineers;
- has an occupant load greater than or equal to 100 persons per lot;
- has a wastewater flow greater than or equal to 2000 gallons per day per lot; or
- has a total floor area greater than 25,000 square feet.
- a second principal use which does not increase density

* Grading involving the movement of more than 500 cubic yards of material (other than normal grading activity associated with agriculture, allowed mining activity, or foundation construction) shall go through limited impact special review.

Special-use permits are described this way:

Land uses requiring special-use permits are specified in Article 4, Section 500¹. Special-use permits must be approved by the Board of County Commissioners, as described in Article 4, Section 600. Article 4, Sections 700 and 800 of the Land Use Code specifies the requirements for site plan review for residential development in the mountains. Provisions include submission of a site plan for building, grading, access or floodplain development permits, with certain exceptions. The particulars to be included in the site plan are described as is the review process for the submitted site plan. Review is coordinated by the Boulder County Land Use Director with the Transportation, Health, Parks and Open Space Departments and the local fire district providing analysis. Minimum standards for site plan acceptance are specified and describe conditions of approval which may be attached to approval of the site plan. Following approval by the Land Use Director, the site plan is passed to the Board of County Commissioners for review, after which the Board elects to approve, modify, or deny the plan.

Chap. 9 Transportation

<http://www.puma-net.org/Mepp/09Trans/MeppTrans01.htm>

From “Introduction”: The Arapaho and Roosevelt National Forests (Forest). Forest Roads are primarily four-wheel-drive routes that provide seasonally restricted access to Forest lands and to the western side of Gross Reservoir

Chap. 3.3.1 Surface Water (Gross Reservoir)

<http://www.puma-net.org/Mepp/03WaterResources/MeppWater03.htm#TOP>

Denver Water is researching possible increases in their water supply system to provide municipal water to the rapidly growing metropolitan population. One scenario suggests an increase in the height of Gross Dam by approximately 100 ft. Because of the steep slopes of most of the boundaries of this reservoir, this dam increase would not flood significant new area, but would inundate significant stretches of riparian areas along several small tributary creeks (Forsythe Creek and Winiger Gulch) and South Boulder Creek. Riparian areas are rare in the Planning Area and several have been included in the management prescription of the US Forest Service's 1997 Revised Management Plan (USFS, 1997), and flooding would have major impact on the amount of riparian areas in the Planning Area.

Western shoreline of Gross Reservoir

<http://www.puma-net.org/Mepp/08Scenic/MeppScenic04.htm>

- high scenic integrity
- low visual absorption capability
- high level of public concern
- scenic attractiveness common to area
- high public value

<http://www.puma-net.org/Mepp/08Scenic/MeppScenic05.htm>

The following policies are excerpted from the Boulder County Comprehensive Plan. A complete list of the Natural Landmark Policies is found in [Appendix 8.4](#)

Environmental Resources Element: Natural Landmark Policies

ER 1.01 Natural Landmarks and natural areas as identified in the Environmental Resources Element, and as may be identified from time to time

or pursuant to 36-10-101, CRS, as amended, shall be protected from destruction or harmful alteration.

ER 1.02 Land use proposals which could have a potential adverse impact to Natural Landmarks shall be dealt with on a case-by-case basis. Depending on the scale of the proposal and the scope of the adverse impacts, the County may determine that a site specific evaluation of the impacts is warranted and will be required of the applicant.

ER 1.04 Boulder County, utilizing County staff, volunteers, and professionals, shall continue researching potential County natural areas and Natural Landmarks. The research will be to update the Environmental Resources Element, adding qualified areas and Landmarks to those currently designated on Map Sheets 4 and 6. ER 1.09 The Parks and Open Space Department shall conduct analyses of existing and potential Natural Landmarks for the purpose of identifying land ownership and a feasible program for protection of the feature(s) and/or vistas of the Landmark. Buffer zones will be designated to appropriately insulate Natural Landmarks from detrimental land use encroachments.

Open Space Element: Scenic Area and Open Corridor Protection

OS 3.01 Where necessary to protect water resources and/or riparian habitat the County shall ensure, to the extent possible, that areas adjacent to water bodies, functional irrigation ditches and natural water course areas shall remain free from development (except designated aggregate resource areas). The County may preserve these open corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process or by acquisition.

OS 3.02 Where appropriate the County shall continue to acquire parcels of land or right-of-way easements to provide linkages between public lands.

OS 3.03 To the extent possible, the County shall protect scenic corridors along highways and mountain road systems. The County may preserve these scenic corridor areas by means of appropriate dedication during the development process, reasonable conditions imposed through the development process or, by acquisition.

OS 3.04 Areas that are considered as valuable scenic vistas and Natural Landmarks shall be preserved as much as possible in their natural state.

11.10.2 Desired Future Conditions

<http://www.puma-net.org/Mepp/11LandUse/MeppLand10.htm>

PUMA and land use agencies in and adjacent to the Planning Area will interact proactively in order to have timely communication and effective participation in the planning and land use decisions made by these agencies. These agencies will give full and appropriate consideration to MEPP when making land use plans and decisions.

Private lands that contain significant natural and cultural resources will be protected by permanent deed restrictions and/or management plans.

11.3.3 Management Area Direction

<http://www.puma-net.org/Mepp/11LandUse/MeppLand03.htm>

The Forested Flora and Fauna Habitats management emphasis is on providing adequate amounts of quality forage, cover, escape terrain, solitude, breeding habitat, and protection for a wide variety of wildlife species and associated plant communities. Ecological values are in balance with human occupancy and consideration is given to both. Resource management activities may occur, but natural ecological processes and resulting patterns normally predominate. Key management area standards are:

- Maintain or increase habitat effectiveness, except where new access is required by law (habitat effectiveness is a function of the road and trail density in a given area, where habitat effectiveness declines as the density of roads and trails increases). For more information on habitat effectiveness see [Appendix 5.6](#).
- Discourage or prohibit human activities and travel, where needed, to allow effective habitat use during season of primary use by elk, deer, and bighorn sheep.
- Discourage or prohibit human activities and travel, where needed, to allow effective habitat use by other wildlife species, especially during the seasons of birthing and rearing of young.
- Do not construct new roads except when they contribute to improving habitat or providing legal access. Obliterate any temporary roads within one year following intended use.