

LARIMER COUNTY ENVIRONMENTAL ADVISORY BOARD

2009 Annual Report





ENVIRONMENTAL ADVISORY BOARD

Post Office Box 1190
Fort Collins, Colorado 80522-1190

January 2010

Board of County Commissioners:

Attached is the annual report for the Environmental Advisory Board. The report outlines the Advisory Board's activities in 2009 and sets out our goals and direction for 2010. Several issues were referred to this Board from the Commissioners' office in 2009. Additional information about the Advisory Board, including minutes for the meetings, is available on the County website at www.larimer.org/boards/brd_info.cfm?board=5.

We would like to thank County staff for their continued help and commitment to sound environmental management. In 2009 representatives from the Departments of Health and Environment, Planning, Solid Waste and the Budget Office attended EAB meetings to assist and inform members of the Advisory Board.

We hope that the feedback we provided was useful for the County. Please feel free to contact any of our members if you would like to discuss these issues in greater detail.

Melissa Chalona
Chair

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**2009 ANNUAL REPORT OF THE LARIMER COUNTY
ENVIRONMENTAL ADVISORY BOARD**

January 2010

I. INTRODUCTION

The Larimer County Commissioners established the Environmental Advisory Board (EAB) in 1993. The Board consists of 12 at-large members, appointed by the County Commissioners.

The role of the Advisory Board is to advise the Board of County Commissioners and appropriate departments on environmental issues that affect Larimer County. A specific objective is also to promote institutionalization of the County's Environmental Responsibility Policy. Items considered by the EAB in 2009 came from the Commissioners, staff, citizens and our own members.

The Advisory Board meets regularly on the second Tuesday of each month and on an as-needed basis for special work sessions. The first agenda item of each meeting is devoted to hearing citizen's comments about environmental issues. The list of speakers and guests that attended the EAB meetings is presented in Section V of this report.

Important topics and actions considered by the Advisory Board are noted in Section II. Section III outlines the status of issues related to written correspondence. The actual recommendations are included in the Appendix.

The Advisory Board utilizes an Issue Index to keep track of the various issues that the board addresses. The index is updated on a monthly basis.

Kathay Rennels was the County Commissioner liaison to the Environmental Advisory Board in 2009. Doug Ryan, from the Department of Health and Environment, served as staff facilitator.

II. IMPORTANT TOPICS IN 2009

MONTH	TOPICS
January	<p>Green Committee Goals – the proposal by the staff committee for development of a County Sustainability Management Plan</p> <p>North I-25 EIS – update on the status of the planning process</p>
February	<p>North I-25 EIS – update on regional discussions for selecting the preferred alternative</p> <p>West Nile Virus – update from staff on the 2008 WNV season</p>
March	<p>NISP EIS – an update on the Army Corps of Engineers decision to require a supplemental EIS to address additional issues</p>
May	<p>BCC Communication Topics – a discussion with Commissioner Rennels about coordinating on environmental topics and a suggestion that the EAB look at the Strategy Maps for budget outcomes</p>
June	<p>Strategy Maps for budget outcomes – discussion with the Budget Manager about this budget visualization/prioritization process</p>
August	<p>West Nile Virus – update on the current summer WNV situation</p> <p>Election of Chair and Vice-chair to fill current vacancies</p>
September	<p>Solid Waste – update on current activities</p> <p>Ozone Air Quality – update on the summer ozone season and progress on the Ozone Action Plan</p>
October	<p>Horse Facility Regulations – review of proposed new regulations for horse facility operations</p> <p>Environmental Stewardship Awards – review of nominations & recommendations to the County Commissioners</p>
November	<p>1041 Solar Power – review of proposed new regulations for solar power plants</p> <p>Strategy Maps for budget outcomes – completion of the EAB review of draft maps</p>

MONTH	TOPICS
December	Election of Chair and Vice-chair for 2010 Issue Index – an evaluation by members of the current status and planned action on the list of action items contained in the EAB Issue Index Workplan – consideration of EAB workplan elements for 2010

Note: Copies of any formal correspondence resulting from these items are included in the Appendix.

III. STATUS OF EAB RECOMMENDATIONS IN 2009

The table below outlines the formal recommendations made by the EAB in 2009, and provides a brief statement about the status of those recommendations. As an advisory board, all of the EAB recommendations are submitted to the Board of County Commissioners or a requesting County department. The actual correspondence is in the Appendix.

Issue	Principle EAB Actions and Recommendations	Status
Equestrian Operation Regulations	The EAB reviewed the Horse Facilities Working Group recommendations and made comments to staff. In general, the EAB indicated a favorable reaction, and encouraged completion of a guide for preparation of Resource Stewardship Plans.	The Planning Commission held a public hearing in December and tabled consideration of code amendments to allow more time to work out specific details. Final decisions are expected from the Planning Commission and County Commissioners in 2010.
1041 Regulations for Solar Power Plants	The EAB reviewed draft code language and indicated a general consensus on both the thresholds for requiring permits, and the standards of review outlined in the code.	The Planning Commission recommended adoption of the regulations in December and the County Commissioners approved the code in early 2010.
Strategy Maps for Budget Outcomes	The EAB reviewed the initial draft strategy maps and asked staff to communicate its suggestions in a letter to the Budget Manager.	Staff level committees are scheduled to review and revise the strategy maps in 2010 for use as part of the 2011 budget development process.

IV. ENVIRONMENTAL STEWARDSHIP AWARDS

In December, the Board of County Commissioners presented five Environmental Stewardship Awards. These awards annually honor the environmental efforts of county residents, businesses, organizations and agencies. The EAB reviews the nominations and makes recommendations to the Board of Commissioners. Environmental Stewardship Awards were first issued by the County in 1995. This year's recipients bring the total number of awards given to 53. The recipients for 2009 were:

Clean Air Lawn Care, for their strong commitment to protect air quality. Clean Air Lawn Care was started in Fort Collins by Kelly Giard in 2006, and has since grown to include 27 locations. Clean Air Lawn Care is a lawn maintenance business that uses clean electric and biodiesel powered equipment. The vehicles hauling this equipment have solar panels which charge the electric equipment during the workday. The nomination for this award noted that the EPA estimates that 5-10% of our nation's air pollution comes from gas-powered lawn maintenance equipment. The switch that Clean Air Lawn Care has made in the types of equipment they use significantly reduces air emissions at their customer's locations. The move to franchise the business nationwide offers an example and incentive to other lawn care companies. This is an example where a good business plan and hard work can make an important contribution to environmental stewardship.

Jean Weaver, for her leadership and support of recycling. Ms. Weaver is known as the Queen of Recycling in the Estes Valley. Her efforts began in the early 1970's with newspaper drives to support the Estes Park Chorale. The first official newspaper drive in Estes Park was held in 1976. A permanent collection site was established a few years later at the solid waste transfer station under her guidance. Throughout this entire process, Jean Weaver has worked in cooperation with individuals, governments, schools and civic groups. She is currently active with the League of Women Voters in Estes Park promoting recycling and the expansion of recycling opportunities in the Estes Valley. Through her persistent efforts over three decades, Jean Weaver has demonstrated that personal commitment has the power to make communities more sustainable, better places to live.

K-Lynn Cameron, for her contributions to the conservation of open space and the addition of recreation opportunities in Larimer County and the State. As a citizen, K-Lynn played a major role in getting petitions signed to place four citizen initiated sales tax initiatives on the ballot, and then worked tirelessly on the campaigns to get the sales taxes passed by voters to fund the Larimer County Open Lands Program and Fort Collins Natural Areas Program. She became the first manager of the Larimer County Open Lands Program and served in that position for 13 years until her retirement in June. K-Lynn formed and led the steering committee that pioneered the Colorado Open Space Alliance which has

grown over the last 10 years to serve over 50 agencies and host ten conferences. She has served on the Board of Colorado Coalition of Land Trusts for 6 years. Through vision, creativity and hard work, K-Lynn Cameron has provided a lasting legacy that will be enjoyed by many generations to come.

Poudre Wilderness Volunteers, for their long-term dedication to assist the Canyon Lakes Ranger District of the U.S. Forest Service in managing and protecting wilderness and back-country areas. Poudre Wilderness Volunteers recruit and train citizen volunteers to serve as wilderness rangers and hosts for the purpose of educating the public and assisting with land preservation. Hikers on the trails are educated in “leave no trace” principles by friendly and knowledgeable volunteers. In addition, these dedicated volunteers conduct trail maintenance activities and work to control invasive weeds. It is clear that the hard work provided by the Poudre Wilderness Volunteers is a labor of love. Our National Forest lands and the people who use them benefit greatly from their efforts.

V. GUESTS AND INVITED SPEAKERS

MONTH	PERSON	TOPIC
January	Doug Ryan Health and Environment	Green Committee Goals
February	Nina Jackson Sharon Milligan Eric Sutherland LeeAnne Kempton Health and Environment	Red Mountain Wind Towers West Nile Virus
April	John Dixon Doug Ryan Health and Environment	North I-25 EIS & NISP EIS
May	Kathay Rennels Larimer County Commissioner Doug Ryan Health and Environment	Coordination of Environmental Issues Ozone Air Quality
June	Ben Myers Bob Keister Budget Manager	Strategy Maps for Budget Outcomes
August	Lee Anne Kempton Health and Environment	West Nile Virus
September	Devin Odell Susie Gordon Stephen Gillette Steve Harem Solid Waste Department Doug Ryan Health and Environment	Solid Waste Update Ozone Air Quality
October	Linda Hoffmann Rural Land Use Center	Horse Facility Regulations

MONTH	PERSON	TOPIC
November	Jill Bennett Planning Department	1041 Solar Regulations

VI. ENVIRONMENTAL ADVISORY BOARD MEMBERS

Ruben Blanco	Appointed July 2009
Melissa Chalona	
Mike Erickson	Retired June 2009
Kimberly Karish	Appointed July 2009
Michael Lee Jones	
Jennifer Lee	
Dale Lockwood	Retired June 2009
Todd McCowin	Retired November 2009
Ryan McShane	Appointed July 2009
Kate Muldoon	
Devin Odell	Retired July 2009
Willem Scott	Appointed July 2009
Tom Sneider	Retired September 2009
Heidi Steltzer	Retired June 2009
Jarrett Tishmack	Appointed July 2009
Sherman Worthington	Retired June 2009
William Zawacki	

Note: This list includes all Advisory Board members who served during the year. At any given time, the Board consists of twelve members.

VII. YEAR 2010 WORKPLAN

This section provides information about the general direction the Advisory Board contemplates taking in 2010. Because conditions or priorities in the County can change, some degree of flexibility needs to be maintained.

Overall: The EAB strives to influence county governmental policies, decisions and actions that have environmental implications. To that end the EAB will:

1. Serve as an informational resource that provides science-based recommendations to the County Commissioners and departments, points out areas of uncertainty and suggests appropriate ways to address them;
2. Identify environmental issues and opportunities for the consideration of the County Commissioners so that the BCC can be proactive in their responsibilities towards the environment. To that end, the EAB will solicit from its membership their ideas with respect to a proactive environmental agenda and then develop a studied consensus of the most relevant issues and opportunities that will be forwarded to the BCC;
3. Develop and maintain an attitude of trust and respect among the EAB, the Commissioners, County departments and other boards and commissions.

Response to Referrals or Requests:

1. Respond in a timely manner to issues raised by the Board of County Commissioners, the County departments and EAB members.
2. Facilitate the response to citizen comments received by the Advisory Board with the Board of County Commissioners and appropriate County departments.

Current Environmental Topics:

1. Consider the regional implications of important environmental issues, and facilitate ways to address those issues across local jurisdictional boundaries. Examples of current issues include the North I-25 Transportation Environmental Impact Statement, and the proposed Northern Integrated Supply water project.
2. Monitor important water issues including watershed planning and proposed water projects. The Big Thompson Watershed Forum, the Northern Integrated Supply (NISP) Project, the Halligan-Seaman Water Management Project and the Regional Watershed Supply Project continue to be examples of current issues.

3. Monitor solid waste management issues such as landfill operations, recycling and hazardous waste disposal.
4. Monitor the status of alternative energy development proposals, and be available to consult with staff and the County Commissioners.
5. Monitor important air quality trends, especially with regard to the issue of ozone nonattainment in the region.

Stewardship Awards:

1. Coordinate the 2010 Environmental Stewardship Awards in partnership with the County Commissioners.

Communications and Process:

1. Request a discussion, at the appropriate time, with the County Commissioner liaison assigned to the Environmental Advisory Board. The purpose would be to discuss topics of mutual interest, and to gain a current understanding of environmental concerns or issues as seen by the County Commissioners.
2. Continue the process of coordinating open communications about environmental issues between selected County departments and advisory board representatives.
3. Promote implementation of the County's Environmental Responsibility Policy.
4. Utilize the Commissioners' Administrative Matters meetings for communicating on important environmental issues and to establish consensus on what should be considered high-priority review items.
5. Continue the practice of assigning interested EAB members to monitor select environmental activities and provide updates to the full Advisory Board.

APPENDIX: WRITTEN CORRESPONDENCE

These documents were prepared by the Environmental Advisory Board as part of their activities conducted in 2009.

- October 21, 2009 memo to the Larimer County Rural Land Use Center Director regarding regulation of equestrian operations.
- November 12, 2009 memo to the Larimer County Planning Department regarding 1041 Regulations for solar power plants.

Documents prepared by staff as directed by the Environmental Advisory Board

- November 12, 2009 memo to the Larimer County Budget Manager with comments about the draft Strategy Maps for Budget Outcomes.



ENVIRONMENTAL ADVISORY BOARD

Post Office Box 1190
Fort Collins, Colorado 80522-1190

To: Linda Hoffmann, Rural Land Use Center

From: Melissa Chalona, Chair

Date: October 21, 2009

Subject: Equestrian Operation Regulations

The Environmental Advisory Board (EAB) reviewed the draft code changes for implementing the recommendations of the Horse Business Facilities Working Group and offers the following comments.

General Comments. Addressing the potential environmental impacts of equestrian operations is a key element for assuring the stated goal of achieving enduring land use compatibility. Issues such as water quality impacts, dust generation and growth of noxious weeds on bare pastures raise significant environmental concerns as well as compatibility issues with neighbors.

The County system requiring all operations to obtain special review approval does appear to be a complex process that can be expensive and time consuming. We understand that only a low percentage of facilities are in compliance with that requirement. While special review is clearly justified for more intense operations, providing a range of simpler review alternatives is seen as a more workable system for those facilities that would not be expected to cause significant impacts. The Advisory Board concurs with the Working Group that a four-tiered system to include use-by-right, administrative review, minor special review and special review can be a fair and effective way to address the impacts of equestrian operations.

Comments on the Draft Code Provisions. The draft code changes provide a single definition for equestrian operations, and a formula for determining the intensity of each individual operation. The four levels of review are aimed at ensuring that those facilities with a higher level of potential impacts receive a more thorough review and provide greater opportunities for public input.

The formula for determining the review process includes consideration of the number of annual equestrian events. The draft defines these equestrian events as occurring outside of routine activities, and exceeding three people per acre. A concern raised by the Advisory Board is that the definition may not identify some large events with big impacts. For example, a rodeo even one time per year with 250 participants has the potential to pose a large environmental impact. Yet this single event would count much less in the formula than a barrel racing event with 10 participants that repeats once a month. A suggestion to address this issue would be to consider an upper-limit on the number of event participants or horses that can qualify for a use-by-right or administrative review.

The EAB agrees with the Working Group that it is appropriate to include minimum performance standards for the use-by-right category of equestrian operations. While it is reasonable to exempt these less intensive uses from a complicated review process, it is important to state that they do need to operate within certain minimum standards. We would suggest that the note about a *recommended* Resource Stewardship Plan contained in the administrative review category be added to this section for operations that will be allowed as a use-by-right. Recommending the development of a plan would provide County staff with an opportunity to consult with operators about the importance for proper management and support the stated goal of achieving enduring land use compatibility.

The Advisory Board members were mixed in their opinion about whether a completed Equestrian Operation Registration Certificate should be mandatory or optional for use-by-right facilities. Those that felt a certificate should be required noted that it would offer an opportunity for staff to provide a copy of the guide for preparing a Resource Stewardship Plan, and to discuss the particulars of the equestrian operation along with any compatibility issues that might arise. Those in favor of keeping the certificate optional noted that other use-by-right activities do not require official certificates, and that it could result in a situation where a well-run equestrian facility was in violation of the code just because it had not submitted a signed certificate.

The EAB believes that the draft code changes contain appropriate review criteria to allow the County to evaluate compatibility issues that are related to the scale and intensity of each operation. For example, those facilities requiring administrative review include provisions to ensure that access is safe and adequate, and that lighting will not intrude on neighbors. The minor special review and special review process include a required Resources Stewardship Plan, as well as consideration of issues such as water supply and road capacity. Both special review processes require public hearings in order to ensure that community concerns can be identified and considered for the more intensive facilities.

Suggestions for Moving Forward. The development of Resource Stewardship Plans for equestrian operations will be a key element for achieving the desired goals as they

relate to enduring land use compatibility. It is well understood that proper management of issues such as water quality, soil erosion, noxious weeds, manure, fly and odor control, and dust contribute to the long-term sustainability of property used for equestrian operations – as well as being key elements of neighborhood compatibility. Development of these Resource Stewardship Plans will be voluntary for some facilities and required for the more-intensive operations. The Working Group has recommended that the County take the proactive step of assisting facility owners by developing a guide or workbook for preparing a Resource Stewardship Plan. It is anticipated that a well-prepared guide would allow owners to prepare their own plans without the need to hire professional consultants. As valuable as the guidance materials would be to equestrian operations, they could also be extremely useful to other property owners that keep horses for their private use. The Environmental Advisory Board fully endorses the Working Group recommendation, and would encourage the Commissioners to devote adequate resources to allow the County to develop and test the guidance materials for preparing Resource Stewardship Plans.

Thank you for your presentation to the EAB, and for the opportunity to comment on this important issue. As this project moves forward, the Advisory Board would be very interested in working with the County to review the guidance materials for Resource Stewardship Plans. Please feel free to contact me or Doug Ryan if it would be helpful to discuss any of these comments in greater detail.



ENVIRONMENTAL ADVISORY BOARD

Post Office Box 1190
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To: Jill Bennett, Larimer County Planning Department

From: Melissa Chalona, Chair

Date: November 12, 2009

Subject: 1041 Regulations for Solar Power Plants

The Environmental Advisory Board (EAB) reviewed the draft code amendments for designating certain solar power plants under the County's 1041 regulations, and offers the following comments.

The amendments would add solar power plants with an area greater than five acres to the list of designated activities that require approval. If the amendment is adopted, designated solar power plants would be evaluated under the general review requirements contained in Section 14.10 of the Land Use Code. That section lists twelve review criteria that would need to be addressed by a proponent seeking a permit. The criteria allow the County to approve, approve with conditions, or deny an application to site a solar power plant following public hearings.

Staff identified a number of land use issues related to large solar power plants. The most important are considered to be landscape-scale wildlife impacts and impacts related to drainage, erosion control and fugitive dust. The need to address these potential impacts was the basis for recommending five acres as the threshold size for requiring a 1041 permit. Larger size projects are more likely to present these issues, and staff argued that the evaluation of impacts and requirements for avoidance or mitigation required under the 1041 regulations are appropriate tools for protecting land use compatibility.

The EAB had a detailed discussion about the proposed code amendments. Members concurred that the main impacts identified by staff – together with the issue of water supply for thermal solar power plants – probably are the issues that will be most important from an environmental standpoint. The EAB believes that the five acre threshold is appropriate for the initial listing, and that the review criteria contained in Section 14.10 appears adequate to allow a thorough review of potential impacts. The

Advisory Board would encourage staff to continue to evaluate impacts associated with solar power plants, and notes that in the future it may be desirable to add additional specific performance standards in similar fashion as those listed for wind power plants in Section 14.11.2.

Thank you for your presentation to the EAB, and for the opportunity to comment on this important issue. Please feel free to contact me or Doug Ryan if it would be helpful to discuss any of these comments in greater detail.



DEPARTMENT OF HEALTH AND ENVIRONMENT

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General Health (970) 498-6700
Environmental Health (970) 498-6775
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To: Bob Keister
From: Doug Ryan
Date: November 12, 2009
Subject: Suggestions for the draft Strategy Maps from the EAB

The County's Environmental Advisory Board (EAB) reviewed the draft Strategy Maps that were prepared by the Strategy Mapping Teams. The review was suggested by Commissioner Rennels when she discussed budget issues with the EAB in May.

The Strategy Maps are designed to help make future budget decisions in order to achieve important objectives (the End Result Statements) which were developed by the County Commissioners. There are seven strategy maps, each containing one End Result Statement at its center. The maps contain two outer layers that list "factors" representing causal pathways for achieving the End Result Statements.

The EAB members definitely felt that the Strategy Maps were well prepared, thought provoking and potentially useful for decision making. The members asked me to relay their recommendations to the Resource Allocation Committee and Strategy Mapping Teams on November 18.

There was a lengthy discussion that ranged from considering the specific factors listed on each map to overall concepts for using visual tools to guide decision making. The EAB synthesized their ideas into five basic suggestions:

1. Consider combining related outer-layer factors in order to simplify the maps and make them more useable and intuitive;
2. Look for opportunities to use the same or similar wording for factors listed on multiple maps in order to make the interrelations among the end statements more evident;
3. As the strategy maps are further developed, include specific performance measures for the outer-layer factors to allow departments to measure their progress;
4. Illustrate the strong relationships across End Statements by developing a web-based visual display that links the outer-layer factors and allows users to center on selected factors (a 'hot link' or spider web display);

5. Add Water Quality and Quantity as a primary factor to both the Environment and the Preparing for Growth strategy maps. The EAB members acknowledged that the County is not in the water supply business, but emphasized the crucial importance of water for domestic, agricultural and ecological purposes, and the importance of addressing water issues on a regional scale. The Advisory Board felt that water is one example how the strategy maps can be used to help visualize important factors that the County needs to address in order to accomplish the End Results Statements.