

RESOLUTION 2017-024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
DIRECTING THE CITY MANAGER OR HIS DESIGNEES TO MEET
WITH THE NORTHERN COLORADO WATER CONSERVANCY
DISTRICT TO ENGAGE IN DISCUSSIONS AND EXPLORE SOLUTIONS
REGARDING THE NORTHERN INTEGRATED SUPPLY PROJECT

WHEREAS, the Northern Colorado Water Conservancy District (“Northern Water”) 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 Northern Water 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, opposing NISP as then proposed; and

WHEREAS, as part of the review process, on June 19, 2015, the Corps issued a supplemental draft Environmental Impact Statement (“SDEIS”), and the City timely submitted comments to the SDEIS on September 2, 2015 pursuant to Resolution 2015-082, not supporting NISP as then proposed; and

WHEREAS, the Northern Water has recently made public modifications to the preferred alternative for NISP that would affect the amount of water flowing in the Cache la Poudre River through portions of Fort Collins, which raises various issues for the City; and

WHEREAS, it will be to the benefit of the City to have designated staff members meet on a regular basis with the Northern Water regarding NISP and the City’s concerns, and to explore the City’s interests in order to ascertain whether those interests can be met, including through potential solutions to address the City’s goals and issues related to NISP; and

WHEREAS, such meetings and discussions will not change the City’s position regarding NISP, as currently set forth in Resolution 2015-082, and will not bind the City without subsequent action from City Council.

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

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Manager is hereby authorized and directed to meet on a regular basis with the Northern Water regarding NISP and to discuss and explore the City's concerns and interests in order to ascertain whether those interests can be met, including through potential solutions to address the City's goals and issues related to NISP. The City Manager may designate certain qualified staff members for such discussions.

Section 3. That the discussions of the City Manager and his designees with Northern Water regarding NISP shall focus on the following key goals and issues, which are listed in no particular order:

- (a) A reduction of water quality and other adverse impacts to the City's water supplies that are used by the City to meet treated and untreated water demands;
- (b) A reduction of water quality and other adverse impacts to the City's wastewater treatment facilities;
- (c) A reduction of adverse impacts to the river health and ecology of the Cache la Poudre River and associated biological resources from the point of diversion for NISP to the location where the river crosses Interstate 25;
- (d) A reduction of adverse impacts to the ability of the Cache la Poudre River to adequately convey storm and flood waters;
- (e) A reduction of adverse impacts to the aesthetic and recreational attributes of the Cache la Poudre River from the point of diversion for NISP to the location where the river crosses Interstate 25; and
- (f) A reduction of NISP's diminishment of "peak flows" in the Cache la Poudre River from the point of diversion for NISP to the location where the river crosses Interstate 25.

The City Manager and his designees shall be guided by the concerns that are more fully expressed in the comments provided pursuant to Resolution 2008-002 and Resolution 2015-082, in addition to such other information and investigations that are prudent and further the purposes of this resolution. The above list shall not preclude the City Manager and his designees from discussing related matters that further the purposes of this resolution.

Section 4. That the City Manager and his designees shall report back to City Council regarding such discussions at regular intervals.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 21st day of February, A.D. 2017.



Mayor

ATTEST:



City Clerk / Chief Deputy

