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July 1, 2021

Land Conservation & Stewardship Board
c/o Zoe Shark
PO Box 580
Fort Collins, CO 80522

Dear Board Members:

On behalf of City Council, thank you for providing City Council and me with the June 30, 2021 memorandum regarding "Cooperative Protection of Natural Areas from Oil & Gas Development" wherein the Board urged the Council to give its fullest backing to working with Larimer County on oil and gas regulations with the express intention of protecting conservation lands which fall outside the City limits but which fall under Larimer County's jurisdiction.

We also appreciate your feedback that City should adopt 1041 powers, and you might be pleased to note that this topic came up recently at the City Council Prioritization Retreat follow-up on June 29. A copy of the Council priorities can be found online <https://citydocs.fcgov.com/?dt=MAIL+PACKET&dn=CITY+CLERK&vid=218&cmd=showdt>

Thank you for your feedback on this important topic and all the Board does for our community's natural areas.

Best Regards,

A handwritten signature in black ink, appearing to read "Jeni Arndt", written in a cursive style.

Jeni Arndt
Mayor

/sek

cc: City Council Members
Darin Atteberry, City Manager

From: [Ray Watts](#)
To: [Sarah Kane](#)
Cc: [Zoe Shark](#); [Michelle Vattano](#); [j.piesman@comcast.net](#); [orangwoman@hotmail.com](#); [vmhmclane@gmail.com](#); [d.tweedale@comcast.net](#); [andrea.elson.pmp@gmail.com](#); [mikeweber80526](#); [Ray Watts](#); [Ray Watts](#); [alyciacrall@gmail.com](#); [acrall@battelleecology.org](#); [w.cole.kramer@gmail.com](#)
Subject: [EXTERNAL] Letter to City Council re Oil & Gas regulation on Natural Areas
Date: Wednesday, June 30, 2021 12:54:35 PM
Attachments: [Oil-Gas210630RW.docx](#)

Hi Sarah,

Please transmit this memorandum to City Council on behalf of the Land Conservation and Stewardship Board.

Thank you.

Ray Watts, 2021 Chair, LCSB

MEMORANDUM



Land Conservation & Stewardship Board

30 June 2021

TO – City Council
FROM – Land Conservation and Stewardship Board
SUBJECT – Cooperative Protection of Natural Areas from Oil & Gas Development

Fort Collins Natural Areas, created with the investment of hundreds of millions of taxpayers' dollars, deserve the highest possible degree of environmental protection. In the 2021 elections, voters again demonstrated that they continue their long-term support for the city's open spaces; stewardship of these spaces is a responsibility of the whole City Government.

Within the City Limits, the City's Land Use Code is the primary tool for protecting Natural Areas. As we have written before, that Code needs strengthening by declaration of "1041 powers," which have been delegated to municipal governments for environmental protection involving activities of state interest (major road construction, transit projects, water projects such as NISP, sewage treatment systems, hazardous waste sites, and more). 1041 powers do not, however, apply to some activities that are governed by other Colorado laws; among these is oil and gas development.

With a new state law governing oil and gas development, the City has been adjusting its Land Use Code with good attention to protection of Natural Areas within the City Limits. Our concern here is protection of Natural Areas outside the City Limits, which fall under the jurisdiction of Larimer County.

We have read the recently released draft regulations for oil and gas regulation under Larimer County's Land Use Code. The County has taken the approach of strongly protecting conservation lands within the County whether they are conserved by the County, one of its municipalities, or by a privately held conservation easement. It has drafted the regulations in consultation with Fort Collins City Staff. These regulations would establish a "county umbrella" for all conserved lands within the County that do not lie within municipal jurisdictions. As written, County regulations further require full compliance with rules established by our Natural Areas Department for our Natural Areas outside City Limits. We applaud and support Larimer County's approach.

With this memorandum, we ask City Council to give fullest backing to the continuing cooperative and consultative development of the County's oil and gas regulations. We believe that there is still opportunity to strengthen some regulatory rules, and the attention of the City's legal, land-use, and Natural Areas staff provides the best assurance that our Natural Areas will receive the protections that they deserve.