

Davidson, William

From: Webmaster
Sent: Friday, January 25, 2013 10:06 PM
To: #LandUsePlanner
Subject: Ask a Planner - Web Inquiry

Name: Tony Gannaway
Email_Address: tony_gannaway@yahoo.com
Docket_Number: Boulder County Comprehensive Plan Update
Remote User:
HTTP User Agent: Mozilla/5.0 (Windows NT 6.0) AppleWebKit/537.17 (KHTML, like Gecko) Chrome/24.0.1312.56 Safari/537.17

Comments_to_Planner:

Comment

I notice that the above document treats humans as "the enemy" and makes no mention of ways in which the general population and recreation can be involved in preserving and conserving nature.

I feel this is creating an us and them attitude between the professionals and connected few who have the time to commit to nature, and the mass of people who pay taxes but have to work. I feel public involvement and recreation should be a part of any plan, or at least mentioned.

Davidson, William

From: Deirdre Butler <deirdre@cogico.com>
Sent: Monday, January 28, 2013 2:12 PM
To: Davidson, William
Subject: RE: Boulder County Comprehensive Plan - Environmental Resources Element update

Bill,

Many thanks for your detailed and thorough response - very much appreciated.

Also thanks for your offer of making yourself available to answer future questions or concerns - we will keep in touch.

Best wishes,
Deirdre

-----Original Message-----

From: Davidson, William [mailto:w davidson@bouldercounty.org]
Sent: Monday, January 28, 2013 11:23 AM
To: Deirdre Butler
Subject: RE: Boulder County Comprehensive Plan - Environmental Resources Element update

Deirdre,

Staff has purposely anticipated the need for flexibility in the update process. Consequently, there is no firmly assigned date for completion of the Comp Plan update. Regarding the Environmental Resources Element, staff anticipates an appearance before Planning Commission in March to begin the process of consideration of the proposed update draft. This date may change in order depending upon the amount of interest and response during continuing public input, since we can only roughly estimate the number of people who might choose to participate in the public process. It is most important that completeness and quality of the final product be of the highest quality, even if it means extending target dates.

That said, we expect to wrap up the Environmental Resources Element revision in late spring. Staff's target is to complete this "clean-up" revision of the entire Comprehensive Plan by the end of 2013. With 17 Elements remaining to update in addition to the Environmental Resources Element, this will be an exhaustive effort; please note that other Elements of the Plan are currently in the process of staff review and initial drafting at this time. The current phase of the update effort focuses on identifying policies that are out of date, no longer applicable, redundant or conflicting with other policies, unclear as to their meaning, and which have led to the development of programs that have become a regular part of County operations and functions. The goal is to retain and sustain the core goals of the Plan while making it more reader friendly, concise, contemporary, and consistent throughout its Elements. Subsequent phases of the update effort will include consideration of possible changes to Comprehensive Plan goals, and the potential inclusion of new Elements.

Thank you for your interest in this important project. Please feel free to contact me at any time at 720-564-2630 with any additional comments or questions.

Bill Davidson

Long Range Policy Team

Boulder County Land Use Department

2045 13th Street, Boulder, CO 80302

From: Deirdre Butler [mailto:deirdre@cogico.com]

Sent: Monday, January 28, 2013 10:44 AM

To: Davidson, William

Subject: RE: Boulder County Comprehensive Plan - Environmental Resources Element update

Dear Bill,

Many thanks for sending out this alert and opportunity to sign up for updates. At this time, is there a proposed date for finalization and completion of the Comp Plan?

Best wishes,

Deirdre

Deirdre Butler

Vice-Chair & Treasurer - Sierra Club Indian Peaks Group

PO Box 1337

Lyons, CO 80540

303-823-8649

deirdre.butler@rmc.sierraclub.org

<http://www.rmc.sierraclub.org/ipg>

Davidson, William

From: Timothy Brass <timothy.brass@gmail.com>
Sent: Monday, January 28, 2013 5:35 PM
To: Davidson, William; Atherton-Wood, Justin
Subject: Re: Boulder County Comprehensive Plan - Environmental Resources Element update

Hi William,

Thanks so much for passing this information along and for the opportunity to provide comments. I am curious which, if any, portions of the plan would relate to hunting on Boulder County lands? From previous discussions I've had with staff on this topic, it was my understanding that there were provisions within existing comp plan that eliminated the opportunity for hunting on Boulder County Lands. I also understand that the more descriptive regulations governing this activity are dealt with in the soon-to-be-updated Visitor Use Policy and that some changes in both the comp plan and visitor use policy would be necessary to allow for limited hunting opportunities on Boulder County lands.

I would be interested in talking more with you about this, at your convenience. Feel free to contact me anytime at 651-206-4669. Thanks again for keeping me in the loop.

--

Tim Brass
Backcountry Hunters & Anglers'
Southern Rockies & Social Media Coordinator
3335 Chisholm Tr, 203
Boulder, CO 80301
651-206-4669

www.backcountryhunters.org

["Like" us on Facebook](#)

[Follow us on Twitter](#)

Davidson, William

From: David Steinmann <caverdave@mindspring.com>
Sent: Tuesday, January 29, 2013 9:59 AM
To: Davidson, William; Atherton-Wood, Justin
Subject: Re: Boulder County Comprehensive Plan - Environmental Resources Element update

Hello David and Jason,

I think it is great that Boulder County is doing this. As a wetlands biologist, I have been saying for years that the County should have some sort of wetlands regulations like the City of Boulder and many other Colorado counties do. I suggest modeling any new wetlands regulations after the City of Boulder's wetlands ordinance. A couple years ago I spoke with the County Commissioners a couple times about wetlands regulations and they seemed supportive, yet now only Cindy remains and Ben is the County Attorney.

Boulder was able to get grant funding to help with the implementation of their wetlands ordinance, particularly for their wetlands resource mapping and some studies on wetlands mitigation.

I'll call to say hello and to provide a little input about the proposed changes to the comp plan.

Sincerely,
David Steinmann

Check out my website:
<http://professionalwetlandsconsulting.com>

Compact cans of Oxygen for sale @
<http://www.oxygen4energy.com/colorado>

Davidson, William

From: kettlingj@netscape.net
Sent: Wednesday, February 06, 2013 12:41 PM
To: Davidson, William
Subject: comment on comprehensive plan

I am a 47-year resident of Boulder. The comprehensive plan includes suggestive language that human interaction with land is by default - bad, ex "minimize human impacts," then "reducing our environmental footprint," then "eliminate noise or light pollution," where noise and light are obviously a human caused phenomenon. First, human interaction with land is not always bad. The example I always give is the Dawson School campus, (I don't teach there, I'm actually at another school) where a significant portion of their land is set aside for the benefit of "recharging" and "re-energizing" the larger environment around it. By contrast, without the human engineered brake of the Dawson campus from westward moving sprawl, commercial development on 287 would likely jump the road much like occurred on 95th street (95th and Arapahoe vicinity). We are a nation of private property. Further, we're good at managing property. I don't think you're going to find continuous support for the idea of private owners ceding their rights to some unfounded greater good.

May I suggest that you significantly tone down the negativity toward human input/human impact and replace it with "thoughtful human co-existence."

kettlingj@aim.com
J Tadeusz Kieszczyński-Kettling
Dept of Applied Physics
Catalyst School

Davidson, William

From: Karl Volz <karlvolz@cowtipping.net>
Sent: Thursday, February 07, 2013 9:46 PM
To: Case, Dale
Cc: Kit Wagner-CETC; Mary Volz; #LandUsePlanner
Subject: Follow-up to Boulder County - Comprehensive Plan Update discussion
Attachments: Wise Farms2.jpeg

Dale,

I am sending you this email because you expressed interest in learning more about the proposed subdivision of 345 homes on 178 acres located on the land west of 119th Street between Jasper Road and Brownsville (Wise Farms Sketch Plan) after the Boulder County - Comprehensive Plan Update discussion last night. I am including a copy of the current Wise Farms Sketch Plan.

This development will adversely affect the following (this is the short list):

- 1) It will further devastate the Boulder County Open space wetlands which have already been run nearly dry on the North side of Jasper Road and have nearly destroyed the wetlands on the South side (see attached map).
- 2) There are plans to widen Jasper Road which will further affect the Boulder County open space on the North side of Jasper Road and ensure the complete destruction of all of the >80 year old cotton woods along Jasper Road.
This will destroy the owl/birds of prey habitat along with making Jasper Road follow in the footsteps of what Erie has done to Isabelle (Leon Wurl Parkway). The current plan calls for an additional 3200 cars on this road per day.
- 3) This development will drive out/destroy more than a dozen barn owls and great horned owls which live in the mills and the cottonwoods in this area, their habitat will completely disappear.
- 4) This development proposes to place a park and gardens/road on top of old mines which are clearly not understood by the developer (as per their own admission). After having to dump > \$1.2M into the Baseline mine (Bonanza drive) this seems very irresponsible and reckless.
- 5) The wildlife corridor here which is used by geese, foxes, coyotes, deer, racoons, numerous birds of prey, numerous bird species, will be destroyed.
- 6) This a "rural/residential" area which is being treated (soon to be rezoned) like a high density development. This greatly affects Boulder County land values and quality of life issues.

While we all love the Boulder County Open Space, we seem to let the east side of Boulder County get ravaged with reckless urban sprawl.

For reference, as per the "Environmental Resources Element (Draft Update - January 25 2013) discussed last night, this development violates sections B.1, B.4, B.5, B.6, B.7, B.8. Which is baffling to so many of us, that we all agree this should not be happening (as per last nights discussion), yet we don't seem to stop it. Aren't we just kidding ourselves here in that this won't stop with these current developments?
We as land owners in Boulder County are greatly discouraged by the lack of help we seem to be getting from

our county government.

What we are seeing here is that this type of development is adversely affecting Boulder County open space and the residents of Boulder County (we are not part of Lafayette/Erie).

So as per our discussion, we (as Boulder County residents) are hoping that the county will do more than just "encourage"

Erie to be responsible with their current/future developments. Also note, the residents last night were referring to **numerous** Erie developments which are in the works, doing the same type of irresponsible development.

Please feel free to call/email me on any of these points, for your reference, there is a more detailed plan (it is quite large) here:

<https://dl.dropbox.com/u/3391552/Sketch%20Plan%20Narrative.pdf>

Thanks in advance for your consideration in this matter, any help/advice/etc. you can lend us is greatly appreciated.

Sincerely,

Karl Volz
11587 Jasper Road
Lafayette 80026
303.828.3794

Davidson, William

From: betina mattesen <bmattesen@hotmail.com>
Sent: Monday, February 11, 2013 7:15 AM
To: Davidson, William
Subject: RE: comp plan

My concerns about public land inholdings include the resource damage and fragmentation impacts of roads (driveways) that the Forest Service believes it must permit that degrade Forest values and public use and enjoyment. Often these areas, as well as other Forest roads, are illegally signed as private; this needs correction countywide. The development of inholdings creates disturbances of noise (barking dogs are out of control), light, degraded scenery, historic resources and habitat. I hope that the county plan will focus on treasured mountain and forest lands to provide better protect them. Thanks. Betina Mattesen

From: Steve Jones [<mailto:curlwsj@comcast.net>]
Sent: Tuesday, February 26, 2013 2:44 PM
To: Atherton-Wood, Justin
Cc: Spaulding, Susan; mkorzak@bouldercounty.org; mkorzak@bouldercounty.org
Subject: RE: POSAC meeting re: Updated Goals and Policies of the Env Resources Element
Importance: High

Justin, Mac, and Susan,

Thanks so much for this reminder. As I mentioned at the meeting, Boulder County Audubon is mostly pleased with the changes you have made in the Goals and Policies section and thanks you for your thorough and thoughtful work. There did, however, appear to be a consensus in the room that we would like to see a stronger-worded commitment to preserving native ecosystems and all their native species populations and to protecting and enhancing habitat for all potential species of special concern. We've come up with the following language, which we think might help to do that. Thank you for looking this over and considering it, and please let me know if you have any questions or thoughts.

All the best,

Steve (303-494-2468)
Stephen Jones, President
Boulder County Audubon Society

Environmental Resources Element Goals and Policies Proposed Changes from Boulder County Audubon

B.2 Boulder County seeks to manage natural resources in a manner that is consistent with current ecological principles and sustainable conservation practices. **We also understand that all naturally occurring ecosystems and their native species populations have a right to exist and flourish.** To that end, in the management of these unique resources, Boulder County shall encourage the following: the allowance of natural processes to occur, the reintroduction of natural disturbances (e.g., fire and grazing), the maintenance or reintroduction of native species, efforts to minimize human impacts, and the development of long-term ecological monitoring programs.

B.7 Boulder County shall protect High Biodiversity Areas, Natural Areas, Natural Landmarks, Significant Natural Communities, Critical Wildlife Habitats, Species of Special Concern, Wetlands, Riparian Areas, and Rare Plant Areas - through preservation, conservation, and restoration - in order to sustain natural ecosystems **and their full complement of native species, as well as to** maintain and enhance the biodiversity of the region. These protections shall also provide a baseline of ecological processes and functions for monitoring long-term ecological change.

Overview Section:

Boulder County's important Environmental Resources include air, soil, and water, as well as **all naturally occurring ecosystems and their native species populations. Habitat for Species of Special Concern is particularly vital, since it often presents our last best chance to protect native species.**

Species of Special Concern

Species of Special Concern include the flora and fauna in the county whose populations may be threatened or endangered, locally rare, experiencing long-term non-cyclical population declines, isolated are restricted to distinct local habitat types, **and** native species which have ceased to exist within Boulder County. **Species of Special Concern also include keystone species whose populations are necessary to sustain populations of other native species in naturally-occurring ecosystems or to sustain natural processes in altered ecosystems.**

February 26, 2013

1512 Lefthand Drive
Longmont, CO 80501

Parks and Open Space Citizen Advisory Committee
Boulder County Parks and Open Space
5201 St. Vrain Road
Longmont CO 80503

RE: Comments regarding the Draft Environmental Resources Element

Dear Committee Members:

On January 24th, the county transportation director made the following statement: “What’s happening now in Weld County will happen in Boulder County and continue into the future.” When Director Gerstle spoke those words to the commissioners during his presentation on future oil and gas development impacts on our road system, he was speaking in the context of all oil and gas activities.

When I heard those words, it sent shivers down my spine. In less than four months, the moratorium will expire. How do we prepare for extensive fracking occurring in our county? I believe we should prepare by taking every opportunity to develop strong policies to protect our water, air, land and wildlife.

The challenges our community faced fifteen years ago are not the same challenges we are confronted with in 2013. Years ago, the County wisely developed policies to channel urban development to municipalities and to purchase open space between cities to prevent them from growing together. However, with the likelihood of our county landscape being transformed to one that resembles Weld County, the primary focus in the development of county policies should be to prohibit the degradation or destruction of wildlife habitat, water resources and other natural resources by oil and gas development.

I read the draft environmental resources element. There is not one reference to oil and gas development and its effect on wildlife and other natural resources. I applaud the county for adopting new oil and gas regulations; however, the new laws will not protect our wildlife as they should. The wildlife mitigation land use regulations applying to conventional development in the county are much stronger than the oil and gas regulations.

At the February 6th public meeting, citizens asked for a policy to prohibit groundwater contamination by oil and gas companies. Staff responded to their request with a vague and tepid written statement which in my opinion is unsatisfactory. While I understand Environmental Resource polices are advisory, they still have an influence on future land use and oil/gas regulations. I urge POSAC, in its advisory capacity, to take stronger and more specific positions concerning policy development for the element.

Comments R Bowman

There were also many citizens at the meeting who complained about the County's non-compliance or lack of adherence to policies and goals of the environmental resources element. Citizens told stories of wetlands being destroyed near their town, of species of county special concern being eradicated by developers, and of Gross Reservoir issues. The many complaints I heard at the meeting can be summed up in one word: accountability.

This is not the first time this issue has arisen. Last year during the update of the prairie dog management plan, citizens and wildlife organizations complained to POSAC and the commissioners about the county's non-compliance with the goals and policies of its own management plan. To address this on-going problem, there should be a policy included in the element regarding the county's obligation and duty to abide by and implement the goals and policies of the environmental resources element.

In closing, as a Boulder County resident, I value having wildlife experiences interwoven in my daily life. I can visit a prairie dog colony near where I live and experience the life cycle of that colony, particularly when the pups emerge from their burrows in late spring. Or on my way to Hygiene, I can catch a glimpse of a wintering Golden Eagle perched in a tree by the roadside. I believe these wildlife experiences contribute to the high quality of life we enjoy in Boulder County. I do not want to lose that.

I urge POSAC members to take an active role in protecting our wildlife, natural resources, and open space from oil and gas development by recommending strong and specific policies for the environmental resources element. Please protect our future from the ravages of hydraulic fracturing.

I respectfully submit my comments. Thank you for this opportunity to provide my input. Attached are additional recommendations for modifications to the element.

Sincerely,

Ruby Bowman

cc: Justin Atherton-Wood, POS Resource Planner

Modifications to the draft Environmental Resources Element:

Please add the underlined text.

Overview

- In the second sentence of the first paragraph, please include the following text:

Boulder County's important Environmental Resources include air, soil, and water, as well as all naturally occurring ecosystems and their native species populations. Habitat for Species of Special Concern is particularly vital, since it often presents our last best chance to protect native species.

- In the second sentence of the sixth paragraph, add the following:

With this designation, land use and land management decisions within and adjacent to ECAs and their connectors can be made within a framework that seeks to: protect species that may be wide-ranging, ecologically specialized or human sensitive; encourage and facilitate the return of species lost or declining from the county; prevent additional habitat fragmentation; and limit increases in invasive non-native species in these ecologically-significant areas.

Goals of the Environmental Resources Element

B.2 Boulder County seeks to manage natural resources in a manner that is consistent with current ecological principles and sustainable conservation practices. We also understand that all naturally occurring ecosystems and their native species populations have a right to exist and flourish. To that end, in the management of these unique resources, Boulder County shall encourage the following: the allowance of natural processes to occur, the reintroduction of natural disturbances (e.g., fire and grazing), the maintenance or reintroduction of native species, efforts to minimize human impacts, and the development of long-term ecological monitoring programs.

B.4 At the end of this paragraph, add: Groundwater contamination due to gas and oil development activities shall be prohibited.

B.7 Boulder County shall protect High Biodiversity Areas, Natural Areas, Natural Landmarks, Significant Natural Communities, Critical Wildlife Habitats, Species of Special Concern, Wetlands, Riparian Areas, and Rare Plant Areas – through preservation, conservation, and restoration – in order to sustain natural ecosystems and their full complement of native species, as well as to maintain and enhance the biodiversity of the region. These protections shall also provide a baseline of ecological processes and function for monitoring long-term ecological change.

Add B. 9 Boulder County recognizes that oil and gas development activities will have significant impacts on our environmental resources. As the body of science and knowledge grows and potential effects are better understood, Boulder County will modify regulations, plans and policies to eliminate potential adverse impacts on environmental resources.

From: [Atherton-Wood, Justin](#)
To: [Fogg, Peter](#); [Davidson, William](#)
Subject: FW: Environmental Resources Element Proposed Changes
Date: Thursday, March 28, 2013 11:22:07 PM

3 of 3.

From: Deb Jones [notestodj@aol.com]
Sent: Thursday, February 28, 2013 2:01 AM
To: Frye, Renata
Cc: Atherton-Wood, Justin
Subject: Environmental Resources Element Proposed Changes

Dear Renata Frye:

Please forward a copy of this email to all POSAC Board members as soon as possible in order to be available to each member for the scheduled Parks and Open Space Advisory Committee meeting scheduled for Thursday, February 28, 2013.

I am representing a local non-profit organization, Prairie Dog Action. We have worked with Boulder County on many wildlife issues over the years and would like to see the following changes made regarding the Environmental Resources Element.

We support the efforts of Steve Jones who will be representing Boulder County Audubon at Thursday night's Parks and Open Space Advisory Committee meeting to discuss staff's newly revised version of the Environmental Resources Element goals and policies section. Prairie Dog Action agrees with Mr. Jones' proposed changes which are shown below. Please implement these changes as requested.

Environmental Resources Element Proposed Changes from Boulder County Audubon

B.2 Boulder County seeks to manage natural resources in a manner that is consistent with current ecological principles and sustainable conservation practices. **We also understand that all naturally occurring ecosystems and their native species populations have a right to exist and flourish.** To that end, in the management of these unique resources, Boulder County shall encourage the following: the allowance of natural processes to occur, the reintroduction of natural disturbances (e.g., fire and grazing), the maintenance or reintroduction of native species, efforts to minimize human impacts, and the development of long-term ecological monitoring programs.

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to sustain natural ecosystems **and their full complement of native species, as well as to** maintain and enhance the biodiversity of the region. These protections shall also provide a baseline of ecological processes and functions for monitoring long-term ecological change.

Overview Section:

Boulder County's important Environmental Resources include air, soil, and water, as well as **all naturally occurring ecosystems and their native species populations. Habitat for Species of Special Concern is particularly vital, since it often presents our last best chance to protect native species.**

Species of Special Concern

Species of Special Concern include the flora and fauna in the county whose populations may be threatened or endangered, locally rare, experiencing long-term non-cyclical population declines, isolated are restricted to distinct local habitat types, **and** native species which have ceased to exist within Boulder County. **Species of Special Concern also include keystone species whose populations are necessary to sustain populations of other native species in naturally-occurring ecosystems or to sustain natural processes in altered ecosystems.**

Thank you for your help in this matter and for giving this your full consideration.

Deb Jones
President
Prairie Dog Action
(303) 439-9264 home
(303) 324-6829 cell
notestodj@aol.com

Courage does not always roar. Sometimes courage is the quiet voice at the end of the day saying, "I will try again tomorrow." (Mary Anne Radmacher)

From: Tim M Hogan [<mailto:Tim.Hogan@colorado.edu>]
Sent: Wednesday, March 27, 2013 2:52 PM
To: Atherton-Wood, Justin
Cc: Kesler, Jennifer; West, Ron
Subject: Boulder County Comp Plan Update

Justin,

I recently submitted detailed comments to Jenifer Kessler regarding the county's sensitive species list for plants, my area of professional expertise. Herein, as a 35 year resident of the county, I would like to offer some unprofessional comments on the Boulder County Comprehensive Plan (BCCP).

I have read various proposals and planning documents in recent months, including documents from Eldora Mountain Resort and the 747 Community Project in Allenspark. I have also watched with some dismay the explosion in human population and development across the county over the decades. No doubt, each group and each individual have their legitimate concerns and desires. But our collective actions are cumulatively leading to the "death of a thousand cuts," and the loss of what so many of us value most deeply about Boulder.

I have rarely met an individual involved in building or developing on their property who has not expressed resentment at being constrained in doing exactly what they want. Few of us are not prey to rationalizations or the "I am an exception in this case" syndrome. And, of course, this is where the comprehensive plan comes into play.

In reviewing the proposal mentioned above, and untold others over the years, I have been repeatedly impressed with how the BCCP provides a reference point in the ensuing discussions. The comp plan sets a higher standard when Eldora Mountain Resort proposes a development that would despoil a richly forested and riparian zone. It calls into question the claims of current landowners and residents that they should have the principal say in determining policies and regulations that impact the evolution of a particular planning area. Each user-group speaks of sustainability, and all the benefits to come from their proposals, but our views on what is being sustained and who is benefiting are rarely extended beyond our all-too-short tenure upon these lands. For many of us, the long-term ecological integrity of our lands and waters holds a precedence that trumps most uses most of the time.

The current comprehensive plan was established right around the time I settled in Boulder, and for 35 years I have lived with the measure of restraint it places upon unbridled development. The pressures to grow and expand are accelerating dramatically. I hope the commissioners, staff, and my fellow citizens will maintain a view of what the county might be like in 100 years or more, and will draft a plan ensuring the preservation of all which is most precious about our home.

Thank you for the opportunity to offer these comments.

Tim Hogan

2540 6th Street

Boulder 80304

From: [Steve Jones](#)
To: [#LandUsePlanner](#)
Subject: Environmental Resources Element update comments from Boulder County Audubon
Date: Wednesday, April 03, 2013 6:53:45 PM

Dear Boulder County Planning Department and Planning Commission members,

Several representatives from Boulder County Audubon attended the January 25 open house to discuss proposed changes in the Goals and Policies section of the Environmental Resources Element of the Boulder County Comprehensive Plan. Overall, we think staff has done an excellent job of synthesizing the goals and policies, and we look forward to the important process of developing comprehensive lists of Species a Special Concern and maps of designated areas. Several attendees at the open house did feel that the Goals and Policies section could be strengthened, either by adding an introduction, or slightly revising some sections to make it absolutely clear that the County is committed to conserving all naturally occurring ecosystems and their species populations. In that light, we ask you to consider the following minor changes. We understand that a couple of these changes were approved by the Boulder County Parks and Open Space Advisory Committee:

Environmental Resources Element Proposed Changes from Boulder County Audubon

B.2 Boulder County seeks to manage natural resources in a manner that is consistent with current ecological principles and sustainable conservation practices. **We also understand that all naturally occurring ecosystems and their native species populations have a right to exist and flourish.** To that end, in the management of these unique resources, Boulder County shall encourage the following: the allowance of natural processes to occur, the reintroduction of natural disturbances (e.g., fire and grazing), the maintenance or reintroduction of native species, efforts to minimize human impacts, and the development of long-term ecological monitoring programs.

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Sincerely,

Stephen Jones, President

Boulder County Audubon Society

April 3, 2013

1512 Lefthand Drive
Longmont, CO 80501

Boulder County Planning Commission
C/O Boulder County Planning Division
2045 13th Street
Boulder, CO 80302

RE: Comments Regarding the Rights of Nature and the Comprehensive Plan

Dear Planning Commissioners:

In 2008, the people of Ecuador adopted provisions in their constitution for the Rights of Nature. In Title II, Chapter 7 of Ecuador's constitution, it states: "Nature or Pachamama, where life is reproduced and exists, has the right to exist, persist, maintain and regenerate its vital cycles, structure, functions and its processes in evolution." We should have similar language included in our comprehensive plan.

One reason Ecuador adopted their Rights of Nature was because American gas and oil companies left behind environmental devastation and pollution, including groundwater contamination, when they exploited and extracted Ecuador's natural resources. In two months, the county moratorium on oil and gas development will expire. One only has to look at the devastation in Colorado's Western Slope communities to anticipate what will happen here once fracking accelerates. A Rifle, Colorado resident gave an account of his experience at the January COGCC hearings: "It's too late. Our land, our water, our air, our lives already have been poisoned to the extent that I don't think they can be repaired or healed during our lifetimes." I fear this is what's in store for Boulder County.

Besides the dangers of fracking, I am also concerned about the decline of wildlife populations in the County. A well-known and highly regarded wildlife consultant stated at a public meeting: ***We are at a tipping point right now: we are about to lose the whole thing.*** He was referring to the dire state of grassland species populations in Boulder County, including wintering Ferruginous Hawk and Golden Eagle populations which have decreased by 93% and 50%, respectively. Who would have imagined that Boulder County - with its reputation of being on the cutting edge of wildlife conservation - would be in this predicament?

There needs to be a paradigm shift in how we view our relationship with Nature. It should be an inclusive relationship where humans, wildlife, all living creatures and entities are positioned within the Circle of Life. As it stands now, humans (particularly gas and oil company officials) are seen to be in the center, while all others are outside of

the Circle looking in. The effect of such an exclusionary model will be the continual diminution of our environment.

Considerable challenges lay ahead of us. There is no holding back the future, but we can prepare for challenging times by developing creative and innovative policies, similar to what Ecuador, a Third World country, adopted. If the people of Ecuador have the courage to accomplish what seemed impossible, why can't we be as bold and do the same in Boulder County? Surely we can also include specific goals that will protect our wildlife, ecosystems, natural communities and resources, including groundwater, from the ravages of fracking. The Environmental Resources Element, not the Geology section, is the appropriate section to address this issue.

The comprehensive plan is our road map and vision by which we will plan our community years from now. The plan is advisory, not regulatory, so most likely Governor Hickenlooper will not sue Boulder County citizens over *our vision and hopes* for a healthy, environmentally and ecologically sound community.

Please do not let this opportunity slip away. We have a chance to make significant changes to ensure a better future our children, wildlife and for all living creatures and entities.

Thank you for taking into consideration my comments regarding this important section of our comprehensive plan. I previously submitted to POSAC my recommendations for modifications to the element. I have attached that list with additional changes.

Sincerely,

Ruby Bowman

References:

Colorado Oil and Gas Conservation Hearing in January 2013:

http://www.denverpost.com/breakingnews/ci_22342757/citizens-recount-health-woes-oil-and-gas-commissioners

Impacts of Declining Prairie Dog Populations on Associated Wildlife Species in Boulder County, Stephen Jones:

<http://www.freerangelongmont.com/2012/08/22/9684/>

Modifications to the draft Environmental Resources Element

(Planning Commission, April 3, 2013)

Please add the underlined text.

Overview

- In the second sentence of the first paragraph, please include the following text:

Boulder County's important Environmental Resources include air, soil, and water, as well as all naturally occurring ecosystems and their native species populations. Habitat for Species of Special Concern is particularly vital, since it often presents our last best chance to protect native species.

- In the second sentence of the sixth paragraph, add the following:

With this designation, land use and land management decisions within and adjacent to ECAs and their connectors can be made within a framework that seeks to: protect species that may be wide-ranging, ecologically specialized or human sensitive; encourage and facilitate the return of species lost or declining from the county; prevent additional habitat fragmentation; and limit increases in invasive non-native species in these ecologically-significant areas.

- At the end of the definition for the Species of Special Concern, add the following:

(Addl Change) Species of Special Concern include the flora and fauna in the county whose populations may be threatened or endangered, locally rare, experiencing long-term non-cyclical population declines, isolated are restricted to distinct local habitat types, ~~or~~ and native species which have ceased to exist within Boulder County. Species of Special Concern also include keystone species whose populations are necessary to sustain populations of other native species in naturally-occurring ecosystems or to sustain natural processes in altered ecosystems.

Goals of the Environmental Resources Element

B.2 Boulder County seeks to manage natural resources in a manner that is consistent with current ecological principles and sustainable conservation practices. We also understand that all naturally occurring ecosystems and their native species populations have a right to exist and flourish. To that end, in the management of these unique resources, Boulder County shall encourage the following: the allowance of natural processes to occur, the reintroduction of natural disturbances (e.g., fire and grazing), the

maintenance or reintroduction of native species, efforts to minimize human impacts, and the development of long-term ecological monitoring programs.

B.4 At the end of this paragraph, add: Groundwater contamination due to gas and oil development activities shall be prohibited.

B.7 Boulder County shall protect High Biodiversity Areas, Natural Areas, Natural Landmarks, Significant Natural Communities, Critical Wildlife Habitats, Species of Special Concern, Wetlands, Riparian Areas, and Rare Plant Areas – through preservation, conservation, and restoration – in order to sustain natural ecosystems and their full complement of native species, as well as to maintain and enhance the biodiversity of the region. These protections shall also provide a baseline of ecological processes and function for monitoring long-term ecological change.

Add B. 9 Boulder County recognizes that oil and gas development activities will have significant impacts on our environmental resources. As the body of science and knowledge grows and potential effects are better understood, Boulder County will modify regulations, plans and policies to eliminate potential adverse impacts on environmental resources.

(Addl Change) Add B.10 Boulder County recognizes that the loss of wildlife and plant habitats leads to the inevitable disappearance of wildlife, plants species, ecosystems and natural communities. This resultant loss of environmental diversity weakens the system as a whole, since diversity is an indication of the health of our environment. Therefore, Boulder County will encourage and facilitate the return of species, ecosystems, and natural communities lost from or declining in the county.

Received 4-4-13

Environmental Resources Element Proposed Changes from Boulder County Audubon

Several representatives from Boulder County Audubon attended the January 25 open house and the subsequent Parks and Open Space Advisory Committee meeting to discuss proposed changes in the Goals and Policies section of the Environmental Resources Element of the Boulder County Comprehensive Plan. Overall, we think staff has done an excellent job of synthesizing the goals and policies. We thank staff for responding to these concerns and including some of our proposed language in the revised plan. We continue to believe that the Plan needs to state unequivocally that we support the right of all natural ecosystems and their native species populations to exist and flourish (proposed changes in boldface):

B.2 Boulder County acknowledges the rights of all naturally occurring ecosystems and their native species populations to exist and flourish, and we seek to promote their viability and integrity by managing natural resources in a manner that is consistent with current ecological principles and sustainable conservation practices. To that end...

We also feel that the description of Species of Special Concern does not include all the categories on the actual list, leaving out both keystone and stewardship species (proposed changes in boldface):

Species of Special Concern include the flora and fauna in the county whose populations may be threatened or endangered, locally rare, experiencing long-term non-cyclical population declines, isolated or restricted to distinct local habitat types, or native species which have ceased to exist within Boulder County. Species of Special Concern also include plants and animals that have a disproportionately large effect on the structure and function of the ecosystems they inhabit; species of global or continental concern whose populations are stable in Boulder County; and species whose populations in the County are currently secure, but who are vulnerable to imminent threats affecting their populations either directly or indirectly.

Thank you so much for considering our suggestions.

Sincerely,

Stephen Jones, President
Boulder County Audubon Society
April 4, 2013

