

Oeth, Amy

From: Case, Dale
Sent: Wednesday, April 26, 2017 1:08 PM
To: Oeth, Amy
Subject: FW: Comments for DC-15-0003 Proposed Firing Ranges

Follow Up Flag: Follow up
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-----Original Message-----

From: Benjamin White-Patarino [mailto:benwp@earthlink.net]
Sent: Wednesday, April 26, 2017 1:05 PM
To: Case, Dale
Subject: Comments for DC-15-0003 Proposed Firing Ranges

Dear Director Case,

My name is Benjamin White-Patarino, and I'm a resident of Boulder County from 2100 Sherman St. in Longmont, 80501. I wanted to provide comments for the upcoming meeting with DC-15-0003, or the proposed amendments to Boulder County land use to allow firing ranges. Unfortunately, I will not be able to attend the meeting because I will be attending class for graduate school in Fort Collins at that time. Your receptionist suggested that an email would be the best way to send comments.

Having reviewed the summary of the October 19, 2016 meeting (I was also in school that day) I wanted to provide some feedback.

I am a semi-professional competition rifle and pistol shooter, and I also work as a ranger on open space. As such, I see both the need for shooting facilities and the huge damage that has been done by some irresponsible, dispersed shooters. Personally, I would like to see the establishment of several shooting facilities, including on the plains, in exchange for banning dispersed shooting on USFS lands east of the Peak to Peak Highway.

Specifically, I wanted to respond the commissioners' question about indoor ranges as a solution to the demand for shooting space. Indoor ranges will never provide a solution to this problem for several reasons.

First, indoor ranges typically require expensive memberships. Frustrated by the lack of outdoor shooting areas, I became a member of Trigger Time Gun Club in East Longmont (the Weld County side) a few years ago. The membership costs \$385 per year plus a one-time fee of \$350. Shooting is already a very expensive sport. The firearms themselves can be very expensive, and the cost of ammunition can be significant over time. As a young professional in graduate school, it requires strict, careful planning for me to participate fully in the sport. The reason so many people choose to shoot outside is a direct reaction to these prices. Simply put, many people who want to shoot cannot or will not pay for an expensive indoor membership. If all dispersed shooting is banned on USFS land, many people who shoot will be without affordable options, and the only people who will be able to join the clubs will be those with the means to afford them. People who can't afford them will be forced to go even farther afield in search of affordable shooting opportunities.

Second, indoor ranges typically do not provide the kind of facilities needed to accommodate many shooting needs. Indoor ranges typically place clients in individual stalls, with a bench or wall in front of them. This means that one can only shoot when seated on a chair or stool or in a standing position when at an indoor range. That may be fine for some

casual uses, but simply won't meet the needs of competitive shooters like myself. In rifle competitions, I must shoot from three positions: standing, seated (cross-legged on the ground, not on a chair), and prone (on my belly). Indoor ranges do not accommodate either the seated or prone positions because of their layout, which means they are not suitable locations for me to practice with my rifle. Therefore, despite my Trigger Time membership, I drive about 90 minutes (one way) to the free, public USFS Baker Draw Range on the Pawnee Grasslands when I need to practice rifle. As you can imagine, the need to drive so far is a serious limitation on my ability to practice my skills. It is hard to fit a serious sport commitment in around work and grad school; it's harder when the only facilities available are so far away that simply practicing with my rifle becomes an all-day commitment. This is, perhaps, the most frustrating part of the current state of shooting sports in Boulder County. I pay taxes to support county lands, which I do happily because I support open space and conservation, but there are no options available for me to practice my sport (with the exception of the Boulder Rifle Club, where I am on a ten-year waiting list). Those competitors who live in areas where they can go practice at suitable facilities more easily have a distinct advantage over me.

Third, indoor ranges often do not have the range needed for many uses. While Trigger Time has a 100yd indoor range, it is the exception. Most indoor ranges offer 25 yards at most. This is not useful for anyone wishing to sight in a hunting rifle or do anything beyond the most casual shooting. The Baker Draw range, which has a 25, 50, and 100-yard range, is just about the minimum facility needed to accommodate most shooting uses.

Fourth, indoor ranges just do not offer the pleasant experience of an outdoor range. Indoor ranges are loud, confined spaces. The noise of the firearms there is captured and concentrated. The amount of space for each shooter is limited, which makes them much less social. Part of the fun of shooting is sitting around between shots with friends and talking. Indoor ranges involve a greater risk of exposure to lead dust and fumes from the ignition of the powder. And it is not the same as shooting in the sunshine in a pleasant locale. That may seem like an immaterial consideration, but it is one reason why people choose to shoot outdoors, just as many people choose to hike rather than go to the gym. Saying that an indoor range still allows one to shoot, while ignoring the intangible qualities of the location, treats the sport of shooting with a reductionist eye that one would not attempt to turn toward people playing soccer or rock climbing, to whom we would likely never say, "Well can't they just go to an indoor gym?" While I understand that the nature of shooting means that it is harder to find a suitable area for a range than it is to find an area for a soccer pitch, I ask that we give the same consideration to the experience of the shooter that we give to the soccer player or the rock climber.

I would also like to respond to the concern expressed by the Boulder Rifle Club that the proposed changes will effectively make it impossible to establish an outdoor range. I find this incredibly troubling. When the Sport Shooting Partners started, I sincerely believed it would seek to do good. When some fellow shooting enthusiasts said they thought that Boulder County would make rules defining how to make ranges only as a way to make sure they can never happen, I chose to have faith in my commissioners and in the Boulder County government that it would not turn its back on the many Boulder County citizens and taxpayers who shoot. While I remain optimistic that this process will have a positive outcome for all, I am troubled by this recent turn.

Related to the Boulder Rifle Club, I would like to express support for the idea of using "unused" parcels of land adjacent to the Boulder Rifle Club ranges to expand their facilities. I think this would be an excellent solution. Increasing the capacity of those ranges would allow more people to shoot on the plains in areas with established shooting use without having to put ranges in areas that have not had to deal with the noise and traffic of a range before. This action seems like an easy partnership between the County and a private club with existing rules and infrastructure to manage shooting use. While I recognize my own bias in this as someone on the waiting list for BRC membership, the benefits of this arrangement seem obvious enough.

Thank you for your time and consideration, and for your effort on these matters. I remain hopeful that Boulder County will do right by its shooting population and seek solutions that will not hang us out to dry in favor of the individuals who seem dead-set against allowing any shooting use within the county.

Cheers,

Benjamin White-Patarino
303-619-8720

Oeth, Amy

From: pjd@clouds.com
Sent: Wednesday, April 26, 2017 8:16 PM
To: Oeth, Amy
Cc: Earl Perry; president@boulderrifleclub.com; phil.d@boulderrifleclub.com; Case, Dale; Sanfacon, Garry
Subject: Re: Boulder County Firing Range Land Use Code update

Follow Up Flag: Follow up
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Categories: Firing Range

Amy -

I received this update of the proposed code changes for firing ranges and have reviewed it.

I had some minor corrections but my comments really are broader. I was hoping that the proposed changes would provide guidance to an entity that sought to build a new outdoor firing range in Boulder County. I don't get that from the recent update.

The setback requirements are large but can be reduced by implementing some number of vaguely described improvements to reduce the "Surface Danger Zone" or SDZ. The SDZ is adopted from military terminology and describes a hemisphere area centered on a firearm and, in its broadest form, the form included in the code, describes an area bounded by the furthest distance in any direction that a projectile fired from that firearm can travel. The code states that topological features and improvements can reduce this distance but gives no examples or measurements of the nature of such improvements. Side berms and backstops are mentioned but without details as to their composition, angle, distance or height. It is to be assumed that they be impenetrable but, again, even something as simple as that is not stated. Reference is made to "industry standard practices" of which there are no examples nor specific references. Both the National Rifle Association (NRA) and the National Shooting Sports Federation (NSSF) provide range design guidelines with specific recommendations however neither is included as a reference.

Noise guidelines are precise but the code requires proof that the design meets the requirements... before the design is approved or constructed. Testing a design before it is constructed for the first time is difficult.

In my opinion the vague nature of the guidelines in the code makes it unlikely that anyone will risk the money needed to create a design for an outdoor range in Boulder County. Should the attempt be made it also seems likely that the improvements needed to gain approval will result in a design that is prohibitively costly to build. As a result, I foresee on new outdoor firing ranges will be built in Boulder County.

Although the Boulder County Commissioners (BOCC) have stated that it is not their intent to preclude development of a new outdoor firing range in Boulder County, in my opinion the proposed changes to the Land Use code have that effect whether intended or not. As a result I recommend that the BOCC not adopt the proposed Land Use changes without further revision.

I believe that it is possible to design, construct and operate an outdoor firing range in Boulder County that meets the given noise limitations and is safe for both users and neighbors of that range. Design and operational guidelines are available from the NRA Range Source Book and from the NSSF with details sufficient to guide that design and I urge the BOCC to direct the Land Use Department to include these examples in a further revision of the proposed changes before adoption by the BOCC.

Regards,

Philip Duclos, PE

On Fri, Mar 31, 2017 at 09:54:26PM +0000, Oeth, Amy wrote:

> Hi Boulder Rifle Club representatives,

>

> Attached is the updated draft version of the Firing Range code update. Changes from the previous version you reviewed are redlined (shown in a few different colors based on the editor).

>

> The proposed code updated is scheduled to go before the Board of County Commissioners on 5/2/17 at 1pm. A public notice will be posted to the Daily Camera/Times Call on 4/4/17 with this general public hearing information. The staff report for the hearing will be posted at least a week in advance of 5/2/17 and will contain the final proposed code amendment. There may be a few more changes to the draft that is attached, but this version should cover the bulk of the changes.

>

> Please feel free to call or email me with concerns, questions, or feedback. We value your input.

>

> Thank you,

>

> Amy Breunissen Oeth, AICP

>

> Long Range Planner II | Boulder County Land Use Department

> 2045 13th Street, Boulder, CO 80302

> Office: 720-564-2623

> aoeth@bouldercounty.org<mailto:aoeth@bouldercounty.org>

> www.bouldercounty.org/lu<http://www.bouldercounty.org/lu>

>

Oeth, Amy

To: Krezek, Michelle
Subject: RE: Boulder County Firing Range Land Use Code update

From: Steven Martin [<mailto:president@boulderrifleclub.com>]
Sent: Monday, May 01, 2017 8:40 AM
To: Krezek, Michelle
Subject: FW: Boulder County Firing Range Land Use Code update

Michelle,

Below is Earl Perry's personal response to the latest revision. Phil Duclos response is similar and I have inserted it below.

I personally do not believe that this draft represents any sort of invitation to develop shooting ranges in the county. As a business owner myself I would not entertain my spending company's money to develop a design and the engineering with such vague requirements. The Commissioners said that want to find a solution to dispersed shooting, this proposal as written we believe, will effectively have the opposite effect. We have made a good faith effort to support the County and our community but have been ignored. It seems that planning has their own agenda.

I plan to be at the meeting tomorrow.
Steve Martin

From Phil Duclos:
Amy -

I received this update of the proposed code changes for firing ranges and have reviewed it.

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county form a shooting club? Would the range be built (cf the new range in Pawnee NG) and left open to the public?

Steve Martin
Boulder Rifle Club

Oeth, Amy

From: Douglas McKenna <doug@mathemaesthetics.com>
Sent: Tuesday, May 02, 2017 11:17 AM
To: Boulder County Board of Commissioners
Cc: Krezek, Michelle
Subject: DC 15-0003 Comments for May 2nd Hearing
Attachments: Final-Comments-DC-15-0003.pdf

Please include the enclosed PDF in the docket comments for DC-15-0003, regarding shooting range regulations and today's commissioner's hearing.

The PDF contains a variety of clickable links to news stories that document my comments, which will be lost if it is scanned.

Thanks.

Doug McKenna
1140 Linden Ave.
Boulder CO 80304

Douglas McKenna
1140 Linden Ave.
Boulder, CO

May 2, 2017

Boulder County Commissioners
Re: Comments for DC 15-0003

My comments here are on behalf of Silver Spruce Ranch, which my extended family owns between the Peak to Peak Highway and Beaver Reservoir in western Boulder County. I believe I also speak for hundreds of property owners and recreational use stakeholders calling themselves the Peak to Peak Scenic Byway Coalition.

The peaceful and quiet enjoyment of our property and its supposedly forever preserved conservation values, which include County-designated wildlife migration corridors and spawning grounds, are under direct threat. The Northern Front Range Sport Shooting Partnership—using incorrect and purposely uncorrected county maps that ignored all privately conserved properties—has proposed a possible shooting range located directly only a few hundred feet from our western property line, on a stream that feeds our wetlands.

I'd like to address the near-certainty of a forest fire destroying our property and buildings. Indeed, my comments are representative of anyone downwind of any outdoor shooting range, whether in the plains or in the mountains of Boulder County.

The notes in this docket contain county staff's statement, "Fires are of greater concern with dispersed shooting." This unfortunately discounts the significant evidence that dedicated, open-air shooting ranges are just as responsible for costly, destructive fires as unregulated dispersed shooting is.

Last July near Reno, Nevada, the aptly named "Shooting Range Fire" started on a windy day at a dedicated shooting range. 40 acres burned in the first 40 minutes, 800 acres after four more hours, nearly two square miles be-

fore containment two days later. [[click here for news story 1](#)]¹ [[news story 2](#)].²

In Colorado, a year earlier in August 2015, at the dedicated Byers Canyon Shooting Range in Grand County, a stray bullet ignited a fire that burned close to a square mile and caused evacuations and highway closures. [[news story](#)].³

Earlier this year, a 100-acre fire near Fort Carson was started at the Cheyenne Mountain Shooting Complex [[news story](#)].⁴

Two weeks ago, a fire in Douglas County, is believed to have started at the Turkey Track shooting range. It was the *seventh* such fire to have started there [[news story](#)].⁵

Last November, at a private shooting range near Falcon in El Paso County, Colorado, a ricochet bullet sparked a 214-acre fire [[news story](#)].⁶

In 2012, a fire started at the Basalt Shooting Range [[news story](#)].⁷

Similar events regularly occur in other states. One month ago on April 5, in Edmunson, Kentucky, a fire started at a shooting range [[news story](#)].⁸

In Benton City, Washington, a ricochet bullet at the Rattlesnake Mountain Shooting Range appears to have sparked a 500-acre fire [[news story](#)].⁹

¹<http://www.rgj.com/story/news/2016/07/20/firefighters-respond-wildfire-report-near-usa-parkway/87366444/>

²<http://www.rgj.com/story/news/2016/07/21/update-shooting-range-fire-grows-1100-acres/87385902/>

³<http://www.denverpost.com/2015/08/24/500-acre-wildfire-in-grand-county-sparked-at-public-gun-range/>

⁴<http://gazette.com/more-than-100-acres-burn-near-fort-carson-shooting-range/article/1546001>

⁵<http://www.krdo.com/news/top-stories/alert-fire-north-of-woodland-park-is-human-caused-7th-in-area-this-year-details-in-app/448014661>

⁶<http://www.kktv.com/content/news/Crews-responding-to-reports-of-a-fire-south-of-Falcon-400124331.html>

⁷<http://www.postindependent.com/news/fire-ignites-at-basalt-shooting-range/>

⁸<http://www.edmonsonvoice.com/-news/field-fire-chars-dozens-of-acres-at-shooting-range>

⁹<http://www.nbcrightnow.com/story/6507120/500-acres-of-land-destroyed-by-fire-at>

In 2013, a fire erupted at a BLM-managed shooting range in Keswick, California. It was the fourth such fire to ignite at that dedicated shooting range in the previous two years [\[news story\]](#).¹⁰

In 2011, a 50-acre fire started at a Kern County California shooting range. It was the second such fire in a year [\[news story\]](#).¹¹

In Clayton California in 2015, a fire was started by shooters training at the sheriff’s own gun range [\[news story\]](#).¹²

In 2016, near Monterey California, a 50-acre fire was ignited by a “bad shot” at a shooting range [\[news story\]](#).¹³

Last summer, near Azusa California, a fire in the Los Angeles Forest was ignited at the nearby Burro Canyon shooting range [\[news story 1\]](#)¹⁴ [\[news story 2\]](#).¹⁵

A large brush fire started in the summer of 2016 at a dedicated shooting range in Taylor County, West Virginia [\[news story\]](#).¹⁶

In Oregon this past summer in the Three Rivers area, another aptly named “Rifle Range Fire” started at a rifle shooting range [\[news story\]](#).¹⁷

These examples—and there are many more—are from just the past couple of years.

rattlesnake-mountain-shooting-range

¹⁰<http://www.edmonsonvoice.com/-news/field-fire-chars-dozens-of-acres-at-shooting-range><http://archive.redding.com/news/fire-burns-up-to-12-acres-at-shooting-range-area-no-stranger-to-fires-ep-299427166-353747441.html>

¹¹<http://mountainenterprise.com/story/fire-contained-at-shooting-range-above-frazier-park-2361/>

¹²<http://sanfrancisco.cbslocal.com/2015/07/31/gunfire-at-sheriffs-department-shooting-range-sparks-11-acre-grass-fire-in-contra-costa-county/>

¹³<http://www.montereyherald.com/article/NF/20150830/NEWS/150839983>

¹⁴<http://www.foxla.com/news/local-news/161642856-story>

¹⁵<http://mynews1a.com/crime/2016/06/18/brush-fire-in-angeles-forest-ignited-at-shooting-range/>

¹⁶<http://www.wvalways.com/story/31562101/brush-fire-burns-more-than-8-acres-in-taylor-county>

¹⁷<http://www.redmondnewstoday.com/archives/139907>

It is untenable to hope or posit that dedicated shooting ranges—even ones that are manned or patrolled—won't be ignition points for fires, especially in fire-prone Boulder County, which just this past February suffered a destructive fire in the plains started by shooters determined to have not been negligent [news story].¹⁸ Think about that. Apparently, it's perfectly acceptable, indeed expected, for shooters to start fires, no matter what the collateral damage!

Regardless, a slightly lesser risk for one of two ignition scenarios merely means that the near certainty of a catastrophic fire will be the same probability as the other scenario, just over a slightly longer time. Every Front Range forest fire takes some 50 years to recover from.

To the extent that a dedicated shooting range in the mountains is remote or outside of cellphone coverage, or down in a mountain valley outside of radio contact, it will be difficult or impossible for any underfunded, small-mountain-town-based fire department to prevent a fire from catastrophically blowing up before firefighters arrive. The chances of a few on-premises fire extinguishers being useful in stopping a forest fire ignited by an overheated bullet ricocheting into the forest—out of sight of the shooter and very far away—are slim to none. These proposed regulations do not address fire danger in any substantive way, other than to say “we'll think about it later during site review.”

The already cash-strapped Forest Service is now facing an enormous proposed cut to its budget under the current federal administration. Will there be any substantive county or federal enforcement of any regulations regarding either dispersed shooting or dedicated shooting ranges? No. As someone who last summer identified and reported an illegal shooter in the national forest next to our property, only to see the authorities unable to do anything in a timely manner, I have no hope that building a dedicated range will decrease the illegal use of the forest by dispersed shooters.

All new shooting ranges anywhere in Boulder County should be enclosed or underground. Put a roof over a rock quarry somewhere. Find an abandoned coal mine. Surely there are creative ways to find somewhere for shooters to play and practice safely. Such a requirement would solve nearly every

¹⁸<http://www.denverpost.com/2017/03/02/boulder-county-fire-target-shooters-no-charges/>

problem complained of in these proceedings, from noise, to the cost of land, to fires, to harms to conservation values, water pollution, traffic, lack of safe fire egress, etc.

The serious harms and risks of a recreational activity desired by the few should not blatantly violate the rights of—*or risk the near certain property destruction of*—so many others.

Thank you.