

LARIMER COUNTY | ENGINEERING DEPARTMENT

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The role of the Advisory Board is to advise the Board of County Commissioners and appropriate departments on environmental and science-related issues that affect Larimer County.

MINUTES

Date: December 13th, 2022

Time: 6:00 – 9:00 p.m.

Location: Rm. 150 Carter Lake, 200 W. Oak Street, Fort Collins, CO and Virtual by Zoom

Contact: Shelley Bayard de Volo, sbayard@larimer.org or 970.498.5738

MEMBERS		STAFF		GUESTS
Rodger Ames	X	John Kefalas*	X	
Daniel Beveridge		Shelley Bayard de Volo [‡]	X	
John Bleem	X			
Tasha Carr	X			
Jim Gerek - Chair	X			
Ted Hendrickx	X			
Allyson Little				
Barry Noon				
Kaitlin Rainsberger				
George Rinker	X			
Travis Rounsaville	X			
Shelby Sommer	X			
Catriona Smith	X			
Katrina Winborn-Miller	X			
Chris Wood	X			

X = present; * = Commissioner Liaison; † = Speaker; ‡ = ESAB Liaison; ° = Facilities;

§ = Environmental and Sustainability Program; φ = Fleet

Call to Order: 6:05 p.m.

- Amendments or additions to the agenda** – Travis has a NISP update that he can do during the roundtable.
- Introduction of members, staff, and guests** – The members introduced themselves.
- Public Comment** – No public comment.
- Discussion Items**

1. Discussion Items

- ESAB Air Quality Monitoring Proposal Status** – Rodger provided some background on the development of the proposal explaining how monitoring ozone precursors emissions differs from the other already approved air quality monitoring projects (see previous meeting





minutes). Rodger noted that the LCDHE seemed receptive to the proposal, but not ready to implement the project in 2023. Rodger explained how there are very few NO_x monitors in Colorado (a collocated NO_x monitor is a prerequisite for the proposed ozone precursor monitoring system) and the only one north of Denver is in Platteville. Siting the NO_x monitor with the existing AQ monitor at Fort Collins West is recommended, but the LCDHE is considering other locations.

In terms of timing, the ESAB recommended implementation in 2023 because of the State's current development of their ozone SIP (State Implementation Plan) and the Front Range's severe non-attainment status. SIP development for Larimer County now relies on modelling because of the lack of field-collected data. The proposed ozone precursor monitoring system would provide real time data, which would better inform the SIP process. Commissioner Kefalas noted he spoke with Chris Manley, LCDHE, about coming in Jan or Feb to update the ESAB. He thinks that would be a good opportunity to engage with Drs Collett and Fischer as well. The issue is timing and not knowing where the best location might be to locate the NO_x monitor along with some of the other air quality monitors being implemented in 2023. Regarding the SIP, Commissioner Kefalas noted that the SIP is already in development by the State. They will adjust, but the State is moving forward with the data they currently have. He asserted that implementing halfway through 2023 or 2024 does not really make a difference. Jim noted that there will likely be additional rounds of tighter SIP control to come. Commissioner Kefalas asked Shelley to keep in touch with C. Manley to attend the Jan or Feb meeting.

- New Advisory Board Processes – Work Plans, reviewing Bylaws, and noticing Sub-committee meetings – Jim explained that he and Rodger were informed at the last quarterly meeting with the Commissioner that the BOCC is updating some of the County processes for Boards and Commissions. Concerning workplans, the BOCC will be reviewing them with the goal of ensuring workplans agree with the County's Strategic Plan and the Commissioner's priorities for the year. They want workplans to include a reporting of tasks by quarter where possible. As well, they want to clarify the roles of the Commissioner Liaison and the Staff Liaison and ensure that members are being properly trained. Bylaws are to be reviewed annually and updated as needed. The ESAB will be updating theirs the first quarter of 2023. The BOCC will look to approve updated bylaws sometime in April of each year. Sub-committee meetings will need to be publicly noticed when 3 or more members meet to discuss County business. Shelley noted that she will put together the agenda for sub-committee meetings and post it no less than 24 hrs. in advance. She asked that members inform her of meetings, who will attend and where. She will also draft brief minutes to be posted. Jim asked if there will be a formalized policy update that will capture these changes. Shelley and Commissioner Kefalas noted that some of these updates are already in the updated policies and procedure for Boards and Commissions. Commissioner Kefalas passed around examples of work plans from other Boards that show how they are formatted for quarters during the year.
- Review Draft 2022 Annual Report – Jim briefly discussed the annual report process and presented the draft that Shelley has prepared for 2022. He highlighted the portions of the report that still need input from members. The section of actions and recommendations to the BOCC and Staff needs review for accuracy. As well, the ongoing committee work section needs review. He asked members to consider if there are omissions in what is reported or inaccuracies in how activities are presented. Rodger noted that there seems to be a missing letter that he drafted in later 2021. He said it was not included in the 2021 report, and it is



important to include in the annual reporting because it shows the history of the work on air quality monitoring. There was some discussion that perhaps an EV charging memo was not included. Shelley will look for that. As well, maybe the team building activities should be captured somehow. Jim noted that this could go in the cover letter section.

- 2023 Board Officer Elections – Jim briefly explained the process to be used, then opened nominations. Travis nominated Rodger to serve as the Board Chair, and Chris seconded. There were no other nominations. All were in favor of the motion and Rodger was elected Chair for 2023. Cat nominated Shelby to serve as Vice Chair and Travis seconded. There were no other nominations and the motion passed with all in favor. Shelby was elected as Vice Chair for 2023.

5. Approval of Minutes – Rodger moved to approve the November minutes, as corrected, and Ted seconded. The November minutes were approved by acclamation.

6. Updates and Round Table

- Commissioner's Update – Commissioner Kefalas noted that the BOCC will soon adopt the 2023 County budget and the revised 2022 budget. Second, recently the BOCC adopted a resolution for the County to be a dues-paying member of the Colorado Communities for Climate Action (CC4A). They do a lot of policy work, much at the state level. Third, the County submitted a statement of support for a rulemaking petition submitted by several environmental groups to the COGCC. The petition noted that the COGCC is not adequately evaluating or addressing cumulative impacts from oil and gas operations. Rodger asked if the Commissioner could share the petition document, and Commissioner Kefalas said he would check to see if he could.
- Climate Smart and Future Ready – Tasha and Ted reported that they now have a schedule for meetings in 2023. The next meeting is January 17th for the workgroups. They are part of the public outreach, education, and coordination workgroup.
- Weld County Oil and Gas Comprehensive Area Plan (CAP) – Jim provided a presentation on oil and gas comprehensive area plans (CAPs) and discussed how the COGCC is required to evaluate and address cumulative impacts to communities and the environment from CAPs. A benefit to operators in developing a CAP is that they gain exclusive rights to develop O/G resources for 6 years or so. They are required to analyze the cumulative impacts of their own operations.

Jim then discussed the Guanella CAP, which is a 52 square mile area in Weld County bordering Larimer County. The application for the CAP is from PDC Energy, and the development will include 22 well pads (466 fracking wells). Weld County has approved the development, and the COGCC had a recent hearing on their application. There were questions concerning PDC's estimates of operational air impacts over the 5+ year life of the project. Jim went over the impact estimates and the proposed BMPs and mitigation measures.

Lastly Jim followed up on the Commissioner's discussion of how the County is engaging in the Guanella CAP. Larimer County is seeking "party" status in the COGCC permitting decision because of the potential impacts to air quality in our County, especially ground level ozone. One comment was to suspend work during "peak" ozone season. The process is continuing, and Jim noted that once the CAP is approved, the development of each well pad will need to go through the regular permitting process. Jim then asked for questions. Chris noted that it was approved last Thursday. Katrina noted that during those other air permit applications, the



County will have the opportunity to track those permits and make comments on them. It would be a way to track the air emissions from those individual sites and the BMPs/mitigation measures implemented. There was discussion on how much Larimer County wants to track what is happening in Weld County.

- NISP Record of Decision on the Corps of Engineers CWA 404 Permit – Travis provided an update on the US Army Corps of Engineers Record of Decision of the NISP application for a 404 CWA permit. The decision was to approve the preferred alternative that involves the build of the Glade and Galetton Reservoirs. Travis noted this was essentially the final step, although there can still be lawsuits. They also still have municipal permits to acquire from the City of Fort Collins. Larimer County issued a 1041 permit, and the County department of Natural Resources will administer recreation at the reservoir. Jim explained some of the history of the ESAB's involvement in the whole NISP process over the years, with their reviews on the Draft EIS's, the Wildlife Enhanced Conservation and Mitigation plan. There also will be the re-routing of State Hwy 287. On a related subject, Commissioner Kefalas noted the previously proposed Thornton pipeline and the fact that they will likely be coming back to the County with a new 1041 permit application in 2023.
- Tracking of State Legislation – With the new legislative session starting just after the new year, Jim encouraged ESAB issue coordinators to keep up on legislation at the State level for anything pertinent to the County.

7. Issue Index – Was updated with tonight's discussion

8. Agenda Topics for Next Meeting – Next regular meeting will be January 10th, 2022. Discussion items TBD.

9. Adjourn – John moved to adjourn, and Tasha seconded. The meeting ended at 8:15 PM.