

Date: Wednesday, February 19, 2025
Time: 6:00 PM
Location: Hybrid: In-Person, Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins or Virtual, Zoom link - https://larimer-org.zoom.us/webinar/register/WN_-2Y1enk-Q-iv0IX8w7NQ5w

PLANNING COMMISSION HEARING MINUTES

The Larimer County Planning Commission met in the Hearing Room as well as virtually by Zoom video at 6:00 p.m., on Wednesday, February 19, 2025, at which time the following business was transacted.

Board Members Present: Patrick Rowe, Lisa Chollet, Conor Duffy, Shelby King, Nick Casady, Jon Weiss, and Adam Eggelston.

Staff Present: Jenny Axmacher, Planning Manager; Shalana Lysaght, Business Operations Supervisor; Smantha Mott, Senior Planner; Danielle Reimanis, Planner I; Scott Benton, Environmental Planner; Traci Shambo, Senior Civil Engineer; Steven Rothwell, Civil Engineer II; Lea Schnieder, Environmental Health Planner; Christine Luckasen, Assistant County Attorney I; Melissa Bruski, CIRT; Ryane Oswandel, CIRT; and Christina Scrutchins, Recording Secretary.

AMENDMENTS TO THE AGENDA

None.

COMMENTS BY THE PUBLIC REGARDING THE COUNTY LAND USE CODE OR REGARDING OTHER RELEVANT LAND USE MATTERS NOT ON THE AGENDA OR FUTURE PROPOSALS

None

ACTION ITEMS

ITEM NO. 1 - Posting of Public Meeting

MOTION

Commissioner Duffy moved that the Larimer County Planning Commission designate www.Larimer.gov as the place for posting notice of public meetings, and if exigent or emergency circumstances prevent the online posting at such location, public notice shall be physically posted at the bulletin boards located at the north and south entrances to the Larimer County Administrative Services Building at 200 West Oak, Fort Collins, Colorado, in accordance with Colorado's open meetings laws. Commissioner Chollet seconded the motion. Motion carried (7-0).

ITEM NO. 2 - ANNUAL BOARD TRAINING

Planning Manager Axmacher announced the upcoming annual compliance training, which is expected to take place during the next meeting. In preparation, a PowerPoint presentation will be distributed in advance, allowing

an early review of the material. This training is a recurring requirement conducted each year.

APPROVAL OF THE MINUTES FROM NOVEMBER 20, 2025, AND DECEMBER 18, 2025

Commissioner Chollet moved that the Planning Commission adopt the following Resolution: BE IT RESOLVED that the Planning Commission approve the November 20, 2024, and the December 18, 2024, minutes of the Larimer County Planning Commission. Commissioner Duffy seconded the motion. Motion carried (7-0).

CONSENT ITEMS

Commissioner Rowe recused from the consent agenda, and Commissioner Chollet presided over the consent items.

ITEM NO. 1 – DYER SUBDIVISION PRELIMINARY PLAT, FILE NO. 24-LAND4442

ITEM NO. 2 – OLANDER FARMS – ROOT SHOOT MALTING AMENDED SPECIAL REVIEW, FILE NO. 21-ZONE3065

ITEM NO. 3 – BACON LAKE SEWER INTERCEPTOR AND WATER TRANSMISSION LINE PROJECT, FILE NO. 24-ZONE3726

MOTION

Commissioner Duffy moved that the Planning Commission adopt the following Resolution: BE IT RESOLVED that the Planning Commission recommend to the Larimer County Board of County Commissioners approval of the consent agenda. Commissioner Weiss seconded the motion. Motion carried (6-0), with Commissioner Rowe abstaining.

DISCUSSION ITEMS

ITEM NO. 1 – HALLIGAN WATER SUPPLY PROJECT 1041 PERMIT, FILE NO. 24-ZONE3697

[View Staff Presentation](#)

APPLICANTS PRESENTATION

[View Applicant Presentation](#)

PLANNING COMMISSION AND STAFF COMMENTS

The applicant clarified that peak vehicle traffic at the east access is expected to be 70 vehicles per day during full construction, but this number could increase to 200 if off-site aggregate is required. In comparison, normal traffic levels in the area are significantly lower, raising concerns about potential congestion and road wear. The applicant confirmed that discussions with CDOT are ongoing regarding additional traffic management measures, lane modifications, and potential financial contributions for road maintenance.

The Commission discussed the proposed hours of operation, set from 7:00 AM to 6:00 PM, with potential for 24-hour operations under certain conditions. Concerns were raised regarding lighting impacts, and Planning Manager Axmacher confirmed that the project must comply with Larimer County's lighting regulations, which were recently updated and took effect on February 13, 2025. The applicant noted that nighttime operations would only occur, if necessary, with efforts to minimize light pollution and disruption to nearby residents.

Questions arose about wind speed limitations for construction activities, particularly regarding dust control. Environmental Health Planner Schneider explained that under state-level regulations, land clearing activities must cease when wind speeds exceed 30 mph. However, enforcement of these limits is largely self-regulated based on weather data. The Commission noted discrepancies in weather app readings near the Wyoming border and

requested additional consideration for localized wind monitoring. The applicant confirmed that dust suppression measures, such as water trucks and soil stabilizers, will be employed to mitigate airborne particles.

PUBLIC COMMENT

Zach Thode and Jordana Barrack

Comments

- Water Storage & Allocation: Support for long-term storage projects; concern over inefficient storage practices.
- Traffic & Road Impacts: Requests for highway turn lane improvements; concerns about increased road maintenance needs.
- Recreation & Land Access: Concerns over unauthorized public access; request for stricter enforcement of trespassing laws.
- Environmental Considerations: Call for enhanced fish passage improvements; questions about air quality impacts from construction.
- Communication & Outreach: Request for improved stakeholder engagement and updated landowner contact lists.

APPLICANT REBUTTLE

The applicant reaffirmed its commitment to renting excess water to local farmers when available. The project will not impact existing irrigation allocations, and agreements with North Poudre Irrigation Company ensure historical water rights are maintained.

Regarding traffic and road impacts, the applicant emphasized coordination with CDOT on road safety improvements and agreed to monitor construction-related traffic impacts. Signage and detour planning will be implemented if necessary. To minimize disruptions, the applicant will implement staggered vehicle movement plans and designated haul routes to control construction-related congestion.

On recreation and land access concerns, the applicant stated that while surface recreation is not part of the current project, future discussions with Colorado Parks and Wildlife (CPW) may explore options. Additionally, efforts will be made to increase enforcement of trespassing laws through signage and partnerships with local authorities.

For environmental considerations, the applicant outlined planned fish passage improvements and confirmed the use of adaptive environmental management practices to minimize ecological disruption. They emphasized a commitment to monitoring and responding to any unforeseen environmental issues as the project progresses.

In response to air quality concerns, the applicant reiterated the use of dust control measures and committed to additional dust suppression strategies on high-risk days. The team will coordinate with state and local agencies to ensure that all air quality regulations are met, reducing potential impacts on nearby communities.

COMMISSION DELIBERATION

The Commission commended the applicant's thorough approach and the project's alignment with 1041 permit criteria, particularly in supporting upward growth within city limits. A strong emphasis was placed on responsible water stewardship and continued engagement with affected landowners.

MOTION

Commissioner Duffy moved that the Planning Commission adopt the following Resolution: BE IT RESOLVED that the Planning Commission approve the Halligan Water Supply Project 1041 Permit, File No. 24-ZONE3697, subject to the conditions of approval recommended by staff. With an update to proposed condition 4 to match the land use code language in 10.12.1. Commissioner Eggelston seconded the motion. Motion carried (7-0).

REPORT FROM STAFF

Planning Manager Axmacher provided an update on the Planning Commission Bylaws, explaining that the revisions aim to align with the Board of County Commissioners' updated code of conduct policy. The changes will address ethical guidelines, procedural transparency, and public engagement expectations, ensuring consistency across all county boards and commissions. A draft of the revised bylaws will be circulated for review before formal adoption.

ADJOURN

With there being no further business, the hearing adjourned at 8:04 p.m.

These proceedings were recorded, and a video recording of the meeting is available online. To access it, click on the 'Past Meetings' button and select the meeting date at the following link:

<https://www.larimer.gov/boards#/board/planning-commission/?tab=meetings>

These minutes constitute the Resolution of the Larimer County Planning Commission for the recommendations contained herein which are hereby certified to the Larimer County Board of Commissioners.



PLANNING COMMISSION HEARING

February 19, 2025

Halligan Water Supply Project 1041
Permit, File No. 24-ZONE3697,
Staff Presentation

LARIMER COUNTY: PLANNING



WHAT ARE 1041 REGULATIONS?

PLANNING COMMISSION | FEBRUARY 19, 2025



WHAT ARE 1041 REGULATIONS?

- Gives local governments the authority to regulate matters of statewide concern
- Includes the development of regional transportation and utility infrastructure
- Can also be used to protect specific geographic areas with historical, cultural, or natural resources of statewide importance
- Include variety of regulated activities, including new and converted power plants, reservoirs, pipelines, etc.



1041 PROCESS

1.Pre-application Conference: A meeting is held between the applicant and County staff to determine the scope of the project, identify submittal requirements, and outline the process.

2.Application Submittal: The applicant submits the package of required documents to the County for review.

3.Completeness Review: County staff reviews the application package to determine whether all of the required information has been submitted. The County has 60 days to determine whether the application is complete (or 28 days in the case of Major Electrical or Natural Gas Facilities).

4.Staff Review: County staff and referral agencies review the application and prepare a staff report and recommendation. The County may, when necessary, hire a specialized consultant to assist with review at the applicant's expense.

5.Notice of Hearings: No later than 30 days after receipt of a completed application, the County sets and publishes notice of the date, time, and place for a hearing before the County Commissioners.

6.Planning Commission Hearing: The Planning Commission holds a hearing to provide a recommendation to the County Commissioners on the 1041 permit application. Notice of the Planning Commission hearing is published in a newspaper of general circulation at least 14 days before the hearing date.

7.Board of County Commissioners Hearing: The Board of County Commissioners conducts a hearing to make a final decision on the 1041 permit application. The hearing must be held no later than 60 days after the notice has been published. The County mails a notification letter to property owners in the vicinity of the proposal at least 14 days prior to the hearing.

8.Decision: The County Commissioners may approve, approve with conditions, or deny the application for a 1041 permit based on the review criteria in Land Use Code Section [10.9](#) and [10.10](#).

9.Technical Review: If a 1041 permit is granted, the project may be required to submit more detailed design, engineering and construction information so County staff can ensure all permit conditions have been met. This technical review process is not subject to a public hearing and no public notice is required.

PURPOSE OF TONIGHT'S MEETING

- Public hearing of the application
- Opportunity for public input
- Planning Commission will make a recommendation to the Board of County Commissioners for each application
- Board of County Commissioners will make a final decision at an upcoming Board of County Commissioners Land Use Hearing

LARIMER COUNTY: PLANNING



Halligan Water Supply Project 1041 Permit 24-ZONE3697

PLANNING COMMISSION | FEBRUARY 19, 2025



PROJECT INFORMATION

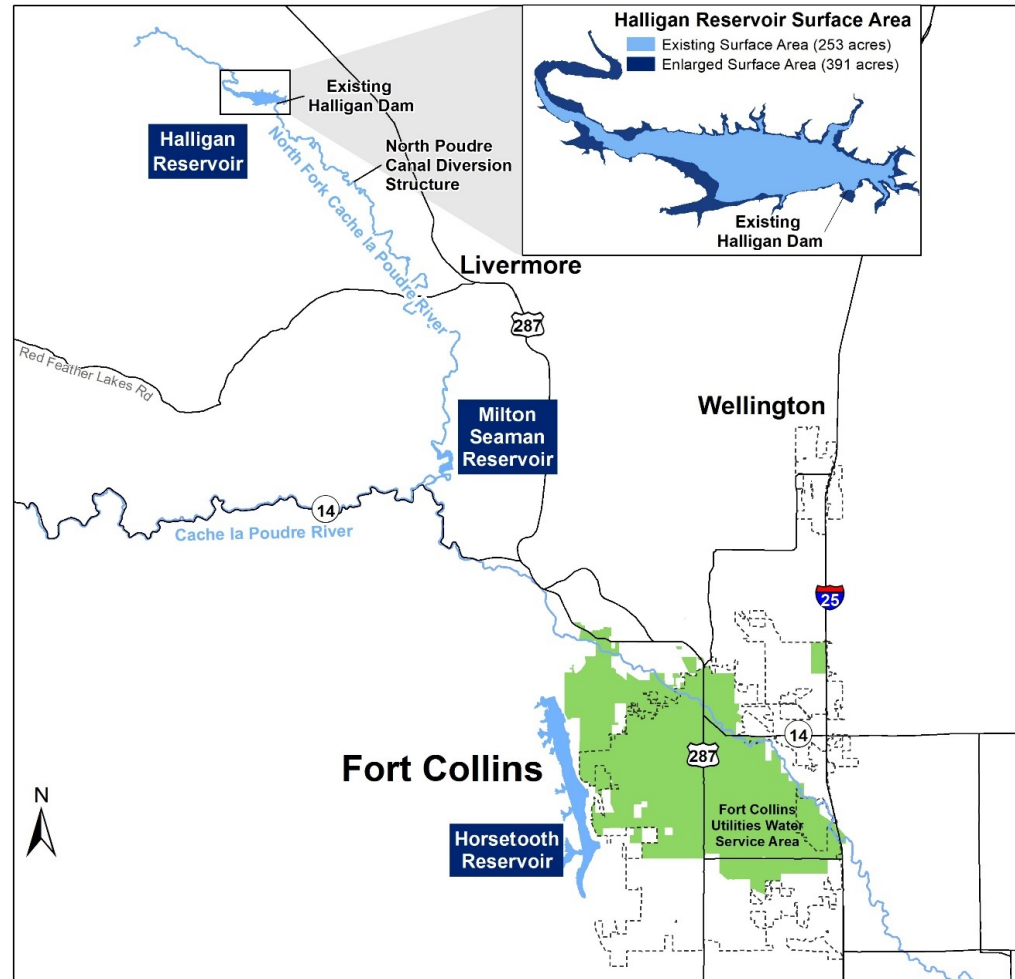
Request

- A 1041 review of a permit application for a state interest activity under Article 10 of the Land Use Code for the Halligan Reservoir expansion
- Involves constructing a new dam and partial demolition of the old dam, reconstruction of the North Poudre Canal Diversion, construction of fish passage at the Fort Collins intake diversion structure at Gateway Park, and supporting infrastructure improvements

PROJECT INFORMATION

Location

- Halligan Reservoir is situated approximately 25 miles northwest of Fort Collins, with the dam located in Township 11 North, Range 71 West, Section 34 (Southwest and Northwest quarters).
- The proposed work includes activities around the existing dam, the North Poudre Canal Diversion located approximately 3.5 miles southeast of the dam, and Gateway Natural Area along the Main Stem of the Cache la Poudre River.
- Temporary construction areas include access roads to the dam, with the west side accessed from Highway 287 and the east side accessed from Cherokee Park Road (County Road 80C).



PROJECT INFORMATION

Owner/Applicant:	City of Fort Collins
Total Development Area:	Expanded from 253 acres to 391 acres of reservoir surface area
Surrounding Land Uses: Existing Zoning:	Primarily agricultural and rural residential O-Open
Access:	Dam Access: The West side is accessed from Highway 287 and the East side accessed from Cherokee Park Road (County Road 80C). Gateway Natural Area Access: Poudre Canyon Road (CO-14). North Poudre Canal Diversion: Accessed from Cherokee Park Road (County Road 80C)

PROJECT INFORMATION

- The City of Fort Collins, acting through Fort Collins Utilities (Fort Collins), is pursuing the HWSP, a municipal water supply project.
- The HWSP primarily involves enlarging the existing Halligan Reservoir on the North Fork of the Cache la Poudre River (North Fork). The existing Halligan Reservoir currently supplies water to shareholders of the North Poudre Irrigation Company (NPIC), which would continue to use and operate the historical reservoir pool of 6,400 acre-feet. Fort Collins would store its water in the enlarged portion of the reservoir.
- Fort Collins' water would primarily come from water rights historically used to irrigate now-developed lands in the Fort Collins area that have been transferred to municipal use.

Legend

- Replacement Dam Permanent Impact Area
- Other Permanent Impact Area
- Ordinary High Water Mark (El. 6384 Feet)
- Maximum High Water Mark (El. 6411 Feet)
- Residence
- Existing Structure
- Wetland
- City of Ft. Collins Property (Project Boundary)
- Parcel
- Subdivision
- Stream/River
- Road
- Driveway

Map Labels:

- North Fork Cache La Poudre River
- Stymie Creek
- Longview Creek
- Meander Creek
- Three Corner Gate Road
- Halligan Meadows Road
- West Access Road Permanent Impact Area
- East Access Road Permanent Impact Area
- East Access Road
- Cherokee Park Rd
- See Inset to Right

Map Features:

- Existing Halligan Reservoir
- Replacement Dam and Facilities
- City of Fort Collins
- State of Colorado
- Various landowners and property owners (e.g., Robert's Ranch Preservation Trust, Free Enterprises Inc., City of Fort Collins, etc.)

Scale and Orientation:

- Scale: 0, 750, 1,500, 3,000 Feet
- North Arrow

Inset Map:

- Location of the project within the Fort Collins area.
- Scale: 0, 250, 500, 1,000 Feet

Map Title: HALLIGAN WATER SUPPLY PROJECT REPLACEMENT DAM AND FACILITIES

Map Information:

- DESIGNED BY: D. SWANSON
- DATE: NOVEMBER 15, 2004
- SCALE: AS NOTED
- DRAWN BY: R. CHAMBERLAIN

Map Status:

- SHEET STATUS: FINAL
- ITEM 4: VICINITY MAP

Map Footer:

- PROJECT NUMBER: 8976
- SHEET NUMBER: 4D
- Aerial Photo Info: USDA NAIP (2003)

SITE PHOTOS



From
West,
looking
Northeast

VISUAL SIMULATION



A model rendering of the replacement dam, spillway, and nearby site access roads. The North Fork is in the foreground, Halligan Reservoir is in the background, looking north.



Construction Timeline

HALLIGAN WATER SUPPLY PROJECT

Preliminary Project Schedule

ID	Activity	2024	2025	2026	2027	2028	2029
1A	Design (to 60% completion level)						
2	West Access Road, Test Quarry Construction						
3	Permitting						
1B	Final Design (to 100% completion level)						
4	Construction						

Construction - Infrastructure

Fort Collins anticipates developing the following infrastructure in association with the HWSP:

- Replacement of Halligan Dam, including outlet works, stilling basin, and other appurtenant structures constructed approximately 200 feet downstream of the existing dam.
- Removal of the existing overhead power lines serving the existing Halligan Dam. It is anticipated that the replacement dam will be powered locally by solar, micro-hydro power and diesel generators.
- Partial demolition of the existing dam after the replacement dam is constructed.
- Construction of operational support building and Hypolimnetic Oxygenation (HOX) system that would use liquid oxygen to provide dissolved oxygen to the reservoir improving water quality.
- Construction of a river crossing below the existing dam.

Construction - Infrastructure

Fort Collins anticipates developing the following infrastructure in association with the HWSP:

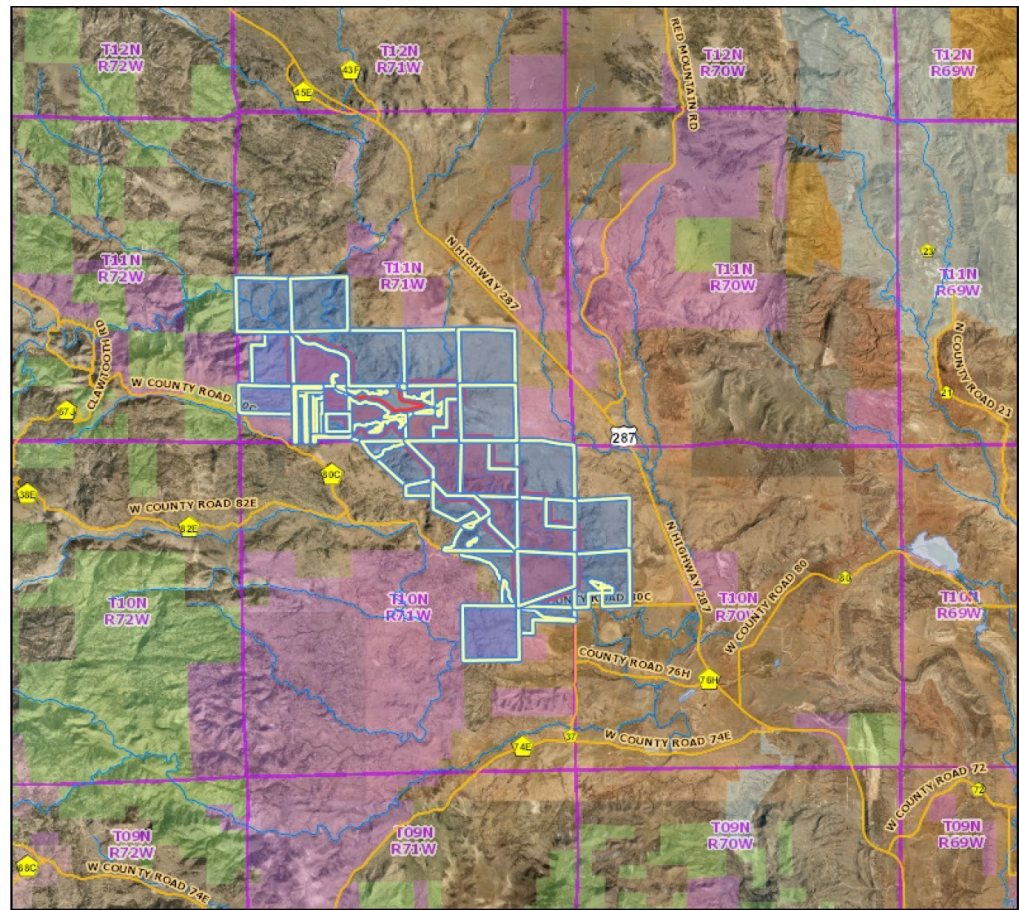
- Reconstruction of the North Poudre Canal Diversion, with the potential for a fish passage.
- Temporary construction areas and features, including temporarily widened roads to allow for construction vehicle access, construction staging areas, concrete batching plant, and possible quarry for concrete aggregates.
- Permanent remnants of construction, including disposal stockpiles, new access roads in the immediate area of the replacement dam, and/or widened roads in limited areas where the roads cannot be reclaimed on portions of Fort Collins' property and/or where private property owners request to retain widened roads.
- The maps included in the application present anticipated construction features, including the replacement dam infrastructure, access roads, and potential borrow or stockpile areas.
- Construction of fish passage around the Fort Collins intake diversion structure at Gateway Park.

Noteworthy Impacts & Mitigation

- Impacts to roadways (traffic and wear & tear)
 - Mitigated through roadway improvements, traffic controls, maintenance, and proposed conditions
- Test quarry impacts (noise and dust)
- Quarry and construction impacts (noise and dust)
 - Mitigated through best practices, restrictions, and proposed conditions
- Reduction in on-site wetlands and wildlife habitats
 - Applicant proposed off site mitigation through purchase of wetland mitigation credits and habitat preservation. In excess of requirement.
 - Collaring and monitoring of bighorn sheep and improved rangeland habitat
- Streams/Water Quality
 - Enhancement of intermittent flows in main channel of North Fork
 - Creation of fish passages
 - Oxygenation/temperature buffer pool for dam releases

- Community notice was provided to property owners and residents within 500-feet of the subject property
- Fort Collins previously conducted outreach, including with EIS

- Posting in the designated area of the County Building
- By posting on the Larimer.org website
- Through a press release
- Newspaper publication in the Coloradoan,
- The Public Input website



WHAT DID WE HEAR?

- As of 12 pm on February 19, we had received a total of 1 comment from members of the public and it was in support of the project.

REFERRAL AGENCIES

- Sent to 33 referral agencies - **17 agencies responded**
 - **County Agencies:** Building, Code Compliance, Engineering, Flood, Health, Road and Bridge, Weed District, and Wildfire.
 - **State Agencies:** CDPHE, Colorado Geological Survey, Colorado Parks and Wildlife, Colorado Mined Land Reclamation, Colorado Division of Reclamation, Mining, and Safety, and Colorado Dam Safety.
 - **Federal Agencies:** Army Corp, BLM.
 - **Other Agencies:** City of Fort Collins.

REFERRAL AGENCIES: WHAT DID WE HEAR?

In summary, while no major objections were raised, multiple agencies require additional documentation, mitigation, and permitting before final approval. The most pressing concerns involve wildlife mitigation, air quality control, floodplain permits, road maintenance, and cultural site surveys. The project appears feasible but requires detailed technical reviews and compliance with state and federal regulations before construction can proceed.

REVIEW CRITERIA FOR APPROVAL OF ALL 1041 PERMITS (22)

Can be divided into 10 themes:

1. Resources of State & National Significance
2. Neighborhoods and Property
3. Environmental Resources
4. Public Safety
5. County Planning and IGAs
6. Article 4 Development Standards
7. Adequate Public Facilities and Services
8. Environmental Health & Hazards
9. Response to Referral Agencies
10. Technical and Financial Feasibility of Project and Mitigation

FINDINGS AND RECOMMENDATION

Staff have found that, based on a review of:

- The submitted documentation;
- The Article 4.0 Development Standards;
- The Article 10.9.1. Criteria for All 1041 Permit Applications; and,
- The Article 10.10.4. Additional Review Criteria for Water and Sewer Projects ,

The proposed Halligan Water Supply Project 1041 Permit application satisfies all applicable criteria as discussed in detail in the related staff report, subject to the implementation of the conditions of approval as recommended by Staff.

CONDITIONS OF APPROVAL

Why Conditions of Approval?

1. To guide the Technical Review Process.
2. To bridge a gap between the project and the criteria.
3. To clarify how the project is implemented and operated.

CONDITIONS OF APPROVAL (53)

GENERAL CONDITIONS

HEALTH CONDITIONS

Technical Review

Construction and Operations Compliance

Air Emissions During Construction

Dam Demolition

Noise

Adequate Facilities

Recreation

ENGINEERING CONDITIONS

Final Design

Permitting

CONDITIONS OF APPROVAL (53)

Schedule and Inspections

Construction – County Roadways

Post Construction Requirements (Closeout, Operation, and Maintenance)

WILDLIFE AND VEGETATION CONDITIONS

CULTURAL AND HISTORIC RESOURCES CONDITIONS

SUGGESTED MOTION

I move that the Planning Commission recommends that the Board of County Commissioners approve the application for a 1041 permit for the Halligan Water Supply Project, File Number 24-ZONE3697, subject to the conditions of approval recommended by staff, with an update to proposed condition 4 to match the land use code language in 10.12.1.

CONDITIONS OF APPROVAL (53)

General Conditions

GENERAL CONDITIONS

1. Technical Review and approval are required prior to any construction at the site and prior to applying for any permits from the County.
2. All construction activities associated with the approval of this 1041 Permit shall comply with all associated regulations and obtain all required county, state, and federal permits. The applicant shall provide the County with a list of all pertinent permits to be obtained. This includes, but is not limited to, the Army Corp of Engineers, Colorado Division of Reclamation, Mining and Safety, Colorado Parks and Wildlife, Colorado Division of Water Resources Dam Safety Division, Colorado Geological Survey.
3. Failure to comply with any conditions of this 1041 approval may result in reconsideration of and possible revocation of the approval by the Board of County Commissioners.
4. This approval shall automatically expire unless the applicant takes affirmative action consistent with this approval within three years of the date of final approval.
5. The applicant shall provide final project construction plans showing reclamation or other agreed to mitigation for impacts to all easements.

CONDITIONS OF APPROVAL (53)

General Conditions

6. The applicant shall provide written documentation showing the incorporation of the above proposed mitigation measures either into the HWSP design or other implementation as proposed.
7. The applicant shall provide the Final Wetland Mitigation Plan to Larimer County for review.
8. The applicant shall provide documentation of mitigation measures for the Gateway Park, the North Poudre Diversion, and access roads prior to final approval.
9. All proposed mitigation measures included in the FWMEP shall be included in the final project plans, where applicable, or submitted separately to Larimer County for verification of compliance. Examples include the proposed site-specific Integrated Weed Management Plan and MBTA buffers shown in the project plans or specifications.
10. All proposed mitigation measures included in EIS Chapter 4, Section 4.11.10 shall be included in the final project plans, where applicable, or submitted separately to Larimer County for verification of compliance.

CONDITIONS OF APPROVAL (53)

General Conditions

11. The applicant shall submit a final Conceptual Mitigation Plan to Larimer County for review to show avoidance and minimization.
12. The applicant shall provide the USFWS Biological Opinion (BO) to Larimer County for review.
13. The applicant shall submit project construction plans showing off-grid operational elements as noted in the application.

CONDITIONS OF APPROVAL (53)

Health Conditions

Technical Review

14. City of Fort Collins and/or respective contractors shall create a health and safety plan as described in the Project Description. At a minimum, a draft plan shall be submitted as part of future Technical Review.
15. City of Fort Collins and/or respective contractors shall create a health and safety plan as described in the Project Description. At a minimum, a draft plan shall be submitted as part of future Technical Review.

Construction and Operations Compliance

16. All construction activities associated with the approval of this 1041 Permit shall be in compliance with all applicable regulations and obtain all necessary permits as applicable under county, state, and federal agencies.
17. All operational activities to occur with the approval of this 1041 Permit shall be in compliance with all applicable regulations and as applicable under county, state, and federal agencies.

CONDITIONS OF APPROVAL (53)

Health Conditions

Air Emissions During Construction

18. City of Fort Collins and/or respective contractors shall create a fugitive dust control plan specifically addressing controls used for the various points of construction (quarry, batch plant, dam, demolition, land clearing/disturbing, haul routes, stockpiles, etc). The fugitive dust and emission control plan(s) shall be submitted as part of future Technical Review.
19. In addition to the minimum controls required under permits issued by Air Pollution Control Division, the mitigation listed below shall become conditions of approval for construction to minimize impacts while using the unpaved roads for the Project:
 - a. No off-site transport of visible emissions from dirt access and haul roads, staging areas and associated stockpiles/disturbed areas, and haul trucks during construction activities.

CONDITIONS OF APPROVAL (53)

Health Conditions

- b. Water trucks shall be onsite to regularly apply water to dirt access and haul roads, staging areas and associated stockpiles/disturbed areas to prevent visible emissions.
- c. No earthwork allowed during days of high wind of 30 mile per hour or greater.
- d. Speed limit signs shall be posted on access roads and in active construction traffic areas restricting speeds to 15 miles per hour or less. (Posting signs on the east and west access roads may require further negotiations with the landowner/association if not recognized in associated agreements.)
- e. Loaded haul trucks shall be covered during transport and storage to prevent visible emissions.

Dam Demolition

- 20. The existing dam material shall be characterized to determine the proper means of disposal. Results shall be submitted as part of future Technical Review.
- 21. City of Fort Collins and/or respective contractors shall create a demolition plan for the existing dam. The Plan shall include removals of hazardous materials (if confirmed through testing), means of demolition, disposal, and include a fugitive dust control plan. The Plan shall be submitted as part of future Technical Review.

CONDITIONS OF APPROVAL (53)

Health Conditions

Noise

22. Construction noise levels shall comply with construction activity sound thresholds of the Larimer County Noise Ordinance. Any exceptions shall be evaluated by Larimer County Departments including Health, Planning, and Engineering.
23. An outreach plan shall be submitted as part of the Technical Review outlining how community concerns will be managed. As part of this plan, easily visible signage with contact information (phone number, email, and website if created) for addressing questions and concerns, shall be posted from LCR 80C and the various intersections along the west access road and the North Poudre Canal Diversion access road.
 - a. A noise mitigation plan shall be submitted as part of the Technical Review outlining control methods that will be implemented during construction when adjacent to and on residential properties to comply the County Ordinance and minimize negative impacts on the residents in the area.
 - i. The Plan shall include more discussion on how low frequency sound/vibrations will be managed.
 - ii. The Plan shall also include the details of the outreach and communication plan/program. As part of this plan/program, easily visible signage with contact information (phone number, email, and website if created) for addressing questions and concerns, shall be posted in active construction areas.

CONDITIONS OF APPROVAL (53)

Health Conditions

Adequate Facilities

24. A composting toilet or a Health Department approved alternative shall be installed as part of the operational support structure.

Recreation

25. If Halligan Reservoir were to be improved to invite day use for public access and gathering (ex: parking, picnicking areas, boat launch, etc) additional criteria would apply and require Larimer County review.

CONDITIONS OF APPROVAL (53)

Engineering Conditions

Final Design

26. This 1041 permit application will be subject to the Technical Review process following its approval.
27. The applicant will be required to develop a construction plan and obtain approval/easements from any affected Homeowners' associations (HOA) or individual residents who may be participating in a shared road maintenance agreement for the planned access routes.

Permitting

28. The applicant must obtain a Larimer County Development Construction Permit for the planned construction activities.
29. The applicant will be required to comply with County floodplain regulations and obtain a Floodplain Development Permit before construction.

CONDITIONS OF APPROVAL (53)

Engineering Conditions

30. When construction activity occurs within or impacts Larimer County Right-of-Way in any way, the applicant shall obtain and abide by the standards and conditions of the applicable County Right-of-Way Work Permit(s), per the Code of Ordinances and the Land Use Code. Construction plans detailing the work to be completed will need to be provided. Additionally, Traffic Control Plans, developed by a certified traffic control company, must be submitted for all work performed within road Right-of-Way or that will directly affect the traveling public.
31. Larimer County regulates access to its roadways to ensure safe and efficient traffic flow and proper roadside drainage. Access Permits will be required for any new access from Larimer County Right-of-Way regardless of whether they are to be used for temporary construction purposes or are to be permanent. Staff may also require an Access Permit for existing access points proposed for temporary construction or permanent access.

CONDITIONS OF APPROVAL (53)

Engineering Conditions

32. The applicant shall obtain a stormwater discharge and construction dewatering permit from the Colorado Department of Public Health and Environment for construction at drainage crossings and land disturbances of one acre or more. The permit will include preparing a Stormwater Management Plan and Best Management Practices to prevent stormwater runoff and sediment in disturbed areas from reaching nearby waterways or leaving the site. Multiple state permits may be required for the different project areas.
33. The applicant must obtain any additional State, Federal, or Local permits necessary for construction.

Schedule and Inspections

34. The applicant must submit a detailed construction schedule, including anticipated phasing, planned workdays and hours, and haul routes for construction traffic.
35. The applicant shall allow access to Larimer County staff and consultants for inspections and construction observation for the duration of construction.

CONDITIONS OF APPROVAL (53)

Engineering Conditions

36. The applicant shall provide a public information contact with a phone number and email address that the public can contact to ask questions, express concerns, or for project updates.
37. The applicant shall reimburse Larimer County for reasonable costs associated with County- provided construction observation/ inspection staff and/or independent supplemental materials testing, as deemed appropriate by the County Engineer or Community Development Director for quality assurance and quality control purposes. The applicant shall also reimburse Larimer County for time and expenses incurred with project coordination, design review, permit review, processing, and related project activities.

Construction – County Roadways

38. Whenever it is necessary to cross, close, or obstruct roads, driveways, and walks, whether public or private, the applicant will provide and maintain suitable and safe detours or other temporary expedients for the accommodation of public and private travel, emergency vehicles, delivery services, garbage pickup, school bus stops, etc.

CONDITIONS OF APPROVAL (53)

Engineering Conditions

39. The applicant shall be required to designate planned construction access and haul routes. The existing surface condition of all planned haul routes will need to be evaluated before construction. The preconstruction surface condition inspection shall be conducted following the recent completion of the County's routine maintenance activities.

If the County Engineer determines that the roadway surface has deteriorated more rapidly during or after construction due to construction traffic, equipment, or hauling, the applicant must restore the roadways to their prior condition. This may include regrading and/or resurfacing.

The applicant shall reimburse the County for any maintenance work needed on County Road 80C outside of the County's regular maintenance schedule for the duration of the project's construction activities.

40. Material deliveries, including the importing of aggregate, shall prioritize the State Highway System and avoid County Roadways where possible.

41. Heavy equipment traffic will be subject to all weight limit restrictions along adjacent roadways and will obtain oversized/overweight permits.

CONDITIONS OF APPROVAL (53)

Engineering Conditions

Post Construction Requirements (Closeout, Operation, and Maintenance)

42. All disturbed areas must be regraded and revegetated to match or exceed their preconstruction condition.
43. The applicant shall provide Larimer County with as-built construction drawings and certifications prepared by a Colorado-registered professional engineer.

CONDITIONS OF APPROVAL (53)

Wildlife and Vegetation Conditions

44. A noxious weed management plan will be required as part of Technical Review along with the ability to inspect the project site periodically to look for adherence to the weed management plan and to survey for new populations.
45. Proof of acquisition of mitigation credits, specifically for Preble's Meadow Jumping Mouse and wetlands, as well as any Memorandum of Agreements regarding cultural, historic, and paleontological resources must be provided to Community Development Staff.
46. The County reserves the right to a third-party monitor, paid for by the applicant, and reporting to the County due to staff capacity limits.
47. The County will require site specific revegetation plans for all disturbed areas. The plans will need to address pre-, during-, and post-construction weed management, tailored seed mixes, establish success criteria based on reference areas, monitoring timeline and frequency, establish clear communication channels, and detail landowner input (where appropriate). The County is willing to look holistically at permit requirements to identify where there is overlap.

CONDITIONS OF APPROVAL (53)

Wildlife and Vegetation Conditions

48. The applicant shall provide Larimer County with the 5-year annual monitoring reports for the establishment of wetlands along the banks of Halligan Reservoir.
49. All applicable mitigation measures included in the Preble's Mitigation Plan and subsequent BO shall be incorporated into project plans and provided to Larimer County for review.
50. Provide Larimer County with monitoring reports upon request for the duration of the project's monitoring period for Preble's mitigation.
51. The applicant shall complete their IGA with Colorado Parks and Wildlife to solidify commitments in comprehensive Fish and Wildlife Mitigation and Enhancement Plan (FWMEP) required under Colorado law (Section 37-60-122.2, C.R.S.) for water development projects. A copy of the completed IGA will be provided to the County.

CONDITIONS OF APPROVAL (53)

Cultural and Historic Resources

52. The submitted cultural resources survey report does not include the NPC Diversion due to access issues at the time of survey. A second report that covers this area must be submitted and reviewed as part of the technical review.
53. If cultural resources are found during Technical Review or construction, the applicant shall notify the County immediately, consult with the State Historic Preservation Office, and begin appropriate measures to preserve the cultural resource, including historic or archeological excavation, reasonable project redesign, or relocation activities. Any such mitigation efforts shall be taken in coordination with and with the approval of the County, or their designee.

WETLAND IMPACTS

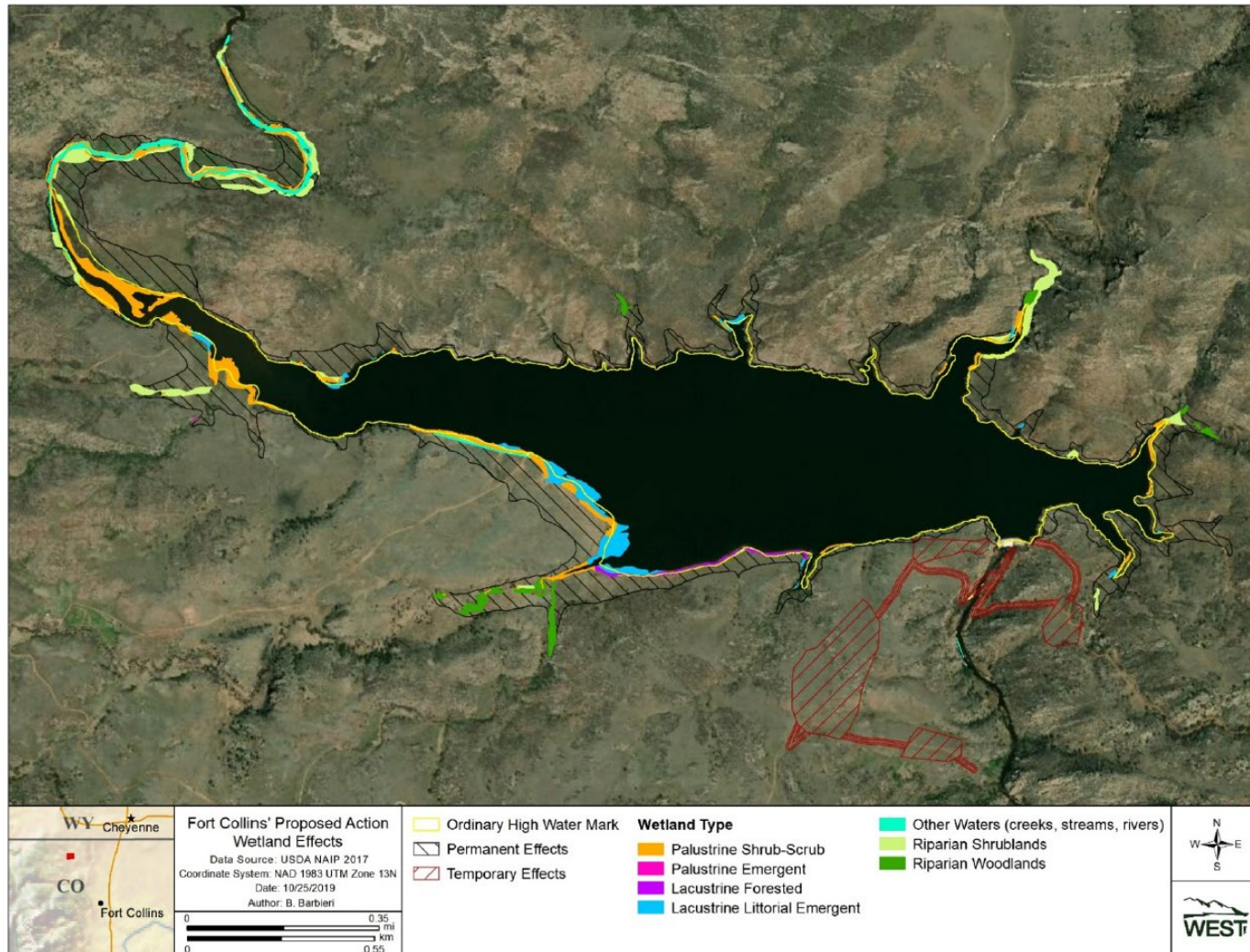
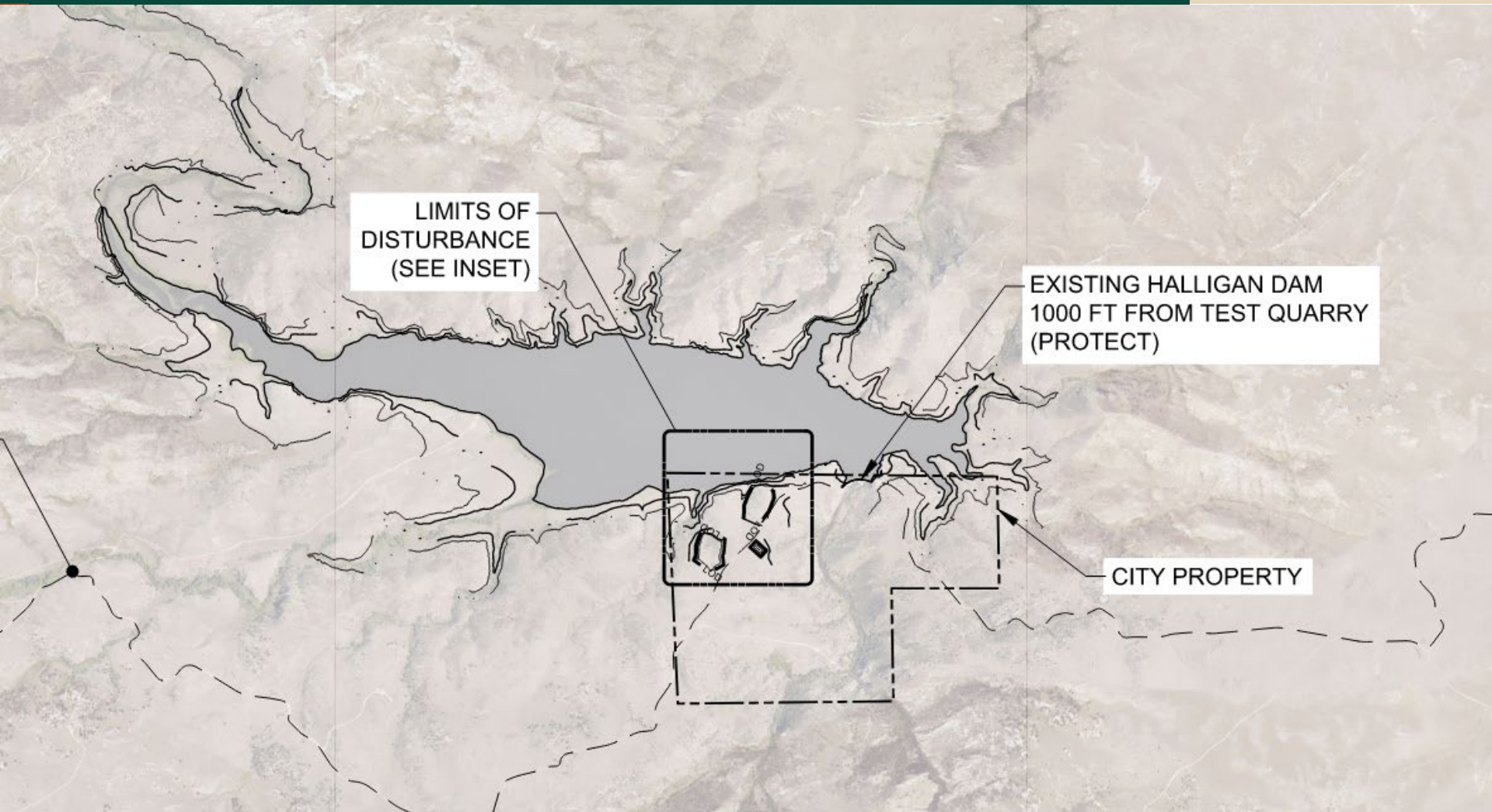
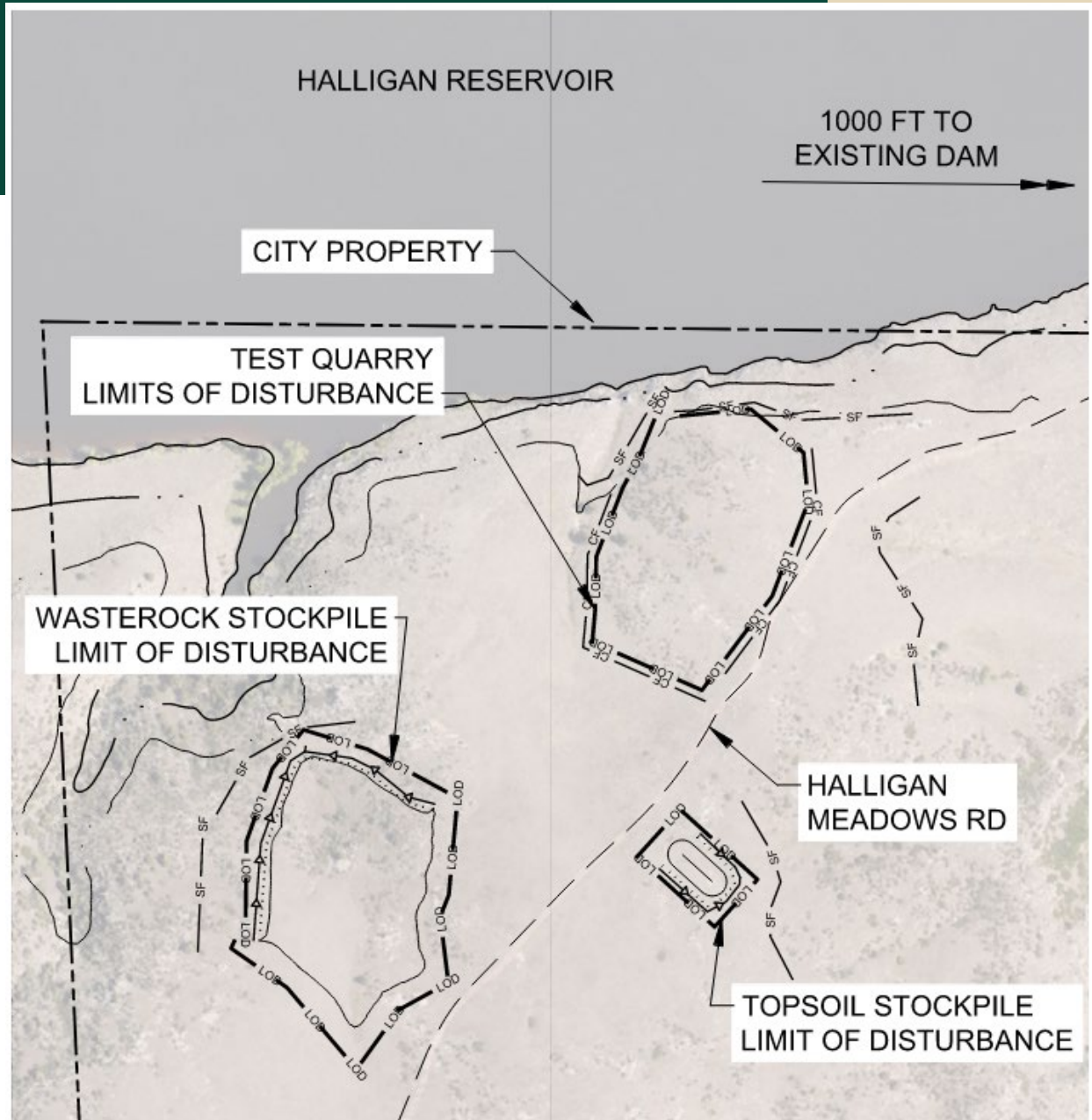


Figure 4-49. Fort Collins' Proposed Action effects to wetlands, other waters, and riparian resources.

Test Quarry



Test Quarry



10.1.2. SPECIFIC PURPOSES AND INTENT OF 1041 REGULATIONS

- A. To implement the vision and policies of the Larimer County Comprehensive Plan;
- B. To ensure that growth and development in Larimer County occur in a safe, efficient, planned and coordinated manner;
- C. To promote the health, safety, and general welfare of the people and environment of Larimer County;
- D. To protect the beauty of the landscape and natural scenic characteristics, conserve natural and cultural resources including the preservation of historical assets and resources, protect and enhance wildlife habitat, air and water quality, and reduce greenhouse gas emissions and enhance adaptation to climate change;
- E. To promote safe, efficient, and economic use of public resources in developing and providing needed community and area-wide infrastructure, facilities, and services;
- F. To protect property owners and current and future residents by reviewing and regulating development in potentially hazardous areas;

10.1.2. SPECIFIC PURPOSES AND INTENT OF 1041 REGULATIONS

- G. To ensure that new development will pay for itself to the maximum extent practicable, and to ensure that present residents of Larimer County will not have to subsidize new development through increased cost of public services, and/or degradation of the quality of life;
- H. To plan for and regulate the construction, expansion, and operation of matters of state interest to facilitate the planned and orderly use of land in accordance with their character and adaptability and as recommended by the Larimer County Comprehensive Plan;
- I. To regulate the use of land on the basis of the financial and environmental impact thereof on the community or surrounding areas within the development area and source development area;
- J. To ensure Larimer County participation in the regulation of development projects that pass through and impact County residents, neighborhoods, and resources; and
- K. To review and regulate development in a manner consistent with legitimate environmental concerns.



PLANNING COMMISSION HEARING

February 19, 2025

Halligan Water Supply Project 1041
Permit, File No. 24-ZONE3697,
Applicant Presentation



1041 Presentation

HALLIGAN WATER SUPPLY PROJECT

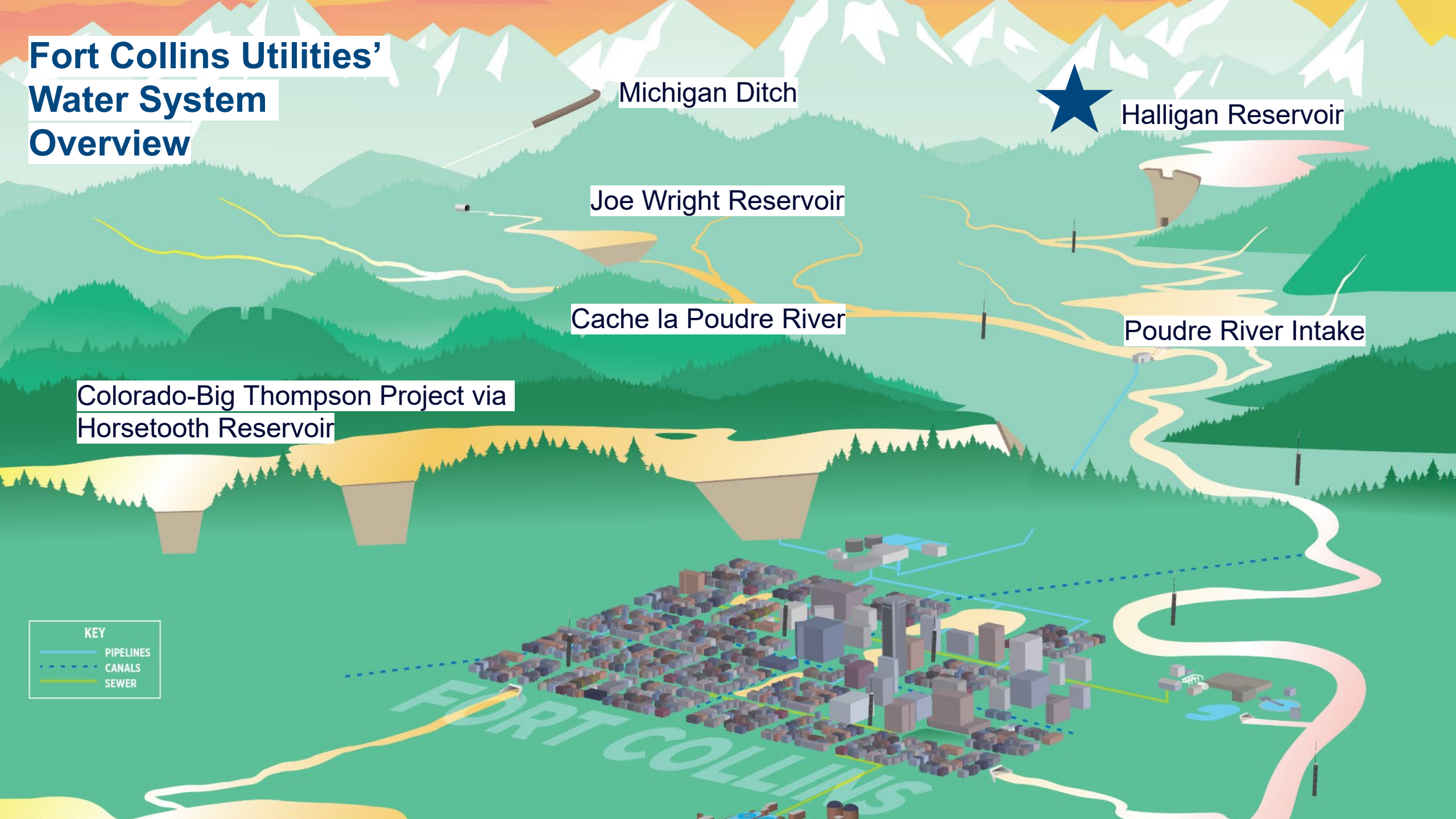
Nicole Poncelet-Johnson

One Water Executive Director
City of Fort Collins

Darren Parkin

Halligan Project Manager
City of Fort Collins

Fort Collins Utilities' Water System Overview



Project Purpose



- **Provide water** to current and future Fort Collins Utilities customers.
- **Increase reliability and resiliency** of our water supply, especially in times of prolonged drought and climate change uncertainties.
- **Gain storage** to capture the water rights we own.
- **Avoid safety risk and rehabilitation costs** of the existing dam.

Overall Benefits



Provides a safe, reliable water supply.



Uses existing reservoir instead of building a new one.



Most cost-effective option to meet needs.



Replaces an aging dam.



Gravity-fed and environmentally responsible.



Year-round flows on the North Fork leading to aquatic habitat improvements.

Foresight and Long-Term Vision

- Process to enlarge the reservoir goes back decades.
- In the 1980s, the City acquired property around the reservoir. North Poudre Irrigation Company operates it and uses it for seasonal irrigation water storage.
- In 2006, federal permitting began to enlarge the reservoir.
- In 2023, the U.S. Army Corps of Engineers issued the Final Environmental Impact Statement.



Project Description



Existing Dam



Rendering of Replacement Dam



253 to 391 surface acres inundated



Permitting, Design and Construction Timeline



Impacts, Mitigation and Benefits



Impact

Threatened and Endangered Species (Preble's Meadow Jumping Mouse)

Other wildlife

Wetlands

North Fork flow regime

Mitigation

- Compensatory mitigation
- Habitat restoration
- Impact avoidance

- Migratory bird/raptor surveys
- Botanical and bat surveys
- Bighorn Sheep collaring study

- Stream restoration
- Wetland bank
- Reservoir wetland reestablishment

- Winter Release Plan: 3 cubic feet per second (cfs)
- Summer Low Flow Plan: 5 cfs
- Ramping rate limitations
- Sediment management
- Stream restoration

Benefit

- Dedicated Preble's habitat on the Roberts Ranch Conservation Area

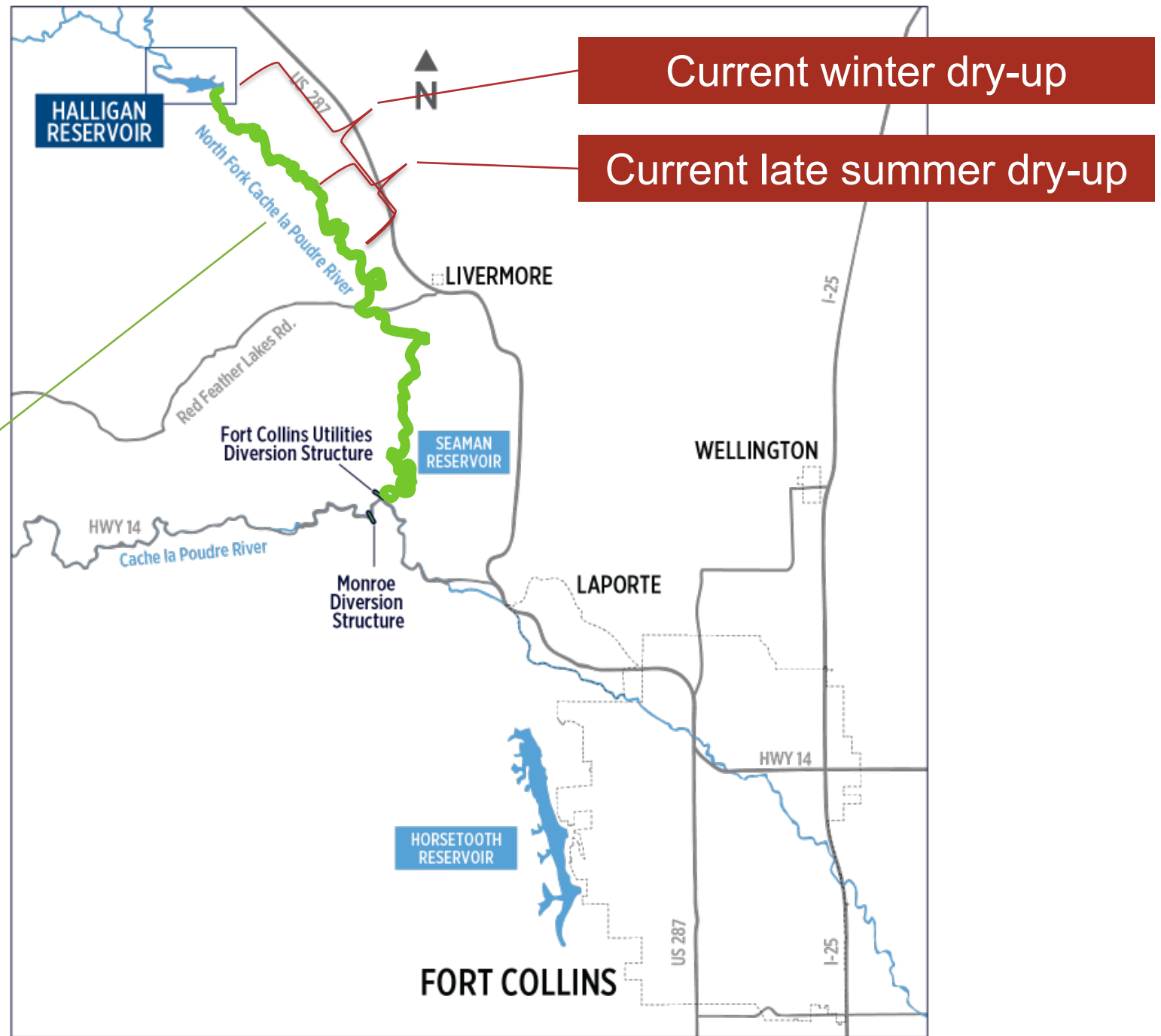
- Minimized impact on other species
- Adaptive Management Plan

- Dedicated wetland mitigation on the North Fork mitigation bank

- Dedicated water flows to the North Fork to ensure no "dry up" condition

River Enhancement

Most months, operations would increase flows and decrease water temperature.





Zero-Flow River Conditions



Proposed River Conditions (5 CFS)

- Several measures will be included in the project to avoid, minimize, and improve impacts on stream functions
- These provide flow-related benefits to about 22 miles of the North Fork of the Poudre River
- Attempt to protect releases using the Protected Mitigation Releases statute

