



Land Use

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BOULDER COUNTY PLANNING COMMISSION AGENDA ITEM #4

May 15, 2013 – 3:00 PM

**Hearing Room, Third Floor
Boulder County Courthouse**

Docket BCCP-08-003: BOULDER COUNTY COMPREHENSIVE PLAN UPDATE: Environmental Resources Element revision Update

Planning Commission review and action on the draft Environmental Resources Element update, including revisions prepared by staff pursuant to the April 4, 2013 Planning Commission hearing

Action Requested: Approval - Public Testimony Will Be Taken

Staff Planners: Pete Fogg and Bill Davidson – Land Use; Justin Atherton-Wood – Parks and Open Space)

Introduction and Summary

The Land Use Department has initiated a wide-ranging, cover-to-cover update of the Boulder County Comprehensive Plan (the Comprehensive Plan or BCCP). The current phase of the update is to reexamine the applicability, effectiveness and clarity of all the existing BCCP Elements' policies in providing guidance to decision makers, staff, other stakeholders, and county residents about the County's intentions as expressed through the Plan. The subsequent phase will be to consider topics where the current Plan is silent or deficient in its guidance and which may consequently merit addition to the BCCP as new Elements or new policies to existing Elements.

The attached draft of an updated Environmental Resources Element (ER Element, or ERE), has been revised to reflect Planning Commission and public input received at the initial April 4, 2013 public hearing on this docket. Staff also met with Mark Williams, Rachel Arndt and Iris Sherman of the county Public Health Department on May 3rd to review the draft text and solicit their comments since the current effective 1995 Environmental Resources Element makes direct reference to the county "Health Department" in Policies ER. 3.02, 3.03 and 3.05 under the subheading **Air, Water and Noise Pollution**.

New text and text revisions in this draft are shown in **orange Calibri font**. Text deletions are shown as strikeouts. All text changes are accompanied with footnotes to identify the source of the revision.

In addition, page 10 of the draft is an example of how staff proposes to identify the various plans, programs and other management techniques that may be employed to implement ERE

policies rather than encumbering the policies themselves with partial and inevitably incomplete lists of them. Our intention in this as well as in other Element updates is to keep the officially adopted goals and policies as concise and meaningful as possible, while providing readers and users of the BCCP with appendices and links to other sources of information about the methods and programs available for translating them into action. We believe it makes sense to keep them separated so that tools can be developed and refined over time without having to process amendments to the BCCP when changes are made to them.

Attachment B is an excerpt from the April 4, 2013 Planning Commission packet and has been included for those who are unfamiliar with or wish to refresh their understanding of this phase of the BCCP update process.

Staff is requesting that the Planning Commission APPROVE Docket BCCP-08-003: BOULDER COUNTY COMPREHENSIVE PLAN UPDATE: Environmental Resources Element revision Update.

Proposed Revisions to the Draft ERE

A number of requests and suggestions for revisions were presented to the staff by Planning Commission and the public on April 4th. They included:

- Editing some of the lengthier goals to make them more succinct (e.g. B.2 and B.3)
- Providing some policy action statement in response to Goal B.3's identification of climate change having a significant impact on our environmental resources
- Striking the reference to "Environmental Impact Report" in General Policy ER 1.01, as that degree of specificity is better left to regulations and/or the Land Use Code
- Reviewing Policies ER 2.01 – 2.03 under **Air, Soil, Water, Noise and Light Policies** with the county Public Health Department to evaluate their accuracy
- Clarifying the hierarchy and scale of the different habitats and resources referred to in the **Overview** section
- Removing "state" but keep "law" in ER 2.01
- Considering additional language to establish and recognize the natural rights of species and naturally occurring ecosystems
- Considering referencing the county's Oil and Gas amendments to the BCCP Geology Element

The following is summary of the text changes staff has prepared for your consideration:

OVERVIEW

- Language has been added to the first two paragraphs to further describe the characteristics and differences between species of concern and the BCCP environmental resources designations used both in the text and maps.
- A description of "wetlands" has been added on page 3.
- A summary of the significance of the Environmental Resources Element as a cornerstone Element of the BCCP and to the values of Boulder County has been added on page 4. This paragraph incorporates some of the language found in in

several natural rights ordinances and statements found across the country, but is included to describe the county's past and continued intentions and actions rather than to establish natural rights as a matter of law.

GOALS

- B.2 has been condensed to one succinct sentence. The partial list of “encouraged” management strategies has been removed and included on page 10 – **Potential Tools and Implementation Strategies**.
- B.3 has been revised to more appropriate goal language that provides direction for a new climate change policy statement located on page 7 as ER 1.08.
- B.4 has been strengthened with three word changes/additions.
- B.7 has been strengthened with two word changes/additions.
- B.8 has added language to recognize both the site-specific and landscape-scale application of the policy.

GENERAL POLICIES

- ER 1.01 has been revised with the removal of “Environmental Impact Report” so that the scale and content of possible additional impacts information requirements is more discrete to the land use proposal being reviewed.
- ER 1.05 has been revised to more appropriate goal language through elimination of the second sentence. The “tools” referenced in that sentence are included on page 10.
- ER 1.08 is a new policy addressing climate change.

Air, Soil, Water Noise and Light Policies

- ER 2.01 and 2.02 have been revised for accuracy based on a conversation with county Public Health Department staff regarding their responsibilities and authority as an arm of the Colorado Department of Public Health and Environment.
- ER 2.03 revised to reflect input from the county Public Health Department's experience and recommendations.

Other Requests and Suggestions from April 4th

Staff has considered and discussed the requests from members of the public to include 1) language establishing natural rights for species and ecosystems; and 2) language or policies addressing the impacts of oil and gas operations on natural resources. We have elected not to recommend incorporating these requests into the draft ERE.

Natural Rights In our view and in the opinion of the county Attorney's Office, establishing natural rights for species and ecosystems as a matter of law goes well beyond the purpose and authority of a county comprehensive plan. There is no hierarchy of enabling law transferring such authority down to the local or county level. Furthermore, taking independent action to do so sets a precedent for the county having to entertain and act upon other similar “rights” requests from other individuals or interests regardless of the subject or basis for the request.

Oil and Gas As has been previously discussed before Planning Commission as well as the Parks and Open Space Advisory Committee, the county has taken significant action to address the host of issues and impacts, including those related to environmental resources protection, associated with oil and gas development activities. The Geology Element of the

BCCP has been amended with a new section of goals and policies directed specifically at oil and gas operations as has the Boulder County Land Use Code with the inclusion of a new Article 12 – Oil and Gas Development. The goals and policies of the draft Environmental Resources Element address the need and requirement to protect and preserve the county’s varied environmental resources from development impacts in general, regardless of the source or type of development being proposed. Staff believes this approach is appropriate for the form and contextual scope of the BCCP and, along with the new Geology Element and Land Use Code Article 12, provide sufficient policy guidance and regulatory coverage for oil and gas activities under the current statutory situation in Colorado.

Recommendation

Staff recommends that Planning Commission that the Planning Commission APPROVE Docket BCCP-08-003: BOULDER COUNTY COMPREHENSIVE PLAN UPDATE: Environmental Resources Element Revision Update.

ATTACHMENTS

- A: Environmental Resources Element Draft 5/7/2013**
- B: Overview of the BCCP Update Process and Environmental Resources Element**



Boulder County Comprehensive Plan

ATTACHMENT A

Environmental Resources Element

Draft 5/7/2013

Overview

As described in the goals and policies of the Environmental Resources Element that follow, Boulder County values and strives to preserve, conserve and restore the unique and distinctive natural features, ecosystems and landscapes of the county using sound resource management principles and practices at both a site-specific level and on a broader, landscape scale. ~~To that end,~~ **Boulder County's important environmental resources include naturally occurring ecosystems and their native species populations. [POSAC Feb 28 2013] Species of Special Concern are an** integral component of this management approach; ~~and the list of Species of Special Concern~~ consists of the ~~specific~~ locally threatened or endangered flora and fauna that the county seeks to protect. **Habitat for these Species of Special Concern is particularly vital, since it often presents our best chance to protect native species. [POSAC Feb 28 2013]**

In addition to identifying Species of Special Concern, this Element designates areas of important habitat at a more site-specific scale. These are Critical Wildlife Habitats, Rare Plant Areas, Wetlands and Riparian Areas, and Significant Natural Communities (formerly referred to as Critical Plant Associations). At the landscape-scale, the designations of High Biodiversity Areas and Environmental Conservation Areas seek to preserve broader ecological processes and functions.¹ Natural Areas and Natural Landmarks designations are intended to encompass and protect unique and distinctive natural features and landscapes in the county. ~~In addition,~~ The fundamental and essential sustaining resources of air, soil, and water are also considered and addressed. ~~in the goals and policies of this Element.~~

¹ Per discussion at PC Study Session, 4/4/13; clarification about the scale at which designations are designed to guide resource protection and land-use decision making





While this Element calls specific attention to the aforementioned designations, it also recognizes that these are not the only environmental resources of significance and importance that should be considered in land use decisions and cared for through management practices. With this in mind, Boulder County's overarching intention is to maintain the overall health and integrity of our rich and diverse environment to the greatest extent possible as our knowledge and understanding of environmental functions and interconnections evolves.

To provide some context for the goals and policies, a brief explanation of the environmental resources designations and of their importance to the ecosystems of Boulder County follows. For the most part, these designations are those that already are utilized by reference in the Boulder County Land Use Code. Designations added or amended in updates to this Element are also to be protected through administration of the Land Use Code.

Per policy ER 1.02, the criteria used to determine these designations are periodically reviewed and updated resulting in both an updated list of Species of Special Concern and updated maps of the Environmental Resources Element. **Descriptions of these designations follow.**

Environmental Conservation Areas

Environmental Conservation Areas (ECAs) encompass the largest remaining relatively natural or restorable forests, shrublands, grasslands, and agricultural landscapes in Boulder County. Even with the current of amount of relatively undeveloped public land in the county, and the conservation and preservation efforts of public land managers on these lands, broad shifts in animal and plant communities are occurring as a result of development, habitat degradation, climate change, and the exclusion or disruption of natural processes. ECAs are a planning tool developed by the County for analyzing land use and land management decisions in the context of the cumulative effects of development, roads, trails and increased human presence at a landscape-scale on these large and complex ecologies. This type of tool is encouraged by the fields of landscape ecology and conservation biology as a strategy for maintaining the wide-ranging animal species, native plant communities, and natural ecological processes that operate at this scale.

ECAs are a framework for ecosystem management that identifies and designates the richest ecological sites and delineates corridors of connectivity between them regardless of ownership. 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 disturbed by human presence; encourage the return of species lost from the county; prevent additional habitat fragmentation; and limit increases in invasive non-native species in these ecologically-significant areas. Such planning and decision-making processes may include resource management plans, the location and extent of new development, future land and easement purchases for open space purposes, and the location of trails and other public facilities.

High Biodiversity Areas



High Biodiversity Areas (HBAs) are locales that have a concentration of rare environmental resources. If managed well, they represent the greatest opportunities for preserving specific aspects of Boulder County's natural heritage. The boundaries of HBAs encompass those lands that provide the habitat and ecological processes upon which the resources depend for their continued existence. These areas have been identified and ranked -- by the CSU Natural Heritage Program -- as having *outstanding significance* (B1), *very high significance* (B2), or *high significance* (B3). [Note: this is a new designation being created by this Update].

Natural Landmarks

Natural Landmarks are prominent landscape features that distinguish a specific locality in Boulder County. They are important for the views they afford, their value as scenic vistas and backdrops, and the intrinsic value they hold as wildlife or plant habitats, natural areas, park and open space preserves, and open land areas. However, the single criterion for designation shall be its visual and scenic prominence as a landscape feature. They provide a record of Boulder County's natural heritage.

State and County Natural Areas

State and County Natural Areas are physical or biological areas that are unique and important to the natural heritage of the state and/or the county. Each area either retains or has reestablished its natural character, although it need not be completely undisturbed. It typifies native vegetation and associated biological and geological features and provides habitat for rare or endangered animal or plant species or includes geologic or other natural features of scientific or educational value. State Natural Areas are designated as such by the Colorado Natural Areas Program.

Significant Natural Communities

Significant Natural Communities are areas that are recognized by the presence of a critical plant association that is limited in its distribution and occurrence. These areas have multiple important environmental resources that co-occur and interact. These areas have species and processes that are relatively undisturbed by human actions and currently exist in their natural state. These areas are also referred to as Critical Plant Associations in the Boulder County Land Use Regulations.

Critical Wildlife Habitats

Critical Wildlife Habitats are the unique habitats which have a crucial role in sustaining populations of native wildlife and in perpetuating and encouraging a diversity of native species in the county.

Wetlands and Riparian Areas

Wetlands and Riparian Areas have unique and critical functions in the ecosystem. **Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at**



or near the surface or the land is covered by shallow water². Wetlands have high biodiversity, are relatively rare, provide unique wildlife habitat, filter water, and buffer floods. Riparian Areas are a unique combination of terrestrial plant communities and aquatic systems associated with flowing water that provide unique habitat and important movement corridors for wildlife.

Rare Plant Areas

Rare Plant Areas are sites that are known to have a high likelihood of having occurrences of Plant Species of Special Concern.

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 or restricted to distinct local habitat types, or native species which have ceased to exist within Boulder County.

To summarize, restoring, protecting and preserving our natural environment and all of its interdependent components upon which all things depend have been core values and objectives of Boulder County since the adoption of the first county-wide comprehensive plan in 1978. Numerous initiatives, plans and programs have been diligently pursued and implemented in this quest, and have benefited from the involvement of many stakeholders and interested parties in both the public and private sectors. The Environmental Resources Element is both a compass and a tool for use in sustaining and advancing these efforts.³

Goals of the Environmental Resources Element

*(Note: These goals represent an update to the Environmental Management Goals found on **Goals -Page 2** of the existing Comp Plan and not in the existing Environmental Resources Element.)*

B.1 Boulder County's environmental resources, including its unique or distinctive natural features and ecosystems, shall be conserved and preserved through protection and restoration in recognition of the irreplaceable character of such resources and their importance to the quality of life in Boulder County.

B.2 Boulder County seeks to ~~promote~~ **enhance⁴ the viability and integrity of all naturally occurring ecosystems and their native species populations [POSAC Feb 28 2013]** ~~and to manage its environmental resources~~ **by applying a variety of environmental resources management strategies** in a manner that is consistent with current ecological principles and sustainable

² Adding a more specific definition for wetlands.

³ Reiteration of ERE as core component of land use vision for Boulder County as a means for protecting and preserving our natural environment

⁴ Strengthens language



conservation practices. ~~To that end, in considering land use decisions and in managing these unique resources, Boulder County shall encourage the following: minimizing human impacts, allowing natural processes to occur, reintroducing disturbances (e.g., such as fire and grazing), maintaining or reintroducing native species, restoring degraded resources, eliminating undesirable non-native species, and developing long-term ecological monitoring programs.~~⁵

B.3 Boulder County recognizes that climate change is having significant impacts on our environmental resources. As the body of climate science knowledge grows and potential effects are better understood, **Boulder County shall seek to incorporate the best science into planning and decision-making to adapt to and offset those impacts.** ~~Boulder County shall modify plans, policies and regulations to adapt to environmental changes and to reduce potential adverse impacts on environmental resources from climate change.~~⁶

B.4 Boulder County shall seek to ~~conserve~~ **protect** air, water and soil **resources and quality**⁷. Boulder County shall pursue restoration of such resources that are in a degraded condition to enhance the environmental health of the county. Pollution of air, water, and soil, and pollution caused by noise or light, shall be eliminated or minimized to the greatest extent possible in order to prevent potential harm to life, health and property, and to reduce incremental degradation of the overall environment.

B.5 Boulder County shall seek to protect prominent natural landmarks and other unique scenic, visual and aesthetic resources in the county.

B.6 Boulder County shall conserve and preserve Environmental Conservation Areas (ECAs) in order to perpetuate native species, biological communities, and ecological processes that function over large geographic areas and require a high degree of connectivity to thrive.

B.7 Boulder County shall ~~seek~~ **work** to sustain **and protect**⁸ natural ecosystems and to maintain and enhance the biodiversity of the region by designating and protecting environmental resources through preservation, conservation, and restoration. These designations include High Biodiversity Areas, Natural Areas, Natural Landmarks, Significant Natural Communities, Critical Wildlife Habitats, Species of Special Concern, Wetlands, Riparian Areas, Rare Plant Areas, as well as other resources and designations that may be identified in the future. These protections shall also provide a baseline of ecological processes and functions for monitoring long-term ecological change.

B.8 In addition to regulatory authority, Boulder County shall pursue protection of environmental resources **both at the site-specific scale and with a more regional-scale,**

⁵ Move to "Potential Tools and Implementation Strategies" section

⁶ Goal revised; split into the above goal and Policy ER 1.08

⁷ Per discussion at PC Study Session, 4/4/13; revised language

⁸ Strengthens language around sustaining and protecting environmental resources



ecosystem approach⁹ through a variety of means such as partnerships with private landowners, non-governmental organizations, and other governmental agencies; education and outreach; advocacy at the state and federal level; and other programs consistent with the goals and policies of the Comprehensive Plan.

Environmental Resource Policies

Introduction

The general policies below (ER 1.01 to ER 1.06) pertain to all environmental resources. Additional policies follow the general policies that expand on and are unique and specific to Air, Water, Soil and Noise (ER 2.01 to ER 2.03), Environmental Conservation Areas (3.01 to 3.05), and Natural Areas and Natural Landmarks (ER 4.01 to ER 4.04).

General Policies for Environmental Resources

The following policies apply to all environmental resources in Boulder County

ER 1.01

Boulder County plans and attendant regulations shall be formulated to insure that land uses avoid where possible and otherwise minimize the destruction or adverse modification of environmental resources. Land use proposals shall be evaluated on a case-by-case basis for their potential impacts to environmental resources identified in the BCCP as well as those resources that may be identified on the site and in the vicinity of the proposal during a county development review process. The applicant may be required to complete ~~an Environmental Impact Report or~~¹⁰ other studies, inventories, or reports that addresses the proposal's potential impacts on environmental resources and includes recommendations for mitigation of those impacts.

ER 1.02 Boulder County shall continue to identify and designate environmental resources that have significance to Boulder County. Such designations, and attendant maps, will be based on criteria that use science, collaboration with experts, and on-the-ground verification to the extent practicable. Boulder County may periodically reevaluate such criteria and designations. ~~[Note: designation criteria, species lists, and maps that are already adopted in the Comprehensive Plan are being updated currently by staff as a subsequent task for future review. It is anticipated that these will be integrated into the BCCP as appendices].~~¹¹

⁹ Per discussion at PC Study Session, 4/4/13; this statement from ER 1.05 is moved into this goal to be applied more broadly across the Element

¹⁰ Per discussion at PC Study Session, 4/4/13

¹¹ Not necessary to state this in the policies; convey in memo



ER 1.03 Areas that are considered as valuable scenic vistas shall be preserved as much as possible in their natural state.

ER 1.04 Boulder County shall work with federal, state, municipalities and other public or quasi-public entities that have a jurisdictional or property interest in unincorporated lands within or surrounding any designated environmental resources to achieve the protection of these resources.

ER 1.05 Boulder County shall work in partnership with private land owners and non-governmental organizations to protect, conserve, and restore designated environmental resources **using a variety of tools**. ~~The tools used for these purposes may include, but are not limited to, density transfers, conservation easements, restrictions on properties as part of development review, or purchase by public entities.~~¹² ~~Wherever appropriate, these measures shall incorporate a regional or interconnected approach to protection of the designated environmental resources.~~¹³

ER 1.06 Boulder County shall use its open space program as one means of achieving its goals for protecting the designated environmental resources.

ER 1.07 All private landowners are encouraged to seek assistance from appropriate governmental and non-governmental entities to protect Boulder County's designated environmental resources.

ER 1.08 Boulder County shall modify plans, policies and regulations as necessary to adapt to climate change in order to reduce species and ecosystem vulnerability and other potential adverse impacts on environmental resources. These measures will guide environmental resource management implementation aimed at protecting biodiversity and ecological resiliency.¹⁴

Air, Soil, Water, Noise and Light Policies

In addition to the general policies above, the following policies also apply specifically to air, soil, water, noise and light.

ER 2.01 Boulder County shall **seek to protect overall public and environmental health by enforcing regulations concerning** ~~enact local~~ air, soil, water, noise and light pollution laws or regulations at the local level pursuant to and in accordance with **applicable law.**¹⁵ ~~State law to~~

¹² Move to "Potential Tools and Implementation Strategies" section

¹³ See Goal B.8

¹⁴ Per discussion at PC Study Session, 4/4/13; this statement provides a policy direction that supports Goal B.3

¹⁵ Per discussion at PC Study Session, 4/4/13; restates specific reference to State law more appropriately and incorporates input from Boulder County Public Health



~~attain and exceed environmental health standards and protection of the overall environmental health of the county.~~

ER 2.02 Boulder County shall evaluate land use proposals and other planned activities considering their cumulative impacts on **public and** environmental health. Sufficient mitigation and minimization of any impacts shall be required for the proposal or activity to be approved. These proposals and activities shall at a minimum comply with air, soil, and water quality standards, as well as noise level and lighting standards, established by county and state agencies or the Boulder County Land Use Code.

ER 2.03 Boulder County shall take a ~~water basin~~ **watershed** approach to **addressing water quality and water quantity** ~~maintaining water quality.~~ Boulder County **supports utilizing local and regional partnerships to address watershed issues.** ~~encourages the formation of management subcommittees for every county water basin.~~ County departments shall participate in these ~~committees~~ **partnerships** as appropriate. ¹⁶

Environmental Conservation Areas Policies

In addition to the general policies above, the following policies apply specifically to Environmental Conservation Areas.

ER 3.01 Boulder County shall designate and map Environmental Conservation Areas as well as Overland and Stream Habitat (Riparian) Corridors at a landscape scale. [Note: the designation criteria and map that are already adopted in the Comprehensive Plan are being updated currently by staff as a subsequent task for future review. It is anticipated that these will be integrated into the BCCP as appendices].

ER 3.02 Boulder County shall encourage the removal of development rights from ECAs through transfer, donation, acquisition or trade.

ER 3.03 Development within ECAs shall be located and designed to minimize the cumulative impacts on the environmental resource values of ECAs.

ER 3.04 Development outside of ECAs shall be located and designed to minimize impacts on ECAs and connectivity between ECAs.

ER 3.05 Boulder County shall encourage and participate with the appropriate public entities and private land owners in the development of coordinated management plans to conserve, preserve and restore the environmental resource values of ECAs.

¹⁶ Incorporates input from Boulder County Public Health



Natural Landmarks and Natural Areas Policies

In addition to the general policies above, the following policies apply specifically to Natural Landmarks and Natural Areas.

ER 4.01 Natural Landmarks and Natural Areas identified in the Environmental Resources Element and as may be identified from time to time by the state under the Colorado Natural Areas Act, shall be protected from destruction or harmful alteration. [Note: designation criteria and maps that are already adopted in the Comprehensive Plan are being updated currently by staff as a subsequent task for future review. It is anticipated that these will be integrated into the Comp Plan as appendices].

ER 4.02 Boulder County shall submit any County Natural Area that may be of state-wide importance to the Colorado Natural Areas Program for designation as a State Natural Area.

ER 4.03 Boulder County shall coordinate with local, state, and federal agencies and municipalities, as well as with willing private landowners, to protect natural resource values within Natural Landmarks and Natural Areas. This may include: identification of specific resources of concern including scenic values; recommendations for long-term management; mitigation of existing or foreseen impacts; or protection through acquisition of land interest.



Potential Tools and Implementation Strategies

This is a list of tools and other implementation strategies identified during the formulation of the Update. These are concepts that are either contained in the existing Element that remain relevant or have been identified during the course of developing the Update.

Per ER 1.05, strategies that could be used to work in partnership with private land owners and non-governmental organizations to protect, conserve, and restore designated environmental resources:

- density transfers
- conservation easements
- restrictions on properties as part of development review
- purchase by public entities

Consistent with Goal B.2, Boulder County may encourage environmental resources management strategies identified below through its land use decision-making process, management planning, and various other programmatic activities:

- minimizing human impacts
- allowing natural processes to occur
- reintroducing disturbances (e.g., such as fire and grazing)
- maintaining or reintroducing native species
- restoring degraded resources
- eliminating undesirable non-native species
- developing long-term ecological monitoring programs

ATTACHMENT B

Overview of the BCCP Update Process and Environmental Resources Element (excerpted from staff memo to Planning Commission April 4, 2013)

The update of the goals and policies of the Environmental Resources Element (ERE) is part of the effort to do a cover-to-cover revision and update to the Boulder County Comprehensive Plan, which is now 35 years old. Until now, the Plan has been subjected only to *ad hoc* or incremental changes limited both in context and focus without the benefit of looking at the document as an interconnected body of work. In this phase of the update, staff is proposing changes to the currently existing Elements. The focus of these changes is not a reconsideration of the fundamental direction or content of the goals and policies as they exist in the BCCP or contemporary County initiatives and plans. Rather, the purpose of this phase is to review existing goals and policies in the Element and identify those that are:

- Out of date
- No longer applicable
- Redundant or conflicting with other policies
- Unclear as to their meaning
- Programmatic rather than policy¹

In accordance with achieving these purposes, the draft update retains and sustains the core goals of the Plan while making it more reader friendly, concise, contemporary, and consistent throughout its Elements.

Parks and Open Space staff has also begun an in-depth effort of updating the map component of the BCCP for the resources included in the Environmental Resources Element. These maps are the *Natural Communities, Rare Plants, Riparian Corridors, and Critical Wildlife Habitats* map and the *Environmental Conservation Areas, Natural Landmarks & Natural Areas* map. Staff is also proposing to include a map of High Biodiversity Areas (HBAs) identified by the Colorado Natural Heritage Program for Boulder County in 2007-2008. HBAs are described in the **Overview** section of the draft Update. Drafts of these maps and their related designation criteria will be completed later this year. At that time, they will go through a public review process, including review by POSAC. Once approved, it is anticipated that the entire updated ERE will then be adopted into the BCCP.

Environmental Resources Element Update

The ER Element is broken down into four parts: narrative, goals, policies, and maps. The goals in the attached draft represent an update to those that appear in the Goals Section of the existing BCCP under the section heading of “Environmental Management.” In the draft, staff has

¹ Those policies that have been translated and incorporated into various departmental work plans as a regular part of their operations and functions.

proposed to retitle this section as “Environmental Resources.” Staff has reworked these goals in particular to ensure that they provide a foundation for each of the policy statements and to remove references to resources that are now covered in other Elements (Agricultural Lands and Cultural Resources).

The Environmental Resources Element addresses issues relevant to the unincorporated areas of the county where resource preservation and rural character are primary considerations. As the first revised proposed goal of the ER Element states:

“Boulder County’s environmental resources, including its unique or distinctive natural features and ecosystems shall be conserved and preserved through protection and restoration in recognition of the irreplaceable character of such resources and their importance to the quality of life in Boulder County.”

Subsequent goals and policies build from this initial statement, which frames the intent for goals and policies.

Resource-specific information such as designation criteria and lists of resources will be moved into the set of support materials that are currently being developed by staff. Parks and Open Space staff is also taking a comprehensive and detailed look at the criteria for designating critical Environmental Resources such as Species of Special Concern (both flora and fauna) and generating maps to support the policies of the Element. The new maps will update the information for Environmental Conservation Areas, Natural Landmarks and Natural Areas map and the Natural Communities, Rare Plants, Riparian Corridors, and Critical Wildlife Habitats map that were adopted in the BCCP in 1995, as well as making the addition of the High Biodiversity Areas. Much of this work will be placed in appendices to the BCCP.