



Community Planning & Permitting

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July 12, 2024

City of Boulder c/o Nuria Rivera-Vandermyde
1777 Broadway
Boulder, CO 80301

City of Boulder c/o Lauren Kolb
2520 55th Street
Boulder, CO 80301

Dear Applicants:

This letter certifies that a hearing of the Board of County Commissioners, County of Boulder, State of Colorado, was duly called and held on Tuesday, June 9, 2024 in consideration of the following request:

Docket LU-24-0005: City of Boulder Wood Chip Berm

Limited Impact Special Use to permit grading in excess of 500 cubic yards to construct a 1,469 cubic yard wood chip berm for management of the prairie dog population that would mitigate their expansion from unirrigated agricultural land to adjacent irrigated agricultural land on an approximately 174-acre parcel that is owned and leased by the City of Boulder. The application is submitted by City of Boulder, c/o Nuria Rivera-Vandermyde and Lauren Kolb (applicants). The subject property is in the Agricultural (A) zoning district at 9002 Valmont Road, parcel number 146520000010, located approximately 0.6 miles west of the intersection of North 95th Street and Valmont Road, Section 20, Township 1N, Range 69W.

The Board of County Commissioners has determined that the request is CONDITIONALLY APPROVED, subject to the terms in the attached resolution.

Your approval has included certain conditions that must be met. In addition to these conditions, it is also recommended that the applicant consult with a Boulder County Wildfire Mitigation Specialist regarding any potential mitigation methods they recommend. Please contact the Community Planning & Permitting Department for more information on any necessary requirements.

If you have any additional questions, please feel free to contact me at 303-441-1709 or via email at aknotts@bouldercounty.gov.

Sincerely,

Amber Knotts, Planner I
Planning Division
Community Planning & Permitting Department

RESOLUTION 2024-045

A resolution conditionally approving Boulder County Community Planning & Permitting Docket LU-24-0005: City of Boulder Wood Chip Berm

Recitals

A. Nuria Rivera-Vandermyde, on behalf of the City of Boulder (the “Applicant”), applied to Boulder County for Limited Impact Special Use Review under Article 4-601 of the Boulder County Land Use Code (the “Code”) to permit grading in excess of 500 cubic yards to construct a 1,469-cubic-yard wood chip berm to manage the prairie dog population by mitigating their expansion from unirrigated agricultural land to adjacent irrigated agricultural land on an approximately 174-acre parcel that is owned and leased by the Applicant and is commonly known as the Teller Property.

B. The subject property is located at 9002 Valmont Road, located approximately 0.6 miles west of its intersection with North 95th Street, in Section 20, Township 1 North, Range 69 W, in an Agricultural zoning district in unincorporated Boulder County.

C. The proposed project area begins 0.3 miles southwest of the Teller Farm North Trailhead and is located north of the City of Lafayette and City of Louisville and west of the Town of Erie.

D. The Applicant proposed a multi-method approach to prairie dog mitigation including a wood chip berm, hedgerow, chicken wire fencing, and metal barrier fence to be implemented in two phases.

E. The Applicant proposed to keep and attach chicken wire to an existing fence that runs north to south along the west property line.

F. Along the west fence line, the Applicant proposed a hedgerow spanning 650 feet and consisting of three rows of shrubs and trees planted in 3-foot to 5-foot intervals. The vegetation will consist of native plant species shown on the planting schedule dated March 2024. The Applicant estimates the full installation of the hedgerow will be 2,225 feet in length and will contain 1,335 shrubs and trees, with native grasses seeded as well. Phase 1 (Section B) of the hedgerow will be 650 feet in length, and Phase 2 (Sections C and D) will be 1,575 feet in length as shown on the site plan dated March 2024. Phase 2 will be implemented only after proof of concept for Phase 1.

G. Also referred to as a “windrow” in the application materials, the wood chip berm will be 5 feet in height, placed in front of the hedgerow with a snow fence dividing the two, and will also run north to south along a northern section of the west property line for approximately 650 feet. For the entire length of the wood chip berm, the Applicant estimates that 1,469 cubic yards

of wood chip material will be required and will need to be trucked in. The Applicant anticipates the height of the wood chip berm will mellow over time as the wood chips decompose. The progression of decomposition of the wood chip berm is demonstrated in design details (Sheet L2) dated June 2024. Both the wood chip berm and hedgerow will provide a visual barrier to prairie dog movement, as well as a windbreak, to help reduce soil erosion from the colony.

H. The Applicant also proposed to construct a metal barrier fence along the southern edge of the prairie dog colony that will be 1,070 feet in length. The southern edge of the prairie dog colony is located roughly 1,370 feet from the north property line. As of 2023, the prairie dog colony occupied 29 acres of the subject parcel.

I. The Boulder County Comprehensive Plan identifies a wide variety of resources on the subject parcel:

- Wetlands;
- Riparian Areas;
- Preble’s Meadow Jumping Mouse Habitat – potential restoration, contiguous;
- Rare Plant Areas;
- Agricultural Lands of Statewide Importance; and
- Agricultural Lands of National Importance

J. The above-described request was processed and reviewed as Boulder County Community Planning & Permitting Docket LU-24-0005 (the “Docket”), as further described in the memorandum and written recommendation to the Board of County Commissioners (the “Board”) by Boulder County Community Planning & Permitting Department planning staff dated June 11, 2024, together with its attachments (the “Staff Recommendation”). The Staff Recommendation found that the Docket could meet the criteria for approval with recommended conditions, and therefore, recommended that the Board conditionally approve the Docket.

K. At a public hearing on the Docket held on June 11, 2024 (the “Public Hearing”), as further reflected in the official record of the Public Hearing, the Board considered the Staff Recommendation, as well as documents and testimony presented by County Community Planning & Permitting Department planning staff. The Board also heard testimony from City of Boulder Open Space and Mountain Parks staff Ilene Flax and Lauren Kolb, both on behalf of the Applicant. One member of the public spoke at the Public Hearing.

L. Based on the Public Hearing, the Board finds that the Docket meets the criteria for Limited Impact Special Use approval for non-foundational earthwork as set forth in Article 4-601.A of the Code, subject to the conditions stated below.

M. Therefore, the Docket can be approved, subject to the conditions stated below.

Therefore, the Board resolves:

Docket LU-24-0005 is approved on the basis and terms set forth in this Resolution, above, and subject to the following conditions:

1. The proposed wood chip berm must meet the requirements of the Boulder County Building Safety and Inspection Services Team and adopted County Building Codes, including but not limited to, grading permits, observation reports, and plan review, if applicable.
2. The location of the wood chip berm is approved as proposed in the application materials dated March 2024.
3. At Grading Permit application submittal, the Applicant shall submit to the Community Planning & Permitting Department for review and approval design details for Section A and Section D of the site plan dated March 2024 demonstrating proposed materials and method of installation.
4. At Grading Permit application submittal, a revised site plan demonstrating that the proposed wood chip berm will not alter the historic drainage patterns on the site and to adjacent properties is required.
5. Prior to issuance of Grading Permit, the Applicant shall submit to the Community Planning & Permitting Department for review and approval an amended Revegetation and Erosion Control Plan. This plan must include native grass species to be used, an explanation of how topsoils will be stockpiled, mapped delineation of all disturbance areas (including construction staging areas), locations of erosion control measures around disturbed areas, and matting requirements, if necessary. Silt fencing or other appropriate erosion control must be installed downslope of all areas of disturbance.

Prior to any grading or site disturbance, the silt barrier location and materials must be installed as required per the approved plans.
6. During construction, all vehicles, materials, machinery, and dumpsters must be staged in designated approved areas that are outside of the road travel way and do not conflict with the project work. Construction staging plans must be shown on the site plans for permit approval.
7. During and after construction, the subject parcel should be monitored for noxious weeds for the duration the wood chip berm is in place and appropriate weed control methods should be utilized for any noxious weeds found on the subject parcel.
8. The Applicant shall be subject to the terms, conditions, and commitments of record and in the file for Docket LU-24-0005: City of Boulder Wood Chip Berm.

A motion to approve the Docket was made by Commissioner Marta Loachamin, seconded by Commissioner Claire Levy, and passed by a 3-0 vote.

[Signature Page to Follow]

ADOPTED as a final decision of the Board on this 9th day of July 2024.

The signatures below indicate approval of the text of the Resolution but are not necessarily reflective of the votes taken at the Public Hearing.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**

Ashley Stolzmann

Ashley Stolzmann, Chair

Excused July 9, 2024

Marta Loachamin, Vice Chair

Claire Levy

Claire Levy, Commissioner

ATTEST:

Matthew Ramos

Clerk to the Board