

## **BRIGHT LIGHT AWARD** *Digital Design recognized*

Denver-based Digital Design Group Inc. (DDG) received the U. S. Department of Energy's (DOE) Energy 100 Bright Light award for its participation in the development of an oil and gas risk based data management system (RBDMS). Boulder resident Ben Binder, left, president of Digital Design, accepted the award from David Alleman, environmental program manager with DOE's National Petroleum Technology office in Tulsa, Okla.. The Bright Light



awards honor the DOE's 100 best technical and scientific achievements in the department's 25-year existence. RBDMS was developed by the Ground Water Protection Council in conjunction with state agencies and industry groups like the DDG.

A map showing the University of Colorado South Campus Levee. The levee is a green dashed line that curves from the top right towards the bottom left. To the left of the levee is a yellow area representing the campus, with a black outline of a building complex. To the right of the levee is a blue area representing water, with a blue outline of a creek. A callout box with a black border and white background points to the levee. The text in the callout box is green. The map also shows a road network in black lines and a dashed blue line representing a boundary or path.

**Univeristy of Colorado  
South Campus Levee**

**Viele  
Lake**

**Boulder  
Creek**

# CU's Secret Strategy for the Acquisition of CU South

2. University Counsel advised that while legislative approval for the purchase is required, CU can use an expedited review process, i.e. the "Senate Bill 202 process." That requires CCHE staff, Capital Development Committee, and Joint Budget Committee actions.

3. To date, the CDC and the JBC have been briefed by Linda Pryor and are very supportive. The Executive Director of the CCHE has been briefed and has indicated his willingness to approve the matter and then inform the Commissioners. The President has been attempting to brief the Governor. *by the President*

5. The CCHE meets on April 11 and the purchase will be an information item on the agenda.

11. If the story "leaks" prior to April 10, a statement has been prepared for Chancellor Park. Given that the CDC, JBC, and CCHE has been briefed, key legislative and higher education leadership has already been informed.

## COST/FINANCING POSSIBILITIES

All of the below are estimates. Appraisals will be obtained as necessary.

- The owners are asking \$11M.

February 7, 1996

Dave Packard, Esq.  
Hutchinson, Black & Cook  
1215 Spruce Street  
Boulder, CO 80302

Dear Dave:

At the request of the UCB Real Estate Strategy Committee, I am writing to set forth our proposed parameters of a letter of intent and contract for sale which the Committee is prepared to recommend to the Board of Regents at its February 15 meeting.

The members of the Committee are: Chancellor Park, Vice Chancellor for Administration and Finance James Fletcher, Budget Director Ric Porreca, Assistant to the Vice Chancellor Bill Herbstreit, Vice President for Budget and Finance Glen Stine, Vice President of Administration Stuart Takeuchi, and myself. This group is prepared to recommend and support the acquisition of this parcel and the payment terms as set forth in this correspondence.

We propose the following:

- As soon as possible, but not later than 45 days from the letter of intent, the entire 308-acre parcel shall be re-appraised and together with the water rights and, if appropriate, the existing structures, the appraisal(s) shall indicate an appraised value of a minimum of \$16 million. It will be understood and agreed that the University reserves the right to do its own independent appraisal and sellers agree to provide full and complete cooperation to any appraiser selected by the University to provide an independent appraisal.

Denver Post 10/18/1996

The seller, Flatirons Corp., had the land appraised at \$16.4 million. The university paid \$11 million for the land and Flatirons President Larry Frey saying he would donate the \$5.4 million difference as a tax write-off. Frey bought the property for \$250,000 in 1981. The city recently had the land appraised at a maximum of \$9.2 million.

Porzak Browning & Bushong LLP  
ATTORNEYS · AT · LAW

Glenn E. Porzak  
Michael F. Browning  
Steven J. Bushong

Thomas A. Carr  
Kristin Howse Moseley

P. Fritz Holleman, Of Counsel

929 Pearl Street  
Suite 300  
Boulder, CO 80302  
303 443-6800  
Fax 303 443-6864

August 4, 1999

**CONFIDENTIAL**  
**ATTORNEY-CLIENT**  
**COMMUNICATION**

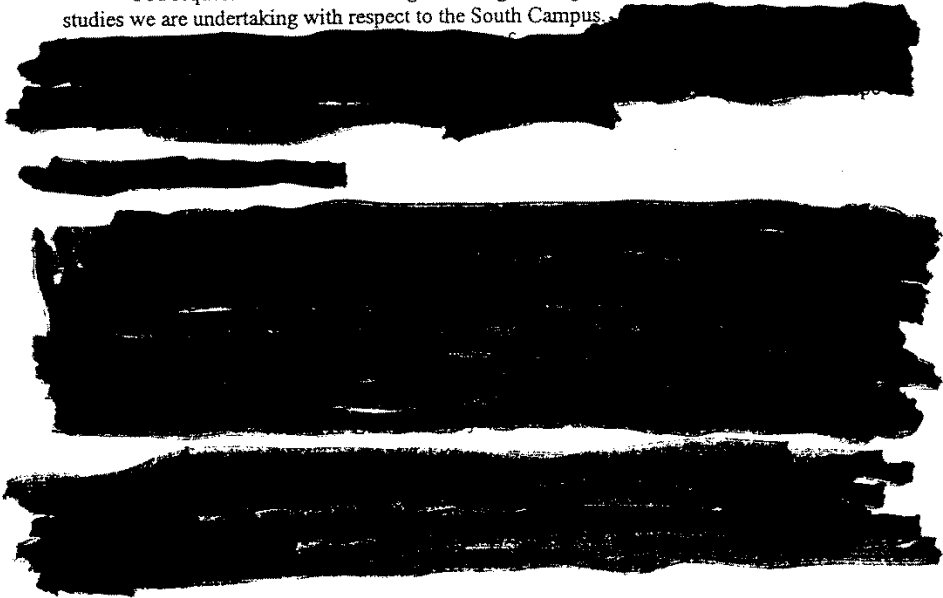
VIA FACSIMILE 303-492-2921 AND U.S. MAIL

Tom Cowing  
Facilities Management Assistance Director  
Department of Facilities  
University of Colorado at Boulder  
Campus Box 53  
Boulder, CO 80309-0317

Re: South Campus Water Studies

Dear Tom:

You requested an estimate of legal and engineering fees in connection with the water studies we are undertaking with respect to the South Campus.



August 4, 2000

Page 2

[REDACTED]

[REDACTED]

In summary, I estimate the legal and engineering fees associate with [REDACTED] as follows:

[REDACTED]

Engineering Fees	\$12,000 to \$16,000
[REDACTED]	\$3,000 to \$5,000
Legal Fees	\$25,000 to \$30,000
Total [REDACTED]	\$40,000 to \$51,000

ADDITIONAL COSTS [REDACTED]

Engineering	\$10,000 to \$15,000
Legal Fees	\$25,000 to \$30,000
Additional for Negotiated Decree	\$35,000 to \$45,000

TOTAL [REDACTED] \$75,000 to \$96,000

Additional costs would be incurred [REDACTED]. It is impossible to meaningful estimate the cost [REDACTED] but it could well be \$100,000 or more, [REDACTED]

[REDACTED]



August 4, 2000  
Page 3

[REDACTED]

[REDACTED]

[REDACTED]

Very truly yours,



Michael F. Browning

[REDACTED]

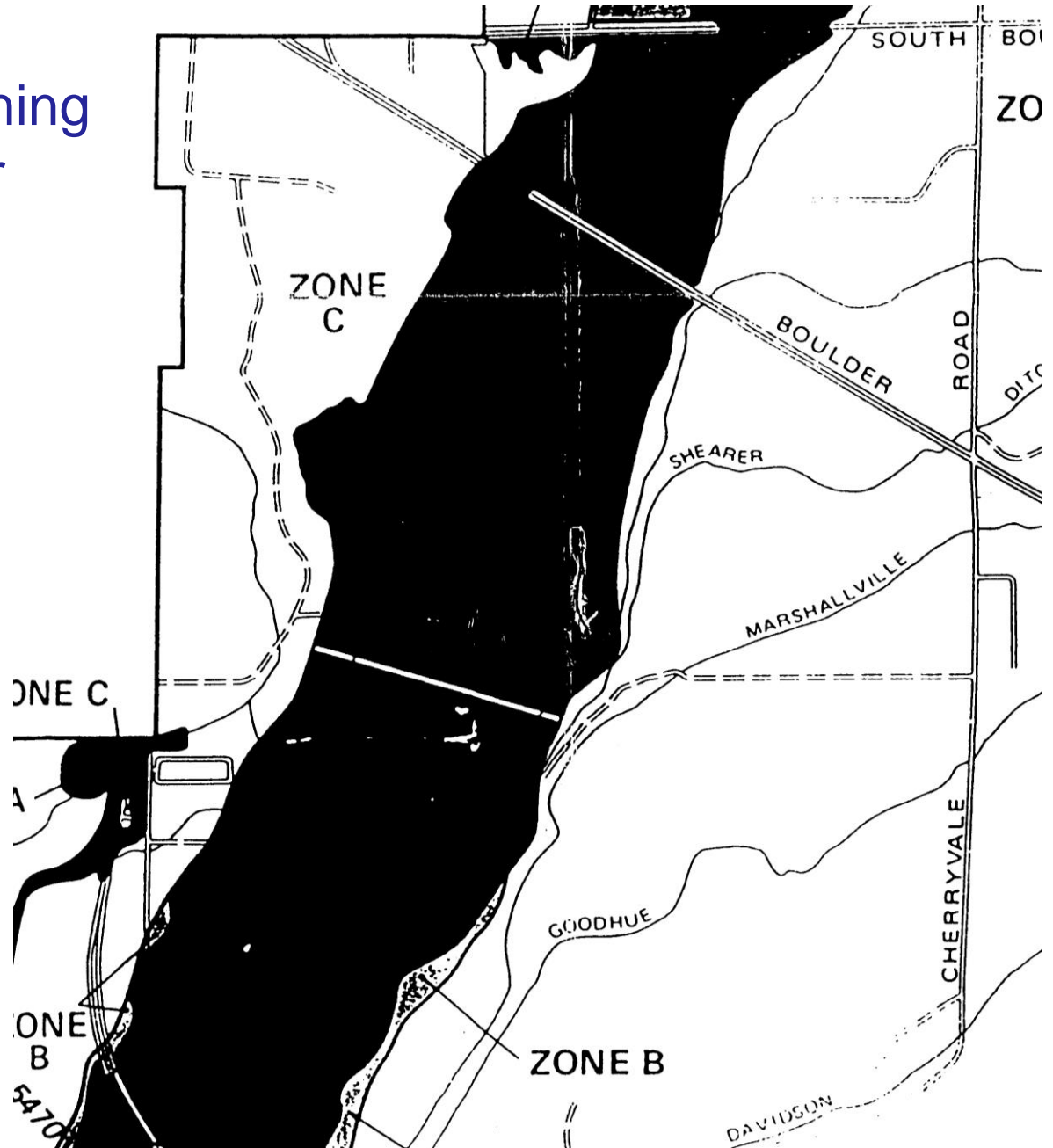
\$6.95

DESIGN  
WITH NATURE

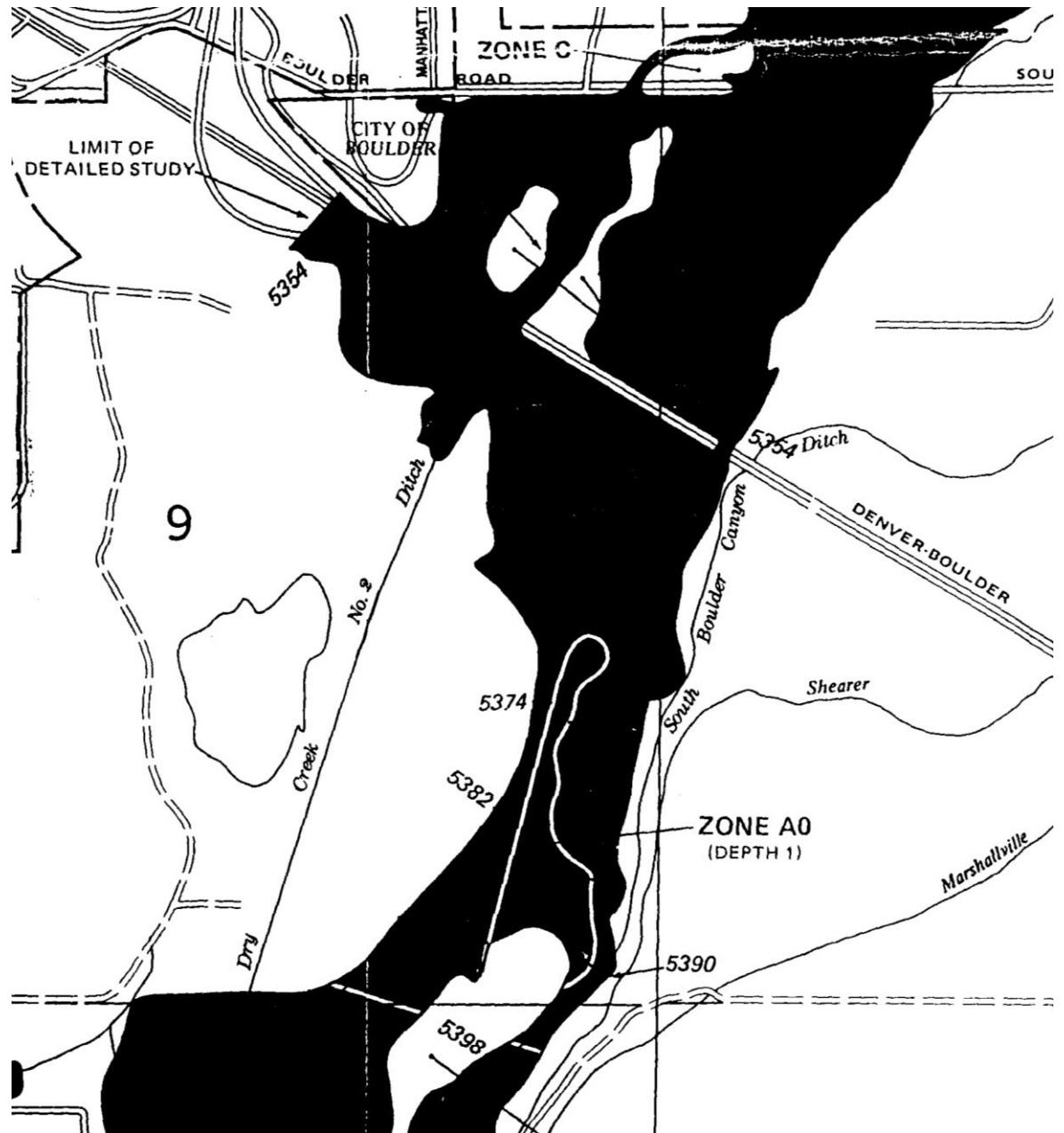
IAN L. McHARG



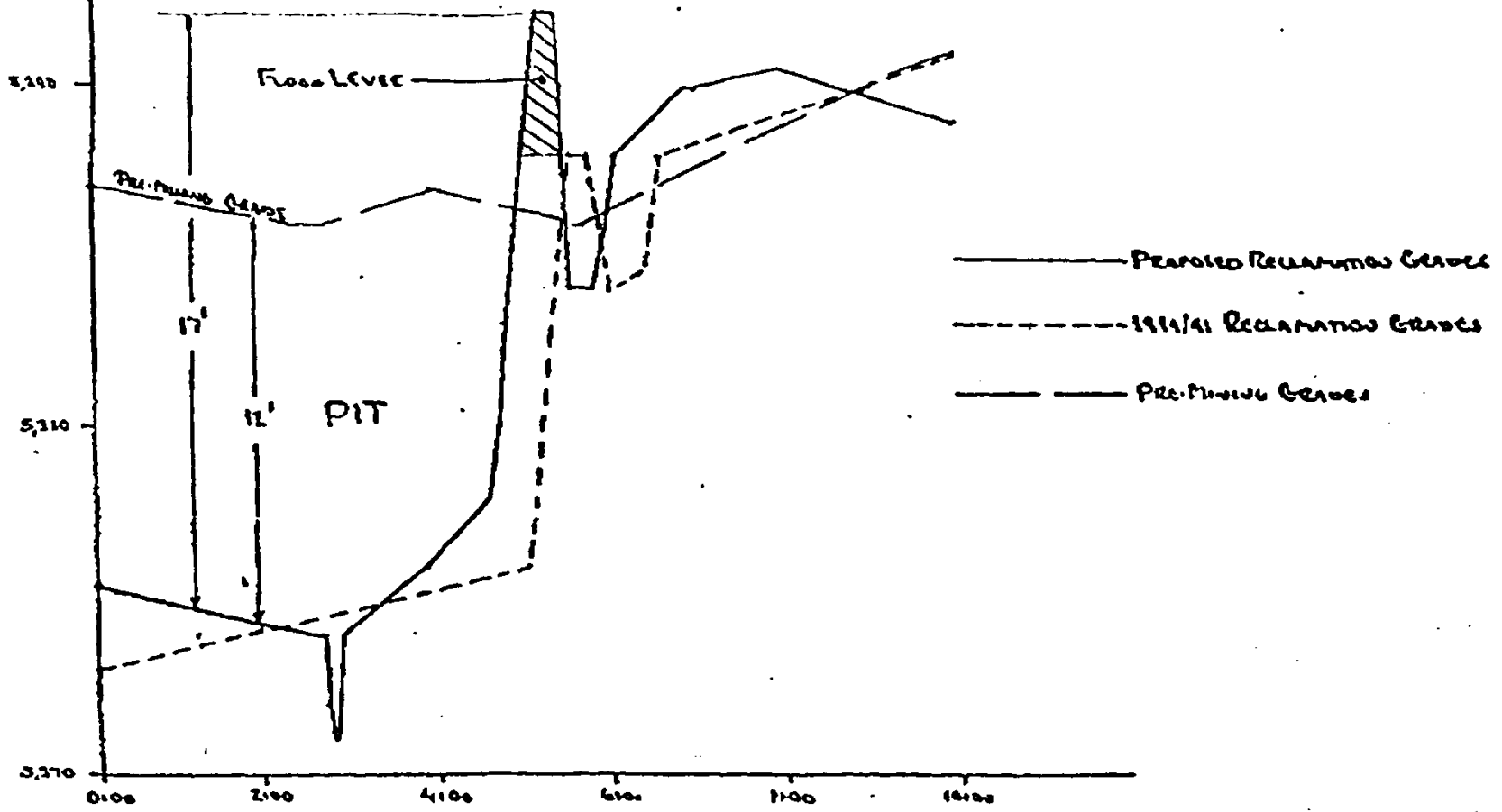
1979 Pre-Mining  
FEMA 100-yr  
Floodplain



# 1988 Post-Mining FEMA 100-yr Floodplain

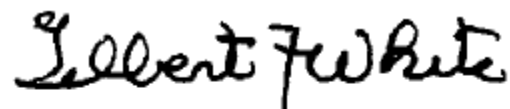


SECTION 2A



DEEPE PIT RECLAMATION

4. If flood waters are much less dangerous in open fields than running through neighborhoods, the encroachment of the berm into the South Boulder Creek alluvial valley could be perceived as having actually increased the danger. The berm encroaches into and has narrowed the riparian corridor by 75% (2,200 feet into the 2,800 foot wide valley) and eliminates possibly 90 acres of open fields across the alluvial fan. Inside the berm, the remaining land has been lowered by more than 10 feet below the natural valley grade and is protected by a human built earthen feature. This could also be viewed as more creating flood danger than mitigation benefit.
  
5. It should be of "deep concern" to other citizens that UDFCD and CWCB are strongly endorsing certification of a levee that does not actually prevent flooding into the city under a representation that it is vital to local public safety. Since the berm mainly protects the remaining mined property, a reasonable citizen might conclude that the true motive for certification is other than the safety of Boulder's citizens.



Gilbert F. White

Gustavson Distinguished Professor  
Emeritus of Geography

April 25, 1996

Mr. Bill Deno, AIA  
 Campus Architect  
 Department of Facilities Management  
 University of Colorado  
 Campus Box 53  
 Boulder, CO 80309-0053



2996 Centergreen Court South Suite C  
 Boulder, Colorado 80301-6421  
 Phone (303) 440-3429  
 FAX (303) 443-3635

**REF: 9627A- LETTER OF AGREEMENT - CONSULTING SERVICES FOR  
 THE GATEWAY PROPERTY**

Dear Bill:

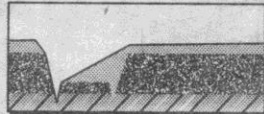
Love & Associates, Inc. is pleased to submit this letter of agreement for providing consulting services related to optimization of the Gateway Property in order to accommodate maximum potential development at a future date. We are very excited about being given an opportunity to once again work as a TEAM with the University and Downing, Thorpe, James (Tom Thorpe) on this important project. It is our understanding that the University would like to maximize development, minimize maintenance, and provide a property with the maximum development flexibility. The team generated report will provide the University with recommendations related to the Flatiron Companies and Western Mobile final site reclamation plan.

about \$106 million. There are currently 900

4. Gravel is mined, using regular construction equipment



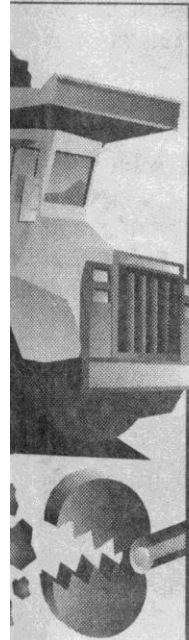
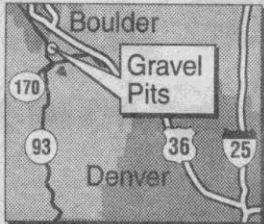
5. Water is drained so pit can be refilled



6. The pit is filled and the land is restored



**Flatiron sand and gravel pits**  
Now owned by the University of Colorado



38%
24%
6%
6%
5%
3%



A bulldozer removes hills of earth that were left to support utility poles in a mining area southeast of

Boulder, which was worked for 15 years by Flatirons Sand and Gravel.

The Denver Post / John Epperson

Special to The Denver Post/Jonathon Berlin



# Destroying the Wetlands

## Activities of the University of Colorado on the Flatiron Property - June 2001



# Bulldozed Wetlands



**Underground aggregate drains  
are being constructed to lower  
the water table and dry up  
existing wetlands.**

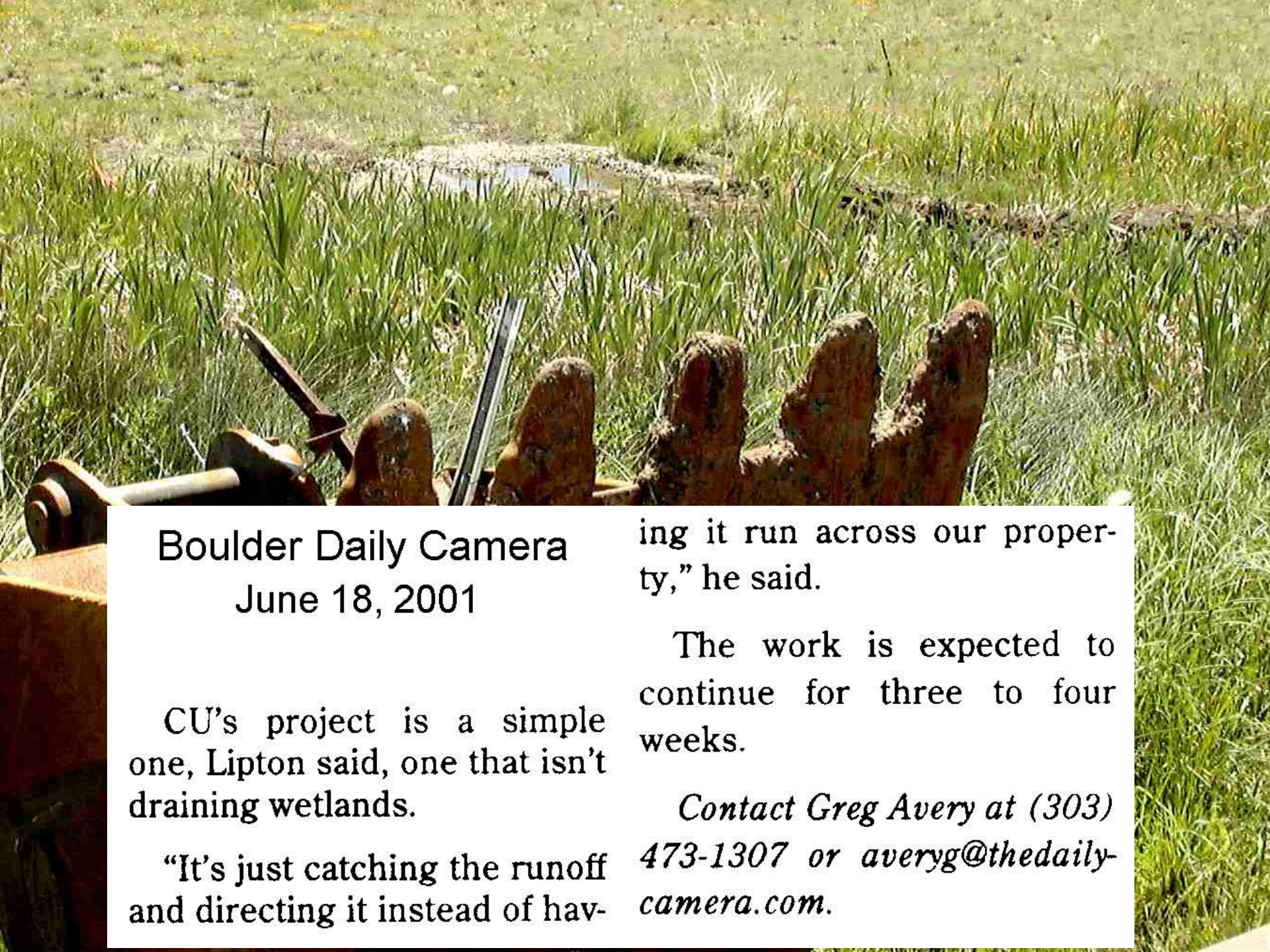


# **Aggregate stockpiled for additional underground drains**



# **Additional Wetland Areas to be Drained**





Boulder Daily Camera  
June 18, 2001

CU's project is a simple one, Lipton said, one that isn't draining wetlands.

"It's just catching the runoff and directing it instead of hav-

ing it run across our property," he said.

The work is expected to continue for three to four weeks.

*Contact Greg Avery at (303) 473-1307 or [averyg@thedaily-camera.com](mailto:averyg@thedaily-camera.com).*

# STATE OF COLORADO

SENATORS  
Elin Lacy, Vice-Chairman  
Tom Kitchendorfer  
Jim Aguayo

REPRESENTATIVES  
Tony Grzesiak, Chairman  
Dave Olson  
Gill Somers



STAFF DIRECTOR  
Kenneth Cochran

JOINT BUDGET COMMITTEE  
200 East 14th Avenue, 3rd Floor  
LEGISLATIVE SERVICES BUILDING  
Denver, CO 80202  
(TDD 866-5472)  
Telephone 303-866-2061

## FAX COVER SHEET

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ AM  
PM

TO: Ben Binder  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FAX #: \_\_\_\_\_

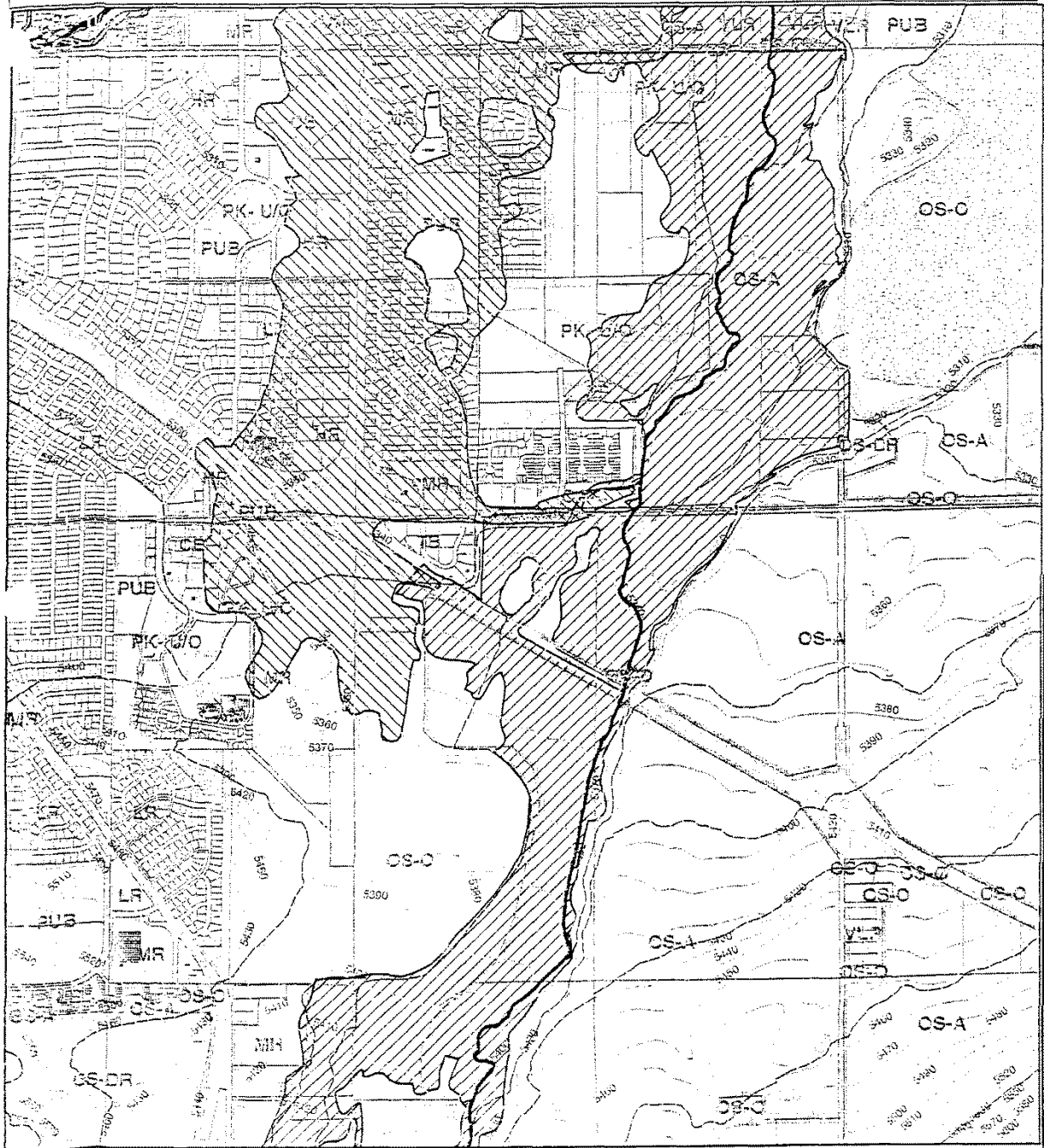
FROM: Ed Baudett  
866-4961  
\_\_\_\_\_  
\_\_\_\_\_

FAX #: 866-2150

TOTAL NUMBER OF PAGES (including cover sheet): 2

ADDITIONAL COMMENTS OR MESSAGE: Ben - I will  
call you later today. The Committee  
approved this informally.  
\_\_\_\_\_  
\_\_\_\_\_

# CU South Campus Floodplain Map





# Monday Colorado Daily

VOL. 106, NO. 44

107TH YEAR OF EDITORIAL FREEDOM

<http://bcn.boulder.co.us/media/colodaily/>

MONDAY, MARCH 9, 1998

## CU to public: Butt out

### Chancellor says feedback at every turn slows down process

By BECKY O'GUIN

Colorado Daily Staff Writer

Saying that too much public input will delay the project, a CU chancellor is balking at the amount of citizen feedback the city wants in the final phase of the South Boulder Creek floodplain master plan study.

In a letter to Scott Tucker, the executive director of the Urban Drainage and Flood Control District, Boulder Campus Chancellor Richard Byyny said that the scope of the study should be primarily left to the partners, which are Boulder, the county, CU and the flood-control district, and their technical consultants.

Negotiations between the city, the county and

CU have yet to yield a final agreement, though the city has agreed to pay \$15,000 for its share of the study, based on certain conditions.

One of those conditions is allowing the public to be involved with all stages of the study, including the study's scope.

Bill DeGroot, with the flood-control district, SEE CHANCELLOR PAGE 2



Chancellor Richard Byyny

## ...CU wants less public input

CHANCELLOR FROM PAGE 1

which is playing the intermediary role in the negotiations, said that public involvement is normal in floodplain studies.

He did say the amount of public involvement that Boulder wants is greater than normal, but that there may be more at stake here.

"Public involvement is not a problem," he said.

Byyny argues in his Feb. 12 letter that public involvement in all phases of the study will "result in an inordinate amount of time, delays, and rapidly diminishing public funds." He also states that the process and results should be "driven by sound flood-engineering objectivity, not from political pressures exerted by individuals who may wish to further other goals outside the scope of this particular flood

study and who may elect to use the study process to accomplish those goals."

Paul Tabolt, vice chancellor for administration, confirmed that the university is interested only in having technical experts define the scope of the study. However, he did say that if the city wants to involve the public on its side it is more than welcome to do so.

Acting City Manager David Rhodes said the city will solicit public comment regardless of what CU does. He said the input can be helpful to technical experts who may overlook some problems.

"I see no downsides to a public process," Rhodes said.

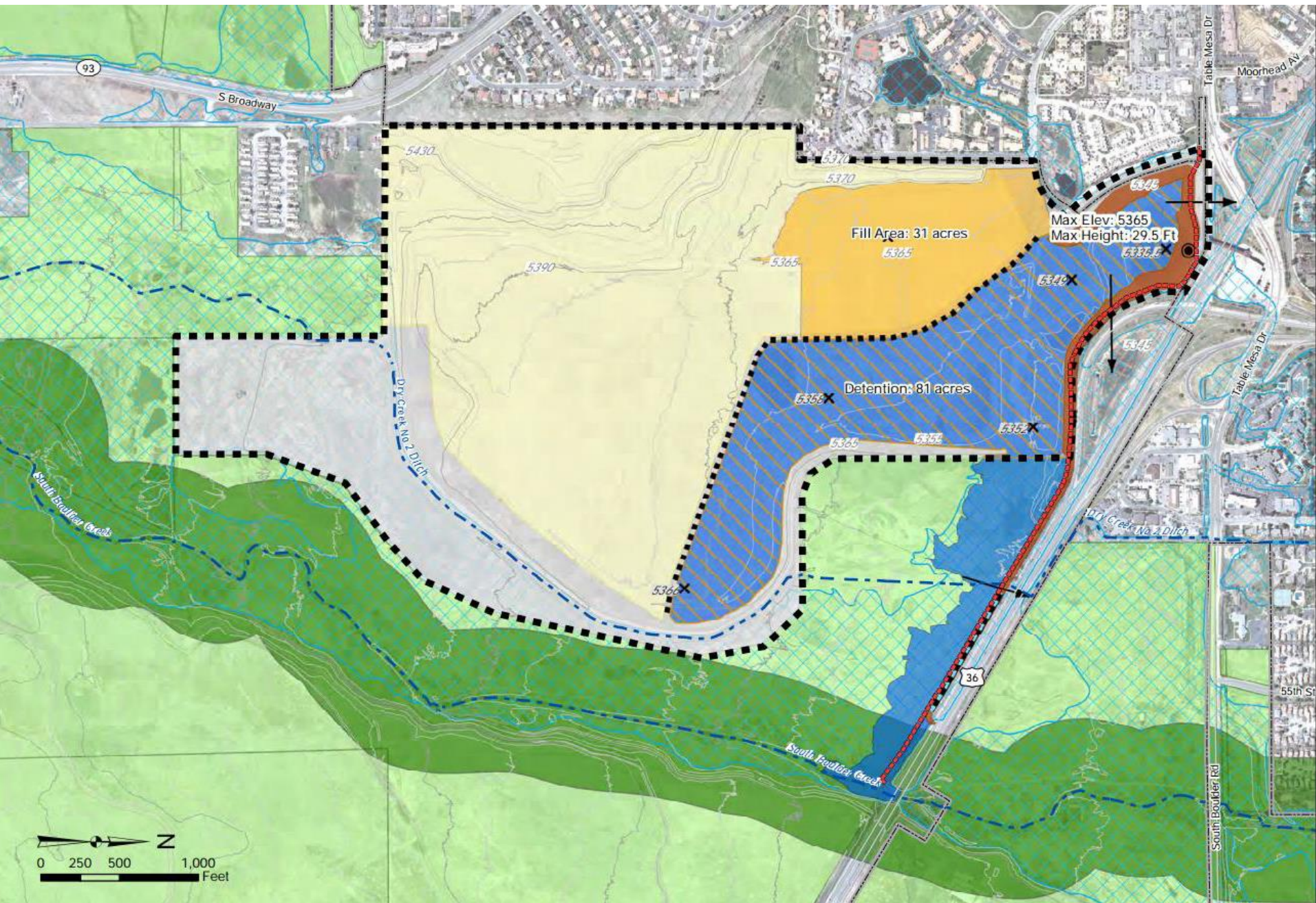
Boulder resident Ben Binder said it is typical of the university to want to conduct its business in secret, but objected to secrecy in the floodplain study because of the effect of properties up- and downstream from the CU Flatirons property.

"It is a public decision, and they should be involved in making the decision," Binder said. He said if the scope of the study is restricted in the beginning, it will affect the results of the study, too.

Meanwhile, CU continues to build up the berm, an earthen wall used to help control floodwaters, on the Flatiron property despite objections from the city. The city and residents have opposed work on the berm because they say CU cannot be going into the study objectively when it is spending money beforehand on strengthening a berm that could affect the floodplain.

"I'm disappointed that we seem to be building something when we don't know whether it is a solution or a problem," Rhodes said.

After months of negotiations to fund and begin the floodplain study, the project has not moved forward, and no one involved in it seemed sure of when progress would be made.



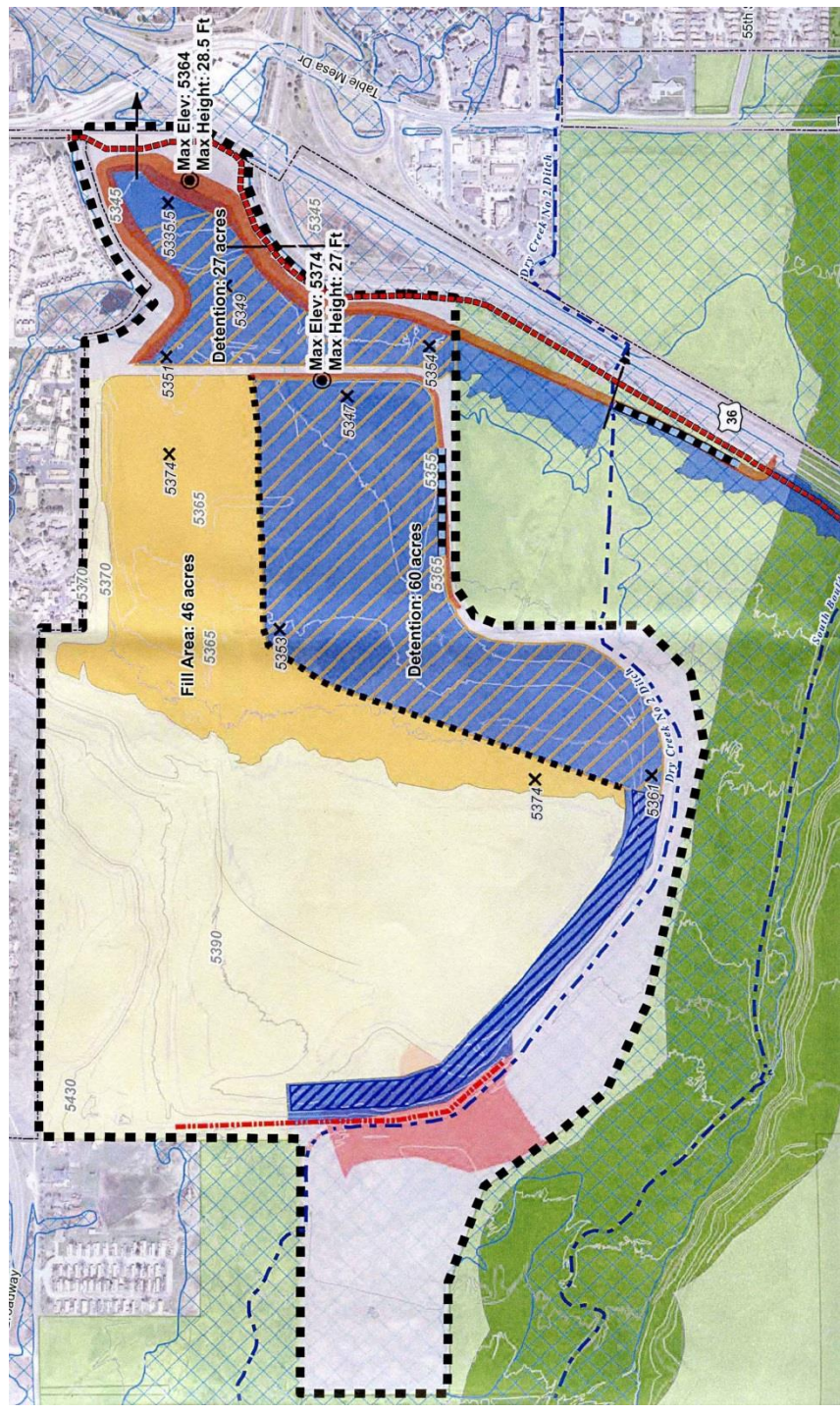


S Boulder

Boulder-Denver Fwy.

Viele Channel





**“One key element is the cost of the land. The team is looking at costs ranging from \$36k/acre to \$19/SF depending on land use type. The selection of the cost has a profound effect on the viability of an alternative.”**

**SBC Flood Mitigation Study – CU Meeting 6-24-10**

## **SBC Flood Mitigation Study - Progress Meeting #10 Notes**

**DATE:** July 7, 2010

### **Review of Meeting with CU**

Kurt Bauer, Mark Glidden, and Alan Turner met with Jeff Lipton from CU.

Jeff thought that the \$36,000 per acre for land acquisition costs was too low for the CU South Campus property. It was agreed upon that the project team would assume the cost for land acquisition would match the undeveloped agricultural cost provided by the City of Boulder for all areas that are not proposed building sites. **For proposed building sites, the project team should assume \$19 per square foot for land acquisition costs.**

---

\$19 per square foot is \$827,640 per acre.

CU wants \$827,640 for property that has poor access, no utilities, and is not annexed to the city.

CU wants Boulder to pay \$827,640 for property that they purchased for \$36,700 per acre.

# **Boulder scientists see huge increase in future extreme downpours**

By Charlie Brennan Boulder Daily Camera Dec 05, 2016

A new study by scientists at Boulder's National Center for Atmospheric Research indicates that at the end of this century, **the number of summer storms producing extreme downpours could increase by more than 400 percent across parts of the United States** - including sections of the Southwest, the Gulf Coast and the Atlantic Coast.

The study, published today in the journal Nature Climate Change, also finds that **the intensity of individual extreme rainfall events could increase by as much as 70 percent in some areas.**

# **CU-Boulder: South Campus property weathered flood well But university has no plans to reconsider development timeline**

*By Charlie Brennan Camera Staff Writer*

10/09/2013

In 2010, when CU updated its master plan, it was stated at that time that the university had no plans to develop the property within the next decade. Flagship 2030, another long-term planning document, also doesn't include any building plans for the South Campus.



CITY OF BOULDER  
080024

TABLE MESA DRIVE  
TANTRA DRIVE

Anderson Extension  
Ditch

KK1546

ZONE AE

Dry Creek  
Ditch No. 2

ZONE AE

ZONE AE

TABLE MESA DR

ZONE AE

ZONE AE

TANTRA PARK  
CIRCLE

MYORHEAD CIRCLE

BOULDER COUNTY  
Unincorporated Areas  
080023

LEVEE

9

### Current FEMA Flood Insurance Rate Map

HUEY CIRCLE

SEWARD  
DRIVE

MACKY WAY

ARKIS WAY

CHAMBERS DRIVE

BROWN  
CIRCLE

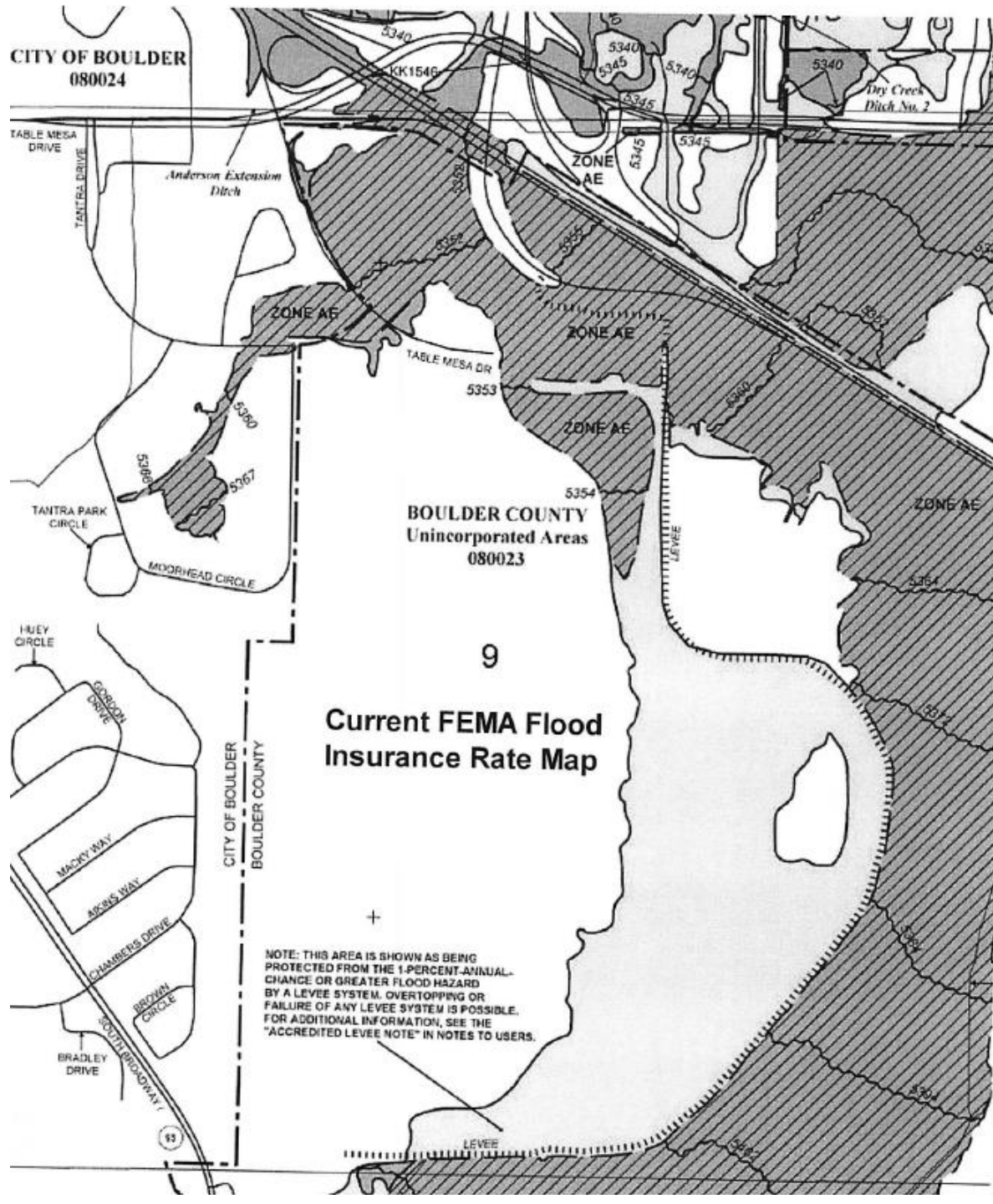
BRADLEY  
DRIVE

SOUTH ROADWAY

CITY OF BOULDER  
BOULDER COUNTY

NOTE: THIS AREA IS SHOWN AS BEING PROTECTED FROM THE 1-PERCENT-ANNUAL-CHANCE OR GREATER FLOOD HAZARD BY A LEVEE SYSTEM. OVERTOPPING OR FAILURE OF ANY LEVEE SYSTEM IS POSSIBLE. FOR ADDITIONAL INFORMATION, SEE THE "ACCREDITED LEVEE NOTE" IN NOTES TO USERS.

LEVEE



DENVER POST 4/30/75

# Gravel Project 'to Be Model'

By JANE CRACRAFT

Denver Post Boulder Bureau

**BOULDER** — City Mgr. Archie Twitchell told the Boulder City Council Tuesday he expects a major gravel-mining project near the U.S. 36 entrance to Boulder to become "a model."

Twitchell said the project — which is to be reclaimed eventually as a 350-acre regional park — will be watched closely by the federal government, the state government, and the entire gravel-mining industry.

Last July, the council voted 5-3 to give Twitchell authorization to negotiate a contract with the Flatiron Companies of Boulder to mine and then reclaim the site, along South Boulder Creek at the main gateway to the city.

Twitchell said he hasn't finished negotiations because he wanted more input from the council before coming up with a formal contract.

"We see this as the entryway to the city and it needs to be dealt with particular care," Twitchell said.

He said the U.S. Bureau of Outdoor Recreation is watching the project, because it may set standards for other mining-and-reclamation projects. Boulder hopes to get a federal grant through the agency to turn the reclaimed area into a park, with a large lake.

State agencies also are interested in the project, he added.

"And I think the gravel industry is looking at Boulder and saying that what is achieved here is likely to be expected by other cities," Twitchell said.

## Exceptional Level

The city manager explained that the expectations of Boulder are high, and the achievements of the Flatirons Companies are "at an exceptional level."

The Flatiron companies already have reclaimed a gravel mining area on the east edge of Boulder and converted it to an industrial park. The firms are working on a 10-year plan to mine and reclaim the scenic White Rocks area near 75th St. and Valmont Road as a wildlife habitat, with

natural looking ponds and vegetation.

Twitchell said the contract with Flatirons probably will require the companies to restore the area near South Boulder Creek "at the level of open space" and then the city will use matching funds and a federal grant to create a more formal park for all or part of the site.

The city has a major recreation facility north of the city, Boulder Reservoir, but none on the south side of town.

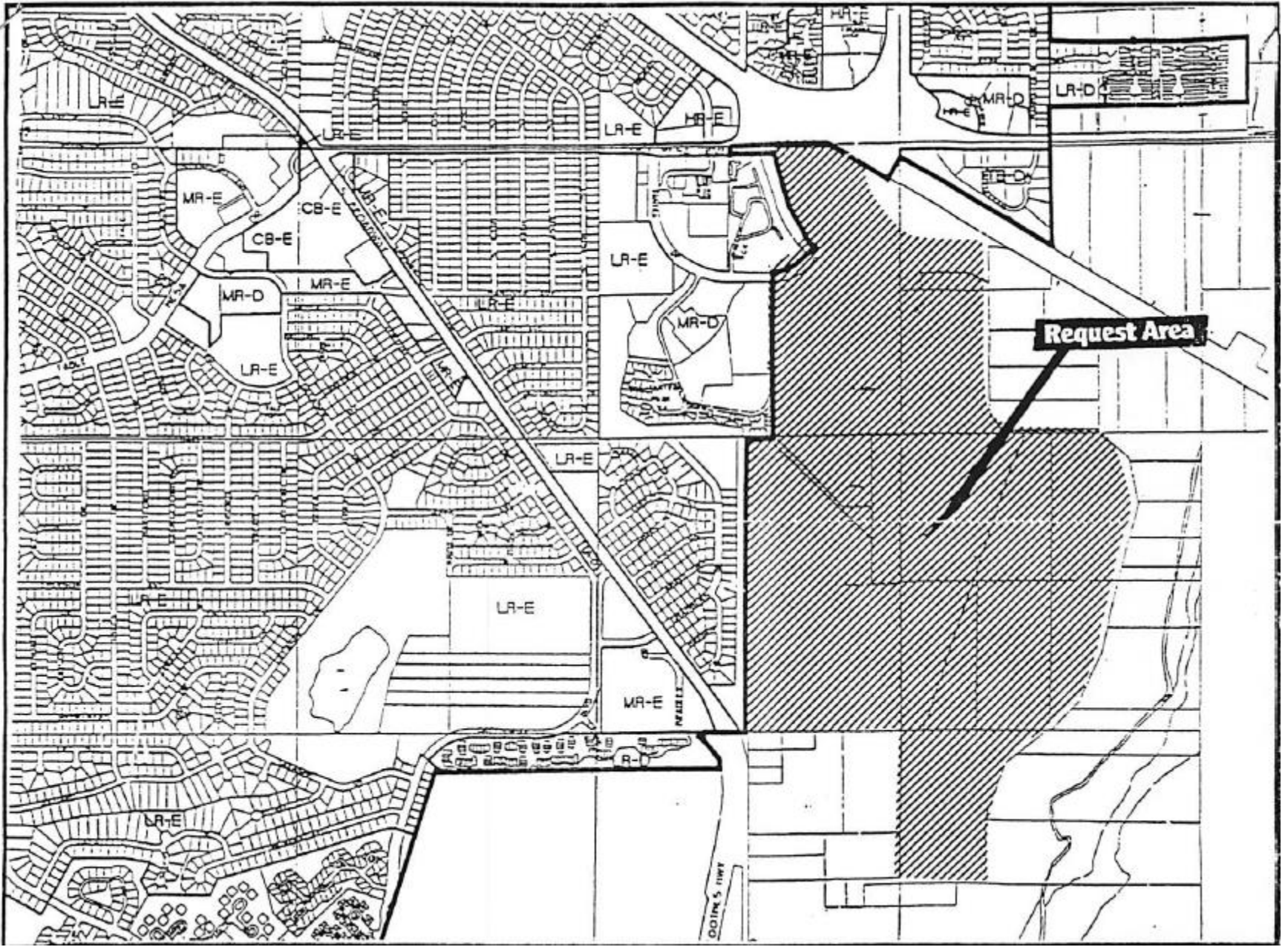
The gravel mining operation is expected to take 20 years so the park is part of the city's long-range recreational planning. The heavy deposits of gravel are expected to meet construction and maintenance needs in the Boulder area for 25 to 30 years, according to Flatirons' estimates.

The 350-acre site is unincorporated now, zoned for agriculture and rural residential use by the county. Flatirons is asking the city to annex and zone the land to permit gravel mining, and, in return, is offering to transfer title to the land to the city after the gravel is extracted.

## Flood Control/Utilities

If the applicant successfully completes the first two steps of the Major Site Review and receives annexation approval, the following issues and comments will be applicable:

Floodplain Management/Drainageway Easements. The site is to include the restoration of the historic floodplain, as depicted on Federal Emergency Management Agency (FEMA), Flood Insurance Rate Maps, dated 1979. This restoration shall include removal of the flood berm/dike constructed during the gravel mining operation. According to information provided by the County, the flood/dike system on the property was not designed to provide flood protection for development. Upon any annexation of the property, FEMA would require that the City assume maintenance responsibility for the berm/dike system. The City is not prepared to assume this responsibility. Therefore it is likely that upon development of the site, the City would require that the berm/dike be removed with a full restoration of the historic floodplain that existed on the property prior to the commencement of mining activities.



- **PROJECT NAME:**  
Women of the West/South Boulder Creek Annex.
- **LOCATION:**  
near SW corner of Hwy. 36 and Table Mesa
- **APPLICATION & PROPOSED DEVELOPMENT:**  
AZ-95-2 • ANNEXATION/INITIAL ZONING
- **ZONING:**  
County (Boulder County Zoning)
- **APPLICANT:**  
Flatiron Park Company
- **CASE MANAGER/STAFF CONTACT:**  
Alice Rouyer



## LOCATOR MAP



## **Boulder Daily Camera August 11, 2000**

A degree of victory for the city and county came at a meeting Thursday of an obscure flood-control agency. Local officials suggested that the agency look at changing the location of a proposed flood control project, and the agency agreed. Changing the location would mean that a major flood on South Boulder Creek would put the CU property underwater, making development there risky.

Previously, the agency was studying building a dam upstream of the CU land that would protect the site. CU favored this plan, even though it would divert floodwater into one of the last mobile home parks in Boulder and two dozen other homes. Officials acknowledge that the residents would have to move.

“The CU land is vacant property,” said Boulder County Commissioner Paul Danish, who made the suggestion. “It strikes me as the first place to look” for land to divert floodwater.

Havlick noted that the original plan included no provision to relocate residents of more than 60 mobile homes, who would be at risk if the dam were placed to protect the CU property.

“That is unacceptable,” Havlick said.

Not part of the consensus was Jeff Lipton, CU's facilities management director.

Boulder is the state's number one community for flash flood risk.

The city has a long history of floodplain management planning, dating back to a plan designed by Fredrick Law Olmstead in the early 1900s that indicated **the need to preserve the floodplains as natural open space.**

CU's South Campus is comprised of the depleted Flatiron Gravel Pits. Much of the property was in the 100-year floodplain of South Boulder Creek before 4,000,000 cubic yards of sand and gravel were removed from the site, further lowering the topography by 15 feet.

For this and other reasons, 220 acres of CU South is currently designated for Open Space in the BVCP.



- Boulder has done an excellent job of designing Open Spaces in a way that offers flood protection and restores riparian environments.
- Another major benefit of preserving floodplains is keeping development from floodprone areas and minimizing losses from major floods.

Unfortunately, CU has demonstrated that it does not abide by the above sound environmental design principles.

- CU acquired a floodprone depleted gravel pit at the foot of the 140 square mile South Boulder Creek drainage basin;
- The university gutted an environmentally sound reclamation plan and contoured the property ***to accommodate maximum future development;***
- It added a 6,000-foot earthen levee to the reclamation plan to divert floodwaters;
- CU bulldozed and drained emerging wetlands.

# I. PROPOSED MINING RECLAMATION PLAN AMENDMENT

## Background

Western Mobile, the mining operator on the Flatiron Property, filed an application with the State of Colorado, Division of Minerals and Geology (DMG) on March 6, 1997 for an amendment to its approved reclamation plan to the Deepe Pit mining site. An amendment is a substantial change to a previously approved reclamation plan. In this case, the amendment Western Mobile is proposing seeks to reduce the number of lakes on the reclaimed area within the vicinity of the Deepe Pit from five to two with a corresponding reduction in the surface water acreage from 38.1 acres to 4.2 acres. The proposed amendment also seeks authorization for a permanent land berm along the perimeter of the mined area where a temporary berm currently stands. The present reclamation plan for the Deepe Pit does not indicate that this land feature will remain following final reclamation. Western Mobile also is seeking approval for additional drainage channels along the north and east sides of the Deepe Pit through the proposed reclamation plan amendment.