**Guest opinion: Ruth Wright and Spense Havlick: Is Boulder being bulldozed by CU on South Boulder Creek flooding?**

[Daily Camera guest opinion](https://www.dailycamera.com/author/guest-opinion/)

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**By Ruth Wright and Spense Havlick**

The City of Boulder is facing increased pressure from the University of Colorado Boulder to annex CU South. The city must resist.

A municipal-granted annexation should provide substantial benefits to the city. The abandoned gravel pits known as CU south campus do not do this. If annexed now, CU development could have numerous unexpected and uncompensated negative impacts to the city.

Even an annexation agreement would be inadequate, because it is very difficult to address all the potential actions CU may want to take sometime in the future.

The disastrous flood of 2013 showed us the major flood potential of South Boulder Creek. The citizens and properties can be protected from flooding by constructing a detention pond to temporarily hold back floodwaters upstream of U.S. 36 to prevent overtopping of the highway, then releasing them in a controlled manner downstream. Engineering studies have shown that CU South, in the creek’s historic flood plain, is the only feasible location for a large detention pond to protect the lives and property of South Boulder residents.

The detention pond would occupy approximately one-third of CU’s 308-acre site. However, Boulder needs CU’s consent to construct a flood control facility on the property.

Conversely, CU needs access to Boulder’s water and sewer utilities to develop their branch campus.

Boulder has always required that annexations provide substantial benefits to compensate for negative impacts such as, in this case, increased traffic, noise, loss of natural habitat and open space, an increased carbon footprint and sprawl. Potential impacts of this annexation would fall primarily on south Boulder’s modest-income neighborhoods such as Martin Acres, Majestic Heights and Tantra.

At present CU and the city have equal status regarding the property; however, legally once the city annexes, the city loses all control of the property because it is owned by a state entity (CU). The city would have no recourse to stop future unexpected development despite many community concerns about unspecified site plans, and massive city costs.

CU is using the city’s urgent need — to protect its citizens by constructing a flood control facility on CU South — by demanding that the city annex the entire site and agree to provide the university with water, sewer and other services now.

Furthermore, CU is demanding that the city guarantee 129 developable acres (equivalent to 52 city blocks) above the 500-year flood level, and also that the city pay an estimated $15 million to address impacts created by CU’s imprudent decisions to develop flood-prone, depleted gravel pits, and to construct tennis courts in an area needed for flood mitigation.

CU had tough negotiators. CU has outmaneuvered and bulldozed city negotiators who have not vigorously protected the interests of Boulder citizens. It is counterproductive for CU to bring huge volumes of earthfill (at least 360,000 cubic yards) into old gravel pits, reducing flood storage capacity, to partially elevate the land for housing and labs. Reasonable flood mitigation would keep the entire flood-prone area free of development in order to provide maximum protection onsite and to downstream lives and property.

Early in the gravel pit history, Boulder officials strongly rejected a Walmart superstore from being built on the site. Another effort was made in 1995 by the Flatirons Co. to annex this property to the city in order to build 78 luxury homes and a 100,000-square-foot Women of the West Museum. That also failed, as should a current CU offer to lease or sell a location on this property for a fire station and a questionable “mobility hub.”

In comprehensive land use planning, often several options or sites are evaluated. In this case, several campus sites exist on flood-free land and were not well-vetted. Those sites could accommodate, if well-designed, the housing and facilities suggested for the south campus site.

The community has a list of issues and unresolved problems and questions why CU is trying to rush the annexation. In addition, state law requires review and approval of the dam design by the Colorado Dam Safety Engineer, who may also look at the risks posed by the Gross Reservoir Dam enlargement upstream.

With so many unanswered questions, the city should not annex the property. Annexation, or even an annexation agreement, is way too premature.

CU does not need annexation at this time.

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