

Guest commentary

## ***CU South's design against nature***

By Ben Binder

In 1969, distinguished landscape architect Ian McHarg recognized the devastating effects of bulldozed, machine-dominated development on natural systems and authored the pioneering book "Design With Nature," which revolutionized planning and landscape architecture to harmonize with natural features of the environment.

The City of Boulder has been exemplary in adopting the concepts of McHarg and Dr. Gilbert White, "The Father of Floodplain Management." Development is permitted in areas where topography, geology and hydrology are suitable; and flood-prone riparian areas are reserved for wildlife habitat, open space, bike paths and flood control.

This engenders a resilient community and eliminates the high costs, flood risks and expensive resources required to bulldoze and maintain unsuitable land to accommodate development.

Unfortunately, the University of Colorado Boulder's actions on its CU South Campus have violated the most basic principles of sound environmental design; and by insisting that the city annex and agree to provide water and sewer utilities to CU South before allowing the city to use land needed for flood control, CU has significantly delayed implementation of a flood control project needed to protect the lives and property of South Boulder residents.

To avoid damage from major floods, universities and other institutions that plan to be around for centuries wisely build on hills; but the CU South Campus is comprised of a depleted gravel pit in the historic streambed of South Boulder Creek at the foot of a 136 square-mile Front Range drainage basin.

While CU asserts it has cooperated with the City of Boulder to address flooding and other problems associated with this troubled site, the following examples refute that claim.

In 1996, CU developed a confidential strategy to obtain approval from multiple state agencies to purchase the property while keeping the deal secret from the city.

When CU purchased the gravel pit, the reclamation plan for the flood-prone property stated: "After reclamation, the mine site will become suitable for wildlife habitat. Three lakes will be created accounting for approximately 41.5 acres of water surface."

Instead of cooperating with the city to modify the plan to use the lakes to mitigate known downstream flooding, CU hired consultants to revise the reclamation plan to "accommodate maximum potential development at a future date." Richard Byyny, who was the CU chancellor at the time, successfully petitioned Colorado's Mined Land Reclamation Board to amend the plan to eliminate 40 acres of lakes and add an expensive 6,000-foot earthen levee to divert floodwaters around its gravel pit onto neighboring properties.

Both the City of Boulder and Boulder County objected to the amendments. In a letter to Colorado's Division of Minerals and Geology, the city stated: "The City is struck by the total disregard for previous reclamation commitments that the proposed amendment reflects."

Knowing the area would likely be needed for flood control, in 2002, when CU applied to Boulder County for a permit to construct tennis courts, the county referred the application to the city, which responded: "As expressed in the city's October 19, 2001,

letter to Paul Tabolt, Vice Chancellor for CU Administration, the CU Boulder South Campus property is a key element in developing opportunities to mitigate west valley overflow flooding from South Boulder Creek. It is critical that South Boulder Creek issues be addressed before such opportunities are eliminated by development activities.”

CU intentionally chose to ignore the city’s warning that the tennis court location would likely be needed for flood control.

Now, to correct a problem that could have easily been avoided, the city has agreed to spend \$10 million on an insane plan to move 360,000 cubic yards of earthfill to refill the gravel pit to elevate CU’s tennis courts above the level of a 500-year flood, and another \$5 million to demolish and reconstruct the tennis courts. The 360,000 cubic yards is enough dirt to fill a football field to the height of a 20-story building.

The public should be outraged that our City Council has agreed to raise our stormwater utility fees \$15 million to protect tennis courts and vacant land from 500-year floods, while providing the lives and property of existing Boulder residents a much lower level of flood protection.

When CU purchased the 308-acre property in 1996, because of topography, geology, hydrology, wildlife habitat and other factors, the Boulder Valley Comprehensive Plan designated 220 acres for open space and 88 acres for development.

Now, CU demands 129 developable acres outside the 500-year floodplain — 129 acres is equivalent to 52 city blocks, the size of downtown Boulder.

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