

Commentary

Where CU South went wrong

The South Boulder Creek floodplain has long been known to be a serious flood risk for residents of south and east Boulder. For decades it was known that effective flood mitigation in this floodplain requires a solution that manages a flood flow-rate defined as the 500-year flood. Twenty-five years ago both the City and County could have made different decisions about the property, but they did not, so today CU owns the floodplain.

On Sept. 11, 2013 South Boulder Creek, along with several upstream tributaries, overtopped their banks and the water combined to create serious flash flooding in the Frasier Meadows area.

A set of residents, who were rightly scared by this event, mobilized their emotional fear to demand that the City do something immediately. Over the next few years the City finally settled on an action, in the process moving from the known 500-year mitigation need to a 100-year mitigation project. Without rationally evaluating whether the solution the City was offering would actually keep them safe in the future the residents demanding action, any action, pressed the City onward. My worry here is that these residents already appear to have developed a false sense of security based on the prospect of a “solution” that was determined to be inadequate even before the 2013 flood. That is a prescription to be unprepared again when a 125-year flood event occurs.

The problem is that CU South does not have enough acreage to support both the City’s flood mitigation needs and CU’s desires.

During negotiations the City process lost its focus on the problem that needed to be solved and began myopically focusing on reaching an agreement for sharing the too-small CU South property. They forgot the need was 500-year protection. There is a saying in management consulting to describe this phenomenon: “When you are up to your a** in alligators, it is hard to remember the objective was to drain the swamp.” If the problem is not enough acreage for both the City’s and CU’s needs, and moving South Boulder Creek is not feasible, the obvious solution would be to find more acreage somewhere else for CU.

Early in the negotiations, when the “more acreage” solution was raised in the form of an Area III land swap, CU said they would only agree if the City first annexed the Area III land that would be swapped. Staff brought this option to City Council, and when asked, staff told Council that the “current schedule” would not make that land available for annexation until at least 2027.

Likely because both staff and Council were already too focused on a CU South solution they did not make an effort to solve the “annexed land” demand, which Council could easily have accommodated by moving the “schedule” forward as an emergency annexation. Instead they changed the “need.” This is the same type of management error that in the second half of the 20th Century gave the military \$500 toilet seats and aircraft that would not fly. In this case, it created an expensive engineering project that is known to be inadequate to mitigate the defined risk.

It is clear that by restricting the options to considering only the CU South property the land area is not large enough to accommodate the needs for a 500-year flood solution and CU’s desires for development. It also is clear that there is a solution that will

accommodate both. A land swap will give the City access to the entire CU South property for flood mitigation and will give CU land more suitable for development. At the Sept. 21 Council Meeting, where the CU South annexation “emergency” ordinance was approved, the CU team said they were still willing to entertain this land swap, as long as the land being swapped was annexed. If the City can quickly annex CU South as an emergency they can do the same with Area III land to actually address the same emergency. Let’s stop playing politics and solve the original, very real problem!

You can help by demanding that Council direct staff to begin negotiations with CU on the conditions of a land swap and to authorize immediate action to annex the required Area III acreage as an emergency. Then, find a Referendum petition to sign. This petition calls for a will-of-the-people vote to determine whether a majority of Boulder citizens want to accept or repeal Council’s approval of their inadequate solution to a critical safety need.

A land swap that gives the City access to the entire property will open up mitigation solutions that can be implemented faster, cheaper, and with better flood protection than the current agreement provides. *Steven Telleen is President of the South East Boulder Neighborhood Association (SEBNA).*