

AGENDA ITEM SUMMARY

City Council



STAFF

Tyler Marr, Deputy City Manager

SUBJECT

Resolution 2024-094 Regarding the City's Position on the Northern Integrated Supply Project.

EXECUTIVE SUMMARY

The purpose of this item is to update and clarify the City's position on the Northern Integrated Supply Project (NISP) in light of current project status and the potential that Northern Water may seek a 1041 permit from the City.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

The NISP project has been in design and in the permitting process at the federal, state, and local level for many years. Throughout the process Council has adopted Resolutions in response to the project at that time including concerns and desires for the project, direction for staff actions, and informing comments on the permitting process.

As of 2024, NISP has obtained permits (although still under a legal challenge) and the City has adopted 1041 regulations. Some of NISP's infrastructure may be planned to be located in Fort Collins' municipal boundaries and thus may require a "1041" permit from the City pursuant to Article 6 (Guidelines and Regulations for Areas and Activities of State Interest of the City of Fort Collins) of the City's Land Use Code. Proceedings for such "1041" permits are generally described as quasi-judicial proceedings, which require, among other things, certain standards of fairness and impartiality.

The Resolution presented reflects the current state of NISP and confirms the City Council is impartial to the project should Council be required to act as a quasi-judicial decision making body in the future.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Resolution for Consideration