

Rocky Flats Coalition of Local Governments

Boulder County City of Broomfield Jefferson County
City of Arvada City of Boulder City of Westminster Town of Superior

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RESOLUTION
of the
Board of Directors
of the
ROCKY FLATS COALITION OF LOCAL GOVERNMENTS
regarding
Rocky Flats National Wildlife Refuge Act of 2000

WHEREAS, the Rocky Flats Coalition of Local Governments is a separate legal, public entity, created by an intergovernmental agreement, as permitted by Colo. Const. Art. XIV, and section 18(2), part 2 of article 1, title 29, C.R.S., among seven Colorado local governments, Boulder County, Jefferson County, the City of Arvada, the City of Boulder, the City of Broomfield, the City of Westminster, and the Town of Superior (collectively, the "Coalition"); and

WHEREAS, the purpose of the Coalition, consistent with public health, safety and welfare, is to provide an effective mechanism for local governments in the vicinity of the Department of Energy's Rocky Flats Environmental Technology Site ("Rocky Flats"), a former nuclear facility, and their citizens to work together on issues of mutual concern relating to the safe, prompt and effective cleanup and closure of Rocky Flats, its future use and long term protection, and to serve as a focal point for local government communication and advocacy with state and federal agencies regarding Rocky Flats issues; and

WHEREAS, in September 2000, Senator Wayne Allard and Representative Mark Udall jointly introduced in the 106th Congress "Rocky Flats National Wildlife Refuge Act of 2000" ("Bill"), to establish, among other things, Rocky Flats as a national wildlife refuge after cleanup and closure; and

WHEREAS, the Bill has been co-sponsored by each member of the Colorado congressional delegation; and

WHEREAS, the Coalition unanimously supports preserving Rocky Flats as a national wildlife refuge after cleanup and closure; and

WHEREAS, since its introduction Senator Allard and Representative Udall have continued to seek the Coalition's input on the Bill; and

WHEREAS, the Bill is expected to be reintroduced early in the 107th Congress; and

WHEREAS, various issues have arisen since the Bill was initially introduced and the Coalition desires to request certain clarifying amendments to the Bill in conjunction with its expression of support for the Bill prior to its reintroduction in the 107th Congress; and

WHEREAS, two local government parties to the Coalition, as well as private parties, currently have water ditches that traverse Rocky Flats and desire to ensure continued access during cleanup and following the designation of Rocky Flats as a national wildlife refuge; and

WHEREAS, the Jefferson County Sheriff's Office has sought the Coalition's support for that office assuming ownership of the current Rocky Flats shooting range after closure; and

WHEREAS, there are various transportation studies being undertaken regarding rights-of-way at or near the eastern and southern boundaries (Section 13) of Rocky Flats.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ROCKY FLATS COALITION OF LOCAL GOVERNMENTS, AS FOLLOWS:

1. The Rocky Flats Coalition of Local Governments applauds the efforts of Senator Allard and Representative Udall in developing "Rocky Flats National Wildlife Refuge Act of 2000" and for the Colorado congressional delegation's support of this important piece of legislation.
2. The Coalition supports the Bill in its current language, subject to the addition of certain language, in order to more accurately reflect the Coalition's position on the Bill as described below:
 - a. the inclusion of additional language to the section of the Bill entitled "Property Rights" regarding the provision of access to water rights or related easements across Rocky Flats, as follows:

() EASEMENT SURVEYS, ETC. - (1) Until the date that is 180 days after the date of enactment of this Act, any entity which possesses any decreed water right or prescriptive easement related to lands at Rocky Flats shall be entitled to carry out such surveys at Rocky Flats as may be necessary to perfect any such right of easement. (2) activities pursuant to paragraph (1) shall be subject only to such conditions as the Secretary may impose in order to minimize interference with the cleanup and closure of Rocky Flats until the time of transfer of management responsibilities pursuant to section 5(a)(3). After the time of such transfer, such activities shall be subject only to such conditions as the Secretary of the Interior may impose in order to minimize adverse effects on management of the refuge.

- b. the revision to subsection 4(e)(1)(B) entitled "Future Ownership and Management. Transportation Right-of-Way. Boundaries" to increase the allowable right-of-way along Indiana Street from 150' to 300'.
3. The Coalition expects to receive the results of an alignment study for the area at or near the eastern and southern boundaries (Section 13) of Rocky Flats. The Coalition intends to discuss and seek public input on the results and decide whether to recommend the Bill be further amended to address any issues raised in that study.
4. The Coalition opposes the insertion of any new language into the Bill to allow a shooting range to remain onsite at Rocky Flats after closure.

Passed and adopted this 8th day of January, 2001

ATTEST: ROCKY FLATS COALITION OF LOCAL GOVERNMENTS

/s/

Paul Danish
Vice Chairman