

Who decides, and who will pay?

By Aaron LeClair
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The Albany County Planning and Zoning Commission issued recommendations to the county to appoint a committee to address issues that east Laramie residents have with the proposed amendments to the Casper Aquifer Protection Plan (CAPP).

The commissions also recommended at the meeting Wednesday night that a committee be appointed to establish water quality standards.

In a 4-1 vote, commissioners Jim Thompson, Kendra Burns, Cheri Frank and Rob Fisher approved a motion asking the county commissioners to appoint a special committee that would work with county and city staff and the project consultants to tackle issues that residents who live over the Casper Aquifer have with the proposed amendments to the CAPP.

Commissioner Chris Nicholson cast the lone dissenting vote.

The Planning and Zoning Commission also voted 4-1 to recommend to the county commissioners that they establish a committee to develop water quality standards. Nicholson again casted the sole dissenting vote.

Earlier in the meeting, Thompson said they could not move forward with recommending the proposed amendments to the CAPP until the community's concerns were addressed.

"I think it's very clear tonight that ... the report dealing with these eastern subdivisions ... needs quite a bit of work," he said.

Thompson therefore made a motion recommending that the county commissioners appoint a committee that would include a handful of residents from the subdivisions east of the city.

"I'm going to suggest ... that a committee be formed with people from these areas," he said. "

The committee would work with the consultants, Wittman Hydro Planning Associates, and the county planning office to sort out the problems with the the proposed amendments to the CAPP.

Thompson said the proposed amendments should include rules for exceptions.

"We need some specific language on how exceptions can be made," he said.

Thompson also made a motion that both the well monitoring and a feasibility study to determine the cost of extending the city sewer lines east of the city should proceed while the committee is working on the proposed amendments.

Thompson added that the cost should not be solely the responsibility of the residents in the eastern subdivisions if the feasibility study finds it would be economically possible to extend the city sewer lines.

"This is a community-wide problem to protect the aquifer. The cost should not be laid on a few homeowners," he said. "As part of the feasibility study, we need to look at a financing issue and it should be spread over ... all of the consumers of the water in the county."

Frank agreed.

"I feel that the way this is written at this point in time ... is putting a burden on the people who own property in this zone," she said.

Not only does the project language place a financial burden on the residents in east Laramie, Frank said it could lower the price of property in the area by scaring away potential buyers.

"You have the right to sell your house, your property," she said.

Frank seconded Thompson's call for a feasibility study to be done as soon as possible.

Nicholson said he was frustrated that while people realize the aquifer needs to be protected, they don't want to take on the cost of doing so.

"Everybody wants to protect the aquifer, but everybody seems to say, 'Not at my expense,'" Nicholson said. "That bothers me a little bit. There's gonna be some costs, and we're gonna have to look toward the long-term future of our water supply."

Fisher, meanwhile, said he had problems with the prohibited activities section of the proposed CAPP amendments. It includes prohibitions on such activities as washing vehicles and animal feeding.

"To me, the wording in here is very vague and very broad," he said.

But Jack Wittman, project lead for Wittman Hydro, admitted the prohibited activities section was "poorly written." Many of the items listed, he said, were supposed to be large, commercial operations.

For instance, Wittman said the prohibition against washing vehicles was meant to target large car washes, and animal feeding should have read large-scale commercial feed lots.

Wittman said the prohibited activities section would be rewritten and brought back before the commission.

"There are some things that do need to be changed," he said. "We should ... make it clear what's intended."

Fisher, like the rest of the commission, was in favor of well monitoring and a feasibility study while the other steps are carried out.

"I think we need to know where we're at before we start dictating what property owners are going to have to do," he said.

Several of the commissioners expressed their concern that the prohibited activities would interfere with commercial businesses that are already operating over the Casper Aquifer. County Planner Doug Bryant said existing business owners would be able to continue their operation.

"There is a section in (the CAPP) that does address non-conforming or grandfathered uses," Bryant said.

The Planning and Zoning Commission toyed with the idea of recommending a moratorium be set on development on the Casper Aquifer until the groundwater and feasibility studies were complete.

Laramie attorney Mitch Edwards, representing the Warren Livestock Co., said the Planning and Zoning Commission could not consider a moratorium since it was not included in the public notice for the meeting.

"You're getting into talking about a moratorium, which is a completely different issue than the ordinance that's in front of you," Edwards said. "I think it's out of bounds with respect to the notice that was given for tonight's meeting."

The commissioners dropped the issue after a short debate.

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