

## FOR IMMEDIATE RELEASE

### BOULDER COUNTY TAKES IMPORTANT STEP TOWARD RESTORING TRUST IN OPEN SPACE

**MARCH 4, 2021 | BOULDER** – Residents involved in litigation against Boulder County to prevent development on lands purchased with Open Space funds and protected by a perpetual Conservation Easement were heartened today when the Boulder County Commissioners accepted a staff recommendation to withdraw the County’s application to itself to develop a massive industrial composting factory on Rainbow Open Space.

The County’s application withdrawal request was submitted after months of intense community feedback highlighted opposition to developing lands that were purchased for conservation. Staff also noted their original proposal failed to adequately anticipate or address a range of operational and economic variables they will now revisit.

Commissioner Matt Jones accused opponents of the County’s development plan of “grandstanding” right before acknowledging indeed the County “created the problem and it’s not going away.” Despite Commission Chairman Jones’ acknowledgment of the County’s role in the controversial plan, the Commission did not seize the opportunity to reaffirm its plain promise to taxpayers that Open Space and Conservation Easements, paid for with restricted Open Space tax revenue, will never be developed.

New Commissioner Marta Loachamin, who ran an election campaign rooted in community participation in local government acknowledged the +190 residents who took time away from their workday commitments to participate in the 1:00pm County hearing.

Commissioner Claire Levy, also newly elected, observed the County’s aggressive, self-imposed trash-diversion goals had given the County “tunnel vision.” She, in concert with Commissioner Loachamin, expressed relief the development application withdrawal curtails the quasi-judicial review process thus allowing staff and the new Commissioners to discuss all facets of the proposal and examine alternatives to the original plan.

Reached after the Commission hearing, Lisa Battan, a plaintiff in a lawsuit against Boulder County Commissioners seeking the protection of Rainbow Open Space from development, commented, “I am encouraged by today’s action to withdraw the development application that would destroy Rainbow Open Space. I am also somewhat disappointed the Commissioners could not also express a clear policy of honoring the protection of Open Space lands from development. That little step would eliminate the need for divisive litigation and restore public trust in the entire Open Space system.”

Brandon White, a plaintiff alongside Ms. Battan, was similarly encouraged, “I am optimistic this signals an end to the County’s appetite for developing lands taxpayers purchased to protect. Hopefully, rather than fight in court about how to protect Open Space lands we can all come together and refocus on how best to advance policies that are at once environmentally responsible and respectful of the commitments we have made to conserve our natural lands.”

Ms. Battan and Mr. White are founding members of the Open Space Protection Alliance (OSPA), a 501(c)(3) non-profit formed to raise community awareness of threats to Open Space and Conservation Easements. OSPA maintains the website, [www.ProtectRainbowOpenSpace.org](http://www.ProtectRainbowOpenSpace.org)

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