

Fountain Creek Watershed District  
Citizens Advisory Group  
Corrected Meeting Minutes  
October 9, 2009

This meeting was held at:  
City of Fountain, City Hall  
116 S. Main Street, 2<sup>nd</sup> Floor  
Fountain, CO 80817

### **1. Call to Order and Introductions**

The October 9, 2009, meeting of the Fountain Creek Watershed Citizens Advisory Group (“CAG”) was called to order by Chairperson, Ms Ferris Frost, at approximately 9:45am. In attendance were the following designated members of the CAG.

Ferris Frost – Chairperson  
Jay Winner – Vice Chair  
Ross Vincent  
Irene Kornelly  
Eva Montoya  
Carol Baker  
Dennis Maroney  
Mary Barber  
Kevin Walker  
Tom Evans  
Juniper Katz

Members not present:

Richard Skorman  
David Kinnischtzke  
Dan Henrichs  
Tom Ready  
Jack Johnston

A quorum was noted.

### **2. Approve Agenda of October 9, 2009**

Upon motion duly made, seconded and unanimously carried, the agenda for the October 9, 2009 meeting was approved.

### **3. Approve Minutes of Prior Meeting(s)**

Minutes of July 10, 2009

**Action:** Following discussion and upon motion duly made, seconded and unanimously passed, it was resolved to approve the narrative form of the July 10, 2009 minutes.

Two versions (narrative and summary of actions) of the July 10 meeting minutes were provided and discussed.

Minutes of September 23, 2009

**Action:** Upon motion duly made, seconded and unanimously passed, the September 23, 2009 meeting minutes were approved.

**4. Report regarding the status of the Colorado Springs Utilities Southern Delivery System project**

**Action:** Following a brief discussion and upon motion duly made, seconded and unanimously passed, it was resolved to amend the agenda to hear an update from Mr Keith Riley (Planning and Permitting Manager) on the Southern Delivery System (“SDS”).

Points of information presented by Mr Riley:

- Mr Riley provided an update on SDS permitting in El Paso County.
  - The first location approval application was submitted to El Paso County about a week ago for the raw water pipeline.
  - Four more applications will be submitted over the next 3 weeks for reservoir sites, pump stations and finished water lines.
  - Upon the advice of the Technical Advisory Committee (“TAC”), Mr Riley is here today to give a brief update.
  - Mr Riley is interested in beginning the process with the Fountain Creek Watershed District (“FCWD”) with an understanding that development of the formal review process is still underway.
    - They want to provide information that is relevant and of interest.
    - They will be starting with the TAC to get an understanding of information of interest.
  - The project crosses the 100-year floodplain at about the location of the Pikes Peak International Raceway (“PPIR”). Mr Riley sees the FCWD will have jurisdiction for the project at least at this location.
    - He is happy to hear any other advice or to answer questions.

Questions/Answers:

- Member Frost asked if he would be coming to us with the pipeline first.
  - Mr Riley responded It is his understanding that the first step will be to provide a presentation on the status of the project where there is a trigger for the FCWD to do its

review within the 100-year floodplain, but he also understands the District has an advisory role to El Paso County for the project area outside the floodplain. He wants to present to the TAC on Nov 4<sup>th</sup>.

-The first construction will be at the Pueblo Reservoir dam building a new outlet works structure. Construction on the pipeline begins in 2011 in Pueblo West, moving north, with pipeline construction continuing through 2016. That's the same timeframe for building the water treatment plant. This project will deliver water in 2016. Following that, they will make plans to build the upper and lower Williams Creek Reservoir sites, which right now are well into the 2020 timeframe.

-Member Maroney asked if he would describe the timeline in terms of the mitigation measures to take place on Fountain Creek as it relates to the construction schedule.

-Within the 1041 conditions there is a requirement to do dredging on Fountain Creek within the levee system to help restore the 100-year floodplain. Also, there is a requirement to purchase equipment such as the streamside system. So there are two projects for SDS in Pueblo.

-Meetings will start next week with internal folks to develop a dredging plan. Then they will work with the staff in Pueblo to make sure they have alignment, put together a sampling plan for the sediment and then start coordinating what happens to the dredged material. They would like to begin sampling early next year and planning for actual dredging.

-The timeline for dredging is to occur at or about the same time as construction of the outlet works on the dam.

-Member Vincent asked if he has a sense of the timeline for approvals with the County and the District.

-They are planning some public open houses with the county the weeks of November 9th and 16th. They will then go in front of the Planning Commission in January. There is no need for County Commissioner approval. Approval could come as early as the January meeting. Mr Riley wants to make sure the timeline works for the District and the Planning Commission.

-Member Kornelly recommended getting a layout of the entire project, timeline, etc, at the November CAG meeting with follow up if necessary in December. Advance information is welcomed and desired. Mr Riley will be presenting this information at the TAC on November 4<sup>th</sup> at 1:00pm.

-Discussion occurred about the advantages/disadvantages of having a combined TAC - CAG meeting or keeping presentations separate. Mr Riley suggested staying with two separate meetings, but some guidance about what the CAG is interested in would be good to know prior to the presentation.

-There are two parts to the application process. The first is location approval mapping where the project will be. The second is site development approval which includes such aspects as an erosion control plan. Mr Riley is looking for location approval for the

entire project at this time. Site development will occur separately when they are needed.

-CAG members would like an overview of the entire project from Pueblo Reservoir to Colorado Springs and aspects of the project that will directly impact Fountain Creek, including an estimated timeline. The crossing in El Paso County and the dredging project in Pueblo are two separate projects but can be heard together in one meeting.

-Mr Riley will present at the November 13<sup>th</sup> meeting of the CAG.

#### **5. Presentation and discussion regarding Colorado Foundation for Water Education's Citizen's Guide to Colorado Water Quality Protection reference series and Colorado Department of Public Health and Environment (CDPHE) grant.**

-A grant is available from Colorado Department of Public Health and Environment, the Colorado Watershed Assembly and the Colorado Foundation for Water Education for Citizens Guide Desktop Reference Booklets on climate change, water conservation, water quality, ground water and the like.

-As we already have an Outreach Plan, we would need the total quantity, guide selection, and implementation schedule by October 16<sup>th</sup>.

-Member Frost will work with Rich Muzzy (Pikes Peak Area Council of Governments) to acquire some of the guides.

#### **6. Review and discussion regarding establishing review criteria, structure, and procedures for submittals to be presented for CAG consideration**

Member Kornelly updated the proposed review criteria, structure, and procedures based on the discussion at the last CAG meeting (copy provided with changes in *italics*).

-Under section "Review Criteria, Structure...."

-Added paragraph 3: "The CAG is the public **conscience** ~~conscience~~ of Fountain Creek. The CAG should be a proactive organization that engages the public in open discussion on issues impacting Fountain Creek and the watershed. The CAG should work to create partnerships with groups and communities who have an interest in Fountain Creek and the watershed."

-Added to paragraph 2: "The fundamental responsibility of the CAG is to advise the District Board about these issues and the citizen concerns within the watershed."

-Under section "Structure and Procedures..." modified paragraph 3 to state "...available to the CAG a point of contact and should be prepared to make a presentation to the CAG at the appropriate meetings."

Procedures will be provided as information to the District Board; the District Board does not approve CAG procedures.

**Action:** Following discussion, upon motion duly made and seconded, and unanimously passed it was resolved to approve the revised criteria as amended.

Discussion:

- Concern that the Fountain Creek Corridor Master Plan/effort is not referenced. There is no final written plan. Identifying demonstration projects and getting funds took precedence to finalizing the plan. The District is currently funding demonstration projects and the plan is referenced in the 1041 agreement. The Fountain Creek Corridor Master Plan process will be added to paragraph 1.
- Concern that the Strategic Plan for the Fountain Creek Watershed contained inappropriate/illegal actions related to agriculture. These were taken out of the final version of the strategic plan.
- Members need to become familiar with the references (the strategic plan and the U.S. Army Corps of Engineers study) upon approval of them as criteria for judging projects. Items 1 – 16 of the review criteria were taken primarily from the strategic plan.
- Members discussed the purpose of the CAG as being more than another review body with checklists and one which should be more strategic and proactive. The review criteria presented for this item applies to submittals and projects being brought forward for review and not to the entire purpose of the CAG. Another document that talks about the strategic role of the CAG may be appropriate.
- Add to the bullet list: “Promote public education and outreach on watershed issues”.
- Add the word “*can*” at the end of the sentence “In addition, the CAG should look at how projects proposed for the Fountain Creek watershed *can*.” The word “*can*” was later changed to “*will*”.
- Discussed subparagraph 2, with no changes resulting.
- Members acknowledged “projects” have not been defined.
- Add new subparagraph 17: “Achieve local jurisdiction plans, objectives and regulations.”
- Discussed rewording “The CAG is the public conscience of Fountain Creek.” The statement was changed to “The CAG serves in the best interests, health and stability of Fountain Creek.” “Should be” in the second sentence will be changed to “is”. And, in the last sentence “should work” will be changed to “will work”. This paragraph will be moved between the document title and first bold underline statement.

## **7. Report regarding September 25, 2009 Fountain Creek Watershed, Flood Control and Greenway District Board Meeting and Status of Sundance/LaFarge land use applications.**

- Member Frost reported that Richard Skorman is the CAG representative to the District Board.
- The District Board denied both the Sundance/LaFarge land use applications (special use and variance).
- Member Winner reported that the Intergovernmental Agreement (“IGA”) was approved and signed by Colorado Springs and funding is available to the District.

- The job description for an interim Executive Director has been approved. The job announcement has been posted. Applications are due by October 16<sup>th</sup>.
- The District Board needs to put together a budget, auditing process and submit it.

### **8. Report regarding the October 7, 2009 Technical Advisory Committee Meeting**

- The TAC is developing checklists for their review process using the strategic plan, the U.S. Army COE study and other existing checklists from planning and jurisdictional agencies within the watershed.
- The TAC has applied for a \$25,000.00 grant from the Colorado Water Conservation Board (to be matched by funding already provided by the City of Colorado Springs) in developing a new Drainage Criteria Manual which will include a low impact development (LID) section. The information developed will be given out at workshops involving politicians, planners, and engineers to look at existing regulations, to see if they are amenable to adoption of LID techniques in the manual and to see whether the manual can be applied throughout the watershed as a criteria manual to be adopted by each of the entities within the watershed. The manual is estimated to be completed within the next year. The District would administer the funds.

### **9. Other Business:**

- Member Evans brought forward a public nuisance and sedimentation issue involving Rainbow Falls in the watershed. Member Evans will draft a letter of support for CAG review and will provide information on the project relative to the review criteria at the next meeting.
- Fountain Creek Foundation and Fountain Creek Corridor Master Plan presentations will be considered for the December meeting.
- The Center for Watershed Protection is an excellent resource and a future meeting agenda item. Member Evans will supply a URL for their web site.
- An overview of SDS, Rainbow Falls proposal, core values and the streamside system demonstration project will be considered as agenda items for the November meeting.

**10. Public Comment:** None

**11. Executive Session (If Required):** None required

### **12. Setting Date, Time, and Location of Next Meeting**

After discussion it was agreed the CAG will meet on November 13th, at 9:30am at Fountain City Hall.

### **13. Adjourn**

There being no further business, the meeting adjourned at approximately 1133am.