

Fountain Creek Watershed District
Citizens Advisory Group
Meeting Minutes
November 13, 2009

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

1. Call to Order and Introductions

The November 13, 2009, meeting of the Fountain Creek Watershed Citizens Advisory Group (“CAG”) was called to order by Chairperson, Ms Ferris Frost, at approximately 9:35am. 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
Juniper Katz

Mary Barber
Tom Ready
Dan Henrichs
Kevin Walker
Tom Evans
Richard Skorman
Jack Johnston

Members not present: David Kinnischtzke

A quorum was noted.

2. Approve Agenda of November 13, 2009

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

3. Approve Minutes of Prior Meeting(s)

Action: Upon motion duly made, seconded and unanimously passed, the October 9, 2009 meeting minutes were approved as corrected. One minor spelling correction was noted on page 4.

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

Several members initiated additional discussion and made recommendations for changes/additions/deletions concerning the criteria approved at the October 9, 2009 meeting. (Proposed changes *italicized*.)

-Suggested Review Criteria...:

-Item 17: Upon further discussion, change the word "Achieve" to "*Impact*".
-Change the word "will" to "*may*" on the top of the second page so that it reads "In addition, the CAG should look at how projects proposed for the Fountain Creek watershed *may*..."

-Introductory paragraph: Replace the paragraph with the following:

The Citizens Advisory Group (CAG) is composed of interested citizens selected by the District Board to represent a variety of community interests relating to Fountain Creek and the Watershed. The CAG's self-described goal is to serve in the best interest of the health and stability of Fountain Creek while keeping the natural and human communities affected by the Creek in mind.

The CAG is a proactive organization that engages the public in open discussion on issues impacting Fountain Creek and the watershed. The CAG will work to create partnerships with groups and communities who have an interest in Fountain Creek and the Watershed.

-Review Criteria, Structure, and Procedures...:

-Change the first part of the first paragraph in this section to "*The criteria to be considered by the CAG are based on: The Fountain Creek Watershed Strategic Plan...*"

-Add the following as the second paragraph in this section: "*The CAG, as an appointed body of the District, will advise the District Governing Board on proposed projects (or submittals) within the Fountain Creek Watershed; convey citizen concerns about those projects (or submittals) and other issues within the watershed; and, find ways to inform and educate citizens on the purpose and efforts of the District.*"

-The term used to describe what is submitted (proposed "project", "submittal" or another word) should be consistent throughout the document.

-Add to the list of numbered items near items 1 or 2 the recommendation from the U.S. Army Corps of Engineers ("COE") study relative to predevelopment hydrologic condition: "*Manage storm water discharges to assure post-development runoff matches pre-development runoff for peak, volume and timing to the extent practicable.*"

-Structure and Procedures for Proposals...:

-Change Item 1 to "*Ideally the CAG should receive all relevant information about a proposal 30 days prior to but a minimum of two weeks prior to the CAG meeting. Relevant information should also be made publicly accessible at the same time.*"

-Concerns were expressed over review lead time, CAG and public availability and accessibility of information, and desire not to burden or delay projects with the CAG process.

-A concern was expressed that the public be given sufficient opportunity to comment on a project. It was clarified that it is the prerogative of the Chair to set the agenda, commenting process and timeframes for applicant presentations, citizen comments and rebuttals.

-Member Kornelly will make the changes/additions and send them out to the CAG. The CAG will consider the revisions at the next meeting.

5. Update on Fountain Creek Master Plan

Ms Carol Baker, Colorado Springs Utilities, and Mr Kevin Shanks, THK Associates, gave the CAG an update on the Fountain Creek Corridor Master Plan, including background on regional efforts; master plan achievements; on-going and future plans for Clear Spring Ranch and East Side Greenway; funding and future opportunities; and the Intergovernmental Agreement signed by Colorado Springs Utilities, the Lower Arkansas Water Conservancy District and the Fountain Creek District. Ms Baker anticipates the Fountain Creek District will be able to take over all of this work in two years.

In response to a question posed by Ms Frost, field trips to project areas along the Creek are possible.

The number one project recommended in the COE study was in the area of the existing levees in Pueblo. Mr Maroney asked if the master plan considered the pilot project about to initiate as part of the concept to fortify levees to increase capacity as noted in the presentation. The presenters agreed that the idea was to work hand in hand with that effort. As part of the 1041 and Environmental Impact Statement (EIS) requirements, they will be assuming sediment removed from the Creek bottom will be safe and will be used for placement behind the levees. Mr Maroney noted Pueblo must have the levees certified soon, and if the footprint of the levees is modified, it must meet certain engineering standards to meet Federal Emergency Management Agency (FEMA) requirements.

Mr Skorman complimented and expressed appreciation for the work being done. He asked about project deadlines or timelines, budget shortfalls, etc as the sorts of things it would be important for the group to know (not necessarily answered today). He also asked what impact the Storm Water Enterprise going away would have on the process. Ms Baker responded the City of Colorado Springs has commitments to live up to regardless of how they are met. Certain federal/state storm water and 1041 agreement requirements must be met regardless of whether it's through the Storm Water Enterprise or some other form. If the Storm Water Enterprise is ratcheted down per

ballot measure 300, infrastructure projects in Colorado Springs would likely take longer time to complete. Demonstration projects in the master plan would not be affected by the ending of the Storm Water Enterprise. Ms Katz noted that for her the connection between the Storm Water Enterprise and the master plan is that it helps to ensure that the significant investments we are making in the Creek are sound and will last. The Colorado Springs City Council is currently addressing how to proceed with the enterprise. The work to update the drainage criteria manual is expected to continue to completion.

Ms Katz reported that FEMA may have grant money for restoration available. Also, she suggested meetings with Great Outdoors Colorado (“GOCO”) should include her or reference to Peak to Prairie because GOCO has invested a lot in it, and they like projects to be connected and aligned. She would also like an update on the eco-parks sometime.

An electronic copy of the presentation was provided to the Secretary for the record.

6. Fountain Creek Foundation

Mr David Struthers presented an overview of the purpose and mission of the Fountain Creek Foundation. It is a non-profit organization that sees itself as separate from, but working together with the District, similar to Platte River Greenway Foundation. They consider themselves the neutral, transparent voice of the river. Working with and for landowners, they seek donations along the Fountain Creek corridor. They partner in obtaining GOCO grants specifically for Fountain Creek Greenway. The Foundation partners with neighborhood organizations and schools to promote a healthy Fountain Creek. They are working with artisans on a coffee table book with seasonal paintings and photographs of the Fountain Creek. The Foundation is working with the Rocky Mountain PBS on a Fountain Creek Watershed documentary, a visual and narrative journey of the entire watershed, to be aired weekly. Mr Struthers invited members of the CAG to accompany him on his expedition along the length (44 miles) of the Creek, which will be accomplished bit by bit (one or two weekends per month) throughout the year. He is supported in this endeavor by The Gazette and the Pueblo Chieftain. The trip is planned to begin in December or January subject to scheduling. Mr Struthers will attempt to get the CAG the details. There was some follow-on discussion about how the Creek is pretty much invisible to the public and how important it is to work to help people understand and appreciate it. Ms Katz suggested that a Foundation representative become part of the CAG.

7. Streamside Systems

Mr John McArthur, President of Streamside Systems, gave a presentation about technology to restore sediment-impacted waterways and prevent sediment impacts. Streamside Systems technologies are being used for pilot and demonstration projects in Pueblo along Fountain Creek. They will be initiating a 30 foot collector, active removal

system for a full-scale validation in the near future. The system is capable of collecting 70 dump trucks per day of clean, washed sand verified by testing during the Phase 1 demonstration project.

The project will be located just downstream of the abandoned railroad trestle, which has created a blockage underneath the bridge. The project is intended to restore the capacity of the channel at the site selected. Restoring the channel capacity will make the levee system upstream adequate by correcting the freeboard issues. The validation project will identify the engineering design criteria for systems. If the results and performance of the system are as expected, similar systems may be used on Fountain Creek and throughout CO.

The collectors may serve as a substitute for dredging with less environmental impact. The material may be beneficially reclaimed and reused. Material will be tested again during this phase of the project.

Mr Maroney reported the status of the project. The Request for Proposal is being drafted. An engineering firm will manage the project. The system will be sole sourced because there is no substitute system. Pueblo hopes to have the RFP completed in the next month or two and to start work in January.

They will be examining whether a mining permit will be needed. There may be surface mineral ownership issues to be determined. The system can be used to add sediment back into the system in order to create a balanced system.

An electronic copy of the presentation was provided to the Secretary for the record.

8. Tom Evans on EPC acquisition of Rainbow Falls

Mr Evans read into the record a letter to the District from El Paso County Commissioner Sallie Clark concerning the matter of acquisition of Rainbow Falls by El Paso County ("EPC"). Mr Evans recommends the District support the acquisition for future revitalization and restoration of the site, which potentially affects the Fountain Creek Watershed. The support does not require any commitment of funds by the District. The current landowners have agreed to deed the property to EPC. There has been some environmental degradation of the site from past practices including those by Colorado Department of Transportation which will need to be addressed. The Commission will vote next Tuesday at 9:00am.

Action: Following motion made, seconded, and discussed it was unanimously resolved that Mr Evans would be authorized to draft a letter for action at the next meeting.

Discussion items:

- Are there any opponents?
- Has there been a Phase 1 environmental study?
- The site was addressed in the COE study.

- Support the concept of cleaning up but without committing to a specific project, site, acquisition or condemnation of the property.
- Anything the District does must to be done by the District.
- Even though the letter may not be referred until after the Commission meeting, it will still show our interest in the watershed.

Mr Evans was authorized to relay the sense of the CAG as being in support at the Commission meeting on November 17, 2009. He will also draft a letter and send it out for members to review.

9. Report regarding October 23, 2009 Fountain Creek Watershed, Flood Control and Greenway District Board Meeting

The next meeting will be December 4, 2009, 1pm, Fountain City Hall. The list of 25 applicants was narrowed down to five. Five applicants will be interviewed for the interim Executive Director at the meeting. The District Board will identify the desired candidate and a contract will attempt to be negotiated.

10. Report regarding October Technical Advisory Committee Meeting

No report; the November meeting was cancelled.

11. Other Business

Concern was expressed and discussion initiated about the demise of the Storm Water Enterprise, the need to understand the situation and implications of it, and how it relates to effective storm water management in the Creek. The Colorado Springs City Manager was requested to come up with a recommendation on phasing out the enterprise. The concern is less about the City's internal structure and more about management of storm water. We should report to the District Board we had a discussion about the potential loss of the Storm Water Enterprise fees, how it will impact storm water management on the Creek, and let the District determine how to address the issue. Colorado Springs City Council will be addressing this at an upcoming meeting; timing may be an issue because of the Council and District meeting schedules. It does not affect the City's mandates for water quality, but it may affect how they go about doing projects to meet the requirements. Ms Frost will convey CAG concerns to the District Board on December 4th. Going forward we should consider how we can become better informed (and inform the District) about potential impacts.

Mr Maroney announced a presentation at Colorado State University - Pueblo today at 2:30pm on a Methodology for Watershed Management. Also, if anyone would like a tour of the weather facility at the Pueblo airport, it will be Monday at 1pm, but you must RSVP today to Karen at 719-583-6202.

12. Public Comment: None

13. Executive Session (If Required): None required

14. Setting Date, Time, and Location of Next Meeting

After discussion it was agreed the CAG will meet on December 11, 2009 at 9:30am at Pueblo City Council Chambers, 2nd Floor at #1 City Hall Place, Pueblo, CO.

15. Adjourn

There being no further business, the meeting adjourned at approximately 12:25pm.