

**Fountain Creek Watershed, Flood Control and Greenway District
Citizens Advisory Group
Meeting Minutes
October 12, 2012**

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

1. Call to Order, Establish Quorum and Introductions

The October 12, 2012 meeting of the Fountain Creek Watershed Citizens Advisory Group (“CAG”) was called to order by Chairperson, Mr Terry Hart, at approximately 9:35am. In attendance were the following designated members of the CAG:

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|--|-----------------------------------|
| Terry Hart – Chairperson | Vice Chairperson – Irene Kornelly |
| Mary Barber | Dieter Erdmann |
| Jack Wallick | |
| Richard Skorman – CAG Representative to the Fountain Creek Watershed, Flood Control and Greenway District (“FCWD”) Governing Board | |
| Ferris Frost – Alternate CAG Representative to the FCWD Governing Board | |

Members not present:

| | |
|------------------------|--------------|
| Carol Baker | Tom Ready |
| Vance Clifton | Ross Vincent |
| Yvette Valdez-Trujillo | Dan Henrichs |
| Elaine Kleckner | |

Mr Fred Williams, presenter from the U.S. Air Force Academy, was also in attendance.

A quorum was noted.

2. Approve Agenda of October 12, 2012 Meeting

Upon motion duly made, seconded and unanimously carried, the October 12, 2012 agenda was approved.

3. Approve Minutes of Prior Meeting(s)

Upon motion duly made, seconded and unanimously carried, the September 14, 2012 minutes were approved.

4. Reports

- a. **Governing Board Meeting.** Mr Skorman and Ms Kornelly reported the following:
 - The Board will invite and seek advice from the Trust for Public Lands about a potential future ballot initiative.
 - Mr Emmons and Mr Kogovsek, Attorneys, were asked to provide draft ballot language as a basis of future discussion.

- Mr Small presented a basic draft of the 2013 budget.
- Mr Skorman was appointed to the Stormwater Task Force in El Paso County.

b. TAC Meeting. No report.

c. Outreach Group.

-Ms Kornelly reported the Outreach Group has been on hiatus. The Group intends to convene again in January to discuss the way forward.

-Ms Carol Baker and Mr Skorman will be asked to keep us informed about the activities of the Fountain Creek Watershed Greenway Fund, a new component or program of the Pikes Peak Community Foundation. The Fund is still in its formative stage, and the relationship between the Fund and the District is as yet unclear. [Reference added:

[http://greenwayfund.org/.](http://greenwayfund.org/)]

d. Oil and Gas Exploration Subcommittee. Ms Kornelly reported the following:

-The Colorado Springs City Council did not vote on the initial regulations brought forward by the City Attorney. The Council requested the City Attorney strengthen the land use regulations and bring them back at some undetermined time.

-The Colorado Oil and Gas Conservation Commission (“COGCC”) is re-opening the oil and gas regulations to review the potential need for water quality sampling prior to drilling and increased setbacks for certain buildings. Water quality and setback concerns have been raised by local jurisdictions throughout the State.

-The City of Longmont has been sued by the State over its more stringent oil and gas regulations. El Paso County has not passed their regulations because of issues of local versus State authority raised by the Colorado Attorney General’s office.

-Results from oil and gas exploration test wells in eastern El Paso County (“EPC”) have not been revealed.

-Colorado Springs may have challenges with more stringent ozone regulations in the future.

-Local water supply is not considered a limiter or an issue in our area because of the Southern Delivery System (“SDS”).

-The Subcommittee raised the question as to whether or not the District (as a Special District) has legal standing with the COGCC.

-The Subcommittee will continue to follow what’s happening around oil and gas in the region/State.

e. Website Working Group. Members were asked to continue to send input and suggestions to Mr Jeff Besse in order to keep the site up-to-date and relevant.

5. Current Business

a. Waldo Canyon Burn Runoff Concerns Update. Resources are lacking overall. Entities are mitigating damages individually. The Coalition for the Upper South Platte (“CUSP”) is doing some meaningful mitigation. The U.S. Forest Service has completed their Waldo Canyon mitigation activity at least for this fall. There are very limited federal and virtually no state resources to address particular landowner issues. It is not clear whether there is a collaborative group trying to bring together and coordinate all of the entities with an interest in resolving the short and long-term impacts presented by the fire. It may be within the purview of the EPC Task Force being led by Mr Terry Maketa, El Paso County Sheriff. Mr Skorman will try to find out more about the EPC Task Force for the next meeting so that the CAG can better understand and make recommendations as to the potential role and participation of the District in the process.

b. Regional Stormwater Task Force Status Report. Mr Skorman is our District representative. Mr Williams, invited guest, indicated the task force is collecting data relative to operations and maintenance and capital improvement requirements.

c. AFA Erosion and Watershed Issues. Mr Fred Williams, Operations Flight Chief at the AFA, gave an overview of stormwater issues on the Academy.

d. Discuss NRCS Assistance to Streamside Restoration. Ms Frost raised concerns of landowners within the District's jurisdiction along Fountain Creek who are losing property not only from major floods but also smaller flooding events. There is also a problem with debris and trash accumulating and affecting private property. She passed around photographs showing impacts and emergency mitigation activity on Ms Jane Green's property and also impacts to the Frost Livestock property. Ms Frost and Mr Graham Thompson, Matrix Design Group, are working together to try to guide landowners and come up with suggestions for how the District might be able to assist them.

-The U.S. Army Corps of Engineers issues permits to landowners when required but they offer no other assistance.

-The Natural Resource Conservation Service ("NRCS") has a program for private landowners, but it is limited in scope and financing. Landowners must pay for improvements or mitigation out of their own resources and then may be reimbursed by the NRCS for certain activities. Since landowners may not have adequate money available to design and pay for a project upfront, projects may not be designed/engineered and landowners do what they can with the resources they have with varying degrees of success.

-Flood insurance covers only structures and not loss of land/soil. Essentially, there are no services available to landowners for planning or design of land protective measures.

-Ms Frost and/or Ms Kornelly will share the photographs on October 16th with the Stormwater Task Force citizen's group who is trying to visualize stormwater impacts on landowners.

-Some on-hand District funds may be available for project planning.

-Ms Frost would like to recommend that the District take on the role of helping landowners defend their property while awaiting master planned projects to be completed in the corridor. The general consensus of the members was that some sort of short-term funding and assistance process should be considered by the CAG with the intent of making a recommendation to the District Board. Ms Frost and/or Mr Skorman will present the photographs at the next Board meeting and begin the conversation about the District's potential role in particular situations.

6. Other Business: None

7. Public Comment: None

8. Executive Session: None Required

9. Next Meeting

The next regularly scheduled CAG meeting will be November 9, 2012, 9:30am, Fountain City Hall.

10. Adjourn