

**Fountain Creek Watershed, Flood Control and Greenway District
Citizens Advisory Group
Meeting Minutes
January 11, 2013**

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 January 11, 2013 meeting of the Fountain Creek Watershed Citizens Advisory Group (“CAG”) was called to order by Ms Irene Kornelly, Vice Chairperson, at approximately 9:35am. In attendance were the following designated members of the CAG:

Vice Chairperson – Irene Kornelly

Mary Barber

Ross Vincent

Jack Wallick

Dan Henrichs

Elaine Kleckner

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:

Terry Hart – Chairperson – resigned due to election to Pueblo County Commissioners

Vance Clifton

Yvette Valdez-Trujillo

Dieter Erdmann

Tom Ready

Carol Baker

Mr Larry Small, Executive Director Fountain Creek Watershed District (“FCWD”); Mr Jerry Cordova, City of Fountain; and Mr Perry Cabot, Colorado State University also attended. Ms Allison Mosser, Colorado Springs Utilities (“CSU”), Senior Project Manager, Southern Delivery System (“SDS”) arrived later in the meeting.

A quorum was noted.

2. Approve Agenda of January 11, 2013 Meeting

Upon motion duly made, seconded and unanimously carried, the January 11, 2013 agenda was approved.

3. Approve Minutes of Prior Meeting(s)

Upon motion duly made, seconded and unanimously carried, the December 7, 2012 minutes were approved.

4. Reports

a. Governing Board Meeting. The Board took the following actions in December:

- Approved a 2012 budget amendment
- Approved the 2013 budget
- Approved \$25,000.00 for a contract with Matrix Engineering for writing/preparing grant applications plus \$25,000.00 in matching funds. The \$50,000.00 will come from the Master Plan fund, leaving about \$100,000.00 remaining in the fund.

- A grant application was presented this week to the Arkansas Roundtable Needs Assessment Committee. The Committee provided valuable feedback that will be used to improve the application for consideration by the Roundtable. The application is a request for funds to support a bank mitigation demonstration project on the east side of Fountain Creek on the Frost Ranch. Total cost of the project is estimated to be \$186,000.00 with in-kind contributions from CSU (\$31,000.00) and matching funds from the FCWD (\$10,000.00), Arkansas Roundtable (75% of \$49,000.00), and the balance from the Colorado Water Conservation Board ("CWCB"). Total cash in the project will be roughly \$155,000.00. A follow up meeting will be held with the Assessment Committee on February 13th to address the solution to the roughly \$40,000.00 funding gap and present the final project. The Committee will make a recommendation to the Roundtable.

- One study and one small project grant (approximately \$30,000.00-\$50,000.00 each) are in the process. The contract with Matrix Engineering involves submittal of three grant applications.

b. TAC Meeting. The Technical Advisory Committee ("TAC") met on January 9th and addressed the following agenda items:

- Addressed the annual Sunshine Law requirement, member and officer recommendations. Ms Kleckner will be stepping down from the TAC and the CAG.

- Reviewed and recommended approval of the Southern Delivery System land use application for the Williams Creek Pump Station Power Supply, Fountain Creek Crossing with no conditions.

- Received a status update on the U.S. Geological Survey ("USGS") flood control study by the subcommittee. The report is scheduled to be completed by the end of the year.

- Received brief updates on the Waldo Canyon flood control efforts. Current efforts:

- Watershed Assessment of River Stability and Sediment Supply ("WARSSS") is in process. (WARSSS is a technical procedure developed by Dr. David L. Rosgen for water quality scientists to use in evaluating streams and rivers impaired by excess sediment.)

- U.S. Air Force Academy ("AFA") debris analysis for the northern portion of the installation.

- Six debris/catchment basins have been installed by the Coalition for the Upper South Platte ("CUSP") in the burn area. CUSP will also be looking at sedimentation and quick highway/road protection and mitigation projects.

- Received status updates on the drainage criteria manual and the land use application review procedures subcommittees. The next item to work on is the land use application checklist.

- Next meeting February 6, 1pm, Fountain City Hall.

c. Outreach Group. The Outreach Group met in Dec 2012. Mr Jeff Besse will be scheduling the next meeting. There is a general desire to rejuvenate the Adopt a Creek initiative.

d. Oil and Gas Exploration Subcommittee. Members updated what they knew with regard to activities of the Colorado Oil and Gas Conservation Commission (“COGCC”) and other entities.

-The COGCC is looking at recommendations to expand or extend the setbacks from structures to 500 feet and tentatively approved regulations that companies must test water before drilling, one year after and again five to six years later. Companies may select the water testing location. There were no requirements for testing pipelines or other infrastructure.

-There will be an air quality hearing in Denver at the end of January regarding oil and gas drilling and the level of involvement by the Colorado Department of Health and Environment (“CDPHE”). The State is generally limited to enforcing federal requirements which are minimal.

-The City of Colorado Springs has not finalized their regulations.

e. Website Working Group. Ms Kornelly recommended that the Secretary take responsibility for ensuring the CAG minutes, agendas and other pertinent documents get posted on the website.

5. Current Business

a. Land Use Application Review: SDS, Williams Creek Pump Station Power Supply, Fountain Creek Crossing. [The presentation was moved to later in the meeting to accommodate CSU. Copies of presented materials on file.] Ms Mosser, CSU, Senior Project Manager, Southern Delivery System presented the land use application for the subject project.

Upon motion duly made, seconded and unanimously carried, the members passed a recommendation to the Board for approval of that portion of the Southern Delivery System Williams Creek Pump Station Power Supply, Fountain Creek Crossing, located in the floodplain; and a recommendation to the Board that as a referral agency they recommend El Paso County approve the project.

b. Waldo Canyon Burn Runoff Concerns Update. Several groups are looking at how to manage debris from the burn area. See also Item 4.b. El Paso County (“EPC”) and Colorado Department of Transportation (“CDOT”) are looking at controls above and in the vicinity of Rainbow Falls and State Highway 24, respectively.

c. Regional Stormwater Task Force Status Report. The Task Force has developed a list of both capital construction and maintenance requirements. Approximately 280 capital improvement projects mainly in EPC have been identified at a cost of about \$900 million to complete. This does not include studies or maintenance, the Fountain Creek Corridor Master Plan, projects in 2013 budgets, Waldo Canyon projects or CSU infrastructure protection. More than a billion dollars will be required for all storm water control and management projects. No recommendations were made by the Task Force as to how to acquire the funding for the capital improvements. About \$6.7 million in annual funding by Colorado Springs is considered ‘sustainable’. The Task Force work is completed. The City of Colorado Springs now intends to contract an engineer to take the Task Force list, assess and prioritize city projects. Other entities may partner on the contract with the City. Pueblo County was not included in the assessment, although they have attended meetings. The District could play an important role in terms of studies and projects along the length of Fountain Creek. The FCWD mission and regional cooperation could be at risk. A discussion ensued with regard to mechanisms for funding requirements including sentiments in the region about fees, taxes, enterprises or storm drainage utility.

d. 2013 CAG Membership. The recommended list of members is attached. Three members from 2012 (Mr Hart, Mr Clifton, Ms Valdez-Trujillo and Ms Kleckner) were removed and three new members were added (Mr Cabot, Mr Cordova and Ms Bernard). A TAC representative to the CAG will also be appointed. Mr Small will review CAG membership guidelines in the bylaws. Representatives may be added at a future date.

Upon motion duly made, seconded and unanimously carried, the members approved a recommended list of members for 2013 for approval by the Board.

e. Election of Officers for 2013 CAG.

Upon motion duly made, seconded and unanimously carried, the members approved Ms Kornelly as CAG Chairperson for 2013.

Upon motion duly made, seconded and unanimously carried, the members approved Mr Perry Cabot as CAG Vice Chairperson for 2013.

Upon motion duly made, seconded and unanimously carried, the members approved Mr Wallick as CAG Secretary for 2013.

Upon motion duly made, seconded and unanimously carried, the members approved Mr Skorman as the Primary CAG Representative to the FCWD Governing Board and Ms Frost as Alternate for 2013.

f. Approve Sunshine Law Compliance Provisions.

Upon motion duly made, seconded and unanimously carried, the members approved the Sunshine Law Compliance Provisions as follows:

COLORADO SUNSHINE LAW COMPLIANCE - 2013

Citizens Advisory Group (CAG) of the Fountain Creek Watershed, Flood Control and Greenway District

- A. Meeting notices will be posted at the same places as the El Paso County and Pueblo County Commissioners meeting notices are posted.
- B. The day and time of regular meetings shall be the 2nd Friday of each month, at 9:30 am. The primary meeting place will be the City of Fountain City Hall, 116 S. Main Street, 2nd Floor, Fountain, Colorado 80817; however the CAG has the ability to meet in other locations from time to time.
- C. The Secretary of the CAG shall be the official custodian of records. The Executive Director will also keep records, as appropriate.
- D. Official minutes and records will be maintained by the CAG Secretary, with copies to also be maintained by the Executive Director.
- E. The audio recording is hereby designated as the official record of meetings.
- F. The audio recording of executive sessions is hereby ordered, except for attorney/client communications.
- G. The Official Newspapers for publication of required notices shall be the same newspapers that are used by the Boards of Commissioners of El Paso and Pueblo Counties.

6. Other Business: Ms Frost wished to make the members aware of the status of the proposed gravel pit south of Fountain. The pit operation was approved by EPC about three years ago. Lafarge sold the operation to Martin Marietta. The EPC approved a request by Martin Marietta for an extension to project implementation for another three years for completion of various design, engineering and operating permits. Martin Marietta may be invited to present their plans at a future CAG meeting.

7. Public Comment: None

8. Executive Session: None Required

9. Announcements and Next Meeting: Mr Cabot announced the Arkansas River Basin Forum will be held on April 24-25, 2013 with a major focus on oil and gas.

The next scheduled CAG meeting will be February 8, 2013, 9:30am, Fountain City Hall. The members agreed to retain the current schedule of meeting on the 2nd Friday of the month at 9:30am in Fountain unless otherwise agreed upon.

10. Adjourn: The meeting adjourned at approximately 11:35pm.



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