

**Fountain Creek Watershed, Flood Control and Greenway District
Citizens Advisory Group**

Meeting Minutes

April 12, 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 April 12, 2013 meeting of the Fountain Creek Watershed Citizens Advisory Group (CAG) was called to order by Mr. Perry Cabot, Vice Chairperson, at approximately 9:30 a.m. A quorum was noted, with the following members of the CAG in attendance:

Perry Cabot – Vice Chairperson
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
Jack Wallick – CAG Secretary
Mary Barber
Nancy Bernard
Jerry Cordova
Ross Vincent
Dieter Erdman
Dan Henrichs

CAG Members not present:

Carol Baker
Tom Ready
Irene Kornelly – Chairperson
Richard Mulledy – TAC Representative to the CAG

Also in attendance:

Larry Small, Executive Director Fountain Creek Watershed District
Terry Hart, Pueblo County Commissioner
Jordan Vana, Colorado Open Lands

2. Approve Agenda of April 12, 2013 Meeting

Upon motion duly made, seconded and unanimously carried, the updated April 12, 2013 Agenda was approved.

3. Approve Minutes of Prior Meeting

Ferris Frost proposed a revision to the Draft Minutes from March 8 2013: Under Reports, Outreach Group, final bullet, the position of the Board with respect to the Outreach Committee and the CAG as a whole, was that the CAG, through the Outreach Committee should move forward with its ideas for public involvement. The CAG was in agreement that Ferris was correct, and the Draft Minutes were amended.

Upon motion duly made, seconded and unanimously carried, the amended March 8, 2013 minutes were approved.

4. Reports

a. Governing Board Meeting. Larry Small reported on the March 22nd Board meeting as follows.

- The Board will discuss the mill levy and other funding and other election-related issues at a retreat sometime in May or June.
- Summit Economics' submitted a proposal for contract support to the Stormwater Task Force work. This work would be jointly supported through the County and Colorado Springs Utilities. Summit withdrew that proposal shortly afterward, apparently due to the unsettled nature intergovernmental relations.
- Larry outlined some of the costs to set up a full-scale District office. Initial year requirements would be on the scale of \$1.2M, with close to \$1M annual operating costs afterward. This equates to approximately 12.5% of the anticipated revenue from a 1 mill levy. Larry envisions needing 3000 sq. ft of office space, a hands-on office manager, an engineer for RFP support, and most other functions contracted out or shared/borrowed with other governmental entities.
- The next Board meeting will be April 26.

b. TAC Meeting. Larry Small reported on the most recent TAC meeting as follows.

- Richard Mulledy is no longer with the City of Pueblo and is now with Matrix Design Group of Colorado Springs. Richard wishes to remain on the TAC. The TAC Chairmanship will be reported on in the next meeting.
- The TAC is still working on how to adapt the Drainage Manual District-wide, e.g., whether to change references to "Colorado Springs" to "District". It was decided that by incorporating the manual's *criteria*, communities throughout the District, will be able to take ownership of the manual. That will be their recommendation to the Board.
- The TAC also is considering establishing review criteria for land use applications in the District. Four or five different criteria were proposed for different types of applications, but in the end it was felt that different review criteria for different applications would not add significant value.
- Ross Vincent asked if there has been or will be updates or evaluations to the criteria or technology of the Drainage Manual. Larry replied that there is an oversight committee and that continuing input from communities and developers will be incorporated.
- With respect to Drainage Manual practices, Perry Cabot commented that Colorado State University, Pueblo, is interested in urban storm water issues, with the University eventually becoming a center of knowledge on the subject, benefitting residents, business/contractors, and government. Perry emphasized that the university provost wants to see extension efforts move more into the urban environment, and water is a crucial area in which CSU can make a contribution to southern Colorado. Validation of techniques and practices would be one of the contributions to developers and designers. Mary Ballard commented that developers need help establishing confidence in low-impact methods. Jack Wallick added that many nutrient reduction strategies like constructed wetlands desperately need technical validation of their performance, such as pounds of nitrogen or phosphorus removed per acre of wetland. CSU Pueblo could make valuable contributions in that area.
- The next TAC meeting is May 1.

c. Outreach Group.

- Jerry Cordova presented an overview of the City of Fountain’s Adopt-a-Waterway Program. He worked with Jeff Besse’s existing structure and extended it down the Fountain Creek Corridor, using highway mile markers to delineate the reaches or segments for identification and adoption. The City of Fountain Wellness Committee adopted the segment from milepost 129.75 to 129.5.
- In light of uncertainty over so many aspects of the issues, Perry suggested that the CAG pass over further discussion of the Outreach Committee’s activities and goals.

d. Oil and Gas Exploration Subcommittee.

- There has been little or no new activity in this area over the past month, and the topic was passed over to allow further discussion on more relevant topics.

e. Pikes Peak Regional Stormwater Taskforce

- Richard Skorman, the District’s representative to the Taskforce reported formation of a new subcommittee, the Emergency Subcommittee, to look into issues and effects relating to Waldo Canyon and forest health overall. He reported that he is the chair of the Emergency Subcommittee.
- The WARSSS study/assessment of the area is being conducted this week or next.
- Matrix has been hired to perform a study, due in August that looks at emergency response agencies throughout the area and how they plan and work together.
- Richard spoke to the funding of recovery and mitigation work in the Waldo Canyon area, saying Colorado Springs is committing a lot of resources, primarily from their general fund, as well as Colorado Springs Utilities, the gaps being the Forest Service and El Paso County. With respect to the County, Sallie Clark has been working hard to get federal funds. Most of the \$7.8 million in federal funds (secured through Sens Bennett and Udall, with Rep Lamborn) is only for private land, little of which exists within the burn area, and the funds must be used within 9 months – a limitation because few projects are ready for implementation yet. The serious issue is the Forest Service. Of the 18,000 acres burned, 14,000 are on Forest Service land, yet they have virtually no funds allocated for flood mitigation or habitat recovery.
- The city’s efforts will be primarily in the wildland-urban interface, especially on the north side, near the Air Force Academy and in the Navigators/Camp Creek area, with large wire debris catchments being put in place. Utilities also will be performing a lot of work on the north side to repair and harden infrastructure. The Hwy 24 corridor on the west is targeted by CDOT.
- There is still concern about the city’s involvement or cooperation in the overall regional effort. Newspaper accounts indicate disagreements over the format of intergovernmental agreements necessary to tackle the problem overall. The city has an RFP out for a consultant to look at the project list, with an eye to characterization and prioritization of the projects. Richard commented that the mayor and his staff want confidence in the scope and character of the need, e.g., capital vs. maintenance requirements, in light of the fact that estimates of the scope have grown from \$500 million a few years ago to nearly \$900 million in the last year or so. That consultant’s report will be due in August.
- Moving to the potential funding sources, of the three proposed by the Taskforce, one is a county authority. The county commissioners appear to be willing to do this, but they have no funding. They are convinced this is a regional issue, but the mayor does not wish to have the city involved until the project list is scrubbed, meaning no city involvement until the August timeframe. Even then, there is no assurance the city will not take a go-it-alone attitude, leaving the rest of the watershed to cope with a piecemeal solution, from both funding and planning standpoints.
- CAG members expressed frustration that decision-making with respect to so many aspects of the storm water problem (and solution) is stalled, despite greater public interest and involvement in storm water than ever before, with Waldo Canyon apparently bringing about the increase in interest.
- Richard also spoke to the possibility of bringing stormwater under Colorado Springs Utilities as a 5th utility. The administration and billing infrastructure, engineering, and other necessities are in place and could be put to work on stormwater with relatively little difficulty. Utilities appears to be willing to go

this route if tasked. Discussion later in the session focused on whether 1) a vote would be required for Utilities to charge fees, and 2) whether or how Utilities could extend their services to county areas, under the current charter. Opinions on were mixed on the mechanism, but there was general agreement that it can be done, with examples given of Utilities currently delivering services outside of the defined municipal service area.

- Dan Henrichs reported that during a Fulton Heights (Pueblo) neighborhood meeting (no one present attended) the subject of water quality was raised, leading to a newspaper piece accusing the District and others involved with Fountain Creek problems to be overly distracted by Waldo Canyon threats. Terry Hart clarified, saying this current fuss is mostly over outdated issues or misinterpreted actions, but there is a real concern in Pueblo over what might happen in the future. Another statement in the article accused the District of not knowing what it's doing, possibly based on misinterpretations and disregard of the current situation. This prompted several attendees to emphatically respond that Waldo Canyon is precisely the issue that will most affect downstream water quantity/quality issues and property damage. Statements were made expressing frustration with the mischaracterization of the District's efforts, as well as the threat of de-regionalization of the funding and direction of storm water mitigation efforts.
- Terry Hart made a point of reiterating that the view from Pueblo is that the El Paso County and Colorado Springs situation appears dysfunctional, and people are concerned. By postponing any action until the mayor's study is complete in August, we may wait too long to take advantage of the widespread knowledge of and desire to fix the stormwater problem with an election in 2013. Terry wants Pueblo to be able to see something happening in Colorado Springs, and at this time there is nothing to see but dysfunction. He hoped to communicate to Mayor Bach that delay can only be interpreted as lack of good faith on tackling the problem, and voices in Pueblo may call for reexamining its acquiescence to the SDS project.
- Discussions continued for quite some time around the many issues related to implementing the Stormwater Taskforce's list of projects through the maze of political players, taxpayers, and other constraints. Interested parties may refer to the recording available through the CAG Secretary, Jack Wallick.
- The next meeting of the Taskforce will be April 22, 2013, in which Denver Urban Drainage will make a presentation.

5. Current Business

- **Discuss the Trust for Public Land Report**
Following the lengthy discussions of disarray in the region with respect to watershed issues, Acting Chair Perry Cabot questioned what the members wanted the minutes to reflect with regard to recommending ballot timing and language (to include funding levels and vehicle). Larry Small asked that the CAG and TAC each formulate their vision of the way forward. These reports will be put on the Board's retreat agenda.
- It was suggested to establish a small group to hone down discussion topics for ease of discussion, although there were legitimate reasons to include the whole CAG.
- Perry said he would work with Irene Kornelly to build a structure for the discussions and recommendations for the next CAG meeting.

6. New Business

- Dieter Erdmann spoke to express his gratitude to the CAG for including him, and to introduce Jordan Vana of Colorado Conservation Trust to the group. Jordan will be working on the Fountain Creek Farm purchase and will be interacting with the District's people through this continuing project.
- It is not immediately clear who will replace Dieter on the CAG. Larry Small indicated that ultimately the CAG will need another land trust representative, but the seat does not have to be filled immediately.

- Ferris Frost announced that Irene Kornelly is absent because she is testifying in The Hague on the subject of chemical weapons. The CAG was pleased that its chairperson is internationally recognized for her work on this important subject.

7. Public Comment: There were no Public Comments.

8. Executive Session: None Required

9. Announcements and Next Meeting:

The next scheduled CAG meeting will be May 10, 2013, 9:30am, Fountain City Hall.

10. Adjourn:

Upon motion duly made, seconded and unanimously carried, the meeting adjourned at approximately 11:50 a.m.