

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

**Meeting Minutes
May 13, 2016**

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 May 13, 2016 meeting of the Fountain Creek Watershed, Flood Control and Greenway District (FCWD) Citizens Advisory Group (CAG) was called to order by Irene Kornelly, Chair, at 9:35 a.m. A quorum was noted, with the following CAG members in attendance:

Irene Kornelly – Chair
Ferris Frost – Alternate CAG Representative to the FCWD Governing Board
Jack Wallick – CAG Secretary
Mary Barber – FCWD Web Manager
Lisa Godwin
Duane Greenwood – TAC Representative
Dana Nordstrom
Allison Plute
Amber Shanklin

CAG Members not present:

Ian Hartley
Lois Illick
Tom Ready
Richard Skorman - CAG Representative to the FCWD Governing Board
Ross Vincent – Vice Chair

Also in attendance:

Elaine Kleckner – Planning Manager, El Paso County Community Services Department
Larry Small, Executive Director – Fountain Creek Watershed District

2. Approve Agenda of May 13, 2016 Meeting

Upon motion duly made, seconded and unanimously carried, the May 13, 2016 agenda was approved.

3. Approve Minutes of April 8, 2016 Meeting

Upon motion duly made, seconded and unanimously carried, the April 8, 2016 minutes were approved.

4. Presentations:

a. Update on County Projects, Elaine Kleckner – Community Services, El Paso County

Elaine gave a presentation with handouts on the status of a number of El Paso County Park and Recreation projects.

- Rainbow Falls Recreation Area. Flood damage repair and restoration is still being performed on the US Hwy 24 exit and on ramp, but the single track trail in the creek channel is being worked on and should be complete by the end of May. This is the last remaining piece of the 2013 FEMA grant and is being completed to close out that grant.

- Upcoming Rainbow Falls work, funded by a \$345K Transportation Enhancement Grant in 2011, includes trails, a pedestrian plaza, water access, a mini amphitheater, graffiti removal, and many general enhancements.
- CDOT has done trail work and bank stabilization as part of its work in the area, however, it is less than enthusiastic about other work proceeding while the bridge repair is underway.
- Elaine hopes the county's work in the area will be complete by end of year.
- Maxwell Street Trailhead (USACE US 85-87 Section 14 Project). This streambank protection project will armor some 1000 feet along Fountain Creek and the Front Range Trail.
 - FEMA funds paid for about 300 feet of armoring, which held up well under 2015 flooding, providing some valuable lessons and experience for planners and designers.
 - This \$2.5 million project will expand on that work, and is in the feasibility and environmental assessment phase, with construction planned for 2017-2018. Funding is through the USACE, a Community Block Development Disaster Recovery Grant and local funding.
- Fisher Canyon Bridge and Trail Repair. A low water crossing at this point had been deteriorating for years, but was completely destroyed in 2015 flooding.
 - \$200,000 in CBDG and Ballot Issue 1A funds were recently used to replace the crossing with a bridge and trail repairs. Additional funds were applied to build the bridge for a 50-year flood. The project is now complete.
- Hanson Creek Trailhead Area. FEMA-funded repairs in 2013 were lost in 2015 flooding, making this a poster child for failed flood repair projects.
 - The area is at a pinch point in the channel, and even back in 2013 it was acknowledged that the repairs would not fix the problem – the channel and bridge placement. Unfortunately, FEMA funds often will only pay to restore things to what they were, not what they should be.
 - FEMA funding for 2015 flood repairs is \$1.45 million, and a CBDG-DR grant just awarded will provide an additional \$1.3 million. Despite the difficulty of mixing funds, the county expects to be able to realign the channel and reset the bridge and trail.
 - The successful design of the realignment at Clear Springs Ranch is likely to be used as a model for this project.
- Outside of the District's actual purview, Elaine also spoke of other FEMA-funded restoration work, including the Rock Island Trail and the Santa Fe Trail, both of which were flood damaged to the tune of at least a half million dollars each. All the 2015 FEMA projects total nearly \$2.9 million with the local share being about \$700,000.
- Elaine highlighted a few other areas slated for restoration or repair, including Willow Springs Ponds and Stratmoor Valley Park and Trailhead.
- Elaine also spoke about the ongoing efforts to create a Fountain Creek Master Plan - a must in the world of competitive funding.

b. Stormwater IGA between Pueblo County, City of Colorado Springs, and Colorado Springs Utilities – Larry Small. Larry presented the key terms of the intergovernmental agreement allowing Colorado Springs Utilities to operate the Southern Delivery System. This agreement is key to the district's future funding. The text of the IGA can be viewed at this City website: <https://coloradosprings.gov/sites/default/files/iga.pdf> Highlights of Larry's presentation are as follows, but CAG members were encouraged to view the entire document at the above site.

- With regard to expenditures by the City and Utilities, the IGA specifies four five-year periods, totaling \$460 million.
 - Expenditures would increase from \$100 million for the 2016 to 2020 period to \$130 million for the 2031 to 2035 period.
 - A minimum of \$16.5 million would have to be spent each year.
 - The City and Utilities decide between themselves how to apportion their expenditures, without input from Pueblo County.

- The expenditures must at least complete the 71 capital projects identified in Exhibit A on or before December 31, 2035.
- The City and Utilities will have to submit annual, audited reports to Pueblo County detailing expenditures and progress.
- The IGA also specifies that if those projects are not completed by 2035, the agreement extends year to year until 2040 with annual expenditures of \$26 million by each of the parties for each year it is extended.
- The \$460 million obligation cannot include grants, monies spent by private developers, PPRTA, airport expenditures, FEMA funds, 1041 permit-related expenses, etc.
- If the City, due to budgetary constraints, cannot fund its portion of the annual expenditures, Utilities will have to make up the difference. The City is obliged to subsequently pay back its share.
- Pueblo County has enforcement powers under the IGA, should the City or Utilities fail to perform.
- Exhibits
 - Exhibit A is the 20-year list and rankings of the City's capital projects, the so-called 71 projects.
 - Exhibit B is the 2016 City projects.
 - Exhibit C is a five-year list of capital projects.
 - Exhibit D is a three-year list of Utilities capital projects.
 - Exhibit E contains the project prioritization criteria.
- The Improvement Program identified 61 projects out of the 71 as being of benefit to both the City and Pueblo County. The lists can be updated or modified through joint approval.
 - Developing these lists and criteria was an extensive technical process and Utilities will reimburse Pueblo County's engineering team for their expenses incurred in the process.
 - Representatives of each of the parties will meet annually to review and update the project list as needed. Utilities will reimburse Pueblo County up to \$10,000 annually for related expenses.
- The IGA calls for regional cooperation on Fountain Creek, long a goal of stormwater control advocates. Among the particulars,
 - The parties shall support the District in efforts to obtain grants for stormwater control, water quality projects, and the like.
 - The parties will cooperate in regional land use planning where feasible and practicable.
 - The parties will likewise cooperate on region water quality improvement and similar initiatives, again where feasible and appropriate.
 - The IGA also calls for coordinated support of the District or others in the acquisition of land or conservation easements enhancing the Fountain Creek corridor below the City and through the City of Pueblo.
- Payments to the District
 - Within 30 days of the effective date of the IGA the District will receive a check for \$125,000 from Utilities. This is for the general fund, but a portion (\$25,500) must go to match the grant for the upcoming flood control alternatives study and that of the WARSS Assessment grant (\$30,000).
 - Also within 30 days of the effective date of the IGA the District will receive its first annual payment of roughly \$10 million, with similar payments in 2017, 2018, 2019, and 2020.
 - The agreement also stipulates that the parties cooperate on contributing to funding of the District beyond 2020.

- Utilities will contribute up to \$1 million annually for three years for the repair of the Pueblo levees, contingent on matching funding by the city of Pueblo. This also includes sediment, debris, and vegetation removal associated with levee upkeep.
- The IGA requires implementation of the Drainage Criteria Manual, and in the event variances are requested, the City will provide notice and the opportunity to review and comment to Pueblo County before deciding upon any variance request.
- A Forbearance Clause states that as long as the City and Utilities are compliant with the IGA, Pueblo County will not pursue remedies under the SDS 1041 permit or the City's stormwater program.
- A question was asked about the list of 71 projects, and where it might be found. Larry replied that Rich Mulledy has an interactive map on the City's stormwater web page. Irene added that June's presentation will be Rich speaking on those projects.

5. Reports.

a. Governing Board Meeting. Larry Small reported on the April 22, 2016 Board meeting.

- The District is participating in a grant program for debris removal and wildlife habitat restoration in the lower Fountain Creek corridor from Hwy 47 to 8th Street. Funding is provided by \$100,000 from the Lower Arkansas Valley Water Conservancy District, \$100,000 from Pueblo County, and \$72,000 from the District.
- The Board narrowed its options to three alternative scenarios for funding operations this year, and will choose one at its next meeting
- The next Board meeting will be May 20.

b. TAC Meeting. Duane Greenwood reported on the TAC meeting.

- The TAC heard Larry's presentation on the IGA.

c. Outreach Group. Allison Plute reported for the Outreach Group.

- For the year to date, our contact numbers are up.
- A little money was left in the Outreach grant, so we will spend it on magnets, always a popular hand-out item.
- The Pikeview Reservoir fishing derby is tomorrow (Saturday May 14). There are 30 kids signed up, a number of fisher folk will be assisting, and it promises to be a rewarding morning.
- The Pueblo skate park opening is also tomorrow.
- Allison reported on a pet waste study conducted by CC students.
 - They surveyed Ute Valley Park and Palmer Park trails for the presence of pet waste, recorded locations with GPS, then cleaned everything up.
 - In a 3/4 mile stretch of trail they collected 95 lbs of pet waste. Returning just one week later, they collected 85 lbs from the same stretch of trail.
 - The study attributed the problem to three factors: 1) Lack of education about the impact of pet waste on water quality, 2) Lack of infrastructure, i.e., bag dispensers, trash cans, etc., and 3) Lack of staff for enforcement.
 - The program will continue by placing young people at trail heads handing out bags, educating pet owners on the problem, and hopefully having an impact on the issue.
 - We are partnered with Friends of Bear Creek, City Stormwater, Utilities, and others on the pet waste problem, as well as with the HOT Team on homeless camps, which are increasing in number as shelters close for the season.
- Jerry Cordova, former CAG member, is now the city stormwater manager, so we will be working with him again on Creek Week and other outreach efforts.
- We can have a free booth at the El Paso County Fair, Wednesday July 20. That will be Dollar Day, so attendance should be good. Allison asked for volunteers; we'll have the Enviroscape to engage the kids, so fun will be had by all.

- The Greenway Fund seeks donations for the Legacy Loop, new parking areas, trail heads, and underpasses are planned on the Greenway and other trails.
- Woodland Park held its Creek Week last week at the headwaters of Fountain Creek.
- Creek Week now has its own website, linked through the District website.
- The Green Box Art Festival is asking for help harvesting willows June 6, 7, and 8 for the structures being built in Green Mountain Falls this summer.
- Larry announced that Colorado City, Rye, and Pueblo County are doing a Creek Week creek cleanup this spring as well, and will give us statistics for the overall Creek Week numbers.

d. Monetary Mitigation Fund Committee. Irene reported on the Monetary Mitigation Fund Committee meeting.

- The committee discussed the IGA, which was a work in progress at that time.
- The WARSS grant and the Drainage Criteria Manual were also discussed.
- As the IGA was still in process, no definitive decisions could be reached on any programs. It was noted that an engineer and attorney will need to be put on contract.
- The committee meets again May 19, Thursday at the Pueblo Public Works Department.
- Larry mentioned the fact that the Public Works Department may no longer be sufficient for Monetary Mitigation Committee meetings. Although the Pueblo location makes an important statement, the committee needs better infrastructure and accessibility. Several other Pueblo locations were mentioned as possibly suitable.

e. Website and Facebook Page. There was nothing new to report this month.

6. Current Business. None

7. Other Business. Irene suggested the topic of emerging contaminants in Security's water as a future presentation. Allison suggested a presentation on Utilities' long range planning process, currently underway.

8. Public Comment. There were no public comments.

9. Next Meeting. The next scheduled CAG meeting will be Friday June 10, 2016, 9:30 a.m. at the Fountain City Hall, 116 S. Main, 2nd Floor, Fountain, CO.

10. Adjourn:

Upon motion duly made, seconded and unanimously carried, the meeting adjourned at 11:15 a.m.