

Fountain Creek Watershed District Board
Citizens Advisory Group
Meeting Minutes
June 11, 2010

The meeting was held at:
Pueblo City Council Chambers
#1 City Hall Place
Pueblo, CO 81003

1. Call to Order and Introductions

The Jun 11, 2010, meeting of the Fountain Creek Watershed Citizens Advisory Group (“CAG”) was called to order by Chairperson, Ms Ferris Frost, at approximately 9:40am. In attendance were the following designated members of the CAG:

Ferris Frost – Chairperson
Irene Kornelly
Terry Hart
Mary Barber
Dennis Maroney

Jay Winner
Chris Yuan-Farrell
Eva Montoya
Carol Baker
Jack Johnston

Members not present:

Tom Evans – Vice Chairperson
Kevin Walker
Dan Henrichs
Richard Skorman

Ross Vincent
Tom Ready
David Kinnischtzke

Mr Gary Barber, District Executive Director, and members of the public were also present.

A quorum was noted at approximately 0940.

2. Approve Agenda of June 11, 2010 Meeting

Upon motion duly made, seconded and unanimously carried, the agenda for the June 11, 2010 meeting was approved.

3. Approve Minutes of Prior Meeting(s)

Upon motion duly made, seconded and unanimously carried, the minutes of the April 9, 2010 meeting were approved.

4. Reports

a. Governing Board meeting

Mr Maroney reported the Technical Advisory Committee (“TAC”) presented the following at the District Board meeting:

Colorado Water Conservation Board (“CWCB”) proposed floodplain rules and regulations:

- The CWCB will conduct a workshop in Pueblo (location to be determined) from 10:00am to 2:00pm on June 17, 2010. Register for the workshop on the web site. Registration is free. They will provide a presentation and review the changes they are proposing. The approval will come before the CWCB in November. Proposed changes:
- Defines critical facilities and uses the 500-year floodplain to regulate them.
- The proposal represents a more conservative approach to floodplain regulations by making the floodplain broader.
- Wastewater treatment plants are exempted.
- The proposed rules do not apply to existing wastewater treatment plans unless they will be undergoing substantial changes.

The Federal Emergency Management Agency (“FEMA”) Floodplain Study:

- A work session with FEMA is being coordinated for Jul 23, 2010, at 10:00am at the Pueblo County Commissioners, to review the results of the FEMA study. The TAC and CAG are invited to attend. FEMA will present the results of their study which will be used to update the floodplain maps.
- There are not too many changes in the flow rates in the lower part or the main stem of Fountain Creek, but in the area of the confluence of Monument – Fountain Creeks the flow rates are such that it would narrow the floodplain substantially. The proposed changes reduce the flows 60-70% in the area through Manitou and through that reach.
- Representatives at the work session will include FEMA, CWCB and representatives from Michael Baker and Associates who did the study.
- Colorado Springs requested FEMA to map the floodplain to higher numbers that they have in place today (using the URS and U.S. Army Corps of Engineers ‘ACOE’ study), but FEMA indicated they are not going to do that. FEMA intends to map to the numbers they came up with in their study using gauge analysis or actual records. Pueblo has significant years of record - 68 years. Upstream records vary with the lowest being 19 years of record. Nineteen years might be questionable to predict a 100-year or 500-year event.
- FEMA will create updated digitized flood insurance maps based on the numbers generated in the Michael Baker study. The impact this has on the watershed is that it narrows the floodplain in certain areas. It takes people out of the floodplain in terms of requiring them to have flood insurance. This might have a negative impact if we ever witness again floods like we had in Manitou in 1999 and 1965. If floodplain insurance is not required, in all likelihood most people will drop it. This is different than FEMA’s normal approach which is to make the floodplain bigger and bring more people into the flood insurance program. Questions such as this are what need to be addressed.
- Ms Baker asked if we are going to invite the ACOE to the work session since one of the recommendations was to use their numbers. Mr Maroney stated we could invite someone from the ACOE. FEMA has not been amenable to adopting the ACOE numbers. The CAG could recommend that the Board invite someone from the ACOE. Mr Maroney suggested Mr Charles Wilson would be appropriate to invite. Mr Maroney will coordinate with Mr Barber on contacting Mr Wilson.
- Ms Barber asked how the FEMA map changes would affect the District. Mr Maroney clarified that the District relies on the FEMA maps for their authority within the 100-year floodplain over the area between Fountain and Pueblo. As the maps change, the regulations are such that the District will adopt the new maps; the current maps define the authority of the Board.
- Mr Maroney suggested a motion was needed to recommend to the Board an invitation for the ACOE to attend the work session. ***Upon motion duly made, seconded and unanimously carried, the recommendation to invite an ACOE representative to the July 23, 2010 work session was***

approved.

-Mr Johnston asked how ultimately the difference in the FEMA and ACOE numbers will be reconciled. Mr Maroney noted two different methodologies were used [in the FEMA and ACOE studies]. The procedure will involve a 90 day review period once the preliminary maps are published. During this time, you can make a formal request to change the maps, but a technical challenge would have to present the hydrology to substantiate the numbers you want to use. FEMA will make the decision on the validity of the challenge. In response to a follow up about the process by Mr Johnston, Mr Hart clarified that this is outside legislative or regulatory processes. If there are questions about their [FEMA] numbers, it would be good to have the technical folks who have driven the other numbers [ACOE] in the room. There are also a number of impacts that should be outlined in the conversation including flood insurance.

Ms Frost and Mr Maroney reported that the Board had some discussion on the bylaws but action was postponed to a special meeting (date to be determined) because they wanted to have nine members present. One of the discussion items related to the fact that the Citizen Director (or anyone other than an elected official) cannot be the Chairperson or Vice Chairperson.

-Mr Johnston commented that if you are on the Board you should have an equal chance to be the Chair or Vice Chair. Ms Frost noted the concern was brought to the attention of the Board based on the recommendation of the CAG. Mr Winner offered that perhaps the Chair and Vice Chair should remain elected officials until the District gets a funding stream because they bring their own resources to the table like free attorneys, engineers, etc as they do now. Mr Johnston suggested they can still offer the free services because the elected officials are still participants. Ms Frost noted the bylaws will not be able to be changed very easily so it is important to try to resolve this issue. The concern will be raised when the Board takes up the bylaws again.

-Mr Maroney mentioned the other CAG and TAC recommendations have been inserted into the draft bylaws.

b. Technical Advisory Committee Meeting

Mr Dennis Maroney reported the TAC will recommend two new members: Mr Dan Bare, Colorado Springs Storm Water Utility; and Michael Augustine, Floodplain Administrator for El Paso County. The TAC also discussed the floodplain issues and CWCB proposed regulations (as described above).

c. Outreach Group

Ms Baker reported the following Outreach Group activities:

-Toured Clear Springs Ranch

-Met this morning to talk about some of the upcoming things going on and how to prepare for those and some long-term planning

-Looking at getting the word out more and more on all the great things going on regarding Fountain Creek activities and getting people more educated

-Some of the things coming up:

-John Salazar will be doing a ground breaking for the side detention behind the Wal-Mart either later this month or early next month

-Mini-tour for water education on June 22nd; cost is \$100 to attend

-For the State Fair, THK is putting together a caricature map on all of the existing and future opportunities for watershed type outings and demonstration projects; also considering a trifold and short clip video (from Fountain Creek Foundation). Mr Maroney mentioned that if a TV is to be available, security will be needed for an unattended booth. It will need to be secured in some way. The booth will be located in the agricultural area near the barns. A kiosk or

something like it which can be locked and secured will be needed. Colorado Springs has a TV & DVD player the group could use.

5. Current Business

a. Strategic Plan Priorities

Ms Frost asked to discuss what we want to be doing as the CAG. She thinks that if we sharpen our desires then maybe we can pick this up and move forward. Outreach is going to be one of our main functions, but we also have other stuff for which we are responsible. We have other things we should be doing, and we should be moving ahead on these, too.

Ms Baker described a spreadsheet which summarizes the action items for the CAG as they pertain to the District strategic plan. The big "X" indicates primary responsibility; the small "x," the support role. We should be kept informed of everything going on.

Mr Winner asked how we accomplish keeping informed. There are a lot of activities going on outside the TAC and the District that this group should be involved in. An example is on Monday, members of the Arkansas Basin Roundtable (landowners from La Junta, Beulah, Sawatch and Chafee Counties) killed a CWCB project on Fountain Creek and nobody from Fountain Creek District was there. How do we get this information out and get people engaged? Mr Winner identified the project was for fish monitoring. The approval of the project is now delayed until July, which gets us out of the September funding mechanism. It would be very helpful that the District/CAG be involved when this project comes back up in July. Ms Frost suggested that one solution would have been for Mr Winner to inform us of the meeting; it would not be the only mode. Mr Hart suggested that when we take a position on something, it would be beneficial wherever it ultimately goes for approval for us to have a mechanism to know about it and have an opportunity to be present, especially if we sense it might be in trouble. Ms Baker suggested we have the Board sign a letter of recommendation. Mr Winner wondered how to get people on a mass web site to understand that something is moving forward. Ms Frost added and to also be able to understand what it means. Mr Maroney wondered how we fit to which Mr Winner responded that the District, TAC or CAG could write a letter or speak in favor of a project such as the one on Fountain Creek which has implications on endangered species. The project is tabled until July. The CWCB funding opportunity, a State-wide initiative, requires project submittal 60 days in advance so funding would probably not be available until 2011. The project will probably be done by September 2011. Ms Baker noted that USGS may fund the project, but multiple partners help with support and knowledge region-wide. Ms Frost said in this instance we need to write a letter and have someone present it at the July Roundtable meeting. Mr Barber said he would write the letter. It will need to be mentioned at the District Board meeting and someone should be present at the Roundtable.

Ms Frost asked for suggestions in regards to keeping track of activities at the Roundtable which impact Fountain Creek. Mr Winner pointed out all of the information coming before the Roundtable is on the CWCB web site. Mr Hart stated we just need to be alerted in some fashion. Mr Barber said we could get Pikes Peak Area Council of Governments ("PPACG") to put it up on the Fountain Creek web site or Mr Winner suggested a link to the CWCB site would be adequate. Ms Baker was concerned that everyone in the group would not be looking at the web site; Ms Frost added or understanding it. Ms Baker suggested a short email to Ms Frost who could then send to the group. Mr Hart offered we could start a "red alert" process whereby a note comes to Ms Frost who then sends a "red alert" out to the group. Mr Winner agreed to notify Ms Frost when appropriate.

Ms Frost summarized that we have outreach, the necessity to keep up with everything going on in the watershed, we have one solution for one area that will be critical [Arkansas Basin Roundtable] and we have other areas for which we are primarily responsible or somewhat responsible. A discussion ensued as to what the CAG priorities should be.

-As there is no agriculture plan in the [Fountain Creek Vision Task Force] strategic plan because consensus was not reached prior to going final, Ms Frost suggested developing an agriculture action plan like the other sections. Ms Kornelly suggested inviting some landowners/agricultural stakeholders to the meeting where this will be discussed so that we understand their issues. Mr Winner wanted to clarify whether the purpose is to write a statement as to our position on agriculture or something else. Ms Frost clarified that she would like to see an action plan similar to the other sections of the strategic plan. Mr Winner is concerned whether or not we will get bogged down in conversation and defining terms as the State has over the last four years. Ms Frost stated it is not her intention. Mr Barber said that one of our challenges is determining success. The challenge with agriculture is on the one hand Colorado Open Lands is buying easements to keep land in agriculture, but you have this tension that some of the best farmland also used to be some of the best wetlands. We also have a mission statement to build wetlands so the question is what is it exactly you want to see happen. Mr Winner expressed what he thought would be the general landowners or farmers position and that is not to tell them what they can do with their water right or land. Ms Frost agreed these were all good things to think about, but she wants to be able to move out on something even if it is just talking. Some discussion took place about what we could call success, but no resolution was reached. She will send the original plan for CAG review and she will put it on the agenda when appropriate.

-Mr Maroney had comments about the spreadsheet. He thinks the CAG should be supportive of the ACOE recommendations (albeit in a minor role) and should then have a little "x" under support on the spreadsheet. Mr Maroney clarified that the recommendations will be addressed in the drainage criteria manual. He believes the CAG would want to have an understanding of the recommendations in order to support them when projects come forward for review. Ms Kornelly suggested a presentation on the drainage criteria at some point in the future. Mr Maroney thought that the TAC could speak to the CAG about the recommendations and implementing criteria, when developed. Ms Baker will note the CAG's support role in the development section of the spreadsheet.

-The CAG has the primary role for the three elements of Recreation. Ms Baker pointed out the Fountain Creek Corridor Master Plan will do this for a large section of the Creek, but the CAG can support, be knowledgeable and give input on specific plans. Ms Frost wondered what we should be doing relative to the plan. Ms Kornelly asked when was the last time we had a presentation on the plan and how often should we have an update on the master plan. Mr Barber interjected these comments:

-Several things will be coming together hopefully by this fall.

-One is to get in project mode as a District through the Memorandum of Understanding ("MOU"), which includes a services contract by the end of this month.

-The second is figuring out what the anchor points are along the Creek. For example, we just got a commitment from the City of Fountain Tuesday night on planning around the Wells property, just south of the confluence with Jimmy Camp Creek. Our Executive Committee of the Master Plan is asking how to make this a significant corridor in El Paso County.

-At this point we inherited an on-going master planning process that predated the District. We made a decision in inheriting the master plan with the basic 30,000 foot level work done that we would spend some time trying to drill down to specific projects and specific locations and spend money on things that could happen. Highway 47 (Wal-Mart area) to the confluence in Pueblo is a high priority area.

-Mr Barber believes that Jimmy Camp and confluence (Pinello Ranch down to Frost Ranch) should be a priority planning area in the corridor based on the maps, ACOE study and changes in impervious surface.

-Another area is Monument – Fountain Creek confluence and the reconstruction of the interchange by CDOT in the area. Is it a priority planning area, an anchor point? It's a very significant point, but can we have any influence there?

-Mr Barber has documentation that shows Venetucci Ranch as side detention basin, but it's probably not going to be there. Professionals looked at where these things could go and identified them.

-The next iteration would come back to the CAG for feedback in the fall and needs to now be based on dealing with the City of Fountain and Great Outdoors Colorado ("GOCO") funding for the Wells property. It would be a place to put parking, a trail head and a community gathering area so plan around that like its happening.

-The other big project is the work Colorado Open Lands did relative the Front Range Trail. They were careful not to show trail on private property even though conceptually they had some ideas. This level of recreation planning is needed. At what point are we comfortable showing the trail on various properties. The charge Mr Barber has is to complete the master plan by the end of ~~February~~ ~~October~~ 2011.

Ms Frost sought clarification on the CAG's priorities. Mr Barber said there is tension between funding coming from the master plan and trying to be a watershed district. If we have things we think are important we should bring them up. Mr Hart stated the CAG is not limited to just reacting. The limitations we have are what we put on ourselves. We can start a process to take input if we want to do so and generate projects because we are an advisory group. As an example, Mr Barber stated we could have embraced Mr Nelson's motorcycle activity and resolved to advise the District to waive the fees. We can be advocates for trails, agriculture, etc. Mr Hart would like to know what is going on right now so that we can see if anything is missing. Mr Winner agreed we need to understand what is going on because there is so much happening. An educational component is needed. For example, the State has invested \$3 million for alternatives to agricultural transfers and many papers have been written. Mr Winner handed out a draft report addressing what happens to agriculture when water is transferred, and he reinforced the need for an educational forum. Members discussed the following approaches for education of the CAG:

- mini-tours, such as the Clear Springs Ranch tour by Outreach Group
- presentations with maps
- site visits to specific projects, e.g. sediment removal
- CWCB presentation on agriculture
- overview of what has happened, what is happening, what is planned for next 2-3 years, what is vision for the future
- same kind of tour as for teachers on June 22nd
- set standards for data compatibility with GIS map system
- caricature map (in process)
- get a big picture for the watershed; we don't have to be in charge of it as much as we should be there to try to see it and deconflict it with others
- start with the big picture, break it down into smaller parts, and then back out again to big picture
- maps

Ms Frost concluded that education for the CAG is first priority. We need to get us all informed about what is going on in the watershed. Part of it will be tours; part will be maps with different layers. As we are informing ourselves, we can also figure out how to get this out to the public

and get their input. The first step is to put everything in context. Mr Hart said he (and others) may need to do homework such as he should maybe refresh himself with the strategic plan, ACOE study and the Corridor Master Plan. Ms Kornelly said as there are varying levels of awareness, perhaps the most knowledgeable folks could help prioritize the things we need to know. Mr Barber volunteered to put together the first version of the big picture story.

b. State Fair Booth: Discussion - Discussed under Outreach Group report

6. Other Business:

-Mr Winner distributed copies of a preliminary draft report entitled “A Proposed Method for Incorporating Rural Population-Business Thresholds, or ‘Tipping Points’ in Water Transfer Evaluations” by Honey Creek Resources, Inc, April 2010.

-The report describes the first phase of a model that can be used to determine impacts when you take agriculture out of production in water transfers.

-The report will be presented at the Arkansas Basin Roundtable meeting, July 14, 1230pm, at CSU Pueblo Occhiato University Center.

-Agendas, reports and other information for the CWCB and Arkansas Basin Roundtable can be accessed through the CWCB web site.

-Mr Maroney alerted the members that CWCB also has another report regarding the conservation and reuse of water. They have a pilot project that allows people to take rainwater for storage and irrigation.

7. Public Comment: Upon a question from the public, Ms Frost announced that meeting information for the District Board, CAG and TAC is maintained at <http://www.fountain-crk.org>.

8. Executive Session (If Required): None

9. Next meeting: Date, Time, Location

The Pueblo Confluence Park tour will commence at 12:30pm at Dairy Queen at 8th and Erie.

The next regularly scheduled CAG meeting will be July 9, 2010 at 9:30am at Fountain City Hall.

10. Adjourn: The meeting was adjourned at approximately 11:30am