

Fountain Creek Watershed, Flood Control and Greenway District
Citizens Advisory Group
Meeting Minutes
May 11, 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 May 11, 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:

Terry Hart – Chairperson	Vice Chairperson – Irene Kornelly
Mary Barber	Dieter Erdmann
Dan Henrichs	Elaine Kleckner
Tom Ready	

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	Jack Wallick
Vance Clifton	Ross Vincent
Yvette Valdez-Trujillo	

Mr Larry Small, Executive Director was also in attendance.

A quorum was noted.

2. Approve Agenda of May 11, 2012 Meeting

Upon motion duly made, seconded and unanimously carried, the May 11, 2012 agenda was approved.

3. Approve Minutes of Prior Meeting(s)

Upon motion duly made, seconded and unanimously carried, the April 13, 2012 minutes were approved.

4. Reports

- a. **Governing Board Meeting.** Mr Small gave the following report:
 - The final report and paperwork for the fish marking grant has been submitted to the Colorado Water Conservation Board (“CWCB”), the U.S. Geological Survey (USGS) who did the work has been paid, and the project has been closed.
 - The District is expecting about \$500,000.00 this summer for construction of the fish

ladder, which was included in a recently passed wildlife bill.

-Mr Small had previously reported a \$70,000.00 funding shortfall for the USGS flood control study. Since then, the USGS has reallocated \$57,000.00 funds towards the study as an increase in their match, leaving about \$13,000.00 remaining to be funded by the District. Our total contribution to the project will be \$313,000.00. About \$3,000.00 interest from a CD may be applied towards the balance subject to Board agreement. Remaining funds will be covered by the restricted project funds.

-The Board received a briefing from Colorado Springs Utilities (“CSU”) on the Southern Delivery System (“SDS”) Fountain Creek Mitigation Project as had been presented to the CAG in April.

-Summit Economics gave their storm water study report, giving essentially the same briefing as provided to the CAG in April. The Board will discuss the recommendations at the May 18th meeting. Two briefings remain to be given to funders: Colorado Springs City Council on May 21st and El Paso County on May 24th. Mr Small will distribute the draft report after these presentations.

-Funds were approved for various payments.

Mr Hart brought forward item **5.d., Ballot Question for 2013**, which led to extensive discussions about how the draft Summit Economics presentation to the District Board was reported in the Pueblo Chieftain. Reactions to the presentation and the Chieftain article by the leadership and citizenry of Pueblo and Colorado Springs areas were also discussed.

Mr Small clarified misconceptions or misunderstandings about the draft Summit Economics report. The District has not been proposed to be the agency that provides storm water control for Pueblo and Colorado Springs, and he does not think the District should get involved in their battles. The District may have a role as an independent management agency similar to the Denver area Urban Drainage and Flood Control District, which manages projects on behalf of the member entities in the District. The FCWD would not generate funds for other entities such as El Paso County. Both the County and the District have the need and authority to request funds for their own storm water needs. This creates the potential for two mil levy ballot questions in 2013.

The District may wish to engage with El Paso and Pueblo areas to resolve storm water control issues related to SDS and the 1041 permit if doing so would enhance the potential for a successful District ballot initiative. The members generally agreed that the District/CAG should strive to understand history and the issues facing watershed communities, strategize the approach (taking into account the needs of all stakeholders in the watershed and downstream), and better define the CAG’s role in the future ballot initiative. All agreed that professional resources to support a campaign will be required for the ballot initiative to succeed.

b. TAC Meeting. Ms Elaine Kleckner reported the Technical Advisory Committee (“TAC”):

-Had similar discussions on the ballot 2013 topic and related issues as well as the Summit Economics report.

-Is trying to determine their role in the upcoming ballot initiative process.

-Discussed preparations for the upcoming policy workshop sponsored by a Colorado Water Conservation Board (“CWCB”) grant. Jurisdictions will be invited to participate with the intention of having common policies on storm water adopted by the entities in the watershed. A joint planning meeting between the CAG and TAC will tentatively be June 6, 2012 at 1:00pm in Fountain. The workshop itself for planners, engineers elected officials and others will be conducted the following week. The Drainage Criteria Manual is available for review on the Colorado Springs web site.

-Discussed and drafted the land use application fee recommendation (see also Item 5.b).

c. Outreach Group. Ms Kornelly reported the Outreach Group will be meeting Monday, June 14th, 1:00pm in Fountain. The Clear Springs Ranch event on April 21st was very successful with about 95 participants launching the Adopt-a-Waterway program. A lot of debris was removed from a two mile stretch of Fountain Creek. Other activities included floating the Creek and tours of the site.

d. Oil and Gas Exploration Subcommittee. Ms Frost reported the efforts of the Colorado Springs Oil and Gas Exploration Subcommittee seem to be on hold or completely curtailed. Subcommittee recommendations were to have been submitted to the legal department for drafting regulations, followed by a town meeting and presentation to City Council. The status of the regulations is not known and information does not seem to be publicly available. Ms Kornelly added the best way to get concerns addressed under the circumstances is probably thru the permit. She said that the recommendation to be submitted to the District Board may be to provide input to our local government designee on the Colorado Oil and Gas Conservation Commission (“COGCC”) for possible incorporation into the permit as the best way at this time of getting our concerns addressed.

e. Website Working Group. Per Mr Small, the transfer of the web site is complete. Mr Jeff Besse is the site administrator. Opportunity is available to populate the site with relevant information. Some inquiries from outside agencies have already been received because of the web site. Send input and suggestions to Jeff.

5. Current Business

a. Sediment Collector Status: Mr Small reported the collector is now operated only when someone is onsite because of past vandalism. The collector removes sediment very well. The U.S. Army Corps of Engineers will be on site June 17-18 to observe the system as a possible solution to sediment problems elsewhere in the country. Mr John McArthur will be presenting at a future Board meeting. The sediment collected will be used by the City of Pueblo for trail construction. The project will be completed by September.

Side Detention Status (Added): Mr Small reported the District received a letter from the State Engineer ordering that the side detention be shut down because a substitute water plan has not been approved. The letter has been forwarded to the City of Pueblo as the owner of the site. The City has 60 days to respond.

b. Proposed District land use application review fee. Ms Kleckner handed out a table with multiple county fee comparisons and proposed cost of service worksheet for discussion and feedback. The TAC was charged by the Board to compare, evaluate and propose revised land use fees for applications within the District’s land use authority corridor. The current fee is whatever El Paso and Pueblo County collects + 10%. The proposed fees are based on an hourly rate for the Executive Director, the tasks to be performed and the estimated time to complete the tasks for processing of the application. The fee would be paid directly to the District.

Upon motion duly made, seconded and unanimously carried, the CAG endorsed the TAC’s proposed land use application fee recommendation.

c. Pikes Peak Library District, Fall Reading Program - Survival: Against All Odds. Ms Barber briefly described the Library District’s fall program in which the FCWD may want to participate in some way. She gave information and handouts about past and proposed events for discussion by the Outreach Group.

d. Ballot Question for 2013. Discussed under Item 4.a.

6. Other Business: None

7. Public Comment: None

8. Executive Session: None Required

9. Next Meeting

The next regularly scheduled CAG meeting will be June 8, 2012, 9:30am, location to be determined.

10. Adjourn

The meeting was adjourned at approximately 11:55 am.