Chatfield Reallocation FR/EIS Study Meeting

Tetra Tech Conference Room, Lakewood, Colorado

Wednesday, October 6, 2010: 9:00 am–11:00 am

1) Introductions and General Announcements (Colorado Water Conservation Board [CWCB]):

- Tom Browning (CWCB) welcomed the group and introduced the agenda. Topics included U.S. Environmental Protection Agency (EPA) Region 8 Deputy Administrator Comments, Study Updates (project management, draft review process and comments, and other PM updates), Meeting Summary from Washington, D.C. Trip, EIS Discussion Items (remaining tasks, unresolved issues, public involvement), and Wrap-Up.

- Tom introduced Carol Rushin, Deputy Regional Administrator, EPA Region 8 to the group. She provided an update regarding the Clean Water Act (CWA) Section 404(b)(1) Guidelines analysis for the project that the Corps provided to EPA on September 7, 2010 (see item number 2). Carol thanked the Corps for their work and invited the group to share any comments or concerns about the path forward with her.

2) EPA Region 8 deputy Administrator Comments:

- Carol Rushin, Deputy Regional Administrator for Region 8, addressed the group concerning the results of EPA's review of the preliminary draft CWA Section 404(b)(1) Guidelines analysis provided by the Corps. The EPA concurs with the approach taken by the Corps in the preliminary analysis. As a result, the reallocation of storage space in Chatfield Reservoir will not require a discharge of dredge or fill material into waters of the U.S. A letter confirming EPA concurrence with the CWA Guidelines was sent to Colonel Ruch, USACE, Omaha District, on October 6, 2010. Ms. Rushin expressed EPA's commitment to continue collaborative efforts to avoid and minimize environmental impacts of the project, including development of a Compensatory Mitigation Plan.

- Carol Rushin indicated that she will be the active administrator for issues involving the project for the time being. Jim Martin, who came to EPA from the state, is recused from working on the Chatfield Reallocation project until May 10, 2011, under standard hiring protocols.

3) Study Updates—Gwyn Jarrett (USACE-Omaha [Corps]):

a. Project Management

i. Summarize Study Budget and Schedule.

- The Corps independent external peer review (IEPR) will expend ARRA funds that have been allocated for the task ($133,000). The IEPR will occur simultaneously with the Public Review and is expected to be completed in April 2011.

- The project has not received official notification of funding from the House and Senate. Marge Price of Capitol Representative stated there should be $267,000 in each account. The project has funds of $19,000 that will be used for ongoing ATR review of the cost appendices, risk assessment (if required), comment resolution, and internal consistency review.

- CWCB (Tom Browning) and the Corps (Gwyn Jarrett) will soon begin work on the FY12 budget request. The Cooperators expect to continue performing work-in-kind to fulfill their 50-50 cost share agreement. Tom does not anticipate that this arrangement will require modification.

- CWCB, the Corps, and Tetra Tech updated the project schedule through May 30, 2011 (attached). The goal is to produce a revised draft FR/EIS for USACE HQ review on November 18, 2010, and a draft for public comment on January 28, 2011. All outstanding issues should be addressed by the end of October if possible.

- The Corps and state will continue to collaborate with project participants to resolve comments and work through environmental mitigation scenarios before the draft FR/EIS is submitted to USACE HQ for review.

- Steve Dougherty (ERO Resources) informed the group that a meeting was planned between ERO and EPA on October 6, 2010, to discuss environmental mitigation topics.

- Bahman Hatami (State Parks) said that a meeting including State Parks, Division of Wildlife, and project participants was planned on October 7, 2010, to resolve comments and outstanding issues requiring concurrence from State Parks.

- Gwyn Jarrett agreed to follow up on issues involving Real Estate/Land Conservation Fund.

- Based on a suggestion from the group, a line item for document production will be added to the project schedule as appropriate.

- Ann Bonnell (Audubon Society of Greater Denver) announced intent to request extending the 60-day period for public comment to 90 days.

ii. Draft Review Process and Comments.

- The District review is complete.

- The ATR is mostly complete, with the majority of comments received on October 1, 2010. Comments are outstanding from one ATR team member. The ATR review of the cost appendices has been completed, but the Corps anticipates that a risk analysis will also be required, and this effort has not yet been initiated. Gwyn Jarrett reported that the majority of the ATR comments address consistency issues. Other comments include developing additional graphics that illustrate reservoir elevations associated with the different alternatives, and

expanding the executive summary to provide a comprehensive, stand-alone description of the project purpose and intent, alternatives, and recommendations.

- All comments from the project participants are due by October 7, 2010. Tom Browning (CWCB) plans to submit the comments to the Corps on Friday, October 8, 2010.

- Revisions to the FR/EIS based on ATR and other comments are expected to begin in late October and be completed around November 12, 2010. The revised FR/EIS will be submitted to Corps HQ on November 18, 2010.

b. Meeting Summary from Washington, D.C. Trip

- The September trip to Washington, D.C. was successful. The purpose of the meeting was to meet with members of Congress to reinforce the need for Denver Metro area water supply solutions, meet with the Corps HQ, and discuss the importance of the storage reallocation project, timeline, and funding mechanisms. Eric Laux delivered a PowerPoint presentation addressing the AFB comments and status of work completed since last meeting that was well received. Delegation support for the project appears strong. Special thanks were extended to Denver Water and Capitol Representatives for their support.

c. Other Items

- The group asked about how the comments will be prepared and presented to the Corps. The CWCB will screen, organize, and summarize the comments and then submit a comment package to the Corps for response.

- Ann Bonnell (Audubon Society of Greater Denver) questioned whether representatives of the Chatfield Marina had the opportunity to review the revised FR/EIS. Tom Browning responded that an all-day meeting that included representatives from the Marina was scheduled for October 6, 2010. An outside consulting firm has been retained to help resolve issues. The meeting will support the recommendations presented in the Recreation Facility Modification Analyses (EDAW report). Resolution of issues is expected on a 30- to 45-day timeframe.

- A concern was also brought to the group's attention about the status of communications with the Denver Arboretum about potential mitigation plans for wetlands affected by the project. Tom Browning said that he would follow up on this issue.

- John Hendrick (Centennial Water and Sanitation District [CWSD]) opened a discussion about the format that will be followed for public outreach meetings planned during the FR/EIS public review period and asked who would run the meetings. Mike Mueller (Sierra Club) stated that the group should develop a strategy to make the meetings relevant and useful to the public, which would also promote public acceptance of the project. Mike noted that effective presentation is vital for the project to convey its message about potential benefits to the public. The group noted that the presentation could be difficult

to prepare because of the diverse backgrounds and technical levels of the audience. John suggested conducting dry runs prior to presenting to the public. Presentations to focus groups could also be used to receive useful feedback and make the outreach meetings more effective. A possible format for the public outreach meetings could combine a formal presentation with the opportunity for the public to interact with subject matter experts in small group settings, perhaps at information booths/stations. Gwyn Jarrett said that she has experience with public meetings and has found that an open house setting that provides access to experts at information stations combined with the opportunity to share their views in an "open mike" format has been effective for similar projects.

- The group explored ways that electronic copies of the draft FR/EIS might be accessed by the public during the comment period. Kent Wiley asked whether the draft document would be posted on the Tetra Tech website during the public comment period. The group will be able to review the document on the ftp site, and an effort will be made to make access as user-friendly as possible. The group also discussed the possibility of providing electronic access to the document on the Corps public site, in libraries, and Colorado Department of Natural Resources website. There was a suggestion to provide the document on CDs that the public can download.

- The CWCB signed a resolution, following execution of all necessary documents by the Water Users, which approves a redistribution agreement between the Water Users and the City of Brighton. Under this agreement, Brighton has relinquished its 1,425 acre-feet of allocated storage space in Chatfield Reservoir. CWSD (1,181 acre-feet), Castle Pines Metropolitan District (125 acre-feet), and Castle Pines North Metropolitan District (119 acre-feet) picked up the redistributed storage space in the agreement.

4) EIS Discussion Items:

a. Remaining Tasks. Remaining tasks are shown on the attached revised schedule.

b. Unresolved Issues. Cecily Miu (South Platte Park/South Suburban Parks and Recreation) expressed concern that stream mitigation and wetlands function, upstream and downstream flow, and the MOU were not discussed in the current version of the FR/EIS. These topics are under discussion, but will be included in the FR/EIS after the Colorado Department of Natural Resources, State Parks, and the Water Providers resolve some final details.

c. Public Involvement (Webb PR). Public involvement issues and activities will be discussed during the upcoming November 29, 2010, meeting.

5) Wrap-up—Next Meeting Date:

- Next meeting date: Monday, November 29, 2010, at 9 am, Tetra Tech conference room on 10th floor (Gary will check on availability of the Conference Room and notify Tom).

Chatfield Reservoir Storage Reallocation FR/EIS
Revised Draft EIS Integration Status/Schedule

Task	Scheduled Start	Task Completion	Status	Notes\Dependencies
Integrate FWCA Letter into FR/EIS	16-Apr-10	7-Apr-10	Completed	Completed
Integrate Updated CE/ICA into FR/EIS	16-Apr-10	July 11 2010	Completed	Completed
Export Costs to MCASES	28-Mar-10	4/9/2010;	Completed	Completed.
REVIEWS				
ATR Review of Cost Appendices	28-Apr-10	5-May-10	3-Sep-10	Ongoing. Risk Analysis Underway.
Integrate MCACES into FR/EIS	26-Apr-10	3-May-10	Completed	Completed
District Review	10-May-10	30-Jul-10	Completed	Completed Review August 9, 2010 All comments backchecked.
Potential Failure Mode Analysis	05-May-10	5-Jun-10	Completed	Sent to Gary July 19, 2010
Environmental Model Approval	09-Jan-00	4-May-10	Completed	If ATR Team member concurs with comments made, approval will be received.
ATR Review of FR/EIS	01-Jun-10	30-Jul-10	98% complete	Oct 1 Comments were received. 1 team member outstanding yet. Cost comments received. RA not done yet.
NGO Review of FR/EIS		7-Sep-10		Comments to be submitted NLT Oct 11, 2010
Revisions of FR/EIS based on ATR comments	27-Oct-10	November 12 2010	not started	USACE-Omaha process comments and determine resolution; Tetra Tech assist and implement revisions
Produce Revised Draft FR/EIS for USACE HQ Review	12-Nov-10	17-Nov-10	not started	
HDQTR's Review	18-Nov-10	Jan 7 2011	not started	
Revisions of FR/EIS based on HDTR's comments	Jan 10 2011	26-Jan-11		USACE-Omaha process comments and determine resolution; Tetra Tech assist and implement revisions
Public Comment Period	28-Jan-11	28-Mar-11		USACE
IEPR	27-Sep-10	30-May-11	Awarded	Expect contractor to begin selecting panel member in October 2010.

Updated: October 5, 2010

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Revised Draft EIS Integration Status/Schedule

Task	Scheduled Start	Task Completion	Status	Notes\Dependencies
Recreation Impacts/Modification Plans				
Integrate Revised FINAL Recreation Facility Modification Plan into FR/EIS		12-Mar-10	Completed	
Integrate Revised BBC Recreation Study into FR/EIS	19-Apr-10	12-Jul-10	Completed	BBC Report updated report received June 10. State Parks authorized release to project participants on Sept 28, 2010.
Integrate UDV Recreation Study into FR/EIS		1-Jan-10	Completed	
Integrate Compensatory Environmental Mitigation Plan (CMP)				
Integrate CMP into FR/EIS		30-Apr-10	Completed	Complete - revise per comments as necessary
Prepare Tree Removal Plan		22-Apr-10	Completed	
Integrate Tree Removal Plan into FR/EIS		26-Apr-10	Completed	
Prepare Draft CE/ICA		July 15 2010	Completed	Complete - revise per comments as necessary
Integrate CE/ICA into CMP			Completed	
Water User Comments		Rec'd April 15	October Due Date?	State and Water Users need to resolve operations issue
State Comments		Rec'd April 15	October Due Date?	Resolution with water users being worked on.
LWCF			October Due Date?	Need to check with State Parks for date confirmation
Update/Complete Biological Assessment				
Draft BA to USACE		26-Apr-10	Complete	Complete
CWA 404(b)(1) Analysis				
Draft document to USACE		15-Mar-10	Complete	Complete
Revised Draft for FR/EIS		30-Apr-10	Completed	Complete
FR/EIS Preliminary Draft Revision				Revise as necessary per ATR Comments received
Restructure preliminary screening of alternatives	01-Feb-10	28-Apr-10	Completed	
Enhance water user conservation plan status	01-Feb-10	28-Apr-10	Completed	
Address DOW downstream comments in FR/EIS	15-Mar-10		Completed	Additional wording may be inserted during review process
Address PGM specific comments		30-Apr-10	Completed	
Address Identified Emerging Issues		30-Apr-10	Completed	Issues constantly emerge and may need to be addressed
Integrate USACE Seismic Study in FR/EIS	26-Mar-10	July 11 2010	Completed	Seismic Report sent.
Integrate Liquefaction Analysis into FR/EIS			Completed	Sent to Gary July 12, 2010
Integrate Real Estate Plan into FR/EIS	15-Mar-10	July 11 2010	Completed	Sent to Gary July 19, 2010
Integrate Water Control Plan into FR/EIS	15-Apr-10	26-Apr-10	Completed	Sent Updated Plan to Gary July 20, 2010
FWCA Coordination Letter	01-Mar-10	15-Apr-10	Completed	Received July 9, 2010

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