

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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TO: Chatfield Cooperators

John W. Hickenlooper, Governor

FROM: Tom Browning

Mike King, DNR Executive Director

Jennifer L. Gimbel, CWCB Director

SUBJECT: Meeting Minutes
Chatfield Reservoir Reallocation Project

What: Chatfield Reallocation FR/EIS Progress Meeting Minutes
Where: 143 Union Blvd, 10th Floor, Lakewood (Tetra Tech Conference Room)
When: Thursday, June 2, 2011 (9:30 am to 11:30 am)

1. Introductions and general announcements

- Tom Browning (CWCB) welcomed the group and introduced the agenda. Topics included Capitol Representatives update, Study updates (budget/schedule, Division and HQ review of the draft FR/EIS, and federal budget update), EIS discussion items (ongoing tasks, update on State/Water User Negotiations, Marina update, and Public Relations update), Other Items/New Business, and Wrap-up.
- Tom reported meeting with State Parks, the USACE, and Department of Natural Resources (DNR) to discuss the potential for flooding in Chatfield Park area. He noted that Chatfield Reservoir receives inflows from a combination of snowmelt and precipitation. This year the spring runoff is expected to be higher than normal and last from April through July because of increased snowpack that feeds into the South Platte River basin and the effects of a colder and wetter than average weather pattern in late April-May. Tom wanted the group to be aware of the potential for increased inflows into the reservoir but noted that Scott Roush (State Parks) has the situation under control and no adverse impacts are anticipated.

2. Capitol Representatives update

- David Howlett of Capitol Representatives provided an update on Chatfield project funding. The year-long continuing resolution (CR) passed by Congress included \$200,000 for the Chatfield project for the remainder of fiscal year 2011. Capitol Representatives worked with members of the Colorado congressional delegation to draft a joint letter to show their support for the project and support budget requests to the OMB during this challenging budget environment. Chatfield is not currently in the President's budget as a water supply study.

- The project will likely face a similar CR scenario for fiscal year 2012. \$104 million has been allocated for USACE general investigations in the current draft, but this figure could be cut so the project needs to be proactive to ensure it has the funding necessary. Gwyn Jarrett (USACE) is working to determine the projected budget capability for fiscal year 2012.
 - The next meeting in Washington D.C. is scheduled for September 20 through 22, 2011. Please let David know if your organization will be attending the meeting.
 - David hopes to arrange a meeting with OMB during the September meeting in Washington D.C. David said that it has become more difficult to meet with the OMB, now that earmarks have been banned and there is increased pressure on OMB to fund projects.
 - The project will likely need appropriations in fiscal year 2013. Capitol Representatives will press hard to get Chatfield in the President's budget for fiscal year 2013.
 - Tom asked Gwyn about potential staffing and funding impacts on USACE water supply projects as a result of the CR process and banning of earmarks. Gwyn said that time will tell, but USACE is following their process. She noted that joint letters from the Colorado congressional delegation and other communications help the USACE understand public opinion and importance of the project.
3. Study updates (Gwyn Jarrett [Corps]/Tetra Tech)
- a. Project Management (summarize study budget/schedule, Division and HQ review of the draft FR/EIS, and federal budget update)
 - Gwyn gave an update on the current status of the budget. The contract modification with Tetra Tech has been awarded. In addition, approximately \$90,000 is available for incorporating the remaining comments into the FR/EIS and holding public meetings.
 - Gwyn distributed the Project schedule of the FR/EIS reviews and public meetings. The schedule has been revised to address the DNR-Water Provider negotiations and submittal of the draft FR/EIS to Divisions prior to USACE HQ for review.
 - Tetra Tech anticipates completing revision of the draft FR/EIS based on ATR and Cooperator comments by June 3, 2011. Other revisions include adding the Denver Water operational scenario (per EPA comments), revising the Executive Summary based on negotiated text from DNR and the Water Providers, and updating to reflect revisions to Preble's mouse critical habitat designation. Tetra Tech will wait until user contracts for Brighton, Perry Park, and Mount Carbon are finalized to remove these entities from the FR/EIS.
 - The draft FR/EIS will be submitted to Gwyn who will send it to USACE production staff. Production is targeted for June 6 and 7, 2011. Printed copies of the document (approximately 2,500 pages) will be sent to the Division and then to HQ for review. Division will have two weeks for review. The Corps and Tetra Tech will not make revisions to the draft FR/EIS based on Division comments before the document is submitted to HQ for review.

- Per the revised schedule the document will be forwarded through Divisions to HQ for review on June 8, with comments anticipated by July 30, 2011.
- Revisions to the draft FR/EIS based on HQ review will be turned around by August 29, with public release scheduled on August 31, 2011. Public Comment is anticipated to last for 60 days. Public meetings are scheduled to occur between September 9 and 23.
- The draft FR/EIS pdf will be made available for review on the project SharePoint site. Tetra Tech will provide the link and password to Tom Browning, who will distribute the information to authorized parties. Tetra Tech's FTP site formerly used is no longer available. The document may be posted to the Corps' website for public review, this remains to be determined.
- Gene Reetz (Audubon) asked whether the draft FR/EIS would show an artist's rendition of what the reservoir might look like after the project is completed. If artist's drawings were not available, he asked if there were photographs of the reservoir at flood stage that could approximate the project landscape. Aerial photographs that depict the reservoir elevations of the different alternatives, including Alternative 3, are included in the draft FR/EIS. Scott has photographs of the 1983 flood that show water levels at 5,444 feet and a video of the reservoir during the 1995 flood. Gwyn will meet with Scott to review this material for possible inclusion in the draft FR/EIS.
- Dave Howlett asked if the dates of the public meetings could be changed. According to the schedule, the public meetings would occur during the same week as the upcoming meeting in Washington D.C. The group suggested moving the public meetings to early October, which would also give the public additional time to review the draft FR/EIS.
- Gene Reetz (Audubon) asked if the public meetings would include any on-site visits. Gwyn responded that on-site meetings were not budgeted for. Instead, meetings in an open house format were planned. It was brought up that if the meetings were held close to Chatfield, or within the Park, then the public could be encouraged to visit the site. Within the open house format, maps could be given to interested members of the public to show various points of interest that could be explored if visitors wanted more information.
- Dave asked Gwyn how long she thought the public meetings would last. Gwyn estimated that each would last approximately 3 hours, with 2 hours devoted to the open house and 1 hour for public comments. Stenographers would be present to document all comments and the public could also record comments on the web site.
- Mike Mueller (Sierra Club) asked how many public meetings were planned. Gwyn replied that three meetings were planned and that this number was considered adequate by the USACE regulatory group.

- Gwyn noted that the locations of the public meetings still need to be finalized. The criteria include capacity for the expected number of attendees, parking, access, and amenities such as a sound system.

b. EIS Discussion Items

- i. Ongoing tasks – Gwyn commended Gary Drendel and the Tetra Tech team on the hard work they performed to successfully address comments, prepare appendices, and produce the revised draft FR/EIS for USACE in-house review.
- ii. Update on State/Water User Negotiations – John Hendrick (Centennial Water and Sanitation District) spoke on behalf of the Water Providers about the status of the negotiations with DNR, DOW, and State Parks. The negotiations are ongoing and some issues are still being resolved, including discussions on water level fluctuations, operational concerns, and potential impacts on the environment and recreation opportunities. He noted that the USACE can now characterize those issues that remain under discussion, and anticipates that the final details can be worked out after the draft FR/EIS is issued.
- iii. Marina update – John reported that meetings are being held between Linda and Roger Perry and Scott Roush (State Parks) to discuss issues surrounding the marina. The replacement of marina facilities is considered a recreational mitigation, with the overall goal to keep these facilities at Chatfield Park maintained, sustained, and available for use by the public. Topics under discussion include completing the proposed scope of work (SOW), including relocation of parking, utilities, and methods to address ice and wave protection; evaluating the EDAW and JRR report data and conclusions; defining the evaluation process; identifying potential options and alternatives to relocate the facilities; and evaluating financial issues such as how to determine fair market value and costs.

The SOW has been sent to approximately 12 consulting firms that were identified by the Water Providers. A general announcement was not published for the proposed work and John asked the group to let him know if there were any additional consulting firms the Water Providers should consider.

A phased approach is envisioned to accomplish the marina SOW. The first phase would be to develop a conceptual framework for the project and determine the necessary plan of action. A feasibility study, collection of additional data/information (survey data, bathymetry information, or geotechnical data), and preliminary design would follow. Final design and construction would proceed after resolution of constructability and financial details.

The Water Providers need to decide how contract management of the marina relocation will be implemented. John noted that the project will involve environmental restoration and mitigation in addition to design and construction. He related that the Water Providers, State Parks, and the Perrys were considering forming a nonprofit group to oversee these and other planned activities such as geophysical data collection for cut and fill operations and borrow sites. The Water Providers will consider establishing an escrow account to ensure that money will be available for the different project phases discussed above. John

stressed that the group will need to demonstrate to the State and USACE that they can provide any needed mitigation and restoration.

Mike Mueller recommended that John document for the public meetings how the environmental restoration and mitigation process will be implemented or overseen by the Water Provider group to reassure the public that these activities will be implemented in the prescribed manner defined by the contract and ROD.

Further discussion indicated that while final costs for the marina relocation have not been defined, some of the costs have been described in the EDAW and JRR reports and have been included in the revised draft FR/EIS.

- iv. Public relations update (Mark Shively [Castle Pines North Metropolitan District]) – Mark met in February with the NGOs and received many suggestions for improving the web site. Some of these have been implemented, such as starting work on publishing a series of educational one-page White Papers on a number of topics including project overview, EIS process, project participants, project benefits, mitigation, water efficiency, and conservation of resources. In addition, the project update brochure was reprinted to show a 2011 release date for the draft FR/EIS. There remain approximately 20 outstanding issues to address. John reported that Katie Fendel is prioritizing these and with the budget restored can now make progress. She will present the status of these improvements either at a future Cooperator meeting or meeting with the NGOs.

The first White Paper was approved by the USACE public affairs office and released to the group for comment. Some changes in language are being made per request of several group members. Gwyn noted that the initial release presented a good opportunity for lessons learned and some changes to the process will be implemented, including use of a draft stamp. White Papers 2 and 3 have been prepared and are under review and comment.

- Mark plans to go to the hardware store to buy numerals to fix the incorrect phone numbers on the Chatfield signs.
- Mark reiterated that the USACE plans to schedule three public open house meetings, and led further discussion about possible locations for the meetings. These include the Denver Botanic Gardens new visitor center or the Park barn, the Wildlife Experience, Lone Tree Art Center, Hudson Gardens, local high schools (e.g., Columbine), and Arapaho Community College. Use of these facilities would depend on when the meetings would take place. Mark noted that once firm dates are established for the meetings the locations can be finalized.
- Some members of the group suggested that field trips to the Park could accompany the public meetings, or be held as a separate event.

4. Other items / new business:

- Gene brought up for discussion the dilemma on how best to present the topics of water level fluctuation, reservoir operations, and mitigation to the public to ensure appropriate disclosure in the draft FR/EIS. He also wished to address whether a situation could occur in the future that would be a problem if the new operations

plan to be approved by the USACE proved to be inadequate. Would some kind of supplement to the FR/EIS or ROD be required? Gwyn described the modeling that was performed based on the historical record and Tom summarized that the project analyzed conditions and impacts at the extremes of water level fluctuation, or worst-case scenarios, which allowed the USACE to appropriately plan for future operations. Fred Rios (USACE) noted that no one can know future conditions at Chatfield Reservoir with certainty, but that the public would understand that the analysis performed covered the known extremes. Mike Mueller noted that although the analysis of alternatives is based on a 60-year period of record, there are scientific methods that can be employed to project potential future conditions in excess of the historical record. However, these techniques are not part of USACE procedures. Mike noted that running these probabilistic scenarios could provide added insight as to potential future water fluctuations and impacts. John Hendrick responded that even running these other scenarios would only offer uncertain, probabilistic results. Tom noted that flood control is a key component of the operational plan and changed conditions could be managed. The Water Providers will try to accommodate public recreational needs, environmental needs, and balance these against the need to store water.

- Gary also noted that the current text of the draft FR/EIS includes substantial discussion of potential water level fluctuation and impacts. Representatives from Audubon suggested updating the web site to provide specific information on these topics before the draft document is released. However, Gwyn said that this is pre-decisional material and the USACE does not wish to present partial information to the public. The process to inform the public requires releasing the entire draft FR/EIS as a unit. Tom suggested that an expert could be made available at the public meetings to address these issues with members of the public.
- Phone numbers on signs in Chatfield Park are still incorrect. This issue needs to be addressed before the draft FR/EIS is released for public comment.
- Gwyn reminded the group that all materials related to the project that are classified as pre-decisional are considered works in progress and should not be released outside of the specific organizations.
- Mike Mueller (Sierra Club) thought that the group might be interested in a report released in 2011 by the Bureau of Reclamation that assesses climate change risks over the western U.S. and how projected climate change could impact snowpack, runoff amount, and runoff timing. The report presents basin-specific discussions, including the South Platte River basin, that describe the basin setting, historical climate, projected future climate and hydrology, and implications for water supply. According to the report, the South Platte River near Sterling, Colorado, is projected to experience a 14% reduction in mean annual runoff during the 2050s in the face of increased temperatures and little change in precipitation. The report, Reclamation, Managing Water in the West, SECURE Water Act, Section 9505c - Reclamation Climate Change and Water 2011, can be accessed at <http://www.usbr.gov/climate/SECURE/docs/SECUREWaterReport.pdf>.

- Eric Laux will be presenting at the Corp's National Water Supply Conference currently in session. Rick McCloud will be attending to offer a different perspective on the project.
- A request was made to check the project distribution list to ensure it is up to date. Some group members did not receive a copy of the first White Paper for review and comment.

5. Wrap-up: Next meeting: July 14, 2011 at 9:30 am.