

Water Supply Reserve Account – Grant and Loan Program
Water Activity Summary Sheet
September 24, 2013
Agenda Item 18(i)

Applicant: Rocky Mountain Field Institute

Water Activity Name: Bear Creek Sedimentation Mitigation Project (Phase I)

Water Activity Purpose: Nonconsumptive

County: El Paso County

River Basin: Arkansas

Water Source: Bear Creek

Amount Requested: \$85,000 (Statewide Account); \$15,000 (Arkansas Basin Account)

Matching Funds: \$140,000 cash (40% - US Fish and Wildlife Service, Western Native Trout Initiative, Trout Unlimited), \$109,000 in-kind (31% - Co Parks & Wildlife, CH2MHill, et al)

Staff Recommendation
Staff recommends approval of up to \$15,000 from the Arkansas Basin Account and \$85,000 from the Statewide Account to fund the Bear Creek Sedimentation Mitigation Project (Phase I). This approval is contingent upon the applicant addressing the issues identified in the Issues/Additional Needs of this summary sheet.

Water Activity Summary:

Just west of Colorado Springs, Bear Creek holds the only remaining population of greenback cutthroat trout (Metcalf 2012). As the highest priority site for conservation of the greenback, project partners have been working to better manage activities within this high-value watershed and minimize impacts to the fish and its habitat. Our goal is to ensure a thriving population of greenbacks in a watershed that will be resilient to changing climate conditions. One of the key issues in the watershed is sedimentation and its potential impact on stream conditions. An unpaved, gravel road adjacent to the stream is a known source of sediment. The Bear Creek Sediment Mitigation Project (Phase I) will restore in-stream fish habitat and concurrently begin to address the sources of sediment from the road system. Phase I of the project will accomplish these tasks:

- 1) Restore .75 mile of in-stream fish habitat and restore channel function
- 2) Stabilize one ephemeral draw that contributes excessive sediment into Bear Creek
- 3) Address the cause of degradation: Prioritize, design and implement highest priority sediment control features on High Drive to reduce sediment delivery into Bear Creek

Threshold and Evaluation Criteria

The application meets all four Threshold Criteria.

The application articulates how the project meets the Evaluation Criteria as summarized below:

Tier 1: Promoting Collaboration/Cooperation & Meeting Water Management Goals & Identified Needs:

Bear Creek Sediment Mitigation Project (Phase I) is a largescale collaborative effort between governmental entities, nonprofit organizations, and advocacy groups that have been working in partnership since 2009. The project not only includes three government landowners including the US Forest Service, City of Colorado Springs, Colorado Springs Utilities, Colorado Parks and Wildlife, and the US Fish & Wildlife Service. Nonprofit partners include Rocky Mountain Field Institute and Trout Unlimited. Advocacy groups

representing recreational interests include the Colorado Motorcycle Trail Riders Association and numerous other partners that have participated in a stakeholder roundtable process.

Tier 2: Facilitating Water Activity Implementation:

Funding from WSRA ensures the completion of project objectives. Significant cash and in-kind matching funds are being contributed to this project, displaying a high degree of commitment from partners. Project partners have contributed the fullest extent of funding they have available, and as such, WSRA funds are requisite for completing project objectives.

Tier 3: The Water Activity Addresses Issues of Statewide Value and Maximizes Benefits:

The project meets the need of assisting in the recovery of a federal and state-listed species – the greenback cutthroat trout. A recent genetic study identified the cutthroat trout in Bear Creek as the only remaining population of greenbacks. This cutthroat subspecies was originally native to the South Platte basin, however currently no known populations of this subspecies exist in that basin. The population in Bear Creek was apparently transplanted from the South Platte basin to Bear Creek (Arkansas basin) around 1880 by a private individual.

The greenback cutthroat trout are found in a mere 4 miles of habitat within Bear Creek which creates a very vulnerable situation for this population. The lower mile of this important habitat, where the stream parallels High Drive, is particularly at risk. Sediment from High Drive has reduced trout habitat to unacceptable levels and this portion of the population has been drastically limited. This highly degraded reach is the focus of this project. Recovery efforts for this subspecies will be directed at the South Platte basin. Although a formal recovery plan for this subspecies has not been completed, translocation of the fish to the South Platte drainage will begin in 2013. Land and water management in the South Platte basin will need to be considered in the recovery of this species. As such, this subspecies will, in the long run, be more critical to native cutthroat management in South Platte basin, and an important component of the entire Colorado native cutthroat trout conservation/recovery program.

The stabilization of the creek and drainage is complimentary to the CWCB Watershed Restoration Program.

Issues/Additional Needs:

- The applicant should provide staff with a detailed monitoring plan that describes geomorphic and biologic monitoring methodologies.
- The monitoring plan should conform to the CWCB Measurable Results Program's Standard Operating Procedures for Topographic Survey of Stream Channels.
- All proposed river channel work should conform to the CWCB Rules and Regulations for Regulatory Floodplains in Colorado

Staff Recommendation:

Staff recommends approval of up to \$15,000 from the Arkansas Basin Account and \$85,000 from the Statewide Account to fund the Bear Creek Sedimentation Mitigation Project (Phase I). This approval is contingent upon the applicant addressing the issues identified in the Issues/Additional Needs of this summary sheet.

All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to Basin Roundtables and the general public and will help promote the development of a common technical platform. In accordance with the revised WSRA Criteria and Guidelines, staff would like to highlight additional reporting and final deliverable requirements. The specific requirements are provided below.

Reporting and Final Deliverable: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion of the tasks identified in the scope of work including a description of any major issues that have occurred and any corrective action taken to address these issues. At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

Engineering: All engineering work (as defined in the Engineers Practice Act (§12-25-102(10) C.R.S.)) performed under this grant shall be performed by or under the responsible charge of professional engineer licensed by the State of Colorado to practice Engineering.



Arkansas Basin Roundtable
P.O. Box 1976
Colorado Springs, CO 80901

August 1, 2013

Jacob Bornstein

Colorado Water Conservation Board
Water Supply Planning Section
1580 Logan Street, Suite 200
Denver, Colorado 80203

Re: Bear Creek Sediment Removal Project – Phase I

Dear Jacob:

Under separate cover you have received a WSRA grant application for the Bear Creek Sediment Removal Project – Phase 1. At the June 12, 2013, Arkansas Basin Roundtable meeting, the Roundtable agreed by consensus to approve this application for \$15,000 in Basin Funds and \$85,000 in Statewide Funds.

Roundtable members were in consensus that the applicant ought to request \$7,500 in Basin Funds from the South Platte basin, and reduce the Arkansas Basin Fund amount to \$7,500; but they also agreed that the Arkansas Basin would supply the entire \$15,000 in Basin funds if necessary. That request has not yet been made to the South Platte Roundtable but will be done so promptly.

My expectation is that this grant request will be heard at the September, 2013 CWCB meeting. Please do not hesitate to contact me if you have any questions.

Sincerely,

Gary Barber
Chair

c: Executive Committee, Ark Roundtable



COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM

Bear Creek Sediment Mitigation Project (Phase I)

Name of Water Activity/Project

Rocky Mountain Field Institute

Name of Applicant

Arkansas River Basin

Amount from Statewide Account:

\$85,000

Amount from Basin Account(s):

\$15,000

Total WSRA Funds Requested:

\$100,000

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

Application Content

Application Instructions	page 2
Part I – Description of the Applicant	page 3
Part II – Description of the Water Activity	page 5
Part III – Threshold and Evaluation Criteria	page 7
Part IV – Required Supporting Material	
Water Rights, Availability, and Sustainability	page 10
Related Studies	page 10
Signature Page	page 12

Required Exhibits

- A. Statement of Work, Budget, and Schedule
- B. Project Map
- C. As Needed (i.e. letters of support, photos, maps, etc.)

Appendices – Reference Material

- 1. Program Information
- 2. Insurance Requirements
- 3. WSRA Standard Contract Information (Required for Projects Over \$100,000)
- 4. W-9 Form (Required for All Projects Prior to Contracting)

Water Supply Reserve Account – Application Form

Revised December 2011

Instructions

To receive funding from the Water Supply Reserve Account (WSRA), a proposed water activity must be approved by the local Basin Roundtable **AND** the Colorado Water Conservation Board (CWCBC). The process for Basin Roundtable consideration and approval is outlined in materials in Appendix 1.

Once approved by the local Basin Roundtable, the applicant should submit this application **with a detailed statement of work including budget and schedule as Exhibit A** to CWCBC staff by the application deadline.

WSRA applications are due with the roundtable letter of support 60 calendar days prior to the bi-monthly Board meeting at which it will be considered. Board meetings are held in January, March, May, July, September, and November. Meeting details, including scheduled dates, agendas, etc. are posted on the CWCBC website at: <http://cwcb.state.co.us> Applications to the WSRA Basin Account are considered at every board meeting, while applications to the WSRA Statewide Account are only considered at the March and September board meetings.

When completing this application, the applicant should refer to the WSRA Criteria and Guidelines available at: <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Documents/WSRACriteriaGuidelines.pdf>

The application, statement of work, budget, and schedule **must be submitted in electronic format** (Microsoft Word or text-enabled PDF are preferred) and can be emailed or mailed on a disk to:

Greg Johnson – WSRA Application
Colorado Water Conservation Board
1580 Logan Street, Suite 200
Denver, CO 80203
gregory.johnson@state.co.us

If you have questions or need additional assistance, please contact Greg Johnson at: 303-866-3441 x3249 or gregory.johnson@state.co.us.

Water Supply Reserve Account – Application Form

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Part I. - Description of the Applicant (Project Sponsor or Owner);

1.	Applicant Name(s):	Rocky Mountain Field Institute		
	Mailing address:	815 South 25 th Street, Suite 101 Colorado Springs, CO 80904		
	Taxpayer ID#:	74-2225140		
	Primary Contact:	Rebecca Jewett	Position/Title:	Executive Director
	Email:	rebecca@rmfi.org		
	Phone Numbers:	Cell: 719-377-2030	Office:	719-471-7736
	Alternate Contact:	Amber Shanklin	Position/Title:	Program Director
	Email:	amber@rmfi.org		
	Phone Numbers:	Cell: 262-337-0779	Office:	719-471-7736

2. Eligible entities for WSRA funds include the following. What type of entity is the Applicant?

<input type="checkbox"/>	Public (Government) – municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities and the local entity should be the grant recipient. Federal agencies are eligible, but only if they can make a compelling case for why a local partner cannot be the grant recipient.
<input type="checkbox"/>	Public (Districts) – authorities, Title 32/special districts, (conservancy, conservation, and irrigation districts), and water activity enterprises.
<input type="checkbox"/>	Private Incorporated – mutual ditch companies, homeowners associations, corporations.
<input type="checkbox"/>	Private individuals, partnerships, and sole proprietors are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
<input checked="" type="checkbox"/>	Non-governmental organizations – broadly defined as any organization that is not part of the government.

Water Supply Reserve Account – Application Form

Revised December 2011

3. Provide a brief description of your organization

Rocky Mountain Field Institute (RMFI) is a 501(c)(3) nonprofit organization based in Colorado Springs, Colorado founded in 1982, and dedicated to the conservation and stewardship of public lands in the Southern Rockies through volunteer-based trail and restoration projects, environmental education and restoration research. RMFI envisions a world where our work fosters vibrant and healthy ecosystems that are respected and cared for by the public. With a staff of 15 (4 full-time, 11 field-based seasonal) RMFI mobilizes 1,500 community volunteers every year to contribute to the stewardship of our treasured natural areas. RMFI has provided leadership for several major restoration initiatives focusing on sensitive ecosystem protection and watershed rehabilitation including founding the Colorado Fourteeners Initiative and initiating a community-wide effort to restore Garden of the Gods Park. Land agencies at the local, state, and federal levels seek RMFI out for its innovative trail and restoration solutions, ability to leverage dwindling financial resources, and rally community volunteers to accomplish the work. Its primary sources of funding are private foundations, state and federal government sources, and fee for service work.

4. If the Contracting Entity is different then the Applicant (Project Sponsor or Owner) please describe the Contracting Entity here.

5. Successful applicants will have to execute a contract with the CWCB prior to beginning work on the portion of the project funded by the WSRA grant. In order to expedite the contracting process the CWCB has established a standard contract with provisions the applicant must adhere to. A link to this standard contract is included in Appendix 3. Please review this contract and check the appropriate box.

<input checked="checked" type="checkbox"/>	The Applicant will be able to contract with the CWCB using the Standard Contract
<input type="checkbox"/>	The Applicant has reviewed the standard contract and has some questions/issues/concerns. Please be aware that any deviation from the standard contract could result in a significant delay between grant approval and the funds being available.

6. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.

None known.

Water Supply Reserve Account – Application Form

Revised December 2011

Part II. - Description of the Water Activity/Project

1. What is the primary purpose of this grant application? (Please check only one)

☒ Nonconsumptive (Environmental or Recreational)

☐ Agricultural

☐ Municipal/Industrial

☐ Needs Assessment

☐ Education

☐ Other Explain:

2. If you feel this project addresses multiple purposes please explain.

3. Is this project primarily a study or implementation of a water activity/project? (Please check only one)

☐ Study

☒ Implementation

4. To catalog measurable results achieved with WSRA funds can you provide any of the following numbers?

New Storage Created (acre-feet)

New Annual Water Supplies Developed, Consumptive or Nonconsumptive (acre-feet)

Existing Storage Preserved or Enhanced (acre-feet)

3,960 Length of Stream Restored or Protected (linear feet)

Length of Pipe/Canal Built or Improved (linear feet)

Efficiency Savings (acre-feet/year OR dollars/year – **circle one**)

~100 ac Area of Restored or Preserved Habitat (acres)

Other -- Explain: Task#1=72ac; Task#2=4ac; Task#3=24ac

Water Supply Reserve Account – Application Form

Revised December 2011

4. To help us map WSRA projects please include a map (Exhibit B) and provide the general coordinates below:

Latitude:

Longitude:

5. Please provide an overview/summary of the proposed water activity (no more than one page). Include a description of the overall water activity and specifically what the WSRA funding will be used for. A full **Statement of Work** with a detailed budget and schedule is required as **Exhibit A** of this application.

Just west of Colorado Springs, Bear Creek holds the only remaining population of greenback cutthroat trout (Metcalf 2012). As the highest priority site for conservation of the greenback, project partners have been working to better manage activities within this high-value watershed and minimize impacts to the fish and its habitat. Our goal is to ensure a thriving population of greenbacks in a watershed that will be resilient to changing climate conditions. One of the key issues in the watershed is sedimentation and its potential impact on stream conditions. An unpaved, gravel road adjacent to the stream is a known source of sediment. The Bear Creek Sediment Mitigation Project (Phase I) will restore in-stream fish habitat and concurrently begin to address the sources of sediment from the road system. Phase I of the project will accomplish these tasks:

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Water Supply Reserve Account – Application Form

Revised December 2011

Part III. – Threshold and Evaluation Criteria

1. Describe how the water activity meets these **Threshold Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines.)

- a) The water activity is consistent with Section 37-75-102 Colorado Revised Statutes.¹

This project does not entail water quantity or water rights, nor does it infringe on any legal water rights

- b) The water activity underwent an evaluation and approval process and was approved by the Basin Roundtable (BRT) and the application includes a description of the results of the BRT's evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it. Note- If this information is included in the letter from the roundtable chair simply reference that letter.

Approval for the project was granted by ARBRT on June 10, 2013. A letter of support will be provided to CWCB.

¹ 37-75-102. Water rights - protections. (1) It is the policy of the General Assembly that the current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this article. Nothing in this article shall be interpreted to repeal or in any manner amend the existing water rights adjudication system. The General Assembly affirms the state constitution's recognition of water rights as a private usufructuary property right, and this article is not intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law. (2) The General Assembly affirms the protections for contractual and property rights recognized by the contract and takings protections under the state constitution and related statutes. This article shall not be implemented in any way that would diminish, impair, or cause injury to any property or contractual right created by intergovernmental agreements, contracts, stipulations among parties to water cases, terms and conditions in water decrees, or any other similar document related to the allocation or use of water. This article shall not be construed to supersede, abrogate, or cause injury to vested water rights or decreed conditional water rights. The General Assembly affirms that this article does not impair, limit, or otherwise affect the rights of persons or entities to enter into agreements, contracts, or memoranda of understanding with other persons or entities relating to the appropriation, movement, or use of water under other provisions of law.

Water Supply Reserve Account – Application Form

Revised December 2011

- c) The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.² The Basin Roundtable Chairs shall include in their approval letters for particular WSRA grant applications a description of how the water activity will assist in meeting the water supply needs identified in the basin roundtable's consumptive and/or non-consumptive needs assessments.

Approval for the project was granted by ARBRT on June 10, 2013. A letter of support will be provided to CWCB.

- d) Matching Requirement: For requests from the **Statewide Fund**, the applicants is required to demonstrate a **20 percent** (or greater) match of the request from the Statewide Account. Statewide requests must also include a minimum match of **5 percent** of the total grant amount from Basin Funds. Sources of matching funds include but are not limited to Basin Funds, in-kind services, funding from other sources, and/or direct cash match. Past expenditures directly related to the project may be considered as matching funds if the expenditures occurred within 9 months of the date the application was submitted to the CWCB. Please describe the source(s) of matching funds. (NOTE: These matching funds should also be reflected in your Detailed Budget in **Exhibit A** of this application)

Matching funds for this project include \$55,000 in secure cash, an additional anticipated \$110,000 in cash, and \$109,000 in in-kind contributions. Total anticipated matching funds well exceed the 20% matching requirement. See budget detail below in Exhibit A.

² 37-75-104 (2)(c). Using data and information from the Statewide Water Supply Initiative and other appropriate sources and in cooperation with the on-going Statewide Water Supply Initiative, develop a basin-wide consumptive and nonconsumptive water supply needs assessment, conduct an analysis of available unappropriated waters within the basin, and propose projects or methods, both structural and nonstructural, for meeting those needs and utilizing those unappropriated waters where appropriate. Basin Roundtables shall actively seek the input and advice of affected local governments, water providers, and other interested stakeholders and persons in establishing its needs assessment, and shall propose projects or methods for meeting those needs. Recommendations from this assessment shall be forwarded to the Interbasin Compact Committee and other basin roundtables for analysis and consideration after the General Assembly has approved the Interbasin Compact Charter.

Water Supply Reserve Account – Application Form

Revised December 2011

2. For Applications that include a request for funds from the **Statewide Account**, describe how the water activity/project meets all applicable **Evaluation Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines and repeated below.) Projects will be assessed on how well they meet the Evaluation Criteria. **Please attach additional pages as necessary.**

Evaluation Criteria – the following criteria will be utilized to further evaluate the merits of the water activity proposed for funding from the Statewide Account. In evaluation of proposed water activities, preference will be given to projects that meet one or more criteria from each of the three “tiers” or categories. Each “tier” is grouped in level of importance. For instance, projects that meet Tier 1 criteria will outweigh projects that only meet Tier 3 criteria. WSRA grant requests for projects that may qualify for loans through the CWCB loan program will receive preference in the Statewide Evaluation Criteria if the grant request is part of a CWCB loan/WSRA grant package. For these CWCB loan/WSRA grant packages, the applicant must have a CWCB loan/WSRA grant ratio of 1:1 or higher. Preference will be given to those with a higher loan/grant ratio.

Tier 1: Promoting Collaboration/Cooperation and Meeting Water Management Goals and Identified Water Needs

- a. The water activity addresses multiple needs or issues, including consumptive and/or non-consumptive needs, or the needs and issues of multiple interests or multiple basins. This can be demonstrated by obtaining letters of support from other basin roundtables (in addition to an approval letter from the sponsoring basin).
- b. The number and types of entities represented in the application and the degree to which the activity will promote cooperation and collaboration among traditional consumptive water interests and/or non-consumptive interests, and if applicable, the degree to which the water activity is effective in addressing intrabasin or interbasin needs or issues.
- c. The water activity helps implement projects and processes identified as helping meet Colorado’s future water needs, and/or addresses the gap areas between available water supply and future need as identified in SWSI or a roundtable’s basin-wide water needs assessment.

Tier 2: Facilitating Water Activity Implementation

- d. Funding from this Account will reduce the uncertainty that the water activity will be implemented. For this criterion the applicant should discuss how receiving funding from the Account will make a significant difference in the implementation of the water activity (i.e., how will receiving funding enable the water activity to move forward or the inability obtaining funding elsewhere).
- e. The amount of matching funds provided by the applicant via direct contributions, demonstrable in-kind contributions, and/or other sources demonstrates a significant & appropriate commitment to the project.

Tier 3: The Water Activity Addresses Other Issues of Statewide Value and Maximizes Benefits

- f. The water activity helps sustain agriculture & open space, or meets environmental or recreational needs.
- g. The water activity assists in the administration of compact-entitled waters or addresses problems related to compact entitled waters and compact compliance and the degree to which the activity promotes maximum utilization of state waters.
- h. The water activity assists in the recovery of threatened and endangered wildlife species or Colorado State species of concern.
- i. The water activity provides a high level of benefit to Colorado in relationship to the amount of funds requested.
- j. The water activity is complimentary to or assists in the implementation of other CWCB programs.

Water Supply Reserve Account – Application Form

Revised December 2011

Continued: Explanation of how the water activity/project meets all applicable **Evaluation Criteria**.

Tier 1: Promoting Collaboration/Cooperation and Meeting Water Management Goals and Identified Water Needs

Bear Creek Sediment Mitigation Project (Phase I) is a largescale collaborative effort between governmental entities, nonprofit organizations, and advocacy groups that have been working in partnership since 2009. The project not only includes three government landowners including the US Forest Service, City of Colorado Springs, Colorado Springs Utilities, Colorado Parks and Wildlife, and the US Fish & Wildlife Service. Nonprofit partners include Rocky Mountain Field Institute and Trout Unlimited. Advocacy groups representing recreational interests include the Colorado Motorcycle Trail Riders Association and numerous other partners that have participated in a stakeholder roundtable process.

Tier 2: Facilitating Water Activity Implementation

This project is critical to the protection of the greenback cutthroat trout, found only in a 4-mile stretch of Bear Creek just west of Colorado Springs. Although this population has existed in the Arkansas River drainage for decades, the project is taking proactive measures to ensure the survivability of the species. Sedimentation from High Drive threaten habitat for the population, exacerbated by recent drought conditions. This project seeks to mitigate the immediate harm posed to the fish by reducing sediment delivery to the creek.

Funding from WSRA ensures the completion of project objectives. Significant cash and in-kind matching funds are being contributed to this project, displaying a high degree of commitment from partners. Project partners have contributed the fullest extent of funding they have available, and as such, WSRA funds are requisite for completing project objectives.

Tier 3: The Water Activity Addresses Other Issues of Statewide Value and Maximizes Benefits

Foremost, this project meets the need of assisting in the recovery of a federal and state-listed species – the greenback cutthroat trout (Tier 3h). A recent genetic study identified the cutthroat trout in Bear Creek as the only remaining population of greenbacks. This cutthroat subspecies was originally native to the South Platte basin, however currently no known populations of this subspecies exist in that basin. The population in Bear Creek was apparently transplanted from the Platte basin to Bear Creek (Arkansas basin) around 1880 by a private individual.

The greenback cutthroat trout are found in a mere 4 miles of habitat within Bear Creek which creates a very vulnerable situation for this population. The lower mile of this important habitat, where the stream parallels High Drive, is particularly at risk. Sediment from High Drive has reduced trout habitat to unacceptable levels and this portion of the population has been drastically limited. This highly degraded reach is the focus of this project.

Although this population has existed in the Arkansas River drainage for over 130 years, it is the sole native cutthroat species for the South Platte basin. As such, recovery efforts for this subspecies will be directed at the South Platte basin. Although a formal recovery plan for this subspecies has not been completed, translocation of the fish to the South Platte drainage will begin in 2013. Land and water management in the South Platte basin will need to be considered in the recovery of this species. As such, this subspecies will, in the long run, be more critical to native cutthroat management in South Platte basin, and an important component of the entire Colorado native cutthroat trout conservation/recovery program.

Water Supply Reserve Account – Application Form

Revised December 2011

Part IV. – Required Supporting Material

1. **Water Rights, Availability, and Sustainability** – This information is needed to assess the viability of the water project or activity. Please provide a description of the water supply source to be utilized, or the water body to be affected by, the water activity. This should include a description of applicable water rights, and water rights issues, and the name/location of water bodies affected by the water activity.

Colorado Spring Utilities (CSU) has a water right and infrastructure in place to withdraw water from Bear Creek for municipal use; however, it does not currently use water from this stream. Municipal use of water from Bear Creek is planned in the future.

2. Please provide a brief narrative of any related studies or permitting issues.

CH2MHill has completed a road assessment of High Drive. This study analyzed the road, drainage system, and sediment concerns of High Drive within the Bear Creek watershed. The field assessment identified the existing conditions, key problem areas, and potential locations for improvements, as shown in the study Map Book and provided estimated cost estimates for each restoration component.

Permitting for the High Drive restoration segment of this project may include:

- Jurisdictional Waters of the U.S
- Wetlands
- T&E consultation (greenback, Preble's Jumping Mouse, or other species)
- Cultural or Historical Features
- CDPHE Stormwater Permit and Stormwater Management Plan
- CDPHE Groundwater Dewatering Permit
- Grading, Erosion, and Sediment Control Permit
- Land Use and/or Right-of-Way Permit
- If the disturbance area is large, a CDPHE Air and Dust Control Permit may be required

A preliminary analysis of instream habitat, hydrology, and trout habitat requirements was completed by a private contractor, and used to develop restoration techniques, plans and cost estimates.

Instream habitat work in Bear Creek will require a 404 permit from the US Army Corps of Engineers, under a Regional General Permit for fish habitat improvement.

3. Statement of Work, Detailed Budget, and Project Schedule

The statement of work will form the basis for the contract between the Applicant and the State of Colorado. In short, the Applicant is agreeing to undertake the work for the compensation outlined in the statement of work and budget, and in return, the State of Colorado is receiving the deliverables/products specified. **Please note that costs incurred prior to execution of a contract or purchase order are not subject to reimbursement.** All WSRA funds are disbursed on a reimbursement basis after review invoices and appropriate backup material.

Exhibit A
Statement of Work

WATER ACTIVITY NAME – Bear Creek Sediment Mitigation Project (Phase I)

GRANT RECIPIENT – Rocky Mountain Field Institute

FUNDING SOURCE – Statewide Water Supply Reserve Account

INTRODUCTION AND BACKGROUND

Provide a brief description of the project. (Please limit to **no more than 200 words**; this will be used to inform reviewers and the public about your proposal).

Just west of Colorado Springs, Bear Creek holds the only remaining population of greenback cutthroat trout (Metcalf 2012). As the highest priority site for conservation of the greenback, project partners have been working to better manage activities within this high-value watershed and minimize impacts to the fish and its habitat. Our goal is to ensure a thriving population of greenbacks in a watershed that will be resilient to changing climate conditions. One of the key issues in the watershed is sedimentation and its potential impact on stream conditions. An unpaved, gravel road adjacent to the stream is a known source of sediment. The Bear Creek Sediment Mitigation Project (Phase I) will restore in-stream fish habitat and concurrently begin to address the sources of sediment from the road system. Phase I of the project will accomplish these tasks:

- Restore .75 mile of in-stream fish habitat and restore channel function
- Stabilize one ephemeral draw that contributes excessive sediment into Bear Creek
- Address the cause of degradation: Prioritize, design and implement highest priority sediment control features on High Drive to reduce sediment delivery into Bear Creek

OBJECTIVES

List the objectives of the project

Project Goal: To improve the aquatic habitat, improve the resiliency of Bear Creek and protect the genetically pure cutthroat population it contains by reducing sediment delivery and restoring habitat.

Project Objectives:

- Eliminate sedimentation off of the historical High Drive by prioritizing, designing and implementing sediment control features to reduce sediment delivery into Bear Creek. CH2MHill

Water Supply Reserve Account – Application Form

Revised December 2011

will serve as the project lead for this portion. The High Drive Road Assessment completed by CH2MHill in 2012 will provide project planning guidance and prioritization of work.

- Improve in-stream habitat along a 0.75 mile stretch of Bear Creek adjacent and parallel to High Drive. 80 stream pools will be created or enhanced and 1,200 feet of stream bank will be stabilized.
- Stabilize an erosive ephemeral draw that has deposited an alluvial fan into Bear Creek. Using techniques implemented in the Trail Creek Watershed Restoration Project in the same soil type, we will use native material to stabilize the channel and reduce the inputs into Bear Creek. This work will be completed using both contracted and volunteer labor.

TASKS

Provide a detailed description of each task using the following format

TASK 1 – High Drive sediment abatement

Description of Task

Identify priority sites on High Drive and design sediment controlling measures. These measures may include altering the road geometrics, such as reversing the cross slope; improving water conveyance elements that route flow to cross culverts or to rundowns; increasing the number of cross drains; reducing the road prism width; designing sediment traps at culvert entrances or exits; stabilizing cut and/or fill slopes and more.

Method/Procedure

We will implement sediment controlling measures on the highest priority sites. A road assessment and preliminary engineering has identified the location and number of these highest priority treatment sites. The road assessment follows a process that has been used successfully on other road/stream situations. The implementation work will be completed using both contracted and volunteer labor, and park staff.

It is important to note that closing the road is not an option for several reasons. Removing vehicle traffic does not eliminate the need to adequately convey water through the road corridor, nor would it dramatically reduce sediment delivery. The City would still need vehicle access to maintain culverts and cross drains. This is also a popular recreation route and the partners are sensitive to potential harm of this important population.

Deliverable

Completion of sediment control measures including: sediment removal from existing culverts, excavation of damaged or buried culverts, installation of sediment traps, removal of roadside gravel berms, sediment removal from ditches, installation of posts to define grading limits.

Water Supply Reserve Account – Application Form

Revised December 2011

TASK 2 – Alluvial fan removal

Description of Task

Stabilize an erosive ephemeral draw that has deposited an alluvial fan into Bear Creek. Using techniques implemented in the Trail Creek Watershed Restoration Project in the same soil type, we will use native material to stabilize the channel and reduce the inputs into Bear Creek. This work will be completed using both contracted and volunteer labor.

Method/Procedure

Depositional material will be removed from existing roadways and along the Bear Creek riparian corridor. The erosive slope will then be stabilized using cross log placement (perpendicular to fall line). Soils will be raked and environmental cloth will be staked down using biodegradable pins. Seeding with native species and placement of other woody plants will then be placed within the area covered by the environmental cloth.

Deliverable

Stabilized and revegetated slope to eliminate further erosion into Bear Creek.

TASK 3 – Bear Creek in-stream habitat improvement

Description of Task

Restore .75 mile of in-stream habitat using proven design methods.

Method/Procedure

We will restore pool habitat by creating or enhancing a minimum of 80 pools in this reach using native rock and large woody material. We will also stabilize a minimum of 1200 feet of stream bank and revegetate with native material. The restored channel will be able to move future sediment loads through the system. This work will be completed using both contracted and volunteer labor.

Deliverable

Restoration of approximately .75 miles of Bear Creek to provide normal stream function and increase trout habitat.

Water Supply Reserve Account – Application Form

Revised December 2011

REPORTING AND FINAL DELIVERABLE

Reporting: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion of the tasks identified in the statement of work including a description of any major issues that have occurred and any corrective action taken to address these issues.

Final Deliverable: At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

Water Supply Reserve Account – Application Form

Revised December 2011

BUDGET

Provide a detailed budget by task including number of hours and rates for labor and unit costs for other direct costs (i.e. mileage, \$/unit of material for construction, etc.). A detailed and perfectly balanced budget that shows all costs is required for the State's contracting and purchase order processes. Sample budget tables are provided below. Please note that these budget tables are examples and will need to be adapted to fit each individual application. Tasks should correspond to the tasks described above.

PARTNER MATCH FUNDING			
Partner	Cash	In-kind	TOTAL
CWCB - WSRA	\$100,000		\$100,000
CS Parks & Recreation		\$29,000	\$29,000
*Trout Unlimited	\$5,000		\$5,000
Trout Unlimited - Embrace A Stream Grant (Pending)	\$10,000		\$10,000
*Western Native Trout Initiative Grant	\$50,000		\$50,000
*CH2MHill		\$25,000	\$25,000
Agency Staff work		\$15,000	\$15,000
*Section 6 grant –USFWS	\$75,000		\$75,000
Roundtable Volunteers		\$40,000	\$40,000
TOTAL	\$240,000	\$109,000	\$349,000

*denotes secured funding

TOTAL COSTS BY TASK	
Task	Total Costs
Task 1 - High Drive sediment abatement	\$257,000
Task 2 - Alluvial fan removal	\$15,000
Task 3 - Bear Creek Instream Habitat Improvement	\$77,000
Total	\$349,000

Water Supply Reserve Account – Application Form

Revised December 2011

DETAILED BUDGET			
CATEGORY	CWCB - WSRA	Partner Match	TOTAL
Project Design/Evaluation			
Task 1 - High Drive sediment abatement		\$6,000	\$6,000
Task 2 - Alluvial fan removal		\$1,000	\$1,000
Task 3 - Bear Crk Instream Habitat Improvement		\$12,000	\$12,000
Project Management			
Task 1 - High Drive sediment abatement		\$30,000	\$30,000
Task 2 - Alluvial fan removal		\$2,000	\$2,000
Task 3 - Bear Crk Instream Habitat Improvement		\$20,000	\$20,000
Materials			
Task 1 - High Drive sediment abatement		\$36,000	\$36,000
Task 2 - Alluvial fan removal		\$3,000	\$3,000
Task 3 - Bear Crk Instream Habitat Improvement		\$9,000	\$9,000
Equipment / Construction			
Task 1 - High Drive sediment abatement	\$100,000	\$85,000	\$185,000
Task 2 - Alluvial fan removal		\$9,000	\$9,000
Task 3 - Bear Crk Instream Habitat Improvement		\$36,000	\$36,000
TOTAL			
Task 1 - High Drive sediment abatement	\$100,000	\$157,000	\$257,000
Task 2 - Alluvial fan removal		\$15,000	\$15,000
Task 3 - Bear Crk Instream Habitat Improvement		\$77,000	\$77,000
GRAND TOTAL	\$100,000	\$249,000	\$349,000

Water Supply Reserve Account – Application Form

Revised December 2011

SCHEDULE

Provide a project schedule including key milestones for each task and the completion dates or time period from the Notice to Proceed (NTP). This dating method allows flexibility in the event of potential delays from the procurement process. Sample schedules are provided below. Please note that these schedules are examples and will need to be adapted to fit each individual application.

Task	1 st – 6 month						2 nd – 6 month						3 rd – 6 month						4 th – 6 month					
	10/13-12/13			1/14-3/14			4/14-6/14			7/14-9/14			10/14-12/14			1/15-3/15			4/15-6/15			7/15-9/15		
#1- High Drive restoration																								
#2 – Alluvial fan removal																								
#3 – Bear Creek instream habitat																								
Final Reports																								

PAYMENT

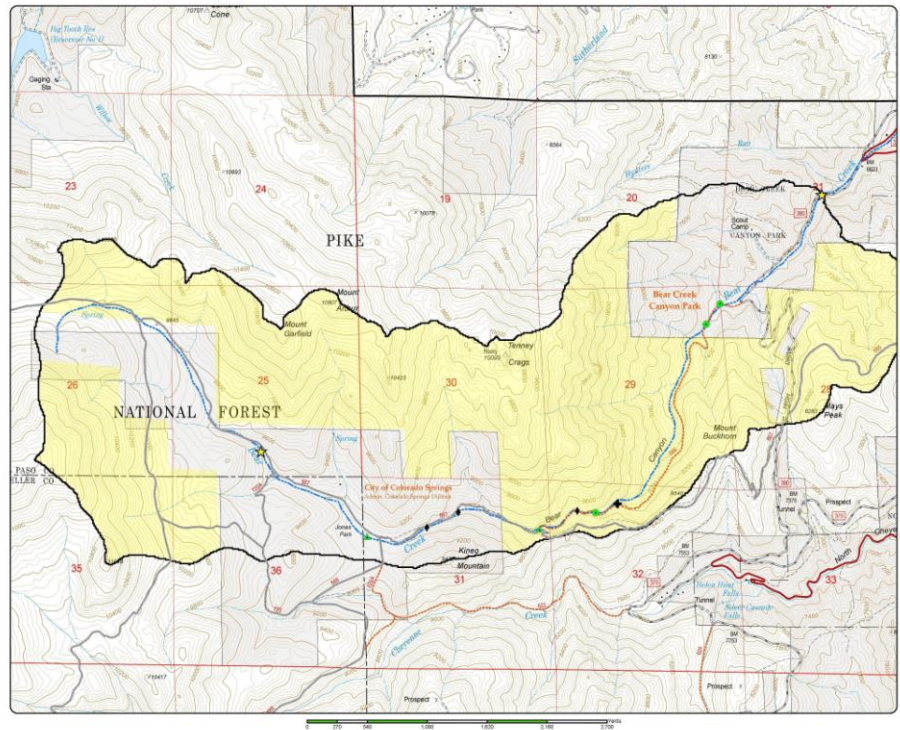
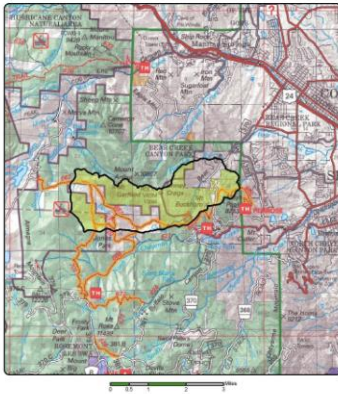
Payment will be made based on actual expenditures and invoicing by the applicant. Invoices from any other entity (i.e. subcontractors) cannot be processed by the State. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for individual tasks and the entire water activity in relation to the percentage of budget spent, identification of any major issues and proposed or implemented corrective actions. The last 5 percent of the entire water activity budget will be withheld until final project/water activity documentation is completed. All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to Basin Roundtables and the general public and help promote the development of a common technical platform.

Exhibit B Map

BEAR CREEK ROUNDTABLE

LEGEND

- | | |
|-------------------------|--|
| Features | Natural Barriers to Upstream Fish Passage |
| — Non-motorized Trail | ♦ Falls (small) |
| — Motorized Trail | ♦ Falls (large) |
| — Bear Creek | ★ Greenback Cutthroat Trout Limits |
| Stream Crossings | □ Catchment Area |
| ● Unimproved | ■ Catchment Area (NFS Lands) |
| ▲ Wood Bridge | |



Appendix 1

Reference Information

The following information is available via the internet. The reference information provides additional detail and background information.

- Water Supply Reserve Account main webpage:
 - <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/main.aspx>
- Water Supply Reserve Account – Basin Fund Application Details:
 - <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/BasinWaterSupplyReserveAccountGrants.aspx>
- Water Supply Reserve Account – Statewide Fund Application Details:
 - <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/StatewideWaterSupplyReserveAccountGrants.aspx>
- Colorado Water Conservation Board main website:
 - <http://cwcb.state.co.us/>
- Interbasin Compact Committee and Basin Roundtables:
 - <http://cwcb.state.co.us/about-us/about-the-ibcc-brts/Pages/main.aspx/Templates/BasinHome.aspx>
- House Bill 05-1177 – (Also known as the Water for the 21st Century Act):
 - <http://cwcbweblink.state.co.us/DocView.aspx?id=105662&searchhandle=28318>
- House Bill 06-1400 – (Adopted the Interbasin Compact Committee Charter):
 - <http://cwcbweblink.state.co.us/DocView.aspx?id=21291&searchhandle=12911>
- Senate Bill 06-179 – (Created the Water Supply Reserve Account):
 - <http://cwcbweblink.state.co.us/DocView.aspx?id=21379&searchhandle=12911>
- Statewide Water Supply Initiative 2010:
 - <http://cwcb.state.co.us/water-management/water-supply-planning/Pages/SWSI2010.aspx>

Appendix 2
Insurance Requirements

NOTE: The following insurance requirements taken from the standard contract apply to WSRA projects that exceed \$25,000 in accordance with the policies of the State Controller's Office. Proof of insurance as stated below is necessary prior to the execution of a contract.

13. INSURANCE

Grantee and its Sub-grantees shall obtain and maintain insurance as specified in this section at all times during the term of this Grant: All policies evidencing the insurance coverage required hereunder shall be issued by insurance companies satisfactory to Grantee and the State.

A. Grantee

i. Public Entities

If Grantee is a "public entity" within the meaning of the Colorado Governmental Immunity Act, CRS §24-10-101, et seq., as amended (the "GIA"), then Grantee shall maintain at all times during the term of this Grant such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the GIA. Grantee shall show proof of such insurance satisfactory to the State, if requested by the State. Grantee shall require each Grant with Sub-grantees that are public entities, providing Goods or Services hereunder, to include the insurance requirements necessary to meet Sub-grantee's liabilities under the GIA.

ii. Non-Public Entities

If Grantee is not a "public entity" within the meaning of the GIA, Grantee shall obtain and maintain during the term of this Grant insurance coverage and policies meeting the same requirements set forth in §13(B) with respect to sub-Grantees that are not "public entities".

B. Sub-Grantees

Grantee shall require each Grant with Sub-grantees, other than those that are public entities, providing Goods or Services in connection with this Grant, to include insurance requirements substantially similar to the following:

i. Worker's Compensation

Worker's Compensation Insurance as required by State statute, and Employer's Liability Insurance covering all of Grantee and Sub-grantee employees acting within the course and scope of their employment.

ii. General Liability

Commercial General Liability Insurance written on ISO occurrence form CG 00 01 10/93 or equivalent, covering premises operations, fire damage, independent Grantees, products and completed operations, blanket Grantual liability, personal injury, and advertising liability with minimum limits as follows: (a) \$1,000,000 each occurrence; (b) \$1,000,000 general aggregate; (c) \$1,000,000 products and completed operations aggregate; and (d) \$50,000 any one fire. If any aggregate limit is reduced below \$1,000,000 because of claims made or paid, Sub-grantee shall immediately obtain additional insurance to restore the full aggregate limit and furnish to Grantee a certificate or other document satisfactory to Grantee showing compliance with this provision.

iii. Automobile Liability

Water Supply Reserve Account – Application Form

Revised December 2011

Automobile Liability Insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of \$1,000,000 each accident combined single limit.

iv. Additional Insured

Grantee and the State shall be named as additional insured on the Commercial General Liability and Automobile Liability Insurance policies (leases and construction Grants require additional insured coverage for completed operations on endorsements CG 2010 11/85, CG 2037, or equivalent).

v. Primacy of Coverage

Coverage required of Grantee and Sub-grantees shall be primary over any insurance or self-insurance program carried by Grantee or the State.

vi. Cancellation

The above insurance policies shall include provisions preventing cancellation or non-renewal without at least 45 days prior notice to the Grantee and the State by certified mail.

vii. Subrogation Waiver

All insurance policies in any way related to this Grant and secured and maintained by Grantee or its Sub-grantees as required herein shall include clauses stating that each carrier shall waive all rights of recovery, under subrogation or otherwise, against Grantee or the State, its agencies, institutions, organizations, officers, agents, employees, and volunteers.

C. Certificates

Grantee and all Sub-grantees shall provide certificates showing insurance coverage required hereunder to the State within seven business days of the Effective Date of this Grant. No later than 15 days prior to the expiration date of any such coverage, Grantee and each Sub-grantee shall deliver to the State or Grantee certificates of insurance evidencing renewals thereof. In addition, upon request by the State at any other time during the term of this Grant or any sub-grant, Grantee and each Sub-grantee shall, within 10 days of such request, supply to the State evidence satisfactory to the State of compliance with the provisions of this §13.

Appendix 3
Water Supply Reserve Account Standard Contract Information

NOTE: The standard contract is required for WSRA projects that exceed \$100,000. (Projects under this amount will normally be funded through a purchase order process.) Applicants are encouraged to review the standard contract to understand the terms and conditions required by the State in the event a WSRA grant is awarded. Significant changes to the standard contract require approval of the State Controller's Office and often prolong the contracting process.

It should also be noted that grant funds to be used for the purchase of real property (e.g. water rights, land, conservation easements, etc.) will require additional review and approval. In such cases applicants should expect the grant contracting process to take approximately 3 to 6 months from the date of CWCB approval.

The standard contract is available here under the header "Additional Resources" on the right side:
<http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/BasinWaterSupplyReserveAccountGrants.aspx>

Water Supply Reserve Account – Application Form

Revised December 2011

Appendix 4 W-9 Form

NOTE: A completed W-9 form is required for all WSRA projects prior execution of a contract or purchase order. Please submit this form with the completed application.

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Water Supply Reserve Account – Application Form
Revised December 2011

The above statements are true to the best of my knowledge:

Signature of Applicant:

Print Applicant's Name:

Project Title:

Return an electronic version (hardcopy may also be submitted) of this application to:

Greg Johnson – WSRA Application
Colorado Water Conservation Board
1580 Logan Street, Suite 200
Denver, CO 80203
gregory.johnson@state.co.us