



COLORADO WATER CONSERVATION BOARD
WATER SUPPLY RESERVE ACCOUNT
APPLICATION FORM

Today's Date: **Oct 28, 2015**



Poudre River Downtown Project- Reach 3

Name of Water Activity/Project

Natural Areas Department, City of Fort Collins

Name of Applicant

Amount from Statewide Account:

\$250,000

South Platte Roundtable

Amount from Basin Account(s):

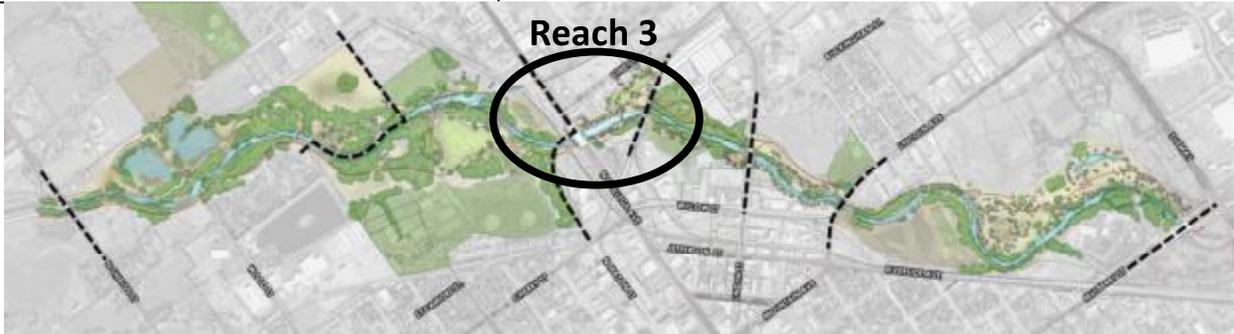
\$50,000

Approving Basin Roundtable(s)
(If multiple basins specify amounts in parentheses.)

Total WSRA Funds Requested:

\$300,000

FEIN: 84-6000587



WSRA Funds will be used for demolition and removal of Coy Ditch Diversion Dam (above left) removal of concrete retaining wall (above right), in-stream excavation & reshaping of river channel, and stream bank stabilization in Reach 3 of Poudre River.

Water Supply Reserve Account – Application Form
 Revised December 2011

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

1. Applicant Name(s):

Mailing address:

Taxpayer ID#:

Primary Contact: Position/Title:

Email:

Phone Numbers: Cell: Office:

Alternate Contact: Position/Title:

Email:

Phone Numbers: Cell: Office:

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

- 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.
- Public (Districts) – authorities, Title 32/special districts, (conservancy, conservation, and irrigation districts), and water activity enterprises.
- Private Incorporated – mutual ditch companies, homeowners associations, corporations.
- Private individuals, partnerships, and sole proprietors are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
- 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

The City of Fort Collins (“City”), with a population of 155,400, is the municipal government and provider of water, wastewater, storm water, and electricity service to residents within its service area. The City’s Growth Management Area encompasses 56 square miles within Larimer County at the base of the mountains in the northern Front Range. The City manages 600 acres of parks and 40,000 acres of Natural Areas.

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

The City is the project sponsor and the contracting entity for all aspects of the Poudre River project through downtown Fort Collins.

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.

The Applicant will be able to contract with the CWCB using the Standard Contract

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.

There are no TABOR issues that may affect the applicant.

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)

X	Nonconsumptive (Environmental or Recreational)
	Agricultural
	Municipal/Industrial
	Needs Assessment
	Education
	Other

Explain:

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

A general outline of the relevant portions of the Poudre River Downtown Project is as follows. The City will remove the Coy Ditch diversion dam across the Poudre River, as well as other structures associated with the Coy Ditch, such as its headgate and the head of the ditch. The initial sections of the Coy Ditch will not be utilized in the future. With these structures removed, the City will regrade the river by generally lowering and narrowing the channel, as discussed below. A new/replacement instream diversion structure will then be constructed at the location of the Coy Ditch diversion dam such that the City can continue to operate its instream water right decreed at this location. This new instream diversion structure will include a water drop for recreational purposes, as well as a measurement device to allow for the continued administration of the water right decreed to the Coy Ditch and the City’s in-stream water right.

As part of this multi-faceted project, the City negotiated the purchase of 50% of the water right associated with the Coy Ditch. The City also negotiated an agreement with the other 50% owner of that water right, the East Larimer County Water District (ELCO), that includes an opportunity for the City to modify or remove the Coy Ditch diversion dam, subject to certain terms and conditions associated with the need to continue the measurement of water at this location.

Each water provider will benefit from the removal of the Coy Ditch diversion dam and its replacement with a new/replacement instream diversion structure, as well as the completed and planned changes in water uses of the water right to municipal, industrial, and other uses. In particular, ELCO will benefit because the City has agreed to manage the ditch infrastructure, which allows ELCO to focus on its core mission of delivering high quality water to the businesses and residents of portions of northeast Fort Collins and Larimer County. The City will benefit because the water right associated with its portion of the Coy may be used for augmentation by the City. (A portion of the water attributable to the City’s 50%of the Coy Ditch water right may in the future be used to support a CWCB instream flow through this reach. This is being pursued concurrently.)

The Poudre River Downtown Project will restore aquatic habitat in .6 miles of river in Reach 3, and modify riparian floodplain habitat near College Avenue Bridge and protect private property during periods of flooding. Undertaking all the project elements in Reach 3 at the same time will realize efficiencies of scale and cost savings for the river channel reconfiguration (narrowing/filling a segment of channel); the levee removal; the riparian restoration; the removal of a concrete retaining wall and storm water outfall; the removal of the Coy Ditch diversion dam and associated structures; the construction of a new/replacement instream diversion structure; and, the improvement of in-river and river bank recreation features in the reach. Removal of the Coy Ditch diversion dam and its replacement with the new instream diversion structure also will improve the transitional habitat necessary for several threatened and endangered plains fish species by lessening the barriers for these fish.

Water Supply Reserve Account – Application Form
Revised December 2011

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)

Length of Stream Restored or Protected (**Over 2000 linear feet**)

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

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

Area of Restored or Preserved Habitat (**10.3 acres**)

Other -- Explain:

Collaboration between two water providers

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

Latitude:

40° 35' 42.26"N

Longitude:

105 degrees 4' 30.02"W

This project is "Reach Three" of the Poudre River downtown and is located in the urban core of Old Town Fort Collins from the Museum of Discovery west of College Avenue to just below the BNSF Rail Road bridge upstream of Linden Street. The Coy Ditch diversion dam is at the midpoint of this reach.

5. Please provide an overview/summary of the proposed water activity (no more than one page).

Construction of Reach 3 of the Downtown Poudre River Master Plan is the second in a series of major Poudre River projects in Fort Collins and is consistent with the South Platte Basin Roundtable's BIP priorities. The first project was the removal of the Josh Ames diversion dam and associated structures with \$300,000 in WSRA funding and the unanimous support of the SPBRT and CWCB in 2013.

To implement the Poudre River Downtown Project Reach 3, from approximately College Avenue downstream to the BSNF Rail Road Bridge, the low flow channel will be narrowed throughout the reach which will improve the flow depth for fish, flood flow conveyance and recreational use.

Structures that block flood flows will be removed. The Coy Ditch diversion dam and associated structures will be removed and replaced with a new instream diversion structure that will allow the improved passage of flood flows. The project includes agreements between water providers (ELCO and the City) that will optimize water supply infrastructure. This project will protect public infrastructure at College Avenue Bridge and private property. Recreation infrastructure (funded by private dollars)

Water Supply Reserve Account – Application Form
Revised December 2011

will be improved with the installation of whitewater wave features.

The Coy Ditch diversion dam is a barrier to upstream fish migration. Removal of the Coy Ditch diversion dam and its replacement with a new instream diversion structure will substantially improve aquatic habitat and connectivity for all species, including threatened species and species of concern in this important transitional habitat zone. This multi-purpose project will also provide benefits to public safety, water quality, in-river and bank-side recreation and natural areas. Lastly, the project will not injure agriculture because the Coy Ditch is no longer used for irrigation.

Project sponsor, the City respectfully requests a combined grant award of 3% of the \$8.5 Million base project cost: \$50,000 from the Basin Account and \$250,000 from the Statewide Account. The WSRA funds will be used for site demolition, excavation and reshaping of the river channel and habitat enhancements and stream bank stabilization in Reach 3.

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

The Poudre River Downtown Project is consistent with Section 37-75-102 Colorado Revised Statutes because the project will not repeal or in any manner amend the existing water rights adjudication system.

There is one water right decreed to the Coy Ditch, half of which is owned by ELCO and half of which is owned by the City. ELCO has changed the use of its half in Water Court Case Nos. 09CW282 and 13CW3166. ELCO measures water at the location of the Coy Ditch diversion dam for purposes of the administration of its water right and no longer diverts water into the Coy Ditch. The City has a pending application in Water Court Case No. 14CW3176 to change the use of its half of the water right. The City plans to also measure water at the location of the Coy Ditch diversion dam for purposes of the administration of its water right and no longer diverts water into the Coy Ditch. As noted above, ELCO and the City have an agreement regarding the modification and removal of the Coy Ditch diversion dam.

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

The City also own an instream water right decreed to the Fort Collins Power Plant Dam, which is, generally speaking, the same structure as the Coy Ditch diversion dam. This water right was decree as conditional in Water Court Case No. 86CW371 and made absolute in Case No. 00CW236. As discussed above, the City will remove Coy Ditch diversion dam and replace it with a new instream diversion structure such that it can continue to be used as part of the Fort Collins Power Plant Dam in a manner consistent with the decrees for this water right.

For the reasons discussed above, the removal of the Coy Ditch diversion dam and its replacement with a new instream diversion structure will 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.

- 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.

The letter of support recommending funding of the application to the CWCB Board will be provided by Joe Frank, South Platte Roundtable Chair upon a vote of the roundtable anticipated in January 2016.

- 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.

The Poudre River Downtown Project will assist in meeting the water supply needs identified in the South Platte Basin's BIP and non-consumptive needs assessments. In the South Platte Basin Non-consumptive Needs Assessment, (CWCB/CDM 2010) Figure 3-10 and Table 3-3 in the "South Platte Non-consumptive Needs Assessment Focus Reaches" identifies this reach of the Poudre River to the confluence with the South Platte as an "Environmental Focus Area" and notes "*Habitat for plains fish that are listed as state endangered, threatened and species of concern. Municipal Recreational Corridor.*" By removing the barriers to fish and restoring the aquatic and riparian floodplain habitat, this project improves conditions that support T&E species as well as the "Municipal Recreational Corridor." The Coy Ditch diversion dam is a serious safety obstacle that requires portaging to avoid

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

injury to casual float boaters, which will be addressed through its removal and replacement with a new instream diversion structure.

- 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)

City of Fort Collins General Fund 2015	\$1,000,000
Storm water Department 2015	\$1,000,000
Natural Areas Department 2015	\$1,000,000
Citizens of Fort Collins-Building On Basics tax 2016	\$4,000,000
Poudre Whitewater Fund, NCCF	\$150,000
Private funds, (Letter of Intent Rec'd)	\$750,000
Private Family Foundation, (decision pending Dec 2015)	\$300,000 (Concurrent with this grant)

The project sponsor and partners will provide a cash match of over \$8,200,000 for the Statewide Account request of \$250,000 which exceeds the minimum match from the applicant as required by the grant guidelines. The request from the South Platte Basin Fund Account of \$50,000 exceeds the minimum match as required by the grant guidelines.

City of Fort Collin's project expenses prior to submission: \$1,000,000

Additional matching funds of about \$1,000,000 have been spent to bring the project to the point of implementation. Establishment of firm ownership to the riverbed was necessary. A major quiet title effort was undertaken and was completed in late 2014. The City acquired half of the Coy Ditch water right for \$750,000 and acquired an agreement with ELCO. Additionally, completion of preliminary engineering, hydrological modeling of the floodplain at College Avenue and whitewater features and completion of a Phase I Environmental Assessment.

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).

The collaborative vision is to celebrate the Cache la Poudre as a “healthy working river.” The Poudre River Downtown Project will restore aquatic habitat in half a mile of river and enhance riparian floodplain habitat and connectivity. This includes narrowing/filling a segment of widened channel, the south bank levee removal, the riparian floodplain restoration, removal of the concrete bank & old storm water outfalls, the trail and parking enhancements and the removal of the Coy Ditch diversion dam that spans the river from bank to bank and its replacement with a new instream diversion structure.

Removal of this barrier to fish--one of four significant barriers planned for removal as part of the larger project--will cumulatively improve the transitional habitat necessary for several threatened and endangered plains fish species. Public safety will be enhanced by removing the Coy Ditch diversion dam which presents a hazardous obstacle for casual float-boaters, and replacing it with a new instream diversion structure that will be more user friendly. The Coy Ditch diversion dam also currently blocks flood flows and during large flood events, water overtops the banks and overflows onto College Avenue and Vine Street, which will be addressed in the new instream diversion structure.

Implementing the Poudre River Downtown Project promotes collaboration in multiple venues focused on different aspects of water concerns between the City and the many local water providers, ditch and canal companies and industrial users. The agreement with ELCO is an integral part of the project that will enable the Coy Ditch diversion dam to be removed and replaced with a new instream diversion structure, which will provide upstream fish migration in this location in the Poudre River for the first time in many decades.

The project described in this grant application, as well as the City’s long-term vision for the Poudre River corridor will provide major positive benefits for economic development for businesses in Fort Collins as they are linked to a developed greenway through town. A similar effort has been supported by both the South Platte and Metro Basin Roundtables on the South Platte River main stem in Denver. The Greenway Foundation has shown more than \$100 million dollar economic impact in Denver and has leveraged millions of dollars from other sources. This Poudre River Downtown Project vision reflects the same spirit of cooperation and urban river redevelopment goals in the South Platte River 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.

The Poudre River Downtown Master Planning process (of course located in the South Platte Basin) sought and incorporated the input and advice of affected local governments, water providers, and other interested stakeholders and members of the community in establishing the non-

Water Supply Reserve Account – Application Form
Revised December 2011

consumptive needs of the Poudre River through Fort Collins. The public process for developing the City's long-term vision for the Poudre Poudre River Projects involved multiple stakeholder groups representing traditional consumptive water interests, water providers, ditch companies, local beer industry as well as non-consumptive water interests such as private citizens, nonprofit organizations, CSU, downtown business groups and students.

Through the Poudre River Downtown master planning process, letters of support and resolutions in support by boards of the following groups were received from: The Commission on Disability; The Cultural Resources Board; Downtown Development Authority; Economic Advisory Commission; and Conservation Stewardship Board; Landmark Preservation Commission; Natural Resources Advisory Board; Parks and Recreation Board; Planning and Zoning Board; Senior Advisory Board; Transportation Board; Water Board; Youth Advisory Board.

Additionally, the following stakeholder groups played important roles in the Poudre River Master Planning Process: Colorado Parks and Wildlife; CSU, Campus Recreation; CSU, Engineering; Colorado Water Trust; Downtown Business Association; East Larimer County (ELCO) Water District; Fort Collins Community Action Network; Fort Collins Museum of Discovery; Fort Collins Truck Sales; Lake Canal Reservoir Company; Mountain Whitewater Descents; The Neenan Company; New Belgium Brewing; North Fort Collins Business Association; Odell Brewing Company; Pinnacle Consulting Group; Poudre Heritage Alliance; Poudre Paddlers; Powerhouse Energy Institute; Ranchway Feeds; Rocky Mountain Fly Casters (TU Chapter); UniverCity Connections; US Army Corps of Engineers; and Woodward.

The Poudre River Downtown Project is bringing people together to ensure the best example of a healthy, hard working river in the State of Colorado.

- 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.

In the South Platte Basin Non-consumptive Needs Assessment, (CWCB/CDM 2010) Figure 3-10 and Table 3-3 in the "South Platte Non-consumptive Needs Assessment Focus Reaches" identifies this reach of the Cache la Poudre River to the confluence with the South Platte as an "Environmental Focus Area" and notes in the table "*Habitat for plains fish that are listed as state endangered, threatened and species of concern. Municipal Recreational Corridor.*" By removing the barrier to fish and restoring the aquatic, riparian and wetland habitat, this project improves conditions that support the broad goals of the recovery program as well as municipal & recreational goals.

The agreement between ELCO and City provides needed augmentation water to the City as part of this project.

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).

Pending award of the WSRA application and private funds currently under consideration, the project is on schedule to break ground during 2017. It is important to have all required funds secured during 2015 in order to maintain in priority for funding from the BOB 2 tax funds and to stay on schedule prior to the start of bid contracting process for construction.

Extensive quiet title work has been completed over the past two years. The agreement with ELCO has been completed. Hydrological modeling and preliminary engineering has been completed. The Phase II Environmental Assessment has been completed. All required permits are being secured in order to complete the project as proposed.

If the grant is not awarded, the project would not be able to be completed on schedule. Heavy construction costs are escalating and if the project is delayed, significant additional funds may need to be secured before implementation. If implementation is delayed, the project may be in danger of being pushed to the back of the line of competitive projects approved to be funded with "BOB 2" tax funds. (BOB 2 is the .25% tax approved by 82% the voters in April 2015.)

The City has an excellent track record of success as demonstrated by the 2013 collaboration to remove the Josh Ames diversion dam and associated structures and restore riparian habitat. This type of project is capable of being replicated in other areas and is similar to the large scale multi-purpose undertaking on the South Platte River in Denver that has been funded very generously through the WSRA grant process.

- 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.

The commitment of \$7 million collectively from the Stormwater Department, the Natural Areas Department, the General Fund budget as well as the allocation of BOB 2 receipts demonstrates significant and appropriate commitment to the project by the project sponsor. Additionally, commitment from the private, philanthropic business community of \$1 million is significant as is over \$200,000 from the recreation community. WSRA funds represent an investment of 3% in the total project budget of \$8.5 million. This award will significantly leverage funds from other sources.

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.

The project addresses issues of statewide value by removing unnecessary agricultural diversion hazards that no longer serve a useful purpose for agriculture or municipal use, and replacing them with structures that are safe and can be used for various purposes. As agricultural needs change and

Water Supply Reserve Account – Application Form

Revised December 2011

points of diversion are moved and land use is altered, opportunities to collaborate to remove aging water infrastructure that presents a barrier to fish migration maximizes the benefits of the project.

Safe recreational use of the river will be improved by removing the Coy Ditch diversion dam from the river and replacing it with a new instream diversion structure. The Coy Ditch diversion dam poses a significant safety hazard to casual float boaters in this reach. Whitewater recreational boating will improve with the inclusion of privately funded whitewater boating features in this reach. Popular urban fishing access will be enhanced with the improvements to the Poudre River trails with hardened access points that prevent erosion from social trails to the water. Fishing will improve with the enhancements to fish habitat, riparian connectivity and floodplain connectivity. Water quality may improve with the improvements to storm water infrastructure in this reach. Bank-side recreation will improve.

The Poudre River Downtown Project seeks to replicate the Greenway Foundation’s successful efforts to address similar concerns throughout the South Platte River in Denver. These are just a few of the many ways this project addresses issues of statewide value and maximizes benefits to the people of Colorado.

- 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.

The Poudre River Downtown Project does not have a direct relationship to the administration of compact-entitled waters nor does it address any problems with compact compliance.

- h. The water activity assists in the recovery of threatened and endangered wildlife species or Colorado State species of concern.

The Poudre River through the municipal corridor of Fort Collins provides transitional habitat for the plains fish that are listed as state endangered, threatened and species of concern. The collective impact of removing unnecessary barriers to fish migration and improving habitat on the Poudre River helps improve conditions necessary for the continued recovery of these species. Narrowing the low flow channel and improving the habitat of the stream channel will result in the new thalweg having slightly deeper water than it has now. This will benefit fish during instances of low flows in the Poudre River. Increasing the acres of healthy riparian habitat also has a positive impact on migratory wildlife when viewed collectively across the South Platte Basin and the State. Riparian and floodplain connectivity provide cumulative positive impacts across the State.

- i. The water activity is complementary to or assists in the implementation of other CWCB programs. The Poudre River Downtown project complements the objectives of Colorado Parks and Wildlife to protect and restore terrestrial and aquatic habitat across the State.

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.

The water body to be affected is the Poudre River north of Old Town Fort Collins from the Museum of Discovery west of College Avenue downstream to the BSNF Rail Road bridge to the east of College Avenue.

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

The restoration of the Poudre River through the City has been the focus of many master plans and studies including the “*City of Fort Collins Land Use Code*” (1997), “*Cache La Poudre River Natural Areas Management Plan*” (2001) was updated in 2010 to reflect continuing public support for the Poudre River ecosystem and Natural Areas protections. The comprehensive “*City Plan Fort Collins (2011)*” also addresses the project area. *UniverCity Connections*, the “*Poudre Runs Through It*” public dialogue report (2012) and expresses support for the goals of the project to ensure the Poudre is a Healthy Working River. The development of the Poudre River Downtown Master Plan has not revealed any issues that have not been successfully addressed.

Poudre River recreation and environmental enhancements are an Identified Project and Process (IPP) in SWSI 2010 and were specified in the South Platte Basin Non-Consumptive Needs Assessment. The South Platte BIP encourages the implementation of all IPP's in the South Platte Basin.

All appropriate local, state and federal permits necessary for work in the stream will be secured and will be available for review prior to the start of any work funded in part by the grant.

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.**

Please provide a detailed statement of work using the template in Exhibit A. Additional sections or modifications may be included as necessary. Please define all acronyms and include page numbers.

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

PAYMENT

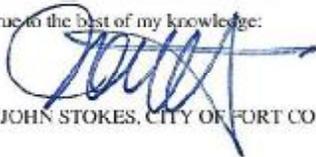
Payment will be made based on actual expenditures and invoicing by the applicant. Invoices from any other entity (i.e. subcontractors) cannot be processed by the State. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for 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.

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: JOHN STOKES, CITY OF FORT COLLINS NATURAL AREAS DIRECTOR

Project Title: Poudre River Downtown Project, Reach 3

Date:

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

Craig Godbout – WSRA Application
Colorado Water Conservation Board
1313 Sherman St., Room 721
Denver, CO 80203
303-866-3441, ext. 3210 (office)
303-547-8061 (cell)
craig.godbout@state.co.us