

East Troublesome Fire Watershed Recovery

Draft Final Report

CTGG1 2021*3428

CTGG1 2022*2360



Prepared for:
Colorado Watershed Restoration Program
Attn: Chris Sturm

May 19, 2022

Northern Colorado Water Conservancy District
Grand County
Grant Amounts: \$4,150,000 and \$4,663,524

 **Northern Water**
Northern Colorado Water Conservancy District
220 Water Avenue • Berthoud, Colorado 80513
800-369-7246 • www.northernwater.org



Grand County
Colorado

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EXECUTIVE SUMMARY**Background**

On Oct. 14, 2020, the East Troublesome Fire was reported northeast of Kremmling on the Arapaho National Forest. With high winds and low humidity in the following weeks, the fire's final acreage reached 193,812 acres by the time it was fully contained on Nov. 30. Grand County and Northern Water immediately began working with partners on watershed restoration and planning of projects to mitigate threats to life and property due to post-fire flood, sediment, and debris.

In February, the Grand County Board of Commissioners and the Northern Water Board of Directors agreed to be the USDA Natural Resources Conservation Service (NRCS) Emergency Watershed Protection (EWP) Program sponsors for different geographical areas of East Troublesome Fire recovery efforts. Northern Water is project sponsor for Area A and Grand County is project sponsor for Area B (See Figure 1). As sponsors, Grand County and Northern Water worked with NRCS to prepare Damage Survey Reports (DSR) of non-federal lands in the affected areas. Teams performed field assessments to identify potential post-fire hazards to life and property that may occur in coming months and years, developed potential treatments to mitigate hazard risks and estimated treatment costs.

EWP Funding Requirements

Through the EWP Program, NRCS provides reimbursement up to 100% of design and engineering cost as part of their Technical Assistance (TA), and up to 75% of construction costs as part of their Financial Assistance (FA). NRCS requires the 25% local match to be sourced by the project sponsor. The CWCB Grants, as further described below, were provided to in part cover the 25% local match for EWP implementation projects.

CWCB Grants Summary

For purposes of the CWCB Grant, Northern Water is the Grantee and serves as the Fiscal Agent for funds directed to Grand County. Contracting was accomplished over three grant cycles as CWCB and NRCS funds became available.

On June 3, 2021 CWCB executed CTGG1 2021*3428 for \$1,500,000 covering approximately 15% of the anticipated work under the EWP Program. On July 30, 2021, \$2,650,000 of grant funds were amended into the contract which would allow for approximately 46% of the EWP Program. On September 28, 2021 CWCB issued a new contract CTGG1 2022*2360 in the amount of \$4,663,524 which would allow for 100% of the EWP Program to be carried out.

CWCB EWP Program Grant Summary

	CWCB Grant	Match Funding	Executed Date
CTGG1 2021*3428	\$1,500,000	\$4,050,000	June 3, 2021
CTGG1 2021*3428, Amendment 1	\$2,650,000	\$7,950,010	July 30, 2021
CTGG1 2022*2360	\$4,663,524	\$13,990,562	Sept. 28, 2021
Total	\$8,813,524	\$25,990,572	

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Both CTGG1 2021*3428 and 2022*2360 are funding the same overall EWP Program with CTGG1 2021*3428 being drawn down first. Although the EWP Work that is being accomplished through the above grants have not been completed and will continue through 2022, work has been completed under CTGG1 2021*3428 in such amounts as to trigger that contract's Final Report requirement. Therefore, this Draft Final Report is being submitted in compliance with CTGG1 2021*3428's reporting requirements. This report will be updated in the future to serve as the Final Report for both CTGG1 2021*3428 and CTGG1 2022*2360

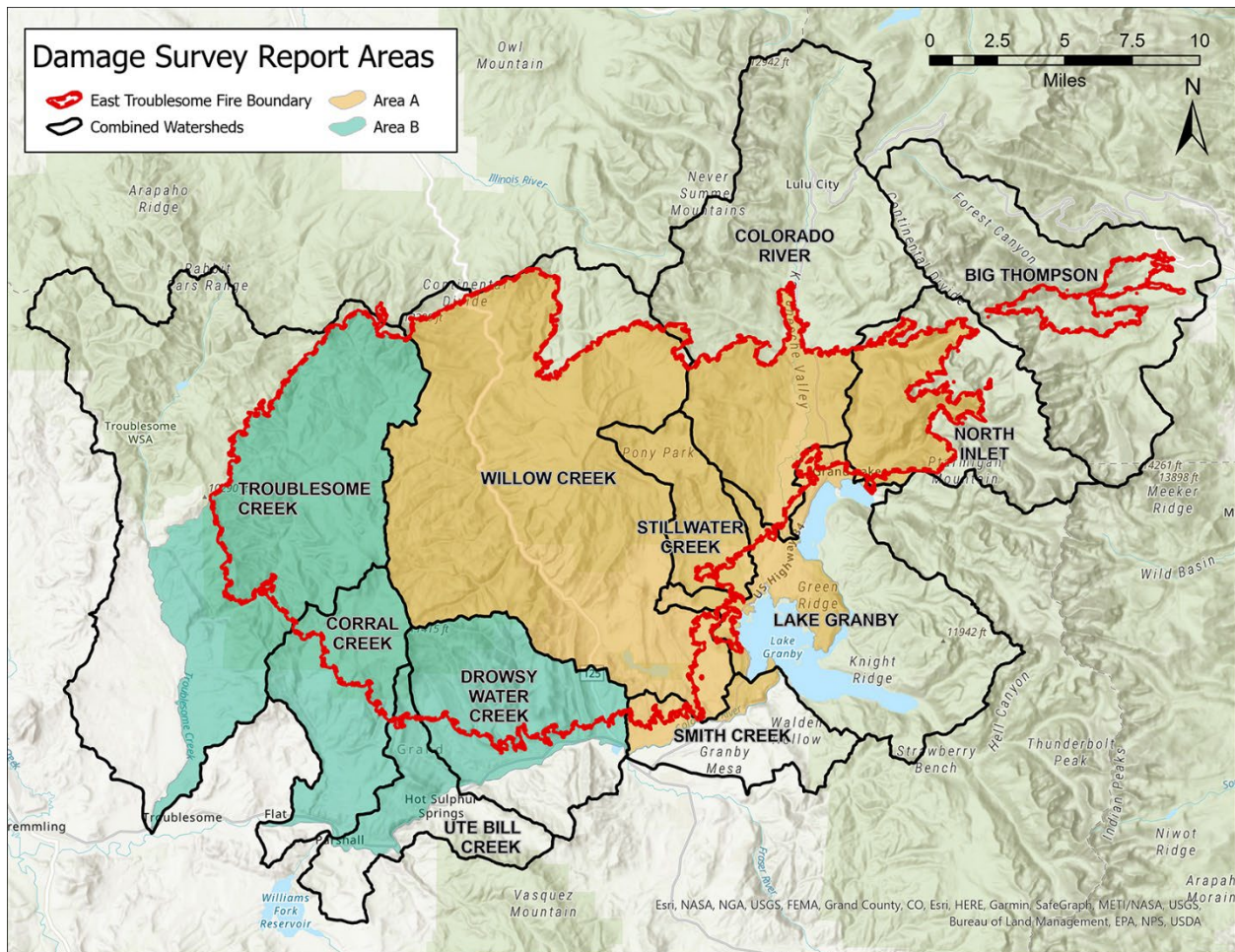


Figure 1 – East Troublesome Fire EWP Program Sponsor Areas

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Task 1 – Grand County Watershed Recovery Watershed Program Coordinator

Purpose: This task provided funds to Grand County to help with overall project management for the East Troublesome Fire as well as the liaison for landowners affected by the Williams Fork Fire. Grand County recognized the significant amount of work that would be required in providing outreach to landowners, procuring required landowner agreements and necessary permits to help expedite project design and implementation to meet the EWP timeline as well as working closely with the County contracted engineering, design, and construction group to ensure projects meet the needs of the community and EWP program requirements, including accounting requirements for reimbursement submittal to NRCS.

Result: Brian Murphy of River Works was contracted with on September 7, 2021, as the Grand County Watershed Recovery Coordinator for Area B. Brian provides overall project management for the East Troublesome Fire EWP Program and is the liaison for landowners affected by the East Troublesome Fire (ETF) in Area B. This task is complete and was fully funded under CTGG1 2021-3428.

Deliverable: Northern Water's subgrantee agreement with Grand County is attached as Attachment A

Task 2 – EWP Program Implementation Area A (Northern Water)

Purpose: This task provided the local match for EWP projects in Area A, generally described as the East Troublesome Fire burn area and affected areas upstream of Windy Gap Reservoir. Implementation efforts under this task include mitigation treatments as identified in the Damage Survey Reports (DSRs) for Area A. Mitigation treatments generally fall into one of the four categories of EROSION CONTROL (incl. seeding/mulching, Log erosion barriers, mastication, bank stabilization), SEDIMENT/DEBRIS CONTROL (incl. debris removal, debris booms, sediment basins, sediment removal), FLOOD PROTECTION (incl. flood barrier bags, overflow channels), and OTHER (incl. emergency warning system, ditch/canal improvements, road & bridge protection, trash racks).

Results: In 2021, fourteen (14) projects were completed under the EWP program in Area A, including the mulching of 4,660 acres. A total of nine (9) projects are active or planned for completion in 2022. This task is not complete though funding under CTGG1 2021*3428 has been exhausted. This Task will continue into Summer of 2022 to be funded through the CTGG1 2022*2360.

Deliverable: See Attachment B for a summary of projects completed and in Progress. See Figure 2 for a map of completed EWP projects and an interactive fire recovery map can be found here:

<https://www.northernwater.org/GC-Watershed-Recovery/recovery-map>

[Chris looking to see if we have any pdf maps we can provide too]

Task 3 – EWP Program Implementation Area B (Grand County)

Purpose: This task provided the local match of EWP Projects in Area B, generally described as the East Troublesome Fire burn area and affected areas downstream of Windy Gap Reservoir. Implementation efforts under this task include mitigation treatments as identified in the Damage Survey Reports (DSRs)

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for Area B. Mitigation treatments generally fall into one of the four categories of EROSION CONTROL (incl. seeding/mulching, Log erosion barriers, mastication, bank stabilization), SEDIMENT/DEBRIS CONTROL (incl. debris removal, debris booms, sediment basins, sediment removal), FLOOD PROTECTION (incl. flood barrier bags, overflow channels), and OTHER (incl. emergency warning system, ditch/canal improvements, road & bridge protection, trash racks).

Results: In 2021, seven (7) projects were completed under the EWP program in Area B including the mulching of 391 acres. A total of seven (7) projects are active or planned for completion in 2022. This task is not complete but funding under CTGG1 2021*3428 has nearly been exhausted. This Task will continue into construction season of 2022 and will be funded through the CTGG1 2022*2360 once funding under CTGG1 2021*3428 has been exhausted.

See **Attachment C** for a summary of projects completed and in progress. This Tasks will continue into Summer of 2022 to be funded through the CTGG1 2022*2360.

Deliverable: See Attachment C for a summary of projects completed and in Progress. See Figure 2 for a map of completed EWP projects and an interactive fire recovery map can be found here:

<https://www.northernwater.org/GC-Watershed-Recovery/recovery-map>

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Actual Expense To-Date

The EWP Project is ongoing and will continue into CTGG 2022*2360. Expenses that have occurred through the first 6 pay request are shown below.

	Task 1		Task 2		Task 3	
Pay Request	CWCB	Match	CWCB	Match	CWCB	Match
1			\$97,103.86	\$291,311.57	\$777.75	\$2,333.25
2	\$150,000.00	\$0	\$1,243,668.70	\$3,826,721.15		
3			\$1,552,387.95	\$4,657,163.86	\$218,388.61	\$655,165.84
4			\$237,998.38	\$713,995.16	\$154,218.02	\$462,654.06
5			\$179,113.03	\$537,339.08	\$80,084.26	\$240,252.76
6			\$77,967.08	\$233,901.24	\$11,140.39	\$24,287.34
Totals	\$150,000.00	\$0	\$3,388,239.00	\$10,260,432.06	\$464,609.03	\$1,384,693.25
2021*3428 Grant Amount	\$150,000.00		\$3,338,239.00		\$611,761.00	
2021*3428 Remaining Funds	\$0		\$0		\$147,151.97	

Work continues on both Tasks 2 and 3. Northern Water will start drawing on CTGG1 2022*2360 for Task 2. Grand County will draw on their remaining \$147,151.97 in future pay request for Task 3 work prior to drawing on CTGG1 2022*2360 funds.

Conclusions and Discussion

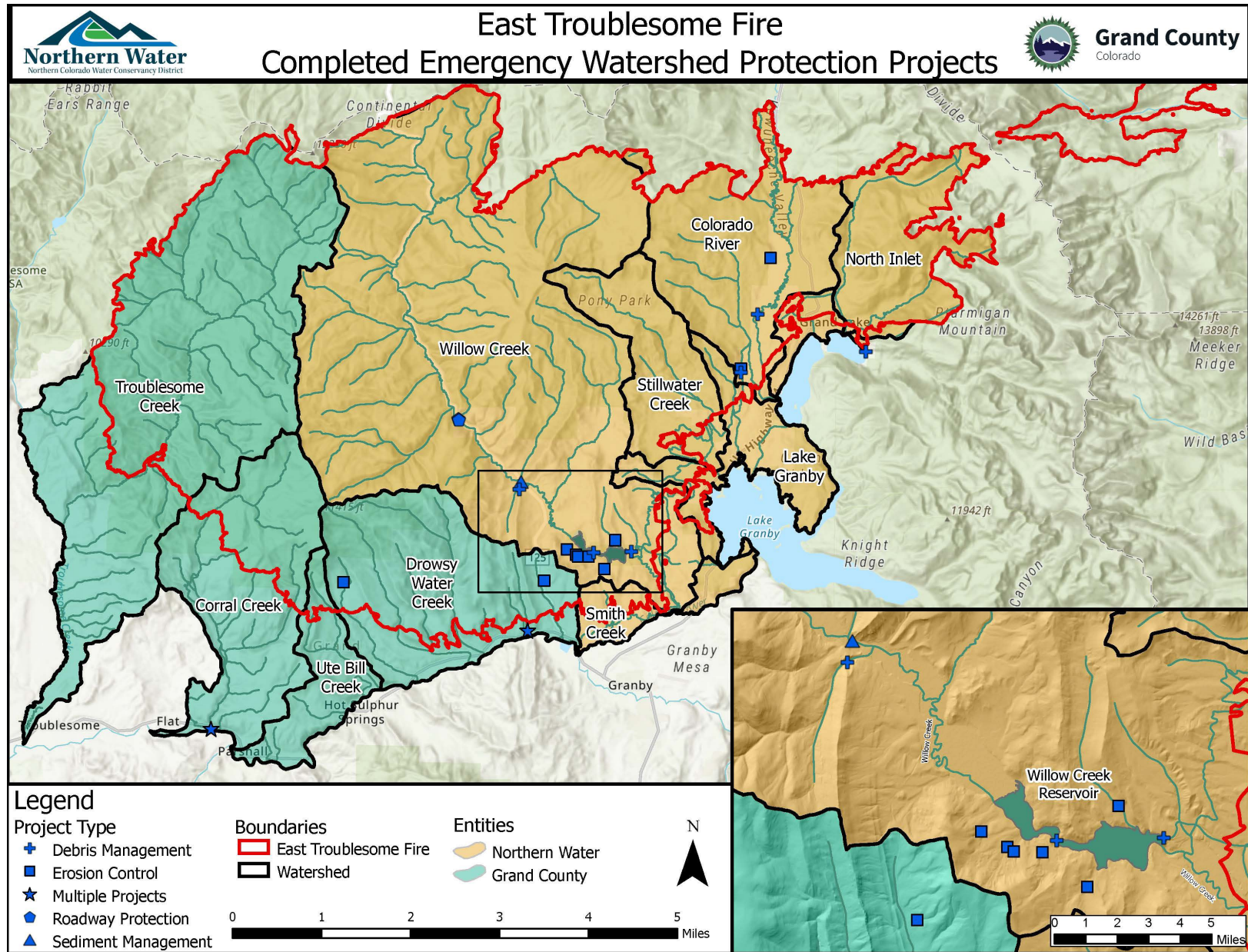
Recent Colorado fires have proven how important watersheds are to water providers and the population they serve. One specific challenge to affected entities in attempting to provide post-fire watershed recovery efforts, is that the various land ownership breakdown of a watershed presents a difficult path to recovery as water providers do not have direct control of their watersheds. The land ownership challenge is increased when there are also multiple federal entities that are landowners as each federal entity has their own budgetary restrictions and can have differing opinions on best, or even allowed, treatments.

The EWP program helps to solve this problem on private lands as individual landowners often do not have the financial or technical resources to carry out watershed recovery efforts on their own, much less attempt to plan efforts at the watershed scale level. Water providers are in a better position to plan, design, and implement these treatments but must rely on federal funding to provide the financial resources to do so. As the EWP sponsor is still responsible for providing the 25% cash match on said treatments, CWCBC's ability to provide these types of grants proves invaluable and produce a 3:1 return on the state's investment in federal dollars.

Funding is however only one piece of the puzzle. As project's go from conceptual to planning levels, individual landowner agreements are required which can sometimes be a roadblock to implementation as some landowners can be difficult to reach and some choose to not participate for any variety of reasons. A number of proposed projects did not go forward due to an inability to obtain landowner consent. This is one reason why not all funds from Task 2 and 3 may end up not being spent at the end of the EWP Program.

Under the EWP program, a large portion of funds have been and will be provided for aerial mulching operations. Using a portion of CWCBC grant funds that were originally identified as EWP match for Area A, a fourth Task was created under CTGG1 2022*2360 for the purpose of conducting a mulch efficacy study through Colorado State University and USFS Rocky Mountain Research Station. This study will be able to better inform future post-fire mulching projects by looking across a range of scales in nested mulched and unmulched watersheds. The findings and implications of this work are intended to be informative for watersheds statewide.

Though not yet finished, the EWP program which these grants are helping to fund have proven to be a success, in not only providing treatment efforts on the ground, but also in bringing multiple entities together in addressing post-fire recovery at the watershed scale level. Monitoring will occur through the mulch efficacy study but also as the project sponsors provide O&M on installed point treatments.



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Attachment A

Northern Water's Subgrantee Agreement with Grand County

**AMENDED MEMORANDUM OF UNDERSTANDING OF NORTHERN
COLORADO WATER CONSERVANCY DISTRICT (NORTHERN WATER) AND
GRAND COUNTY COLORADO**

**Grant Award CMS Numbers 169700, 170501, and 171542
Colorado Water Conservation Board
2020 EAST TROUBLESOME FIRE**

RECITALS

WHEREAS, the parties named above sought funding jointly through the Colorado Department of Natural Resources, Colorado Water Conservation Board, related to the East Troublesome Fire; and,

WHEREAS, on June 3, 2021 the parties were notified of approval of \$1,500,000 in grant funding (CMS 169700) and the grant award is attached hereto and incorporated herein as Exhibit A and,

WHEREAS, on July 30, 2021 the parties were notified of approval of \$2,650,000 in grant funding (CMS 170501) and the grant award is attached hereto and incorporated herein as Exhibit B and,

WHEREAS, on September 28, 2021 the parties were notified of approval of \$4,663,524 in grant funding (CMS 171542) and the grant award is attached hereto and incorporated herein as Exhibit C and,

WHEREAS, Northern Water is the fiscal agent under the grant award, and the parties intend to coordinate in order to provide efficiency in their efforts in financial and other matters concerning such grant award. Grand County was awarded Task 1 and Task 3 and Northern Water was awarded Task 2.

Memorandum of Understanding

1. **AUTHORITY.** This MOU has been duly adopted by the parties' governing bodies and the undersigned representatives are authorized to execute this MOU on behalf of each respective party.

2. **PURPOSE.** The foregoing Recitals are hereby incorporated into and made part of this MOU.

3. **PAYMENTS.** Payments to Grand County as subgrantee for the following tasks as numbered and identified in the grant award include:

- i. **Task 1.** Grand County Watershed Recovery Program Coordinator: \$150,000 reimbursement paid as follows: Upon notification by Grand County of its intent and commitment to hire a watershed recovery program coordinator under this task,

Northern Water will be obligated and committed to provide \$150,000 to Grand County. Northern Water's obligation is conditioned upon receiving such funds from CWCB under this task. Payment to Grand County will be due 10 calendar days after Northern Water has received Task 1 funds from CWCB. Northern Water's actual obligation amount will be equal to the actual payment amount it receives from CWCB under Task 1. Grand County is solely responsible for the advertisement, hiring, and oversight of the coordinator position and warrants that funds received by Northern Water will be restricted and reserved solely for costs and expenses related to the watershed recovery program coordinator position. In the event that funds are not fully utilized for the Task 1 purpose, Grand County shall apply such funds to Task 2 or Task 3 of the CWCB grant.

- ii. **Task 3.** EWP Program Implementation Area B \$1,357,924 paid as follows: Grand County will submit invoices to Northern Water incurred under Grand County's EWP Program for Area B. Northern Water will provide invoices to CWCB for grant reimbursement at a rate not to exceed 25% of eligible invoices, up to a maximum cumulative amount of \$1,357,924. Upon payment by CWCB to Northern Water for Task 3 work, Northern Water will submit a payment in the same amount to Grand County. Northern Water is not responsible for payment to Grand County until and unless invoices are approved by CWCB and payment has been received by Northern Water. Northern Water will submit grant reimbursement requests to CWCB no more frequently than on a monthly basis.
- iii. **Task 2.** Northern Water was awarded Task 2 therefore, no payments to Grand County will be made for Task 2.

4. **INVOICE ELIGIBILITY.** For invoices to be eligible for reimbursement, work must be performed in compliance with NRCS EWP program requirements and CWCB grant program requirements. Northern Water will act in good faith to resolve any invoice or payment dispute between CWCB and Grand County, but Northern Water is not responsible for ensuring compliance with NRCS and CWCB requirements for resolution of such disputes.

5. **COMPLIANCE WITH STATE AND FEDERAL REQUIREMENTS.** Both parties agree to timely comply with all state and federal laws. Grand County agrees to cooperate with Northern Water in providing the required documentation as specified in the attached Grant Award (Exhibit A) including information related to progress reports and the final report.

6. **NOTICE.** All notices, demands, or other written communication required or permitted to be given by this MOU shall be by electronic mail, hand delivered or sent by certified or registered mail, postage prepaid, and return receipt requested, to the parties at their most recent address of record.

If to Grand County:

Grand County
Attn: Micah Benson, Assistant County
Manager
308 Byers Avenue
P.O. Box 264
Hot Sulphur Springs, CO 80451
With a copy to:
Katherine Morris

If to Northern Water:

Northern Colorado Water Conservancy
District
Attn: Kyle Whitaker
220 Water Avenue
Berthoud, CO 80513

With a copy to:
Trout Raley
1120 Lincoln St., Suite 1600
Denver, CO 80203

7. **NO WAIVER OF IMMUNITY.** Notwithstanding any other provision to the contrary, nothing herein shall constitute a waiver, express or implied, of any of the immunities, rights, benefits, protection, or other provisions of the Colorado Governmental Immunity Act ("CGIA"), C.R.S. § 24-10-101, *et seq.*

8. **GOVERNING LAW.** This MOU shall be governed by and construed in accordance with the laws of the State of Colorado and the laws of the United States of America.

9. **COMPLETE AGREEMENT.** This MOU consists of all the agreements, understandings, and promises between the parties, and there are no agreements, understandings, or promises between the parties other than those set forth in this MOU.

10. **AMENDMENTS.** Any amendments or modifications, not including the addition of parties by signatures below, to this MOU must be in writing and executed by all parties to be valid and binding.

11. **SEVERABILITY.** If any provision of this MOU is invalidated by any court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

12. **TERMINATION.** This MOU shall automatically terminate without further action of the parties at the termination of the CWCB Grant or sooner by written notice to the other party.

13. **THIRD PARTY ENFORCEMENT- NONE.** This MOU and all rights and obligations are reserved solely to the signing parties and not any third party. This MOU does not create any rights to any third parties.

14. **COUNTERPARTS.** This MOU may be signed in multiple identical original counterparts, all of which shall constitute one MOU.

IN WITNESS WHEREOF, the parties hereto have executed this MOU on the dates set opposite their respective signatures below.

GRAND COUNTY BOARD OF COUNTY COMMISSIONERS	By: <u></u> Merrit Linke Title: Commissioner Chair	Date <u>12/07/2021</u>
NORTHERN COLORADO WATER CONSERVANCY DISTRICT	By: <u></u> Mike Applegate Title: President	Date <u>12/9/2021</u>

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Attachment B

Task 2 Project Summary

Area A (Northern Water)

Completed Projects

- **Debris Booms**
 - Grand Lake Adams Tunnel
 - Willow Creek Reservoir
 - Willow Creek Reservoir Canal
- **Early Warning Precipitation Gauges**
 - Installation of 3 precipitation gauges in coordination with Grand County
- **Pre-Existing Debris Removal**
 - DR-1: 3.5 acres treated
 - DR-2: 18.4 acres treated
 - DR-4: 1.9 acres treated
 - Highway 125 Emergency Declaration: 2.2 acres treated
- **Seeding and Mulching**
 - Phase 1: 1,183 acres treated
 - Phase 2: 1,158 acres treated
 - Mulching on USFS Property (no seeding): 2,319 acres treated
- **Hillslope and Gully Erosion Control**
 - Treated gullies (riprap check structures and contoured wattles) in Willow Creek Watershed: 6
 - Various treatments (riprap check structures and contoured wattles) on hillslopes upstream of Red Top Ditch on Heritage Ranch
 - Treated gullies (riprap check structures) in North Fork Colorado River Watershed: 1

Active or Planned Projects

- **Sediment Management**
 - Stillwater Bay Sediment Berm
 - Partially constructed Winter 2021; constructed halted due to weather
 - Structure partially constructed Spring 2022; unable to fully complete due to runoff conditions
 - To be completed Summer 2022
 - Willow Creek Reservoir Berm
 - Project in conceptual design
 - In-reservoir check structure to promote sediment capture in the delta-region of Willow Creek
- **Channel Stability**
 - Willow Creek Floodplain Engagement
 - Project in conceptual design

- Series of riprap check structures to promote: channel stability, floodplain engagement, sediment capture, and fish passage
- Shadow Mountain Estates Channel Stabilization
 - Project in conceptual design
 - Channel and roadway stabilization; reinforcement of existing ponds to promote sediment capture
- **Flood Risk Reduction**
 - C Lazy U
 - Project in preliminary design
 - Flood risk reduction system comprised of: earthen berm and roadway raises
 - Lower Willow Creek
 - Project in preliminary design
 - Flood risk reduction system comprised of: earthen berm, structural flood barriers, and roadway raises
 - Colorado River
 - Project in preliminary design
 - Flood risk reduction system comprised of structural flood barriers
- **Hillslope and Gully Erosion Control**
 - Project in preliminary design
 - Treatment of gullies (riprap check structures) in Willow Creek Watershed along Gold Run and Willow Creek: 13

Withdrawn Projects

- Various projects have been withdrawn due to the following:
 - Unable to obtain landowner agreement
 - Further review of hydraulic modeling demonstrated DSR-proposed solution not necessary

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Attachment C

Task 3 Project Summary

Area B (Grand County)



GRAND COUNTY BOARD OF COMMISSIONERS

RICHARD D. CIMINO
District I, Fraser 80442
MERRIT S. LINKE
District II, Granby 80446
KRISTEN MANGUSO
District III, Kremmling 80459

E-Mail: grndcty1@co.grand.co.us
PHONE: 970/725-3100
Fax: 970/725-0565
EDWARD MOYER
County Manager
MAXINE LA-BARRE KROSTUE
County Attorney

April 25, 2022

RE: East Troublesome Fire Area B Emergency Watershed Protection Progress Report

Completed Projects

- Contracted with Brian Murphy of River Works for Grand County's Watershed Recovery Coordinator position
- Aerial Seeding and Mulching of 193 acres
- Aerial Mulching of 198 acres
- Purchase and distribution of more than 100 weather radios to flood-risk property owners
- Installation of 3 rain gauges to improve National Weather Service storm prediction capability and provide early warning; connected to Grand County Emergency Service
- Smith Creek Residence Protection
 - Earthen berm, water bars, and swale to protect residence and associated structures, and direct flood flows back into stream channel
 - Clearing of stream channel to reduce risk of impounding
 - Rock riprap protection of stream crossing to maintain access to solar array
- CPW Residence & Structure Protection
 - Earthen berm to redirect flood flows around residence and associated structures
 - Low water crossing to maintain road access
 - Clearing of vegetation along Corral Creek and around existing culverts to decrease debris jams
 - Rock riprap protection on either side of access road to protect the culvert under the road
- Ennis Headgate and County Road 2 Access Protection
 - Riprap armoring of bank and stabilization of river bend to prevent total scour and new channel formation to county road 2
 - Flush cut section of bend north of county road 2 to prevent debris jams
 - Riprap banks adjacent to headgate and on either side of check weir structure
 - Creation of emergency spillway
 - Flush cut sections of vegetation to prevent debris jams

Active Projects

1. *Drowsy Water Creek 50 - Person Guest Ranch Protection – Whinnery Construction*
 - a. Construction to be completed by mid-June 2022
 - b. Debris racks upstream of guest ranch on BLM property
 - c. Increase and reinforce stream channel capacity to accommodate flood flows
 - d. Earthen berms to protect guest cabins and to prevent flooding of access road
 - e. Grade control structures to stabilize streambed and prevent headcutting
 - f. Rock riprap on road crossings
2. *Landslide Ditch Headgate Protection– Whinnery Construction*
 - a. Construction will start in June 2022
 - b. Creation of agricultural ditch overflow spillway with riprap
3. *Haypark (East Fork) Ditch Headgate Protection – Whinnery Construction*
 - a. Construction will start in June 2022
 - b. Flush cut section of east bank to direct overflows over east bank and prevent debris jams
 - c. Excavate sediment from channel in front of headgate
 - d. Riprap protection on either side of low-head dam and headgate
4. *Krenzien Property Residence and County Road 21 Protection - Rondeau Construction*
 - a. Construction started December 2021, only partially completed before winter shutdown.
 - b. Debris Removal and flush cutting to prevent debris jams were completed in December 2021.
 - c. Earthen berm construction to protect hunter's cabin and residence to be completed by May 31, 2022
 - d. Culvert replacement at county road 21 (culvert purchased by landowner) and riprap protection of upstream and downstream sections to be completed by May 31, 2022
5. *Corral Creek Arch Culvert and County Road 21 (landowner and communications towers) Access Protection*
 - a. Project is in bidding phase; construction will start in June 2022
 - b. Armored low-water crossing for county road 21, access to homes and communications towers
6. *Kinney Creek Ranch Residential Access Protections*
 - a. Landowner meetings in Fall 2021; landowner agreed to participate in EWP program
 - b. Project is in bidding phase; construction will start in June 2022
 - c. Culvert replacement, earthwork to redirect flows, retrofitting existing barn structure
7. *Troublesome Creek Ranch Access Protections*
 - a. Landowner meetings in Fall 2021; landowner agreed to participate in EWP program
 - b. Project in design phase; construction will start in June 2022
 - c. Stream crossing protection, sediment management and erosion control measures along the stream corridor

Withdrawn Projects

1. *Troublesome Valley Ranch*
 - a. Landowner declined to participate in the EWP program.
2. *Rock Creek Ditch Headgate Protection*
 - a. After several negotiations on design, ditch owners ultimately rejected design engineers' recommendation and declined to participate in the EWP program.
3. *Ware Property Residence Protection*
 - a. Landowner declined to participate in the EWP program.
4. *Bar Lazy J Guest Ranch Protections*
 - a. Landowner declined to participate in the EWP program.

Attachments

1. SGM progress reports
2. River Works progress reports