

# EL PASO COUNTY

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PUBLIC SERVICES DEPARTMENT

## MEMORANDUM

**TO:** Kim Headley, Planning and Development  
Pueblo County, Colorado

**FROM:** Tim Wolken, Director of Public Services

**RE:** Southern Delivery System – 1041 Application

**DATE:** November 14, 2008

Thank you for requesting comments on the 1041 Application for the Southern Delivery System. Please find below comments from El Paso County, Colorado.

### 1. Realignment of Bradley Road issues

- Road standards for Defense Road recognized in supplemental EIS.
- Realignment will increase the length of the road that the County must maintain. There are several realignments under consideration. Minimum additional length would be ½ mile. (Longest route appears to be the alternative over the dam crest. EPC is in strong disagreement with this alternative and cannot support this route as a County-maintained roadway.)
- We request that the route chosen is the shortest distance possible.
- The extra length will increase commute times and fuel costs for motorists, especially defense personnel stationed at Schriever AFB, possibly impacting base operations.
- Road geometry changes shall adhere to current functional classification and road standards and result in ability to maintain current posted speed limits.
- The SDS project will be responsible for contact and coordination with appropriate Federal and DOD authorities to ensure that any changes to a DAR funded road do not result in degradation or levels of serviceability required as a DAR roadway.

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**2. Chilcott Ditch use issues**

- The ditch is proposed to be enlarged and lined with concrete. The ditch traverses through Fountain Creek Regional Park.
- Adequate crossings for vehicles will be required
- Trail realignment would appear to be necessary for efficient maintenance
- Need fencing to protect park visitors, but still allow wildlife movement
- Aesthetic issues with visual impairments from chainlink fence down both sides
- Potential impact on Cottonwood Meadows wetlands
- El Paso County has a share in Chilcott Ditch rights. Verify how these rights will be protected.
- Gate from ditch to provide water to Cottonwood Meadows wetlands shall be maintained. Address long term maintenance responsibilities.
- Fountain Creek Watershed Study identifies possibility of expanding Cottonwood Meadows wetlands.
- **POTENTIAL ISSUE – APPLYING TREATED WASTEWATER INSTEAD OF IRRIGATION WATER TO WETLANDS –** Verify requirements pertaining to State or Federal regulations which may prohibit or limit effluent standards from Fountain Creek pertaining to wetlands rehabilitation and /or expansion in Cottonwood Meadows.

**3. Water Quality/Quantity Issues**

- Same issues as in original EIS wherever the flow discharges back into Fountain Creek.
- Impact on Cottonwood Meadows wetlands listed above.
- Any anticipated co-use of Stormwater discharge with adjudicated water in the ditch will require approval by the State Engineer's Office, and is generally not compliant with the local drainage criteria without specific agreement with the ditch company and El Paso County.



#### **4. Planning / Development Issues**

- Section 2.4.4 of DEIS identifies the permitting requirements of Pueblo County and Chaffee county through their implementation of 1041 Regulations (HB1041 approved in 1974), but fails to recognize the role of El Paso County in utilization of the statutory provisions of CRS 30-28-110. While El Paso County has not adopted 1041 regulations, the El Paso County Land Development Code applicable to unincorporated areas of El Paso County provides that Approval of Location from the El Paso County Planning Commission is required to determine if a public use, structure, or utility conforms to the adopted Master Plan (Master Plan for the physical development of the County). The Approval of Location process applies to the various components of the project, and would appear to apply to all alternatives, including the No Action Alternative. Specific individual components subject to this process would appear to include, but not be limited to:
  - Each reservoir site located partially or wholly outside of incorporated jurisdictions
  - Local land use authority extends to the physical construction of buildings or structures, requiring approval of a Site Development Plan including any screening and landscaping, prior to construction. Additionally, as the project moves to the local permitting and then construction phase, any applications will be required to identify and receive approval of specific construction staging areas if they are within the unincorporated areas.
  - Any of the alternatives which result in an increase of flow to Fountain Creek must be carefully analyzed to ensure that water quality, streamflow, sediment mobilization, or stream erosion impacts are fully considered.
  - The downstream impacts resulting from potential new water releases from Williams Creek Reservoir may be significant and result in substantial channel improvement costs, and potential ongoing maintenance responsibilities. Consideration should be given to direct piping instead of in channel releases. If channel releases are approved as a part of the selected alternative, a more detailed drainage analysis of the impacts will be required in association with El Paso County review of the reservoir location.
  - Specific analysis of the project impacts to the following areas of El Paso County (from south to north) will be requested when the project involving the North raw water pipeline is submitted for Approval of Location, noting that due to the long term construction timeline, additional impacted areas could result from new development:



- Rancho Colorado area where the existing Fountain Valley Pipeline is located within platted subdivision lots which had not been developed at the time of initial pipeline construction.
- New subdivision called El Dorado Village in the Rancho Colorado area, where the impact of pipeline corridor to platted lots will require evaluation.
- Fountain Creek Crossing near I-25 is at or near the location of a proposed gravel mining operation currently seeking approval from El Paso County.
- Relationship of the pipeline corridor to the Fountain Landfill, as previously noted.
- Impacts of the pipeline corridor to the Lorsen Ranch and Rolling Hills Ranch developments.
- Any impacts of the finished water pipeline in the Cimarron Hills area.

#### **5. Natural Resource Issues**

Discussions related to the presence of wildlife, wetland, waters, and riparian vegetation are comprehensive with respect to the project. The applicant recognizes the sensitive nature of the natural resources and addresses steps to mitigate and moderate any unavoidable impacts. Best management practices will be used to minimize any effects. It is El Paso County's policy, based upon US Fish and Wildlife Service guidelines, to address the Preble's mouse whenever any ground-disturbing activities occur within 300 feet of the 100-year floodplain or stream center line, whichever is greater, throughout the entire county. We would therefore, recommend consultation with the US Fish and Wildlife Service specific to the Preble's mouse for any of the proposed alternatives.

#### **6. Environmental/Hazardous Waste Issues**

The project outline, in regards to extending/installing the pipelines into southern El Paso County is thorough and, at this time, does not present any hazard waste concerns. Adhering to the proposal, impacts should be minimum and mitigation sufficient. The procedures outlined for health, safety, and environmental plans for worksites are satisfactory. All hazardous, toxic, explosive, and radioactive substances are identified, and practices and procedures are in place to avoid any accidental release or exposure. Storage containments for hazardous materials required during construction are extensive, precautions to avoid access by any unauthorized individual are addressed.

