



Colorado Springs Utilities

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May 14, 2013

Ms. Joan Armstrong
Director of Planning & Development
Pueblo County
229 West 12th Street
Pueblo, CO 81003-2810

**RE: Pueblo County 1041 Permit No. 2008-002 Construction and Socio-Economic Conditions
Closeout Request for Southern Delivery System (SDS) Raw Water Pipeline Work Package
South 2 (S2)**

Dear Ms. Armstrong,

This letter is provided as a follow-up to the Thursday, April 18, 2013 meeting between SDS staff and Pueblo County staff. Based on our mutual review of the Pueblo County 1041 Permit No. 2008-002, Colorado Springs Utilities (on behalf of the SDS Participants) requests concurrence with the completion of Mitigation Appendix Construction Conditions C-1 through C-22 and Socio-Economic Condition SE-1 for the pipeline construction activities associated with the SDS S2 Work Package. To facilitate this request, a Construction and Socio-Economic Condition Completion Checklist outlining compliance steps for each completed condition and/or subcondition is included with this letter. Additional documentation associated with specific conditions can be provided upon request.

Major pipeline construction activities associated with this work package were completed in August, 2012 with the initial revegetation efforts following construction (i.e., irrigation system installation, seeding, and stabilization) completed in October, 2012. With the completion of these activities, Colorado Springs Utilities and Pueblo County acknowledge that only the following 1041 Permit Mitigation Appendix Construction and Socio-Economic Conditions associated with SDS Segment S2 will remain open until conclusion of the revegetation activities on this work package:

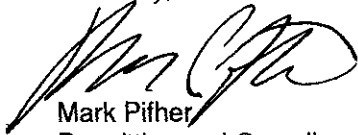
- C-3, Construction Site Maintenance, Project Detail 10:
"Sweep roadways, streets, and walkways affected by the work and adjacent to the work when necessary".
- C-4, Control of Access to Properties, Project Detail 3:
"Grant access to enter the property only to those individuals that have a legitimate SDS related need to access the property, and then shall only do so under the previously agreed access conditions".
- C-9, Site Restoration, Project Detail 2.e:
"The revegetated area will be considered acceptable if the revegetated area cover is not less than 90 percent of the pre-construction vegetation cover with similar species diversity. The pipeline access road will not be included in the 90 percent coverage calculation".
- C-9, Site Restoration, Project Detail 6:
"Provide Pueblo County a security bond equal to \$2,000 per acre of land in permanent or temporary construction easement in each work package. The security bond shall be released in full to the Applicant two years following the final completion of the construction contract, upon successful revegetation, as described above. If successful revegetation is not achieved, the security bond will be forfeited in the amount of \$2,000 for each acre, or fraction of an acre, that has not been successfully revegetated".

- C-10, Public Communication, Project Detail 1:
"Assign a point of contact for responding to public questions, comments and concerns. The point of contact shall continue for one year following the final construction in Pueblo County".
- C-12, Drainage and Erosion Control (Sediment Control), Project Detail 2:
"Implement a Stormwater Management Plan (SWMP) and Best Management Practices (BMPs) per Colorado Department of Transportation (CDOT) Erosion Control and Stormwater Quality Guide".
- C-16, Noxious Weed Control, Project Detail 3:
"Implement an eradication program within the project limits. Eradicate existing Class A and B noxious weed populations".
- SE-2, Payment in Lieu of Property Taxes:
"Applicant shall reimburse Pueblo County for property taxes lost due to acquisition of land in fee".

It is our understanding that the construction and socio-economic condition completion review format followed in this instance is agreeable to both parties and that it shall be the template that is to be followed in processing future work package completion and closeout requests.

We appreciate your consideration in this matter and look forward to your response and return of a signed copy of this correspondence. If you have any questions regarding this report, please feel free to contact me directly at 719-668-8693. Thank you in advance and we look forward to continuing to work together.

Sincerely,



Mark Pifher
Permitting and Compliance Manager
Southern Delivery System

Cc: Joseph Rasmussen, S2 Pipeline Work Package Project Manager, Colorado Springs Utilities
John Fredell, SDS Program Director, Colorado Springs Utilities
Keith Riley, SDS Deputy Program Director, Colorado Springs Utilities
Allison Mosser, Sr. Project Manager, Colorado Springs Utilities
Alec Hart, Restoration Project Manager, MWH
David Benbow, Pueblo County Department of Public Works and Engineering
Gary Raso, Pueblo County Attorney

Approved on behalf of Pueblo County by:

Name

Title

Date

MITIGATION APPENDIX

Pueblo County 1041 Permit No. 2008-002

Southern Delivery System (SDS)

Construction and Socio-Economic Condition Completion Checklist

Raw Water Pipeline (RWP) South Section 2 (S2); Pueblo West

Construction Conditions / Mitigation

- C-1 Protection of Open Excavations and Trenches
- C-2 Lighting
- C-3 Construction Site Maintenance and Security
- C-4 Control of Access to Properties
- C-5 Pre-existing Condition Assessment
- C-6 Work Hours
- C-7 Permitting
- C-8 Dewatering
- C-9 Site Restoration
- C-10 Public Communications
- C-11 Dust and Other Air Emissions (Dust Control)
- C-12 Drainage and Erosion Control (Sediment Control)
- C-13 Pre-Mobilization Readiness Review
- C-14 Traffic Control
- C-15 Protection of Plants and Wildlife
- C-16 Noxious Weed Control
- C-17 Hazardous Waste Management
- C-18 Sustainable Design
- C-19 Sustainable Construction Practices
- C-20 Surface and Groundwater Flows
- C-21 Protection of Livestock
- C-22 Noise Control

Socio-Economic Conditions / Mitigation

- SE-1 Securing Land through Easements, Fee Purchase, or Condemnation
- SE-2 Payment in Lieu of Property Taxes

C-1 Protection of Open Excavations and Trenches

Applicant shall provide safe work sites for the residents of Pueblo County.

- ☒ 1. Comply with applicable Codes, Standards, Laws and Regulations relating to the safety of persons or property or to the protection of persons or property from damage, injury, or loss; and shall erect and maintain safeguards for such safety and protection.
 - Requirement included in Contractor Construction Specifications and monitored in the field by the SDS Safety and Construction Management Team (Construction Specification Sections 01.14.19, 3.02.F and 01.35.29, 3.01.E).
 - No pending outstanding claims against the project.
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 2. Provide and maintain temporary security fences to protect the Work Sites.
 - Requirement included in Contractor Construction Specifications and monitored in the field by the SDS Safety and Construction Management Team (Construction Specification Sections 01.35.53, 3.01.A and 32.31.13, 2.09.A).
 - Condition met during construction; construction activities complete; no further action required.

- ☒ 3. Inspect open excavations and trenches for compliance with safety plans and document in daily inspection reports.
 - Requirement included in Contractor Construction Specifications and monitored and inspected in the field by the SDS Safety and Construction Management Team. Documented in daily field inspection reports as appropriate. (Construction Specification Section 01 14.19, 3.02.L)
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 4. Limit the maximum length of open trench to 400 linear feet.
 - Requirement included in Contractor Construction Specifications and monitored in the field by the SDS Safety and Construction Management Team (Construction Specification Section 31.23.16.13, 3.04.B).
 - Documented in daily field inspection reports as appropriate.
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 5. Shore or bench excavations as required by OSHA regulations.
 - Requirement included in Contractor Construction Specifications and monitored and inspected in the field by the SDS Safety and Construction Management Team (Construction Specification Section 01.14.19, 3.02.K).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 6. Protect streets, roads, highways, and other public thoroughfares that are closed to traffic by barricades with warning signs per Manual of Uniform Traffic Control Devices (MUTCD).
 - Requirement included in Contractor Construction Specifications and monitored in the field by the SDS Safety and Construction Management Team (Construction Specification Sections 01.55.26, 1.03.A and 01.55.26, 3.14.A).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 7. Provide signage and lighting to alert general public of construction hazards, which could include surface irregularities, unramped walkways, grade changes, and trenches or excavations in roadways and in other public access areas.
 - Requirement included in Contractor Construction Specifications and monitored in the field by the SDS Safety and Construction Management Team (Construction Specification Section 01.55.26, 3.14.C).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 8. Designate a qualified and experienced safety representative at the Work Site whose duties and responsibilities shall be the maintaining, supervising and enforcement of safety plans and programs.
 - Requirement included in Contractor Construction Specifications and monitored in the field by the SDS Safety and Construction Management Team (Construction Specification Section 01.35.29, 3.01.C).
 - Condition met during construction; construction activities complete; no further action required.

C-2 Lighting

Applicant shall minimize adverse light impacts to Pueblo County residents during night time hours.

- ☒ 1. Comply with applicable Codes, Standards, Laws and Regulations relating to providing lighting for the safety of persons or property, or to the protection of property from damage, injury, or loss.
 - Requirement included in Contractor Construction Specifications and monitored in the field by the SDS Safety and Construction Management Team (Construction Specification Sections 01.35.29, 3.01.E and 01.51.00, 3.02.B).
 - Condition met during construction; construction activities complete; no further action required.

- ☑ 2. Notify property owners within 500 feet of the site 48 hours prior to any night work, except in the case of emergency night work.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement and Construction Management Team (Construction Specification Section 01.14.19, 3.02.A).
 - Condition met during construction; construction activities complete; no further action required.
- ☑ 3. Design lighting to prevent spillover, nuisance, or hazard effects of light and glare on adjacent locations and uses of land.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Construction Management Team (Construction Specification Section 01.51.00, 3.02.C).
 - Condition met during construction; construction activities complete; no further action required.
- ☑ 4. Position, to the extent practical, lighting used for security around equipment storage areas away from residences and oncoming traffic. The use of cut-off type luminaries is required. Light bulbs and light sources shall be shielded so that they are not directly visible from any adjacent lot or public roadway. Spillover of lighting for adjacent properties will not exceed one-half of one (.50) footcandle measured at any point ten feet (10') beyond a property line.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Construction Management Team (Construction Specification Section 01.51.00, 3.02.C).
 - Condition met during construction; construction activities complete; no further action required.
- ☑ 5. Provide individual light sources not exceeding 150,000 lumens per light source (typical of a 1250W metal halide light). Light standards will not exceed 24 feet in height. Generators used to power light sources will not exceed 70 dB at 25 feet from the source.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Construction Management Team (Construction Specification Section 01.51.00, 3.02.F).
 - Condition met during construction; construction activities complete; no further action required.

C-3 Construction Site Maintenance

Applicant shall maintain construction sites and equipment in a safe and secure manner for the protection of the public.

- ☑ 1. Comply with applicable Codes, Standards, Laws and Regulations relating to the safety of persons or property, or to the protection of persons or property from damage, injury, or loss, and shall erect and maintain safeguards for such safety and protection.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Sections 01.14.19, 3.02.F and 01.35.29, 3.01.E).
 - Condition met during construction; construction activities complete; no further action required.
- ☑ 2. Protect open trenches as described in Construction Condition C-1.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Section 01.14.19, 3.02.F).
 - Condition met during construction; construction activities complete; no further action required.
- ☑ 3. Close open ends of installed pipeline during non-working periods.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Sections 33.05.01.01, 3.02.M and 33.05.01.02, 3.02.M).
 - Condition met during construction; construction activities complete; no further action required.

- ☒ 4. Close access manholes during non-working hours.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Sections 33.05.01.01, 3.02.M and 33.05.01.02, 3.02.M).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 5. Provide barricades and light as necessary to prevent unauthorized entry to construction areas and affected roads, streets, and alleyways, inside and outside of fenced area, and as required to ensure public safety and the safety of project personnel and others who may be affected by the Work.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Section 01.55.26, 3.14).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 6. Lock or otherwise disable construction equipment during non-working hours.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Section 01.35.53, 3.01.D).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 7. Store materials and equipment in secure areas and arrange partitions to provide security of contents and ready access for inspection and inventory. Combustible materials (paints, solvents, fuels) shall be stored in a well-ventilated building meeting safety standards. Hazardous materials shall be stored according to product specification, codes, and manufacturer's instructions.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Section 01.66.13, 3.01.B).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 8. Lock controlled access points (private property gates) providing entry to construction sites and maintain a secure key control to prevent unauthorized access.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Section 01.35.53, 3.02.A).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 9. Perform work within right-of-way and easements in a systematic manner that minimizes inconvenience to property owners and the public and interferes as little as possible with public travel, whether vehicular or pedestrian. This will include that no residence or business will be cut off from vehicular traffic for a period exceeding 4 hours unless special arrangements have been made. Whenever it is necessary to cross, close, or obstruct roads, driveways, and walks, whether public or private, safe bridges, detours, or other temporary expedient access for accommodation of public and private travel will be provided and maintained.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement, Safety and Construction Management Team (Construction Specification Sections 01.14.19, 3.02.D and 01.14.19, 3.02.E).
 - Condition met during construction; construction activities complete; no further action required.
- ☐ 10. Sweep roadways, streets, and walkways affected by the work and adjacent to the work when necessary.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Construction Management Team (Construction Specification Sections 01.14.19, 3.02.Y and 01.57.19, 1.03.A.3.e).
 - Condition met during construction; construction activities complete; condition will remain open until conclusion of the revegetation activities on this work package.

- ☒ 11. Erect temporary security fencing around active construction areas. Fences around open trenches, staging areas, material storage areas and equipment storage areas may be standard plastic orange construction fence, 4 feet high, with posts at intervals no greater than 20 feet. Temporary 4-strand barbed wire fences shall be installed wherever necessary to prevent livestock from migrating out of their designated pasture. Temporary fences shall be maintained as needed during the construction period. Material selection for fencing between work area and adjacent property will be agreed upon between Applicant and the property owner.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement, Safety and Construction Management Team (Construction Specification Sections 01.14.19, 3.02.F and 32.31.13, 2.09).
 - SDS Public Involvement Team coordinated with property owners on agreed to fencing material selection between work area and adjacent property. Property owners were provided options of standard plastic orange construction fencing or chain-link construction fencing, which was installed accordingly prior to start of construction activities. No outstanding issues.
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 12. Inspect site safety measures each work day and periodically during non-working days.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Section 01.35.29, 3.01.D). Documented in daily field inspection reports as appropriate.
 - Security services obtained by the Pipeline Contractor were provided during non-working hours and non-working days.
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 13. Provide 24/7 security services including mobile patrols, lighting and video surveillance.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement, Safety and Construction Management Team (Construction Specification Section 01.35.53, 3.01.B).
 - Security services obtained by the Pipeline Contractor were provided during non-working hours and non-working days. Security logs provided to Pipeline Contractor on routine basis.
 - Condition met during construction; construction activities complete; no further action required.

C-4 Control of Access to Properties

Applicant shall prevent unauthorized access to properties.

- ☒ 1. Work with property owners, both public and private, to understand the conditions of ingress and egress, security issues, property control and protection issues, regarding the property, prior to mobilization to a specific work area.
 - SDS Land and Public Involvement Team worked and coordinated with property owners, both public and private, to understand the conditions of ingress and egress, security issues, property control and protection issues regarding the property prior to mobilization.
 - Specific requirements were documented by SDS Land and Public Involvement Team in written agreements with property owners as appropriate.
 - Requirement additionally included in Contractor Construction Specifications and monitored by the SDS Public Involvement and Construction Management Team (Construction Specification Section 01.14.13, 1.01.A).
 - Condition met prior to and during construction; construction activities complete; agreed to property owner conditions met; no further action required.
- ☒ 2. Establish mutually agreeable conditions of access with property owner, and require all personnel accessing the site to sign a statement indicating that they understand and will abide by the conditions of access.
 - SDS Land and Public Involvement Team worked and coordinated with property owners to establish mutually agreeable conditions of access to properties prior to mobilization.

- Specific requirements were documented by SDS Land and Public Involvement Team in written agreements with property owners as appropriate.
 - Requirement to have all personnel accessing the site sign a statement indicating that they understand and would abide by the conditions of access was included in Contractor Construction Specifications (Construction Specification Section 01.14.13, 1.01.B).
 - Construction Contractor provided a site safety and awareness training to personnel accessing the site which included information and procedures regarding the specific conditions of accessing to the site and the understanding of such conditions. Personnel accessing the site were required to sign a training acknowledgement sign-in sheet to indicate they had completed the training and would abide by the conditions outlined in the training.
 - Condition met prior to and during construction; construction activities complete; agreed to property owner conditions met; no further action required.
- ☐ 3. Grant access to enter the property only to those individuals that have a legitimate SDS related need to access the property, and then shall only do so under the previously agreed access conditions.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement and Construction Management Team (Construction Specification Section 01.14.13, 1.01.D).
 - Condition met during construction; construction activities complete; condition will remain open until conclusion of the revegetation activities on this work package for maintenance and monitoring related access under agreed to access conditions.
- ☒ 4. Provide signs at gates and access points notifying individuals that specific conditions of entry exist.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Construction Management Team (Construction Specification Section 01.14.13, 1.01.C).
 - Condition met during construction; construction activities complete.
 - Signs indicating revegetation efforts in progress posted along alignment by revegetation contractor to limit access to areas being revegetated; no further action required.
- ☒ 5. Close and secure gates and entry points by a locking mechanism when not in use. Conditions of entry will specify approved access times and conditions on open gates.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Section 01.35.53, 3.02).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 6. Strictly control access to keys to entry point locks. Recipients of keys will be required to sign when receiving the key, and again when returning the key. Recipients will be required to advise the Site Health & Safety Officer when they have lost or misplaced a key. Keys will be required to be of a non-duplicating type. Locks and keys will be changed when a key is reported lost or misplaced.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team (Construction Specification Section 01.35.53, 3.03).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 7. Designate the Site Health and Safety Officer to monitor the access control system.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Safety and Construction Management Team during construction (Construction Specification Section 01.35.53, 3.01.E).
 - Condition met during construction; construction activities complete; no further action required.

C-5 Pre-existing Condition Assessment

Applicant shall determine the condition of Pueblo County residents' existing property so that it can be restored to preconstruction condition or better.

- ☒ 1. Perform an examination of pre-construction existing conditions of land surface, drainage, vegetation and structures adjacent to the construction site that could be damaged or altered by construction operations. The property owner will be invited to attend.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement and Construction Management Team (Construction Specification Sections 01.14.19, 3.01.A.1 and 01.32.24).
 - SDS Public Involvement Team contacted and coordinated with property owners relative to property access and invited them to attend the pre-existing condition assessments.
 - SDS Permitting and Compliance Team delivered one full set of pre-existing condition assessment documents to Pueblo County Department of Planning and Development on September 13, 2012. Documentation included a generic copy of the letter sent to property owners and invited them to attend the pre-existing condition assessment for their property.
 - Condition met prior to and during construction; documentation provided to Pueblo County; construction activities complete; no further action required.
- ☒ 2. Perform periodic reexaminations, if required, to document any changes, including, but not limited to, cracks in structures, settlement, leakage, and similar conditions. Examinations may include photography, sampling and expert assessments of existing or current conditions.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement and Construction Management Team (Construction Specification Sections 01.14.19, 3.01.A.2 and 01.32.34).
 - SDS Public Involvement Team contacted and coordinated with property owners at the completion of pipeline construction activities related to post-construction conditions.
 - SDS Public Involvement Team mailed letters to each property owner in July and August 2012 indicating major construction was concluding, advising property owners what activities they could expect to see next and offered to meet with property owners to discuss any post-construction conditions prior to commencement of revegetation efforts.
 - Condition met at completion of pipeline construction; no further action required.
- ☒ 3. Document examinations in writing, and by photographs and audio-video recordings. Photography shall be by a professional commercial photographer, experienced in shooting interior/exterior construction photos, in daylight and nighttime conditions, and in good and inclement weather.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement and Construction Management Team (Construction Specification Sections 01.14.19, 3.01.B.1, 01.32.34 and 01.32.34, 3.01.B.1).
 - SDS Public Involvement Team contacted and coordinated with property owners relative to property access and assisted in documenting the examinations.
 - Condition met prior to and during construction; construction activities complete; no further action required.
- ☒ 4. Provide a copy of documentation to property owner for review and acceptance. A copy of the documentation shall be provided to the County. Applicant and the County shall each maintain a copy of the documentation. Such documentation shall be used as indisputable evidence in ascertaining whether and to what extent damage occurred as a result of Applicant's operations.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement and Construction Management Team (Construction Specification Sections 01.14.19, 1.02.A and 01.32.34).
 - SDS Public Involvement Team provided a digital copy of the photographic and audio-video recording documentation to property owners for review and acceptance.
 - SDS Permitting and Compliance Team delivered one full set of pre-existing condition assessment documents and videos to Pueblo County Department of Planning and

Development on September 13, 2012. Documentation included a copy of the property owner documentation acceptance form letter and digital copies of all photographic and audio-video recordings provided on discs for each parcel.

- Condition met prior to and during construction; documentation provided to Pueblo County and accepted; construction activities complete; no further action required.

C-6 Work Hours

Applicant shall limit work hours to minimize disturbance to Pueblo County residents.

- ☑ 1. Perform work within the hours of 7:00 am to 6:00 pm Monday through Friday. Work outside of these hours will be restricted to maintenance of traffic, safety, and construction controls, maintenance of construction equipment, and approved exceptions. Pueblo County and residences within 500 feet of the affected portion of the work site shall be notified 48 hours in advance of work outside of these hours, other than maintenance or emergency work.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement, Safety and Construction Management Team (Construction Specification Sections 01.14.19, 3.02.A and 01.57.19, 3.11.E).
 - Condition met during construction; construction activities complete; no further action required.
 - Remaining revegetation efforts will be limited to irrigation system maintenance activities and emergency work as needed.

C-7 Permitting

Applicant shall obtain all applicable permits.

- ☑ 1. Obtain permits and comply with permit conditions and applicable regulations. Permits may include those listed below and in Section C, Table C-1 of the 1041 Application, as well as other permits that may be required under Federal, State, County, or local regulatory jurisdiction.
 - SDS Permitting and Compliance Team obtained necessary permits required by the Applicant.
 - Requirement additionally included in Contractor Construction Specifications related to Contractor-obtained permits and monitored by the SDS Permitting and Construction Management Team (Construction Specification Section 01.41.26, Permits).
 - SDS Permitting and Compliance team monitored compliance with both Applicant and Contractor-obtained permit conditions and applicable regulations.
 - Revegetation Contractor currently maintains an active State stormwater discharge permit and a State Air Pollution Control Division land development permit.
 - Condition met; no further action required.
- ☑ 2. Provide copies to Pueblo County within 60 days of obtaining permits.
 - SDS Permitting and Compliance Team provided copies of permits obtained for the Raw Water Pipeline (RWP) S2 project to the Pueblo County Department of Planning and Development within 60 days of obtaining each applicable permit.
 - Condition met; no further action required.

C-8 Dewatering

Applicant shall minimize dewatering impacts on Pueblo County properties and watercourses.

- ☑ 1. Obtain a construction dewatering permit from the Colorado Department of Public Health and the Environment (CDPHE).
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Sections 01.41.26, 1.02.D, 01.57.19, 3.07, and 31.23.19.01, 1.01.A)

- Construction Contractor obtained a CDPHE construction dewatering permit in December 2011 and was issued a Termination of Permit to Discharge from the CDPHE related to the permit in September 2012. Copy of the dewatering permit was provided to Pueblo County Department of Planning and Development on January 24, 2012.
 - Condition met; no further action required.
- ☒ 2. Create and implement a water control plan that includes descriptions of proposed ground and surface water control facilities including, but not limited to: equipment, methods, standby equipment and power supply, pollution control facilities, discharge locations, and provisions for temporary water supply; drawings showing locations, dimensions, and relationships of elements of each system; design calculations demonstrating accuracy of proposed dewatering system and components. Copies of plan will be provided to Pueblo County within 60 days of approval by CDPHE.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Sections 31.23.19.01, 1.01.A and 31.23.19.01, 1.02).
 - Construction Contractor developed a water control plan in accordance with this requirement. A copy of the plan was provided to Pueblo County Department of Planning and Development on January 24, 2012.
 - Approval of plan by CDPHE, including the Water Quality Control Division, is not required by the dewatering permit.
 - Condition met; no further action required.
- ☒ 3. Control water during the course of construction, including weekends and holidays and during periods of work stoppages. Adequate backup systems shall be in place to maintain control of water.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team during dewatering activities (Construction Specification Section 31.23.19.01, 3.01.B).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 4. Remove surface water controls when they are no longer needed.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team during dewatering activities (Construction Specification Section 31.23.19.01, 3.01.B).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 5. Furnish, operate and maintain dewatering systems of sufficient size and capacity to continuously maintain excavations free of water, regardless of source, until backfilled to final grade.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team during dewatering activities (Construction Specification Section 31.23.19.01, 3.03.A).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 6. Design and operate dewatering systems to prevent loss of soil as water is removed, to avoid inducing settlement or damage to existing facilities, completed work, or adjacent property, and to relieve artesian pressures and resultant uplift of excavation bottom.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team during dewatering activities (Construction Specification Section 31.23.19.01, 3.03.C).
 - Condition met during construction; construction activities complete; no further action required.

- ☒ 7. Be responsible to obtain and comply with the requirements set forth in any applicable well permits required by the State.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team during dewatering activities (Construction Specification Section 31.23.19.01, 3.03.F).
 - Condition met during construction; construction activities complete; no further action required.

C-9 Site Restoration

Applicant shall provide Pueblo County residents with replacement vegetation and property to match pre-construction conditions or better.

- ☒ 1. Grade disturbed areas to preconstruction contours so preconstruction drainage paths are reestablished.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team during construction activities (Construction Specification Section 01.14.19, 3.02.S; 02.42.00, 3.01 and 31.23.23.15, 3.01.E).
 - SDS Public Involvement Team contacted and coordinated with property owners at the completion of pipeline construction activities related to post-construction conditions, including site grading and contouring prior to commencement of revegetation efforts. If requested, SDS Public Involvement Team arranged to adjust the grading/contours to meet property owner expectations.
 - Condition met during construction; construction activities complete; no further action required.
- ☐ 2. Reclaim disturbed land, except water areas and surface areas of roads, by seeding or planting to achieve a permanent vegetation cover as specified below.
 - ☒ a. In accordance with Construction Condition C-5, a pre-construction evaluation of existing vegetation will be conducted to determine species diversity, woody plant density, and seasonal variety.
 - ERO Resources Corporation conducted a Preconstruction Vegetation Resources Survey of the RWP S2 alignment in June 2010 and provided a native seed mix based on the survey findings.
 - Colorado Natural Heritage Program (CNHP) prepared a Measurement of Pre-Existing Vegetation Cover for Pueblo Work Packages S1, S2, and S3 report in November 2011.
 - SDS Permitting and Compliance Team provided copies of the Measurement of Pre-Existing Vegetation Cover for Pueblo Work Packages report to Pueblo County Department of Planning and Development and Pueblo County Public Works and Engineering Department in August 2012.
 - The native seed mix provided by ERO was evaluated by CNHP and modified to consist of a native seed mix comprised of commercially available seeds. CNHP recommended native seed mixes included in revegetation contractor specifications. Copy of revegetation contractor specifications provided to Pueblo County in May 2012.
 - Condition met prior to construction and revegetation efforts; documentation provided to Pueblo County; no further action required related to this subcondition.
 - ☒ b. Vegetation cover will be of the same seasonal variety native to the area of disturbed land, or species that support the post-construction land use. In those areas of disturbed vegetation where such seeds are not commercially available, seeds will be collected on-site to be used in revegetation, including, rare plants identified in the FEIS, by the Colorado Natural Heritage Program or by other qualified investigators.
 - Prior to completion of construction design, ERO Resources Corporation conducted a Preconstruction Vegetation Resources Survey of the RWP S2 alignment which included an assessment of the native vegetation. A native seed mix was included in ERO's September 2010 report.

- Measurement of Pre-Existing Vegetation Cover for Pueblo Work Packages S1, S2, and S3 report prepared by Colorado Natural Heritage Program (CNHP) in November 2011 included assessment of seasonal variety along the RWP S2 alignment.
 - SDS Permitting and Compliance Team provided copy of Measurement of Pre-Existing Vegetation Cover for Pueblo Work Packages report to Pueblo County Department of Planning and Development and Pueblo County Public Works and Engineering Department in August 2012.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Construction Management Team (Construction Specification Sections 31.10.00, 3.07 and 32.91.13) to strip topsoil and stockpile in windrows at the limits of the construction separately from other excavated materials for use during post-construction reclamation. Native seeds within the stripped topsoil were pulled back with the salvaged topsoil at the completion of the pipeline installation and backfilling activities prior to application of the native seed mix included as part of the revegetation activities.
 - Condition met prior to and during construction; documentation provided to Pueblo County; no further action required related to this subcondition.
- ☒ c. Seeding and planting of disturbed areas will be conducted during the first normal period for favorable planting conditions after final preparation for seeding or planting.
- RWP S2 construction work limits were seeded in the summer of 2012 following completion of the pipeline construction activities.
 - Condition met; no further action required related to this subcondition.
- ☒ d. Soil stabilization practices will be used on all regraded and topsoiled areas.
- Following seeding activities, the areas were stabilized with warm season tall grass hay and an organic-based tackifier. Stabilization practices maintained by revegetation contractor.
 - Condition met; no further action required related to this subcondition.
- ☐ e. The revegetated area will be considered acceptable if the revegetated area cover is not less than 90 percent of the pre-construction vegetation cover with similar species diversity. The pipeline access road will not be included in the 90 percent coverage calculation.
- The revegetated area will be inspected in September 2013 and periodically thereafter until 90 percent of the pre-existing vegetation cover is established in accordance with the Pueblo County Revegetation Cover Establishment Protocol for the SDS Pipeline Project developed by Colorado Natural Heritage Program.
 - Condition ongoing.
- ☒ 3. Restore roads and driveways so that:
- ☒ a. Surfaces are finished level with existing surfaces.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Construction Management Team (Construction Specification Section 01.14.19, 3.03.B).
 - Pueblo County roadway access permit for roadway access points closed by Pueblo County following inspections in November 2012.
 - Condition met; no further action required.
- ☒ b. Sealed roadways are finished to match existing seal (asphalt, spray seal, etc).
- Requirement included in Contractor Construction Specifications and monitored by the SDS Construction Management Team (Construction Specification Section 01.14.19, 3.03.B).
 - Pueblo County roadway access permit for roadway access points closed by Pueblo County following inspections in November 2012.
 - Condition met; no further action required.

- ☒ c. Unsealed roadways are to be finished to match existing surface. Concrete roadways/driveways shall be reinstated in such a manner as to match existing surface. Portions of slab damaged or rendered unstable by undermining (whether inadvertently or deliberately) should be included in the portion to be restored.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Construction Management Team (Construction Specification Section 01.14.19, 3.03.B).
 - Pueblo County roadway access permit for roadway access points closed by Pueblo County following inspections in November 2012.
 - Condition met; no further action required.
- ☒ 4. Restore damaged or injured property including outbuildings, to a condition similar or better to that existing before the damage or injury occurred, by repairing, rebuilding, or restoring the property.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement and Construction Management Team (Construction Specification Section 01.14.19, 3.03.C).
 - SDS Public Involvement Team contacted and coordinated with property owners at the completion of pipeline construction activities related to post-construction conditions.
 - Damaged or injured property was restored to a condition similar or better to that existing before the damage or injury occurred.
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 5. Restore or replace fences and gates that are disturbed during construction.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Public Involvement and Construction Management Team (Construction Specification Section 01.14.19, 3.03.C).
 - Fences and gates that were disturbed during construction were restored or replaced in accordance with property owner agreements.
 - Condition met during construction; construction activities complete; no further action required.
- ☐ 6. Provide Pueblo County a security bond equal to \$2,000 per acre of land in permanent or temporary construction easement in each work package. The security bond shall be released in full to the Applicant two years following the final completion of the construction contract, upon successful revegetation, as described above. If successful revegetation is not achieved, the security bond will be forfeited in the amount of \$2,000 for each acre, or fraction of an acre, that has not been successfully revegetated.
 - Surety Bond was obtained by the SDS Program for RWP S2 in November 2011.
 - Condition ongoing.

C-10 Public Communications

Applicant shall keep Pueblo County residents informed of the SDS project and upcoming construction activities.

- ☐ 1. Assign a point of contact for responding to public questions, comments and concerns. The point of contact shall continue for one year following the final construction in Pueblo County.
 - Included in Contractor Construction Specifications and monitored by the SDS Public Involvement Team (Construction Specification Section 01.31.24).
 - Condition ongoing.
- ☒ 2. Establish a local telephone number (a "hot-line") to allow citizens' access to the Public Communications Office and team throughout the duration of the Project. This telephone number will be included in the public information measures listed below, as well as on job site signage. The hot-line will be a combination of pre-recorded and live operator communications.

- Established hot-line telephone number 855-SDS-4YOU (855-737-4968). Hot-line is active 24 hours, 7 days per week and managed by the SDS Public Involvement Team. The hot-line number has been included on all public information measures and on job site signage.
- Condition met; no further action required.
- ☑ 3. Develop and maintain a website that will include details of current and future project activities (i.e., schedules, type of work, phases, etc.)
 - Developed and have been maintaining the SDS website, www.sdswater.org to include details of current and future activities associated with the SDS Program.
 - Condition met; no further action required.
- ☑ 4. Deliver individual resident "mailers" notifying each resident of future construction activity near their home. Residences within 500 feet of an upcoming construction zone will be informed thirty (30) days prior to construction. The mailers will include details of when construction will begin, when completion is planned, what types of activities are expected, an overview of the Project; and the hotline number.
 - SDS Public Involvement Team delivered individual resident "mailers" notifying each resident within 500 feet of an upcoming construction zone of future construction activity near their home at least thirty (30) days prior to construction. The mailers included details of when construction was scheduled to begin, when completion was planned, what types of activities were expected, and an overview of the Project along with the hot-line number.
 - Condition met during construction; construction activities complete; no further action required.
- ☑ 5. Distribute individual resident "door hangers" to properties within 500 feet of the construction site. These will serve as reminders of future construction activities, and will be distributed approximately seven (7) days prior to construction.
 - SDS Public Involvement Team delivered individual resident "door hangers" within 500 feet of the upcoming construction area to serve as reminders of future construction activities. The door hangers were distributed by the SDS Public Involvement Team at least seven (7) days prior to commencement of construction activities in the area.
 - Condition met during construction; construction activities complete; no further action required

C-11 Dust and Other Air Emission Controls (Dust Control)

Applicant shall minimize fugitive dust impacts to County residents.

- ☑ 1. Prepare, submit and implement a fugitive dust control plan as required by the Colorado Department of Public Health and Environment (CDPHE) Air Pollution Control Division. A copy of the plan will be submitted to Pueblo County.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Sections 01.57.19, 1.03.A.3 and 01.57.19, 3.05.A and 3.05.B).
 - Construction Contractor adhered to control measures outlined in the general operating conditions (Section II) of the CDPHE General Construction Permit for Land Development Projects (Division of Air Pollution Control Division Permit No. GP03).
 - Copy of the general permit, including the fugitive dust control plan was submitted to Pueblo County Department of Planning and Development in August 2011.
 - Condition met during construction; construction activities complete; no further action required.
- ☑ 2. Implement standard fugitive dust control practices as specified in the fugitive dust control plan, including:
 - ☑ a. Watering unpaved roads on site.
 - ☑ b. Limiting vehicle speeds to 30 mph on site.
 - ☑ c. Covering excavated material with synthetic or natural cover or preventing sediment movement from the pile using silt fence.
 - ☑ d. Installing vehicle tracking control at access points to the site.

- ☒ e. Re-vegetating disturbed areas as described in Construction Condition C-9 as soon as appropriate to reduce dust sources.
- ☒ f. Sweeping paved streets as necessary to remove construction dust.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Sections 01.14.19, 3.02.Y; 01.57.19, 1.03.A.3; and 01.57.19, 3.05.C and 3.05.D).
 - Watering unpaved roads on site no longer required as construction activities and associated traffic are complete.
 - Disturbed areas were revegetated as soon as practical during summer of 2012.
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 3. Perform particulate monitoring using real-time particulate monitors that are capable of monitoring particulate matter less than ten microns (PM₁₀). Particulate levels will be monitored immediately downwind of the working site and integrated over a period not to exceed 15 minutes. Monitoring will be conducted a minimum of once a day, with additional testing conducted if complaints are received. Instrumentation shall require necessary averaging hardware to accomplish this task. In order to ensure the validity of the fugitive dust measurements performed, there will be appropriate Quality Assurance/Quality Control (QA/QC) that includes the following features: periodic instrument calibration, operator training, daily instrument performance (span) checks, and record keeping.

The action level will be established at 150 µg/m³ over the integrated period not to exceed 15 minutes. If particulate levels are detected in excess of 150 µg/m³, the upwind background level must be measured immediately using the same portable monitor. If the working site particulate measurement is greater than 100 µg/m³ above the background level, additional dust suppression techniques must be implemented to reduce the generation of fugitive dust.

 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Section 01.57.19, 3.05.E).
 - Monitoring conducted and logged a minimum of once per day, with additional testing conducted if complaints were received.
 - Dust monitoring summary included in quarterly report submitted to Pueblo County in accordance with Mitigation Appendix ENF-1.
 - Condition met during construction; construction activities complete; no further action required.
- ☒ ~~4. Use construction equipment that meets Colorado opacity standards for operating emissions. Construction equipment will be emissions tested at an approved facility prior to use on the site. This test will be performed each year that the equipment is used on the project. The certificates of approval for each item of construction equipment will be maintained by Applicant and be available for inspection by Pueblo County if requested.~~
 - A waiver from this permit condition was approved by the Pueblo County Department of Planning and Development by way of a letter dated August 18, 2011 as it was determined that the State of Colorado does not have opacity standards or emissions testing for construction equipment.
 - No further action required.
- ☒ 5. Do not burn waste materials, rubbish, or other debris on or adjacent to the construction site.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting, Public Involvement, Safety and Construction Management Team (Construction Specification Section 01.57.19, 3.010.C). No waste materials, rubbish or other debris was burned on or adjacent to the construction site as part of the construction activities.
 - Condition met during construction; construction activities complete; no further action required.

C-12 Drainage and Erosion Control (Sediment Control)
Applicant shall maintain soil within construction zone.

- ☒ 1. Obtain a permit for Drainage and Erosion Control within a construction site: General Permit - Stormwater Discharges Associated with Construction Activity (Permit No: COR-030000).
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Section 01.41.26, 1.02.E).
 - Construction Contractor issued CDPHE Permit No. COR-030000, Certification Number COR03H997 on August 2, 2011. Copy provided to Pueblo County Department of Planning and Development in August 2011.
 - Permit was reassigned to the Revegetation Contractor in September 2012 under Permit No. COR-030000, Certification Number COR03J589.
 - Permit obtained; no further action required related to this subcondition.
- ☐ 2. Implement a Stormwater Management Plan (SWMP) and Best Management Practices (BMPs) per Colorado Department of Transportation (CDOT) Erosion Control and Stormwater Quality Guide.
 - SWMP and associated BMPs will continued to be managed by the Revegetation Contractor until the CDPHE General Permit for Stormwater Discharges Associated with Construction Activity until the restoration activities required under the permit are completed.
 - Condition ongoing.
- ☒ 3. Perform a pre-existing condition assessment of areas potentially subject to sedimentation from SDS construction as described in Construction Condition C-5.
 - Performed in accordance with Construction Condition C-5.
 - Condition met prior to and during construction; documentation provided to Pueblo County; construction activities complete; no further action required.
- ☒ 4. Restore lands outside of the work area that have been impacted by sediment from SDS construction consistent with Construction Condition C-9.
 - No lands outside of the work area were impacted by sediment from SDS construction activities during the construction of the RWP S2 Pipeline; no further action required.
 - Impacted areas disturbed within the work limits are being restored in accordance with Construction Condition C-9.
 - Condition met; no further action required.
- ☒ 5. Shall not release sediment impacting more than 4 square feet of land outside of the work.
 - No lands outside of the work area were impacted by sediment from SDS construction activities during the construction of the RWP S2 Pipeline.
 - Condition met; no further action required.

C-13 Pre-Mobilization Readiness Review

Applicant shall perform pre-mobilization readiness reviews prior to Applicant's contractor's beginning on-site construction activities.

- ☒ 1. Prepare a Project Execution Plan (PEP) for each Work Package of the SDS Project (i.e., Pump Station, Pipeline Segment, Water Treatment Plant). The PEP will be structured to standardize and codify the project planning process for consistency and quality of implementation.
 - PEP prepared and included in SDS Pueblo County 1041 Permit Quarterly Construction Report beginning in April 2011 (2011 First Quarter Report).
 - Condition met; no further action required.

- ☑ 2. Perform a Pre-Mobilization Readiness Review to determine the project's readiness for mobilization of field activities. Pueblo County will be invited to participate in the review. Subject matter of a Readiness Review will, at a minimum, include:
 - a. Safety management and Emergency Preparedness policies and procedures.
 - b. Quality Assurance/Quality Control programs and procedures.
 - c. Required local, state, and federal permits and agency approvals have been acquired, the Contractor is aware of permit requirement and limitations, and appropriate Contractor policies and procedures are in place for compliance.
 - d. Site and security controls are in place.
 - e. Communications systems are in place and operational.
 - f. Temporary facilities are in place where required.
 - g. Safety plan and safety representative.
 - h. Utility Locations have been verified.
 - i. Agency Approvals (incl. Pueblo County).
 - j. Applicant shall verify that land, easement, and right-of-way acquisitions are complete and what limitations are related to Project access.
- Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Section 01.31.19, 1.02).
- Pueblo County representatives were invited to participate in the review.
- Pre-Mobilization Readiness Review meeting was conducted on September 26, 2011 at the SDS Pueblo West field office and included the above outlined topics.
- Condition met; no further action required.

C-14 Traffic Control

Applicant shall provide for safe vehicular and pedestrian traffic.

- ☑ 1. Develop a traffic control plan complying with the applicable standards of the Manual on Uniform Traffic Control Devices. The Traffic Control Plan will be signed by an individual certified by the Colorado Department of Transportation (CDOT) or the American Traffic Safety Services Association (ATSSA), as a Worksite Traffic Control Supervisor, whose signature shall constitute certification that the plan meets or exceeds MUTCD standards. The plan will include drawings(s) of the project location showing phases of the project, a list of the posted speed limits throughout the project, and a drawing(s) of the traffic control measures to be employed at the project site.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Section 01.55.26, 3.03).
 - Traffic control plans include in construction drawings reviewed and accepted by Pueblo County Public Works and Engineering Department. Any modifications during construction were additionally reviewed and accepted by Pueblo County Public Works and Engineering Department prior to commencement of activities.
 - Condition met during construction; construction activities complete; no further action required.
- ☑ 2. Comply with the Haul Route Plan accepted by Pueblo County.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Section 01.14.13, 1.02).
 - Condition met during construction; construction activities complete; no further action required.

C-15 Protection of Plants and Wildlife

Applicant shall control impacts to native endangered and threatened flora and fauna.

- ☑ 1. Protect native endangered and threatened flora and fauna in accordance with the Final Environmental Impact Statement.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Section 01.57.19, 1.04.C).
 - Relative information included on Environmental Constraints Map and provided to Construction Contractor; monitored by the SDS Permitting and Construction Management Team.
 - Condition met during construction; construction activities complete; no further action required.
- ☑ 2. Submit a wildlife mitigation plan to the Colorado Division of Wildlife in accordance with their regulations prior to construction. This Plan will include actions the Applicant proposes to mitigate impacts that the SDS Project may have on fish and wildlife. As required by statute, the Wildlife Commission will evaluate the probable impact of the project on fish and wildlife. The Applicant shall provide the official wildlife mitigation plan and official state position to Pueblo County Staff prior to construction.
 - Fish and Wildlife Mitigation Plan approved by Colorado Division of Wildlife in March 2010.
 - Approved Fish and Wildlife Mitigation Plan submitted to Pueblo County Department of Planning and Development on July 27, 2010.
 - Condition met; no further action required.
- ☑ 3. Coordinate with Bureau of Reclamation to release flows to the Arkansas River through the flood control gates when the North Outlet Works is unavailable due to construction activities.
 - SDS Program coordinated with Bureau of Reclamation to release flows to the Arkansas River through the flood control gates when the North Outlet Works is unavailable due to construction activities.
 - Construction activities at the North Outlet Works are complete and the cone valve at the new North Outlet Works is operational and available for use by Bureau of Reclamation subject to final completion of an interim operating agreement.
 - Condition met; construction activities complete; no further action required.

C-16 Noxious Weed Control

- ☑ 1. Provide a person experienced in field identification of noxious weeds to locate existing noxious weeds that will be disturbed during construction in advance of ground disturbing construction activities.
 - Requirement included in Contractor Construction Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Section 01.57.17, 1.01.B).
 - Condition met in advance of ground disturbing construction activities; construction activities complete; no further action required.
- ☑ 2. If List A species are found, provide to the State Weed Coordinator mapping data pertinent to each population including:
 - a. Species name
 - b. Population location(s) including distribution and abundance
 - c. Estimated infested acreage
 - A pre-construction noxious weed survey was completed by ERO Resources Corporation in 2010 with a report issued in September 2010. No List A species were identified along the RWP S2 Pipeline alignment.
 - No List A species were identified along the RWP S2 Pipeline alignment during construction activities.
 - Condition met prior to and during construction; construction activities complete; no List A species are anticipated to be encountered in the reclaimed area during revegetation activities; no further action required.

- ☐ 3. Implement an eradication program within the project limits. Eradicate existing Class A and B noxious weed populations.
 - Requirement included in Contractor Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Section 01.57.17).
 - Revegetation Contractor will continue to implement the eradication program within the project limits for three years following completion of the RWP S2 Pipeline installation construction activities (third quarter 2015).
 - Condition ongoing.
- ☒ 4. Adopt the following methods to prevent the spread of noxious weeds during construction.
 - ☒ a. Major equipment (track equipment, rubber tire loaders, and backhoes) will be cleaned by high pressure air or water spray before being delivered to the project site.
 - ☒ b. Use weed free seed, mulch, and borrow material.
 - ☒ c. Use 100-percent certified weed free seed and mulch. Locally or regionally available seed and mulch will be used when practicable.
 - Requirement included in Contractor Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Sections 01.33.00, 2.02.A; 01.57.17, 3.01.A; 01.57.22; and 32.92.00).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 5. Disturbed areas will be re-seeded as soon as practicable after the disturbance ends.
 - Requirement included in Contractor Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Sections 01.57.17, 3.01.A and 32.92.00).
 - Condition met during and following construction; construction and seeding activities on RWP S2 Pipeline alignment complete following end of disturbance; no further action required related to this subcondition.

C-17 Hazardous Waste Management

Applicant shall ensure that hazardous wastes are appropriately managed.

- ☒ 1. Follow regulations to the handling, storage, transportation, and disposal of hazardous materials as set forth in the Code of Federal Regulations (CFR) 1910.120, DOT, EPA and NRC regulations, as applicable. The type and quantity of these materials will be small quantities (paints, solvents, fuels, etc.).
 - Requirement included in Contractor Specifications and monitored by the SDS Permitting, Safety and Construction Management Team (Construction Specification Sections 01.57.19, 1.01.E and 01.66.13, 3.01.A).
 - Condition met during and following construction; construction activities complete; no further action required.
- ☒ 2. Development and implement Health, Safety and Environmental plans including hazardous material management in compliance with Federal, State and Local regulations prior to mobilizing on-site for Project construction.
 - Requirement included in Contractor Specifications and monitored by the SDS Permitting, Safety and Construction Management Team (Construction Specification Section 01.66.13, 3.01.C).
 - Both SDS Program and Contractor developed and implemented Health, Safety and Environmental plans in compliance with Federal, State and Local regulations prior to mobilizing on-site for Project construction.
 - Condition met prior to and during construction; construction activities complete; no further action required.

C-18 Sustainable Design

Applicant shall, where practical, design SDS facilities to be sustainable or "green".

- ☒ 1. Make an effort to balance cut and fill for site grading and backfill to reduce imported or exported material.
 - Requirement included and complied with in RWP S2 Pipeline installation design criteria.
 - RWP S2 Pipeline design documents reviewed and approved for construction by Pueblo County Department of Public Works and Engineering in August 2011.
 - Condition met prior to and during construction; construction activities complete; no further action required.
- ☒ 2. Use site and building design to promote energy and resource conservation.
 - Requirement included and complied with in RWP S2 Pipeline installation design criteria.
 - RWP S2 Pipeline design documents reviewed and approved for construction by Pueblo County Department of Public Works and Engineering in August 2011.
 - Condition met; no further action required.
- ☒ 3. Motors and electrical equipment will be high-efficiency rated. Efficiencies will be determined by testing as set forth in ANSI/IEEE 112-Standard Test Procedures for Polyphase Induction Motors and Generators, Method B or Method F.
 - Requirement not applicable to RWP S2 Pipeline as no motors or generators of this type were installed as part of construction activities related to this construction work package. This requirement would be applicable to the Juniper Raw Water Pump Station.
 - No further action required.

C-19 Sustainable Construction Practices

Applicant shall, where practicable, use sustainable construction practices.

- ☒ 1. Create opportunities for sustainable construction.
 - Requirement included and complied with in RWP S2 Pipeline installation design criteria.
 - RWP S2 Pipeline design documents reviewed and approved for construction by Pueblo County Department of Public Works and Engineering in August 2011.
 - Condition met prior to and during construction; construction activities complete; no further action required.
- ☒ 2. Prepare a materials handling plan including recycling and reuse. This plan shall identify materials expected to be encountered during demolition, site clearing, field office operations, equipment maintenance, etc. In this plan, the Applicant shall define how these materials will be handled to maximize recycling and reuse opportunities and to minimize permanent disposal of such items including used motor oil, waste paper, removed asphalt, removed concrete, used tires, etc.
 - Requirement included in Contractor Specifications (Construction Specification Section 01.33.29, 1.01.A).
 - Plan prepared by Contractor and approved by the SDS Program. Approved plan monitored by the SDS Permitting, Safety and Construction Management Team.
 - Condition met prior to and during construction; construction activities complete; no further action required.
- ☒ 3. Use minimum 10-percent bio diesel in construction equipment.
 - Requirement included in Contractor Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Section 01.33.29, 2.01.A).
 - Contractor used 3,460 gallons 20% biodiesel (B20) fuel in construction equipment during pipeline construction activities in compliance with this subcondition. Based on calculations of total fuel usage, 10% of the diesel fuel used in construction equipment during construction activities consisted of biodiesel.

- Condition met by Contractor during construction; construction activities complete; no further action required.
- ☑ 4. Purchase local goods and services to the maximum extent possible consistent with sound procurement practices and local availability. Such purchases may include bulk commodities where longer shipping distances are not economical, such as fuel, lubricants, oils, sand and gravel, masonry and concrete.
 - Requirement included in Contractor Specifications and monitored by the SDS Permitting, Public Involvement and Construction Management Team (Construction Specification Section 01.33.29, 1.01.B).
 - Contractor provided quarterly report to SDS Program summarizing purchases in Pueblo County, El Paso County and Fremont County.
 - Condition met by Contractor during construction; construction activities complete; no further action required.

C-20 Surface Water and Groundwater Flows

Applicant shall restore ground and surface water supplies to pre-construction conditions.

- ☑ 1. Restore disturbed surfaces to pre-construction contours, as defined by the aerial survey and mapping.
 - Requirement included in Contractor Specifications and monitored by the SDS Permitting, Public Involvement and Construction Management Team (Construction Specification Sections 01.14.19, 3.03.A, 02.42.00 and 31.23.23.15, 3.01.E).
 - Pre-construction contours as defined by aerial survey and mapping included on construction drawings at one-foot contour intervals.
 - Contractor restored disturbed surfaces to the pre-construction contours based on aerial survey and mapping provided in construction drawings.
 - SDS Public Involvement Team contacted and coordinated with property owners at the completion of pipeline construction activities related to post-construction conditions, including site grading and contouring prior to commencement of revegetation efforts. If requested, SDS Public Involvement Team arranged to adjust the grading/contours to meet property owner expectations.
 - Condition met during construction; construction activities complete; no further action required.
- ☑ 2. Perform pre-construction hydrologic investigations on properties that have active springs along the pipeline route. Design and construct the pipeline to prevent injury to springs.
 - a. Use "flowable fill" for bedding and pipe zone material.
 - b. Use native material that was removed from the trench in the trench zone above the pipe.
 - c. Use trench plugs in areas where groundwater is encountered to prevent flow along the trenchline.
 - No active springs were identified along the pipeline route through the RWP S2 Pipeline alignment. Pipeline design was prepared to prevent injury to springs and other waterways.
 - Requirement included in Contractor Specifications and monitored by the SDS Permitting and Construction Management Team (Construction Specification Sections 31.23.23.15, 3.06.C and 31.23.23.15, 3.17).
 - Condition met prior to and during construction; construction activities complete; no further action required.

C-21 Protection of Livestock

Applicant shall protect livestock on lands crossed by the project during construction.

- ☑ 1. Work jointly with landowners and livestock owners to determine grazing areas, watering points and livestock pathways to food and water.

- Requirement included in Contractor Specifications and monitored by the SDS Permitting, Public Involvement and Construction Management Team (Construction Specification Section 01.14.19, 3.02.V).
 - SDS Public Involvement Team corresponded and coordinated with landowners to identify potential areas. No lands crossed by livestock were identified along the RWP S2 Pipeline alignment.
 - Condition met prior to and during construction; construction activities complete; no further action required.
- ☒ 2. Provide access for livestock through farm areas, do not cut off ready access points of farmlands in which livestock are pastured, provide alternate accessible water sources, maintain existing fences required to restrain livestock, and keep gates closed and secure.
- Requirement included in Contractor Specifications and monitored by the SDS Permitting, Public Involvement and Construction Management Team (Construction Specification Section 01.14.19, 3.02.U).
 - SDS Public Involvement Team corresponded and coordinated with landowners to identify potential areas. No lands crossed by livestock were identified along the RWP S2 Pipeline alignment.
 - Condition met prior to and during construction; construction activities complete; no further action required.
- ☒ 3. Temporarily relocate livestock away from construction activities if requested by livestock owner.
- Requirement included in Contractor Specifications and monitored by the SDS Permitting, Public Involvement and Construction Management Team (Construction Specification Section 01.14.19, 3.02.W).
 - SDS Public Involvement Team corresponded and coordinated with landowners to identify potential areas. No lands crossed by livestock were identified along the RWP S2 Pipeline alignment.
 - Condition met prior to and during construction; construction activities complete; no further action required.

C-22 Noise Control

Applicant shall minimize noise impacts to adjacent property owners.

- ☒ 1. Comply with applicable OSHA, State of Colorado, and local noise control standards, requirements, and regulations.
- Requirement included in Contractor Specifications and monitored by the SDS Permitting, Public Involvement and Construction Management Team (Construction Specification Sections 01.57.19, 1.03.A.4 and 01.57.19, 3.11).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 2. Measure baseline noise conditions prior to construction work commencing. The baseline will be the average noise reading over three 24-hour periods at each receptor lot-line location or at 1-mile intervals, whichever is greater.
- SDS Program contracted a third party consultant to perform baseline noise survey prior to commencement of construction work in accordance with this subcondition. The baseline noise survey was completed in November 2011, with summary report provided to the SDS Program in January 2012.
 - Requirement noted in Contractor Specifications (Construction Specification Section 01.57.19, 3.11.D.3).
 - Condition met prior to construction; construction activities complete; no further action required.
- ☒ 3. Periodically monitor generated sound levels and record decibel levels. Should noise levels exceed appropriate standards, the operation will be ceased and noise mitigation measures will be implemented.

- SDS Permitting Field Team conducted daily monitoring and recording of decibel levels during active construction activities. Noise mitigation measures were implemented as necessary.
 - Requirement noted in Contractor Specifications (Construction Specification Section 01.57.19, 3.11.D.4).
 - Condition met during construction; construction activities complete; no further action required.
- ☒ 4. Develop a noise control plan to mitigate construction noise and to comply with appropriate standards.
- Requirement included in Contractor Specifications and monitored by the SDS Permitting, Public Involvement and Construction Management Team (Construction Specification Sections 01.57.19, 1.03.A.4 and 01.57.19, 3.11.D).
 - Both the Contractor and the SDS Permitting Team developed noise control plans to mitigate construction noise and comply with appropriate standards. Noise mitigation measures were implemented as necessary when appropriate.
 - Condition met prior to and during construction; construction activities complete; no further action required.
- ☒ 5. Any excessively high decibel level work, such as blasting or pile driving will be performed between the limited hours of 9:00 am and 5:00 pm to minimize disruptions.
- Requirement included in Contractor Specifications and monitored by the SDS Permitting, Public Involvement and Construction Management Team (Construction Specification Section 01.57.19, 3.11.D.5).
 - Condition met during construction; construction activities complete; no further action required.

Socio-Economic Conditions / Mitigation

SE-1 Securing Land Through Easements, Fee Purchase, or Condemnation
Applicant shall secure land necessary for construction of the project in a fair and equitable manner.

- ☒ 1. Treat private property owners fairly and commit to using the power of eminent domain only as a last resort.
- Property owners were treated fairly and the SDS Program committed to using the power of eminent domain only as a last resort.
 - Condition complied with and met by SDS Program prior to construction; construction activities complete; no further action required.
- ☒ 2. Offer to compensate landowners to have their own appraisal done if they disagree with the applicant's appraisal.
- SDS Program offered to compensate landowners to have their own appraisal done if they disagreed with the applicant's appraisal.
 - Condition complied with and met by SDS Program prior to construction; construction activities complete; no further action required.
- ☒ 3. Reimburse land owners for relocation costs, title work, and closing costs. No landowner should have out-of-pocket expenses from the project for these activities.
- Condition complied with and met by SDS Program prior to construction; construction activities complete; no further action required
- ☒ 4. Provide proof to Pueblo County that they have secured the necessary rights to construct the project prior to starting construction at any given location.
- Proof was documented through recorded easements filed with the Pueblo County Clerk and Recorder's Office.
 - Condition complied with and met by SDS Program prior to construction; construction activities complete; no further action required.

SE-2 Payment in Lieu of Property Taxes

Applicant shall reimburse Pueblo County for property taxes lost due to acquisition of land in fee.

- ☒ 1. Preferentially acquire easements and minimize to extent practicable, the number of private properties acquired in fee to support construction and operation of SDS.
 - Condition complied with and met by SDS Program prior to construction; construction activities complete; no further action required.
- ☐ 2. For those private properties purchased and owned in fee, make an annual payment in lieu of taxes equal to the value of the taxes assessed by the Pueblo County Assessor.
 - Condition ongoing for those properties purchased and owned in fee by the City of Colorado Springs.
- ☐ 3. Payment shall be made to Pueblo County Treasury on or before April 30 of each calendar year.
 - Condition ongoing for those properties purchased and owned in fee by the City of Colorado Springs.
- ☒ 4. Upon successful closing of private property purchase.
 - Condition complied with and met by SDS Program prior to construction; construction activities complete; no further action required.
- ☐ 5. This mitigation is ongoing until private properties purchased are sold or conveyed to another private owner.
 - Condition ongoing for those properties purchased and owned in fee by the City of Colorado Springs.