

LIANE "BUFFIE"
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DISTRICT 2

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DISTRICT 3



TERRY A. HART
COMMISSIONER
DISTRICT 1

JOAN ARMSTRONG
DIRECTOR
planning@co.pueblo.co.us

**PUEBLO COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Pueblo Board of County Commissioners

FROM: Joan Armstrong *ja*

DATE: September 21, 2015

SUBJECT: 1041 Permit No. 2008-002
Southern Delivery System
Condition No. 22: Reclamation of Disturbed Lands
Condition No. 28 Mitigation Appendix C-9 Site Restoration
Colorado Springs Utilities, Applicant

PURPOSE

This Memorandum is prepared to review the compliance status of the Southern Delivery System ("SDS") 1041 Permit No. 2008-002 Condition No. 22 Reclamation of Disturbed Lands and Condition No. 28 Mitigation Appendix C-9 Site Restoration per Resolution No. P&D 09-22 Approving 1041 Permit No. 2008-002. The Applicant's re-vegetation experts ("EXPERT") and Pueblo County's ("COUNTY") re-vegetation expert conducted on-site investigations of the pipeline easement and prepared reports with their findings. The County's expert also reviewed the Applicant's experts' reports.

Following is the description of Condition No. 22 and Condition No. 28 Mitigation Appendix C-9 of 1041 Permit No. 2008-002.

22. Reclamation of Disturbed Lands

Applicant shall conduct a preconstruction evaluation of existing vegetation to be disturbed during construction of the SDS Project within Pueblo County. Upon reclamation of the site, the vegetation cover shall be of the same seasonal variety native to the area of the disturbed land, or a reasonable substitute pursuant to agreement with the landowner. The revegetated area will be considered acceptable if its cover will be not less than 90 percent of the pre-construction vegetation cover with similar species diversity. Applicant shall provide to Pueblo County a

security bond equal to \$2,000/acre of land in permanent or temporary construction easement in each work package. The security bond shall be released upon establishing 90 percent of pre-construction vegetation cover on the impacted land segment.

Condition No. 28 Mitigation Appendix C-9 Site Restoration

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

PROJECT DETAIL

1. Grade disturbed areas to preconstruction contours so preconstruction drainage paths are reestablished.
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.
 - 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.
 - 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.
 - d. Soil stabilization practices will be used on all regraded and topsoiled areas.
 - 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.
3. Restore roads and driveways so that:
 - a. Surfaces are finished level with existing surfaces.
 - b. Sealed roadways are finished to match existing seal (asphalt, spray seal, etc).
 - 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.
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.
5. Restore or replace fences and gates that are disturbed during construction.

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.*

General Description of Lands Affected

The Southern Delivery System includes a 66-inch diameter raw water pipeline which extends from its connection at Pueblo Dam and proceeds north for approximately 20 miles through permanent easements across lands in Pueblo County to the southern boundary of El Paso County. The pipeline extends northward out of Lake Pueblo State Park into Pueblo West, under and across U.S. Highway 50 West approximately 3,600 feet east of Pueblo Boulevard, and continues northward through the central portion of Pueblo West crossing both public and privately owned lands.

BACKGROUND

On March 27, 2013, an Agreement was made and entered by and between Pueblo County, Colorado and Keammerer Ecological Consultants Inc. ("CONSULTANT"). The County obtained the professional services of the Consultant to evaluate, prepare Report(s), and possibly represent the County as an Expert Witness regarding the County Permitting matters relevant to the site restoration and revegetation measures in certain areas that were disturbed in construction of the SDS pipeline alignment through Pueblo County. The Scope of Work focused on 5.27± miles of the pipeline route within Segment S3 for evaluation and reports by the Consultant. The Scope of Work focused on specific conditions of approval per Resolution No. P&D 09-22 as follows: Condition of Approval No. 22 Reclamation of Disturbed Lands, Condition of Approval No. 28 Mitigation Appendix, C-9 Site Restoration, Condition of Approval No. 28 Mitigation Appendix, C-16 Noxious Weed Control. The Agreement stipulated work by the Consultant on additional portions of the pipeline route, other than the 5.27± section as described, would require another Agreement between the County and the Consultant.

On December 12, 2014, an Agreement was made and entered by and between Pueblo County, Colorado and Keammerer Ecological Consultants Inc. ("CONSULTANT"). This 2014 Agreement amended the Scope of Work in the March 27, 2013 Agreement to include evaluation and reports of the entire Segment S3 containing 7.5 miles and review of the Reports prepared by Colorado Natural Heritage Program (CNHP) for Segment S1 and Segment S2. The Consultant, after review of those Reports, would submit a Report to the County on the evaluation of CNHP Reports. If a field visit(s) was needed/required, the Consultant was authorized to conduct such field visit(s). Staff notes, the Consultant did conduct field visits of Segment S1 and Segment S2.

Payment to the Consultant is taken from Condition No. 29 Dispute Resolution. The Applicant and County staff considered circumstances and contentions related to Condition No. 22 and Condition No. 28 C-9 and C-16. It was determined the County required technical assistance to assess a disputed matter. Therefore, per Condition No. 29 the Applicant would pay the costs,

not to exceed a total of \$150,000 for all disputes related to the Permit, for the County to hire a technical consultant for the dispute purpose.

Following is Condition No. 28 C-16:

Condition No. 28 Mitigation Appendix C-16 Noxious Weed Control

Applicant shall control spread of noxious weeds resulting from project construction.

PROJECT DETAIL

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.*
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*
3. *Implement an eradication program within the project limits. Eradicate existing Class A and B noxious weed populations.*
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.*
5. *Disturbed areas will be re-seeded as soon as practicable after the disturbance ends.*

NOTICE OF PUBLIC HEARING

The Board of County Commissioners required that notice of this public hearing be published in a newspaper of general circulation and, in addition, that it be sent to all owners of lands subject to the pipeline easement. The purpose is to ensure that all parties with an interest in the reclamation of the lands affected by the pipeline are notified of their opportunity to make their position on the reclamation of the disturbed lands known at a public hearing. The Applicant, affected landowners, and members of the general public were invited to appear and, if they desired, to submit written information in support of their respective positions. All persons desiring to present written information were requested to do so on or before September 20,

2015 by submitting it to the Pueblo County Department of Planning and Development at the address set forth below and also to the Applicant in care of David Marciniak, Construction Facilitator, 121 South Tejon Street, 3rd Floor, P.O. Box 1103, Mail Code 930, Colorado Springs, CO 80947-0930. Pueblo County Staff prepared a written report of its investigation on the status of compliance with Condition No. 22 and Mitigation Appendix C-9. The full text of the Staff report as well as other Reports are available on the Pueblo County website <http://county.pueblo.org>.

The Notice of Public Hearing was published in the Pueblo Chieftain on Saturdays August 29, 2015 and September 12, 2015; in the Pueblo West View on Thursdays September 3 and 10, 2015. **Exhibit 1** is the Notice of Public Hearing.

The Notice of Public Hearing was mailed to 124 owners of lands subject to the pipeline easement. The Applicant provided labels with the owners names/addresses to use for the mailing. **Exhibit 2** is the Proof of Compliance documents identifying the date the Notice of Public Hearing was mailed to the owners of real property upon which the pipeline easement exists and to other interested parties. Twelve (12) of the mailings were returned to the Department of Planning and Development. Four (4) of those letters were re-mailed to the addresses provided by the USPS on the returned envelope. Eight (8) of those letters were stamped "Unable To Forward" by the USPS. As the date of this Memorandum, staff has heard from two (2) Pueblo West property owners via phone providing verbal approval of the revegetation on their property(ies). The three (3) property owners are:

1. 2 KFN Ltd (Nancy Zarbuck) – lives in New Braunfels, TX; Pueblo West property address is 1077 E. Stampede Ln on the north side of Hwy 50 W and northwest of E. Platteville Blvd. and E. Purcell Blvd. intersection; property is vacant; part of Segment S2.
2. Bonnie (Dennis) Staack – lives in Castle Rock, CO; Pueblo West property address is 1089 N. Kirkwood Dr. on the north side of Hwy 50 W around E. Purcell Blvd. and E. Linda Ave.; property is vacant; part of Segment S2.
3. Randy Ing – lives in Las Vegas, NV; Pueblo West properties addresses are 1126 and 1138 E. Grouse Dr. (adjacent lots) on the south side of Hwy 50 W and east of S. Purcell Blvd. at the east end of the PWMD boundary, Grouse Dr. parallels Hwy 50 W; properties are vacant; part of Segment S2.

HEARING PROCESS

The Applicant will present its position on the status of compliance with Condition No. 22 and Mitigation Appendix C-9 including any documentation or other evidence in support of that position. Pueblo County Staff will then present its report on the status of compliance with Condition No. 22 and Mitigation Appendix C-9. Landowners and other interested citizens will then be asked to present their comments, concerns, and questions on the subject of compliance with Condition No. 22 and Mitigation Appendix C-9. Finally, the Applicant will have an opportunity to respond to the comments of Pueblo County Staff, landowners, and other interested citizens.

At the conclusion of the hearing, the Board of County Commissioners may make comments and will then take the matter under advisement. Thereafter, the Board may take any one or more of a number of actions including, but not limited to:

- 1) acceptance of Applicant's reclamation and revegetation for all or a part of any particular segment of the pipeline easement as being complete for purposes of Condition No. 22 and Mitigation Appendix C-9 and release of any associated bond;
- 2) a determination that reclamation and revegetation of all or a part of any segment of the pipeline easement is not in compliance with Condition No. 22 and Mitigation Appendix C-9 with direction to the Applicant regarding remaining efforts necessary to achieve compliance; and
- 3) conditional acceptance of reclamation and revegetation for all or a particular portion of the pipeline easement subject to Applicant's performance of certain additional work; and/or such other action as the Board deems appropriate in view of the evidence presented.

COLORADO SPRINGS UTILITIES

Colorado Springs Utilities has submitted to Pueblo County a Southern Delivery System Revegetation Compliance Summary Notebook, 1041 Permit 2008-002, Pueblo County Work Packages S1, S2 and S3 for the September 25, 2015 hearing. Attached as **Exhibit 3**, are excerpts from the Notebook being the cover letter, table of contents, and the Executive Summary pages 1-6. The complete Notebook was provided to the Board of County Commissioners with this Memorandum.

PUEBLO COUNTY CONSULTANT

Dr. Warren Keammerer's Summary of the Status of Vegetation Cover Performance Standards Sept. 2015 is attached as **Exhibit 4**.

COUNTY STAFF COMMENT ON REVEGETATION METHODOLOGY

"It is important to note that the methodology for measuring compliance by both the experts retained by Colorado Springs Utilities and the expert retained by Pueblo County to measure the success of the revegetation is based upon a method which essentially measures a mean among various soil types which overall might meet the 90% compliance standard, but which, by definition, may result in some areas of the pipeline easement falling below the standard set forth in the 1041 permit. Although the method of measurement employed by the experts may be well established and accepted within the industry, it is not a method which was set forth in the permit and it has never been agreed to by Pueblo County. Consequently, experts from both sides of the revegetation issue should be asked to explain the methodology and to acknowledge its potential shortcomings."

ONLINE DOCUMENTS

1041 Permit No. 2008-002 can be viewed on Pueblo County's webpage:

<http://www.co.pueblo.co.us/cgi-bin/webformbroker.wsc/cases3.p?caseNum=1041%202008-002>

and via QR Code:



Attachments: Exhibit 1 – Notice of Public Hearing
Exhibit 2 – Proof of Compliance
Exhibit 3 – Colorado Springs Utilities Revegetation Compliance Summary
(Portions), Sept. 2015
Exhibit 4 – Dr. Warren Keammerer's Summary of the Status of Vegetation Cover
Performance Standards Sept. 2015

c: Greg Styduhar, County Attorney
Marci Day, Assistant County Attorney
Gary Raso, Special Assistant County Attorney
Ray Petros, Special Counsel to Pueblo County
Dr. Warren Keammerer, Vegetation Consultant to Pueblo County
Alf Randall, Director, Dept. of Engineering and Public Works
David Benbow, Project Manager, Dept. of Engineering and Public Works
John Fredell, SDS Program Director, Colorado Springs Utilities
Mark Pifher, Permitting and Compliance Manager, Colorado Springs Utilities
Kevin Binkley, PMP, SDS, Colorado Springs Utilities

NOTICE OF PUBLIC HEARING

The Board of County Commissioners will hold a public hearing on Friday, September 25, 2015, at 9:00 a.m., in the Commissioners' Chambers of the Pueblo County Courthouse, 215 West 10th Street, to review and consider the status of compliance by the Applicant with Condition No. 22 of the following described Permit:

1041 PERMIT NO. 2008-002

Construction and Use of a Municipal Water Project known as the Southern Delivery System within Pueblo County, Colorado



APPLICANT

Colorado Springs Utilities
John Fredell, SDS Program Director
121 South Tejon Street, 3rd Floor
P.O. Box 1103, Mail Code 930
Colorado Springs, CO 80947-0930

Condition No. 22: Reclamation of Disturbed Lands

Applicant shall conduct a pre-construction evaluation of existing vegetation to be disturbed during construction of the SDS Project within Pueblo County. Upon reclamation of the site, the vegetation cover shall be of the same seasonal variety native to the area of the disturbed land, or a reasonable substitute pursuant to agreement with the landowner. The revegetated area will be considered acceptable if its cover will be not less than 90 percent of the pre-construction vegetation cover with similar species diversity. Applicant shall provide to Pueblo County a security bond equal to \$2,000/acre of land in permanent or temporary construction easement in each work package. The security bond shall be released upon establishing 90 percent of pre-construction vegetation cover on the impacted land segment.

A description of additional terms, conditions, and commitments for site restoration to be undertaken in compliance with Condition No. 22 are included in Mitigation Appendix C-9 of 1041 Permit No. 2008-002.

General Description of Lands Affected

The Southern Delivery System includes a 66-inch diameter raw water pipeline which extends from its connection at Pueblo Dam and proceeds north for approximately 20 miles through permanent easements across lands in Pueblo County to the southern boundary of El Paso County. The pipeline extends northward out of Lake Pueblo State Park into Pueblo West, under and across U.S. Highway 50 West approximately 3,600 feet east of Pueblo Boulevard, and continues northward through the central portion of Pueblo West crossing both public and privately owned lands.

Notice

The Board of County Commissioners has required that notice of this hearing be published in a newspaper of general circulation and, in addition, that it be sent to all owners of lands subject to the pipeline easement. The purpose is to ensure that all parties with an interest in the reclamation of the lands affected by the pipeline are notified of their opportunity to make their position on the reclamation of the disturbed lands known at a public hearing. The Applicant, affected landowners, and members of the general public are invited to appear and, if they desire, to submit written information in support of their respective positions. All persons desiring to

present written information are requested to do so on or before September 20, 2015 by submitting it to the Pueblo County Department of Planning and Development at the address set forth below and also to the Applicant in care of David Marciniak, Construction Facilitator, 121 South Tejon Street, 3rd Floor, P.O. Box 1103, Mail Code 930, Colorado Springs, CO 80947-0930. Pueblo County Staff will prepare a written report of its investigation on the status of compliance with Condition No. 22 and Mitigation Appendix C-9. The full text of the Staff report will be available prior to the hearing on the Pueblo County website described in this Notice.

Hearing

The Applicant will be asked to present its position on the status of compliance with Condition No. 22 and Mitigation Appendix C-9 including any documentation or other evidence in support of that position. Pueblo County Staff will then present its report on the status of compliance with Condition No. 22 and Mitigation Appendix C-9. Landowners and other interested citizens will then be asked to present their comments, concerns, and questions on the subject of compliance with Condition No. 22 and Mitigation Appendix C-9. Finally, the Applicant will have an opportunity to respond to the comments of Pueblo County Staff, landowners, and other interested citizens.

At the conclusion of the hearing, the Board of County Commissioners may make comments and will then take the matter under advisement. Thereafter, the Board may take any one or more of a number of actions including, but not limited to: 1) acceptance of Applicant's reclamation and revegetation for all or a part of any particular segment of the pipeline easement as being complete for purposes of Condition No. 22 and Mitigation Appendix C-9 and release of any associated bond; 2) a determination that reclamation and revegetation of all or a part of any segment of the pipeline easement is not in compliance with Condition No. 22 and Mitigation Appendix C-9 with direction to the Applicant regarding remaining efforts necessary to achieve compliance; and 3) conditional acceptance of reclamation and revegetation for all or a particular portion of the pipeline easement subject to Applicant's performance of certain additional work; and/or such other action as the Board deems appropriate in view of the evidence presented.

If you have questions or are in need of further information, please contact Joan Armstrong, Director, Pueblo County Department of Planning and Development, 229 West 12th Street, Pueblo, CO 81003-2810, (719) 583-6100. In addition, more information on this matter may be found by accessing Planning Case Search found under Online Services at the Pueblo County Website, <http://county.pueblo.org>.

PUEBLO COUNTY ZONING PROOF OF COMPLIANCE

Colorado Springs Utilities, John Fredell, SDS Program Director (Applicant)
Applicant, Address of Premises Involved

1041 2008-002
Zoning Action Number

I, Joan Armstrong, Pueblo County Zoning Administrator, as Secretary of the
_____(1) Pueblo County Planning Commission
____x_____(2) Board of County Commissioners
_____(3) Pueblo County Zoning Board of Appeals

do hereby certify that I gave notice of the above numbered and designated hearing by depositing the same in the United States mail on August 26, 2015, to the following owners of real property and other persons as provided in the Pueblo County Code, Title 17, at the following addresses:

(Applicant) Colorado Springs Utilities, John Fredell, SDS Program Director, 121 South Tejon St., 3rd Floor, P.O. Box 1103, Mail Code 930, Colorado Springs, CO 80947-0930
Curtis and Betty Bell, P.O. Box 801, Oakley, CA 94561
Kenneth and Robbyne Cape, 2008 Wyoming Ave., Pueblo, CO 81004
City of Pueblo, 1 City Hall Place, Pueblo, CO 81003
Andrew Holman, 13 Full Moon Ct., Pueblo, CO 81001
Cyndie Gandara, 407 S. Birchwood Dr., Pueblo West, CO 81007
Ann Garcia, 277 S. Birchwood Dr., Pueblo West, CO 81007
Sherman and Ramona Guimont, 2864 S. Winona Ct., Denver, CO 80236
Timothy and Joanne Nolen, 355 S. Birchwood Dr., Pueblo West, CO 81007
Pueblo West Metropolitan District, P.O. Box 7005, Pueblo West, CO 81007
Robert M. Korb, Trust, 3923 Augusta Lane, Pueblo, CO 81001
Casey Johnson, 4173 S. Ouray Way, Aurora, CO 80013
Lavetta Kay, 1004 E. Ranch Dr., Pueblo West, CO 81007
Charles Keen, 1266 S. Thoreau Place, Pueblo West, CO 81007
Noah Kenney, 579 N. Canvas Dr., Pueblo West, CO 81007
Francine Koehler, 239 Dinison Circle, Kitchener, ON N2E 2S6, Canada
Kenneth Mark Koehler, 2036 Reidsville Rd., RR 1, Ayr, ON N0B 1E0, Canada
Victor and Pat Krelovich, P.O. Box 1513, Rifle, CO 81650
Herbert and Debra Krupp, 620 Hagerer St., Racine, WI 53402
Rick Leboeuf, 608 Debra Lane, Stewartsville, NJ 08886
Legacy Homes of Pueblo, P.O. Box 7327, Pueblo West, CO 81007
Jason Robinson, 329 S. Birchwood Dr., Pueblo West, CO 81007
State of Colorado, 1375 Sherman St., Denver, CO 80203
United States of America, Bldg. 20, Denver Federal Center, Denver, CO 80225
Mary Anne Weber, 341789 Conc. 2 Bentinck NDR RR #2, Hanover, ON N4N 3B9, Canada, RR #3 Station Main, Hanover, ON N4N 3B9, Canada
2 KFN Ltd., 1760 Oakmound Circle, New Braunfels, TX 78132
Abaka Republic Marketing, Inc., 1447 E. Colorado St., Suite D, Glendale, CA 91205
John and Sandra Adams, 12101 Pearl St., Southgate, MI 48195
Jay Adkins, 1119 E. Paramount Dr., Pueblo West, CO 81007
Antonio and Eleanor Agag, 1470 Dillingham Blvd., #107, Honolulu, HI 96817-4819
Adam and Gina Akeo, 1070 E. Kirkwood Dr., Pueblo West, CO 81007
Rhonda Lee Allenback, 2304 South Dr., Pueblo, CO 81008
Arlen Anderson, 4037 Ensenada St., Denver, CO 80249

Michael and Clarissa Arnot, 1163 N. Kirkwood Dr., Pueblo West, CO 81007-1206
David Bland, 1587 S. Pitkin Circle, Aurora, CO 80017
John and Linda Bratcher, 595 N. Canvas Dr., Pueblo West, CO 81007
Thelma Bundeson, 228th Signal Company, APO, AE 9366
Virgil and Peggy Burke, 23387 County Rd. 2, Canon City, CO 81212
Leilani Ann Rodriguez Burns, 1126 Norwood Ave., Colorado Springs, CO 80905
Johnny and Stephanie Cameron, 695 N. Canvas Dr., Pueblo West, CO 81007
Juan and Emilia Cardos, Apartado 240 Xativa 46800, Valencia, Spain
Donald Casey, 353 N. Escambia Dr., Pueblo West, CO 81007
Ronald and Susan Chmiel, 7816 Regency Park St., Las Vegas, NV 89149-3772
Thelma and Lisa Cimino/Espinoza, 3489 Bright Angel, Longmont, CO 80504-9586
William Wallace Cole, P.O. Box 7551, Breckenridge, CO 80424
Edwin and Lucille Cole, 1128 E. Ranch Dr., Pueblo West, CO 81007
The Dearmans, 1801 Lucille Ave., Los Angeles, CA 90026
Thomas Dees, 623 N. Canvas Dr., Pueblo West, CO 81007
Matthew and Macie Dilcher, 655 N. Canvas Dr., Pueblo West, CO 81007
Rosalie Fillas c/o Jannelle Molina Fillas, 7602 E. Columbia Place, Denver, CO 80231
Edward Frazier, P.O. Box 4707, Pahrump, NV 89041
Ben and Taylor Wanda Funk, 2652 N. Grantland, Fresno, CA 93722
George Ganssle, 519 Blauvelt Rd., Pearl River, NY 10965-2847
Salvatore Giannetto, 1073 N. Kirkwood Dr., Pueblo West, CO 81007
Frank Gillen, 1110 E. Jaroso Dr., Pueblo West, CO 81007
Joseph Good, 566 E. Tanager Dr., Pueblo West, CO 81007
Usha Gowda, 139 Regal Ct., Monroeville, PA 15146-4735
Marcus Grace, 4521 W. Ponds Circle, Littleton, CO 80123
George Grunden, 5341 Cole Circle, Arvada, CO 80002-1639
Jackie and Ursula Hall, 1865 Juntura Ct. S., Salem, OR 97302
Branson Haney, 788 E. Alameda Lane, Pueblo West, CO 81007
Kelly Harvey, 729 N. Canvas Dr., Pueblo West, CO 81007
Teresa and William Sutherland, 91 Dunn Hill Circle, Vilona, AK 72173-9777
William Hemberger, 14673 Summer Blossom Lane, Chesterfield, MO 63017-5670
Richard and Caroline Hernasy, 73 Maxwell Farm Lane, Hendesonville, NC 28792
Christopher and Sarah Hildreth, 1102 E. Orchid Dr., Pueblo West, CO 81007
Travis and Ciera Hendricks, 539 N. Canvas Dr., Pueblo West, CO 81007
Gerald Hudson, c/o Daniel Hudson, 2666 Titania Rd., Englewood, FL 34224
Rany Ing, 5811 Count Fleet St., Las Vegas, NV 89113
Greg and Tonya Jackson, 1809 N. Bat Masterson Lane, Pueblo West, CO 81007-1255
Neal and Twila Jackson, 643 N. Canvas Dr., Pueblo West, CO 81007
Charles and Dianne Lehman, 27 Greendale Cres., Kitchener, ON N2A 2R5, Canada
Bobby and Melinda Luttrell, 1703 N. Bear Gulch Lane, Pueblo West, CO 81007
Roshana Manji, 1330 Highland Lake Dr., Lawrenceville, GA 30045
Reuben Martinez, 9855 E. 112th Way, Henderson, CO 80640
Dwain and Helen Maxwell, 1123 N. Kirkwood Dr., Pueblo West, CO 81007
William Richard McGranahan, 3111 Diamond Knot Circle, Tampa, FL 33607
Lisa Roy, 1037 E. Blackstone Dr., Pueblo West, CO 81007
Angela Callow Mosher, 320 W. 50th St., Loveland, CO 80538
Carol Napier-Zautcke, P.O. Box 206, Cascade, CO 80809-0206
Ngung Nguyen, 3528 Delano Ct., Pueblo, CO 81005
Chase Nichols, 6578 S. Ackire St., Apt. 1638, Littleton, CO 80127
Robert and Heather Smith, 1067 Bronco Lane, Pueblo West, CO 81007
Ruben Padilla, 16473 Dawnlight Dr., Fenton, MI 48430
Matthew and Kindle Clem, 1797 N. Bat Masterson Lane, Pueblo West, CO 81007
Estrella Prado, 14360 Aztec St., Sylmar, CA 91342-5104

Pueblo West Metropolitan District, 109 E. Industrial Blvd., Pueblo West, CO 81007-1404
 Thomas and Beatriz Quintana, 6123 High Noon Ave., Colorado Springs, CO 80923
 Alexy Rafael, 20426 S. Vermont Ave., Unit 74, Torrance, CA 90502
 Real Corp., 1168 S. Montclair Dr., Pueblo West, CO 81007
 David and Diane Reiter, 10200 Casey Lane, Parker, CO 80138
 George Repollo, 66-834 Wanini St., Waialua, HI 96791
 Elijah Romero, 1043 E. Marengo Dr., Pueblo West, CO 81007
 Ronald and Susan Olivia Chmiel, Trust, 501 West Colombine Ave., Woodland Park, CO 80863
 Mo and Carole Salman, 1143 Lawrence Dr., Ft. Collins, CO 80521
 Evelyn and Paul Schaden, 254 Calle De La Paloma, Fallbrook, CA 92028
 Kurt and Robin Schroeder, 587 N. Canvas Dr., Pueblo West, CO 81007
 Mary Ann Michelle Smith, 5930 Sutter Ave., Apt. 106, Carmichael, CA 95608
 Roger Smuczerowicz, 18044 S. Highland Ave., Tinley Park, IL 60477-4271
 Jay Furney, 6033 State Highway 78, Pueblo, CO 81005
 Heather Snyder, 703 N. Canvas Dr., Pueblo West, CO 81007
 William and Mary Spencer, 1586 Kamohoalii St., Honolulu, HI 96819
 Dennis and Bonnie Staack, 1714 Overton Dr., Castle Rock, CO 80109
 Sean and Michelle Stewart, 1191 N. Kirkwood Dr., Pueblo West, CO 81007
 Becky Swick, 3832 Devonshire Lane, Pueblo, CO 81005
 Darrel Tano, 46-039 Heeiea St., Kaneohe, HI 96744
 Charles and Patricia Thornton, 607 N. Canvas Dr., Pueblo West, CO 81007
 Matthew Tillman, 717 N. Canvas Dr., Pueblo West, CO 81007
 Adam and Candy Underhill Smith, 1097 N. Kirkwood Dr., Pueblo West, CO 81007
 Eloveda Velasquez, 1115 E. Ivanhoe Dr., Pueblo West, CO 81007
 Herbert Walsh, 1131 N. Kirkwood Dr., Pueblo West, CO 81007
 Paul and Pamela Williams, 1081 N. Kirkwood Dr., Pueblo West, CO 81007
 Steven Wilson, 1090 E. Linda Ave., Pueblo West, CO 81007
 Carolyn Zaggy, 10770 Roedel Rd., Frankenmuth, MI 48734-9130
 Betty Zoph, 2107 Gabriel Ave., Zion, IL 60099-2220
 Miguel Galaviz-Acosta, 3360 Springnite Dr., Colorado Springs, CO 80916-3512
 Pierre and Saturnina DeChabert, 6501 Young Hollow Rd., Fountain, CO 80817
 Jason and Erica Essig, 5450 Pronghorn Rd., Fountain, CO 80817
 Gaspar and Lorna Idolor, 400 Blossom Field Rd., Fountain, CO 80817
 Hamid Keshmiri, 400 Santa Fe Dr., Pueblo, CO 81006
 Andy and Clyde Manzanares & Madrid, 1636 Kensington Dr., Colorado Springs, CO 80906-5616
 Cynthia Surniak, 27252 Barbarosa St., Bonita Springs, FL 34135-4346
 Ross Osvold, 1146 E. Spaulding Ave., Pueblo West, CO 81007
 Thomas Stevens, 5541 Pronghorn Rd., Fountain, CO 80817
 Gary Walker, 7170 Turkey Creek Ranch Rd., Pueblo, CO 81007-1282
 Laurie Cozzetto, Manager, Pueblo West Metropolitan District, 109 E. Industrial Blvd., Pueblo West, CO 81007
 Darrin Tangeman, District Manager, Pueblo West Metropolitan District, 109 E. Industrial Blvd., Pueblo West, CO 81007
 Dan Centa, Director, Pueblo West Public Works Department, 280 E. McCulloch Blvd., Pueblo West, CO 81007
 Tom Mullans, Mullans Piersel and Reed, PC, 1311 N. Greenwood St., Pueblo, CO 81003
 Harley Gifford, General Counsel, Pueblo West Metropolitan District, 109 E. Industrial Blvd., Pueblo West, CO 81007
 Alf Randall, Director, Department of Engineering and Public Works, 33601 United Avenue, Pueblo, CO 81001
 Ken Williams, Associate Director, Pueblo City-County Health Department, Environmental Health Division, 101 West 9th Street, Pueblo, CO 81003

United States Department of the Interior, Bureau of Land Management, District Manager, 3028
East Main Street, Canon City, CO 81212-2731
Marci Day, Assistant County Attorney, County Attorney's Office, 215 West 10th Street, Room
312, Pueblo, CO 81003

It is further certified that Legal Notice be published as required in the Pueblo County Code, Title
17, and given as evidence by Publisher's Certification retained and preserved in the office of
the Zoning Administrator.



Zoning Administrator



Board of Pueblo County Commissioners
Pueblo County Courthouse
215 W. 10th Street
Pueblo, Colorado 81003

RE: Public Hearing on SDS Reclamation and Revegetation

Dear County Commissioners:

Colorado Springs Utilities, on behalf of itself and its partners in the Southern Delivery System (SDS), hereby submits the attached Revegetation Compliance Summary Notebook (Notebook) in conjunction with the September 25, 2015 public hearing on Condition of Approval No. 22 (Reclamation of Disturbed Lands) and Condition of Approval No. 28, Mitigation Appendix C-9 (Site Restoration) of the Pueblo County 1041 permit for the SDS Project. The Notebook contains an Executive Summary, a Technical Section and a Public Communications section. The Notebook is intended to be a part of the administrative record for the hearing.

Based upon the documentation provided herein, Colorado Springs Utilities requests that at the conclusion of the hearing, and upon consideration of the entire record before it, the Board of County Commissioners enter a finding of compliance by the SDS project with the reclamation and revegetation conditions of the SDS 1041 permit and approve the release of the bonds posted by Colorado Springs Utilities for segments S1, S2, and S3 of the project as located in Pueblo County.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Pifher", is written over a horizontal line.

Mark Pifher
Permitting and Compliance Manager

121 South Tejon Street, Third Floor
P.O. Box 1103, Mail Code 930
Colorado Springs, CO 80947-0930
<http://www.sdswater.org>

Exhibit 3
(page 1 of 9)



Pueblo County Revegetation Compliance Notebook S1, S2 and S3 Work Packages

Notebook Executive Summary

Technical Section

Tab 1 – Permit Vegetation Requirements, Revegetation Bonds and Comparison Documentation

- Pueblo County 1041 Permit (2008-002) Exerpts
- Pueblo County Revegetation Bonds (S1, S2 and S3)
- SDS Work Package S1, S2 and S3 Revegetation Timelines
- Pre-Construction Vegetation and Post-Construction Vegetation Comparison Examples
- Western States Reclamation Inc., Technical Proposal for Segments S2 and S3

Tab 2 – Measurements of Pre-existing Vegetation Cover for Pueblo County Work Packages S1, S2, and S3 CNHP Report (November 2011)

Tab 3 – Pueblo County Revegetation Cover Establishment Protocol for the Southern Delivery System Pipeline Project - CNHP Technical Memorandum (January 30, 2014)

Tab 4 – SDS Construction Phase Completion Letter to Pueblo County (Pueblo County 1041 Permit No. 2008-002 Compliance for SDS Mitigations Appendix Conditions C-1 through C-22, SE-1, CR-1 through CR-11, and General Conditions 13 and 20) – Dated July 28, 2015

Tab 5 – Revegetation Waivers and Area Reductions

- SDS Work Package S2 Temporary License and Trail Construction Agreement Between PWMD and City of Colorado Springs (April 6, 2012)
- Dees Waiver – 623 N Canvas Drive (S2)
- Casey Waiver - 353 N. Escambria Drive (S2)
- Galaviz Acosta – 6963 Young Hollow Road (S3)
- Walsh Email Correspondence – 1131 N. Kirkwood Drive (S2)

Tab 6 – Post-Restoration Seedling Density Reports – CNHP (October 2013)

- Measurements of Post-restoration Seedling Density for Pueblo County Work Package S1
- Measurements of Post-restoration Seedling Density for Pueblo County Work Package S2
- Measurements of Post-restoration Seedling Density for Pueblo County Work Package S3-12
- Measurements of Post-restoration Seedling Density for Pueblo County Work Package S3-13

Tab 7 – Post-Restoration Vegetation Cover Reports – CNHP (October 2013)

- Measurements of Post-restoration Vegetation Cover for Pueblo County Work Package S1
- Measurements of Post-restoration Vegetation Cover for Pueblo County Work Package S2
- Measurements of Post-restoration Vegetation Cover for Pueblo County Work Package S3-12
- Measurements of Post-restoration Vegetation Cover for Pueblo County Work Package S3-13

Tab 8 – Restored Vegetation Cover Monitoring Reports – CNHP (September 2014)

- Restored Vegetation Cover Monitoring – Work Segment S1
- Restored Vegetation Cover Monitoring – Work Segment S2
- Restored Vegetation Cover Monitoring – Work Segment S3-12
- Restored Vegetation Cover Monitoring – Work Segment S3-13N
- Restored Vegetation Cover Monitoring – Work Segment S3-13S



Tab 9 – Review of Revegetation in SDS Segment S3-13N – CNHP Technical Memorandum (July 10, 2015)

Tab 9 – Restored Vegetation Cover Monitoring – Work Segment S3 (September, 2015)

Tab 10 – Keammerer Ecological Consultants, Inc. Completion Reports

- Review Of: Colorado Springs Utilities Southern Delivery System, Restored Vegetation Cover Monitoring – WORK SEGMENT S1 (March, 2015)
- Review Of: Colorado Springs Utilities Southern Delivery System, Restored Vegetation Cover Monitoring – WORK SEGMENT S2 (March, 2015)

Tab 11 – S1 Agency Revegetation Completion Acceptance Documentation

- Lake Pueblo SDS Pipeline Easement Photo Monitoring Guide – Colorado Parks & Wildlife (June 2015)
- S1 Agency Revegetation Acceptance Emails (State Parks, BOR, City of Pueblo)

Tab 12 – Noxious Weed Control Documentation Example (July 28, 2015)

Public Communication Section

Tab 1 – Pre-Construction Communications

- Sample of pre-existing condition assessment invitation, acceptance letter and sample disc containing video and photos
- SDS What To Expect Brochure

Tab 2 – Post-Construction Communications

- Grade acceptance memo to outline process
- Sample of reveg license agreement packets: What to Expect Brochure, MOA example and 3 annual agreement examples

Tab 3 – Revegetation-Phase Communications

- Samples of yearly revegetation-related newsletters and letters to property owners
- Sample of Revegetation care guide

Tab 4 – Post-Revegetation Communications

- Irrigation lateral and fence removal resident communication examples
- 2015 land owner communication follow-up log



**Revegetation Compliance Summary Notebook for
Southern Delivery System (SDS) 1041 Permit 2008-002
Pueblo County Work Packages S1, S2 and S3**

Executive Summary

The information contained herein is provided as an aid in documenting the reclamation and revegetation efforts conducted by the SDS Program on the SDS construction work package alignments S1, S2 and S3 through Pueblo County in compliance with Pueblo County Resolution No. P&D 09-22, Condition of Approval No. 22 (Reclamation of Disturbed Lands) and Condition of Approval No. 28, Mitigation Appendix C-9 (Site Restoration).

This document is divided into two sections, a Technical Section and a Public Communications Section. The technical section serves to document the requirements of the permit and the scientific evaluations used to demonstrate compliance with the permit requirements for reclamation of disturbed land. The public communications section serves to document the public communications and outreach conducted by the SDS Program Team during the reclamation and revegetation phases in an effort to keep property owners informed and engaged in accordance with Condition of Approval No. 28, Mitigation Appendix C-10 (Public Communications).

Technical Section Overview

Condition of Approval 22 states: "Upon reclamation of the site, the vegetation cover shall be of the same seasonal variety native to the area of the disturbed land, or a reasonable substitute pursuant to the agreement with the landowner. The revegetated area will be considered acceptable if its cover will be not less than 90 percent of the pre-construction vegetation cover with similar species diversity."

Condition of Approval 28, Mitigation Appendix C-9 states: "Applicant shall provide Pueblo County residents with replacement vegetation and property to match pre-construction conditions or better."

In order to comply with the above conditions, the SDS Program retained the Colorado Natural Heritage Program (CNHP) as a third-party vegetation expert to assist in the independent evaluation of the revegetation efforts along the SDS pipeline alignment. CNHP's tasks included the following:

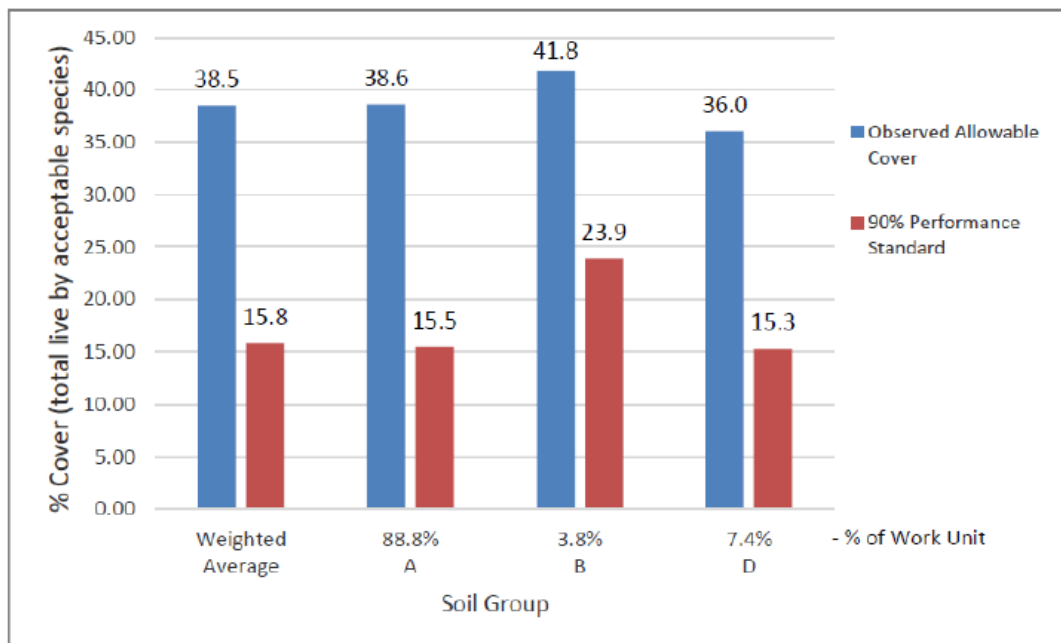
- Conducting measurements of pre-existing vegetation cover prior to start of construction activities
- Developing a revegetation cover establishment protocol outlining the procedures necessary to document compliance with the 1041 revegetation requirements
- Assisting with the selection of native seed mixes to be included in contractor specifications
- Monitoring revegetation progress periodically and providing advisement on recommended irrigation rates
- Conducting measurements of post-restoration seedling density in each work package following the first growing season after planting
- Conducting measurements of post-restoration vegetation cover within each work package in accordance with the developed revegetation cover establishment protocol to scientifically confirm that the restoration of vegetation to at least 90 percent of the pre-construction vegetation cover with similar species diversity had been achieved.

The technical section of this document includes the technical reports, documents and findings necessary to verify compliance with Condition of Approval No. 22 and Condition of Approval No. 28, Mitigation Appendix C-9, including concurrence reports provided by Pueblo County's independent third-party expert, Keammerer Ecological Consultants, Inc.

The following excerpts are taken from CNHP's September 2014 Restored Vegetation Cover Monitoring reports for SDS construction work packages S1 and S2:

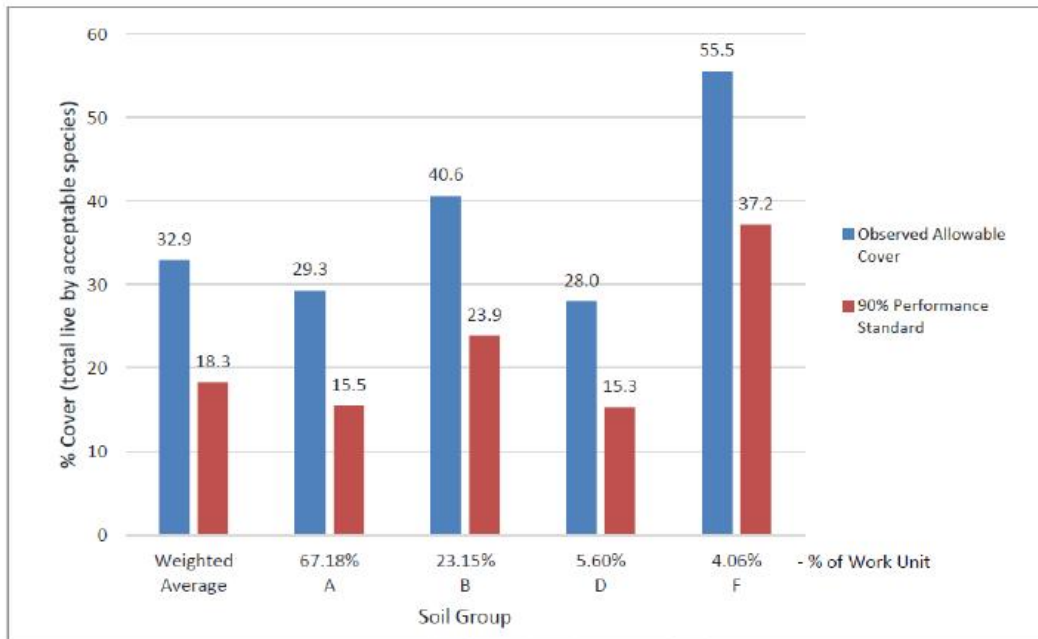
S1 (Pueblo Dam State Park to Pueblo West) – "In all soil groups, post-construction vegetation cover exceeded the 90% revegetation performance standards (see Table below). As an area weighted average, revegetation cover within the S1 work segment is 38.5% and exceeded the 90% performance standard (15.8%) by 22.7%."

"The results of revegetation monitoring on S1 support the conclusion that the restored vegetation exceeds the 90% performance standard and that the currently observable positive revegetation trends will continue. That the cover by acceptable species after two growing seasons is over 60% greater than pre-existing cover suggests that, barring unforeseen events, the re-established vegetation will be persistent for years to come."



S2 (Pueblo West) – “In all soil groups, post-construction vegetation cover exceeded the 90% revegetation performance standards. As an area weighted average, revegetation cover within the S2 work segment is 32.9% and exceeded the 90% performance standard (18.3%) by 14.6%.”

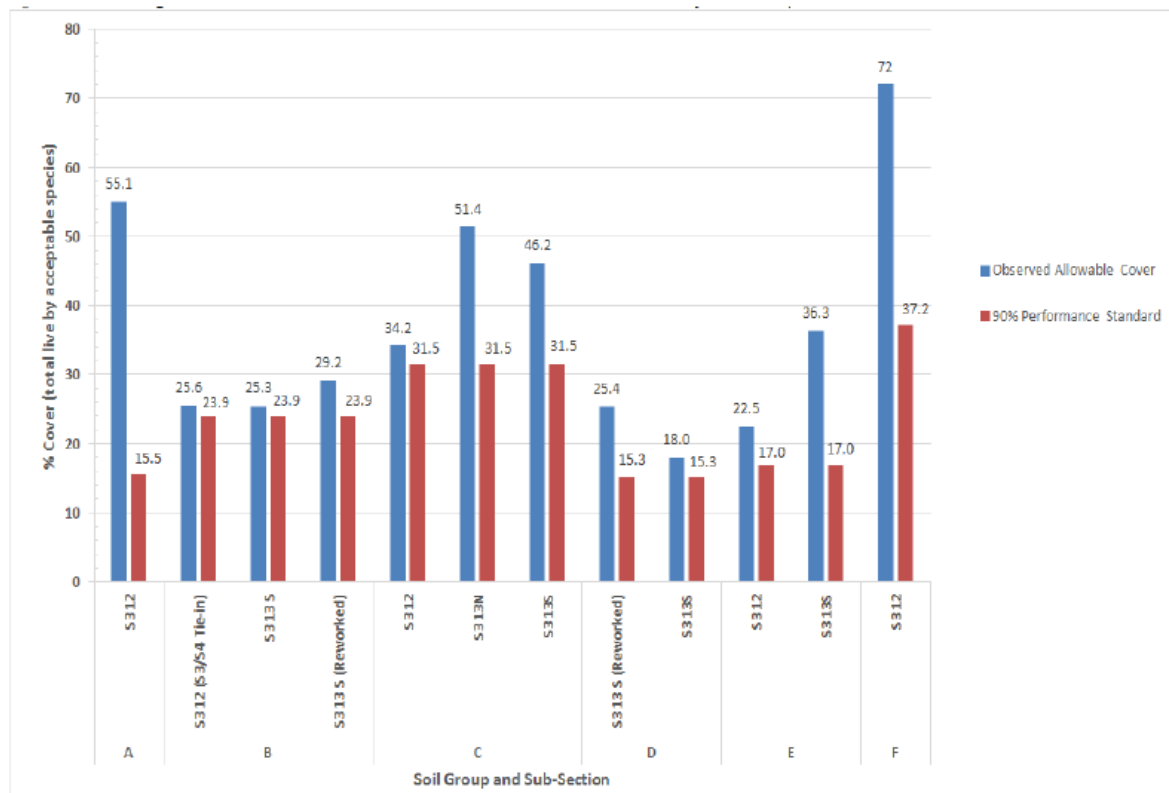
“The results of revegetation monitoring on S2 support the conclusion that the restored vegetation exceeds the 90% performance standard and that the currently observable positive revegetation trends will continue. That the cover by acceptable species after two growing seasons is over 60% greater than pre-existing cover suggests that, barring unforeseen events, the re-established vegetation will be persistent for years to come.”



According to CNHP's September 2015 Overall Review of Revegetation on SDS Segment S3 memorandum report for the S3 work package:

S3 (Walker Ranches and Midway Ranches to El Paso County Line) – "A total of 116 transects were sampled in the segment S3 area during the post-construction surveys in August 2014, June 2015, and August 2015. Samples collected in 2015 were limited to the isolated areas where vegetation cover in 2014 was not yet ready to satisfy the 90% standard. Data from 2014 provides a conservative assessment of current vegetation cover over the entire area since increases in cover in the 2015 growing season is unaccounted for in the 2014 data."

"In all soil groups, revegetation cover by acceptable species has exceeded the 90% revegetation performance standards. Using the data from 2014 and 2015 surveys, vegetation cover within all areas of the S3 work segment exceeds the 90% performance standard."





Noxious Weed Control

As a part of the reclamation activities conducted by the SDS Program, monitoring and treatment of noxious weeds have been performed in accordance with the vegetation section of the U.S. Bureau of Reclamation's Record of Decision (ROD Reference No. GP-2009-01) and Pueblo County Resolution No. P&D 09-22, Condition of Approval No. 28, Mitigation Appendix C-16 (Noxious Weed Control). Mitigation Appendix C-16 states, "Applicant shall control spread of noxious weeds resulting from project construction" and requires the implementation of an eradication program for existing Class A and B noxious weed species within the project limits. No Class A noxious weed species or populations were identified within the SDS project limits prior to construction or during the reclamation activities. Prior to construction, identified Class B noxious weed populations (e.g., Salt Cedar) were eradicated and monitoring for the recurrence of noxious weed species within the construction work limits was conducted for three years following completion of the construction activities. These activities included, at the request of U.S. Bureau of Reclamation, treatments to control the spread of identified Class C noxious weed populations (e.g., Halogeton) in addition to the identified Class B species.

Public Communications Section Overview

Restoration of native grasses in the areas disturbed by construction of the SDS pipeline has been a collaborative process, involving Pueblo County residents and property owners at every step. The following is a summary of key steps taken during the restoration process to involve residents and land owners:

Pre-Existing Condition Assessments: Prior to commencement with the SDS pipeline construction activities, land owners along the construction alignment were invited to attend pre-existing condition assessments of their properties as required under Construction Conditions C-5 and C-9 of the SDS 1041 permit. These assessments included both photographic and video recordings of the pre-existing vegetative condition prior to any land disturbance. Copies of the photographic and video recordings of the pre-existing condition assessment were provided to each property owner for review and acceptance. A copy was additionally provided to Pueblo County to be used as indisputable evidence in ascertaining whether and to what extent damage occurred as a result of the SDS operations in accordance with Project Detail 4 of Construction Condition C-5. Examples of these property owner communications are provided in Tab 1 of the Public Communications section of this notebook.

Revegetation License Agreements: After the SDS pipeline was installed, property owners along the construction alignment were invited to enter into Revegetation License Agreements, which provided them with compensation in exchange for access to enable workers to maintain restoration areas. All but a handful of property owners signed agreements for all three years and received compensation; two residents preferred to receive no payment but permitted access through verbal agreement; and a few residents have waived further work over the years because they wished to graze livestock or use the land in other ways. Examples of the property owner revegetation license agreement communications are provided in Tab 2 of the Public Communications section of this notebook.

Mailings: Letters have been sent each spring and fall, providing timely updates on planned activities; newsletters containing updates and helpful tips have been mailed to those residents and to neighbors within 1,000 feet of the SDS alignment; and property owners have received two guides tailored to the local climate and vegetation needs, "What to Expect During Revegetation" and a "Revegetation Care



Guide.” Examples of these communication efforts are provided in Tabs 3 and 4 of the Public Communications section of this notebook.

Direct Involvement: During the three-year revegetation process, property owners have collaborated with the SDS team on placement of the irrigation systems necessary to further the success of the grasses and placement/removal of fencing that was necessary to protect the restoration area and their property. These and other steps have helped ensure that property owners are satisfied with the restoration activities.

Staff Liaisons: During construction and restoration, two SDS staff have been dedicated to communicating by mail, telephone and in person with property owners; the SDS Hotline continues to be used by property owners and neighbors to ask questions and stay in touch.

SUMMARY OF THE STATUS OF VEGETATION COVER
PERFORMANCE STANDARDS FOR THE SDS WATERLINE ROUTE

September 2015

Prepared by Warren Keammerer

Since the completion of the CSU-SDS water pipeline in Pueblo County, several different evaluations have been conducted to determine if the 90% vegetation standard has been attained. In order to meet the vegetation cover standard, the current vegetation cover on the reclaimed areas has to be equal to or greater than 90% of the cover values that were measured in the pre-construction vegetation study conducted in 2011. Comparisons of pre- and post-construction cover values have been made separately for each of the three divisions of the pipeline route in Pueblo County: S1, S2 and S3. Within each of these divisions, comparisons were made based on the different soil groups that occurred along the ROW. Most of the vegetation sampling work has been completed by CSU vegetation consultants (Colorado Natural Heritage Program and ESCO Associates). Sampling work and qualitative observations have also been done by Warren Keammerer (WK) working as a consultant to Pueblo County Department of Planning and Development.

In the Summary Table that follows, the status of attainment of the vegetation cover standard is presented along with a reference to where the data supporting the conclusions are included. The sources are listed below:

For the S1 Section	CSU 2014: "Restored Vegetation Cover Monitoring - Work Segment S1." Report Submitted to Pueblo County September, 2014.
For the S2 Section	CSU 2014: "Restored Vegetation Cover Monitoring - Work Segment S2." Report Submitted to Pueblo County September, 2014.
	WK 2015: Qualitative observations made during site Inspection of the S2 Segment. Sept, 2015.

Evaluations for the S3 Section have been divided into three separate parts: 1) Walker Ranch Property, 2) portions located north of Antelope Road and 3) the Staging Area located south of Antelope Road. Sampling work and observations have been conducted in both 2014 and 2015.

For the S3 Section Walker Ranch	CSU 2014: "Restored Vegetation Cover Monitoring - Work Segment S3-13S." Report Submitted to Pueblo County September, 2014.
	CSU 2015: Results of sampling in the Stoneham/ Cascajo soil group. Personal communication David Buckner, ESCO Associates.
	WK 2015: Qualitative observations made during site Inspection of the S3 Segment. Sept, 2015.

For the S3 Section
North of Antelope Road

CSU 2014: "Restored Vegetation Cover Monitoring -
Work Segment S3-12." Report Submitted
to Pueblo County September, 2014.

For the S3 Section
Staging Area

CSU 2015: "MEMO - Review of Revegetation in SDS
Segment S3-13N." Memo Submitted
to Pueblo County July, 2015.

WK 2015: Qualitative observations made during site
Inspection of the Staging Area. July 2015.

While the CSU-SDS personnel divided the S3 Segment into three different sub-segments, the work conducted by Warren Keammerer focused on the S3 Segment as a single sampling unit. Conclusions for the entire S3 Segment are based on sampling work conducted in 2014 and reported in 2015.

The summary table (below) shows that the cover performance standards were not met in two of the soil types in the sub-segment of S3 located north of Antelope Road. The short section of Limon and Heldt soils (Group B) is located at the far north end of the ROW adjacent to the Pueblo County Line. This area was apparently seeded in spring 2014 and has not yet developed enough vegetation cover to meet the standard for this soil group. Some sampling work was done in this area by ESCO Associates in 2015, but based on an informal conversation with David Buckner, the standard is still not being met. Overall, this short section of the ROW covers approximately 1-2 acres. I checked this area in early September and while there has been some establishment of seeded species, the area is mostly dominated by introduced annual weedy species. The conclusion for this area should be that the standard is not being met.

The other soil group where the data suggest that the cover performance standard has not been met is the Stoneham and Cascajo type (Group C) in the areas located north of Antelope Road. This type was sampled by CSU consultants in 2014 and the data suggested that the cover standard was almost being met (29.8% cover by acceptable species vs. the cover standard of 31.5%). This difference of 1.7% is the basis for the conclusion that the standard was not being met. Data collected by Warren Keammerer in 2014 showed that when taken as a whole for the entire S3 Segment, the standard for the Group C soils was being met. In 2015 the CSU consultants re-sampled the Stoneham and Cascajo soils in the Staging Area (Segment S3-13N) and at the north end of the Walker Ranch and showed improved vegetation cover in both of these areas. (29.8% cover in 2014 vs. 49.8% cover in 2015 for the Staging Area). Even though the Stoneham and Cascajo soil group areas north of Antelope were not re-sampled in 2015, the other data collected for this group suggest that the standard is being met. Also, my qualitative observations in this area in September 2015 suggest that the standard is being met.

The summary table (below) does not include areas that were repaired in the fall of 2014. These areas are located at various sites along the Walker Ranch portion of the S3 Segment. No data for these areas have been submitted to Pueblo County and it should be assumed that the cover performance standards have not been met. A map showing the location and extent of the repaired areas would be useful.

Soil Group	S1 Section	S2 Section	S3 Section Walker Ranch	S3 Section North of Antelope Road	S3 Section Staging Area	S3 Section Entire Length
Group A Soils - Penrose, Manvel and Minnequa	Cover Standard Met (CSU 2014)	Cover Standard Met (CSU 2014; WK 2015)	Not Applicable (This soil group was not mapped along the S3 Section on the Walker Ranch)	Cover Standard Met (CSU 2014)	Not Applicable (This soil group does not occur in the S3 Section Staging Area)	Cover Standard Met (WK 2014)
Group B Soils - Limon and Heldt	Cover Standard Met (CSU 2014)	Cover Standard Met (CSU 2014; WK 2015)	Cover Standard Met (CSU 2014)	Cover Standard Not Met (CSU 2014)	Not Applicable (This soil group does not occur in the S3 Section Staging Area)	Cover Standard Met (WK 2014)
Group C Soils - Stoneham and Cascajo	Not Applicable (This soil group does not occur along the S1 Section)	Not Applicable (This soil group does not occur along the S2 Section)	Cover Standard Met (CSU 2015; WK 2015)	Cover Standard Not Met (CSU 2014)	Cover Standard Met (CSU 2015; WK 2015)	Cover Standard Met (WK 2014)
Group D Soils - Midway - Shale Complex; Shingle Series	Cover Standard Met (CSU 2014)	Cover Standard Met (CSU 2014; WK 2015)	Cover Standard Met (CSU 2014)	Not Applicable (This soil group does not occur along this portion of the S3 Section)	Not Applicable (This soil group does not occur in the S3 Section Staging Area)	Cover Standard Met (WK 2014)
Group E Soils -Razor Series	Not Applicable (This soil group does not occur along the S1 Section)	Not Applicable (This soil group does not occur along the S2 Section)	Cover Standard Met (CSU 2014)	Cover Standard Met (CSU 2014)	Not Applicable (This soil group does not occur in the S3 Section Staging Area)	Cover Standard Met (WK 2014)
Group F Soils - Haverson Series; Ustic Torriorthents	Not Applicable (This soil group does not occur along the S1 Section)	Cover Standard Met (CSU 2014; WK 2015)	Not Applicable (This soil group was not mapped along the S3 Section on the Walker Ranch)	Cover Standard Met (CSU 2014)	Not Applicable (This soil group does not occur in the S3 Section Staging Area)	Cover Standard Met (WK 2014)