



FOUNTAIN CREEK WATERSHED

Flood Control And Greenway District

Fountain Creek Watershed, Flood Control and Greenway District

Technical Advisory Committee

Meeting Minutes

Wednesday, April 6, 2022 – 1:00 PM

1. Call to Order, Introductions, and Establishment of a Quorum: The meeting was held via a Zoom video conference call. A quorum was established, and the meeting was called to order at 1:03 p.m.

Committee Members in Attendance

Andra Ahrens	City of Pueblo, Water Quality
Annie Berlemann	Colorado Springs Utilities, Watershed Planning
Brian Mihlbachler	USAF Academy
Dominga Jimenez-Garcia	Pueblo County, Public Works
Johnathan Moore	Fountain Sanitation District
Joshua Carpenter	USACE, Albuquerque District
Jason Meyer	El Paso County, Parks
Laura Hempel	USGS
Mark Shea	Colorado Springs Utilities, Watershed Planning
Terry Hart	District Citizen's Advisory Group

Others in Attendance:

Allison Schuch	Interim FCWFCGD Watershed Executive Director
Andrew Rippe	Pueblo County, Public Works/Stormwater
Ann Warner	PPACG
Carly Campbell	Colorado Springs Utilities
Ian Patton	WWE
Jason Messamer	Colorado Springs Utilities
Kevin Binkley	Colorado Springs Utilities, W&WW Programs and Projects
Lucy Harrington	GEI Consultants
Tom Smrdel	SWCA Consultants
Melinda Norris	Citizen
Tanis Manseau	Pueblo Public Works

2. Approve Agenda: A motion was made by Terry Hart to approve the agenda as presented, seconded by Andra Ahrens, and approved by unanimous vote.
3. Approve Minutes of the March 2, 2022, Meetings: A motion to approve the meeting minutes was made by Dominga, seconded by Terry Hart, and approved by unanimous vote.

4. TAC Member Comments:

- a. Laura encouraged engagement in chat or speaking.
- b. El Paso County Parks is updating the Master Plan, expect a draft in May.

5. Public Comments:

- a. None.

6. Presentations:

- a. In Lieu Fee and Mitigation Banking Potential on Fountain Creek – Lucy Harrington, GEI Consultants
 - Framework for how to develop a program, which includes: Planning with agencies, approval, implementation, and compliance then administration.
 - Introduction to Funds in Savings including fund collection and fund growth.
 - In lieu fee program offset for regulatory and is market based.
 - Key Message: Solid money and program management, variety of funding sources, enforcement of regulation requirements.
- b. Discussion – Should the District explore In Lieu Fees? Lots of development in El Paso County, which increases opportunity in the area. Other agencies from Federal to State are beginning to develop In Lieu Fees (ILF). Fish and Wildlife and CPW are working to develop a program. The National Forest Foundation just got approved for an ILF. These are emerging markets and underdeveloped. District can reference Mile High Flood District for examples. Generally, Lucy recommends a feasibility study. ILF must be not for profit.
 - 1) Needs of the watershed, scale and type of projects which determine impacts and in lieu fees.
 - 2) Hagiarchy – banks are preferred over in lieu fee from regulatory perspective.
 - 3) Discussion on a feasibility study.
 - 4) TAC to review ILF and other documents for familiarity

7. Reports:

- a. District Board/Water Activity Enterprise Board/Project Updates: Alli Schuck reported that the District Board and Water Activity Enterprise Board met on March 22, 2022. Board discussed ED position and formed a committee to create a job description. Finance and Contract committees are forming. The Finance committee is evaluating employing a bookkeeping firm. Board passed a resolution on meeting noticing, simplifying where notice can be posted. A small tour of District projects for new board members was given. The Board would like to continue with the Zoom virtual format for now. Strategic planning committee is convening to plan for bond or mill levee. Project Updates: Phase one of Pueblo Levee is underway. Letter project at confluence park in Pueblo. MMF will have Eagleridge project update. Looking at Grants for Eagleridge and E. coli and trails. Outreach: GAC Saturday April 30th. Liquid Lecture on April 20th at Storybook Brewery at 6 pm. Brewshed needs ambassadors for that program.
- b. Citizens Advisory Group: Terry Hart reported that the CAG met March 8, 2022. Presentation of Green Infrastructure manual from Erin Powers, and Presentation on Native Plants and Pollinators from David Woolley. Discussion on grant opportunities from Healthy Rivers, Next meeting is this Friday April 8th.
- c. Monetary Mitigation Fund Advisory Committee: Alli Schuch reported that the MMFAC met on March 20, 2022. Update from Matrix on grants, which started at 40 available grants and narrowed down to five. Discussion on *E. coli* demonstration project and developed a subcommittee. Discussion of 2023 CIP.

- d. AFCURE: Andra Ahrens reported that AFCURE met on April 5, 2022. AFCURE discussed Nutrient Model and how to develop the habitat portion, then brainstorming upcoming regulatory issues. There are two bills AFCURE is tracking, which include anti-degradation and PFAS. The anti-degradation bill was brought forward from NGOs to influence the WQCC decision and rule setting.

8. New Business:

- a. Continued discussion on In Lieu Fee and feasibility study. Lucy Harrington will send a preliminary feasibility cost analysis.

9. Old Business:

- a. Review proposed TAC meeting topics
- b. Review TAC Fact Sheet
- c. Identify recommendations regarding the District Land Use Application
 - i. How should small projects be accommodated?
 - ii. Implement the early assistance meeting option?
 - iii. Could the TAC provide guidance on the type of project that meets the threshold for a Land Use Application?
 - iv. Streamline notifications (e-mail instead of written communication)
- d. Sub-committee for technical review on engineering projects (how to form and structure)

10. Future Business

- a. May presentation
 - i. Continued discussion of mitigation banking and in-lieu fees.
- b. Discussion of meeting in person or continue with Zoom – TAC decided to continue to meet on Zoom but develop in-person opportunities.

11. Set Date, Time, and Location of Next Meeting: The next District TAC meeting will be held via Zoom video call on or in-person at the Fountain Creek Nature Center Wednesday, May 4, 2022, at 1:00 pm.

12. Adjourn: The meeting adjourned at 2:54 pm with a motion by Terry Hart, seconded by Andra Ahrens, the motion passed unanimously.