

Appendix J

Fountain Creek Watershed Plan Public Questions, Comments and Responses Public Comment Period: September 11-October 8, 2003

This document contains a summary of public comments and questions made during the public comment period from September 11 through October 8 for the Fountain Creek Watershed Plan. This document does not attempt to respond to each comment individually; rather, summaries of similar comments are provided and responses given.

All comments were made during the two public meetings, at PPACG's committee meetings or by mail. The two public meetings held for comments were:

- September 24, 2003, Colorado Springs Academy Room, Number in Attendance: 4
- September 29, 2003, Pueblo Probationary Department, Number in Attendance: 16

1. Under Detention, Part 6.2.2.1, where it is stated that there are no specific Federal or State laws or regulations mandating stormwater detention, three precedential laws regulating stormwater runoff exist.

Response: This Plan references only existing laws and regulations that specifically discuss stormwater detention. Any laws and regulations that are subject to a legal interpretation to determine their applicability in mandating stormwater detention are not discussed.

2. Under Policy Strategies, Part 6.2.3, flow bulking should be included as a watershed concern that is not addressed by existing policies.

Response: A bullet was added under Part 6.2.3 entitled "Flow Bulking". The following language was included: "Currently there is no ordinance specifically related to flow bulking. Flow bulking refers to the quantity and size of sediment and may affect the hydrologic analysis of the drainage basin. Bulking transported by storm runoff may significantly increase the volume of flow, affect flow characteristics and can be a major characteristic in the hydraulic design of drainage structures. Bulking factors are typically used in determining design for facilities that are located within mountainous regions subject to fire and subsequent soil erosion".

3. Under Part 6.2.3, Policy Strategies, an inventory should be completed of which structures have not been installed at all, which structures were not installed properly, which are not functioning or have failed entirely, and which drainage basins do not have Drainage Basin Planning Studies.

Response: Included in the Conclusions, Recommendations and Implementation Strategies Section on page 7-3 is a recommendation to develop a prioritized list of critical areas in the Fountain Creek Watershed that have been identified as having erosion, sedimentation and flooding problems. This has also been identified as a component of the Army Corps of Engineers Watershed Study. Solutions will be recommended to mitigate existing and/or avoid future damage. Due to changes in individual drainage basins and information that supersedes the recommendations contained in some of the Drainage Basin Planning Studies, it would be difficult to determine the adequacy of existing and historically proposed structures.

4. The Bibliography is incomplete. Omitted are most “Drainage Basin Planning Study” documents. The Bibliography on pages 9-1 through 9-11 lists only 3 out of the 26 Drainage Basin Planning Studies that were completed in the City of Colorado Springs and only 8 out of the 31 Basins that have been studied in El Paso County.

Response: The Drainage Basin Planning Studies conducted for the City of Colorado Springs and El Paso County were added to the Bibliography and are also mentioned in the appropriate section of the Fountain Creek Watershed Plan.

5. There were two mistakes in the Bibliography, under listings for 1) Ruddy, B.C. 1987 and 2) Miller, Robert Douglas, 1981.

Response: These mistakes have been corrected

6. There are three recent documents that should be included in the Bibliography that were developed as part of a court case that has not been resolved.

Response: Reports and information, not published, and developed for the purpose of litigation will not be included in the Bibliography. Until a judgment is rendered for this case, this information is still subject to legal interpretation.

7. How can we make cities/counties implement the recommendations contained in the Plan? It is important that this Plan be implemented.

Response: The Fountain Creek Watershed Plan is not regulatory but rather is intended to recommend solutions and strategies that municipalities, counties and other stakeholders can adopt. The endorsement of the Plan by the PPACG and PACOG Boards will help affirm the resources necessary to develop effective solutions. Upon approval by both Boards, PPACG and PACOG will also seek endorsement from each of their member governments in a joint resolution of support. PPACG staff will also be working with representatives from the local governments in implementing the recommendations contained in the Plan.

8. How will the Watershed Plan be integrated into the Army Corps of Engineers Watershed Study?

Response: The information contained in the Plan will be integrated into and serve as a foundation for the Army Corps of Engineers Watershed Study. This includes information on critical area identification, background data (population, geomorphology, flooding), GIS data and stream stability analysis.

9. How is the proposed Southern Delivery System (SDS) being incorporated into the Plan and Army Corps Watershed Study?

Response: A general description of the SDS is given in the Plan under Section 2.1.6, Municipal Water Supply Development. The Army Corps of Engineers is coordinating with the United States Bureau of Reclamation (Federal sponsor for the SDS) regarding the SDS and information such as the increase in return flows from the SDS is being included in the Watershed Study.

10. Some of the information listed in Section 2.11, Regulatory Programs is redundant with the information contained in Section 6.1, Summary of current State and Federal Regulatory Programs.

Response: Section 2.11 was deleted and all information not contained already in Section 6.1 was included in Section 6.1.

11. Population projections listed in Table 2-8, under Section 2.10, Population and Socioeconomic Characteristics, should be changed to be consistent with the text and reflect the population just within the watershed boundaries and not outside the watershed.

Response: Population projections for those cities and counties that are only partially within the watershed were adjusted to reflect the population residing within the boundaries of the watershed.

12. Information listed in Section 6.2.2.1, Common Policies, as being required by CRS needs to be changed to reflect different requirements for counties and municipalities; and some of the information listed as being required by CRS is only voluntary and not mandatory.

Response: Language in section 6.2.2.1 was changed, where applicable, to reflect different requirements for municipalities and counties regarding stormwater detention and design requirements. Language was also changed to reflect that the CRS, in some instances, gives a grant of authority and it is not a requirement by law.

13. Several comments noted that it was good to see so much cooperation between the municipalities and counties in the watershed and the importance in keeping it up.

Response: No response necessary.

14. How were the critical areas identified in the Plan determined and will these areas and any additional critical areas be investigated in the ACOE Watershed Study?

Response: The information contained in the Plan on critical areas was obtained from the technical representatives of the cities and counties, State and Federal agencies, and a review of available reports and studies. All of this information along with other information provided from members of the Technical Advisory Committee was sent to the ACOE.