

SOUTHERN DELIVERY SYSTEM | eNews
March 11, 2009

Pueblo County Announces 1041 Permit Conditions: The Pueblo Board of County Commissioners today announced its staff recommendations on conditions for the 1041 Land-Use Permit for the Southern Delivery System (SDS). The permit would be valid for the life of the SDS project, providing the participants are in compliance. The proposed conditions are posted on the Pueblo County Web site www.co.pueblo.co.us. If approved by Pueblo County, the Colorado Springs City Council would review and vote on the conditions in a public process. Pueblo County will accept public comment starting today through its hearing on March 18, 2009.

Details of the Public County 1041 Permit Conditions: Following is a high-level summary of the Pueblo County staff recommended conditions. Colorado Springs, acting in the capacity of project manager for SDS, would be required to:

Mitigation of Fountain Creek Impacts

Mitigate impacts to Fountain Creek from SDS by funding \$50 million to the new Fountain Creek Watershed, Flood Control and Greenway District (District) or similar entity for erosion, sedimentation, flood control or water quality improvement projects.

Payments would be made in five annual installments after water begins flowing through the SDS pipeline.

Of that total, Colorado Springs would pay \$300,000 in equal annual installments of \$100,000 each beginning July 1, 2009, to assist in the identification and prioritization of projects, and to fund a study or studies of opportunities for constructing flood control and sediment control facilities which may include the feasibility of a dam or dams on Fountain Creek or its tributaries in order to improve flood protection for the Fountain Creek Basin.

Colorado Springs Utilities to invest \$75 million in planned improvements to its wastewater collection system or reuse systems by Dec. 31, 2024 to protect against future spills, increase its opportunities for reuse, and mitigate possible water quality impacts from SDS.

Reduce sediment load in lower Fountain Creek prior to SDS construction by dredging and sediment-collection.

Stormwater Management

Maintain stormwater controls and other regulations intended to ensure that Fountain Creek peak flows resulting from new development served by the SDS project within the Fountain Creek basin are no greater than existing conditions. This requirement can only apply to Project Participants who have the legal authority to regulate in this manner.

Protection of the Arkansas River/Pueblo Reservoir

SDS participants would continue participation in the Pueblo Flow Management Program to protect Arkansas River flows below Pueblo Dam for recreation and the Arkansas River Corridor Legacy Project. Colorado Springs Utilities to work with the Pueblo Board of Water Works to outline how the two cities will maintain a storage pool in

Pueblo Reservoir to permit the release of water into the Arkansas River during times when the flow in the river could fall to dangerously low levels – at or below 50 cubic feet per second (cfs). Wait to begin construction at or near Pueblo Reservoir Dam until after the Bureau of Reclamation performs its dam-safety review and accepts the design construction plans.

Colorado Springs Utilities would voluntarily participate in developing a management plan for Pueblo Reservoir to protect reservoir levels and recreational opportunities on Pueblo Reservoir to the extent feasible, when and if the Southeastern Water Conservancy District, Reclamation and other affected parties agree to develop such a plan.

Other Water Users

Colorado Springs could elect to add SDS project participants if the entities are located in El Paso and Teller Counties within the Arkansas River Basin and agree to meet criteria outlined in the conditions.

Property Owners/Construction

Treat private property owners fairly, avoid creating financial burdens for property owners, and use power of eminent domain “only as a last resort” to acquire property and easements.

Mitigate construction impacts and restore disturbed lands.

Take “substantial steps” within 36 months to “construct the permitted development.”

Approval by Colorado Springs

The Colorado Springs City Council would be required to take formal action to recognize the permit conditions prior to Pueblo County's final issuance of a 1041 permit for SDS.

Colorado Springs to Review 1041 Permit Conditions: If Pueblo County approves the permit, the Colorado Springs City Council will conduct its own review in a public process before voting on acceptance of the conditions.

“The announcement of these conditions is a major step forward to obtaining a land use permit in Pueblo County,” said SDS Project Director John Fredell. “But now our community must carefully review these conditions.

Assuming that Pueblo County approves our 1041 Permit, we will be in a good position of having two very good alternatives to choose from – each with its own advantages and disadvantages. SDS ensures we will have a dependable and cost effective way to deliver water to our community.”

A pipeline from Pueblo Dam still appears to be the less expensive of the two alternatives, although some of the conditions proposed by Pueblo County will narrow the price difference between it and the Highway 115 Alternative through Fremont County.

For more information on the Southern Delivery System, visit www.sdswater.org.

Southern Delivery System | eNews is an electronic newsletter designed to keep interested public officials and members of the public up to date on developments associated with the Southern Delivery System. Please forward it to anyone you think would be interested. Contact us at sdsinfo@csu.org to subscribe or unsubscribe.

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For more information, please contact us:

Southern Delivery System
P.O. Box 1103, MC 940
Colorado springs, CO 80947
719-668-7582
866-719-4SDS (4737) toll free
sdsinfo@csu.org

Media contact: 719-668-3848