

Enclosure 1

ATTENDANCE LIST
PUBLIC MEETING FOR CO-OYT-0629

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Corps of Engineers
P.O. Box 294
Pueblo, CO 81002-0294

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El Paso County
Dept. of Public Works
3105 N. Stone
Colorado Springs, CO 80907

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Muller Engineering Co., Inc.
7000 W. 14th Ave.
Lakewood, CO 80215

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Stratmoor Hills Neighborhood
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620 Crestridge Ave.
Colorado Springs, CO 80906

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Broadmoor Properties
Wilson & Co.
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Colorado Springs, CO 80903

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Colorado Springs, CO 80909

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Colorado Springs, CO 80906

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Colorado Springs, CO 80906

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Colorado Springs, CO 80909

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Colorado Springs, CO 80903

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Colorado Div. of Wildlife
2126 N. Weber
Colorado Springs, CO 80907

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Aiken Audubon Society
325 Altura Way
Colorado Springs, CO 80906

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Colorado Springs, CO 80906

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Colorado Springs, CO 80903

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Colorado Springs, CO 80906

Dave Rees
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Colorado Springs, CO 80906

Parry Thomas
313 E. Costilla
Colorado Springs, CO 80903

Mark Gauss
594 Catalina Dr.
Colorado Springs, CO 80906

Jim Alice Scott
Stratmoor Neighborhood Assoc.
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Colorado Springs, CO 80906

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Colorado Springs, CO 80906

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Pikes Peak Vineyards
1600 Pine Grove Avenue
Colorado Springs, CO 80906

Oralia F. Cameron
1127 Maxwell St.
Colorado Springs, CO 80906

STATE OF COLORADO
Roy Romer, Governor
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE
AN EQUAL OPPORTUNITY EMPLOYER

Perry D. Olson, Director
6060 Broadway
Denver, Colorado 80216
Telephone: (303) 297-1192

Southeast Regional Office
2126 North Weber Street
Colorado Springs, CO 80907
Telephone: (719) 473-2945

REFER TO



For Wildlife-
For People

November 14, 1990

Mr. Robert E. Meehan
U.S. Army Corps of Engineers
P.O. Box 1580
Albuquerque, New Mexico 87103-1580

RE: Your letter of 10/9/90 regarding Colorado Division of Wildlife (CDOW) comments on Fisher's Canyon Drainage Basin Planning Study and the Letter of Permission (LOP) process.

Dear Mr. Meehan,

I have reviewed CDOW comments regarding the above referenced letter, and I offer the following comments in response.

CDOW has and will continue to work in a positive and constructive manner toward the goal of an effective and efficient 404 process in El Paso County.

We feel the LOP initiative, once balanced, has potential to meet this objective. As you have stated in past correspondence, the LOP process is an evolving one. CDOW comments have been offered with the intent of making this process final, and one which all parties of interest will embrace.

Our request for disclosure of impacts and needed mitigation are consistent with the Mitigation Memorandum of Understanding between COE and EPA signed in February 1990, and with guidance to COE districts to balance environmental interests with other public interest concerns. We feel the most appropriate point for disclosure is in the drainage study phase when costs and benefits are being considered in selecting a preferred alternative. The proposed 15 day response period to be provided in the "revised" Individual 404 Permit process will not allow adequate time for such evaluation.

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RECEIVED
NOV 27 1990
Muller Engineering Co., Inc.

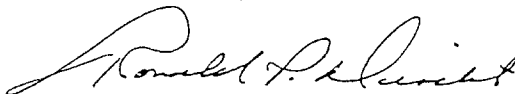
DEPARTMENT OF NATURAL RESOURCES, Hamlet J. Barry, Executive Director
WILDLIFE COMMISSION, William R. Hegberg, Chairman • Dennis Luttrell, Vice Chairman • Eldon W. Cooper, Secretary
Felix Chavez, Member • Rebecca L. Frank, Member • Louis F. Swift, Member • George VanDenBerg, Member • Larry M. Wright, Member

Letter to: Robert E. Meehan
November 14, 1990
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While we may disagree on this point and other elements of the LOP process as proposed, we will continue to work for solutions. For instance, CDOW has offered to assist the City of Colorado Springs in developing a Mitigation Criteria Section for the Drainage Basin Planning Study (DBPS) referred to in the LOP public announcement. Perhaps COE would be willing to assist if the City accepts this offer.

CDOW has made its position on the LOP process clear. I hope you will accept our comments as being constructive and incorporate the changes recommended. In any event, CDOW will continue to analyze future drainage basin studies, as requested, and will continue to comment in the interest of wildlife resources.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ronald P. Desilet".

Ronald P. Desilet
S.E. Regional Manager

xc: A. Morrice, EPCDOT
G. Haynes, CS
S. Fowler, EPA
B. Noonan, USFWS

STATE OF COLORADO
Roy Romer, Governor
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE

AN EQUAL OPPORTUNITY EMPLOYER

Perry D. Olson, Director
6060 Broadway
Denver, Colorado 80216
Telephone: (303) 297-1192

REFER TO



*For Wildlife-
For People*

Southeast Regional Office
2126 North Weber Street
Colorado Springs, CO 80907
Telephone: (719) 473-2945

March 6, 1991

Mr. Rick O'Connor
Principal Planner
El Paso County
Planning Department
P.O. Box 2007
Colorado Springs, CO 80901

RECEIVED
MAR 12 1991
Muller Engineering Co., Inc.

RE: FISHERS CANYON DRAINAGE PLANNING STUDY DATED JANUARY 16, 1991

Dear Mr. O'Connor,

I am providing Colorado Division of Wildlife (CDOW) comments regarding the above referenced drainage basin study based on review of this document and field surveillance.

DRAINAGE BASIN DESCRIPTION - GENERAL COMMENTS

The Fishers Canyon Drainage Basin provides a substantial challenge in drainage planning and treatment due to its diverse level of development from headwaters to outfall into Fountain Creek. One might simplistically characterize the drainage as being relatively undeveloped in its upper end, then very heavily developed through its upper middle section, relatively undeveloped through the lower middle section (B Street to I-25), and then very heavily developed on the lower end.

The challenge as I see it is to remedy the flood and erosion problems occurring in the heavily developed areas without destroying undeveloped drainage sections and without creating severe outflow impacts into Fountain Creek and downstream.

PREFERRED ALTERNATIVE

The preferred drainage alternative selected by Muller Engineering Company, Inc. is Alternative 1. This alternative will not use detention facilities. In the undeveloped, natural channel stretches, a non-porous low flow channel with occasional check structures will be used. In all other drainage segments, large underground pipelines will be used to convey drainage waters to an outfall point at Fountain Creek.

-continued-

DEPARTMENT OF NATURAL RESOURCES, Hamlet J. Barry, Executive Director

WILDLIFE COMMISSION, William R. Hegberg, Chairman • Dennis Luttrell, Vice Chairman • Eldon W. Cooper, Secretary
Felix Chavez, Member • Rebecca L. Frank, Member • Louis F. Swift, Member • George VanDenBerg, Member • Larry M. Wright, Member

ALTERNATIVE DEFICIENCIES - SUGGESTED MODIFICATIONS

CDOW recommends against implementation of Alternative #1. This alternative will not decrease damaging, high level, developed flows. It will not provide significant erosion control benefits. And, it will not provide any water quality benefits. Instead, this alternative will result in a missed opportunity to achieve the above mentioned benefits, as well as the opportunity to enhance wildlife and recreational values. Aside from missed opportunities, this alternative will result in severe high water impacts to Fountain Creek e.g. high level, frequent flows and erosion to be experienced by all down river landowners, and aquatic life.

CDOW recommends implementation of Alternative #2, with modifications. Alternative #2 will make use of numerous detention structures which will decrease high level, frequent flows into Fountain Creek, excepting times of major flood events. While detaining waters, detention facilities will provide many water quality, ground water recharge, erosion control, aesthetic, and wildlife values. These values will offset any associated development or maintenance costs of detention.

CDOW agrees that a low flow channel in the natural stream segment, as opposed to no lining, is advisable. However, we recommend that this channel be constructed of only rock material such that the channel remains porous. Check structures and willow plantings should be used in conjunction with the porous low flow channel throughout the natural stream segment. Certain restorative and/or channel bank treatments may also be necessary, on a spot basis. The forgoing treatments will allow the incised channel to repair itself without removing beneficial waters which contribute to the rich wetland and riparian resources which occur there. In time, this channel section will contribute to water quality rather than degrade it.

MITIGATION

Regardless of the final drainage construction design selected, impacts to the environment will occur. Little has been stated regarding these impacts except to suggest minimizing wetland and riparian habitat destruction during construction. Impacts should be quantified by alternative, and costs should be estimated for mitigating these impacts. It will be necessary to develop specific mitigation plans in order to estimate impact costs.

One of the major flaws of the LOP process as it regards mitigation in particular, is that it relies on the City/County Drainage Criteria Manual to set drainage construction specifications. There is no "Mitigation Criteria Section" in this manual to guide mitigation efforts. CDOW suggests that El Paso County develop such a section, compatible with The Clean Water Act 404b1 guidelines.

CONCLUSION

CDOW commends El Paso County for its efforts to do comprehensive, interactive drainage basin planning. Such planning will hopefully result in functional drainage ways which provide benefits to habitat, wildlife, aesthetics, and recreational resources.

Letter to: Mr. Rick O'Connor
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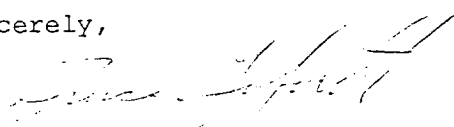
CONCLUSION CONTINUED

These benefits will not be realized if drainageways are designed only for water removal. Alternative #1 is basically such a design.

CDOW recommends the adoption of Alternative #2, which includes detention facilities, and which can be modified to accept a porous low flow channel in natural stream segments.

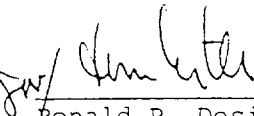
Please call me at 719-473-2945 if I can be of further assistance.

Sincerely,



Bruce Goforth
Senior Wildlife Biologist

APPROVED BY:



Ronald P. Desilet
Regional Manager

RPD/BG/jc

xc: A. Morrice, ELPDC
Jim Wulliman, Muller Engineering Co. Inc.
A. Culp, COE
S. Fowler, EPA
B. Noonan, USFWS
D. Clippinger, CDOW



US Army Corps
of Engineers

Albuquerque District

P.O. Box 1580

Albuquerque, NM 87108-1580

FAX No. 505-766-2770

Public Notice

Permit Application No:

Date:

CO-OYT-0618

May 15, 1991

Phone:

Suspense Date:

(505) 766-2776 or (719) 543-9459 June 14, 1991

In Reply Refer to:

District Engineer, ATTN: CESWA-CO-R

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS AND COLORADO DEPARTMENT OF HEALTH

FINAL PROPOSED LIST OF CATEGORIES OF ACTIVITIES AND PROPOSED LETTER OF PERMISSION PROCEDURES

Interested parties are notified in accordance with Section 404 of the Clean Water Act (33 USC 1344), the District Engineer proposes to use Letter of Permission procedures to authorize certain discharges of dredged or fill material in association with the El Paso County's Drainage Basin Planning Study for the Fishers Canyon basin. This proposal has been assigned Application No. CO-OYT-0618.

Purpose of Letters of Permission: Letters of Permission (LOP) are a type of individual permit issued through an abbreviated processing procedure described later in this public notice. The List of Categories of Activities (LCA) which are proposed for authorization under these LOP procedures include all Section 404 dredge or fill activities described in the Fishers Canyon Drainage Basin Planning Study (DBPS) dated January 16, 1991. The purpose of the LCA/LOP is to streamline the permitting process; to protect or enhance existing environmental values while providing for health, safety, and general welfare; to encourage cross-disciplinary, basin-wide planning and management of basins; to encourage permit consideration at an early stage of project planning; to encourage local participation in the permit program; and to provide for ongoing review and enforcement of authorized activities and the permitting process.

Purpose of the Drainage Basin Planning Study: The Drainage Criteria Manual for the City of Colorado Springs and El Paso County, dated October 1987, states that the provision of adequate drainage is needed to minimize flood losses and disruption, enhance the general health and welfare, and help assure optimum economic and social benefits for the community. To this end, The Fishers Canyon DBPS was done which shows channels and storm sewers and all other hydraulic facilities required to control initial and major drainage. Initial drainage provisions must convey storm runoff from the 10-year event and major drainage provisions provide for transport of the 100-year event with prevention of loss of life and major damage. The DBPS broad framework of goals are: economic efficiency, regional scope, environmental preservation and enhancement, social and recreational enhancement, responsible funding and implementation policy, and health, safety, and welfare of the citizenry.

NEWS RELEASE

Location: This LCA/LOP would be applicable to waters of the United States located within the boundaries of the Fishers Canyon drainage basin in and near Colorado Springs, El Paso County, Colorado as shown on the enclosed drawing.

Expiration of the List of Categories of Activities: The List of Categories of Activities and the Letter of Permission procedures are proposed for expiration 5 years from date of issuance of the list.

DBPS PRELIMINARY DESIGN: A full description of the selected alternative is found in the Fishers Canyon Drainage Basin Planning Study in:

- Section VII, pages VII-2 and -4 under the headings "Stratmoor Hills Alt. 1," "Stratmoor Valley Alt. 1," and "Fishers Canyon Drainageway and Tributary Alt. 1"
- Section VIII, pages VIII-1 through -7 under the heading "Preliminary Design"
- Drawings entitled "Selected Plan," Figures VIII-1 through VIII-5.

A copy of the study can be seen during regular office hours at the El Paso County Department of Public Works, 3105 North Stone Avenue, Colorado Springs, Colorado by contacting Alan Morrice at (719) 520-6460.

The general planning goals followed during the alternative plan development phase were: provide for the conveyance of stormwater runoff with a minimal risk of loss of life and major damage, economic efficiency, regional scope, environmental preservation and enhancement, social and recreational enhancement, responsible funding and implementation policy, and health, safety, and welfare of the citizenry.

A brief description of the preliminary design is given here by reach. Explanations of why a modification is recommended are not included for purposes of brevity. The DBPS has a full explanation of each feature.

Stratmoor Hills West (Sub-basin 4A) - The DBPS calls for a system of storm sewer improvements to collect runoff in Stratmoor Hills and minimize flooding problems. The sewers would be sized for a 10-year flow upstream of Clover Ditch and a 100-year conveyance below the ditch. The study recommends the ditch itself be graded toward inlets near each road crossing and design of road crossings to drain the ditch and eliminate overtopping in the 100-year storm. The Clover

Ditch is not considered to be a water of the United States. Two energy dissipation structures would outfall flows from this sewer system into Fishers Canyon.

Stratmoor Valley North (Sub-basins 5A-5D) - The DBPS recommends a system of storm sewer improvements including sewers sized to convey 10-year flows from currently developed areas and 100-year flows from future developed areas. A concrete pipe and outfall energy dissipation structure would convey sewer flows across the Fountain Creek flood plain to Fountain Creek.

Stratmoor Valley South (Sub-basins 6E and 7A-7C) - The DBPS recommends a system of storm sewer improvements and a concrete pipe and outfall energy dissipation structure to convey flows to Fountain Creek.

Fishers Canyon Drainageway and Tributaries (Sub-basins 3B, 4B-4D, and 6B) - On the main stem, the DBPS recommends a system of stabilization consisting of 7,700 linear feet of modified channel which would preserve existing vegetated overbank areas or revegetate barren overbanks. A trapezoidal, pervious, rock-lined channel low flow channel about 16 feet wide is recommended to replace the existing eroded channel. Within the reach would also be six 4-foot high, one 5-foot high and one 6-foot high drop structures. A gravel access trail would be constructed along one floodway bank. In addition, in the channel section from 40+00 to 47+00, the floodway bank would be resloped to no greater than 3H:1V. The channel modifications would also include channel enlargement downstream of Maxwell Street and selected riprap bank protection.

Work on the unnamed tributary would consist of reshaping 2,000 linear feet of the channel to 4H:1V side slopes and revegetation, constructing a 10-foot-wide rock, pervious, 1' flow channel and three drop structures (5-feet high, 6-feet high, and 11-feet high).

Stratmoor Hills East (Sub-basin SH2) - The DBPS recommends construction of a detention pond to reduce the anticipated 100-year flow on Fishers Canyon entering the I-25 box culvert. The pond would be located in existing upland.

Environmental Impact Mitigation Features - Existing riparian vegetation of grasses, trees, and shrubs is found along Fishers Canyon and Fountain Creek. Of the estimated 5 acres of existing riparian vegetation, an estimated 3 acres would be left undisturbed. About 1.5 acres estimated to be disturbed during construction activities on Fishers Canyon

and Fountain Creek could be replanted with same or similar vegetation in the same project reach to achieve no net loss of vegetation. About 0.5 acre of grassland would be lost due to the installation of the gravel access trail. Other mitigation features recommended in the DBPS are **limiting construction zones** to minimize disturbance of overbank vegetation. In those areas where disturbance cannot be avoided, the DBPS recommends **replanting areas** with riparian species. The **drop structures are recommended to be designed to encourage formation of new backwater wetland areas.**

LIST OF CATEGORIES OF ACTIVITIES: The following List of Categories of Activities are proposed for authorization by a Letter of Permission.

a. Channel features as described in the DBPS. These include rock-lined low-flow channels, drop structures, resloping of floodway banks, resloping of channel banks, riprap bank protection, and channel enlargement.

b. Trail features as described in the DBPS. These include gravel paths.

c. Storm sewer features as described in the DBPS. These include pipeline construction, outfall structures, and energy dissipators at outfalls.

d. Wetland construction, replacement, or restoration features as described in the DBPS or as needed to meet the goal of no net loss of wetland functions and values within the basin. These include restoration of wetlands disturbed by construction activities and design of drop structures to encourage formation of new wetland areas.

e. Riparian habitat construction, replacement, or restoration as described in the DBPS or as needed to meet the goal of no net loss of riparian functions and values within the basin. This includes restoration of trees and shrubs disturbed by construction activities.

g. Aquatic habitat construction, replacement, or restoration as described in the DBPS or as needed to meet the goal of no net loss of aquatic habitat functions and values within the basin.

h. The placement of dredged or fill material for mitigation measures needed to meet other environmental or mitigation conditions described in the DBPS. This includes revegetation of eroded overbanks and areas disturbed by construction activities.

i. Temporary fills needed for construction of activities described in the DBPS. These include the placement of dredged or fill material for construction of temporary road crossings, access roads, construction pads, construction ramps, and cofferdams. (Any structure or fill remaining in place more than one year is not considered to be temporary.) The structure or fill must be culverted or otherwise designed to not restrict low streamflows, to allow passage of ordinary high water, and to not restrict or impede flows into or out of wetlands to be preserved. Fish passage will be allowed on perennial streams. Temporary fills will be removed as soon as practical, the original streambed contours restored or post-project contours completed, and pre-existing streambed riffles and pools in perennial streams restored.

SPECIAL CONDITIONS: The following special conditions are proposed for the LOP.

To qualify for the LOP, the above activities must meet the following special conditions:

a. All mitigation features recommended in the DBPS will be completed to meet the goal of no net loss of flood plain functions and values in the basin. Flood plain functions and values include water resource values, living resource values, and cultural resource values as defined in 33CFR320.4(1). The mitigation features include as a minimum the preservation of natural channels, wetlands, and riparian areas to the maximum extent practicable; avoiding or minimizing impacts by limiting construction access, careful siting of drop/check structures, or other measures. Impacts which cannot first be avoided and then minimized will be compensated in locations within the same stream reach.

b. All mitigation features will be constructed in accordance with the environmental section of the City/County Drainage Criteria Manual, or in lieu of the manual, in accordance with criteria stipulated by the Corps of Engineers to minimize short-term and long-term environmental impacts.

c. All disturbed or unprotected areas will have soils restored and will be revegetated using erosion-controlling native species or equivalent cultivars. The use of native species is preferred. Revegetation of disturbed areas will be performed immediately upon completion of project construction. If construction is completed after the growing season, erosion control measures will be installed immediately and revegetation done in time for the next growing season.

d. Riparian areas disturbed by construction activities will be restored by: restoring the soils to at least original conditions, using plant types and composition similar to what originally existed, and using native species.

e. Wetlands disturbed by construction activities will be restored by restoring the soils to at least original conditions using plant types and composition similar to what originally existed, and using native species.

f. Maintenance of revegetation or mitigation will be for two years including two growing seasons. (Reference General Condition 'b' for long term maintenance requirements.) Mitigation measures will be implemented concurrent with project construction to the maximum extent practicable.

g. The activity will consist of suitable material free from toxic pollutants in toxic amounts. (Some common materials which contain toxic pollutants are bituminous surfacing materials (asphalt), fly ash, reosote, etc.)

h. Other materials not authorized include refuse and/or garbage, car or vehicle tires, demolition or other debris, construction waste, and waste metal including car or vehicle bodies.

i. If the State Historic Preservation Officer determines that an archaeological survey is required, you must coordinate the survey with the Corps of Engineers for their review, complete the required cultural resources work and allow the Corps to complete its Section 106 consultation before starting construction.

j. Any special conditions of the water quality certification.

k. Any activity which "may affect" a federally threatened or endangered species or their critical habitat is not authorized by a letter of Permission and will require a standard individual permit authorization.

GENERAL CONDITIONS: The following general conditions are proposed for the LOP.

a. A time limit for completing the work authorized will be specified. If you find that you need more time to complete the authorized activity, submit your request for a time extension to the Corps of Engineers office for consideration at least one month before the expiration date is reached.

b. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 'c' below. Should you wish to cease to maintain the authorized activity or should you desire to

abandon it without a good faith transfer, you must obtain a modification of this permit from the Corps office, which may require restoration of the area.

c. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify the Corps office of what you have found. The Corps will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

d. If you sell the property associated with this permit, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the liabilities associated with compliance with its terms and conditions, you must obtain the signature of the new owner and forward a copy of the permit to the Corps office.

e. You must allow representatives from the Corps of Engineers office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

f. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law. This permit does not grant any property rights or exclusive privileges. This permit does not authorize any injury to the property or rights of others. This permit does not authorize interference with any existing or proposed Federal project. In issuing this permit, the Federal Government does not assume any liability for the following: damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes, damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest, damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit, design or construction deficiencies associated with the permitted work, and damage claims associated with any future modification, suspension, or revocation of this permit.

g. The determination of the Corps office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

h. The Corps office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following: you fail to comply with the terms and conditions of this permit; the information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate; or significant new information surfaces which the Corps office did not consider in reaching the original public

interest decision. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by the Corps, and if you fail to comply with such directive, the Corps office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

SPECIAL PROCEDURES/REQUIREMENT WHEN APPLYING FOR A LETTER OF PERMISSION AUTHORIZATION: The following special procedures and requirements are proposed for individual activities applying under the LOP.

a. **Application:** A completed application (2 copies) will be sent to the Corps of Engineers. The application will include:

- (1) Completed application for Department of the Army Permit (ENG FORM 4345) including all permanent and temporary work.
- (2) Estimated start and completion dates.
- (3) Drawings (8-1/2" x 11" or no larger than 18" x 24") including: vicinity map; plan or site view showing stream, wetlands, ordinary high water mark, dimensions of activity, scale, and north arrow; and elevation or cross sections views.
- (4) Vegetation plan including species, planting rates, and planting times.
- (5) A written statement that the State Historic Preservation Office has been contacted and that the proposed project will comply with provisions of the National Historic Preservation Act of 1966 as amended, the State Antiquities Act of 1973, and the State Register of Historic Places Act of 1975.

b. **Preliminary Determination:** The Corps of Engineers will make a preliminary determination on whether or not the proposed project is included in the List of Categories of Activities and could be authorized by the Letter of Permission. Determination will include whether or not the project's scope or design differs more than a minor amount from the recommended DBPS' action and mitigation, or will have more than minor additional adverse environmental impacts.

c. **Coordination:** The Corps of Engineers will coordinate the application with El Paso County, Colorado Division of Wildlife, Colorado Water Quality Control Division, City of Colorado Springs (when applicable), Environmental Protection Agency, and U.S. Fish and Wildlife Service. A copy of the completed application and drawings will be electronically mailed to the coordinating agencies within 10 days of

receipt of completed application. Comments within 20 days will be requested. A 10-day extension of the comment period may be granted if a valid request is received during the comment period. Comments will be requested on the following:

- (1) More than minor changes to the existing environment at the project site or in the basin since the initial Environmental Assessment (EA) was written.
- (2) Changes in threatened and endangered species status since the initial EA was written.
- (3) Changes in stream standards or other water quality factors since the initial EA was written and the 401 water quality certification was issued.
- (4) More than minor changes in the project proposal from the recommended DBPS's action and mitigation.
- (5) Whether the work will have more than minor additional adverse environmental impacts than that recognized in the initial EA.

d. **Consideration of Comments:** If any of the coordinating agencies have major objections to an LOP permit application after the Corps has considered or incorporated their comments, the Corps of Engineers' project manager will coordinate the project with the objecting agency's counterpart to resolve any concerns. In cases where the staff cannot agree, the Corps of Engineers' Regulatory Branch Chief and the objecting agency's counterpart will consult to resolve the concerns. If the differences cannot be worked out at either of these levels, a standard individual permit application will be required for the work.

e. **Public Interest Review:** The Corps of Engineers will prepare a supplemental public interest review including a supplemental environmental assessment and supplemental 404(b)(1) guidelines review.

f. **Permit Decision:** The Corps of Engineers will make a decision on issuance of a Letter of Permission for the work within 60 days of receipt of a completed application unless there are extenuating circumstances. If a decision is made to issue a permit, an LOP will be issued including special and general conditions.

g. **Review and Enforcement:** The Corps of Engineers will prepare an annual report listing each activity under the DBPS permitted by the LOP procedures, the status of each activity, and a synopsis of any Corps' inspections. A copy of the report will be sent to El Paso County, Colorado Division of Wildlife, Colorado Water Quality Control Division, El Paso County, the Environmental Protection Agency, and the U.S. Fish and Wildlife Service. The report will be available to other interested parties at the Corps offices listed below. The Corps of Engineers will enforce all requirements and conditions of a LOP permit in coordination with the El Paso County and its authority requiring construction of drainage facilities.

Additional Information: Drawings showing the location of the Fishers Canyon basin, typical channel features, and other data are enclosed with this notice. If additional information is desired, you can get it from the U.S. Army Corps of Engineers offices at:

Ms. Anita Culp, Project Manager Southern Colorado Project Ofc. 21 N. Main Street, Suite 416 P.O. Box 294 Durango, CO 81302-0294 (719) 543-9459	Albuquerque District 517 Gold Ave. SW, Rm. 8419 P.O. Box 1580 Albuquerque, NM 87103-1580 (505) 766-2776
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Water Quality Certification: The Colorado Department of Health will review the List of Categories of Activities with an intent to certify in accordance with Section 401 of the Clean Water Act. The Department also reviews each project with respect to the antidegradation provisions in state regulations. The Department has preliminarily determined that this proposed project is not located on waters that require an antidegradation review. Any comments regarding water quality impacts should be sent to:

Colorado Department of Health
Water Quality Control Division
Permits and Enforcement Section
4210 East 11th Avenue
Denver, CO 80220
(303) 331-4575

Statement of Findings: Each LOP applicant will be responsible for obtaining all other required Federal, state and local authorizations for this work.

In accordance with the National Environmental Policy Act of 1969, an environmental assessment will be prepared for this action. Upon completion, the assessment may be seen at either the Southern Colorado Project Office or the Albuquerque District Office at the addresses given earlier.

There are no known federally listed or proposed threatened or endangered species or their critical habitat which presently occur within the Fishers Canyon basin or would be affected by activities proposed in the List of Categories of Activities.

Comments: Any comments concerning this proposal must be received by the District Engineer no later than **June 14, 1991**. Comments received after the end of the Public Notice comment period will not be considered. However, more time may be given if a request, with a valid reason, is

received before the above date. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposal. Any comments received will be considered by the Corps of Engineers to determine whether to issue a List of Categories of Activities. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interests of the proposed activity.

The decision whether to issue a List of Categories of Activities and LOP procedures will be based on an evaluation of the probable impact, including cumulative impacts of the proposed categories of activities on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. The evaluation of activity impacts will include application of the EPA's guidelines under Section 404(b)(1) of the Clean Water Act. In accordance with these guidelines, alternatives for the basin will be considered in light of project purposes and in the sequence of avoiding Section 404 fills first, then minimizing fills, and lastly mitigating impacts of unavoidable fills. All factors relevant to the proposal and the cumulative effects will be considered and among these are:

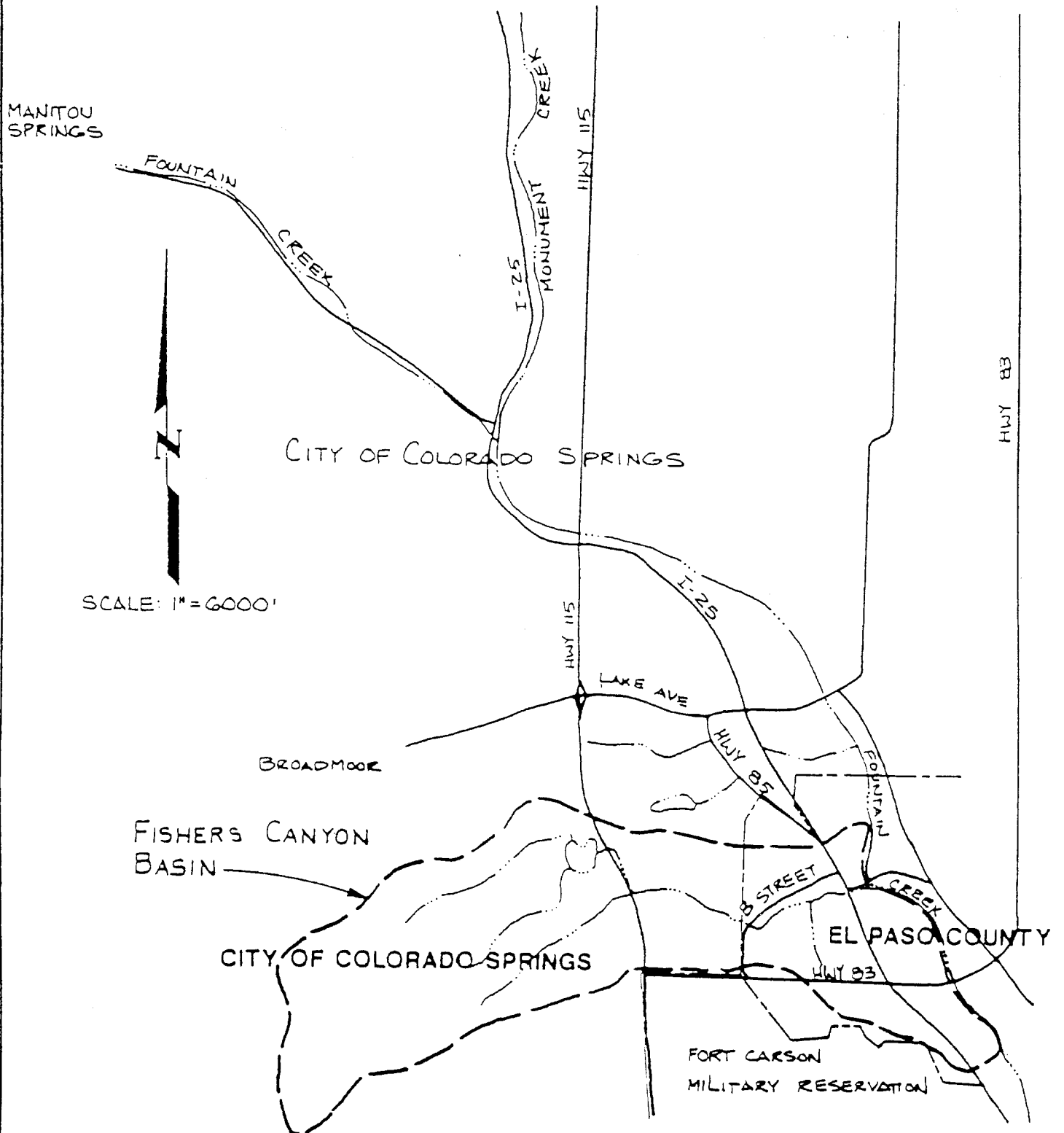
- | | |
|----------------------|---------------------------------------|
| - conservation | - fish and wildlife values |
| - aesthetics | - general environmental concerns |
| - cultural values | - employment |
| - flood hazards | - threatened and endangered species |
| - navigation | - energy needs |
| - water quality | - food and fiber production |
| - flood plain values | - miner needs |
| - safety | - shoreline erosion and accretion |
| - economics | - water supply and conservation |
| - wetlands | - consideration of property ownership |
| - land use | - general needs and welfare of |
| - recreation | of the people |

CESWA-CO-R
CO-OYT-0649

Any person may request a public hearing. The request must be in writing and sent to the District Engineer within 30 days of the date of this notice and must clearly give reason(s) for holding a public hearing.

Steven M. Dougan
Lieutenant Colonel, EN
District Engineer

Enclosure



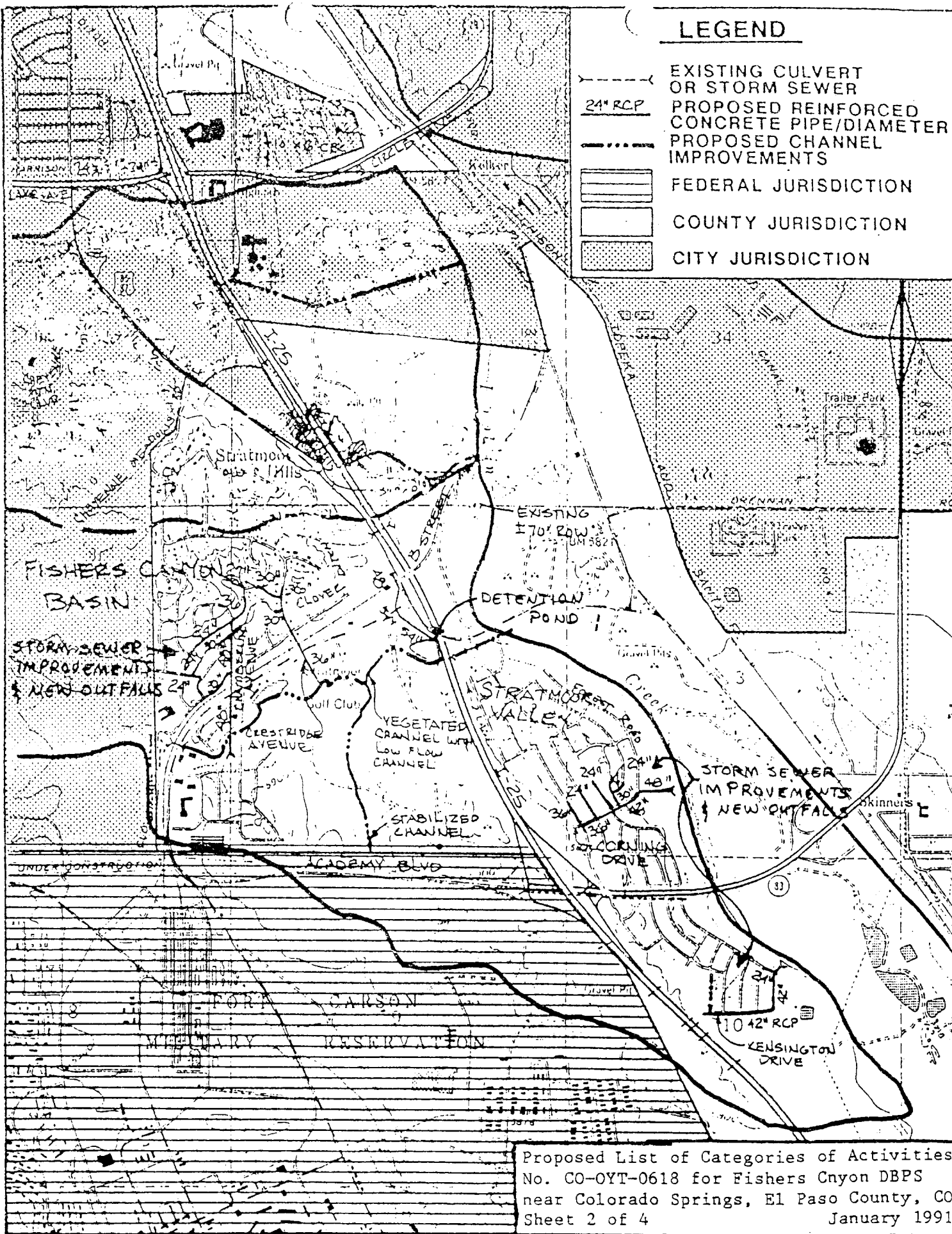
Proposed List of Categories of Activities
 No. CO-OYT-0618 for Fishers Canyon DBPS
 near Colorado Springs, El Paso County, CO
 Sheet 1 of 4 January 1991

**FISHERS CANYON
 DRAINAGE BASIN PLANNING STUDY**

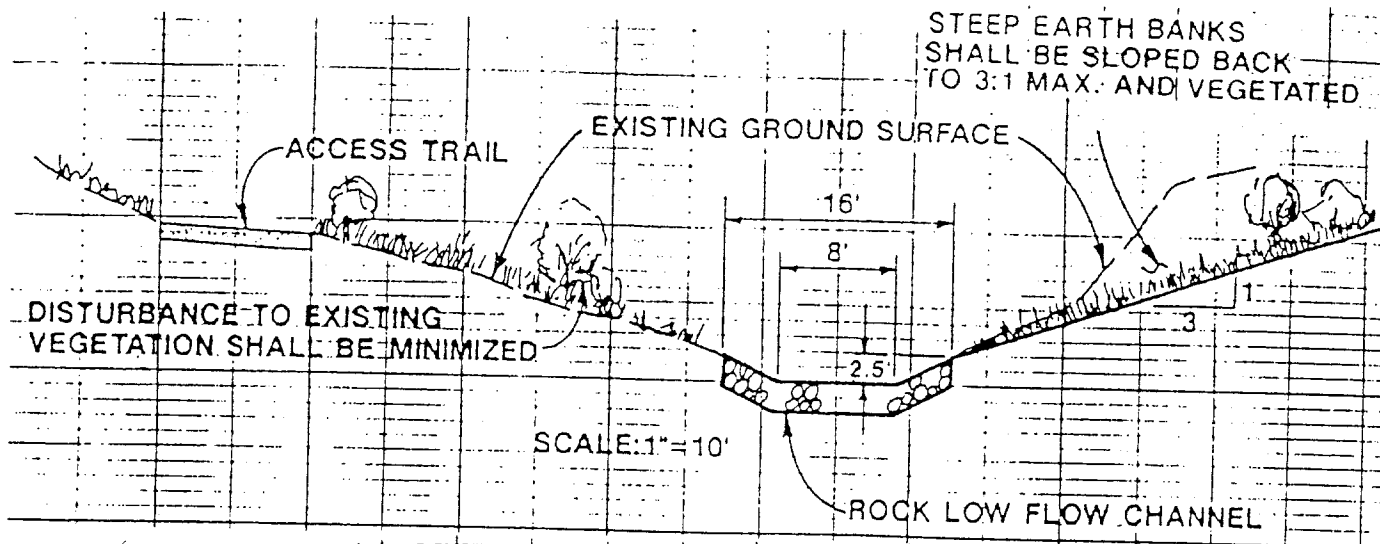
LOCATION MAP

LEGEND

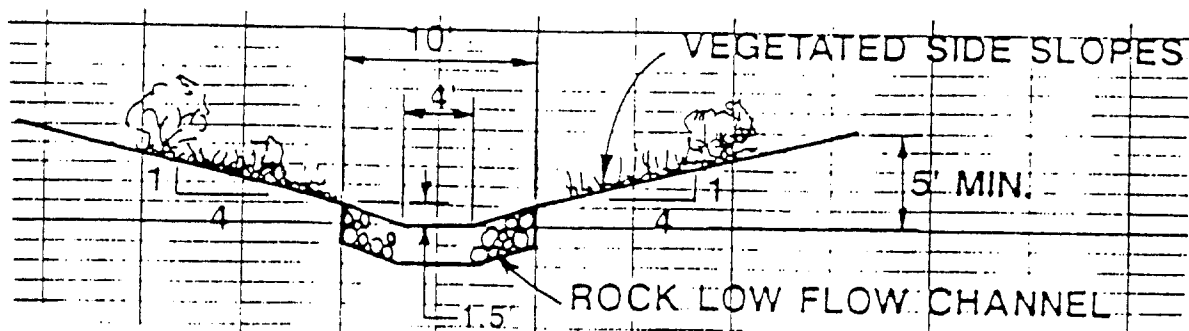
- EXISTING CULVERT OR STORM SEWER
- 24" RCP PROPOSED REINFORCED CONCRETE PIPE/DIAMETER
- PROPOSED CHANNEL IMPROVEMENTS
- FEDERAL JURISDICTION
- COUNTY JURISDICTION
- CITY JURISDICTION



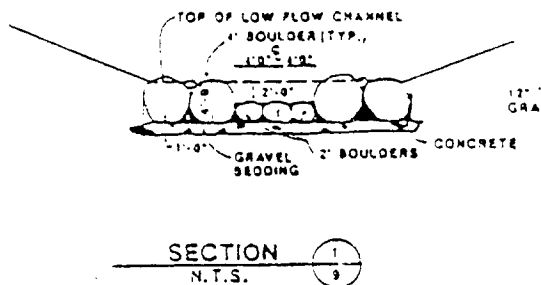
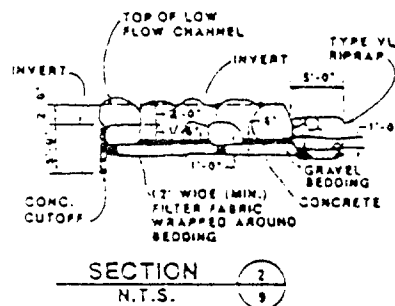
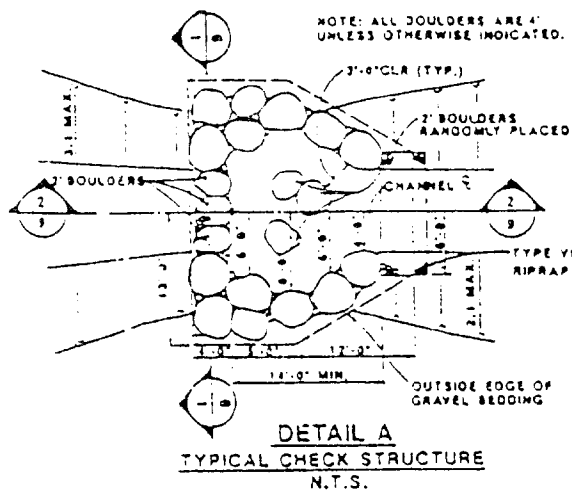
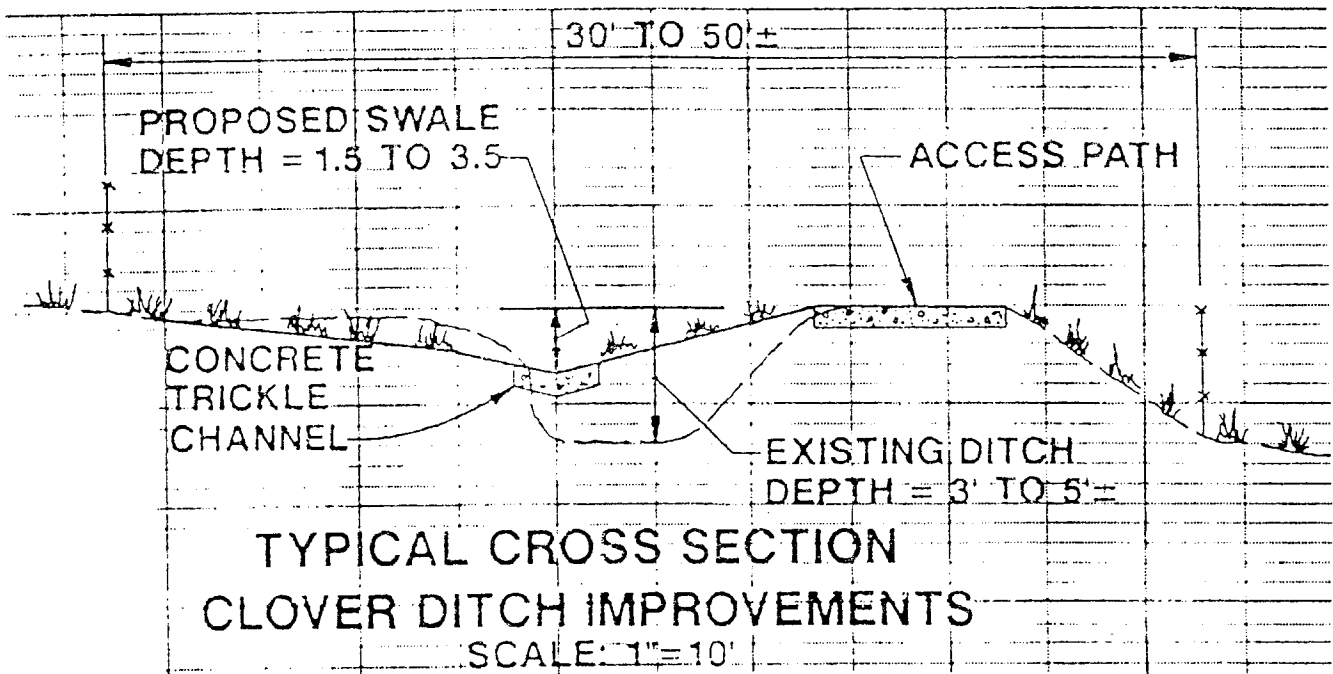
Proposed List of Categories of Activities
 No. CO-OYT-0618 for Fishers Cnyon DBPS
 near Colorado Springs, El Paso County, CO
 Sheet 2 of 4
 January 1991



TYPICAL CROSS SECTION
PROPOSED CHANNEL STABILIZATION
FISHERS CANYON DRAINAGEWAY



TYPICAL CROSS SECTION
PROPOSED CHANNEL
FISHERS CANYON TRIBUTARY



FISHERS CANYON DRAINAGE BASIN PLANNING STUDY

Proposed List of Categories of Activities
No. CO-OYT-0618 for Fishers Canyon DBPS
near Colorado Springs, El Paso County, CO
Sheet 4 of 4
April 1991

DEPARTMENT OF THE ARMY

ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS

P. O. BOX 1580

ALBUQUERQUE, NEW MEXICO 87103-1580

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300

SWACO-R

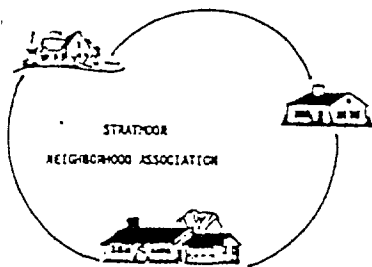
AN EQUAL OPPORTUNITY EMPLOYER

PUBLIC NOTICE

RECEIVED

JUN 13 1991

Muller Engineering Co., Inc.



RECEIVED

JUN 19 1991

Muller Engineering Co., Inc.

LAM
File 8933

1991 JUN 12 PM 10:27
MULLER ENGINEERING CO., INC.
10000 N. 10TH ST.
SUITE 100
DALLAS, TEXAS 75243

May 25, 1991

Steven M. Dougan
Lieutenant Colonel, EN
District Engineer
U.S. Army Corps of Engineers
Albuquerque District
P.O. Box 1580
Albuquerque, NM 87103-1580

Attn: CESWA-CO-R
Re: Fishers Canyon Basin, Application No. CO-OYT-0618
Proposed List of Categories of Activities
Proposed Letter of Permission

Dear Col. Dougan:

The Stratmoor Neighborhood Association generally supports and appreciates the proposed improvements to the Clover Ditch to enable stormwater to flow without flooding of private property adjacent to it. We support a more park-like design for Clover Ditch, and would like it to be more aesthetically pleasing.

We understand the proposed improvements will include the following within the area of Stratmoor Hills:

- splitting the drainage flow of Clover Ditch so that a portion of it travels westward down Clover Ditch to Loomis Avenue, and the other travels eastward down Crestridge, eventually reaching the Fishers' Canyon Drainageway south of B Street.
- creating a small concrete trickle channel and a gentle sloping swale with an access path along the westward section of the Clover Ditch.

However, we are unclear about the following aspects of the proposal:

- What assurance is there that the proposed 1.5-3.5 foot depth of the Clover Ditch improvement will not overtop the drainage ditch during flooding? This has occurred often in the past, even with a greater current ditch depth than is being proposed for the Clover Ditch.

2 IT WILL BE "FINAL" DESIGNED AT ANOTHER TIME
STD. ENGR. 100YR. STORM + PREPARED ... POTENTIAL OF
CLOGGING OR LARGER STORMS?

LIKELY HOOD SAME AS PREVIOUS
QUESTION ... INTENT - 10YR, ~~100YR~~ CAPTURING
AND 100YR FLOODING OF HOMES
MAYBE
YARDS
AT MOST

- Will runoff down Crestridge be through underground drainage?
What is to prevent overtopping the curb and flood the adjacent
properties on the west side of Crestridge below Clover Ditch

- How does the drainage from Clover Ditch flow after it
reaches Loomis Avenue?

NOT SURG - CONFIRM @ FINAL DESIGN
...? CULVERT UNDER LOOMIS & RR ... DITCH
TO FUTURE INLET UPSTREAM OF "B" ST.

Sincerely,

Richard Miller

Richard Miller, President
121 Chamberlin Avenue
Colorado Springs, CO 80906

c: Alan Morrice, Engineer
El Paso County

STATE OF COLORADO
Roy Romer, Governor
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE
AN EQUAL OPPORTUNITY EMPLOYER
Perry D. Olson, Director
6060 Broadway
Denver, Colorado 80216
Telephone: (303) 297-1192

REFER TO



*For Wildlife—
For People*

Southeast Regional Office
2126 North Weber Street
Colorado Springs, CO 80907

June 3, 1991

Lt. Colonel Steven M. Dougan
District Engineer
U.S. Army Corps of Engineers
P.O. Box 1580
Albuquerque, NM 87103-1580

RECEIVED
JUN 20 1991
Muller Engineering Co., Inc.

RE: Application #CO-OYT-0618; Fisher's Canyon Basin

Dear Colonel Dougan:

I am providing Colorado Division of Wildlife (CDOW) comments regarding the above referenced drainage study. It is difficult for the Division to provide the Corps with an informed opinion when information regarding alternatives to the preferred or selected alternative is not provided. The Division asks that this information be included in the application process.

CDOW believes that the proposal, as outlined, does not fully take advantage of drainage techniques which minimize environmental impacts and which provide multipurpose benefits such as ground water recharge, reduction of flow rates, increased wildlife habitat, wetland preservation, enhanced aesthetics, and minimization of downstream impacts.

For instance, it appears that substantial rock lined trapezoidal channels will be used throughout the existing natural channels east of B Street. Such channels, with 4 to 11 foot drop structures, selected rip rap, and a gravel access road within or along the floodway, do not represent natural channel preservation.

Will the effect of such channel construction allow for preservation of any existing wetland or riparian vegetation within the channels? The applicant should quantify the loss of habitat as a result of each proposed alternative and provide information regarding mitigation. The Division also believes that the use of detention ponds be re-examined within the basin study area. As stated in our September 20, 1991 letter, CDOW recommends the maximum use of detention ponds to decrease excessive outflows into Fountain Creek and to create positive drainageway values.

June 19, 1991
Page 2.

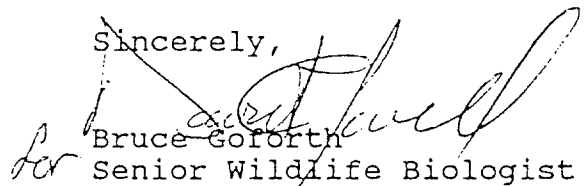
Porous low-flow channels to control 5-10 year flows may be advisable in conjunction with a series of drop structures in some channels. However, the low flow channel should not encompass the entire channel bottom, nor should drop structures be greater than 3-4 feet tall. Instead of installing a few 6-11 foot drop structures, more of the 3-4 foot structures should be used. The small drop structures will lend to greater channel stability, allow for wildlife movements, and present less of a safety hazard.

Under Special Conditions, "mitigation for wetland losses", wetland recreation should be perpetual. In contrast, simple revegetation efforts, once surviving two growing seasons, are basically "permanent" or "perpetual". This distinction needs to be made for all LOP proposals.

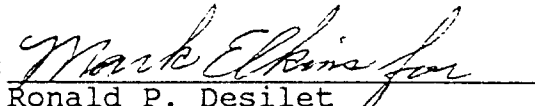
In conclusion, few if any changes in project design have been made since the agencies last commented. Accordingly, it appears that many of the DBPS broad framework goals will not be accomplished. CDOW recommends that further modification to this plan be made and additional review be allowed.

Please call me at 719-473-2945 if further information regarding CDOW comments is desired.

Sincerely,


Bruce Goforth
Per Senior Wildlife Biologist

APPROVED BY:


Ronald P. Desilet
Regional Manager

xc: G. Haynes, CS
A. Morrice, ELPDOT
A. Culp, COE
B. Noonan, USFWS
S. Fowler, EPA
J. Wulliman, Muller



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1580
ALBUQUERQUE, NEW MEXICO 87103-1580
FAX (505) 766-2770

RECEIVED File 8933

JUN 19 1991

Muller Engineering Co., Inc.

June 10, 1991

Construction-Operations Division
Regulatory Branch

Mr. Alan Morrice
El Paso County Department of Public Works
3105 North Stone
Colorado Springs, Colorado 80907

Dear Mr. Morrice:

A preliminary Section 404(b)(1) alternatives review has been completed for the Fisher's Canyon Drainage Basin Planning Study (DBPS) and proposed List of Categories of Activities (LCA) for No. CO-OYT-0618. The enclosed table summarizes our review.

In order for the LCA to meet the 404(b)(1) Guidelines, the DBPS selected alternative must be either the least environmentally damaging alternative or other less environmentally damaging alternatives must be unavailable when considering cost, technology, and logistics in light of project purposes. The enclosure gives a ranking of drainageway alternatives by adverse environmental impact and a synopsis of the Corps conclusion at this point on availability or practicability of alternatives.

This information is provided for your review and consideration in conjunction with the May 15, 1991, public notice on the draft DBPS. If you have any questions, please contact Ms. Anita Culp at (719) 543-9459.

Sincerely,

Thomas J. Farrell
for

Robert E. Meehan, P.E.
Chief, Construction-Operations
Division

Enclosure

RECEIVED

JUN 19 1991

Muller Engineering Co., Inc.

Copy furnished with enclosure:

Ms. Sarah Fowler
ATTN: 8WM-SP
Environmental Protection Agency
999 18th Street, Suite 500
Denver, Colorado 80202-2405

Mr. Bill Noonan
US Fish & Wildlife Service
730 Simms Street, Room 292
Golden, Colorado 80401

Mr. Bruce Goforth
Colorado Division of Wildlife
2126 North Weber Street
Colorado Springs, Colorado 80907

SUMMARY OF PRELIMINARY 404(b)(1) GUIDELINES ALTERNATIVES ANALYSIS FOR
CO-OYT-0618 LOP/DBPS for Fishers Canyon - List of Categories of Activities

The combination of Fishers Canyon & Tributaries Alternative 2, Stratmoor Hills Alternative 1, Stratmoor Valley Alternative 1, no action in upper watershed, and one detention structure was selected as recommended alternative:

- Fishers Canyon and Tributaries Alternative 2 - rock low flow channels, 4' and 5' drop structures, selected riprap bank protection, and excavate constricted areas
- Stratmoor Valley Alternative 1 - storm sewer improvements, two storm sewer construction and outfalls to Fountain Creek
- Stratmoor Hills Alternative 1 - upstream to downstream: storm sewer improvements to collect runoff, regrade Clover Ditch, 2 outfalls to Fishers Canyon

Alternatives Considered by DBPS:

- Fishers Canyon and Tributaries Alternative 1 - natural channels with drop structures
- Stratmoor Valley Alternative 2 - same as Stratmoor Valley 1 but two detention facilities in upland
- Stratmoor Hills Alternative 2 - same as Stratmoor Hills 1 but one detention facility in wetland

Ranking:

Ranking of alternatives from least to most environmentally damaging.

- (1) Selected Alternative (comprised of Fishers Canyon & Tributaries Alternative 2, Stratmoor Hills Alternative 1, Stratmoor Valley Alternative 1, no action in upper basin, and detention at I-25).
- (2) No action throughout.
Detention only, Stratmoor Hills Alternative 2, or Stratmoor Valley Alternative 1
- (3) Natural channels or Fishers Canyon & Tributaries Alternative 1 throughout.
- (4) Large (floodway) grass channels throughout.
- (5) Large (floodway) riprap channels throughout.
- (6) Concrete-lined channels throughout.

Sufficient Information on

Alternatives:

Alternatives for which there is enough information at this time to show they are either available, not available, or will be decidedly more environmentally damaging.

- (1) Selected Alternative - Alleviates existing flooding and drainage problems in residential areas (project purpose), includes detention at I-25 to lessen flood flows through I-25 culvert, alleviates ongoing and future bed and bank erosion caused by both low and high flows on the main stem and tributaries, and would be less environmentally damaging by low-flow riprap lining and drop structures on main stem and tributaries disturbing only existing low-flow channel and preserving overbank vegetation. Some overbank vegetation loss from construction access.
- (2) No action throughout - No action is not logistically feasible because it would not alleviate existing flooding and drainage problems in residential areas (project purpose) and it is more environmentally damaging because it would not eliminate or halt ongoing and future severe bed and bank erosion caused by both low and high flows on the main stem and tributaries.
- (3) Detention only, Stratmoor Hills Alternative 2, or Stratmoor Valley Alternative 1 - Detention at Stratmoor Hills site would be more environmentally damaging because it would disturb existing wetlands. Detention in Stratmoor Hills and Stratmoor Valley would not reduce peak flows so detention would serve little purpose.
- (4) Natural channels or Fishers Canyon & Tributaries Alternative 1 throughout - Natural channels would be more environmentally damaging because the steep slopes on the channel would require numerous drop structures to halt ongoing bed and bank erosion and the initial disturbance to surrounding riparian areas would be greater than the selected plan.
- (5) Large (floodway) grass channels throughout - Floodway grass channels would be more environmentally damaging because construction would disturb and remove more existing overbank vegetation and be less aesthetic because of the loss of overbank vegetation.

(6) Large (floodway) riprap channels throughout - Floodway riprap channels would be more environmentally damaging because construction would disturb and remove more existing overbank vegetation and be less aesthetic because of the loss of overbank vegetation and the presence of intrusive manmade structures.

(7) Concrete-lined channels throughout - Floodway riprap channels would be more environmentally damaging because construction would disturb and remove more existing overbank vegetation and be less aesthetic because of the loss of overbank vegetation and presence of intrusive manmade structures.

Insufficient Information:

Alternatives for which there is some or no information at this time to show they are either available, not available, or will be decidedly more environmentally damaging.

None.



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
SOUTHERN COLORADO PROJECT OFFICE
P.O. BOX 294, PUEBLO, COLORADO 81002

REPLY TO
ATTENTION OF:

June 20, 1991

Construction-Operations Division
Regulatory Branch

Mr. Alan Morrice
El Paso County Department of Public Works
3105 North Stone
Colorado Springs, Colorado 80907

Dear Mr. Morrice:

Enclosed is a copy of a letter which we received from the Colorado Division of Wildlife regarding the proposed Section 404 Letter of Permission (LOP), Application No. CO-OYT-0618, for your Fishers Canyon Drainage Basin Planning Study (DBPS) near Colorado Springs, El Paso County, Colorado.

This letter is sent to inform you of the comments to the LOP and your DPBS. Also, your views on the use of multiple 3- to 4-foot high drop structures instead of fewer and larger structures, as raised in the Colorado Division of Wildlife letter, are required to make a public interest determination.

Our Engineering and Planning Division has reviewed the proposed LOP and offer the following comments.

a. Based upon the Flood Insurance Study for El Paso County, Colorado, and Sheet 2 of 4 of the public notice, the recommended storm sewer improvements for Stratmoor Valley North are within the boundaries of the 100-year flood plain. Effects of inundation by the 100-year flood should be considered in the design of the system.

b. Consideration should also be given during the design phase on the effects of 100-year velocities and flooding depths on the recommended outfalls and energy dissipation structures that would be located within the Fountain Creek floodway for Stratmoor Valley North (velocity equals approximately 14 feet per second (fps) and flood depth equals approximately 11 feet) and Stratmoor Valley South (velocity equals approximately 8 to 10 fps and flood depth equals approximately 11 feet).

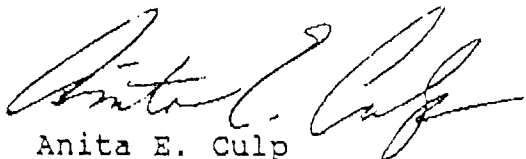
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JUN 24 1991
Muller Engineering Co., Inc.

c. The proposed LOP procedures do not indicate that El Paso County has (or will) review the project for compliance with local floodplain ordinances and the requirements of the National Flood Insurance Program.

d. The recommended projects could have impacts to cultural properties; however, the proposed LOP procedures have two provisions which, if they are followed, should provide protection: Special Condition (i) on page 6 and General Condition (c) on page 7. Special Condition (i) should be revised to clearly state that it is the responsibility of the permittee to notify the Colorado State Historic Preservation Officer of land disturbing projects and to request a determination of the need for a survey.

If you have any questions regarding the processing of your application, please feel free to contact me at (719) 543-9459.

Sincerely,

A handwritten signature in dark ink, appearing to read "Anita E. Culp", written in a cursive style.

Anita E. Culp
Senior Project Manager

Enclosure

RONALD F. SMITH
MANAGER ENGINEERING DIVISION

ERVIN M. CASEY
SYSTEMS SUPERVISOR

WILLIAM O. CERDA
INSPECTION SUPERVISOR

ARL R. McCLELLAN
SURVEY SUPERVISOR

LAN B. MORRICE
STORM WATER

DAVID M. WATT
DESIGN ENGINEER



EL PASO COUNTY
DEPARTMENT OF PUBLIC WORKS

ENGINEERING DIVISION

3105 N. STONE AV.
COLORADO SPRINGS, COLORADO 80907

MAX L. ROTHSCCHILD, P.E.
DIRECTOR OF PUBLIC WORKS

8933

PHONE (719) 520-6840
FAX (719) 520-6878
24hr. MSG. (719) 520-6460

July 1, 1991

Anita E. Culp
U.S. Army Corps of Engineers
Southern Colorado Project Office
P.O. Box 294
Pueblo, CO. 81002

RECEIVED

JUL 3 1991

Muller Engineering Co., Inc.

Dear Ms. Culp:

In reference to your June 20, 1991 letter, thank you for forwarding the Colorado Division of Wildlife June 3 letter and your Engineering and Planning Division comments.

The comments presented from your Engineering and Planning Division are valid ones that will clearly be addressed at the time of final design of specific improvements. The effects of the 100 year floodplain upon the Stratmoor Valley North Storm Sewer will be considered in design, as appropriate; the intent of this system is to primarily provide protection for the more frequent lower recurrence interval storm events. Similarly, Fountain Creek velocities and backwater depths should be considered, for the design storm frequency, for all outfall storm water systems. Concerning Item C., El Paso County is cognizant of the present floodplain regulations and all proposed improvements will have such considered in their design and construction. However, the Regional Floodplain Administrator is primarily responsible for the implementation of our floodplain regulations.

Regarding the issues presented in the Colorado Division of Wildlife June 3 letter, we feel that most have been adequately addressed previously. This is in part documented by Robert E. Meehan's June 10 letter and 404 (b)(1) guidelines alternatives

analysis, which found the selected alternatives to be environmentally least damaging. As you may be well aware, drop structures are a key component for the protection against erosion, especially in a natural channel setting. Various improvements such as these are clearly needed to achieve a practical stabilizing situation so that structures, soil, vegetation, and habitat are not significantly destroyed during major storm events. In Fisher's Canyon, the deeply incised and eroded channel is proposed to be protected with rock as well as raised to minimize disturbances to overbank riparian areas. Muller Engineering Company has located and sized the drop structures with the above mentioned intent in mind. Examination of the stormwater and topographic conditions would lead most to the same or similar conclusions. There shall be the opportunity, through the much more specific investigations at final design, to achieve a further enhancing configuration due to strategic drop structure sizing and placement.

Please do not hesitate to contact me if you have any questions or are in need of additional information.

Sincerely,

A handwritten signature in cursive script, reading "Alan B. Morrice".

Alan B. Morrice, P.E.
Stormwater Management Supervisor

ABM/kt

cc: Donald F. Smith
Larry Muller
Bruce Goforth



el paso county parks

Mickey Carter, Director

August 29, 1991

RECEIVED
By 1012
SEP 7 - 1991
El Paso County
Planning Department

Mr. Rick O'Conner
Principal Planner
El Paso County Planning Department
Colorado Springs, CO 80901

RE: FISHERS CANYON DRAINAGE PLANNING STUDY

The El Paso County Parks Department owns and operates several different properties within the Fishers Canyon Drainage Basin and property to the south of the basin which may be impacted by the results of this study.

STRATMOOR HILLS PARK

Stratmoor Hills Park is a neighborhood park of approximately 3.0 acres and includes playfields and playground equipment. The park is located at Crestridge Avenue and Sinton Avenue.

The park is located in sub-basin 4A of this study, and the plans indicate that a 30" reinforced concrete pipe will be necessary in Sinton Avenue which is adjacent to the park. Clover Ditch is located directly to the south of the park and is separated from the park by a 4' high chain link fence. If Clover Ditch will be utilized as an open conveyance channel for storm drainage, some type of protective measure should be taken to insure the safety of the public in this residential neighborhood. Other than the concerns relating to Clover Ditch, it does not appear that Stratmoor Hills Park will be negatively impacted by the recommended alternative; however, the park department staff would appreciate the opportunity to review detailed plans and drawings at the time of any implementation for structures in this area to further assess impact upon this park facility.

FOUNTAIN CREEK REGIONAL TRAIL CORRIDOR

For the past 10 years the El Paso County Parks Department has been acquiring land along Fountain Creek in an effort to establish a central regional trail corridor for the county. This regional trail will continue to the north and to the south of the basin.

At the eastern boundary of the Fishers Canyon Drainage Basin, the trail will be developed along the westerly side of Fountain Creek. The trail surface is typically 8' in width and constructed with road base gravel compacted in place. Drainage pipe is proposed to cross park property in two locations. A 48" (42") reinforced concrete pipe will cross at the end of Corning Drive and a 42" (33") and 24" (24") will cross at the end of Kensington Drive and Keswick Road. Energy dissipation structures are planned for both locations.

• fax (719) 520-6389 •

• 2002 creek crossing, colorado springs, colorado 80906 • phone (719) 520-6375 •

At the end of Keswick Road the trail corridor is very narrow, so the energy dissipation structure will probably be visible and accessible from the regional trail. The design of the dissipation structure should consider public safety in an area that will have extensive use.

As a downstream property owner, we would like to see the energy dissipation structures sized appropriately so that the downstream receiving waters are protected.

The El Paso County Parks Department will require a drainage easement before any construction can begin. The contractor will also be required to provide revegetation and restoration to the area according to our specifications. The final design of the drainage structures should be coordinated with our office to avoid any conflict with the trail.

Again, it would be appropriate for park staff to review detailed construction drawings and details prior to implementation to allow staff to further assess the impact upon county park trail property.

The Fountain Creek Regional Trail Corridor will be typically utilized by environmentally-oriented people. It is appropriate that we indicate that every effort should be made to retain the Herbaceous Wetlands, Shrub Wetlands and Riparian Forest whether Alternative 1 or Alternative 2 is chosen.

Thank you for the opportunity to comment on this drainage basin study. If you have any questions or if I can be of further assistance please do not hesitate to call 520-6375.

Respectfully,



Susan Johnson
Superintendent of Planning & Construction

SJ/co

cc: Alan Morrice





REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1580
ALBUQUERQUE, NEW MEXICO 87103-1580
FAX (505) 766-2776

September 16, 1991

Construction-Operations Division
Regulatory Branch

Mr. Alan Morrice
El Paso County Department of Public Works
3105 North Stone
Colorado Springs, Colorado 80907

Dear Mr. Morrice:

This letter is sent to inform you of our intent to establish a Section 404 List of Categories of Activities and Letter of Permission (LOP) procedures for your Fishers Canyon Drainage Basin Planning Study in El Paso County, Colorado (Corps of Engineers Action No. CO-OYT-0618). We have completed most of the requirements for establishing the List and LOP procedures and anticipate issuing a final public notice on the List and procedures in 1991.

The List of Categories of Activities is intended to include all Section 404 activities involved in implementing the recommended preliminary design of the basin study. Any activity on the List would then be eligible for a Letter of Permission authorization and project applicants applying for an LOP authorization would use abbreviated processing procedures.

For information about the status of the List of Categories of Activities or to apply for a Letter of Permission Authorization, please contact one of the following Corps of Engineers offices:

Southern Colorado Project Office
421 N. Main Street, Suite 416
P.O. Box 294
Pueblo, CO 81002-0294
(719) 543-9459

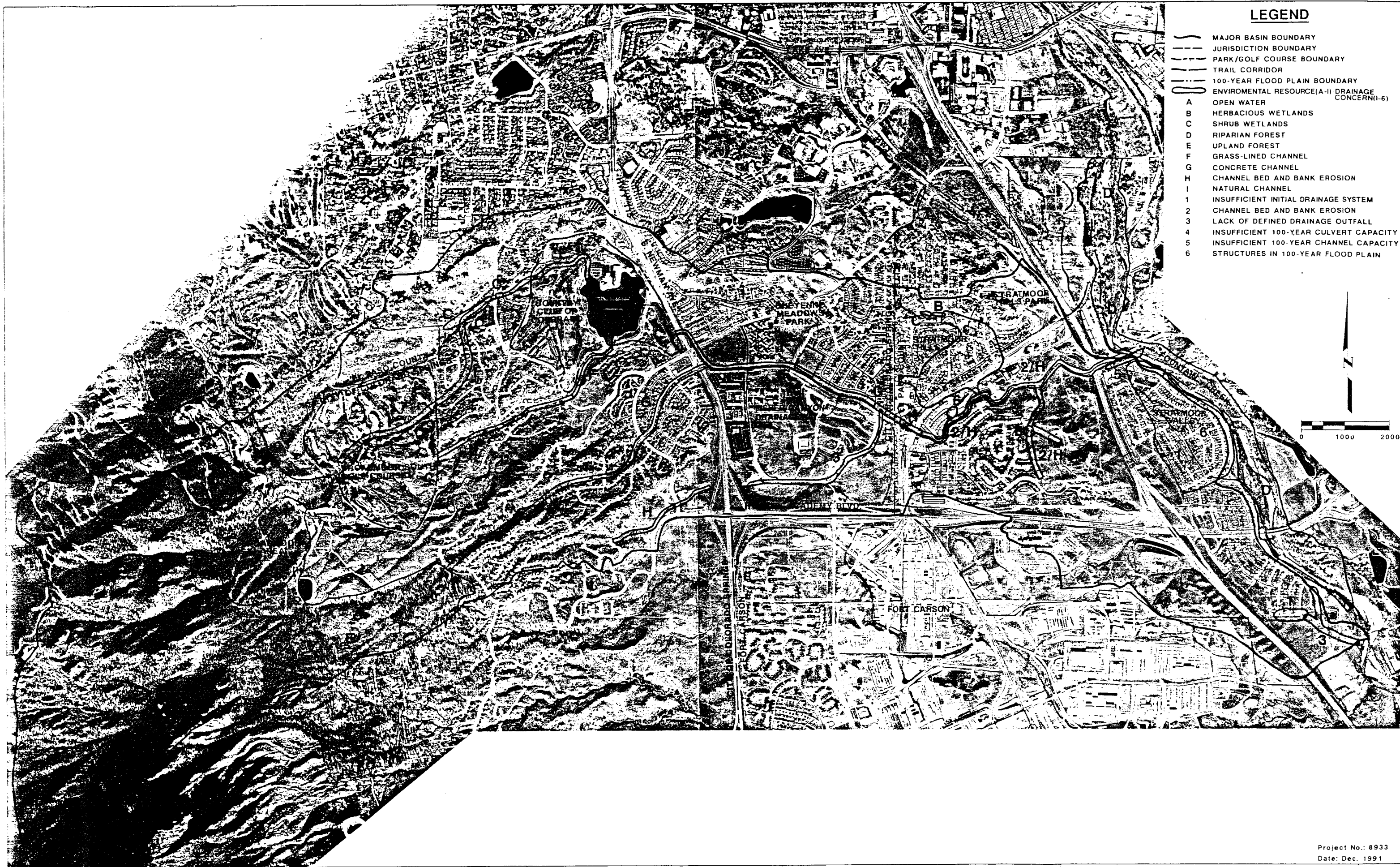
ATTN: CESWA-CO-R
Albuquerque District
517 Gold Ave. SW, Room 8419
P.O. Box 1580
Albuquerque, NM 87103-1580
(505) 766-2776

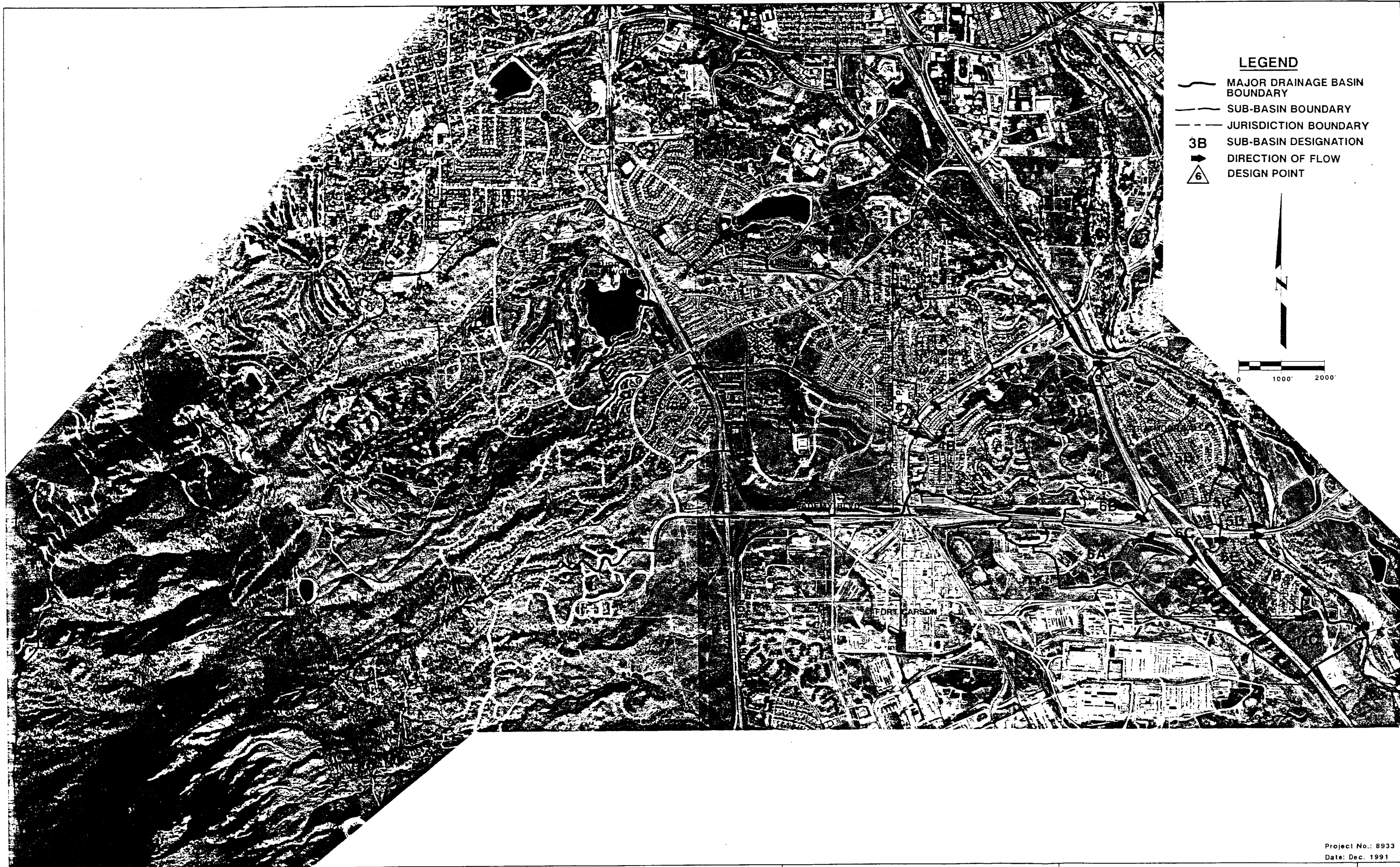
Sincerely,

Robert E. Meehan, P.E.
Chief, Construction-Operations
Division

10-11-91

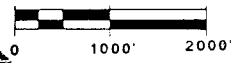
APPENDIX B
DESIGN DRAWINGS

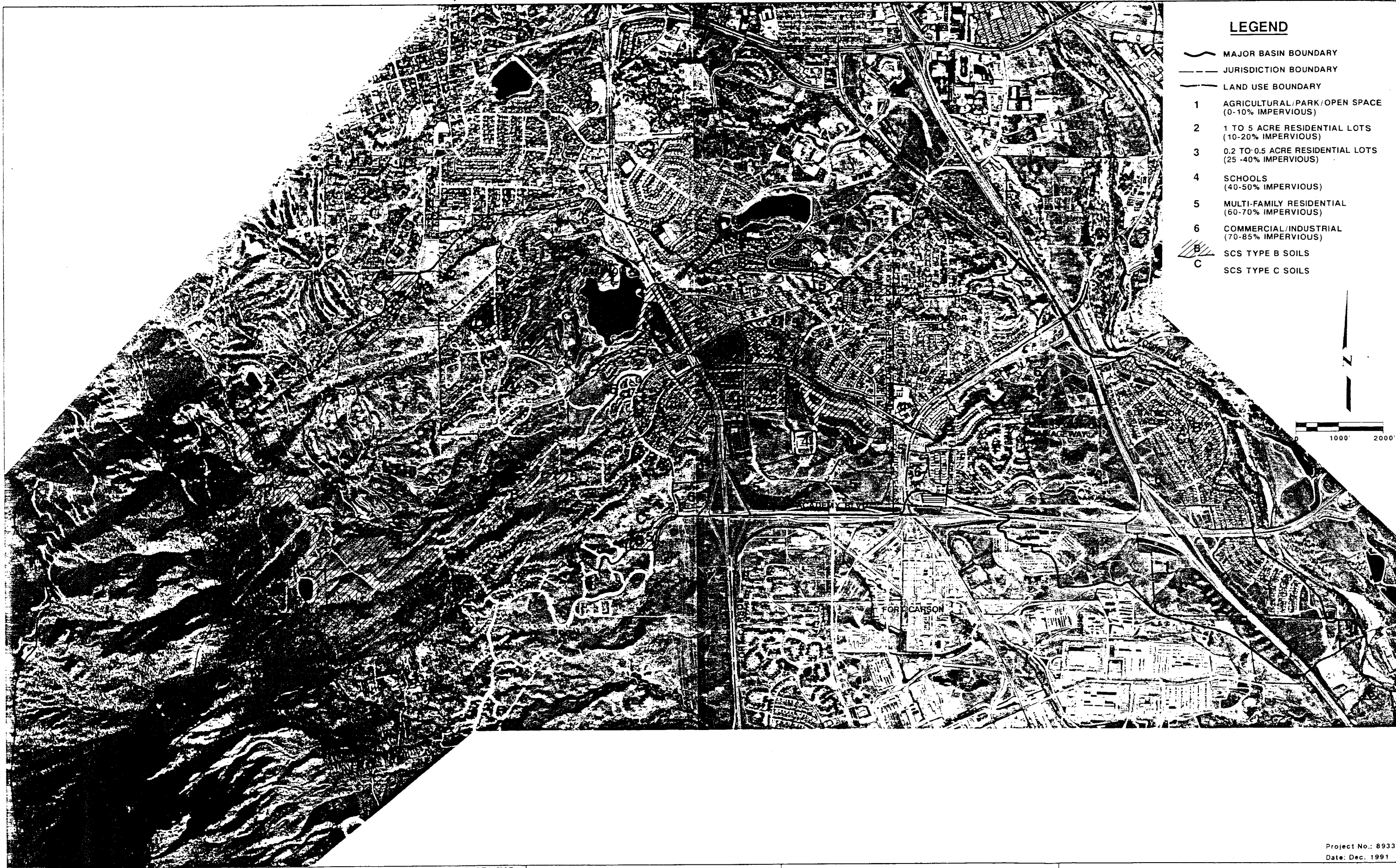




LEGEND

- MAJOR DRAINAGE BASIN BOUNDARY
- SUB-BASIN BOUNDARY
- - - JURISDICTION BOUNDARY
- 3B SUB-BASIN DESIGNATION
- ➔ DIRECTION OF FLOW
- △ 6 DESIGN POINT





Project No.: 8933
Date: Dec. 1991

AERIAL PHOTOGRAPHY BY: ANALYTICAL SURVEYS, INC.
DATE FLOWN: 11/10/89

MULLER ENGINEERING COMPANY, INC.
CONSULTING ENGINEERS
550 SOUTH WADSWORTH BOULEVARD SUITE 500
LAKEWOOD COLORADO 80226-3118
(303) 437-3500

EL PASO COUNTY
DEPARTMENT OF PUBLIC WORKS
3170 CENTURY STREET
COLORADO SPRINGS, COLORADO 80907
(719) 520-6460

FISHERS CANYON
DRAINAGE BASIN PLANNING STUDY

FUTURE LAND USE AND
SOILS INFORMATION

FIGURE
V-2

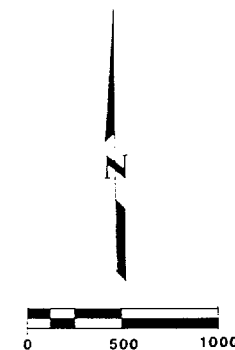


LEGEND

- LIMITS OF AREA ASSUMED TO CONTRIBUTE TO DRAINAGE FEES
- EXISTING CULVERT OR STORM SEWER
- 24"(24")** PROPOSED REINFORCED CONCRETE PIPE
- PROPOSED CHANNEL IMPROVEMENTS
- MATCH LINE
- SHEET OUTLINE, FIGURES VIII-1 THROUGH VIII-4

NOTE:

ALTERNATIVE 1 DOES NOT INCLUDE DETENTION POND,
ALTERNATIVE 2 INCLUDES DETENTION POND.
PROPOSED PIPE DIAMETERS FOR ALTERNATIVE 1
ARE SHOWN WITH OUT PARENTHESES.
ALTERNATIVE 2 SHOWN IN PARENTHESES.



AERIAL PHOTOGRAPHY BY: ANALYTICAL SURVEYS, INC.
DATE FLOWN: 11/10/89

MULLER ENGINEERING COMPANY, INC.
CONSULTING ENGINEERS
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LAKEWOOD, COLORADO 80226-3118
(303) 937-3500

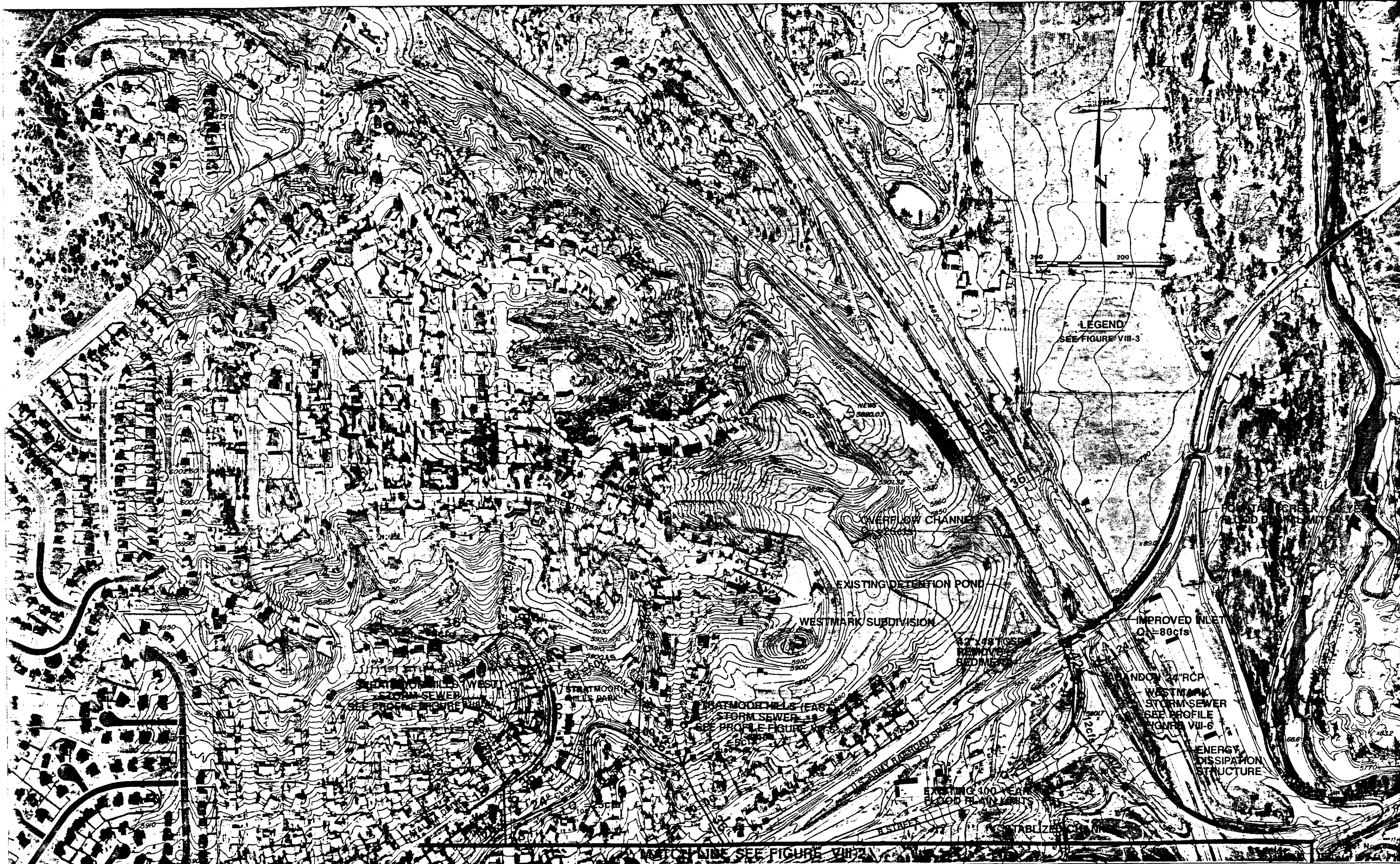
EL PASO COUNTY
DEPARTMENT OF PUBLIC WORKS
3170 CENTURY STREET
COLORADO SPRINGS, COLORADO 80907
(719) 520-6460

FISHERS CANYON
DRAINAGE BASIN PLANNING STUDY

ALTERNATIVE 1 AND
ALTERNATIVE 2 PLANS

Project No.: 8933
Date: Dec. 1991

FIGURE
VII-1



GROUND CONTROL SURVEY BY: B.J.I. SURVEYING
AERIAL PHOTOGRAPHY BY: ROCKY MOUNTAIN AERIAL SURVEYS, INC.
TOPOGRAPHIC MAPPING BY: REID'S AERIAL MAPPING
DATE FLOWN: 2/9/90

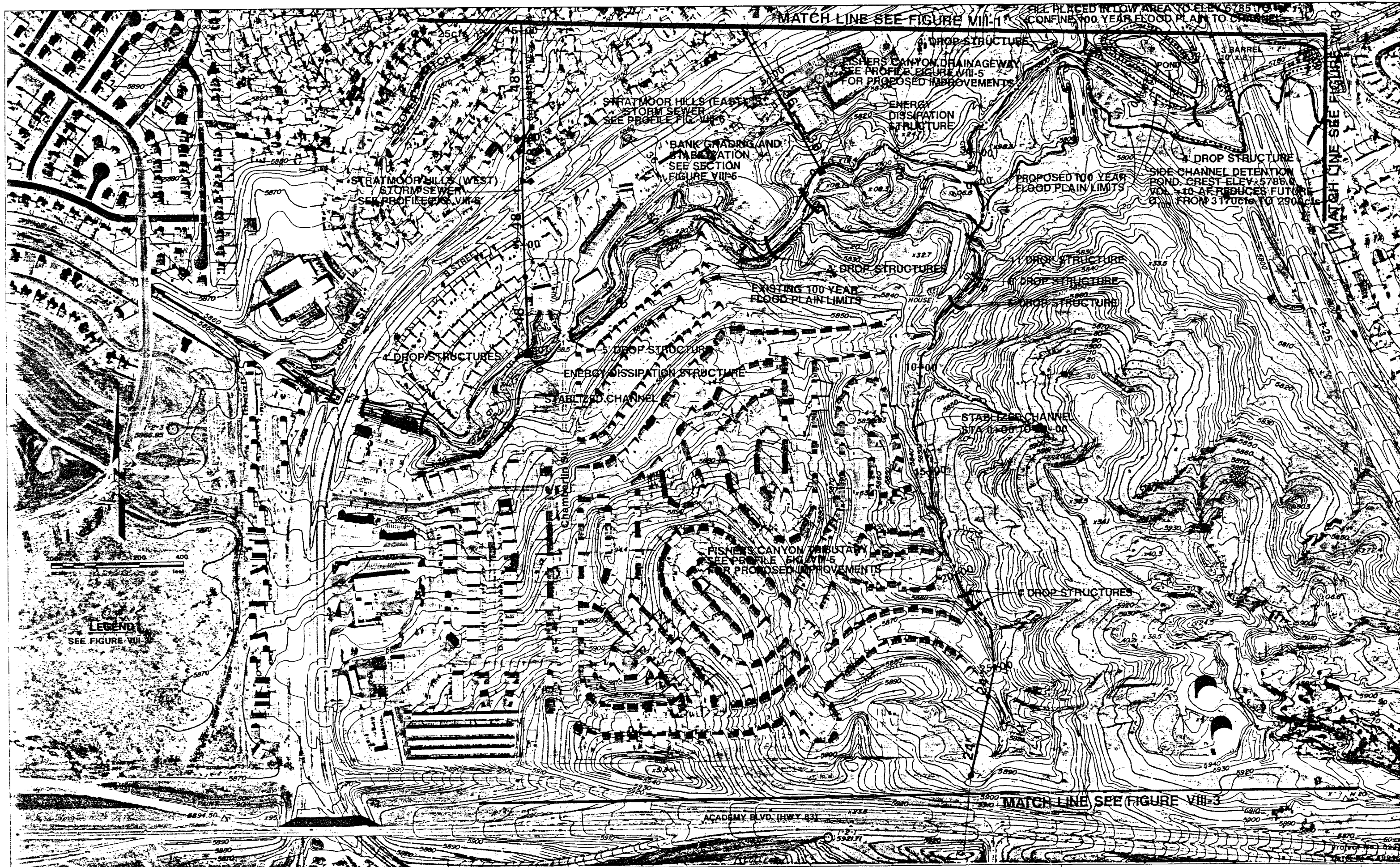
MULLER ENGINEERING COMPANY, INC.
CONSULTING ENGINEERS
550 SOUTH WADSWORTH BOULEVARD SUITE 500
LAKEWOOD COLORADO 80226-3118
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FISHERS CANYON
DRAINAGE BASIN PLANNING STUDY

SELECTED PLAN
SHEET 1 OF 4

FIGURE
VIII-1



GROUND CONTROL SURVEY BY: B.J.I. SURVEYING
 AERIAL PHOTOGRAPHY BY: ROCKY MOUNTAIN AERIAL SURVEYS, INC.
 TOPOGRAPHIC MAPPING BY: REID'S AERIAL MAPPING
 DATE FLOWN: 2/9/90

MULLER ENGINEERING COMPANY, INC.
 CONSULTING ENGINEERS
 550 SOUTH WADSWORTH BOULEVARD, SUITE 500
 LAKEWOOD, COLORADO 80226-3118
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EL PASO COUNTY
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FISHERS CANYON
 DRAINAGE BASIN PLANNING STUDY

SELECTED PLAN
 SHEET 2 OF 4

FIGURE
 VIII-2



LEGEND

PLAN

- EXISTING SANITARY SEWER
- PROPOSED STORM SEWER WITH MANHOLE
- PROPOSED STORM SEWER INLET AND DESIGN FLOW
(Q₁₀₀ REFERS TO 100 YEAR DESIGN FLOW)
(Q₂ REFERS TO 2 YEAR DESIGN FLOW)

PROFILE

- EXISTING GROUND SURFACE
- PROPOSED GROUND SURFACE
- EXISTING 100 YEAR WATER SURFACE
- PROPOSED 100 YEAR WATER SURFACE
- EXISTING SANITARY SEWER CROSSING
(DEPTH UNKNOWN)

GROUND CONTROL SURVEY BY: B.J.I. SURVEYING
AERIAL PHOTOGRAPHY BY: ROCKY MOUNTAIN AERIAL SURVEYS, INC.
TOPOGRAPHIC MAPPING BY: REID'S AERIAL MAPPING
DATE FLOWN: 2/9/90

MULLER ENGINEERING COMPANY, INC.
CONSULTING ENGINEERS
440 SOUTH WADSWORTH BOULEVARD SUITE 500
LAKEWOOD COLORADO 80226-3118
(303) 937-3500

EL PASO COUNTY
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3170 CENTURY STREET
COLORADO SPRINGS, COLORADO 80907
(719) 520-6460

FISHERS CANYON
DRAINAGE BASIN PLANNING STUDY

SELECTED PLAN
SHEET 3 OF 4

FIGURE
VIII-3

Project No.: 8933
Date: Dec. 1991



GROUND CONTROL SURVEY BY: B.J.I. SURVEYING
AERIAL PHOTOGRAPHY BY: ROCKY MOUNTAIN AERIAL SURVEYS, INC.
TOPOGRAPHIC MAPPING BY: REID'S AERIAL MAPPING
DATE FLOWN: 2/9/90

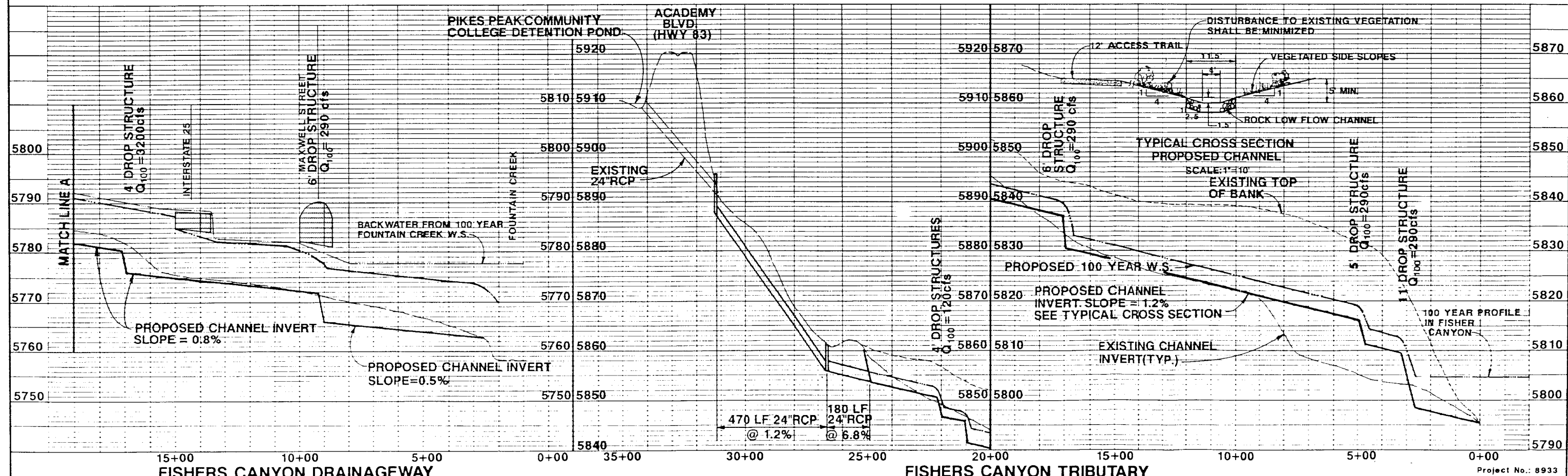
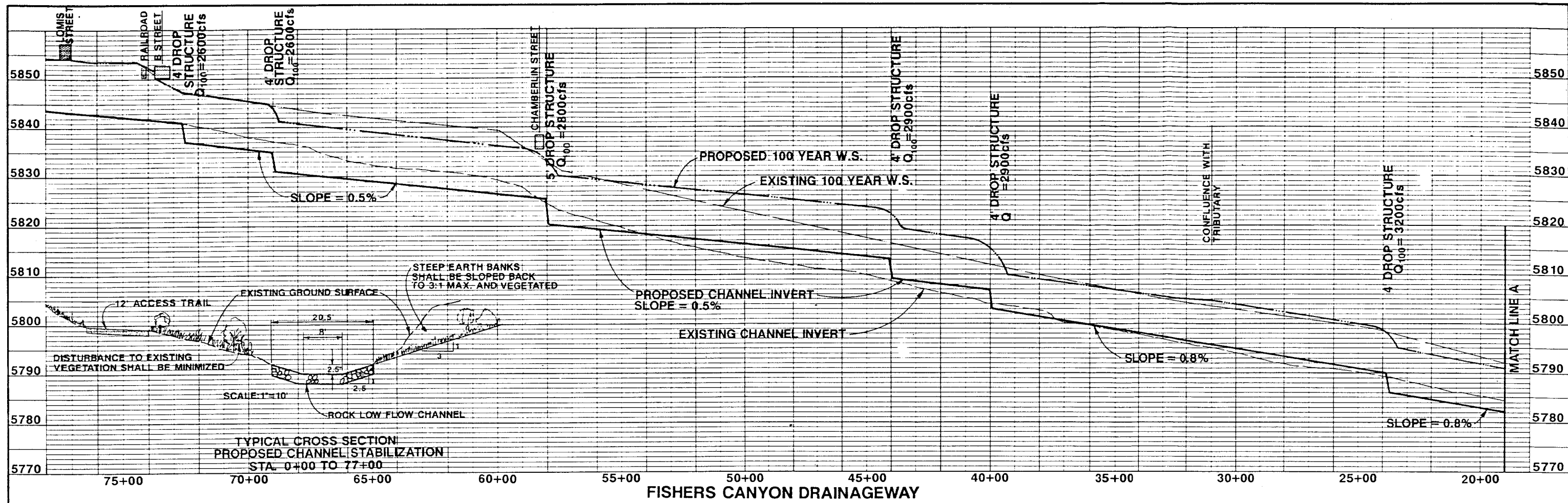
MULLER ENGINEERING COMPANY, INC.
CONSULTING ENGINEERS
150 SOUTH WADSWORTH BOULEVARD SUITE 500
LAKEWOOD COLORADO 80226-3118
(303) 937-3500

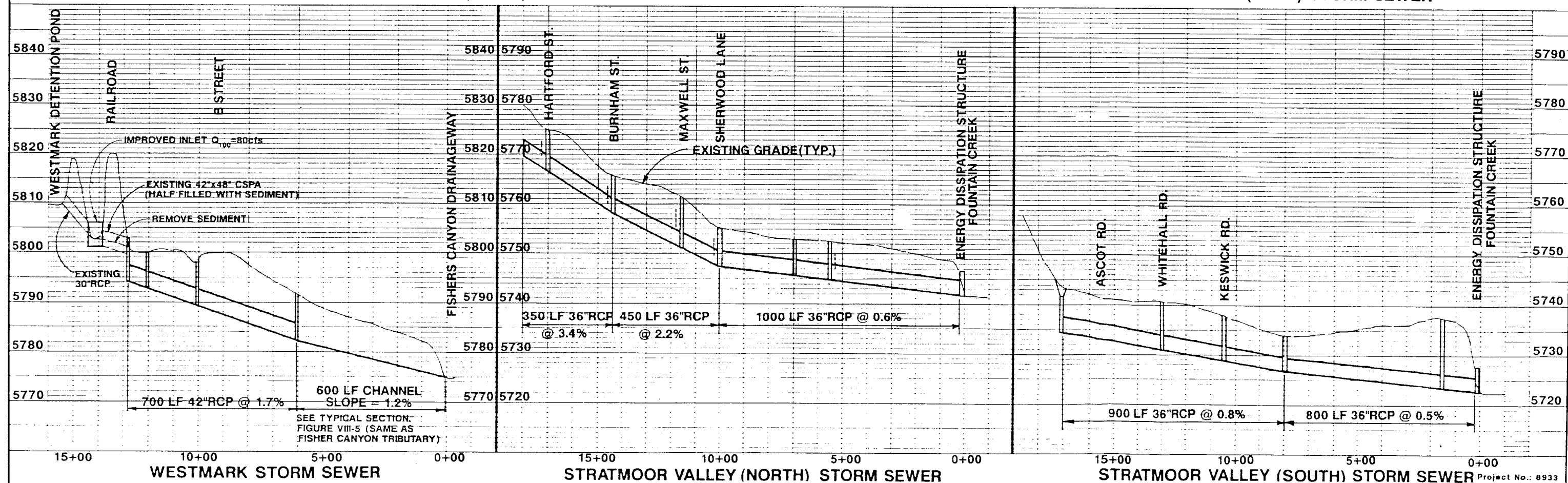
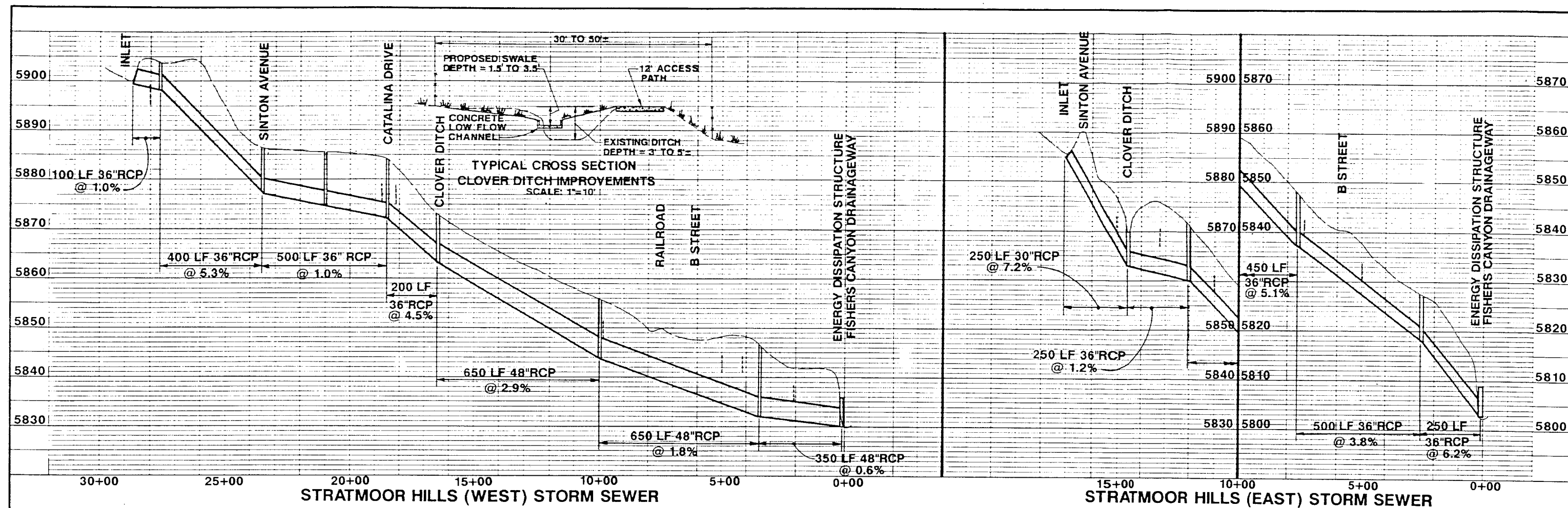
EL PASO COUNTY
DEPARTMENT OF PUBLIC WORKS
3170 CENTURY STREET
COLORADO SPRINGS, COLORADO 80907
(719) 520-6460

FISHERS CANYON
DRAINAGE BASIN PLANNING STUDY

SELECTED PLAN
SHEET 4 OF 4

FIGURE
VIII-4





MULLER ENGINEERING COMPANY, INC.
CONSULTING ENGINEERS
550 SOUTH WADSWORTH BOULEVARD, SUITE 500
LAKEWOOD, COLORADO 80226-3118
303.937.3500

EL PASO COUNTY
DEPARTMENT OF PUBLIC WORKS
3170 CENTURY STREET
COLORADO SPRINGS, COLORADO 80907
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FISHERS CANYON
DRAINAGE BASIN PLANNING STUDY

PROFILES
STRATMOOR HILLS STORM SEWER
WESTMARK STORM SEWER
STRATMOOR VALLEY STORM SEWER

FIGURE
VIII-6

Project No.: 8933
Date: Dec. 1991

El Paso County Planning Department



TO: City of Colorado Springs
Planning Commission
P. O. Box 1575
Colorado Springs, Colorado 80901

DATE: _____

This is to certify that the following items were received on the above-referenced date:

Amendment to the El Paso County Master Plan - Fishers Canyon Drainage
Basin Planning Study
Resolution No. MP-91-002 dated July 16, 1991.

The enclosures pertain to the requirements set forth in Section 30-28-109, Colorado Revised Statutes, which state, in part:

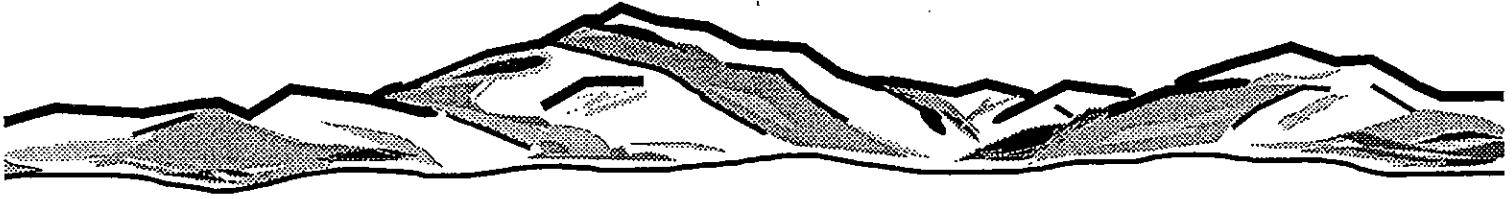
"The County Planning Commission shall certify a copy of its master plan, or any adopted part or amendment thereof or addition thereto, to the Board of County Commissioners of the County.

"The County or regional planning commission shall certify such copies to the planning commission of all municipalities within the County or region."



Signature of Recipient

El Paso County Planning Department



I hereby certify that the enclosed **Fishers Canyon Drainage Basin Planning Study**, as well as the descriptive materials, is a duly adopted amendment to the County Master Plan of El Paso County, Colorado.

A handwritten signature in cursive script, reading "Elaine Nelson". The signature is written in black ink and is positioned above a horizontal line.

Secretary to the El Paso County
Planning Commission

Approved
El Paso County
Planning Commission

AMENDMENT TO THE COUNTY PLAN (Approved)

This 16th day of July 19 91

Commissioner Smith moved that the following Resolution be adopted:

Clare Nelson, Secretary

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. MP-91-002



WHEREAS, the El Paso County Department of Public Works requests approval of and amendment to the Master Plan by adoption of the Fishers Canyon Drainage Basin Planning Study, within the designated areas of the unincorporated area of El Paso County; and

WHEREAS, a public hearing was held by this Commission on July 16, 1991; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the county, comments of the El Paso County Planning Department, comments of public officials and agencies, and comments from all interested parties, this Commission finds as follows:

1. That proper ~~posting, publication and~~ public notice was provided as required by law for the hearing of the Planning Commission.

NOTE: The Planning Commission modified the foregoing Finding.

2. That the hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at that meeting
3. That all data, surveys, analyses studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.
4. That the proposal shall amend the Master Plan for El Paso County.

5. That for the above-stated and other reasons, the proposal is in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso Count .

WHEREAS, Section 30-28-108 C.R.S. provides that a county planning commission may adopt, amend, extend, or add to the County Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the Amendment to the Master Plan for El Paso County be approved by the adoption of the Fishers Canyon Drainage Basin Planning Study for the following described unincorporated area of El Paso County :

Parts of Sections 3, 4, 5, 9 and 10, Township 15 South, Range 66 West of the 6th P.M., El Paso County, Colorado.

BE IT FURTHER RESOLVED that the following condition shall be placed upon this approval:

1. Section 30-28-109, C.R.S. requires the Planning Commission to certify a copy of the Master Plan, or any adopted part or amendment thereof or addition thereto, to the Board of County Commissioners and to the Planning Commission of all municipalities within the County. The Planning Commission's action to amend the Master Plan shall not be considered final until the applicant submits a minimum of ten (10) complete sets of the final documents and maps to the Planning Department and such documents and maps are certified by the Chairman of the Planning Commission and distributed as required by law.

Commissioner Eskanos seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Shapiro	aye
Commissioner Lohse	aye
Commissioner Smith	aye
Commissioner Steele	aye
Commissioner Eskanos	aye
Commissioner Esmiol	aye
Commissioner Gilland	aye
Commissioner Breuning	aye

The Resolution was adopted by a unanimous vote of 8 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DATED: July 16, 1991.