



Pueblo issues conditions for SDS

Pueblo County issued a number of conditions this morning that must be met before it issues permits for the Southern Delivery System that will pipe water into Colorado Springs to support future growth.

The conditions come after months of negotiations between Springs and Pueblo officials.

"At our initial glance, it looks as if they could be workable," Colorado Springs Utilities spokeswoman Janet Rummel said. "There were no surprises, but ultimately this is a decision for the City Council to make."

Rummel said once Colorado Springs knows exactly what is involved in both the preferred alternative from Pueblo Reservoir and the Highway 115 alternative, via a direct river intake in Fremont County, then officials would be able to evaluate them side by side, and Council could then choose the best alternative.

The proposed conditions are:

1.) Mitigation of Fountain Creek Impacts

Mitigate impacts to Fountain Creek from SDS by paying \$50 million to the new Fountain Creek Watershed, Flood Control and Greenway 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 will invest \$75 million in planned improvements to its wastewater collection system or reuse systems by Dec. 31, 2024 to continue its efforts to protect against future spills to Fountain Creek, to increase its opportunities for reuse, and to mitigate possible water quality impacts by SDS.

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

2.) 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.

3.) 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.

5.) 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.

6.) 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."