



2.303 PERMIT APPLICATION

- (1) Completed application form in the format attached as Exhibit B and approved by the Development Services Director.

This application is provided as Exhibit B.

- (2) The Director may require submission of any plan, study, survey or other information, in addition to the information required by this Section, at the applicant's expense, as in the Director's judgment is necessary to enable it to review and act upon the application.

Noted. This submittal includes a report on the Method of Handling Traffic Plans and a Construction Detour Map included in Appendix W as requested.

- (3) Any application which requires compliance with § 24-65.5-101, et seq., C.R.S., (Notification to Mineral Owners of Surface Development) shall not be considered to have been submitted as complete until the applicant has provided a certification signed by the applicant confirming that the applicant or its agent has examined the records of the El Paso County Clerk and Recorder for the existence of any mineral estate owners or lessees that own less than full fee title in the property which is the subject of the application, and stating whether or not any such mineral estate owners or lessees exist. In addition, for purposes of the County convening its initial public hearing on any application involving property which mineral estate owners or lessees owning less than full fee title in the property have been certified by the applicant to exist, the application shall not be considered to have been submitted as complete until the applicant has provided an additional signed certification confirming that the applicant has, at least 30 days prior to the initial public hearing, transmitted to the County and to the affected mineral estate owners and lessees the notices required by C.R.S. §24-65.5-101, et seq.

There are no severed mineral rights for property referenced by schedule numbers 6203000001, 6200000724, 6100000517, and 6203000002 on which easements related to the Northern Delivery System project will be obtained and there is not a mineral estate owner(s) on these properties who owns less than full fee title. See Mineral Certification in Appendix B.

- (4) Information describing the applicant.

Formed in 1985, Triview Metropolitan District (Triview) is a Title 32 metropolitan district which owns and maintains facilities that provide water, wastewater, and stormwater services to a 2,590-acre service area within the Town of Monument, Colorado. Currently, this includes more than 2,000 homes and 70 commercial customers.

Formed in 1984, the Forest Lakes Metropolitan District (Forest Lakes) is a Title 32 metropolitan district that owns and maintains facilities that provide water, wastewater and stormwater services to a 630-acre service area within unincorporated El Paso County and a 240-acre service territory within the Town of Monument. Currently, the service territory within unincorporated El Paso County serves approximately 300 homes; the service territory within the Town of Monument currently serves two commercial customers.



- (a) The names, addresses, including email address and fax number, organizational form, and business of the applicant and, if different, the owner of the Project.

Applicants:

***Triview Metropolitan District
16055 Old Forest Point, Suite 302
Monument, CO 80132
Primary Contact: Jim McGrady, District Manager
Telephone: 719-488-6868, Email: jmcgrady@triviewmetro.com***

***Forest Lakes Metropolitan District
c/o District Manager
2 North Cascade Suite 1280
Colorado Springs, CO 80903
Primary Contact: Ann Nichols, District Manager
Telephone: 719-327-5810, Email: anicholsduffy@aol.com***

- (b) The names, addresses and qualifications, including those areas of expertise and experience with projects directly related or similar to that proposed in the application package, of individuals who are or will be responsible for constructing and operating the Project.

Triview Metropolitan District (Triview) advertised a Request for Proposals for a Construction Manager/General Contractor (CM/GC) for the Northern Delivery System on August 5, 2022 and August 17, 2022. Proposals were submitted by September 1, 2022 and Triview executed a Construction Manager/General Contractor (CM/GC) contract with the winning contractor, Kiewit Infrastructure Corporation. The request for proposal and applicable portions of the proposal submitted by Kiewit that include experience with similar projects and are included in Appendix T. Subcontractors will be selected through a competitive bidding process that will account for experience with similar projects.

Triview Metropolitan District will be responsible for operation of the NDS booster station and pipeline. Triview currently operates a water utility system that includes similar facilities to the proposed project. Triview has eight (8) operators on staff. Triview serves as a contract operator to Forest Lakes Metropolitan District. Triview's lead water Operators in Responsible Charge are:

***Robert Dean Lewis
16055 Old Forest Point, Suite 300
Monument, CO 80132
Class 3 Water Distribution System Operator
Class C Water Treatment Operator***

***Shawn Sexton
16055 Old Forest Point, Suite 300
Monument, CO 80132
Class A Water Treatment Operator
Class 1 Water Distribution Operator***

- (c) Written authorization of the application package by the Project owner, if different than the applicant.

Project owner is the same as applicant.



- (d) Documentation of the applicant’s financial and technical capability to develop and operate the Project, including a description of the applicant’s experience developing and operating similar projects.

FINANCIAL CAPABILITY:

All capital financing of the booster station and pipeline will be accomplished through funds held in reserve by Triview Metropolitan District and a loan provided by Colorado Springs Utilities for the regional water availability fee. Although the project includes capacity for Forest Lakes Metropolitan District and additional water suppliers within northern El Paso County, there is no financial support from additional partners required to complete the project.

Triview General Fund operations is funded through sales tax revenue collected from retailers located within the district. When Triview was formed in 1985, it issued debt. This debt is known as historical debt. The debt service for this historical debt is funded by the imposition of a 21.25 mill property tax assessed against all property located within the District. Triview also has the ability to assess up to 7 mills for operations and maintenance of streets, park and open space, and storm water facilities. In 2023, 2.75 mills is allocated to General Fund operations and capital improvements. The District also operates a Utility Enterprise that is funded through rates and fees., including tap fees It is through this Enterprise that the NDS will be paid for.

Summary of Triview Metropolitan District 2023 Budget			
Revenue			
General Fund		\$ 8,545,452	
Utility Enterprise		\$ 6,526,220	
Enterprise Capital Projects		\$ 5,348,195	
Total Revenue		\$ 20,419,867	
Expenses			
General Fund		\$ 5,395,946	
Utility Enterprise		\$ 6,144,885	
General Fund Capital Projects		\$ 1,629,500	
Enterprise Capital Projects		\$ 19,035,781	
Total Expenses		\$ 32,206,112	
Ending Fund Balance General Fund 2023			\$ 5,618,622
Ending Fund Balance Utility Enterprise Fund 2023			\$ 6,758,313

TECHNICAL CAPABILITY:

Triview Metropolitan District will operate the booster station and pipeline and as noted in section 4(b). Triview provides water, wastewater and stormwater services, road maintenance, repair and



plowing, park maintenance and open space preservation, and storm water operations including maintenance of catch basins, storm water pipes, and detention pond maintenance, to a large area of residential and commercial development. Triview owns and operates 10 Denver Basin wells, two water tanks (1.5 million-gallon concrete water tank and a 1.1 million-gallon tank), 25 miles of water pipelines, 25 miles of sewer pipelines and irrigation systems for parks and open spaces. The District employs eight (8) state of Colorado certified operators including their Operators in Responsible Charge who maintain certifications as noted above in section 4 (b). Triview has the historical and technical expertise to operate this Project.

Triview has engaged JDS -Hydro Consultants, a Division of RESPEC (JDS/RESPEC) to design, permit and manage the construction of the proposed booster station and pipeline JDS employs nine professional engineers at their Colorado Springs office, as well as additional engineering and technical support staff. JDS specializes in water and wastewater conveyance and treatment and has designed, permitted, and managed the construction of numerous similar facilities to those proposed for this project. JDS has a current combined experience of over 200 years. In October of 2021, JDS- Hydro Consultants, Inc. was purchased by RESPEC, LLC. RESPEC brings to JDS additional engineering and technical support staff nationwide.

Mario DiPasquale and Gwen Dall are assigned as the project managers for Northern Delivery System. Ms. Dall has worked on numerous similar projects as an employee for JDS/RESPEC for over 7 years. Mr. DiPasquale is the program manager for the JDS division of RESPEC and has over 19 years of experience. JDS/RESPEC serves as the District Engineer for both Triview Metropolitan District and Forest Lakes Metropolitan District.

(e) Written qualifications of report preparers.

JDS/RESPEC-Hydro Consultants, a Division of RESPEC (JDS/RESPEC) has been engaged to prepare this 1041 report with the assistance and review of Triview's District Manager, James McGrady, Forest Lake's District Manager, Ann Nichols, Triview's attorney, Chris Cummins and Forest Lake's attorney Steve Monson.

Written qualifications for the JDS/RESPEC preparers, Gwen Dall, P.E. and Sarah Itz, the biologist who prepared the environmental analysis for the report are included in Appendix C.

JDS/RESPEC-Hydro has prepared 1041 applications for the following projects

- *Falcon Area Water Authority Transmission Line*
- *Widefield Water and Sanitation District, Rolling Hills Tank 2 MG Tank*
- *Sterling Ranch Metropolitan District and Woodmen Hills Tank Site*
- *4-Way Ranch Force Main*

A summary of qualifications for Jim McGrady, Ann Nichols, Chris Cummins and Steve Monson are included below.

James McGrady (Triview Metropolitan District):



James C. McGrady has worked as a Special District Manager, City Manager, and Utility Director within the State of Colorado for the past 20 years.

Jim is currently the General Manger for the Triview Metropolitan District where he oversees the Administration Department, Park and Open Space Department, Street Department, and Storm Water services, along with the District's Utility Department, consisting of Water, and Wastewater Services.

In addition to the Triview Metropolitan District, Jim has personally managed the following Special Districts:

- *Stonegate Metropolitan District*
- *Forest View Acres Water District*
- *Chatfield South Water District*
- *The Dancing Willows Metropolitan District*
- *The South Sheridan Water and Sanitary Sewer District*
- *The Castle Pines North Metropolitan District*
- *The Cumberland Green Metropolitan District*

Jim was also the City Manager for the City of Castle Pines and the Utility Director for the City of Fountain.

In addition to serving in these Executive level positions Jim has spent over 20 years working for Colorado Springs Utilities and the City of Aurora in various positions primarily focused on water resources planning, acquisition of water supply and storage, water right administration and accounting , negotiations of stipulation/settlements, environmental impact studies, business customer management and economic development, customer service process improvements, and water distribution system planning and design.

Jim is a skilled financial manager who has personally been involved with the issuance of over \$190,000,000 in new Bonds, including Certificates of Participation, and the refinancing of existing debt, along with the establishment of rates and fees sufficient to support debt service obligations, operation and maintenance, and long term capital projects. Jim has also obtained and administered various loans from the Colorado Water Resources Power Development Authority, the Colorado Water Conservation Board, and obtained and administered grants from the Energy/Mineral Impact Assistance Grant program. Jim has developed countless annual budgets and participated in numerous financial audits over his career.

Jim has a Bachelor's Degree in Business Administration from the University of Notre Dame and a Masters of Business Administration Degree from Regis University. Additionally, Jim has a strong engineering background as a result of numerous Engineering courses taken at the University of Colorado at Colorado Springs and Idaho State University.

Ann Nichols (Forest Lakes Metropolitan District):

Ann Nichols worked for 25 years at Colorado Springs Utilities in its Finance Department with responsibility for the Rates and General Accounting Departments among other duties. Ann ultimately became the Director of Finance for Utilities retiring in 2002. Ann has since operated as an independent consultant and has functioned as District Manager for Forest Lakes



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Metropolitan District since 2003. She also provided consulting services for The City of Aurora and the City of Fountain among others. Ann has a PhD in economics from Colorado State University.

Chris D. Cummins (Monson, Cummins, Shohet & Farr, LLC):

Chris is an attorney licensed in both Colorado and Wyoming whose primary area of legal practice has been water and water rights for the past 19 years. Such experience includes legal assistance to farmers and ranchers, homeowners, land developers, counties, municipalities and special districts, and has specifically included long-term water rights planning for multiple municipal and quasi-municipal entities, including the Triview Metropolitan District. Chris's practice has included both transactional and litigation work, but has also included land use planning activities and commercial litigation concerning easements, condemnation, and appellate work, further including development of 1041 permitting regulations. Chris has practiced before the Water Courts for Colorado Water Divisions 1, 2, 3, 4, 6 and 7, as well as the El Paso County District Court, the Colorado Supreme Court, the United States District Court for Colorado, and the United States 10th Circuit Court of Appeals, as well as administrative practice before multiple local governments, the Colorado Water Conservation Board, and the Colorado Ground Water Commission. Chris is a founding member and partner of the law firm Monson, Cummins, Shohet & Farr, LLC, and has worked and resided in the Colorado Springs area since 2006.

Chris is a Colorado native, with a Bachelor's Degree in Business Administration from the University of Northern Colorado, and his Juris Doctorate degree from the University of Denver.

Steven T. Monson (Monson, Cummins, Shohet & Farr, LLC):

Steve is an attorney licensed to practice law in Colorado since 1981 with 41 years of legal experience. He is Of Counsel at Monson, Cummins, Shohet, and Farr, LLC., and was a founding member of its predecessor law firm. Steve's primary area of practice is water rights law and related matters including water rights acquisitions, water rights planning and development, property and easement acquisitions, and Water Court practice for the adjudication of water rights, changes of water rights, plans for augmentation, and water exchanges. Steve's law practice includes counsel to private clients and to public clients such as municipal water providers as Forest Lakes Metropolitan District.

Steve has lived in Colorado since 1981 and holds a Bachelor's Degree in Business Administration from the University of Nebraska and a Juris Doctorate Degree also from the University of Nebraska.



- (5) Information describing the Project.
 - (a) Vicinity map showing the proposed site and the surrounding area.

Please refer to the Vicinity Map in Appendix A which includes a designation of the proposed pipeline alignment within El Paso County.

- (b) Executive summary of the proposal indicating the scope and need for the Project.

Project Scope:

The Northern Delivery System (NDS) is proposed to bring renewable water to Northern El Paso County municipal customers. The existing Southern Delivery System infrastructure will be utilized to convey, treat, and deliver surface water to the north end of the Colorado Springs Utilities (Springs Utilities) service area at a location known as the Springs Utilities Highway 83 Storage Tank. The proposed NDS project will convey water from the existing Springs Utilities Highway 83 Storage Tank through a proposed pump station and proposed 16" diameter transmission main at which point it will be delivered to Triview Metropolitan District's existing 1.1 MG C-Plant Tank located in the Sanctuary Pointe Development. From this delivery point, the water will be delivered to Forest Lakes Metropolitan District and other future partner's via Triview Metropolitan District's distribution system. Internal distribution system improvements will be required and include approximately 2,850 ft of 12" diameter pipeline and in the future, a proposed 1.5 MG storage tank that will be located adjacent to the District's existing B-Plant tank. Details of the proposed distribution system improvements, including the future tank are not included in this 1041 submittal since the tank will be located on land within the Town of Monument boundaries. The proposed booster pump station and approximately 4.4 miles of the 16" diameter pipeline are located within the jurisdictional boundaries of El Paso County (EPC).

The proposed booster pump station will be constructed on land owned by the City of Colorado Springs and is located east of the intersection of Old Northgate Road and Highway 83 and lies within unincorporated El Paso County. The water conveyed by the project is potable water that is treated by Colorado Springs Utilities prior to arriving at the existing Highway 83 Storage Tank. No water treatment is proposed as part of this application but there will a chlorine boosting system installed at the booster pump station to ensure that a 0.20 mg/L chlorine residual can be maintained through the 16" diameter pipeline before the water arrives at the existing C-Plant Tank.

The proposed pipeline route begins at the booster pump station and proceeds west across private property and then continues west within the Old Northgate Road right of way, north within the Roller Coaster Road right of way, west within the Baptist Road right of way and private property until it reaches land within the Town of Monument jurisdiction. Fire hydrants will be provided along the pipeline.

The project is proposed for construction by Triview Metropolitan District and Forest Lakes Metropolitan District, but the infrastructure will be sized to serve additional water suppliers in Northern El Paso County that may choose to partner with the project in the future. The design flowrate for the booster pump station and 16" transmission pipeline is 4 MGD.



Project Need:

Triview Metropolitan District, Forest Lakes Metropolitan District and other water suppliers in Northern El Paso County are reliant on Denver Basin water. The static water level in Denver Basin aquifers has been dropping with increased use. Additionally, there are water quality concerns as radionuclides are somewhat common in the Denver Basin aquifers in Northern El Paso County. Because of these factors, the Districts have pursued other means of water supply. The water conveyed by the NDS will be renewable surface water which will preserve the water in the Denver Basin for peak demand and drought reserve and provide the Districts the potential reuse of fully consumable sewer return flows. The NDS will allow water suppliers in Northern El Paso County to supply water to both existing and proposed development now and into the future.

- (c) Plans and specifications of the Project in sufficient detail to evaluate the application against the applicable Review Criteria.

Preliminary construction plans are included as Appendix E. Hydrants are proposed along the water transmission line will be utilized in water line construction and will provide fire flow protection and utilized for operational maintenance when the line is put into service. The water pipeline will be 16 inches in diameter.

The Method of Traffic Handling and Construction Detour Map is also included in Appendix W which outlines the planned traffic detours and signage to ensure safety and access for residents to their homes and Fox Run Regional Park during construction.

- (d) Descriptions of alternatives to the Project considered by the applicant. If the Director determines that the nature or extent of the proposal involves the potential for significant damage and warrants examination of other specific, less damaging alternatives, the Director may require the applicant to evaluate and present information on such additional alternatives as part of the application.

Multiple pipeline routes were considered and presented to the public at a series of four public meetings. The booster pump station location matches the original proposal, but the pipeline route has been updated to reflect public input and a potable water storage tank proposed to be constructed within Fox Run Regional Park was removed from the project. Appendix F depicts the alternative routes and tank locations considered. A summary of the public meetings held and the resulting changes in the design from each meeting is shown below.

The first public meeting was held as an open house at the picnic pavilions within Fox Run Regional Park on October 16, 2021. At this meeting the preferred pipeline route was proposed through the Sun Hills neighborhood and Fox Run Regional Park with alternative routes depicted along Roller Coaster and Baptist Roads. The plan included a 1 MG potable water storage tank with the preferred location depicted within the park just south of Baptist Road and an alternative tank location shown in the far northwest corner of the park. The meeting was advertised by posting flyers within Fox Run Regional Park and was posted on the El Paso County Parks' website and Triview Metropolitan District's website. Our Community News was also notified of the meeting.



The second public meeting was held at Bear Creek Elementary School on November 17, 2021. At this meeting three pipeline routes were depicted including a hybrid route that avoided the Sun Hills neighborhood but maintained a route through Fox Run Regional Park and again depicted a 1 MG potable water tank with the preferred location just south of Baptist Road and an alternate location in the far northwest corner of the park. A pipeline route along the southern boundary of the Sanctuary Pointe development was also presented in detail at this meeting. The meeting was advertised by sending notifications Our Community News, NEPCO and the meeting was posted on the Triview Metropolitan District's website.

A third public meeting was held at Tri-Lakes Chamber on January 18, 2022 which depicted the same routes and tank locations as were shared at the November 17th meeting. The presentation material for this public meeting was also shared by Triview's District Manager, Jim McGrady at the NEPCO meeting on January 29, 2022. The meeting at the Tri-Lakes Chamber was advertised by sending notifications to Our Community News, NEPCO and the Sanctuary Point HOA and was posted on the Triview Metropolitan District's website.

A fourth public meeting was held at the Tri-Lakes Chamber on August 25, 2022. The pipeline route proposed in this 1041 submittal as the final pipeline alignment selected was presented at this meeting. This meeting was advertised by sending notices to 264 individual addresses in Sanctuary Pointe and adjacent areas, NEPCO was notified via email and the meeting was posted on Triview Metropolitan District's website.

Presentation material for each public meeting is posted on Triview Metropolitan District's website at: [Proposed Northern Water Delivery System - Triview Metropolitan District](#)

The preferred route initially presented at the three public meetings through Fox Run Regional Park and the Sun Hills neighborhood provided a lower tank elevation resulting in increased energy efficiency for the long-term operation of the booster pumps, provided fewer and shorter road closures on major roads, brought fire protection to Fox Run Regional Park and would have provided easement fees to allow the park to complete improvements. However, the public input received at the meetings and via calls and visits to the Triview Metropolitan District offices indicated that the public objected to the initially preferred route presented. The public prioritized preservation of the park lands in their natural state over park improvements and fire protection and lower energy impacts. Once the route through Fox Run Park was removed from consideration and the strong objection from the Sun Hills neighborhood was considered, the project team further evaluated alternative routes and determined that the pipeline route along Roller Coaster and Baptist Roads was preferred by the public.

Resolution 2022-02, Resolution of the Triview Metropolitan District Concerning Route Selection and Proceeding with Northern Delivery System Project was passed on April 21, 2022 at a public board meeting. The resolution outlines the Triview Metropolitan District Board's support for proceeding with the route that is proposed in this application and depicted in Appendix A. Resolution 2022-02 is attached as Appendix U. The Forest Lakes Metropolitan Board ratified a Memorandum of Understanding with regard to the Northern Delivery System on December 7,



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2020 indicating their intent to participate in this Project but did not specifically note the pipeline route and infrastructure planned.

- (e) Schedules for designing, permitting, constructing and operating the Project, including the estimated life of the Project.

Preliminary design of the pipeline system has been completed. The selection of a Construction Manager General Contractor (CMGC) was completed in 2022. Permitting, final design and procurement of materials will be completed in the first quarter of 2023 with construction beginning in the second quarter of 2023 with a target operational date set for early 2024. Traffic impacts to residents are anticipated to occur for a period of 6 to 9 months. The Method of Traffic Handling and Construction Detour Map are included in Appendix W which outlines the planned traffic detours and signage.

The life of the project components and water supply is indefinite however the utilization of the Colorado Springs Utilities system to treat, convey and deliver water to the Highway 83 Tank location is dependent on the continued renewal of the Convey, Treat and Delivery Agreement with Colorado Springs Utilities included in Appendix R. The agreement outlines a 25-year term and includes renewal terms.

- (f) The need for the Project, including a discussion of alternatives to the Project that were considered and rejected; existing/proposed facilities that perform the same or related function; and population projections or growth trends that form the basis of demand projections justifying the Project.

The proposed NDS system yields both additional supply as well as bolsters reliability, resilience, and sustainability of source of supply.

Triview Metropolitan District, Forest Lakes Metropolitan District and other water suppliers in Northern El Paso County are highly reliant on Denver Basin groundwater. The static water level in the Denver Basin has been steadily dropping with increased use and as the static groundwater level decreases, water quality concerns are surfacing include elevated levels of radionuclides. The water conveyed by the NDS will be renewable surface water which will preserve the water in the Denver Basin for peak demand and drought reserve and provide the Districts the potential reuse of fully consumable sewer return flows. Adding a renewable surface water supply as this project proposes, provides a conjunctive system with both surface water and groundwater sources.

Few options exist to bring renewable water into Northern El Paso County. "The Loop" is a proposed project that would allow renewable water to be conveyed into Northern El Paso County. However, as currently planned, the Loop will cost a minimum of \$160 million dollars versus the estimated \$24 million dollars it will cost to build the NDS system. The Loop will also take significantly longer to construct and currently there is no feasible way to transport Triview's surface water rights to the Loop. The NDS is financially feasible without outside funding and can be implemented within the next 2-3 years. For those reasons, the NDS is far more beneficial to



the customers of Triview Metropolitan District, Forest Lakes Metropolitan District and other entities that may choose to partner in the project.

The NDS will allow water suppliers in Northern El Paso County to supply water to both existing and proposed development now and into the future.

- (g) Description of relevant conservation techniques to be used in the construction and operation of the Project.

As required by El Paso County and other agencies having jurisdiction during construction, utilization of best management practices will be developed and followed during construction and operation to minimize sedimentation, material waste and other disturbances. Triview Metropolitan District and Forest Lakes Metropolitan District have adopted water conservation policies such as tiered water pricing, even odd day watering schedules, and low-flow plumbing devices. Other entities that may choose to partner in the project in the future will be encouraged to adopt these same water conservation policies. The Convey Treat and Deliver Contract between Triview and Colorado Springs Utilities' also mandates that water conservation measures must be implemented within Triview's Service area and within any water providers service area that receives water from the NDS.

- (h) Description of demands that this Project expects to meet and basis for projections of that demand.

The NDS system components are sized to accommodate a design flowrate of 4 MGD or 2,857 gpm which covers the projected maximum day flowrate for the major water suppliers that can be served by the NDS system as outlined in the table below. In addition to Triview Metropolitan District and Forest Lakes Metropolitan District, demands are considered for Donala Water and Sanitation District and the Town of Monument. Service to Woodmoor Water and Sanitation District is not considered since a portion of their service area lies outside of Division 2 and the Pueblo County 1041 permits for the City of Colorado Spring's Southern Delivery System does not allow for water delivery outside of Division 2. The boundary of Division 1 and 2 is included on Appendix G3 – Water Districts within Northern El Paso County.

Table 5h: Design Flowrates for Major Water Supplies in Northern El Paso County

	Triview	Forest Lakes	Donala	Monument	Total
Max Day Use (GPM)	1,750	153	376	521	2,769

- (i) List of adjacent property owners and their mailing addresses.

See attached map listing the addresses and locations of adjacent property owners included in Appendix D3.

- (6) Property rights, other permits, and approvals.



- (a) Description of property rights that are necessary for or that will be affected by the Project, including easements and property rights proposed to be acquired through negotiation or condemnation.

The proposed NDS project will convey water from the Springs Utilities Highway 83 Storage Tank through a pump station and transmission main at which point it will be delivered to Triview Metropolitan District's existing 1.1 MG C-Plant Tank located in the Sanctuary Pointe Development. From this delivery point, the water will be delivered to Forest Lakes Metropolitan District and potentially other future partner's via Triview Metropolitan District's distribution system. Internal distribution system improvements will be required and include approximately 2,850 ft of 12" diameter pipeline and in the future, a proposed 1.5 MG storage tank that will be located adjacent to Triview's existing B-Plant tank. Details of the proposed tank are not included in this 1041 submittal since the tank will be located on land within the Town of Monument boundaries. No new treatment facilities are proposed as part of this project. Chlorine boosting to maintain chlorine residual will be completed at the booster pump station.

The majority of the NDS pipeline will be installed within the public right of way within Old North Gate Road, Roller Coaster Road, and Baptist Road. Triview has reached an agreement with El Paso County that all permitting fees will be waived in exchange for the resurfacing of county roads where pipeline will be installed. The agreement is included in Appendix S.

Triview is working with the Colorado Springs Utilities to obtain a lease that will provide permission for them to construct the booster pump station and a revocable license for the portion of the pipeline on land owned by the Colorado Springs Utilities/City of Colorado Springs. One private easement has been obtained for a pipeline route north between the Baptist Road right of way and land in the Town of Monument that provides a route to Triview's existing potable water tank. Two additional private easements will also be obtained to provide access to the booster station site, and a pipeline route south between the Colorado Springs Utility's land and the Old North Gate right of way.

A map showing necessary easements and a revocable license for the project area is included in Appendix D1. The easements, land acquisition and revocable license are listed below and executed and draft easements are included in in Appendix D2.

+/- 0.41 Acres Revocable License for Pipeline Areas 1 and 2

+/-0.33 Acres Lease for Booster Station

Schedule #6203000002, City of Colorado Springs, Total Area = 0.74 acres

+/- 0.56 Acres for Access Easement

Schedule # 6200000724, JBS Family Enterprises, LLLP

+/- 2.18 Acres for Utility Easement

Schedule # 6203000001, Dean A. Stoecker Trust



*+/- 1.58 Acres for Pipeline Easement
Schedule #6100000517, Joshua and Teresa Erickson*

*+/- 6.99 Acres of 6203000001 to be purchased by Triview Metropolitan District from Dean A
Stoecker Trust*

*All remaining easements, leases and revocable licenses are currently being negotiated and no
property rights are expected to be acquired through condemnation.*

- (b) A list of all other federal, state and local permits and approvals that will be required for the Project, together with any proposal for coordinating these approvals with the County permitting process. Copies of any permits or approvals related to the Project that have been granted.

The pipeline will be added to Triview Metropolitan District's Water System Monitoring plan, which is reviewed and regulated by the Colorado Department of Public Health & Environment (CDPHE). A Basis of Design report has been submitted to the CDPHE outlining the chlorine boosting system to be installed at the booster pump station and is included in this submittal as Appendix X. No new treatment facilities or tanks are proposed as part of this application.

Additionally, the following permits or approvals will be obtained for the pipelines and booster station:

- 1. Highway 83 Crossing Agreement*
- 2. Site Development Plan*
- 3. Erosion and Stormwater Quality Control Permit – El Paso County*
- 4. Construction Activity Permit – El Paso County*
- 5. Traffic Control Plans – El Paso County (draft MHT included as Appendix W)*
- 6. Work in the ROW Permit*

- (c) Copies of relevant official federal and state consultation correspondence prepared for the Project; a description of all mitigation required by federal, state and local authorities; and copies of any draft or final environmental assessments or impact statements required for the Project.

A Biological Assessment has been prepared to assess the effects of the proposed project and determine whether the project may affect any Federally threatened, endangered, proposed or candidate species. The Biological Assessment is prepared in accordance with legal requirements set forth under Section 7 of the Endangered Species Act (16 U.S.C. 1536 (c)) and included in Appendix P.

Best Management Practices, including revegetation, will be implemented as required by El Paso County through the Erosion and Stormwater Quality Control Permit (ESQCP) process. If detention or other water quality facilities are required for the project, an MS4 permit will also be obtained.



(7) Land Use.

- (a) Provide a map at a scale relevant to the Project and acceptable to the Department describing existing land uses and existing zoning of the proposed Project area and the Project service area, including peripheral lands which may be impacted. The land use map shall include but need not necessarily be limited to the following categories: residential, commercial, industrial, extractive, transportation, communication and utility, institutional, open space, outdoor recreation, agricultural, forest land and water bodies. Show all special districts (school, fire, water, sanitation, etc.) within the Project area.

Appendix G contains the following maps that describe the land use for the project area:

- *G1 - Land Zoning of the Project Area*
- *G2 - School and Fire Districts*
- *G3 - Water Districts*
- *G4 - Land Zoning in Potential Water Service Areas*

- (b) All immediately affected public land boundaries should be indicated on the map. Potential impacts of the proposed development upon public lands will be visually illustrated on the map as well as described in the text.

As shown on the maps in Appendix G4, public lands impacted by the proposed project are owned by the Town of Monument, the City of Colorado Springs/Colorado Springs Utilities or within County Rights-of-Way, or within County parcels.

Impacts to public right of way will occur predominately in the construction phase, during which traffic control will be required to mitigate impacts to traffic and aid in the safety of construction workers. The Method of Traffic Handling and Construction Detour Map is included in Appendix W which outlines the planned traffic detours and signage.

This project proposes to install a booster station and pipeline on land owned by the City of Colorado Springs/Colorado Springs Utilities that currently houses the Highway 83 Tank.

- (c) Specify whether and how the proposed Project conforms to the El Paso County Master Plan.

The Northern Delivery System (NDS) is consistent with and supports 14 specific goals and policies from the El Paso County Water Master Plan as follows:

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

NDS consistency: Triview has purchased approximately 2,000 Acre-feet (AF) of senior renewable surface water supply in 3 drainage basins – Upper Arkansas, Lower Arkansas, and Fountain Creek. The NDS has the capacity to deliver Triview's supplies, and additional future water supplies of other participants within northern El Paso County.



Goal 3.1 Promote cooperation between co-applicants and other potential participants in the project to achieve increased efficiencies on infrastructure.

NDS consistency: Cooperation with Colorado Springs Utilities (Springs Utilities) to use existing infrastructure to convey renewable water supplies over 60 miles from Pueblo Reservoir to the north end of the Springs Utilities' system, and through the NDS to northern El Paso County water providers that currently serve approximately 50,000 residents.

Goal 3.2: Promote cooperation between co-applicants and other potential participants in the project to achieve increased efficiencies on treatment.

NDS consistency: Cooperation with Colorado Springs Utilities to utilize existing water treatment facilities, reducing unnecessary redundancies.

Goal 4.2 – Support the efficient use of water supplies.

NDS consistency: All project participants have reusable wastewater return flows that can be used and reused to extinction, along with surface water. The NDS transports return flows and/or renewable surface water supplies to the Northern El Paso County region, thereby, reducing pumping from the Denver Basin Aquifer dramatically.

Policy 4.2.2 – Allow for the potential to import new and preferably, renewable water supplies from outside the various planning areas, potentially including the Arkansas River, in order to accommodate new development.

NDS consistency: As described above, Triview has purchased approximately 2,000 Acre-Feet (AF) of senior water rights in 3 drainage basins – Upper Arkansas, Lower Arkansas, and Fountain Creek, water which can be delivered through the NDS, in cooperation with Springs Utilities. The NDS has the capacity to deliver additional future renewable water supplies that can be conveyed through the Springs Utilities' system to other participants.

Goal 4.4 – Protect and enhance the quality, quantity, and dependability of water supplies.

NDS consistency: Increases the water quantity and quality available to northern El Paso County constituencies by conveyance of renewable water supplies. Renewable water supply is derived from a minimum of 3 different basins which increases dependability. Springs Utilities' existing treatment maintains high water quality standards. As some northern El Paso County water providers struggle with quality issues related to radium and arsenic which is naturally present in Denver Basin groundwater supplies, the NDS will provide a clean renewable treated supply.

Goal 6.1.1 – Identify strategies that can close the build-out (2060) gap.

NDS consistency: Triview's approximately 2,000 AF of renewable water supply, plus re-usable return flows derived therefrom, will be delivered to northern El Paso County through the NDS. This is sufficient to supply Triview through Buildout. The Project also has capacity for surface water supplies held by Forest Lakes Metropolitan District and other potential project participants.



Policy 6.1.1.1 – Prioritize actions and improvements to address water supply gaps.

NDS consistency: Triview’s Renewable water plan includes ownership of 3,900 AF of constructed and available water storage space. Water Storage is critical and allows municipal water suppliers to provide water during droughts. Additionally, the NDS will allow various entities to develop an Aquifer Storage and Recovery program (ASR) by delivering renewable treated water that can be stored in the Denver Basin Aquifer.

Goal 6.3.1 – Secure and deliver additional long-term water supplies.

NDS consistency: Triview has secured approximately 2,000 AF of renewable water supply and has started the water court process to include exchange filings and change of use filings to allow the legal use of such supplies by Triview in northern El Paso County. Triview, Forest Lakes and other potential partners have engaged Colorado Springs Utilities in negotiations for long-term delivery commitments, which in conjunction with the NDS project will provide long-term solutions to northern El Paso County water supply issues. The Project has capacity for additional future renewable water supply.

Goal 6.4.1 – Promote diversified, sustainable water portfolios for new development, reducing their reliance on a single source of supply.

NDS consistency: Project will deliver renewable water from a minimum of 3 basins – Lower Arkansas, Upper Arkansas, and Fountain Creek, and is a conduit for reduction in northern El Paso County water providers’ reliance on finite Denver Basin groundwater supplies.

Policy 6.4.1.3 – Support efforts by water providers to obtain renewable water supplies through collaborative efforts and regionalization.

NDS consistency: Triview Metropolitan District and Forest Lakes Metropolitan District are cooperating with Colorado Springs Utilities for the delivery and treatment of renewable surface water supplies including reuse of re-usable return flows derived therefrom.

Policy 6.4.1.4 – Promote long-term planning by water providers for sustainable water supplies serving new development.

NDS consistency: The NDS has spurred discussion with northern El Paso County water providers to better understand their demands and the limitations of Denver Basin groundwater, and to seek solutions for supplies and methods of delivery to address such limitations.

Policy 6.4.1.5 – Streamline the 1041 Regulations to favor projects related to delivery or development of renewable water in El Paso County.

NDS consistency: The project will delivery renewable surface water to El Paso County and reduces use of Denver Basin groundwater. The project also allows for potential Aquifer Storage and Recovery which would enhance the Denver Basin.

The Northern Delivery System (NDS) is consistent with Your El Paso Master Plan 2021 and supports 5 specific goals and policies from the plan as follows



Goal 5.3 - Ensure adequate provision of utilities to manage growth and development.

NDS consistency: The project allows for Triview to supply renewable surface water to meet the water demand of future growth and development. The NDS has the capacity to deliver Triview's supplies, and additional future water supplies of other participants within northern El Paso County.

Goal 10.2 - Continue to support planning efforts and best practices to ensure community resiliency.

NDS consistency: A conjunctive water supply with both surface water and groundwater sources provides a more resilient water supply. The NDS allows for the conveyance of renewable water supplies to Northern El Paso County.

Goal 5.4 - Use best management practices to protect water quality, conserve water, minimize impacts of flooding, and beautify El Paso County.

NDS consistency: Springs Utilities' existing treatment maintains high water quality standards. As some northern El Paso County water providers struggle with quality issues related to radium and arsenic which is naturally present in Denver Basin groundwater supplies, the NDS will provide a clean renewable treated supply. The NDS has the ability to transport return flows and/or renewable surface water supplies to the Northern El Paso County region, thereby, reducing pumping from the Denver Basin Aquifer dramatically.

Goal 9.1 - Consider the environmental impacts related to natural resource conservation, air quality, water quality, wildlife habitat, and waste management during any planning process.

NDS consistency: Project will deliver renewable water and is a conduit for reduction in northern El Paso County water providers' reliance on finite Denver Basin groundwater supplies.

Goal 9.2 - Promote sustainable best practices with regard to development and infrastructure.

NDS consistency: The NDS has the ability to transport return flows and/or renewable surface water supplies to the Northern El Paso County region, which reduces pumping from the finite supply of the Denver Basin Aquifer and provides a more sustainable water supply.

No components of the NDS project are proposed to be located within Fox Run Regional Park except within existing Right of Way so the El Paso County Community Services Department Parks Master Plan Update 2022 was not applicable to the project.

- (d) Specify whether and how the proposed Project conforms to applicable regional and state planning policies.

The Colorado Water Plan is currently under revision so the 2015 version was reviewed. Overall, the NDS conforms to the Colorado State Water Plan by providing water to support vibrant communities and resilient planning to ensure a long-term reliable water supply for Triview Metropolitan District, Forest Lakes Metropolitan District and other potential participants. A specific quote from the plan and how the NDS addresses it is included below.



Supply-Demand Gap: Colorado's Water Plan sets a measurable objective of reducing the projected 2050 municipal and industrial gap from as much as 560,000 acre-feet to zero-acre feet by 2030. The success of Colorado's Water Plan will ultimately be measured by whether or not the municipal water supply-and-demand gap is closed, and the choices we make to close it. With increased efforts on conservation, storage, land use, alternative transfer methods, and reuse, Colorado can close its gap, balance its water values, and address the effects of climate change on water resources.

The surface water sources that the NDS system provides to the Triview Metropolitan District and Forest Lakes Metropolitan District are water rights that can be used to extinction in accordance with their existing or anticipated decrees under Colorado Water law. These water rights vary seasonally and interannually and the fully consumable return flow resulting from the Districts' municipal water uses accrue to the Fountain Creek watershed on a continuous basis. With the addition of the NDS, Triview and Forest Lakes can utilize the Colorado Springs Utilities water system and their proposed booster pump station and pipeline to move this accrued water back into their distribution system for reuse.

- (e) Specify whether and how the proposed Project conforms to applicable federal land management policies.

No federal lands are anticipated to be affected by this project.

- (f) If relevant to the Project design, describe the agricultural productivity capability of the land in the Project area, using Soils Conservation Service soils classification data.

The NDS booster pump station and pipeline are proposed on land that is currently not being used for agricultural purposes so no decrease in productivity in the project area will occur.

- (g) Describe the probability that the Project may be significantly affected by earthquakes, floods, fires, snow, slides, avalanches, rockslides or landslides and any measures that will be taken to reduce the impact of such events upon the Project.

It is unlikely that the project would experience the occurrences listed above other than snow and possibly fire and flooding. The proposed pipeline crosses two shallow swales as discussed in Section 16 (a) . The proposed pipeline will be installed underground and the booster pump station will have a nearby fire hydrant and is in an unforested area. As shown in the 100 year Floodplain Map included in Appendix O, the booster station is not within the floodplain. A geotechnical investigation for the booster station is included in Appendix J and was completed to ensure that the foundation is designed to consider existing subgrade conditions. For the reasons given above, the above-described occurrences are unlikely to adversely impact the project.



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- (h) Specify if excess service capabilities created by the proposed Project will prove likely to generate sprawl or strip development.

The service areas of Triview Metropolitan District and Forest Lakes Metropolitan District have previously been found to be in compliance with El Paso County's Master Plan and are believed to be consistent with the recently adopted El Paso County Master Plan.

As outlined in Section 2.303 (5h), the NDS system is sized to accommodate a design flowrate of 4 MGD which matches the projected maximum day flowrate for the major water suppliers that can be served by the NDS system which includes the current participants, Triview Metropolitan District and Forest Lakes Metropolitan District, and potential future participants Donala Water and Sanitation District and the Town of Monument. As outlined in Section 2.303 (18c), the NDS booster pump station and pipeline does not have a net effect on water quantity and therefore will not contribute to sprawl or strip development. The quantity of water required to adequately supply the service areas of Triview Metropolitan District, Forest Lakes Metropolitan District and other potential participants is not changed by the project but the conjunctive system does increase reliability and quality of the system, allows aquifer resting, drought reserves, and efficiency by the reuse of water supplies. Triview has decreed water rights that are sufficient to supply build out water supply.

It is projected that Triview Metropolitan District's build out demand will be approximately 2,400-acre feet. Triview has set a goal to derive no more than 10% of its projected buildout demand from Denver basin wells which equates to 240-acre feet of first use pumping from the existing Denver basin wells. This 240-acre feet is expected to yield another 144-acre feet of successive use water. Therefore, Triview has an excess supply of water of approximately 78-acre feet of water when operating its planned renewable water projects. This excess amount of water is very conservative in that the actual yield from the Triview's existing Denver Basin wells is calculated to be a maximum of 8.8-acre feet per day and Triview's nearly 2,000 acre feet of renewable water supply is also reusable and can be used and reused to extinction. In the future it is expected that the System will be base loaded from Triview's surface water supply and any daily peak demands will be supplied by Triview's existing Denver Basin wells.

Forest Lakes has sufficient existing water rights to supply the District at buildout. It is expected that Forest Lakes' water demand at build out will be approximately 466 AF per year. Evaporation of the surface water stored in Bristlecone Reservoir is estimated to be about 150 AF annually. A significant portion of Forest Lake's current water supply portfolio is 660 annual acre feet of surface water (transmountain return flows purchased from Colorado Springs Utilities in 1985) which are acquired through exchange from flows in the northern El Paso County Beaver Creek drainage, and recent drought conditions have demonstrated the prudence of recapture and reuse of all available return flows – from both the surface water and Forest Lakes groundwater supplies. The additional water the NDS will provide to Forest Lakes allows for more complete use of the water via capture and return of reusable wastewater return flows. The additional water supplied by the NDS is not intended to allow the District to expand its current boundaries, but to provide redundancy of delivery, drought protection, and efficiency in the use and reuse of fully consumable sewered return flows to extinction. Additionally, the Forest Lakes District is bound



by National Forest, Air Force Academy, other Municipal entities, and private residential land, thus not allowing for enlargement of District boundaries.

- (i) Specify whether the demand for the Project is associated with development within or contiguous to existing service areas.

The demand for the NDS Project is associated with development within the service areas of Triview Metropolitan District, Forest Lakes Metropolitan District and other potential water districts and municipalities in northern El Paso County that choose to participate in the project. As outlined in Section 2.303 (5h), major water suppliers that are potential future participants include Donala Water and Sanitation District and the Town of Monument. Other smaller water suppliers such as Academy Water and Sanitation District could also choose to participate but capacity would be on a first come first serve basis.

- (8) The applicant shall supply a surface and subsurface drainage analysis.

A drainage report has been prepared for the booster pump station and is included in Appendix V.

- (9) Financial feasibility of the Project.

- (a) Relevant bond issue, loan and other financing approvals or certifications (ex: approved bond issues; bond counsel opinion).

No bonds will be required to finance the proposed NDS booster station and pipeline. A loan will be provided by Colorado Springs Utilities for the regional water availability fee through a 25 year note at 3.45% interest. Details regarding this loan are included in the Intergovernmental Agreement with Colorado Springs Utilities as Appendix R.

- (b) Business plan that generally describes the financial feasibility of the Project.

The preliminary cost estimate for the project is included in Appendix K. All capital financing of the booster station and pipeline will be accomplished through funds held in reserve by Triview Metropolitan District, and a loan provided by Colorado Springs Utilities for the regional water availability fee through a 25 year note a 3.45% interest. Details regarding this loan will be included in the Intergovernmental Agreement with Colorado Springs Utilities. An update regarding the status of this agreement is attached as Appendix R. Section 4 (d) of this report outlines Triview Metropolitan District's 2023 budget and the district's 2022 Annual Budget Report is included in Appendix H.

- (10) Local infrastructure and services impacts. An impact analysis that addresses the manner in which the applicant will comply with the relevant Permit Application Review Criteria. The impact analysis shall include the following information: description of existing capacity of and demand for local government services including but not limited to roads, schools, water and wastewater treatment, water supply, emergency services, transportation, infrastructure, and other services necessary to accommodate the Project within El Paso County.



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Roads:

The proposed waterline follows lengths of Old Northgate Road, Roller Coaster Road and Baptist Road.

During construction: Public right-of-way along Old Northgate Road, Roller Coaster Road and Baptist Road will be impacted during construction of the water line. Traffic control will be implemented to mitigate this short-term impact to the roadways and their rights-of-way. Triview Metropolitan District has negotiated with El Paso County Public Works to repave Roller Coaster Road following construction to avoid another road shutdown in the future for residents. See Appendix S for the agreement with El Paso County Public Works for Roller Coaster Road restoration and the Method of Traffic Handling and Construction Detour Map is included in Appendix W which outlines the planned traffic detours and signage.

Schools:

The water line will have no direct impact on schools.

Water and Wastewater Treatment:

The water line will have no impact on water or wastewater treatment. The water supply comes from Colorado Springs Utilities and they have sufficient water treatment capacity in place to meet the demand. There will be no change to wastewater treatment demands as a result of the NDS Project.

Water Supply:

The water line will have no negative impact on water supply. The booster pump station and pipeline will increase the water supplies of water suppliers in the northern service areas.

Emergency Services:

The proposed waterline will be within the Black Forest and Tri-Lakes Monument Fire Protection Districts. The Fire Districts will be notified of construction of the new facilities. The NDS project proposes to install fire hydrants along the pipeline route which will improve fire protection for the area along Old North Gate Road, Roller Coaster Road and Baptist Road which is a highly forested area with a high fire danger. The Tri-Lakes Monument Fire Protection District has reviewed the fire hydrant locations planned for the project as depicted in the Fire and School District map included in Appendix G2.

Transportation:

The proposed pipeline will have no significant long-term impacts on transportation. The Method of Traffic Handling and Construction Detour Map is included in Appendix W which outlines the planned traffic detours and signage as required by El Paso County during construction when a portion of Old North Gate, Roller Coaster Road, and Baptist Road will be closed to allow for pipeline construction.

Infrastructure:

As noted above, the proposed facilities create infrastructure to serve development within the service areas of Triview Metropolitan District, Forest Lakes Metropolitan District and other potential participants.



Drainage:

A drainage report has been prepared for the booster pump station and is included in Appendix V.

- (11) Recreational Opportunities. Description of the impacts and net effect of the Project on present and potential recreational opportunities.

Triview Metropolitan District, Forest Lakes Metropolitan District and other potential project participants are responsible to construct and maintain parks, recreation facilities, and open spaces to serve development within their Districts. As development occurs within their boundaries, public recreation opportunities will be provided. This project is integral to supporting these recreational opportunities within each water district by providing potable water in the event that the recreation improvements require water for irrigation or bathrooms.

- (12) Areas of Paleontological, Historic or Archaeological Importance. Description of the impacts and net effect of the Project on sites of paleontological, historic or archaeological interest.

Coordination with the Colorado State Historical Preservation Office (SHPO) was conducted in May of 2022 to determine if any previously recorded cultural resource sites exist within 100 feet of the proposed NDS waterline. According to the SHPO, two cultural resource surveys had previously been conducted in the search area. These survey sites are along SH-83 near the southern terminus of the project area (please refer to the attached Cultural Resources Survey Map). However, no recorded cultural resource sites or areas were identified in the survey areas, or anywhere within 100 feet of the proposed project. Therefore, the project would have no effect on listed cultural resources. In the event a paleontological or archeological site is discovered during construction of the project, all construction activities would cease and the SHPO would be contacted to determine how to proceed.

- (13) Nuisance. Descriptions of noise, glare, dust, fumes, vibration, and odor levels anticipated to be caused by the Project.

During construction, typical amounts of noise and dust will be generated. The contractor shall be required to perform dust abatement as necessary to limit the amount of dust generated during construction. Noise levels will be typical of heavy equipment. Contractor working hours will be established to limit noise impact during daytime hours.

During operation, the pipeline will not produce any noise, glare, dust, fumes, vibration or odors. No significant noise is expected at the booster pump station since all equipment will be located within the building and installed in an area recessed below grade.

- (14) Air Quality. Description of the impacts and net effect that the Project would have on air quality during both construction and operation, and under both average and worst case conditions, considering particulate matter and aerosols, oxides, hydrocarbons, oxidants, and other chemicals, temperature effects and atmospheric interactions.

No adverse impacts on air quality are anticipated other than temporary dust issues discussed in Item 13. As noted earlier, a Construction Activity Permit and an ESQCP will be obtained for construction of the project which will address dust mitigation.



(15) Visual Quality. Description of the impacts and net effect that the Project would have on visual quality, considering viewsheds, scenic vistas, unique landscapes or land formations within view of the Project area.

The view of the mountains, while not specifically designated as a scenic vista, is important. The proposed pipeline would be installed underground and after construction is complete, the areas in and along the new waterline will have the same views as before. The booster pump station will be located in proximity to the existing Colorado Springs Utility's Highway 83 Tank and will not have significant viewshed impacts to nearby residences. The building for the booster pump station will be approximately 20 ft tall and will be designed to coordinate with the architectural style of the closest residence.

(16) Surface Water Quality.

(a) Map and/or description of all surface waters relevant to the Project, including description of provisions of the applicable regional water quality management plan, and NPDES Phase II Permit and necessary El Paso County Erosion and Stormwater Quality Control Permit ("ESQCP"), Section 404 Federal Clean Water Act Permit that applies to the Project and assessment of whether the Project would comply with those provisions.

Field surveys were conducted on October 25, 2021 and April 20, 2022 to identify surface water resources within the project area. Two shallow swales were identified during the field surveys (Table 1). Swale 1 is an unnamed tributary to Smith Creek and Swale 2 is Smith Creek (please refer to the attached Waters and NWI Wetlands Map). These swales are drainages that do not exhibit ordinary high water marks (OHWM) and are therefore unlikely to be considered jurisdictional by the U.S. Army Corps of Engineers. The drainages flow from the northeast to the southwest and cross Rollercoaster Road. In this area, the waterlines are proposed to be installed under Rollercoaster Road. No wetlands were identified within the project area during the field investigations. There would be no impacts to jurisdictional waters or wetlands and therefore, no Section 404 permit will be required.

Table 16a: Surface Water Resources within the Project Area

Name	USGS Name	Length in Project Area	Area in Project Area	Impacts to Jurisdictional Waters
Swale 1	Unnamed tributary to Smith Creek	42 feet	--	None
Swale 2	Smith Creek	41 feet	--	None

The project will comply with all applicable regulations and standards regarding water quality and an ESQCP will be obtained from El Paso County for construction.

(b) Existing data monitoring sources.

There are no surface water monitoring stations in or adjacent to the project site.



- (c) Descriptions of the immediate and long-term impact and net effects that the Project would have on the quantity and quality of surface water under both average and worst case conditions.

The proposed pipeline will not impact surface water quality or quantity. During construction, erosion control measures will be in place to prevent the transport of sediment during storm events. After construction is complete, all disturbed areas (outside of roadways) will be revegetated and returned to their original state. There is no grading involved with the pipeline. Therefore, the direction of all surface water flows will remain unchanged.

The booster pump station will increase impervious area by a negligible amount. The drainage report for the pump station is included in Appendix V.

- (17) Groundwater Quality.

- (a) Map and/or description of all groundwater, including any and all aquifers relevant to the Project. At a minimum, the description should include:
- i. Artesian pressure in said aquifers.
 - ii. Groundwater flow directions and levels.
 - iii. Existing aquifer recharge rates and methodology used to calculate recharge to the aquifer from any recharge sources.
 - iv. For aquifers to be used as part of a water storage system, methodology and results of tests used to determine the ability of the aquifer to impound groundwater and aquifer storage capacity.
 - v. Seepage losses expected at any subsurface dam and at stream-aquifer interfaces and methodology used to calculate seepage losses in the affected streams, including description and location of measuring devices.
 - vi. Existing groundwater quality and classification.
 - vii. Location of all water wells potentially affected by the Project and their uses.

At this time, this project does not include plans to pump or convey any groundwater therefore no groundwater aquifers will be negatively affected by the project. The project will reduce reliance on the Denver Basin aquifers, as well as reuse of such groundwater, and should therefore have a positive impact on the groundwater aquifers in the project area. The proposed NDS pipeline and booster station will convey surface water that is owned by Triview and Forest Lakes but is conveyed, treated and delivered through Colorado Springs Utilities' system. Groundwater owned by Triview and Forest Lakes will not be conveyed by the NDS pipeline or booster station. Existing wells producing groundwater as a sources of supply for Triview and Forest Lakes are within their District boundaries and will continue to function as they have in the past, though at a reduced rate.



(b) Description of the impacts and net effect of the Project on groundwater.

Triview Metropolitan District, Forest Lakes Metropolitan District and other water suppliers in Northern El Paso County are highly reliant on Denver Basin groundwater. The static water levels in Denver Basin aquifers have been steadily dropping with increased use and as the static groundwater levels decrease, water quality concerns are surfacing include elevated levels of radionuclides. The water conveyed by the NDS will be renewable surface water which will preserve the water in the Denver Basin for peak demand and drought reserve.

(18) Water Quantity.

(a) Map and/or description of existing stream flows and reservoir levels relevant to the Project.

- *Triview Metropolitan District holds 1,057 shares in the Fountain Mutual irrigation Company (FMIC) which represents an average annual yield of approximately 739.9 AF.*
- *The ownership of the shares in FMIC provide the District access to storage in Big Johnson Reservoir.*
- *Wastewater from the service area of the Triview Metropolitan District is currently treated at the Upper Monument Creek Regional Wastewater Treatment Facility. The return flows discharged from the plant flow into Monument Creek.*
- *Forest Lakes currently owns and operates Bristlecone reservoir, located within the District boundary. Bristlecone Reservoir has a capacity of 1,140 acre-feet of water storage. Bristlecone reservoir is the source of water for the Forest Lakes surface water treatment facility. The reservoir water supply is maintained by virtue of a prior purchase agreement with Colorado Springs Utilities whereby up to 660 AF of reusable return flows are provided to Forest Lakes annually. Currently, the transaction and filling of Bristlecone rely on the natural flow of Beaver Creek. The water level in the reservoir plays a significant role in the use of the existing surface water treatment facility. The NDS system would allow better regulation and sustainability of the water level in Bristlecone reservoir during years with low Beaver Creek flows by allowing Forest Lakes to reduce the draw from Bristlecone and supplement it with treated water from the NDS. The NDS would also be an alternative for the delivery of the purchased Colorado Springs Utilities reusable return flows to Forest Lakes Metropolitan District that would supplement the stream exchange into Bristlecone Reservoir.*

(b) Map and/or description of existing minimum stream flows held by the Colorado Water Conservation Board.

There are no ISFs or other flow management programs on Monument Creek or Fountain Creek.

(c) Descriptions of the impacts and net effect that the Project would have on water quantity.



The NDS booster pump station and pipeline does not have a net effect on water quantity. The quantity of water required to adequately supply the service areas of Triview Metropolitan District, Forest Lakes Metropolitan District and other potential participants is not changed by the project but the conjunctive system does increase reliability and quality of the system, allows aquifer resting, drought reserves, and efficiency by the reuse of water supplies. Triview has decreed water rights that are sufficient to supply build out water supply. The project will reduce reliance on the Denver Basin Aquifers and should therefore have a positive impact on the groundwater aquifer in the project area.

- (d) Statement of methods for efficient utilization of water, including recycling and reuse.

Triview's Service Plan allows for reuse and non-potable water systems, and infrastructure initially constructed within the District was designed to implement such non-potable systems for reuse of partially treated sewer effluent. However, Triview has made the decision operationally to fully treat and reuse the maximum amounts of water possible in its municipal system. This is achieved through recovering and reusing as much of the treated effluent as possible from the Upper Monument Creek Regional Wastewater Facility, and by subsequently storing and re-delivering such treated effluent for reuse to extinction in Triview's municipal water system. The NDS project that is the subject of this application is one component of these re-use efforts, allowing the delivery of renewable water resources to Triview's municipal water system through the use of Colorado Springs Utilities existing infrastructure. Water supplied by the NDS will include effluent derived from Triview's first municipal use of its water rights and will allow Triview to maximize its efficient use and reuse of all available water resources.

Forest Lakes has a significant quantity of decreed Denver Basin groundwater resources. Portions of these resources are reusable non-tributary water which Forest Lakes is currently not able to capture and reuse in the system. In addition the 660 AF of transmountain return flows purchased from Colorado Springs Utilities are also reusable to extinction. To date, Forest Lakes has not been able to effectively capture and return those Colorado Springs Utilities return flows after first use in its domestic water system. Wastewater flows from Forest Lakes consumers run to Upper Monument Creek Regional Wastewater Facility for treatment and subsequent discharge to Monument Creek. The NDS project would provide a mechanism for the return of reusable water supplies back to Forest Lakes and allow Forest Lakes to reuse until extinction portions of their current water supply. This reduces the demand for the already strained Denver Basin aquifers and provides a hedge against those dry years when low flows in Beaver Creek limit Forest Lakes' ability to acquire the entire 660 AF from Colorado Springs Utilities.

- (19) Floodplains, Wetlands and Riparian Areas; Terrestrial and Aquatic Animals, Plant Life and Habitat. Applicant shall only provide description of foregoing natural conditions, animal and plant life at, but not to exceed, the level of detail required by other federal or state Permits or reviews which are applicable to the Project.

According to the Federal Emergency Management Agency (FEMA) floodplain shapefiles obtained in April 2022, the project lies within Zone X, defined as areas outside the 100-year floodplain. See Appendix O for a Floodplain Map of the project area.



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*Terrestrial animal species observed during the field investigations include mountain chickadee (*Poecile gambeli*), Steller's jay (*Cyanocitta stelleri*), American robin (*Turdus migratorius*), and house sparrow (*Passer domesticus*). No aquatic animal species were observed. Most of the proposed waterline runs under Rollercoaster Road. However, in the areas that are vegetated, vegetation identified includes introduced and native grass and herbaceous species, such as smooth brome (*Bromus inermis*), side oats grama (*Bouteloula curtipendula*), little bluestem (*Schizachyrium scoparium*), prairie dropseed (*Sporobolus heterolepsis*), sun sedge (*Carex inops*), western wheatgrass (*Pascopyrum smithii*), bear berry (*Arctostaphylos uva-ursi*), western ragweed (*Ambrosia psilostachya*), yarrow (*Achillea millefolium*), and pepperweed (*Lepidium virginicum*). Sapling and tree species observed along the project include ponderosa pine (*Pinus ponderosa*) and scrub oak (*Quercus gambelii*). No riparian vegetation was observed in the project area.*

According to the official species listed obtained from the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website accessed on April 28, 2022, there are nine threatened, endangered, or candidate species that could potentially occur in the project area (Table 2). Suitable habitat for the Preble's meadow jumping mouse (PMJM), listed as threatened, and the Monarch butterfly, listed as a candidate species, was identified within the project area.

Additionally, there is critical habitat for the PMJM immediately east of the southern terminus of the proposed waterline and pump station. The critical habitat extends along an unnamed tributary of Black Squirrel Creek in Unit 11. Please see the attached PMJM Critical Habitat map of the proposed waterline and the adjacent PMJM critical habitat. No part of the proposed improvements will encroach on the critical habitat.

Table 2. Listed Species of Potential Occurrence in the Project Area

Species	Federal Status	Suitable Habitat	Habitat within Project Area?
Gray Wolf (<i>Canis lupus</i>)	Endangered	Gray wolves are one of the most wide-ranging land animals. They occupy a wide variety of habitats, from arctic tundra to forest, prairie, and arid landscapes. This species only needs to be considered if the following condition applies: Lone, dispersing gray wolves may be present throughout Colorado. If your activity includes a predator management program, please consider this species in your environmental review.	No
Preble's Meadow Jumping Mouse (<i>Zapus hudsonius preblei</i>)	Threatened	Well-developed plains riparian vegetation with adjacent, relatively undisturbed grassland communities and a nearby water source. These riparian areas include a relatively dense combination of grasses, forbs, and shrubs.	Yes, at the southern terminus of the proposed waterline
Eastern Black Rail (<i>Laterallus jamaicensis ssp. jamaicensis</i>)	Threatened	Marshes and wet meadows across North America, including riparian marshes, coastal prairies, saltmarshes, and impounded wetlands. All its habitats have stable shallow water, usually just 1.2 inches deep at most.	No
Piping Plover (<i>Charadrius melodus</i>)*	Threatened	Sandy lakeshore beaches, sandbars within riverbeds or even sandy wetland pastures. An important aspect of this habitat is that of sparse vegetation.	No
Greenback Cutthroat Trout (<i>Oncorhynchus clarkia stomias</i>)	Threatened	Cold, clear, gravely headwater streams and mountain lakes which provide an abundant food supply of insects.	No
Pallid Sturgeon (<i>Scaphirhynchus albus</i>)*	Endangered	Pallid sturgeons evolved and adapted to living close to the bottom of large, silty rivers with natural a hydrograph. Their preferred habitat has a diversity of depths and velocities formed by braided channels, sand bars, sand flats and gravel bars.	No
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	Areas with blooming flowers, and especially milkweed (host plant).	Yes
Ute Ladies'-tresses (<i>Spiranthes diluvialis</i>)	Threatened	Occurs along riparian edges, gravel bars, old oxbows, high flow channels, and moist to wet meadows along perennial streams. It typically occurs in stable wetland and seepy areas associated with old landscape features within historical floodplains of major rivers. Also found in wetland and seepy areas near freshwater lakes or springs.	No
Western Prairie Fringed Orchid (<i>Platanthera praeclara</i>)*	Threatened	Moist tallgrass prairies and sedge meadows.	No

***These species only need to be considered under the following conditions: Water-related activities/use in the N. Platte, S. Platte, and Laramie River Basins may affect listed species in Nebraska.**



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Female monarch butterflies lay their eggs on milkweed plants and once hatched, the larvae (caterpillars) feed exclusively on the milkweed. No milkweed was observed along the proposed waterline route, so no monarch eggs or caterpillars would be expected. However, there is suitable habitat for the adult monarch butterfly along the proposed waterline route. Any blooming flowers, such as asters, thistles, goldenrods, and teasel, in these areas could provide nectar for this species. It is likely that construction activities would cause monarch butterflies to leave the area and find food sources elsewhere. Additionally, impacts to monarch habitat from construction would be temporary. All disturbed areas would be re-seeded with a native grass seed mix and flowers would be expected to re-establish naturally over time. The disturbed areas would eventually become suitable monarch butterfly habitat once again. Therefore, it is anticipated that the proposed project may affect, but is unlikely to adversely affect the monarch butterfly.

The Preble's meadow jumping mouse (PMJM) is a small mammal approximately 9 inches in length with large hind feet adapted for jumping, a long bicolored tail (which accounts for 60 percent of its length), and a distinct dark stripe down the middle of its back which is bordered on either side by gray to orange-brown fur. To evade predators, the mouse can jump up to three feet. It inhabits well-developed plains riparian vegetation with adjacent, relatively undisturbed grassland communities and a nearby water source. These riparian areas include a relatively dense combination of grasses, forbs, and shrubs. The project area does not contain riparian vegetation. However, in the vicinity of the proposed pump station, 8-inch waterline, and southern end of the proposed waterlines, the vegetative assemblage consists of a mix of upland grass and herbaceous species that the PMJM could venture into while foraging.

Critical habitat for the PMJM exists immediately east of the project area, near the southern terminus of the waterline and proposed pump station. The waterlines and proposed easements for this project do not encroach on the critical habitat area. However, PMJM may use the grassy, uplands portion of the project area as foraging habitat. It is anticipated that the proposed project may affect, but it unlikely to adversely affect the PMJM. Informal consultation with USFWS via the IPaC consultation package builder will be completed prior to construction.

(20) Soils, Geologic Conditions and Natural Hazards.

- (a) Map and/or description of soils, geologic conditions, and natural hazards including but not limited to soil types, drainage areas, slopes, avalanche areas, debris fans, mud flows, rock slide areas, faults and fissures, seismic history, and wildfire hazard areas, all as relevant to the Project area.

The Natural Resources Conservation Service Custom Soil Resource Report for the project area is included in Appendix Q.

- (b) Descriptions of the risks to the Project from natural hazards.



It is unlikely that the project would experience natural hazards other than snow and possibly fire and flooding. The proposed pipeline crosses two shallow swales as discussed in Section 2.303 16 (a) . The proposed pipeline will be installed underground and the booster pump station will have a nearby fire hydrant and is in an unforested area. As shown in the 100 year Floodplain Map included in Appendix O, the booster station is not within the floodplain. A geotechnical investigation for the booster station is included in Appendix J and was completed to ensure that the foundation is designed to consider existing subgrade conditions. For the reasons given above, natural hazards are unlikely to adversely impact the project.

- (c) Descriptions of the impacts and net effect of the Project on soil and geologic conditions in the area.

Geotechnical investigations were completed for the pipeline alignment and the proposed booster pump station site and are included in Appendix J. The booster station report noted that "the primary geotechnical issue associated with the development of this project as proposed is the presence of groundwater near the proposed foundation and floor elevations." Below grade spaces at the booster station will be designed to resist buoyancy and hydrostatic pressure of groundwater including an appropriate waterproofing system. The Colorado Geological Survey reviewed the geotechnical reports and had no objection to the project as planned.

- (21) Hazardous Materials.

- (a) Description of all solid waste, hazardous waste, petroleum products, hazardous, toxic, and explosive substances to be used, stored, transported, disturbed or produced in connection with the Project, including the type and amount of such substances, their location, and the practices and procedures to be implemented to avoid accidental release and exposure.

There are no solid, hazardous, or toxic wastes anticipated from the construction or operation of this project, neither will any explosives be used during or after construction.

During construction, bulk storage structures for petroleum products and other chemicals shall have adequate protection to contain all spills and prevent any spilled material from entering state waters, including any surface or subsurface storm drainage system facilities.

Chlorine will be stored at the pump station as part of the chlorine boosting system. All chlorine tanks stored at the site will have secondary containment as required by the Colorado Department of Health and Environment (CDPHE).

- (b) Location of storage areas designated for equipment, fuel, lubricants, and chemical and waste storage with an explanation of spill containment plans and structures.

As stated in 21(a) above, bulk storage structures for petroleum products and other chemicals shall have adequate protection to contain all spills and prevent any spilled



material from entering state waters, including any surface or subsurface storm drainage system facilities.

Storage areas designated for equipment, fuel, lubricants, chemical waste, and other wastes will be located at pre-determined sites where construction is taking place. These storage areas will prevent spilled materials (i.e. oil leaks, fuel leaks of construction equipment) from entering downstream drainage facilities and be staged along the pipeline where construction is occurring. None of the storage areas will be permanent – they will only need to be utilized during construction.

The specific storage areas will be designated as required by the stormwater management plan that will be submitted for the proposed pump station as part of the site development plan. The planned laydown area for the project has been defined and a map of the area is included in Appendix Z.

(22) Monitoring and Mitigation Plan.

- (a) Description of all mitigation that is proposed to avoid, minimize or compensate for adverse impacts of the Project and to maximize positive impacts of the Project.

Mitigation measures proposed to avoid, minimize or compensate for adverse impacts include:

- *Erosion control and Best Management Practices (BMPS)*
 - o *Vehicle Tracking Control Pads (to prevent sediment and debris from impacting paved roads during construction)*
 - o *Silt fencing*
 - o *Straw bale barriers*
- *Storage areas for all wastes during construction*
- *Revegetation after construction*
- *Construction only during daytime hours to prevent noise and light pollution*
- *Construction water for dust abatement during construction*

Materials used to maximize positive impacts include:

- *High-Density Polyethylene (HDPE) pipe to prevent corrosion and leaks at joints (welded joints)*
- *Polyethylene encasement and anode installation to prevent corrosion*
- *Buried valve and vault appurtenances to avoid visual impacts*
- *Casing of pipe in lowerings and below Highway 83 to avoid water leaks that could occur if roadway traffic where to transfer loads to the pipe.*

Triview Metropolitan District has negotiated with El Paso County Public Works to repave Roller Coaster Road following construction to avoid another road shutdown in the future for residents. See Appendix S for the agreement with El Paso County Public Works for Roller Coaster Road restoration and the Method of Traffic Handling and Construction Detour Map



is included in Appendix W which outlines the planned traffic detours and signage. Weekly updates on traffic detours and road closures will be provided to Fox Run Regional Park.

- i. Describe how and when mitigation will be implemented and financed.

The components of the project described in 22(a) are integral to the design of the project and will be implemented during construction.

Section 4(d) describes how the project will be financed, and the mitigation measures (temporary and permanent) described above will also be part of the overall cost of the project.

- ii. Describe impacts that are unavoidable that cannot be mitigated.

Construction of the booster station and pipeline will create the need to revegetate all disturbed areas. Paved roadways will be repaired or replaced per El Paso County Transportation requirements.

- (b) Description of methodology used to measure impacts of the Project and effectiveness of proposed mitigation measures.

A Stormwater Management Plan (SWMP) with accompanied Erosion and Stormwater Quality Control Permit (ESQCP) will be required during construction. This also includes an inspection and maintenance log containing:

- *Inspections*
- *Maintenance*
- *Corrective Actions*

The project will be collateralized as required by El Paso County with revegetation requirement met as outlined and required in the Site Development Plan.

- (c) Description, location and intervals of proposed monitoring to ensure that mitigation will be effective.

The items mentioned in 22(b) above will be located with the construction management firm and with the contractor on site.

Daily and weekly inspections will be made to determine if corrective actions are needed to conform to the approved SWMP and ESQCP.

Both the contractor and construction management firm will ensure all mitigation measures are in place during daily and weekly checks to minimize negative impacts of the project.



RESPEC



- (23) Additional Information. The Director may request that the applicant supply additional information related to the Project if the Director and/or the Permit Authority will not be able to make a determination on any one of the applicable Review Criteria without the additional information. Such additional information may include applicant's written responses to comments by a referral agency.

Method of Traffic Handling and Construction Detour Map is included in Appendix W which outlines the planned traffic detours and signage. Weekly updates on traffic detours and road closures will be provided to Fox Run Regional Park. Potential staging areas for the project have not yet been defined but will be provided to El Paso County when the grading and erosion control plans for the pipeline are submitted to the ECM administrator for review as required for the work in ROW permit.