

MEMORANDUM



DATE: December 13, 2024

TO: Alan Goldich, Senior Planner, Routt County

FROM: Torie Jarvis, Sullivan Green Seavy Jarvis LLC
Ashley Bembenek, Alpine Environmental Consultants LLC
Consultants to the Northwest Colorado Council of Governments

RE: Recommended Conditions of Approval for Tailwaters at Stagecoach Preliminary Subdivision Application

This memorandum provides recommended conditions of approval (COA) for the proposed Tailwaters at Stagecoach Preliminary Subdivision Application (“Project” or “Tailwaters”). The COA is recommended to bring the Project into alignment with the policies in the NWCCOG Regional Water Quality Management Plan. NWCCOG coordinated with Colorado Parks and Wildlife and Upper Yampa Water Conservancy District to develop the recommended COA.

I. Recommended COA

NWCCOG respectfully requests that Routt County consider this COA to protect regional water quality; additional COA may be required to satisfy other elements of the County’s regulations. To avoid significant negative impacts to regional water quality and quantity the following condition may be applied to protect water quality and mitigate potential impacts.

Monitoring Plan and Responsive Mitigation Plan. Within 3 months of permit issuance, the applicant shall develop a comprehensive monitoring and responsive mitigation plan, to be approved by the County, that satisfies the surface water, shallow groundwater, stormwater monitoring, and reporting elements presented below. The comprehensive monitoring plan shall identify how and when additional monitoring and/or responsive mitigation are required to assure that water quality is protected.

Monitoring for each of the three elements below shall occur prior to, during, and after ground-disturbing activities associated with the Project. Monitoring shall occur at least monthly between April and November. Sample collection will occur under both wet and dry conditions with the objective of characterizing the range of weather, precipitation, and water quantity and quality conditions during the course of the monitoring program.

During each monitoring event, field parameters shall be measured in-situ, with a reliable and calibrated multiparameter probe, at all locations where flow is present. The following field parameters shall be measured: water temperature, pH, and conductivity.

During each monitoring event, water quality samples shall be analyzed by a certified laboratory using sufficiently sensitive method detection limits for the following parameters: ammonia, alkalinity, hardness, chlorophyll a, total phosphorus, free reactive phosphorus, nitrate, nitrite, and total nitrogen.

Results of such monitoring, along with a brief narrative of the results, shall be submitted to the County within 45 days of the test, if the results and narrative are not available within 45 days the applicant shall inform the County and identify the corrective actions needed to meet the deadline within the next reporting period.

Monitoring will cease when the County determines, based on coordination with the applicant, that:

- 1) the site is no longer subject to a CDPHE construction stormwater permit,
- 2) the HOA is enforcing covenants and restrictions used to protect water quality, and
- 3) there are sufficient data collected from a representative range of seasonal conditions demonstrating that there are no water quality changes in Little Morrison Creek or the shallow groundwater system attributable to Tailwaters.

Should there be a dispute regarding whether these benchmarks have been achieved, the applicant shall 1) continue monitoring and 2) incorporate an analysis of existing water quality data collected from Little Morrison Creek. The purpose of this provision is to ensure that anomalous data are not used as the basis to cease monitoring activities.

During the period required for monitoring, if monitoring shows problematic trends in identified parameters, the applicant and Routt County will evaluate and determine the cause for the changes in the trends. If the County determines that these trends are attributable to Tailwaters, the applicant will develop and implement a Responsive Mitigation Plan to eliminate the impact of Tailwaters on those constituents. The results from monitoring and responsive mitigation plans shall be publicly available.

I. Surface water

At a minimum, the applicant shall collect water quality samples from the following locations:

- Little Morrison Creek immediately upstream of the development, and
- Little Morrison Creek downstream of the development, where the creek flows into Stagecoach Reservoir without incorporating the effect of other features that may contribute to nutrient loading in Little Morrison Creek (e.g., the outfall of the Morrison Creek Wastewater Treatment Facility).
- In the Tailwaters Sediment Detention Pond
- In each Terraced Filter Strip and Biofiltration Swale that delivers stormwater from the development to the wetlands adjacent to Little Morrison Creek.

II. Shallow groundwater

Little Morrison Creek and the associated groundwater system support wetlands that generally parallel the eastern edge of the Project. By definition wetlands have groundwater at or near the soil surface during all or part of the year.

As part of the Drainage Plan, the applicant proposes to install seven basin outfalls near Little Morrison Creek¹, some of which include “enhanced plantings” in the wetlands². Because the Project’s stormwater management system delivers water to these wetlands it is necessary to monitor shallow groundwater to assure that any water quality impacts attributed to the project are appropriately mitigated. For the purposes of this Project, shallow groundwater is defined as subsurface water at depths of 0 to 30 feet below the ground surface. Groundwater samples shall be analyzed for the same field and laboratory parameters listed above, but may omit chlorophyll a and periphyton biomass. Groundwater sample collection shall occur at least twice per year in June and October. To facilitate comparison with surface water data, groundwater and surface water samples shall be collected on the same day, when feasible.

III. Stormwater

The Project will be subject to a general certification under the statewide Construction Stormwater Discharge Permit (COR400000). The applicant shall provide electronic copies of the general permit certification, original and updated stormwater management plans, site inspection reports, and any permittee-initiated permit actions (e.g., contact changes, transfers, and terminations). These documents shall be provided to the County at least quarterly.

¹ The preliminary drainage report, dated July 10, 2024, states that “the design for water quality BMPs will be completed at final design”.

² In a letter to NWCCOG dated November 13, 2024 the applicant reported that “all significant earth disturbance will be kept outside of the 50’ highwater setback... “where enhanced plantings, to provide additional biofiltration, may be proposed depending on site conditions (these areas are proposed for hand planting only without any mechanical equipment or significant ground disturbance)”