

7/26/06

# Stagecoach goes high-speed

## Zirkel uses 'green' energy to provide Internet service

Alexis Delacruz  
PILOT & TODAY STAFF

### STEAMBOAT SPRINGS

Zirkel Wireless is offering high-speed Internet access to Stagecoach residents.

Alan Belvo, president and co-owner of the Steamboat Springs-based Zirkel, said he and co-owner Sean Haskett successfully installed a "green" antenna site on the northeast shore of Stagecoach Reservoir up Blacktail Mountain that will allow Stagecoach residents to access high-speed Internet.

"With this new site, we're able to pretty much get the entire (Stagecoach) community," Belvo said. "If you have a line of sight to the antenna, or the reservoir, we can probably get you."

Bringing high-speed Internet to South Routt County and Stagecoach has been a goal of Zirkel's since the company started in 2001.

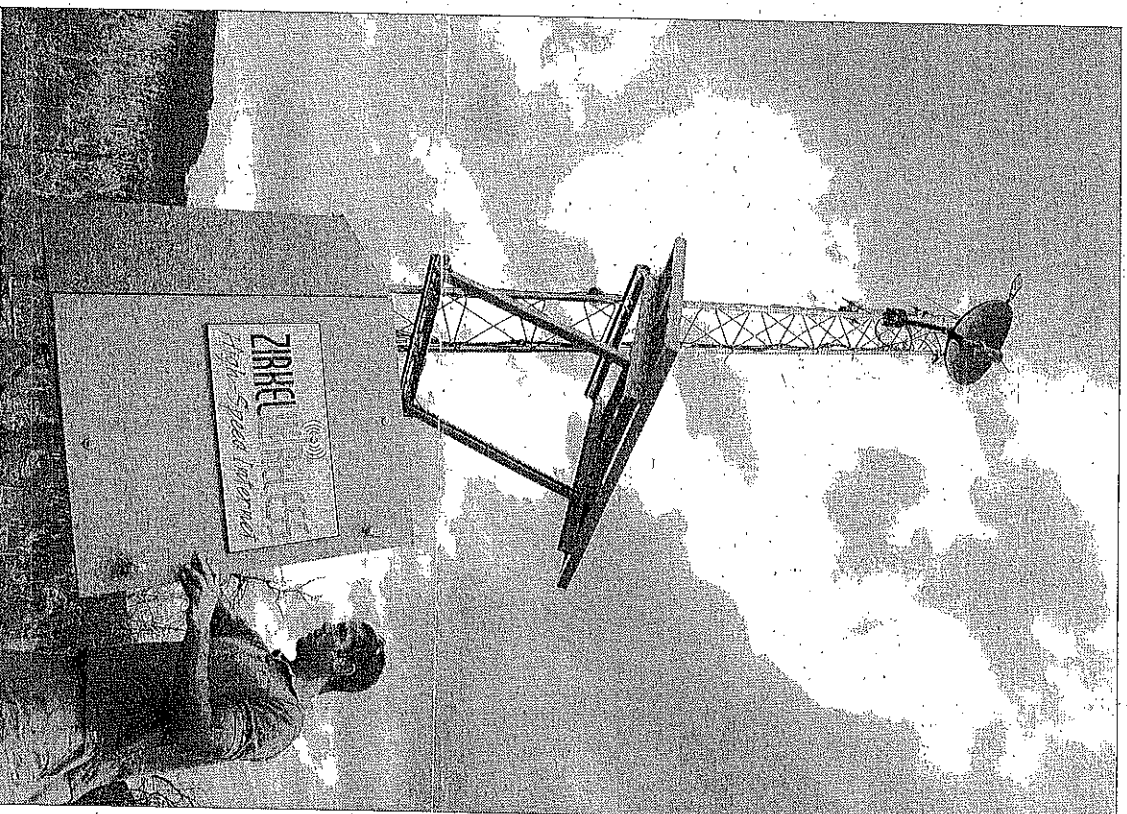
"We put a site in Oak Creek. Now we have Stagecoach and in the near future we're looking to put in a site in Yampa," he said.

The Stagecoach antenna site is powered with solar and wind energy, Belvo said.

Belvo said the antenna site has been engineered to run about eight days if it is not supplied by solar or wind energy.

"If the sun stops shining or the wind stops blowing, we'll still be up for another 200 hours," he said.

Haskett said the green site was so successful that the company plans to install Yampa's



TYLER ARROYO/STAFF

**Zirkel Wireless president and owner** Alan Belvo performs a maintenance check on a newly installed antenna on Blacktail Mountain in Stagecoach. The new site will allow Stagecoach residents to access high-speed Internet antenna using green energy.

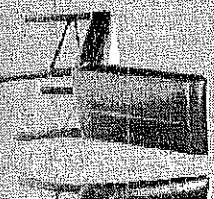
The company hopes to have Yampa's antenna site up by early August.

Zirkel Wireless also hopes to

bring its service to North Routt and Hayden.

To reach Alexis Delacruz, call 871-4234 or e-mail [adelacruz@steamboatpilot.com](mailto:adelacruz@steamboatpilot.com)

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INTEROFFICE MEMORANDUM

TO: Board of County Commissioners  
Keith Montag, Acting County Administrator  
Diane Mauriello, County Attorney

FROM: Keith Montag, Community Development Director

DATE: August 8, 2005

RE: Determination of a Finding of No Significant Impact (FONSI):  
1041-0062 / Doisero Mobile Home Park

Please be advised that the Community Development has evaluated the above referenced application. Based upon information provided by the applicant, I have determined that a Finding of No Significant Impact **IS APPROPRIATE** in this instance for the following reasons:

- No mitigation will be required;
- Significant adverse impacts to the County are unlikely;
- The proposal satisfies the applicable Permit Application Approval Criteria as delineated in Section 6.04 of the Eagle County Land Use Regulations.

Pursuant to 6.03.03.(4)(a), Chapter IV of the Eagle County Land Use Regulations, "Within fourteen (14) days after publication of the Director's Determination of a FONSI, the Board may decide to reconsider the Determination. Such reconsideration shall be made at the next regularly scheduled meeting of the Board for which proper notice can be accomplished."

For this application, the Director's Determination will be published in the Eagle Valley Enterprise on Thursday, August 18, 2005. **Your fourteen (14) day call-up period will expire on Thursday, September 1, 2005.** This notice is being sent independently to each Board Member. If you desire to reconsider the Director's determination, please check the box below prior to 5:00 pm on the expiration date and return this form to the Director. Should a majority of the Board of County Commissioners desire a call-up, this file will be placed on the agenda of a regularly scheduled and noticed public hearing for further discussion. Thank you for your consideration.

☐ I would like to reconsider the Director's determination of a FONSI for this file.

*Compounding the problem at Dotsero is the drinking water has elevated chlorides in it. The treatment process will need to address this issue, also.*

*The context of Mr. Condit's approach to updating the treatment facility does not indicate any attempt to improve the facility, in order to eliminate low-income housing and to raise the rental charge sufficiently to attract different residents. However, I imagine that he will need to raise the fees at the MHP. It is my understanding that his current fees are well below the average wastewater treatment fees assessed by similar communities. It only seems prudent and appropriate that he be allowed to raise the fees by a modest increase, in order to help amortize his investment in the treatment facility.*

*Furthermore, it seems appropriate to provide the MHP residents a treatment facility that will provide adequate treatment and not become a health threat for them due to breakdowns of the current treatment facility, as a result of age. I urge you to consider the request of Mr. Condit to improve his treatment facility and view this as a conscientious decision to address a potential problem before it becomes a local environmental disaster. This is an excellent opportunity for Mr. Condit and Eagle County to provide the same level of wastewater treatment for the Dotsero residents that you and I would expect for our own neighborhoods. It my understanding that Mr. Condit will maintain this "neighborhood" for low income families, which appear to be in short supply for the people who work not only in resort towns, but also in the larger communities throughout the State. The proposed project includes modifications and improvements to the existing water and wastewater treatment processes to upgrade their treatment capabilities. The project will not significantly alter the site nor pose any significant off-site concerns."*

The proposed water treatment system modifications consist of the following:

- ✓ Installation of a Reverse Osmosis treatment system sized to deliver 22.5 gpm of treated water (permeate) with 8000 gpd concentrate;
- ✓ Permeated disinfection system (chlorine dosing system and contact tankage);
- ✓ 30 gpm booster pump system station, and;
- ✓ Concentration disposal to the existing infiltration pond.

The system is designed and will be constructed to meet and exceed Drinking Water Standards and to conform to the Colorado Department of Health and Environment Design Criteria for potable Water Systems.

The proposed wastewater treatment facility modifications consist of the following:

COMMUNITY DEVELOPMENT

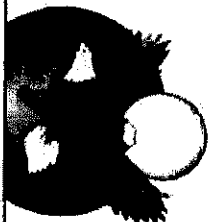
DEPARTMENT

(970) 328-8730

FAX: (970) 328-7185

Email: comdev@eaglecounty.us

www.eaglecounty.us



EAGLE COUNTY

BOARD NOTICE OF DETERMINATION

NOTICE IS HEREBY GIVEN that the Community Development Director for the County of Eagle, State of Colorado has determined that a Finding of No Significant Impact (FONSI) IS APPROPRIATE pursuant to Section 6.03.03.(1), Chapter VI of the Eagle County Land Use Regulations, Guidelines and Regulations for Areas and Activities of State Interest of the County of Eagle, State of Colorado, 2003, as amended, for the below referenced 1041 application.

FILE NO. / NAME: 1041-0062 / Dotsero Mobile Home Park (a.k.a. Malpais Mobile Home Park) Upgrade of Water Treatment Facility and Wastewater Treatment Facility.

APPLICANT: Dotsero Mobile Home Park, LLC / Jim Condit and Steve Okeson

PROJECT DESCRIPTION: Pursuant to correspondence received from Michael Liuzzi of the Colorado Department of Public Health and Environment,

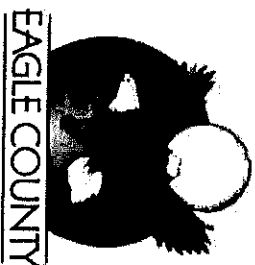
*"The wastewater treatment facility at Dotsero has reached its "life-expectancy". It is time to replace the treatment plant. The few samples taken at the effluent demonstrate that the plant is not producing effluent quality to meet the existing permit limits. The monitoring well that was drilled at the facility has not been able to obtain samples due to the lava fan that the well encountered. Hence, there have been no demonstrated violations for the Division to point to as a logical reason for treatment plant upgrade.*

*The previous district engineer, Jim Chubrito, for the Water Quality Control Division (WQCD) and I have been requesting Mr. Jim Condit to make the necessary plans to replace the treatment facility for a number of years. We requested that he do this due to the age of the plant and experience of knowing that an aged plant could not produce the effluent quality to meet the current permit limits. Mr. Condit has made contact with an engineer (Mr. Bob Frachetti) who has found an affordable solution to replace the plant. The WQCD requested Mr. Frachetti to perform a cost analysis to connect Dotsero MHP to Two Rivers. This solution proved cost prohibitive.*

- ✓ No change in the mobile home park population or rated capacity of 21,300 GPD or the rated organic capacity of 42.6 pound per day is proposed;
- ✓ Upgrade the existing Rotating Biological Contactor process to a Sequencing Batch Reactor activated sludge process;
- ✓ Influent coarse manual barscreen;
- ✓ Influent flow metering;
- ✓ Sequencing batch reactor activated sludge package system;
- ✓ Effluent disinfection system;
- ✓ Six-inch outfall pipe to percolation pond;
- ✓ Stand-by power generator.

PUBLIC NOTICE IS FURTHER GIVEN, pursuant to Section 6.03.03.(4).(b), Chapter VI of the Eagle County Land Use Regulations, Guidelines and Regulations for Areas and Activities of State Interest of the County of Eagle, State of Colorado, 2003, as amended, that any affected party seeking a reconsideration of the Director's Determination of a FONSI shall file a written request with the Board of County Commissioners within fourteen (14) days of the date of this publication. If a written request is received, then the Board shall reconsider the Director's Determination of the FONSI at the next regularly scheduled meeting for which proper notice can be accomplished. The affected party may request a reasonable extension if necessary.

**Date of Call-up expiration – September 1, 2005**



INTEROFFICE MEMORANDUM

TO: Board of County Commissioners  
Keith Montag, Acting County Administrator  
Diane Mauriello, County Attorney

FROM: Keith Montag, Community Development Director

DATE: August 8, 2005

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1041-0062 / **Doisero Mobile Home Park**

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**ROUTT COUNTY ATTORNEY'S OFFICE  
MEMORANDUM**

**TO:** Board of Adjustment  
Ellen Hoj, Planning Administrator  
Chris Brookshire, Planning Staff

**FROM:** Jonathan M. Krauss, Assistant County Attorney

**RE:** Variance/Hardship--Illustrative Case

**DATE:** February 22, 2000

*JMK*

I was doing some reading recently when I came across a summary of a court case from Wisconsin. See attached. It was interesting because the case seemed to hit on one of the issues we had talked about during the BOA retreat, namely separating personal hardship from the physical hardship or practical difficulty unique to the land.

The case is a good illustration that "practical difficulties" or "unnecessary hardship" do not include conditions personal to the owner of the land (i.e., a disability--or in our discussions, having more kids) but require special conditions unique to the property.

I hope this helps your understanding of this issue a little. Because this is a case from Wisconsin it is not "the law" in Colorado, so please consider it accordingly. That is, use the case as an illustration or an example only and not as an iron clad rule. If you have any questions, please make a note of them and pass them on to Ellen or Chris.

## Zoning

### Are variances required for personal disabilities?

WISCONSIN (11/23/99) — Klint owned a cabin abutting Grindstone Creek as it flowed into Lac Courte Oreilles in Sawyer County. He and his family used the cabin on summer weekends. Klint suffered from Marfan's Syndrome. He had congestive heart failure, pulmonary hypertension, and restrictive lung disease, which necessitated the use of a room air concentrator or oxygen. A 50-foot-long hose connected him to his oxygen supply at the cottage.

Klint hired a contractor to build an addition to the cabin. The addition permitted Klint a greater view of the water and the sandbar area where his children played. Its linear design permitted him to keep his air hose out of the traffic pattern and move about without the hose getting tangled.

The addition was placed on the lake side of the cabin, and a triangular portion of it infringed upon the 40-foot average setback from the high water mark of the creek mandated by Sawyer County's shoreland zoning ordinance. After construction was complete, the county zoning administrator issued Klint two citations, one for building without a permit and the other for violating the minimum setback.

Klint applied to the board for an after-the-fact variance. The board rejected the variance request on the grounds that it would be for the convenience of the owner and would not be due to special conditions unique to the property. The board ordered Klint to remove eight feet from his addition.

Klint filed a disability complaint under the Wisconsin Fair Housing Act, alleging the board discriminated against him. He claimed the board refused to permit him to make reasonable modifications to the cottage or make a reasonable accommodation under the zoning ordinance for his cottage. The matter was brought before an administrative law judge, who concluded the county violated the Fair Housing Act by refusing to grant a variance.

The board took the matter to the trial court, which reversed the judge's order. The Department of Workforce Development then appealed the trial court's decision.

The department asserted Klint's disability would be a special condition resulting in an unnecessary hardship if the variance was not granted.

**DECISION: Affirmed.**

The board's failure to grant the variance was not discriminatory.

Practical difficulties or unnecessary hardship did not include conditions personal to the owner of the land. Only conditions especially affecting the lot in question could be considered. When the property owner would have a reasonable use of his or her property without the variance, the variance request should be denied. There was no dispute Klint had feasible uses of the property without a variance. Additionally, the ordinance prohibited all property owners from violating the setback requirements, regardless of disability.

*Citation: County of Sawyer Zoning Board v. State of Wisconsin-Department of Workforce Development, Court of Appeals of Wisconsin, District Three, No. 99-0707 (1999).*

*see also: Snyder v. Waukesha County Zoning Board of Adjustment, 247 N.W.2d 98 (1976).*

*see also: State v. Kenosha County Board of Adjustment, 577 N.W.2d 813 (1998).*

## Immunity

### Homeowner finds serious defects in home's construction

WYOMING (11/10/99) — Jensen, who applied for a building permit in 1985, originally built Helm's residence. During the construction of the house, Jensen submitted plans and drawings for approval to the Teton County Building Department. The department reviewed the plans and responded with a detailed Plans Correction List, noting a number

of concerns, including requirements for changes in the foundation and electrical system of the home.

Jensen sold the home to someone else, who eventually sold the home to Helm. While inspecting the home to build an addition, Helm found allegedly serious defects in the construction.

Helm sued, alleging the county had

breached its duty in inspecting the home. The county claimed governmental immunity and asked for judgment without a trial. Helm argued the county's insurance policy covered his claim, waiving county's government immunity. The court determined the relevant insurance policy purchased by the county did not cover Helm's claim.



Ad ID 584746

Date 01/19/2009

Time 12:28 PM

## PUBLIC NOTICE OF DETERMINATION

NOTICE IS HEREBY GIVEN that the Community Development Director for the County of Eagle, State of Colorado has determined that a Finding of No Significant Impact (FONSI) IS APPROPRIATE pursuant to Section 4-230.A.11.b.(1), *Finding of No Significant Impact (FONSI)* of the Eagle County Land Use Regulations for the below referenced application.

**FILE NO. / NAME:** FONSI File No FNZ-00006 / Peter Mertz

**APPLICANT:** Peter Mertz

**PROJECT DESCRIPTION:** The applicant is requesting a determination of no significant impact for a berm above and beyond the allowable dimensions as described in Eagle County Land Use Regulations, Section 4-230.A.10. According to the submittal the berm would span 465' along the applicant's northern property line parallel to Frontage Rd with varying undulation in height limited to 14" from finished grade of the applicant's property. The proposed berm would not encroach into the CDOT right-of-way and will maintain a clear vision area as required in Eagle County's landscaping standards. The berm will be constructed according to a required submittal and approval for a grading permit through the Eagle County Engineering Department.

PUBLIC NOTICE IS FURTHER GIVEN, pursuant to Section 4-230.A.11.b.(3).(b), *Request for Reconsideration by Affected Party* of the Eagle County Land Use Regulations, that any affected party seeking a reconsideration of the Director's Determination of a FONSI shall file a written request with the Board of County Commissioners within fourteen (14) days of the date of this publication. If a written request is received, then the Board shall reconsider the Director's Determination of the FONSI at the next regularly scheduled meeting for which proper notice can be accomplished.

The affected party may request a reasonable extension if necessary.

Eagle County Community Development

Published in the Eagle Valley Enterprise September 6, 2007. (584746)

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RECEPTION#: 678065, 08/25/2008 at 11:50:37 AM, 1 OF 8, R \$41.00 Doc Code:AGR  
Kay Weinland, Routt County CO

# Upper Yampa Water Conservancy District Stagecoach Reservoir Expansion



## WILDLIFE MITIGATION PLAN

## INTRODUCTION

This Wildlife Mitigation Plan (WMP) is a legal agreement between the Colorado Division of Wildlife (CDOW) and the Upper Yampa Water Conservancy District (UYWCD), for the specific purpose of providing action items to avoid, minimize, and mitigate the wildlife impacts associated with the 2009 expansion of Stagecoach Reservoir. This agreement is between the CDOW and the UYWCD and both parties recognize that other referral and/or permitting agencies may request and/or impose additional mitigation requirements as part of their processes.

*Action  
Action*

This plan lists the terrestrial and aquatic wildlife and habitat related concerns that have been identified by the CDOW and the agreed upon mitigation strategies intended to avoid, minimize, and/or mitigate the impact of the expansion.

The UYWCD, their successors or assigns, including any persons and/or entities that might undertake some or all of the owner's commitments, as delineated below, commit to the following wildlife mitigation measures.

The final section of this document contains a signature page to be signed as an agreement between the UYWCD and the CDOW. Through these signatures, the UYWCD and the CDOW agree that this plan provides acceptable mitigation for the impacts that will result from the reservoir expansion.

## MITIGATION STRATEGIES

### Dissolved Oxygen (DO) Levels

The CDOW is very concerned about the low DO levels that have occasionally occurred in the Yampa River below the dam. The UYWCD has agreed to mitigate these concerns by implementing the following mitigation strategies.

- Design and install a structure on the upper gate of the intake tower to effectively raise the invert of the upper gate by four feet. This structure will be installed as part of the construction process for the dam raise.
- Design (with CDOW input and approval) and install a boulder structure within 250 feet below the stilling basin to accelerate aeration of flows. This structure will be installed either prior to or simultaneously with the construction process for the dam raise.
- Continue to monitor discharge water DO and temperature and maintain both at required levels downstream. DO levels of at least 4.0 mg/l with a target level of 6.0 mg/l must be maintained at all times and DO levels of at least 6.0 mg/l must be maintained at Yampa River Station 2 (YR-2). Water temperature of between 12 and 16 degrees Celsius (°C)

must be maintained at the stilling basin from July 1 thru September 30 annually. Furthermore, the UYWCD will submit monthly reports on its water quality monitoring to the CDOW.

#### Additional Water Quality Concerns

The CDOW is concerned about the potential for leaks and subsequent contamination of Stagecoach Reservoir and the Yampa River from impacts of the proposed raise on the existing vault toilets. In addition, there are other water quality concerns that have been brought forward by other agencies. The UYWCD has agreed to mitigate these concerns by implementing all the requirements of the Routt County Department of Health which has primary responsibility for permitting the vault toilets. The district will implement the following mitigation strategies.

- Review, and if necessary relocate the restroom storage vault at the Wetland Habitat Preserve off Routt County Road (RCR) 16. If relocation is deemed unnecessary, the UYWCD will notify the CDOW in writing that their surveys determined that the proposed raise will not adversely impact the integrity of the existing restroom storage vault at this location. If necessary, this restroom will be relocated prior to the reservoir being filled above the current 7,200' capacity.
- Review, and if necessary relocate the restroom storage vault toilet at the parking lot off RCR 14. If relocation is deemed unnecessary, the UYWCD will notify the CDOW in writing that their surveys determined that the proposed raise will not adversely impact the integrity of the existing restroom storage vault at this location. If necessary, this restroom will be relocated prior to the reservoir being filled above the current 7,200' capacity.
- Review, and if necessary relocate the restroom storage vault toilet at the parking lot at the Little Morrison Creek boat ramp off RCR 18A. If relocation is deemed unnecessary, the UYWCD will notify the CDOW in writing that their surveys determined that the proposed raise will not adversely impact the integrity of the existing restroom storage vault at this location. If necessary, this restroom will be relocated prior to the reservoir being filled above the current 7,200' capacity.
- Apply to the Colorado Department of Public Health and Environment (CDPHE) for a Water Quality Certificate and comply with all terms and conditions established within said certificate. This application will be submitted prior to the construction process for the dam raise.
- Coordinate with agency partners and evaluate data to help guide future release strategies. The District will install temperature sensors at each gate opening to monitor reservoir stratification as part of the dam raise.

### Northern Pike

The CDOW is interested in properly managing and effectively controlling the northern pike population in Stagecoach Reservoir and is concerned that the raise will create additional pike spawning habitat; subsequently increasing pike reproduction and potentially increasing pike escapement from the reservoir. The U.S. Fish and Wildlife Service (USFWS) also expressed similar concerns. The UYWCD has agreed to mitigate our concerns by implementing the following mitigation strategies.

- The UYWCD will operate the reservoir to manipulate water levels to reduce spring flows over the spillway to reduce potential northern pike escapement. This will also limit northern pike spawning habitat in the reservoir in the spring.
- A gravel filter or grate at the wetland/waterfowl mitigation area on the north side of the reservoir will be constructed to prohibit the entry of northern pike and limit access to the spawning/rearing habitat in the wetland/waterfowl area. This will be constructed prior to the reservoir being filled above the current 7,200' capacity.
- Prior to raising the reservoir level, the upland vegetation around the reservoir (between 7200 and 7204 feet) will be cleared up to the new normal high water line to reduce availability of spawning/rearing habitat during the initial years of additional fill.
- A barrier will be installed in the existing four foot diameter culvert under RCR 16 to prevent adult northern pike from entering the wetland area upstream of the culvert and further limit available spawning habitat. This barrier will have openings no greater than 1¼ inch and will be installed prior to the reservoir being filled above the current 7,200' capacity.
- UYWCD acknowledges that some level of escapement of northern pike is likely to be occurring from Stagecoach Reservoir. In addition, the UYWCD recognizes the efforts of the CDOW to control northern pike downstream of Stagecoach Reservoir. As part of that control effort, the CDOW is currently implementing a 5-year northern pike control program at Lake Catamount. Efforts of the CDOW could reduce the impact of northern pike on endangered fish downstream. In five years the CDOW will determine the effectiveness of the northern pike control program at Lake Catamount. If it is determined that efforts of CDOW are not effective and significant numbers of northern pike are traveling downstream into critical habitat, including documented escapement out of Stagecoach Reservoir, the UYWCD will develop and implement revised escapement minimization measures in consultation with CDOW and the USFWS. Any revised escapement minimization measures will be developed and implemented no later than June 30, 2015.
- The UYWCD will participate financially in studies to determine the level of escapement of northern pike from Stagecoach Reservoir. The UYWCD will coordinate with the CDOW to determine the appropriate financial contribution level, not to exceed \$5,000 per year or \$10,000 for the escapement studies, while the CDOW will approve the type

*Ed Lee*  
*Spencer*  
*Robbie*

*For June*

of studies to be conducted. This funding will be available from the date of the agreement until June 30, 2015.

- The UYWCD will conduct an annual spring meeting in early March to review the District's operations to minimize reservoir spilling. During this meeting, the UYWCD, CDOW and the USFWS will review and evaluate northern pike control efforts, northern pike escapement studies, and the status of northern pike in the Yampa River. Additional measures to address northern pike control and/or northern pike escapement from the reservoir may be necessary and will be supported by the UYWCD.
- Northern pike management in the Yampa River system is very dynamic, and there exists 'uncertainties' pertaining to management and control of pike in the Yampa system in the future. As a result, the UYWCD acknowledges that there may be additional requests imposed on them based on future studies and findings.

#### Wetlands

The proposed expansion will inundate some wetland areas that have significant wildlife values associated with them. The UYWCD has agreed to mitigate this loss by implementing the following mitigation strategies.

- Design (with CDOW input and approval) and construct a 7.1 acre wetland area between RCR 14 and the reservoir in the upland area located between Stagecoach State Park's parking area north of the inlet and the Parks road near their headquarters facilities. This wetland will have a slope ratio no greater than 3:1. The intent of this wetland area will be to create a wetland area suitable for waterfowl production that would replicate the wetland south of RCR 16 that will be inundated by the raise.

- The UYWCD agrees to salvage the mature willow plants at the inlet and use as part of their on-site wetland mitigation efforts. If the UYWCD has excess willows available from this salvage effort, they will provide them to the CDOW for use in other wetlands and/or stream bank restoration efforts. All vegetation harvesting will be conducted prior to the reservoir being filled above the current 7,200' capacity.

#### Columbian Sharp-tailed Grouse

The proposed expansion will inundate two Columbian sharp-tailed grouse leks. The UYWCD has agreed to mitigate this loss by implementing the following mitigation strategies.

- Implement a vegetation manipulation plan (with CDOW input and approval) that will increase visibility of mating birds at these lek locations. Vegetation manipulation will be done through strategic mowing and/or burning. All vegetation manipulation will be conducted prior to the reservoir being filled above the current 7,200' capacity.
- Seed all upland disturbance areas (including all disturbed areas associated with the Elk Run Trail realignment) with a sharp-tailed grouse friendly seed mixture, which will be

preapproved by the CDOW. All seeding will be done concurrent with those activities creating the disturbances.

- The UYWCD will conduct an annual spring meeting in early March to review the District's operations to minimize reservoir spilling, which could result in the reservoir filling later in the run-off season. Postponing reservoir fill will likely also benefit breeding grouse on the two leks that would be inundated by the raise.

#### Greater Sandhill Crane

The proposed expansion will inundate some wetland areas used by sandhill cranes. The UYWCD has agreed to mitigate this loss by implementing the following mitigation strategies.

- Work cooperatively with the CDOW and Stagecoach State Park to implement seasonal restrictions to the remaining wetlands in the Wetland Habitat Preserve.
- Work with the CDOW to explore alternatives to enhance sandhill crane habitat elsewhere in the Stagecoach area.

#### Elk

Elk mitigation has been an integral component to Stagecoach Reservoir. The UYWCD recognizes this and has agreed to the following mitigation strategies.

- The UYWCD will continue to honor the seasonal road closure (January 1 – March 31 annually) on RCR 18. This closure extends from the dam to the junction of RCR 18 and the entrance road to Stagecoach State Park.

### **AMENDMENT AND ENFORCEMENT**

It is understood that this WMP will be recorded in the Routt County records. Furthermore, this WMP shall not be amended without the written consent of the local CDOW District Wildlife Manager and Routt County Board of County Commissioners. No amendment shall require the approval of any owner except the UYWCD and their successors or assigns. No Owner shall be deemed to be a third party beneficiary of this WMP, nor shall this WMP be enforceable by any Owner, except the UYWCD and their successors or assigns. This entire WMP can be enforced by the UYWCD, the CDOW, or Routt County.

### **ENDORSEMENT**

The CDOW agrees that the wildlife impacts associated with the Stagecoach Reservoir expansion would be addressed upon complete execution of this plan.

## ASSIGNMENT

The UYVWCD may, from time to time, assign its rights and obligations under this WMP by an express assignment set forth in a recordable instrument to be recorded in the Routt County records to any person or entity acquiring an interest in Stagecoach Reservoir. The CDOW and Routt County will be copied on any such assignments. From and after the date of such assignment, the assignee(s) shall succeed to all obligations arising prior to and after the date of this WMP. Any assignee(s) under this WMP may thereafter assign their rights and obligations under this WMP to other such assignee(s), subject to the terms and provisions herein by an express assignment set forth in an instrument in recordable form and recorded in the Routt County records.



# SIGNATURE PAGE

For the Upper Yampa Water Conservancy District:

  
John R. Feldner Secretary/Manager

Accepted and agreed to this 15 day of August, 2008.

For the Colorado Division of Wildlife:

  
James Haskins, Area Wildlife Manager

Accepted and agreed to this 21 day of August, 2008.

**UPPER YAMPA WATER CONSERVANCY DISTRICT  
STAGECOACH HYDROPOWER PROJECT—LICENSE AMENDMENT  
FERC PROJECT No. 9202**

**DRAFT AGENCY MEETING MINUTES**

AUGUST 16, 2006

*Key*  
*Shelak*  
*PDEV006 PZ P95-006*  
*P85-004 P53*  
*Attending Parties:*

*Upper Yampa Water District*

*Stagecoach Park Wetland PUD*

Name	Agency	Phone Number	E-Mail Address
John R. Blair	Colorado Department of Water Resources—Dam Safety	970-879-0272, ext. 6014	j.blair@state.co.us
Kent Crofts	IME	970-638-4462	Kent@imeyampa.com
Jeff Dawson	URS Corporation	303-740-2793	jeffey_dawson@urscorp.com
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**I. Introduction**

Mr. John Fletcher of the Upper Yampa Water Conservancy District (UYWCD), welcomed resource agency and government officials to the Resource Agency Meeting concerning a proposed amendment to the Stagecoach Hydropower Project (FERC No. 9202) license. The purpose of the meeting was to present local, state and federal agencies with UYWCD's proposal to increase the reservoir level of the Stagecoach Project by four feet, in order to provide for future water needs. The UYWCD asked the attending agencies and organizations to help it to identify potential issues with the proposed reservoir level increase. UYWCD will address these issues in the FERC license amendment application.

An amendment to the Stagecoach Project license from the Federal Energy Regulatory Commission (FERC) is needed in order to implement this change in reservoir level. Consulting with various agencies and with the general public is one of the required steps for acquiring a license amendment.

## **II. Presentation**

Following Mr. Fetcher's introduction, Mr. Wayne Dyok of MWH Americas, Mr. Jeff Dawson of URS Corporation and Mr. Kent Crofts of IME delivered a PowerPoint presentation to the meeting participants outlining the project's history, the need for water use in the region, how the proposal will be implemented if it is approved and the impact of this reservoir increase on project resources. An agenda was provided to the participating agencies which included the following items:

- FERC License Amendment Process;
- Stagecoach Project History;
- Description of Existing Facilities and Proposed Project;
- Purpose and Need; and
- Environmental Resources, Issues and Information needs.

Each of these topics is discussed briefly below.

### ***FERC License Amendment***

Amending a FERC project license usually includes the following steps: 1) consulting with governmental agencies and the public; 2) conducting environmental studies as needed; 3) preparing a draft application for license amendment; 4) circulating the draft application to agencies, interested parties and individuals to review and comment on; and 5) filing the final application with FERC that addresses agency and public comments. FERC then issues a Public Notice for the proposed project amendment, and requests that interested parties submit comments to them. After reviewing the revised proposal and all filed comments, FERC then determines whether or not to approve the proposed license amendment.

### ***Stagecoach Project History***

The Stagecoach Project was licensed by FERC in 1987 with an expiration date of 2037. The project license includes several terms and conditions to protect project resources (such as recreation, water quality monitoring, etc.). UYWCD now proposes to increase the reservoir level to better provide for future water needs. Should its request to increase the reservoir level be approved, UYWCD will continue to abide by those terms and conditions established in the project license, and any new terms included in the license amendment.

## ***Description of Existing Facilities and Proposed Project***

### ***Existing Facilities***

The Stagecoach Project currently has a 771-acre reservoir with a storage capacity of 33,275 acre-feet. The project's roller-compacted concrete (RCC) dam measures 150 feet high. The maximum water elevation is currently 7,200 feet. The project's hydroelectric power plant has an 800 kW capacity. The Stagecoach Project is essentially a run-of-river facility, and is certified green power by the Low Impact Hydropower Institute.

### ***Proposed Project***

The UYWCD proposes to include an amendment in the Stagecoach Project license that would increase the project's water supply in critical years by raising the spillway four feet. This four-foot raise would be undertaken by placing a cast-in-place concrete reinforced ogee spillway on top of the existing spillway. The result would be an increased of 3,185 acre-feet in storage capacity.

As noted below in Table 1, the Stagecoach Project's reservoir storage is currently utilized for a variety of purposes. Increasing the reservoir level will better assist the UYWCD to meet future water resource needs.

***Table 1: Stagecoach Reservoir Water Storage***

<b><u>WATER USAGE</u></b>	<b><u>CURRENT USAGE (ac-ft/yr)</u></b>
Irrigation	4,000
Municipal	2,000
Industrial	7,000
Uncommitted	2,000
Dead Storage	3,275
Recreation	15,000
<b><u>TOTAL</u></b>	<b><u>33,275</u></b>

Under the proposal, no structural modifications to the dam would be required. The project would continue to provide the required minimum downstream flows. Any changes to project operations and downstream flows would be minor. More water would be stored during the high flow period in the spring and released during dryer periods later in the year. However, summer water levels would be similar to current operations, except the reservoir would be four feet higher. The water level increase would allow the UYWCD to better utilize the project's water supply, and would increase the recreational capacity of the project reservoir by about 6 percent.

### ***Waiver***

The UYWCD proposes to seek a waiver from FERC to forego the draft application process, provided that resource agencies and other interested parties concur. By doing so, UYWCD hopes to streamline the project amendment process and ensure that the

proposed construction can take place in 2007, as is currently slated, followed by increasing the reservoir level in 2008. By eliminating the draft application, the UYWCD hopes to improve its efficiency and lower the cost associated with the proposed action.

Although the draft application is proposed to be omitted, there are still at least two opportunities for agencies, interested parties and private citizens to file comments concerning the proposed plan. The first opportunity is between now and October 15, 2006. These comments should be filed with UYWCD, and will be addressed in the license amendment application. The second opportunity will be initiated by FERC's issuance of a Public Notice after the application has been filed. The notice will request that comments be submitted to FERC; these comments will be addressed in FERC's Environmental Assessment (EA). Issuance of the EA offers a third opportunity for comment if issues have not been resolved at the application filing stage.

### ***Purpose and Need***

The primary purpose for the increased reservoir level is to ensure that a water supply is available for population growth. Additionally, the proposal will increase reservoir surface area to provide for additional recreational opportunities. The increased reservoir level will also result in an increased head (i.e., elevation difference between the reservoir surface and the tailwater at the powerplant) - leading to an increase in hydroelectric power generation by approximately six percent.

The reservoir increase will allow for the augmentation of late summer/fall base flows, which would help threatened and endangered species residing downstream. The proposed reservoir increase will also allow the Stagecoach Project to be in compliance with the Colorado Water supply for the 21<sup>st</sup> Century Act, and can be included in the Yampa district's master plan to supplement well water permits in the future.

### ***Environmental Resources, Issues and Information Needs***

In order to receive FERC approval for a license amendment, project licensees are required to first evaluate the proposal's impact on the following project resources: 1) water use and quality; 2) fish and aquatic resources; 3) wildlife and botanical resources; 4) wetlands and riparian habitat; 5) rare, threatened and endangered species; 6) geological and soil resources; 7) recreation resources; 8) land use; 9) aesthetics; and 10) cultural resources.

Based on the UYWCD's preliminary assessment on the proposed reservoir increase, the following project resources have been identified as potentially being impacted:

- water quality issues (temperature and dissolved oxygen);
- reservoir fish and aquatic resources;
- Yampa River fish and aquatic resources downstream of the project;
- wildlife;
- wetlands;

- threatened and endangered species;
- soil erosion;
- recreation resources; and,
- wetland and riparian habitats.

#### *Existing Project Resources*

*Reservoir Management.* The reservoir fills in the spring, and then is drawn down between fall and early spring. Its peak storage is predicted by snow pack, and controlled by releases prior to run-off. The project's minimum flow requirements are shown below.

#### Minimum Flow Requirements at the Stagecoach Project:

December 1 to July 31 → 40 cfs or inflow  
August 1 to November 30 → 20 cfs

*Water Quality.* Both water temperature and dissolved oxygen (DO) are monitored by two stations downstream. DO levels released at the project are required to be at least 6.0 mg/l at 1,000 feet below the dam. A goal of 4.0 mg/l or greater is maintained in the stilling basin.

Water temperature can be regulated by changes in outflow through three different gates, located at three different depths in the reservoir to provide optimum temperature for fish downstream.

*Reservoir Fish and Aquatic Resources.* Reservoir fish include rainbow trout, northern pike and white suckers. There is some spawning by rainbow trout at the project inlet in the spring and fall, while white suckers spawn at riffles or windswept shores. The project reservoir is stocked with approximately 45,000 rainbow trout annually by the Division of Wildlife.

Northern pike populations restrict the natural recruitment of other species. Management of the reservoir is aimed at reducing pike predation on trout. By waiting until the fall to stock trout, the trout released are larger in size, which deters pikes from preying on them.

*Yampa River Fish and Aquatic Resources.* A total of nine species of fish are known to populate these waters. Among them, the rainbow trout is most abundant. Spawning occurs just below the dam, with rainbow trout spawning during June and July when flows are high, and mountain whitefish spawning in October.

Downstream from the dam, there is a catch-and-release program for the first 0.6 miles. After the first 0.6 miles, there is a maximum catch limit of two fish in place.

Although there would be minor changes to project flows - decreased late spring/early summer flows, and possible flow increases at other times of the year - the project would continue to meet its minimum flow requirements at all times. The UYWCD is

coordinating with Colorado Division of Wildlife to accommodate the flow needs of spawning and wintering fish.

*Wildlife and Botanical Resources.* Habitats present at the Stagecoach Project include wetlands, aquatic habitat, sagebrush areas and meadows.

The project also includes waterfowl nesting areas. Approximately 500 elk winter in the vicinity of the project, and in the summer project lands become a concentration area for mule deer. Small game and bird hunting is allowed in-season.

The proposed increase in the reservoir level would add approximately 47 acres to the reservoir, and impact about 27 acres of upland habitat.

*Wetlands.* Approximately 20.5 acres of wetlands would be affected by the increase in reservoir level. A Section 404 Permit from the U.S. Army Corps of Engineers (USACE) would be required for the impacted wetlands. The measures used to mitigate the impact to wetlands, such as the development of new wetlands located further away from the project reservoir, would provide functions equivalent to those lost from the raised reservoir level.

There are several ponds that were originally created by UYWCD in order to mitigate the loss of wetlands caused by the construction of the project. There would be no effect on these improvements.

*Rare, Threatened and Endangered Species.* Rare, threatened and endangered species residing in the project area include the: bald eagle, greater sandhill crane, Northern leopard frog, bonytail, Colorado pikeminnow, humpback chub and razorback sucker. Other than the eagle and frog, these species are located well downstream of the project. The bald eagle and greater sandhill crane are not expected to be impacted. The Northern leopard frog, however, could be affected by the inundation of wetlands and thus, loss of habitat. Since new wetlands will be created to mitigate these losses, any impacts to the frog would be short-term. Impacts to the aforementioned fish species will be addressed during continued consultation between the UYWCD and the U.S. Fish and Wildlife Service (USFWS), pursuant to Section 7 of the Endangered Species Act.

*Geological and Soil Resources.* The project reservoir is part of the Brown Park formation and consists mostly of sandstone. A seismicity study for the dam design has been previously conducted. No effects on geological resources are anticipated.

Minor soil erosion from wave action is expected to result from the proposed reservoir increase. This erosion would be temporary and would stabilize over time.

*Recreation Resources.* The Stagecoach State Park is located within the Stagecoach Project boundary. This land is owned by UYWCD, but is leased to the Colorado State Parks (CSP) to operate and maintain the Stagecoach State Park. Recreational activities at

the park include camping, boating, fishing, hiking, swimming, water skiing, sailing, etc. In 2005, the park recorded having 162,500 visitors.

The proposed increase in reservoir level would cause a six percent increase in reservoir surface area. This surface area increase would increase the recreational capacity of the reservoir. However, it would also “potentially” inundate the following Stagecoach Park facilities: 1) boat ramps; 2) a portion of the wildlife observation area; 3) swim beach; 4) hiking trail; 5) restroom storage vaults; 6) concrete picnic pad; and 7) trees and irrigation systems. The UYWCD will work with CSP to ensure that all impacts to recreational resources are mitigated.

*Land Use.* As mentioned above, the lands surrounding the project reservoir on which the Stagecoach State Park is located are owned by the UYWCD and leased to CSP. This land is zoned “OR,” for Outdoor Recreation.<sup>1</sup> Other land uses include dryland pasture for livestock grazing, a residential area south of the reservoir, a wastewater treatment plant and wetlands habitat preserve. No acquisition of land would be needed to implement the proposed reservoir increase.

*Aesthetic Resources.* The Stagecoach Project area is notable for its scenic quality and value. The increase in reservoir level would not cause any changes to this scenic quality - the dam modification would only be visible immediately downstream; high water levels would continue during the warm months for both aesthetic and recreational purposes.

*Cultural Resources.* A class III cultural resources survey of the project area was conducted in 1984. The survey revealed the presence of three prehistoric and 11 historic sites. None of these sites were eligible for listing on the National Register of Historic Places; therefore, the increased reservoir level will have no impact on cultural resources.<sup>2</sup>

### **III. Discussion—Agency Issues and Concerns**

#### ***Reservoir Stratification and Algae Blooms***

A Colorado Division of Water Resources (CDWR) representative noted that although the presentation stated that water can be withdrawn from any of the three gates in the project in order to control downstream water temperature and dissolved oxygen, only the two upper-most gates are utilized for downstream releases. This representative said that the bottom layer was “black” in color and referred to it as the “septic” layer. He also noted that the top reservoir layer has experienced an increase in algae, which has affected downstream DO levels<sup>3</sup>. Since the intake would be four feet deeper relative to the new reservoir level, CDWR asked about the effect this might have on downstream DO levels.

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<sup>1</sup> Mary Alice Page-Allen of Routt County Planning. August 16, 2006.

<sup>2</sup> In a letter dated August 2, 2006, the Colorado Historical Society stated that no historic properties would be affected.

<sup>3</sup> In subsequent discussions with the station operator, the bottom layer is no longer present and operations have been modified over the past two years to draw water from all three gates at different times of the year. UYWCD will provide this information in the application filed with FERC.



The UYWCD has identified the conflict between releasing water in the lower layer of the reservoir (which generally has a lower temperature and lower dissolved oxygen content), and releasing water in the higher layer of the reservoir (which generally has a higher temperature and higher dissolved oxygen content). The Yampa River downstream from the powerplant rapidly re-aerates, so mechanical aeration has not been necessary to meet DO requirements. Additional analysis will be conducted to assess DO and temperatures downstream of the powerplant.

### ***Dissolved Oxygen and Minimum Flow Requirement***

Ms. Libbie Miller (Colorado Division of Wildlife -CDOW) asked about the potential impact on downstream DO, and the project's ability to continue to meet its minimum flow requirement. As stated previously, only minimal changes to flows are anticipated; however, the project would continue to meet its minimum flow requirement after the proposal is implemented. UYWCD will assess the proposal's impact on DO further in the amendment application. The UYWCD would continue to monitor the downstream DO levels after the proposal is implemented. Although not expected, if the dissolved oxygen levels decrease as a result of the increased reservoir level, UYWCD would discuss mitigation options with the resource agencies.

### ***Northern Pike and Rainbow Trout***

Ms. Patty Gelatt of the USFWS expressed concerns that the increased reservoir levels could increase the amount of northern pike habitat and pike breeding at the Stagecoach Project. This increase in habitat could lead to an increase in the northern pike population. Any increase in the northern pike population could lead to an increase in predation on trout. Further, increased escapement of pike from the reservoir would allow the pike to prey on trout and threatened and endangered fish species located downstream. The participants acknowledged that some degree of pike escapement does occur now. The agencies are concerned that more pike might escape with the higher reservoir levels.

In order to mitigate the number of trout being preyed upon by northern pike, CDOW has been stocking trout later in the fall when the trout are larger, since northern pike will only prey on smaller trout. Additionally, CDOW recommended keeping the reservoir lower during the spring to protect the recreational reservoir fishery. This might facilitate spring fishing for rainbow trout when the spring "ice off" condition first occurs. However, UYWCD responded that that is not how the reservoir would be filled. Essentially the snow melt would be captured as it flows into the reservoir. The amount of daily capture would be dependent upon the flow forecast and existing reservoir level.

In response to a question about a fisheries lake management plan, CDOW commented that there was no formal lake management plan. CDOW manages the reservoir as a trout fishery (via stocking) and as a trophy pike fishery.

### ***Sharp-Tail Grouse***

Ms. Libbie Miller (CDOW) noted that the shoreline between the water and vegetated areas is used as leks by sharp-tail grouse in early spring. She expressed concern that lek habitat could be reduced when the reservoir is filled above 7,200 feet. Areas further upland may not have sufficient open space for breeding and nesting, because the upland sagebrush vegetation is not suitable for use as a lek. Ms. Miller added that the nesting is done by mid-May.

The UYWCDA noted that although this barren shoreline would be eliminated, and upland sagebrush habitat is not suitable for sharp-tail grouse, sagebrush vegetation is intolerant to water. Therefore, when the reservoir level increases and this vegetated area becomes the new project shoreline, the sagebrush vegetation present would eventually die out. After this occurs, former sagebrush habitat could be converted to barren habitat, which could mitigate the impact to the sharp-tail grouse.

### ***Wetland Mitigation***

Several agencies were concerned with the impact of the proposed reservoir increase on existing wetlands. Approximately 20.5 acres of wetlands and 3.7 acres of wetlands at the mitigation ponds at the inlet would be affected. The UYWCDA commented that wetland areas surrounding the reservoir have changed since 1989, when the reservoir was first filled. UYWCDA will apply for a Section 404 permit with the U.S. Army Corps of Engineers (USACE). The Section 404 permit application would be coordinated with the FERC amendment application. In order to mitigate the wetlands impact, the UYWCDA would create additional wetlands that would provide functions equivalent to those lost from the implementation of the proposed reservoir increase. Most likely areas within the project boundary would be identified for potential wetland mitigation areas.

It was noted that the sharp-tail grouse, wetland, and Northern pike issues would need to be coordinated. The participants also acknowledged that the USACE were unable to attend the meeting, because they had mandatory training.

### ***Moose Habitat***

A member of the Colorado Division of Water Quality stated that the impact to moose habitat in the upper section of the project reservoir needed to be assessed. However, Ms. Libbie Miller noted that although random sightings of moose had been recorded, there is no regularly used moose habitat. Therefore, the project would not affect moose.

### ***Recreation Resources***

Mr. Kris Wahlers stated Colorado State Parks (CSP) concerns with the proposal's impact on the Stagecoach State Park's recreational resources. Specifically, the CSP wanted to know how those resources that were inundated by the increased reservoir level, such as

boat ramps and the vault toilets, would be mitigated. The possibility of the vault toilets contaminating the reservoir is also an issue that needs to be addressed.

The UYWCD responded that all the impacted recreation resources were surveyed and are being assessed by an engineer. If these resources are impacted, the impacts will be mitigated and/or the resource will be replaced upland by the licensee.

At this time, it is not known whether the vault toilets will be inundated or in any way impacted by the proposal. The UYWCD has requested the facilities' as-built drawings, construction requirements and survey information from the CSP to assess what, if any, impact they will encounter. The final assessment of the vault facilities will be included in the license amendment application. It was suggested that UYWCD talk to the contractor responsible for pumping out the vault toilets, as that contractor could probably identify whether the toilets are leaking.

UYWCD stated that the construction would be scheduled so as not interfere with the prime summer recreation season. The reservoir may need to be drawn down several feet for construction, but this could be accommodated after the prime summer recreation period. If the amendment application and associated permits are approved, construction on the Stagecoach Project including recreation mitigation would likely begin in late summer/early fall 2007. All construction would be completed in time for the 2008 recreation season; the reservoir would be filled to its new level in 2008, if sufficient runoff is available.

### ***Land Use***

Routt County stated that UYWCD would need to obtain a floodplain development permit from the County. The existing PUD plan would need to be amended. UYWCD agreed to investigate the requirements for a floodplain development permit and an amendment to the PUD plan. UYWCD will be responsible for applying for and acquiring all necessary permits and amendments prior to beginning construction. Routt County also corrected UYWCD on the land use zoning. The project area is zoned OR, outdoor recreation.

### ***Purpose of Proposal and Waiver Request***

Patty Gellat of the USFWS asked the UYWCD to reiterate its justification for increasing the reservoir level at the Stagecoach Project, and why it sought the waiver of a draft application from FERC.

The primary purpose of the proposal is to create additional storage for water resources. As the population around the Steamboat Springs, Colorado continues to grow, additional water resources will be needed to provide for future development. Along with this population increase and correlating increase in demand on water resources, an increase in water-related recreational opportunities has occurred. In addition to increasing the available water supply, this proposal would increase the reservoir's surface area, thereby providing additional recreation capacity at the project reservoir.

The UYWCD stated that in order to stay on its current schedule (to have the amendment approved by FERC in late winter or early spring, construction completed in late 2007, and the reservoir level raised in 2008) the amendment application needs to be processed and ready for review quickly. This can be accomplished if FERC agrees to waive the draft application. Additionally, this waiver would increase the efficiency of the process. UYWCD plans to ask the agencies to support a waiver request, but only if the agencies are comfortable with the amendment process.

#### **IV. Action Items**

The UYWCD will address the agencies' concerns and issues, as discussed above, in the license amendment application. UYWCD will provide information on how the issues will be addressed in the amendment application as an attachment to the draft meeting minutes. UYWCD will coordinate with the resource agencies during the preparation of the application itself to ensure that the issues are being adequately addressed.

All additional comments should be submitted to the UYWCD by October 15, 2006, in order to be included in the license amendment application. The UYWCD plans on filing the license amendment application with FERC in late 2006. The Section 404 permit will be applied for in the fall as well, along with a Section 401 permit with the Colorado Division of Water Quality. Pursuant to the filing of the FERC application, FERC will issue a Public Notice soliciting comments, protests and protests in opposition. Additionally, the USACE will also solicit public and agency comments.<sup>4</sup>

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<sup>4</sup> An additional issue of winter fog on the south valley floor was raised by Mr. Doug Monger. This is an issue relating to water temperature requirements downstream of the Stagecoach project and not an amendment application issue. Thus it will not be addressed in the amendment application.

**Appendix 1**  
**Affected Public Amenities and**  
**Proposed Remedial Improvements**

**Amendment to an existing Planned Unit Development Permit**

Applicant: **UPPER YAMPA WATER CONSERVANCY DISTRICT**

**STAGECOACH RESERVOIR ENLARGEMENT**

Supplemental Narrative for

**AFFECTED PUBLIC AMENITIES AND PROPOSED REMEDIAL IMPROVEMENTS**

October 2007

**BACKGROUND AND PURPOSE OF THIS SUBMITTAL**

This narrative has been prepared to supplement information provided by the applicant, UPPER YAMPA WATER CONSERVANCY DISTRICT, to satisfy the requirements of the Routt County Zoning Regulations, *Section 7.4.2 – Minor Amendments* to an existing Planned Unit Development. This narrative is supplemented with a drawing that presents the general locations of affected public improvements.

The applicant received approval for the construction of the STAGECOACH RESERVOIR and site improvements in 1988. The applicant proposes to raise the original operating water level of the reservoir by 4 feet; see other documents for specific details.

This narrative identifies existing public amenities that will be impacted by the proposed higher reservoir operating water level and proposed remedial action to mitigate each identified impact. In addition, this amendment application also identifies two physical improvements that have occurred within the permitted area since the original PUD permit was issued.

**AFFECTED AMENITIES AND PROPOSED REMEDIAL IMPROVEMENTS**

The identified public amenities that will be affected by the proposed higher reservoir operating level are as follows:

- Area A - Swim beach
- Area B - Marina Boat Ramp and docks
- Area C - Haybro Day Use Area
- Area D - Handicap Fishing Access
- Area E - Parking lot and vault toilet on CR14
- Area F - Parking lot and vault toilet on CR16 near the Yampa River Bridge
- Area G - Parking lot on CR16
- Area H – Little Morrison Creek Boat Ramp, vault toilet, and parking lot
- Area I – Elk Run Trail and pedestrian bridge at Little Morrison Creek
- Area J – Morrison Creek Water and Sanitation District outfall sewer manholes

The identified improvements that have been added to the permitted area since 1988 without prior approval are as follows:

- Area K – Addition of new Stagecoach Sign on CR14
- Area L – Addition of Zirkel Wireless Tower

Following is a brief description of each affected amenity and the proposed improvements; see attached overall site plan for location of each site.

**Area A - Swim Beach**

The Swim Beach is located on the north shore of Stagecoach Reservoir near the existing marina. The proposed higher reservoir operating water level will inundate most of the existing beach area. The proposed remedial improvements will include reconstructing the beach by extending the existing beach area westerly by excavating the existing soil bank in combination with moderate fill to construct an area

similar in size and function to the existing beach facilities. In addition to the reconstructing the shore line beach; miscellaneous picnic patios and signs will be relocated as necessary.

#### Area B - Marina Boat Ramp and docks

The Marina boat ramp and dock is located on the north shore and easterly of the swim beach. The proposed higher reservoir operating water level will inundate most all of the cast-in-place concrete boat ramp. The proposed remedial action will include extending the existing concrete ramp 10-15 vertical feet at the same ramp slope. The existing shore line banks on each side of the boat ramp will be reshaped and protected from erosion by placement of large diameter rip rap.

The existing floating docks will require adjustment to the land anchor points and repositioning of the existing moorings to accommodate the higher water level.

#### Area C - Haybro Day Use Area

The Haybro Day Use Area is located along the west bank of the small bay that is north of the Marina Boat Ramp. Up to 20 trees may be impacted by the higher water operating level. If necessary, trees of similar number and type will be placed. As recommended by the State Parks personnel the existing trees can remain for potential habitat enhancement.

#### Area D - Handicap Fishing Access

The Handicap fishing access is located in the bay west of the camp ground area. Improvements will include placement of shore line rip rap and placement of suitable material on the existing access platform to provide safe handicap fishing access in accordance with Federal ADA handicap access standards.

#### Area E - Parking lot and vault toilet on CR14

This existing parking lot is located along CR14 approximately 2000' northeast of the CR14 / CR16 intersection. Site survey indicates that the existing parking lot gravel surface will be 4 to 5 vertical feet above the proposed higher reservoir operating water level and will therefore continue to function similar to the existing facility.

The concrete floor of the existing vault toilet is at elevation 7009.7 which is ~5.7 vertical feet above the proposed reservoir water level. The existing vault toilet includes a two-chamber buried vault constructed of reinforced concrete, an at-grade concrete floor slab, and a masonry block enclosure above grade. Calculations indicate that the structure is capable of resisting the increased hydrostatic uplift due to the proposed higher ground water. Mike Zopf, Routt County Department of Environmental Health, indicated that the toilet vaults must be setback at least 25' from the reservoir shore line and must not leak. The vault will be tested for leaks and sealed if necessary. Field measurements indicate this vault will be approximately 31' from the new shore line; therefore, this vault satisfies all requirements at its present location.

#### Area F - Parking lot and vault toilet on CR16 near the Yampa River Bridge

This existing parking lot is located along CR16 just south of the Yampa River Bridge and CR14 / CR16 intersection. Site survey indicates that the parking lot will be 1.5 to over 3 vertical feet above the proposed higher reservoir operating water level. Consideration for raising portions of the existing parking lot by placement of fill material with bank stabilization along the fill slope will be included in the final site design analysis.

The concrete floor of the existing vault toilet is at elevation 7007.4 which is ~3.4 vertical feet above the proposed higher reservoir operating water level. The existing vault toilet includes a two-chamber buried vault constructed of reinforced concrete, an at-grade concrete floor slab, and a masonry block enclosed structure above grade. Preliminary calculations indicate that this structure should be capable of resisting the increased hydrostatic uplift due to the proposed higher ground water. Mike Zopf, Routt County Department of Environmental Health, has indicated that the toilet vaults must be setback at least 25' from the reservoir shore line and must not leak. The vault will be tested for leaks and sealed if necessary.

Field measurements indicate this vault will be approximately 19' from the new shore line. Therefore this vault may be subject to relocation within the existing park lot area unless a waiver is received.

#### Area G - Parking lot on CR16

This existing parking lot is located along CR16 just east of the Yampa River Bridge and CR14 / CR16 intersection. Site survey indicates that the parking lot surface will be 1 to over 4 vertical feet above the new reservoir water level and with the exception of the one small area, the parking lot should therefore function similar to the existing facility. Placement of additional rip rap along the shore line and minor rising of the parking lot by fill placement will be included in the final design analysis.

#### Area H – Little Morrison Creek Boat Ramp, vault toilet, and parking lot

This existing boat ramp is located in a small bay east of CR18 and accessed via Sioux Trail. Site survey indicates that the parking lot surface that is well above the reservoir new water level and will therefore function similar to the existing facility. However, the proposed higher reservoir operating water level will inundate most of the concrete ramp. The proposed remedial action will include extending the concrete ramp 5-10 vertical feet parallel to the existing ramp surface. The existing shore line banks along the ramp will be reshaped and protected from erosion by placement of large diameter rip rap.

The floor of the existing vault toilet is at elevation 7008.2 which is ~4.2 vertical feet above the proposed normal reservoir water level. The existing vault toilet includes a two-chamber buried vault constructed of reinforced concrete, an at-grade concrete floor slab, and a masonry block enclosed structure above grade. Calculations indicate that the structure is capable of resisting the increased hydrostatic uplift due to the proposed higher ground water. Mike Zopf, Routt County Department of Environmental Health, has indicated that the toilet vaults must be setback at least 25' from the reservoir shore line and must not leak. Field measurements indicate this vault will be approximately 27' from the new shore line; therefore, this vault satisfies all requirements at its present location.

#### Area I – Elk Run Trail and pedestrian bridge at Little Morrison Creek

Small areas of the Elk Run Pedestrian Trail from the Little Morrison Creek Boat Ramp to the Little Morrison Creek trail bridge will be inundated by the proposed higher reservoir water level and will therefore be relocated southerly to a higher elevation. In addition, approximately 8 trees may be impacted by the higher water level; therefore the trees will be replaced and the trail will be relocated as necessary.

The elevation of the lowest structural member of the pedestrian bridge over Little Morrison Creek approximates the proposed higher reservoir operating water level, therefore, the bridge and trail approaches will be raised approximately 2' to ensure stability of the bridge deck during high water storm events.

#### Area J – Morrison Creek Metropolitan Water and Sanitation District - Wastewater Treatment Facility outfall sewer line manholes

The Morrison Creek Metropolitan Water and Sanitation District Wastewater Treatment Facility discharges its' treated wastewater into the Stagecoach Reservoir via a buried outfall sewer line. Although the rim of the last manhole is well above the proposed new operating water level of the reservoir, the pipe at the manhole will be surcharged. This situation is being studied by the District and appropriate, if any, remedial actions will be completed.



## **IMPROVEMENTS NOT INCLUDED OR CHANGED SINCE THE ORIGINAL PUD**

Following is a brief description of existing site improvements not included in the original PUD

### **Area K – Stagecoach Sign on CR14**

A new Stagecoach entrance sign was constructed to replace an original sign on CR14 north of the reservoir, see Overall Site Plan for the location. The sign is approximately 8' wide and 6' high constructed of weathered steel and support by weathered steel vertical and horizontal posts.

### **Area L – Zirkel Wireless Tower**

Zirkel Wireless installed an antenna on property owned by the UYWCD above the reservoir on a south facing slope of Black Tail Mountain to provide high-speed internet service to the residents of Stagecoach, see Overall Site Plan for approximate location. To minimize impact, Zirkel built a solar and wind powered 23' high antenna. The site has been revegetated and is accessed infrequently.

## **PHASING OF IMPROVEMENTS**

Phasing of all modifications to the affected amenities will parallel the schedule for improvements to the Reservoir dam improvements; see other sections of the amendment documents of scheduling of the reservoir rise.

## **ENVIRONMENTAL PERMITTING AND PRACTICES**

All appropriate environmental and construction permitting will be secured and in place prior to construction of the proposed improvements.

Re: South Shore Marina and the Upper Yampa Water Conservancy District agreement with Mr. Brian Stahl .

The District has entered into a letter of intent with adjacent landowner Brian Stahl relating to the potential development of a marina on the south side of the Reservoir. The original approval of the Reservoir by Routt County in 1987 recognized that there would likely be two marinas on the Reservoir, one within the State Park on the north side and a second marina to be located on privately held property on the south side. Stahl's predecessor, Mountainair Company, contributed over 90 acres of Reservoir land to the District and in return received the right to locate marina related facilities on the south shore of the Reservoir. After many months of discussion between the District and Stahl and a consultation with State Parks, a letter of intent has been executed.

The attached map is an exhibit from the letter of intent, which illustrates Parcels A, B, and C. Parcel A is a 0.75 acre parcel which will be deeded to Stahl and will be the center of the marina development area. It is anticipated that Parcel B will contain public access areas, including potentially a beach, pool, docks, piers, boat slips, a stage, etc. Stahl will have an on-water easement area to accommodate water dependent structures and uses. Parcels C (East and West) could potentially include residential development. Parcels B and C will be conveyed to Stahl by a 99 year lease from the District. It is recognized that any development by Stahl will require further submittals, review and approvals from Routt County separate from and subsequent to the Amended PUD to enlarge the Reservoir currently being requested by the District.

Stahl's marina related development will be presented to the County at a later time as part of a master plan for development of Stahl's adjacent 400 acre unplatted HDR zoned tract. It is anticipated that Stahl's plan will include trails which will connect into the Elk Run Trail within the District's PUD. The District intends to cooperate with Stahl and State Parks to improve, upgrade and make slight relocations of the Elk Run Trail within the District's PUD boundary. Stahl's plan may also involve improvements to riparian corridors which traverse Stahl's land, then enter the District's PUD boundary before emptying into the Reservoir.

# **Appendix 1**

## **Affected Public Amenities and Proposed Remedial Improvements**

**Application for Minor Amendment to the Existing P.U.D. for  
Stagecoach Reservoir**

**Applicant: Upper Yampa Water Conservancy District**

Upper Yampa Water Conservancy District (District) proposes to raise the normal high water line of Stagecoach Reservoir by four feet. This proposal will increase the spillway crest elevation, thereby enlarging the project's reservoir storage capacity and increasing the project's potential for increasing downstream water supply. Table A-1 contains a summary of the results of increasing the crest height on the surface area, volume, and operating level of the reservoir.

**Table A-1. Crest Raise Volume and Area Impact**

<b>Raise Height (ft)</b>	<b>Operating Water Level (ft)</b>	<b>Approx. Surface Area (acres)</b>	<b>Approx. Storage Capacity (acre-ft)</b>	<b>Change in Surface Area (acres)</b>	<b>Change in Storage Capacity (acre-ft)</b>
Existing	7,200	771	33,275	0	0
4-foot	7,204	819	36,460	48	3,185

Figure E-1 (attached) shows the location of Stagecoach Reservoir.

The following items were identified by Routt County Planning in a pre-application meeting on 3-1-07:

Legal Description:  
Enclosed

Area Map:  
Figure E-1 is attached

Site Plan:  
Figure E-3 (attached) is an overall a site plan showing changes to the reservoir level. Details of park facilities mitigation is covered in Appendix 1 "Affected Public Amenities and Proposed Remedial Improvements". The agreement with South Shore landowner Brian Stahl regarding the Districts previous commitment to Mountainair providing reservoir access for a marina is covered in Appendix 2.

Building Locations and Envelopes:  
The only potential changes to existing buildings as parts of this project are existing vault toilets. Appendix 1 includes information on park these and all other park facilities. Potential future building envelopes as part of previous agreements between the District and Mountainair Company, now owned by Mr. Brian Stahl, are described in Appendix 2. Approval of development in this area will be subject to separate approval process between the County and a developer of that site should that development proceed.

Access with all driveway locations, easements and highway access permits, county road review approval comments, road dimensions materials and grade with road names and location of road signs, internal roads, haul roads, etc:  
No additional driveways, roads, or access points are anticipated as part of this project. Access to the South shore marina site will be submitted by the future developer of that site.

Parking and staging areas:

Staging areas for the construction associated with the Stagecoach Dam Spillway modification is anticipated to be the existing parking lot immediately adjacent to the Dam.

Pedestrian circulation including on site trails and off site connections and sidewalks:

Minor modifications to the Elk Run Trail are anticipated to deal with the raise of the water level and are shown on exhibits in Appendix 1.

Lighting Plan:

No permanent changes to lighting are sought. Some temporary lighting will be required at the Dam site during construction but will be removed immediately after construction is completed. The construction period is anticipated to be early September 1 to Early December 2008.

Signs:

Location of a sign in question is shown in Appendix 1. A welcome sign to Stagecoach owned by the Stagecoach Homeowners Association is located on property owned by the District and within the PUD. Permitting of the sign has been done by the HOA and approved by the County.

Dumpster Location:

No changes anticipated with the possible exception of some concrete removal as part to the construction. Construction will be limited to an area between the existing spillway and the staging area in the existing dam parking lot.

Outdoor Storage:

No additional outdoor storage is anticipated as part of this project with the exception of construction vehicles during the construction period.

Sanitation Facilities:

No additional sanitation facilities are anticipated. Mitigation of existing vault toilets is discussed in Appendix 1.

Utility Plan including easements service letters and proposed lines:

No additional utility lines are proposed as part of this project although they are anticipated as part of future South Shore Marina development. They would be permitted as part of a future application by the developer of that project.

Landscape plan:

Landscapeing will be part of mitigation for trees flooded by the reservoir raise and are shown on Figure 3. Other "Landscapeing" work will be accomplished as part of wetland and grouse habitat mitigation and are shown in the site plan, Figure 3.

Flood plain management including floodway, and 100 year floodplain delineation:

See Appendix letter from Mr. Chad Phillips regarding the District's "Conditional Letter of Map Revision" application previously reviewed by the County and submitted to the Federal Emergency Management Agency (FEMA) on September 7, 2007.

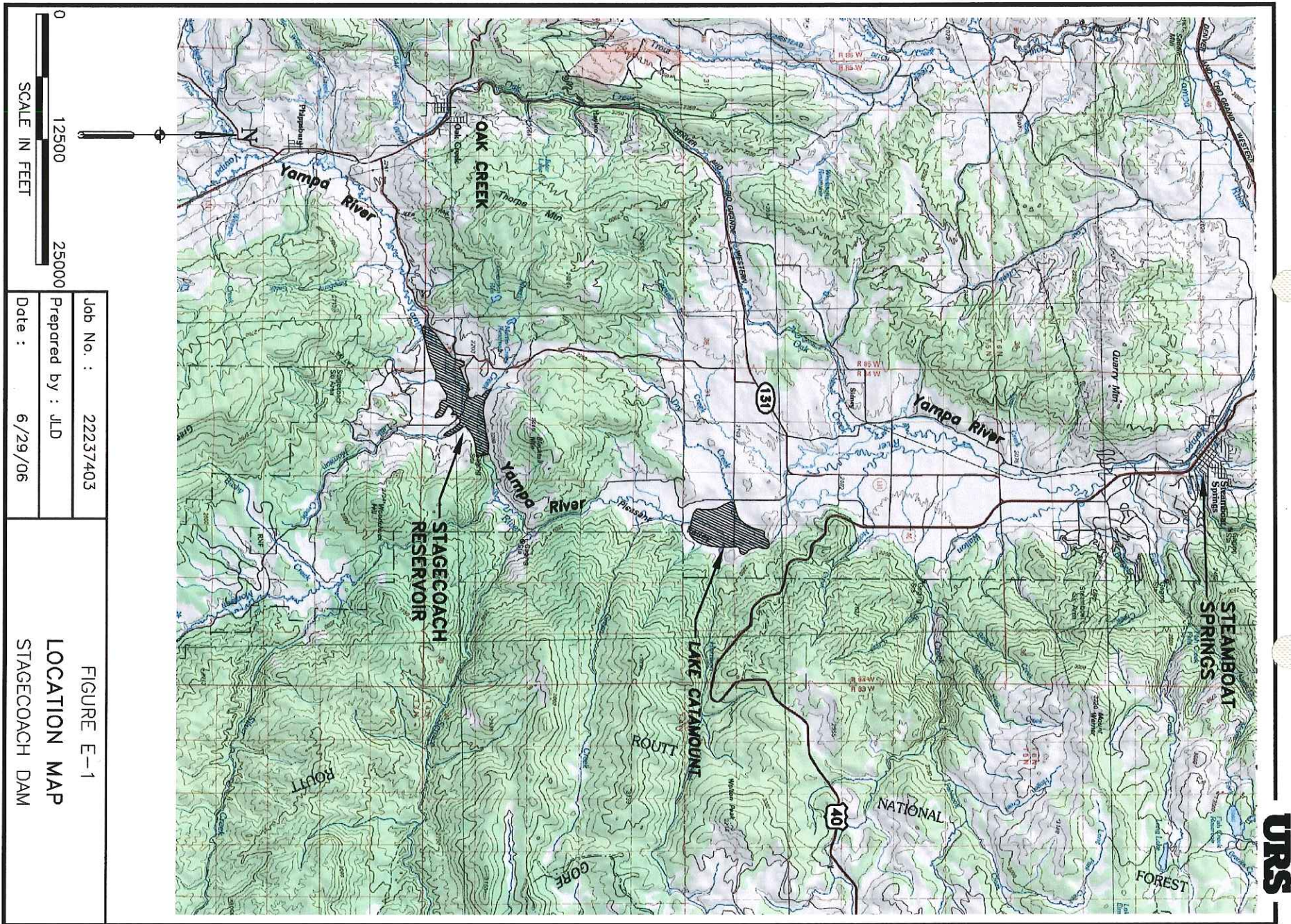
Permit from Environmental Health:

A permit for mitigation of the vault toilets will be obtained from the Routt County Environmental Health Department; we have discussed issues with Mike Zopf. The existing vault toilets are discussed in Appendix 1.

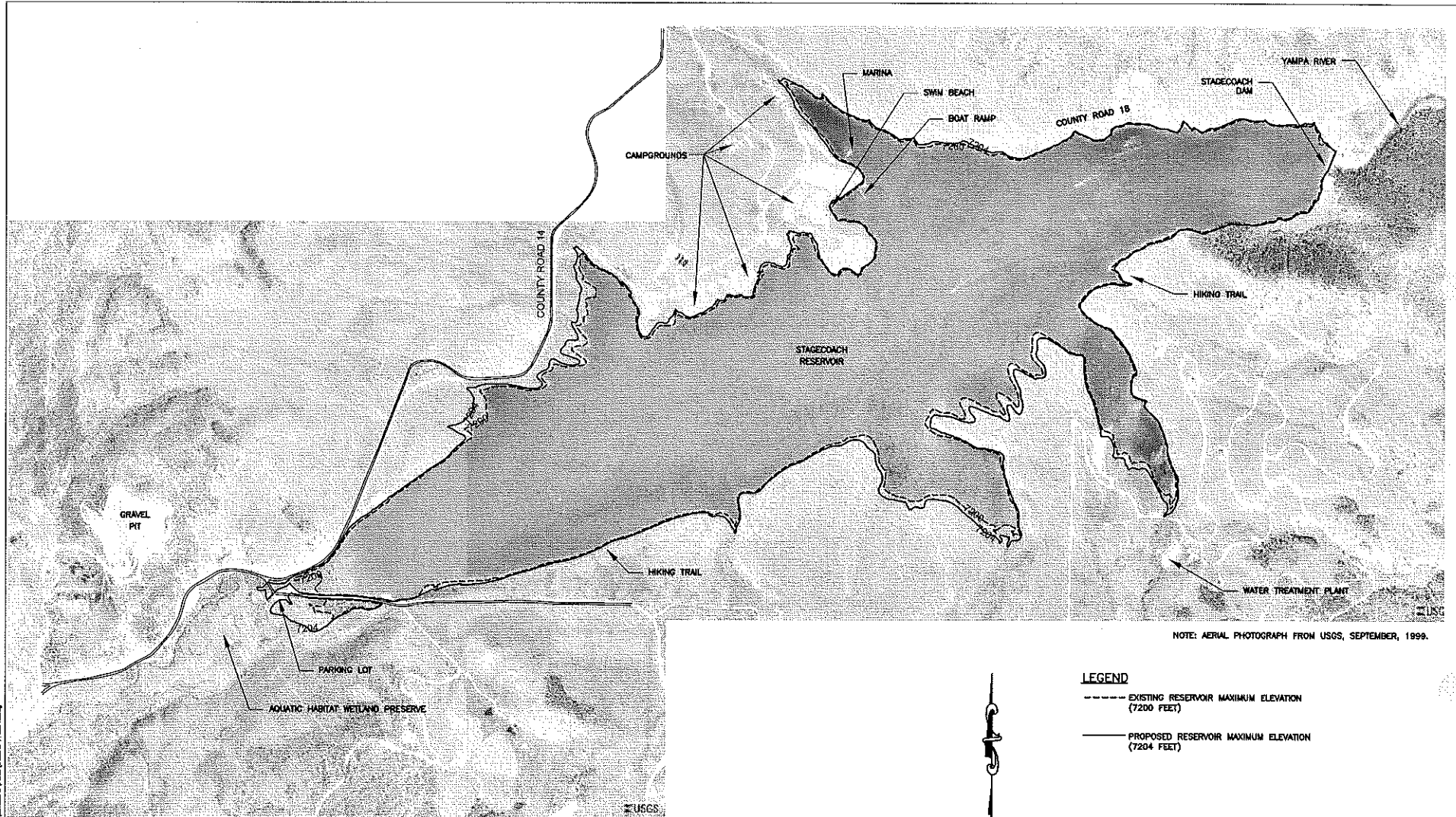
Wetland (404) Permit

The District has met with The Corps of Engineers and reviewed all mapping and mitigation proposals for the site. A final application is being prepared and will be forwarded to the County upon completion.





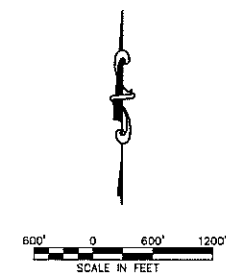




NOTE: AERIAL PHOTOGRAPH FROM USGS, SEPTEMBER, 1999.

**LEGEND**

- EXISTING RESERVOIR MAXIMUM ELEVATION (7200 FEET)
- PROPOSED RESERVOIR MAXIMUM ELEVATION (7204 FEET)



ADAPTED FROM DRAWING PROVIDED BY BWH.

REV	DESCRIPTION OF REVISION	BY	DATE

**URS**  
 URS Center  
 8181 E. Tufts Avenue  
 Denver, CO 80237-2637  
 (303) 694-2770

DESIGNED: KLS	STAGECOACH DAM	STEAMBOAT SPRINGS, CO	REVISION
DRAWN: RLM			
CHECKED: ...			
PROJECT MANAGER:			PROJECT 22237403
DATE: 6/22/06			
			<b>E-5</b>

**PLAN VIEW OF EXISTING AND PROPOSED DAM AND RESERVOIR**





## **Appendix 2**

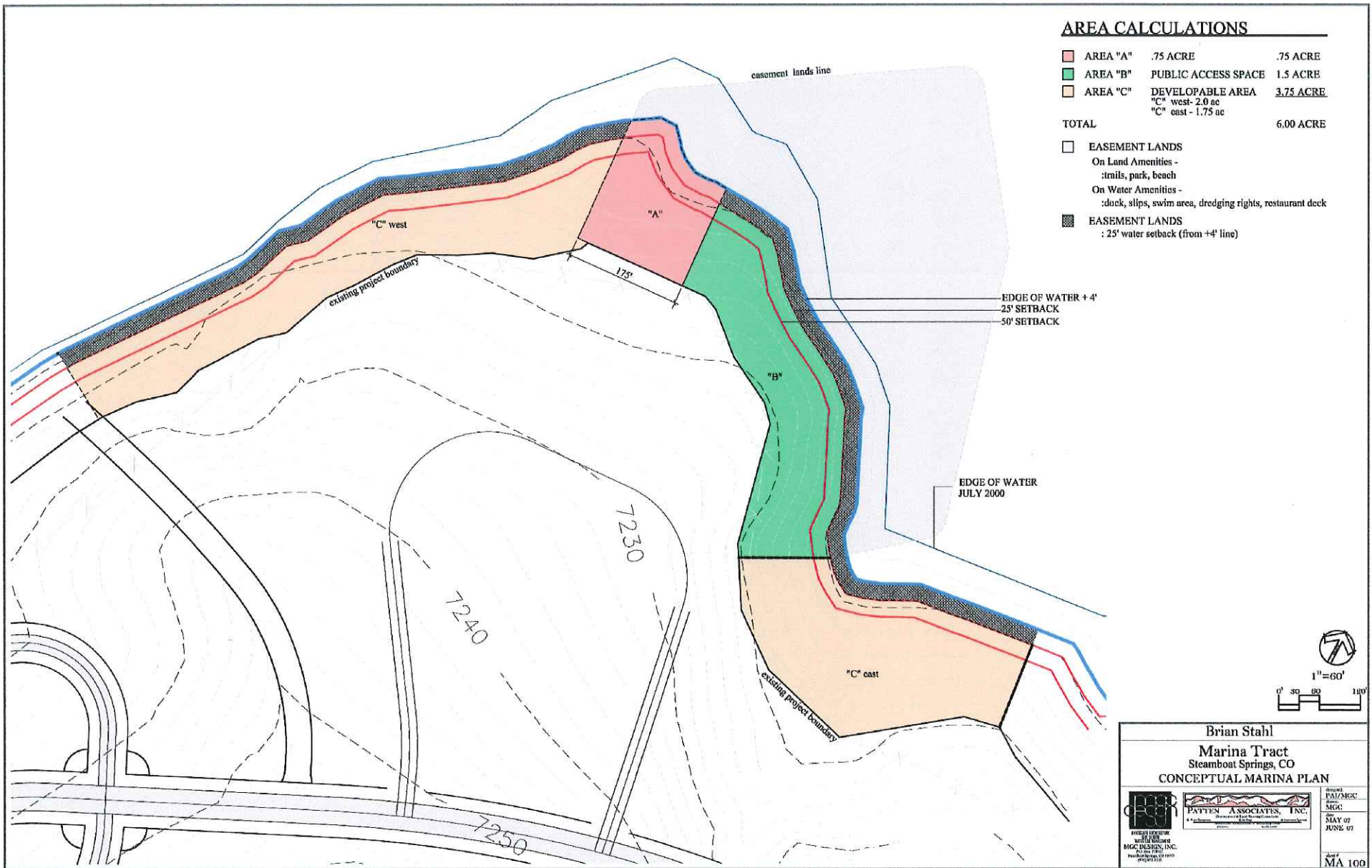
### **South Shore Marina Agreements**

Re: South Shore Marina and the Upper Yampa Water Conservancy District  
agreement with Mr. Brian Stahl .

The District has entered into a letter of intent with adjacent landowner Brian Stahl relating to the potential development of a marina on the south side of the Reservoir. The original approval of the Reservoir by Routt County in 1987 recognized that there would likely be two marinas on the Reservoir, one within the State Park on the north side and a second marina to be located on privately held property on the south side. Stahl's predecessor, Mountainair Company, contributed over 90 acres of Reservoir land to the District and in return received the right to locate marina related facilities on the south shore of the Reservoir. After many months of discussion between the District and Stahl and a consultation with State Parks, a letter of intent has been executed.

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## **Appendix 2**

### **South Shore Marina Agreements**

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