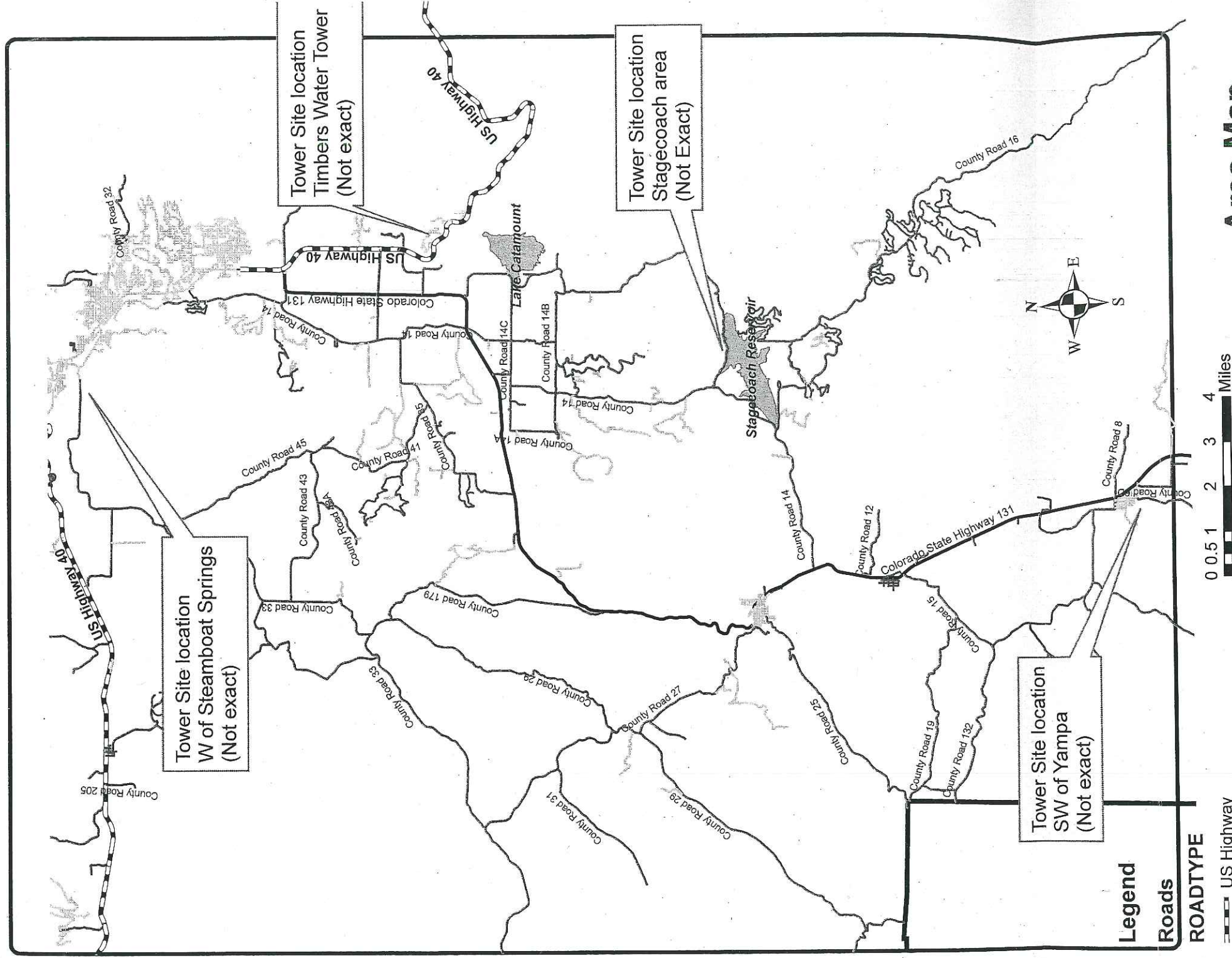


Zirkel Wireless Conditional Use Permit Wireless Internet Towers



Area Map

Planning Commission hearing:
October 19, 2006 @ 6:00 p.m.

This map is for planning purposes only.
It was prepared from publicly available information.
Any other use or recompilation of the information
is the sole responsibility of the user. This map
should not be used to establish legal title, boundary
lines, locations or improvements or utilities,
or relied upon in any flight activity. Routt County
expressly disclaims all liability regarding accuracy
or completeness of this map.

**AFFIDAVIT OF PUBLICATION
STEAMBOAT PILOT & TODAY**

**STATE OF COLORADO
COUNTY OF ROUTT**

I, **Jennifer Zito**, do solemnly swear that I am Assistant Bookkeeper of the Steamboat Pilot & Today that the same is a daily newspaper printed, in whole or in part, and published in the County of Routt, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterrupted in said County of Routt for a period of more than fifty-two weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said daily newspaper for the period of One consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated December 9th A.D., 2007, and that the last publication of said notice was in the issue of said newspaper dated December 9th A.D., 2007. In witness where of I have hereunto set my hand this 10th day of December A.D., 2007.

Jennifer Zito
Jennifer Zito

Subscribed and sworn to before me, a Notary Public in and for the County of Routt, State of Colorado the 10th day of December, 2007. A.D.



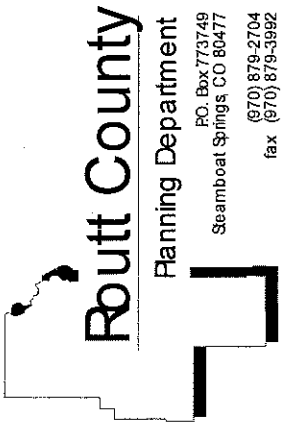
Holly Hunter

Holly Hunter
(Notary Public)

My Commission expires August 19, 2009

Routt County Public Notice	
The following matter is being reviewed by the Routt County Planning Department. The Planning Director will make a decision regarding this matter on 12/20/2007.	
ACTIVITY #:	PZ2007-006
PETITIONER:	UPPER YAMPA WATER CONSERVANCY DISTRICT
PETITION:	Administratively amend PUD: Raise spillway crest 4 feet and associated modifications.
LOCATION/LEGAL:	A Tract of land in Sections 20, 29, 30, 31 and 32 of T4N-R84W. Also in section 36, T4N-R85W; and West of RCR 14; also containing Stagecoach Reservoir. 1435.83 AC
Routt County Planning Department Chad Phillips, Planning Director Box 773749 Steamboat Springs, CO 80477	
Publication Date: December 9, 2007 10105198	

PDEV-006
P85-004
PZ2007-006
"Loss"



DATE: 11-30-2007

RE: Petition for Action by the Routt
County Planning Department

Dear Adjacent Property Owner:

This is to advise you that the Routt County Planning Department has received a request for the petition cited below:

ACTIVITY #: PZ2007-006

PETITIONER: UPPER YAMPA WATER CONSERVANCY DIST

PETITION: Administratively amend PUD: Raise spillway crest 4 feet, ~~AND ASSOCIATED PROJECTIONS~~

LOCATION/LEGAL: A Tract of land in Sections 20, 29, 30, 31 and 32 of T4N:R84W.

Also in section 36, T4N:R85W; and West of RCR 14, also
containing Stagecoach Reservoir. 1435.83 AC

The Planning Director will make a decision regarding this matter on 12/20/2007. If you have any comments or concerns regarding this petition, please direct your letters or phone calls to Staff Planner, Ross Easterling at the address or telephone number stated above prior to that date.

Sincerely,

Ross Easterling
Routt County Planning Staff

Proof of Service

I, Sally Myers {print name} hereby certify that on the
30th day of November, 2007, I deposited true copies of

the attached notice in the U.S. Mail, first class postage prepaid, in envelopes

addressed to the persons as shown on the attached list.

11-30-07
(Date)

Sally Myers
(Signature)

PZ2007-006

Services Completed:

Adjacent Property Owner (APO)
Mailed + Applicant

Referral Notices
Mailed & Hand Delivered

Legal Notice
Emailed to Steamboat Pilot

Poster Completed
Contact Person Notified

Initials

11-30-07

SM

11-30-07

SM

11-30-07

SM Sey 12-9-07
edition

11-30-07

SM

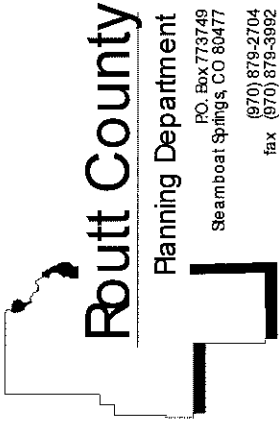
Kevin 879-2424

Proof of Service

Attached: (1) Original copy of notice sent
(2) Any attachment, maps, etc. relating to the notice
(3) List of persons to whom notice was sent together
addresses used.

PDEV-006
P85-004

Shuf



DATE: 11-30-2007

RE: Petition for Action by the Routt
County Planning Department

Dear Adjacent Property Owner:

This is to advise you that the Routt County Planning Department has received a request for the petition cited below:

ACTIVITY #: PZ2007-006

PETITIONER:

PETITION:

UPPER YAMPA WATER CONSERVANCY DIST
Administratively amend PUD: Raise spillway crest 4 feet and associated
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LOCATION/LEGAL: A Tract of land in Sections 20, 29, 30, 31 and 32 of T4N:R84W.
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containing Stagecoach Reservoir. 1435.83 AC

The Planning Director will make a decision regarding this matter on 12/20/2007. If you have any comments or concerns regarding this petition, please direct your letters or phone calls to Staff Planner, Ross Easterling at the address or telephone number stated above prior to that date.

Sincerely,

A handwritten signature in black ink, appearing to read "Ross Easterling", is written over the typed name and title.

Ross Easterling
Routt County Planning Staff

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, tress 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 it 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.

Easy Peel Labels
Use Avery® TEMPLATE 5160®



Fr Paper



See Instruction Sheet
for Easy Peel Feature



 **EVERY® 5260™**

ASSESSORS OFFICE
MIKE KERRIGAN
BOX 773210
STEAMBOAT SPRINGS, CO 80477-3210

COLORADO GEOLOGIC SURVEY
VINCE MATTHEWS
1313 SHERMAN STREET - RM 715
DENVER, CO 80203

DOW - ROUTT
JIM HASKINS
P.O. BOX 1165
HAYDEN, CO 81639

ENVIRONMENTAL HEALTH
MIKE ZOPF
BOX 777700
STEAMBOAT SPRINGS, CO 80477-7700

STAGECOACH PROPERTY OWNERS
ASSOC
KEN BURGESS
20720 CINCH TRAIL
OAK CREEK, CO 80467

US ARMY CORP OF ENGINEERS
NATHAN GREEN
400 ROOD AVE. RM 142
GRAND JUNCTION, CO 81501

WILLOW CREEK PASS
HOMEOWNERS ASSOC
LANNY MACK
PO BOX 775836
STEAMBOAT SPRINGS, CO 80477

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APD'S P22001-006

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316 SE Pioneer Way # 418-96
Oak Harbor, WA 98277

Gerard & Susan Albers
PO Box 1089
Oak Creek, CO 80467

Paul P & Sara L Barry
31020 Pawnee Trail
Oak Creek, CO 80467

BLM
455 Emerson St
Craig, CO 81625-1129

Blue Valley Ranch HOA
PO Box 772814
Steamboat Springs, CO 80477-2814

Mitchell J. Clark
PO Box 881927
Steamboat Springs, CO 80488-1927

Karen F Cunningham
1007 Oyster Cove Dr
Gransonville, MD 21638

Judith D Dalrymple & Ronald P Buie
5514 Val Verde
Houston, TX 77056-6225

Deziel Investments II, LLC
PO Box 2328
Jupiter, FL 33468-2328

James P Dunn Jr & Amanda R Dunn
4420 Town & Country Dr
Charlotte, NC 28226

Richard L & Joan C Gibbs
26005 Henderson Park Rd
Oak Creek, CO 80467-9678

Gralen Investments LTD
10700 Montgomery Rd Ste 300
Cincinnati, OH 45242-3296

Robert D & Holly H Harker
7333 N 63rd St
Longmont, CO 80503-8001

Dana N Hill
157 Ranleigh Ave
Toronto, Canada

James A Horner
PO Box 774886
Steamboat Springs, CO 80477-4886

William W Kidd
Stagecoach Lake Ranch LLC
PO Box 881000
Steamboat Springs, CO 80488-1000

Elmer E & Irene E McMillan
3850 Garrison St
Wheat Ridge, CO 80033-4213

Public Service Co of Colorado
Property Tax Dept
1225 17th St Room 400
Denver, CO 80202-5533

Michael O Roach &
Charles G Roach, Jr
23585 Youngs Creek WY
Oak Creek, CO 80467-8562

Robert A Gresty Rev Trust
Pamela Kaul Gresty Rev Trust
824 S Courthouse Rd
Arlington, VA 22204-2105

Sharon H Cannon Rev Trust
PO Box 8748
Chatham, GA 31412

Brian T Stahl
PO Box 774984
Steamboat Springs, CO 80477-4984

Tri-State Gen & Trans Assoc
Property Tax Dept
1100 W 116th Ave
PO Box 33695
Westminster, CO 80234-2814

Trust Company of America as
Custodian for Steven J Williams
7103 S Revere Pkwy
Englewood, CO 80112-3936

Kelly E Vowel
PO Box 3608
Dillion, CO 80435-3608

ROUTT COUNTY PLANNING DEPARTMENT

PO Box 773749 * Steamboat Springs, CO 80477 * (970) 879-2704 * FAX(970) 879-3992

REFERRAL AGENCY NOTICE OF APPLICATION

ASSESSORS OFFICE
MIKE KERRIGAN
BOX 773210
STEAMBOAT SPRINGS, CO 80477-3210

Date: 11-30-2007

This office has received a request for the following activity and seeks your input as a referral agency.

Activity No: PZ2007-006
Petitioner: UPPER YAMPA WATER CONSERVANCY DIST
Petition: Administratively amend PUD: Raise spillway crest 4 feet and associated modifications
Location/Legal: Homes A Tract of land in Sections 20, 29, 30, 31 and 32 of T4N:R84W. Also in section 36, T4N:R85W; and West of RCR 14, also containing Stagecoach Reservoir. 1435.83 AC

The Planning Director will make a decision regarding this matter on 12/20/2007.

Planning Staff Comments: Just an FYI if anything. Change
in lake elevation. New beach front?

Please submit comments by _____ to Ross Easterling
You may submit comments by email at: <http://co.roult.co.us> (look under Planning/Staff Directory for individual email addresses)

Referral Agency Response:

- ☐ No Comment
☐ Will Send a memo by the comment due date.
☐ Will attend hearing because there is technical complexity associated with this petition.
☐ Comments: _____

Reviewed by: _____

Date: _____

If no comments are received by the due date, staff must assume you have no concerns on this project.

ROUTT COUNTY PLANNING DEPARTMENT

PO Box 773749 * Steamboat Springs, CO 80477 * (970) 879-2704 * FAX(970) 879-3992

REFERRAL AGENCY NOTICE OF APPLICATION

WILLOW CREEK PASS
HOMEOWNERS ASSOC
LANNY MACK
PO BOX 775836
STEAMBOAT SPRINGS, CO 80477

Date: 11-30-2007

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The Planning Director will make a decision regarding this matter on 12/20/2007.

Planning Staff Comments: None: FYI - Any comments welcome

Please submit comments by _____ to Ross Easterling
You may submit comments by email at: <http://co.routt.co.us> (look under Planning/Staff Directory for individual email addresses)

Referral Agency Response:

- ☐ No Comment
☐ Will Send a memo by the comment due date.
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☐ Comments: _____

Reviewed by: _____

Date: _____

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ROUTT COUNTY PLANNING DEPARTMENT

PO Box 773749 * Steamboat Springs, CO 80477 * (970) 879-2704 * FAX(970) 879-3992

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ENVIRONMENTAL HEALTH
MIKE ZOPF
BOX 777700
STEAMBOAT SPRINGS, CO 80477-7700

Date: 11-30-2007

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The Planning Director will make a decision regarding this matter on 12/20/2007.

Planning Staff Comments: I'm not sure what, if any, concerns
Env. Health might have - not looking for comments in
any particular area.

Please submit comments by _____ to Ross Easterling

You may submit comments by email at: <http://co.routt.co.us> (look under Planning/Staff Directory for individual email addresses)

Referral Agency Response:

- ☐ No Comment
☐ Will Send a memo by the comment due date.
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Reviewed by: _____

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ROUTT COUNTY PLANNING DEPARTMENT

PO Box 773749 * Steamboat Springs, CO 80477 * (970) 879-2704 * FAX(970) 879-3992

REFERRAL AGENCY NOTICE OF APPLICATION

COLORADO GEOLOGIC SURVEY
VINCE MATTHEWS
1313 SHERMAN STREET - RM 715
DENVER, CO 80203

Date: 11-30-2007

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Planning Staff Comments: Any comments welcome

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REFERRAL AGENCY NOTICE OF APPLICATION

STAGECOACH PROPERTY OWNERS
ASSOC
KEN BURGESS
20720 CINCH TRAIL
OAK CREEK, CO 80467

Date: 11-30-2007

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Planning Staff Comments:

Any comments welcome

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ROUTT COUNTY PLANNING DEPARTMENT

PO Box 773749 * Steamboat Springs, CO 80477 * (970) 879-2704 * FAX(970) 879-3992

REFERRAL AGENCY NOTICE OF APPLICATION

DOW - ROUTT
JIM HASKINS
P.O. BOX 1165
HAYDEN, CO 81639

Date: 11-30-2007

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- ☐ No Comment
☐ Will Send a memo by the comment due date.
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☐ Comments: _____

Reviewed by: _____

Date: _____

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ROUTT COUNTY PLANNING DEPARTMENT

PO Box 773749 * Steamboat Springs, CO 80477 * (970) 879-2704 * FAX(970) 879-3992

REFERRAL AGENCY NOTICE OF APPLICATION

US ARMY CORP OF ENGINEERS
NATHAN GREEN
400 ROOD AVE, RM 142
GRAND JUNCTION, CO 81501

Date: 11-30-2007

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Petition: Administratively amend PUD: Raise spillway crest 4 feet and associated modifications
Location/Legal: Homes A Tract of land in Sections 20, 29, 30, 31 and 32 of T4N:R84W. Also in section 36, T4N:R85W; and West of RCR 14, also containing Stagecoach Reservoir. 1435.83 AC

The Planning Director will make a decision regarding this matter on 12/20/2007.

Planning Staff Comments: Any comments welcome

Please submit comments by _____ to Ross Easterling
You may submit comments by email at: <http://co.routt.co.us> (look under Planning/Staff Directory for individual email addresses)

Referral Agency Response:

- ☐ No Comment
☐ Will Send a memo by the comment due date.
☐ Will attend hearing because there is technical complexity associated with this petition.
☐ Comments: _____

Reviewed by: _____

Date: _____

If no comments are received by the due date, staff must assume you have no concerns on this project.

Amendment to an existing Planned Unit Development Permit

Applicant: UPPER YAMPA WATER CONSERVANCY DISTRICT

STAGECOACH RESERVOIR ENLARGEMENT

AFFECTED PUBLIC AMENITIES AND PROPOSED REMEDIAL IMPROVEMENTS
Supplemental Narrative for

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

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.

ASSESSORS OFFICE

MIKE KERRIGAN

BOX 773210

STEAMBOAT SPRINGS, CO 80477-3210

ENVIRONMENTAL HEALTH

MIKE ZOPF

BOX 777700

STEAMBOAT SPRINGS, CO 80477-7700

WILLOW CREEK PASS

HOMEOWNERS ASSOC

LANNY MACK

PO BOX 775836

STEAMBOAT SPRINGS, CO 80477

COLORADO GEOLOGIC SURVEY

VINCE MATTHEWS

1313 SHERMAN STREET - RM 715

DENVER, CO 80203

STAGECOACH PROPERTY OWNERS

ASSOC

KEN BURGESS

20720 CINCH TRAIL

OAK CREEK, CO 80467

US ARMY CORP OF ENGINEERS

NATHAN GREEN

400 ROOD AVE, RM 142

GRAND JUNCTION, CO 81501

DOW - ROUTT

JIM HASKINS

P.O. BOX 1165

HAYDEN, CO 81639

Routt County Public Notice

The following matter is being reviewed by the Routt County Planning Department. The Planning Director will make a decision regarding this matter on 12/20/2007.

ACTIVITY #: PZ2007-006

PETITIONER:

UPPER YAMPA WATER CONSERVANCY DIST

PETITION:

Administratively amend PUD: Raise spillway crest 4 feet and associated modifications.

LOCATION/LEGAL:

A Tract of land in Sections 20, 29, 30, 31 and 32 of T4N:R84W. Also in section 36, T4N:R85W; and West of RCR 14, also containing Stagecoach Reservoir. 1435.83 AC

Routt County Planning Department
Chad Phillips, Planning Director
Box 773749
Steamboat Springs, CO 80477

RESPONSE TO THE LIST OF DEFICIENCIES IN THE APPLICATION TO FERC TO ENLARGE STAGECOACH RESERVOIR

The Upper Yampa Water Conservancy District (District) has applied for a license amendment to the Federal Energy Regulatory Commission (FERC) to raise the level of the Stagecoach Reservoir by four feet. FERC has responded to the application in their letter to the District dated 18 June together with a list of application deficiencies most which concern two agencies, namely the Colorado Division of Wildlife (CDOW) and U.S. Fish & Wildlife Service (USFWS).

The District has had a number of meetings with these agencies in order to discuss the impact the enlargement might have within their field of interest (see Appendix B). At the meeting held 12 July, representatives of the following agencies were present:

Bill Atkinson, Colorado Division of Wildlife
Libby Miller, Colorado Division of Wildlife
Patty Gelatt, U.S. Fish & Wildlife Service
Bob Muth, Director of the Endangered Fish Recovery Program
and Tom Pitts, Recovery Program coordinator.

Much of the discussion centered on the possibility of northern pike migrating downstream to habitat of the four endangered fish below Craig. Following the discussion, these measures were agreed to:

- 1) Continue stocking of trout in larger sizes (12 inches plus) to minimize pike predation on trout.
- 2) Eliminate pike from Catamount and in the Gold Metal trout fishery and below Catamount through the proposed research program, and evaluate impacts of removal.¹
- 3) Work cooperatively to minimize spills, including:
 - A meeting of CDOW and Upper Yampa District in January or February of each year regarding status of the reservoir and discussion of opportunities to minimize spills.
 - Using the forecast of runoff, manage the reservoir to minimize spills to the extent possible.

Other matters of concern, particularly to Bill Atkinson of the CDOW, is the need to keep dissolved oxygen level (DO) to 6 mg/l as near as possible to the stilling basin without having to release water of higher than 16°C. It should be noted that during the hot summer months of July and August highly oxygenated water is in the upper reservoir surface where temperatures are high. Hence, to meet both requirements during that period

¹ The District does not have a specific role in managing fisheries downstream of Stagecoach Reservoir. Further CDOW is responsible for fisheries management in Stagecoach Reservoir. The District and CDOW agree that the license amendment should not contain provisions related to fisheries management. Information on the current strategy for Lake Catamount and the Yampa River are provided for background information only.

is difficult. Fortunately, water released below the 6 mg/l standard, say 4 mg/l, is rapidly aerated as water cascades over rocks below the dam. The District has agreed to install an additional rock structure to further shorten the distance where the stream reaches the DO standard of 6 mg/l. The District's permit requires that 6 mg/l must be met at station 2, a thousand feet downstream; this has not been a problem. We understand that these are the main concerns of these agencies.

Following is the District's response to deficiencies listed in the FERC 18 June letter.

Responses to Schedule A

Subject: Environmental Report

Comment: The environmental report must be prepared in consultation with the federal and state resource agencies and documentation of this consultation must be included in the report.

Response: The District has been closely coordinating with the respective agencies since the public meeting on 16 August 2006. Since then we have had a number of consultations with the agencies at meetings or via email. A list of meetings and emails are enclosed as Appendix "A". The District received letters from the Colorado Department of Health and Environment (CDPHE), CDOW, the USFWS, and Colorado State Parks. These letters and the District's responses are also included in Appendix B. Consultation with the agencies continues and forms a basis for the following responses.

Subject: (i) Existing environmental description, Fish and wildlife resources
(note comments for the remainder of this section have been labeled A to J)
Comment A:

Response: The fish species present at the project are identified in Table E-8 of the application. The District does not have current information on the relative abundance of these species. Mr. Bill Atkinson, CDOW fisheries biologist reports that catchable size trout (12 inches plus) are stocked annually in November. It is assumed that stocking trout of this size will reduce predation impacts. He also stated that the CDOW manages the reservoir as a trout fishery in the presence of northern pike.

Comment B:

Response: The additional 3,185 ac-ft stored in a reservoir resulting from the 4 foot increase in spillway height would have no identified significant impacts to fisheries in the reservoir. Increase in reservoir elevation will inundate some additional vegetation around the reservoir, which could result in an increase in northern pike recruitment. However impacts would be mitigated by management practices that minimize spills. The District would meet with resource agencies in January or February to discuss reservoir operation and control spring elevation of the water surface to the extent practicable.

Low-gradient shorelines areas will be used for wetland mitigation (see 404 permit application). Steeper shoreline areas will undergo an identical transformation that

occurred when the reservoir was originally constructed and filled. Habitat around the shoreline will be similar to what it is today after an adjustment period.

In the initial years of operation, total reservoir fluctuation may be only slightly less (in the order of inches) than what occurs under current demand. For example an annual drawdown of eight vertical feet from the proposed maximum reservoir level of 7204 feet (5800 ac feet) will occur in approximately 7.6 feet rather than the current 8 feet from the existing maximum reservoir level of 7200 feet. During periods of drought, depending upon the demand from storage allottees, the reservoir may be drawn down further. As future projected needs for water increase, annual fluctuation would increase.

Stratification of the reservoir is also expected to occur with the same depth of epilimnion as what occurs currently. These changes are expected to be de-minimus to reservoir fisheries. The District will continue to work with CDOW through its fisheries management program. The fishery below the dam is also managed by CDOW. The primary issue associated with the raise has to do with balancing temperature and DO releases from the reservoir. This water quality issue is responded to in comment H below.

Comment C -- G:

Response: The District is removing "shallow shoreline impoundments" and the concept of "closed" wetland mitigation basins from the amendment application. We would not be able to guarantee exact water levels during ice off for such a scheme to function. CDOW and USFWS representatives understand this and agree to the removal of shallow shoreline impoundments from the application. Hence there are no drawings of the shallow shoreline impoundments; nor is there a description of their operation and maintenance.

Subject: Water Quality & Quantity

Comment H -J:

Response: There is agreement that the only water quality issue below the dam is the balance between temperature and dissolved oxygen (DO) in water released by the multi-stage outlet structure through the power plant turbine. Discussion in the amendment application of the processes of reservoir stratification, operation of intake tower gates to balance DO and temperature of release water, and reaeration of the water in the cascading stream below the dam are accurate. What is in question is exactly how these processes will interact and can best be managed in the future. It should be noted that the 1986 Environmental Impact Statement for the Stagecoach Reservoir Project on pages 66 and 67 reviews the matter of the relationship of discharge temperature to dissolved oxygen. The EIS recommendation was to release water as cold as possible knowing that with the release of cold water in August, DO levels could be jeopardized. However, it noted that re-aeration would take place rapidly in the dam discharge. During hot days of late July and August it has been difficult at times to maintain cold temperatures (12-16°C) downstream and at the same time provide high levels of dissolved oxygen (above 4 mg/l) in the stilling basin. Our records show that historically during the critical month of

August (2004, 5, 6 & 7) the discharge DO level never dropped below 4.1 mg/l². Aeration below the dam takes place rapidly as the water cascades over rocks. We have checked DO levels below the dam and determined that with 4mg/l DO leaving the stilling basin a level of 6 mg/l is reached well within 1000 feet.

In consultation with the CDOW the District has agreed to a number of items concerning DO and its monitoring downstream of Stagecoach Reservoir. When the spillway is raised, the District will install an additional boulder structure within 250 feet below the stilling basin to accelerate aeration of flows. If, after the reservoir raise, a DO level of 6.0 mg/L is not met at the lower station, the District will 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. The trout fishery below the stilling basin is exceptional and attracts anglers from miles around. The District wishes to maintain this highly valued fishery.

We will now refer to Schedule B. Additional Information Request

RECREATION:

1.) and 2) Stagecoach Reservoir lies entirely within Stagecoach State Park. Therefore only Park recreation facilities would be impacted. The District has reviewed in detail the impact of the raise on recreation facilities with the Colorado Division of Parks, the Districts' lessee of the facilities. Following is their list of facilities that will be affected by the raise. The District is committed to perform necessary work to restore facilities to their present status.

A.) Swim beach – includes rebuild of the beach by excavating the bank adjacent to the current beach. In addition 2 retaining walls will need to be replaced and the picnic patio, which measures 20 foot in diameter, will need to be relocated. Signs will need to be moved out of the area to new locations. Concerns about swim beach slope in same location

B.) Marina Boat Ramp – all but 12" of the existing concrete ramp at the Marina will be inundated. The concrete portion of the ramp will need to be extended further up the paved portion of the incline.

C.) Haybro Day-Use area – approximately 20 trees will need to be replaced of the same type and size. The affected trees can remain in location for potential habitat.

D.) Lot 14 – located off of County Road 14. The vault restroom will be razed, removed, smoothed over and a new vault restroom will be placed in a higher location in this lot. Riprap along shoreline should be placed to avoid erosion issues.

E.) Lot 16 – located off of County Road 16. Very little impact at this lot except for erosion concerns. The lot will need riprap along its edges.

F.) Morrison Creek Boat Ramp – all but 12" of this concrete ramp will be inundated. This ramp sits level with the existing lot. Additional pit run and gravel needs to be placed to raise the existing lot. The vault restroom will be razed, removed,

² With the reservoir elevation raise, DO levels in the project discharge would be less than under existing conditions if gate operations were left unchanged. However, the District expects to modify future gate operations to meet both water temperature and DO objectives. Overall the DO may be slightly less in the stilling basin than under current operations. Should DO fall below the required level, the District would modify the upper intake gate.

smoothed over and a new vault restroom will be placed in a higher location on this lot. Sections of the Elk Run Trail will be inundated and will need to be relocated, resurfaced or rip rapped.

G.) Little Morrison Creek Bridge Crossing – a new bridge was installed on the Elk Run Trail in this area in 2005. The bridge will be at a water level of 7204'. The bridge can be raised to accommodate the capacity increase. Fifty feet of the trail on either side of this bridge will need to be raised and resurfaced to meet the bridge tread.

H.) Wetlands – the vault restroom will be razed, removed, smoothed over and a new vault restroom will be placed in another location in the park. Sections of trail may be impacted here and the first viewing deck will need to be raised. This project could be a co-op with additional support from the Colorado Division of Wildlife grants and other available grants supporting outdoor recreation.

I.) Handicap Fishing Access – over the course of the years, a handicap fishing access point on the main road into the park near the Keystone Day – Use area has developed. This parking space will be inundated by the level increase. This amenity for the handicap fisherman needs to be replaced in the same area to Federal ADA Standards.

RESPONSES TO SUBJECTS A THRU I.

A.) The swim beach will be raised with imported sand. Should a retaining wall boarding the beach be required, it will be built. The concrete patio will be moved or rebuilt. The beach slope to the water should remain the same.

B.) The marina boat ramp will be extended.

C.) Shore line trees which are small will be replanted uphill.

D.) The vault restroom on Lot 14 will be moved or rebuilt on higher ground. Shore line will be rip-rapped where necessary.

E.) Parking area (Lot 16) may require shore line armoring.

F.) Morrison Creek boat ramp will have to be relocated if extension is not practical. The vault restroom will be moved or rebuilt if necessary. Elk Run Trail may have to be moved up hill.

G.) The Little Morrison Creek Bridge will be raised as well as the trail.

H.) The vault restroom at the west wetland parking & viewing area may have to be relocated. Trail sections where impacted will be raised.

I.) The handicap fishing access & parking if impacted will be raised to ADA standards. The replacement plans will be prepared at the same time that detailed design of the spillway modification is being conducted. Similarly, the new facilities will be constructed at the same time the spillway is modified.

The District has completed a survey of the recreation facilities and is confident in feasibility of all proposed appurtenances, however it would be costly to proceed with design details prior to Commission approval. A letter from Colorado State Parks agreeing with this is enclosed in Appendix B. The District will be seeding and mulching, potentially using silt fence and other best management practices (BMP's) as required by Routt County during construction. The District's site work is very limited; the majority of earthwork will be associated with mitigation efforts for wetlands and the grouse habitat. Thus the most important BMP, vegetation establishment, is the aim of the work.

Details on the relocations, as well as functional design drawings, will be provided to the Commission during the detailed design phase.

VEGETATION AND HABITAT:

3.) Construction of the 4 foot concrete addition to the crest of the spillway will take a relatively short period. The plan is to perform the work after Labor Day, the end of the recreation season. It will require drawing the reservoir down 6 to 8 feet. This draw down should not affect riparian habitat any more than normal operational draw down which takes place every fall.

4.) The nesting leks of the Sharp-tailed Grouse may be impacted. Up hill from their location, vegetation management will be used to create open space for grouse displays. Areas where sagebrush is removed will be replanted with a grouse friendly seed mixture approved by the CDOW wildlife manager³. Apparently current leks exist below the normal high water line. As stated previously, reservoir operations after the spillway raise is completed will result in similar habitats to what now exists and this should include these leks. All vegetation manipulation will be completed post-consultation with the appropriate CDOW personnel.

5.) In consultation with CDOW, concerns exist over the amount of waterfowl habitat included in the District's Wetland mitigation plan. The District will commit to creating appropriate habitat in the "contingency" area identified on the Northwest side of the Reservoir. The District is resubmitting the 404 permit application to the Corps of Engineers. Further, the District will continue to consult with the appropriate CDOW personnel during the planning phase of these wetlands, prior to construction. This will address CDOW's concerns with waterfowl including the Greater Sandhill Crane.

6.) We anticipate the same mix of habitat types to be present after the reservoir raise. Habitat for the Leopard Frog will not be affected.

FISHERY AND AQUATIC RESOURCES:

7.) The inverts of the intake gates are fixed so that a raise of 4 feet of the reservoir will decrease the effective elevation of each gate. In discussing this matter with the Division of Wildlife, the District committed to construct a boulder reeration structure below the Dam within 250 feet of the stilling basin. If this proves to be insufficient for increasing DO to 6.0 mg/l, the District would commit to an alteration to the top gate to raise its effective discharge invert 4 feet.

Occasionally, hydrogen sulfide smell is present. This is a function of the DO levels and will be taken care of by the above stated measures for managing DO in releases from the Dam. Our simple solution is to close the bottom gate (the source of the Hydrogen Sulfide) for a period long enough to correct the problem.

³ The grouse-friendly seed mixture will be used in all revegetation efforts.

8.) We have agreed to meet with CDOW and the USFWS every January or February to review the predicted snow runoff and its effect on reservoir operations. We have agreed to work cooperatively with the CDOW and the USFWS to minimize spills in an effort to reduce the potential for pike escapement. Therefore, we are eliminating the "Closed Wetland Basins" from the application for pike mitigation.

9.) The enlargement will no doubt result in an increased discharge at times. However these will be subject to contractual obligations and are not devoted to the downstream fishes. A depletion assessment of 470.2 af has been calculated by Resource Engineering. This number has been agreed to in consultation with USFWS and is covered under the programmatic Biological Opinion. A fee will be paid to the program for this depletion.

Habitat for endangered fish on the Yampa River exists below Craig a distance of some 65 miles below Stagecoach. Calls for water by downstream storage allottees would benefit endangered fish by increasing river flows. For example, Tri State Generation & Transmission, one of our storage customers, calls for a release of a portion of their storage yearly. This release is of benefit to the entire stream.

10.) At the meeting on 12 July with representatives of the Colorado Division of Wildlife, the U.S. Fish & Wildlife Service and a representative of the FWS recovery program (Robert Muth), the issue of northern pike preying on the four endangered fish was reviewed. The USFWS is actively working on a program to eradicate pike between Hayden and Craig. The enlargement itself will not increase the potential for pike escapement. Additionally, as previously stated the District will consult annually in January or February to minimize spilling of the reservoir, the primary source of pike escapement.

WATER QUALITY:

11.) This matter was discussed above under items H&I in Schedule A. Note that within a distance of 1,000 feet, DO levels are 6 mg/l and higher even though there are times when DO in the stilling basin was 4 mg/l.

12.) The 401 Water Quality Certification application was submitted to the Water Quality Control Division and no issues were raised in their review.

ENGINEERING:

13.) The Supporting Design Report is included herein. The District's consultant, URS has been working with FERC's engineering group and the Colorado State Engineer's office. No problems have been identified.

CONSULTATION:

14.) A list of recipients of the pre-application is herewith included as Appendix B.

15.) During the August 16, 2006 public meetings, the District stated that it intended to seek a waiver of the draft application consultation requirements from the Commission provided that the resource agencies and other interested parties concurred (see meeting minutes in Amendment Application, Exhibit E, Appendix B, page 20). In their comments on the minutes and the Initial Consultation Package no party objected to the

waiver request. The Colorado Division of Water Resources in an October 13, 2005 e-mail to the District's consultant stated that in no way was their e-mail in support of or not in support of the waiver request. The only other party to comment was the USFWS and then only to inquire as to what other opportunities did the USFWS have to comment on the amendment application if the waiver were granted.

16.) Consultation with resource agencies continued beyond the meeting held on August 16, 2006. Please refer to Appendix A for a list of meetings and communications.

17.) This will certify that the District has sent copies of the final application to the following agencies:

Colorado Division of Wildlife
US Fish & Wildlife Service
Colorado Department of Health and Environment
Bureau of Indian Affairs
Routt County Government
Army Corp of Engineers
Colorado Historical Society
Colorado State Engineer
Environmental Protection Agency (EPA)

The complexities of managing water resources, sport fisheries and protecting endangered fish will require significant coordination and adaptive management among the agencies involved. The District believes this consultation is an important first step towards meeting our multiple objectives. However, ongoing consultation will also promote the sharing of information regarding research being conducted by the Recovery Program and the CDOW, along with the hydrology data collected by the District.

Appendix A
Meetings and E-mails re: Stagecoach Raise

Meetings were held with DOW and as available USFWS and the Endangered Fish Recovery Program on the following Dates. A list of E-mail correspondence is also included.

Meetings

Friday, February 23, 2007 – additional scoping on issues of stagecoach raise
Thursday, March 22, 2007 – additional discussions regarding the D.O. issues
Thursday, July 12, 2007 – discussions centered on pike issues

  From	Subject	Received	Size	
Date: Offer				
 Miller, Libbie	Meeting date to discuss Stagecoach expansion	Thu 1/18/2007 11:...	13 KB	
 Miller, Libbie	RE: Meeting date to discuss Stagecoach expansion	Thu 1/18/2007 12:...	20 KB	
 Atkinson, Bill	RE: Meeting date to discuss Stagecoach expansion	Thu 1/18/2007 6:3...	20 KB	
 Patty_Schrader...	Re:	Tue 3/20/2007 8:0...	12 KB	
 Patty_Schrader...	RE:	Wed 3/21/2007 11:...	15 KB	
 Atkinson, Bill	RE: Meeting date to discuss Stagecoach expansion	Thu 4/26/2007 5:2...	22 KB	
 Atkinson, Bill	RE: Meeting date to discuss Stagecoach expansion	Thu 4/26/2007 6:5...	31 KB	
 Miller, Libbie	Got your message...	Thu 5/3/2007 8:14...	10 KB	
 # Patty_Schrader...	RE:	Tue 5/22/2007 8:0...	97 KB	
 Tom Pitts	FW: Question for Kevin McBride	Wed 5/30/2007 8:...	14 KB	
 Miller, Libbie	RE: Stagecoach Project - FERC Project 9202 - Transmittal of FERC Letter of May 21, 20...	Fri 6/8/2007 7:49 AM	19 KB	
 # Tom Pitts	Bob Muth email	Fri 6/8/2007 3:14 PM	10 KB	
 # Tom Pitts	Patty Galati's email address	Mon 6/11/2007 7:5...	15 KB	
 Atkinson, Bill	RE: July 12 meeting Stagecoach Reservoir Raise and Pike Issues	Mon 6/11/2007 8:5...	19 KB	
 Miller, Libbie	RE: July 12 meeting Stagecoach Reservoir Raise and Pike Issues	Tue 6/12/2007 8:0...	14 KB	
 Patty_Schrader...	Atkinson: July 12 meeting Stagecoach Reservoir Raise and Pike Issues	Tue 6/12/2007 8:3...	19 KB	
 Tom Pitts	RE: July 12 meeting Stagecoach Reservoir Raise and Pike Issues	Tue 6/12/2007 9:0...	17 KB	
 Patty_Schrader...	RE: July 12 meeting Stagecoach Reservoir Raise and Pike Issues	Tue 6/12/2007 1:0...	15 KB	
 Atkinson, Bill	RE: July 12 meeting Stagecoach Reservoir Raise and Pike Issues	Tue 6/12/2007 2:2...	26 KB	
 Atkinson, Bill	RE: July 12 meeting Stagecoach Reservoir Raise and Pike Issues	Fri 6/15/2007 7:08...	32 KB	
 Atkinson, Bill	RE: July 12 meeting Stagecoach Reservoir Raise and Pike Issues	Sat 6/16/2007 10:...	35 KB	
 Miller, Libbie	Stagecoach Meeting	Mon 6/18/2007 3:5...	10 KB	
 Tom Pitts	RE: July 12 meeting Stagecoach Reservoir Raise and Pike Issues	Wed 6/20/2007 11:...	7 KB	
 Patty_Schrader...	Stagecoach DOW studies	Thu 6/21/2007 1:5...	10 KB	
 Tom Pitts	RE: July 12 meeting Stagecoach Reservoir Raise and Pike Issues	Sun 6/24/2007 8:4...	40 KB	
 Atkinson, Bill	RE: Stagecoach Project - FERC Project 9202 - Transmittal of FERC Letter of June 18, 2...	Mon 6/25/2007 8:1...	27 KB	
 Miller, Libbie	Atkinson	Fri 6/29/2007 4:03...	10 KB	
 Tom Pitts				
Date: Last Month				
 # Tom Pitts	Stagecoach FERC Application re: NP Shoreline Impoundments	Sun 7/1/2007 11:5...	76 KB	
 # Tom Pitts	ESA Section 7 consultations: Yampa basin	Thu 7/5/2007 3:38...	50 KB	
 Tom Pitts	location...	Mon 7/9/2007 6:37...	10 KB	
 Miller, Libbie	Stagecoach expansion project	Thu 7/19/2007 9:5...	12 KB	
Date: Three Weeks Ago				
 # Tom Pitts	Final July 12 Meeting Summary	Wed 8/1/2007 2:1...	72 KB	
 # Tom Pitts	Final July 12 Meeting Summary	Wed 8/1/2007 2:1...	72 KB	
Date: Last Week				
 Tom Pitts	Letter to DOW	Wed 8/15/2007 4:...	10 KB	
 Tom Pitts	RE: Letter to DOW	Fri 8/17/2007 12:2...	18 KB	

APPENDIX B

STAGECOACH HYDROPOWER PROJECT
AMENDMENT APPLICATION
DISTRIBUTION

Ms. Magalie R. Salas, Secretary (original plus 8 copies)
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

San Francisco Regional Office
Federal Energy Regulatory Commission
901 Market Street, Suite 350
San Francisco, CA 94103

Mr. William Guey Lee
Project Compliance and Administration
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Mr. Neil B. Cloud, NAGPRA Representative
Southern Ute Tribe
POB 737
Ignacio, CO 81137

Ms. Betsy Chapoose, NAGPRA Representative
Ute Tribe of the Uintah and Ouray Reservation
P.O. Box 190
Ft. Duchesne, UT 84026

Mr. Terry Knight, Sr., NAGPRA Representative
Ute Mountain Ute Tribe
POB 468
Towaoc, CO 81334

Mr. Richard Brennan, Chairman
Northern Arapaho Business Council
Northern Arapaho Tribe
POB 396
Fort Washakie, WY 82514

Mr. William C'Hair
Language and Cultural Committee
Northern Arapaho Tribe
POB 9184

Arapaho, WY 82510
Ms. Jo Ann White, Director
Northern Arapaho Tribal Historic Preservation Officer
P.O. Box 396
Ft. Washakie, WY 82514

Mr. Eugene Little Coyote, Chairman
Northern Cheyenne Tribal Council
P.O. Box 128
Lame Deer, MT 59043

Mr. Gilbert Brady
Northern Cheyenne Cultural Commission
P.O. Box 155
Lame Deer, MT 59043

Mr. Conrad Fisher, Tribal Historic Preservation Officer
Northern Cheyenne Tribal Historic Preservation Office
POB 128
Lame Deer, Montana 59043

Mr. Darrell Flying-Man, Chairman
Cheyenne & Arapaho Business Committee
Southern Cheyenne and Southern Arapaho Tribes
POB 38
Concho, OK 73022

Mr. Ivan Posey, Chairman
Shoshone Business Council
Eastern Shoshone Tribe
POB 538
Fort Washakie, WY 82514

Ms. Delphine Clair
Shoshone Cultural Committee
Eastern Shoshone Tribe
POB 171
Ft. Washakie, WY 82514

Haman Wise
Shoshone Cultural Committee
Eastern Shoshone Tribe
POB 766
Ft. Washakie, WY 82514

Mr. Ken Jacobson

Chief, Colorado/Gunnison Basin Regulatory Office
U.S. Army Corps of Engineers
402 Rood Avenue, Room #142
Grand Junction, CO 81501-2513

U.S. Bureau of Reclamation
Regional Office
PO Box 25007
Denver Federal Center
Denver, CO 80225-0007

U.S. Bureau of Reclamation
125 S State St.
Rm 6107
Salt Lake City, UT 84138-1147

U.S. Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625

Mr. Pat Nelson
U.S. Fish and Wildlife Service
Ecological Services
Colorado Field Office
PO Box 25486, DFC (MS 65412)
Lakewood, CO 80228-1807

National Park Service
Regional Office
PO Box 25287
Denver, CO 80225

U.S. Environmental Protection Agency
999 18th St
Suite 200
Denver CO 80202

Regional Director
U.S. Bureau of Indian Affairs
Southwest Regional Office
PO Box 26567
Albuquerque, NM 87125

Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Mr. Andrew Poirot
CO Dept. of Public Health and Environment
Division of Water Quality
410 South Lincoln Avenue
Steamboat Springs, CO 80487

CO Department of Public Health and Environment
Water Quality Control Division
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Ms. Erin Light
Division Engineer, Region 6
Colorado Division of Water Resources
PO Box 773450
Steamboat Springs, CO 80477-3450

Colorado Water Conservation Board
1313 Sherman St.
Room 721
Denver, CO 80203

Ms. Susan Werner
Area Wildlife Manager
Colorado Division of Wildlife
Steamboat Springs Service Center
925 Weiss Drive
Steamboat Springs, CO 80487

Colorado Department of Natural Resources, Division of Wildlife
6060 Broadway
Denver, CO 80216

Mr. Michael Taylor
Superintendent
Stagecoach State Park
P.O. Box 98
Oak Creek, CO 80467

Ms. Georgianna Contiguglia, State Historic Preservation Officer
Colorado Historical Society
Office of Archaeology, Review and Compliance Division
1300 Broadway
Denver, CO 80203

Routt County Dept. of Environ. Health
PO Box 770087
Steamboat Springs, CO 80477

Ms. Caryn Fox
Planning Director
Routt County Planning Department
PO Box 773749
Steamboat Springs, CO 80477-3049

Mayor Bruce Pitts
Town of Yampa
56 Lincoln St.
P.O. Box 224
Yampa, CO 80483

Mr. Thomas R. Sharp, Chairman
Yampa-White River Basin Roundtable
P.O. Box 774968
Steamboat Springs, CO 80477

Friends of the Yampa
c/o Peter Vandercar
PO Box 774703
Steamboat Springs, CO 80477

Yampa Valley Fly Fishers
PO Box 774663
Steamboat Springs, CO 80477

Colorado Environmental Coalition
1536 Wynkoop St. #5C
Denver, CO 80202

Stagecoach Property Owners Association
PO Box 774845
Steamboat Springs, CO 80477

Mr. John Fetcher
Secretary
Upper Yampa Water Conservancy District
3310 Clearwater Trail
Steamboat Springs, CO 80488-0339

Mr. Greg Glunz
URS Corporation
8181 E. Tufts Avenue
Denver, CO 80237

Mr. Kent Croffs
IME

PO Box 270
Yampa, CO 80483

Mr. Dan Johnson
MWH Americas
1801 California Street, Suite 2900
Denver, CO 80202

Mr. Wayne Dyok
MWH Americas
3321 Power Inn Road, Suite 300
Sacramento, CA 95826-3889

Via e-mail
John R. Blair
Colorado Department of Water Resources – Dam Safety

Patty Gelatt
U.S. Fish and Wildlife Service

Elvis Iacovetto
CO Division of Water Resources

Libbie Miller
CO Division of Wildlife

Doug Monger
Routt County

May Alice Page-Allen
Routt County Planning

Jean Ray
CO Division of Water Resources

Kris Wahlers
Colorado State Parks – Stagecoach

Steve Colby
Morrison Creek District

Alexis DeLaCruz
Steamboat Pilot and Today

Arlene Porteus
Yampa Town Board

Mike Ratliff

Janet Ray
Yampa Town Clerk

Tom Yackey
Yampa Resident

STATE OF COLORADO

Bill Ritter, Jr., Governor

James B. Martin, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
TDD Line (303) 691-7700
Located in Glendale, Colorado
<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

September 21, 2007

Re: FERC Project No. 9202-142-Colorado
Stagecoach Hydroelectric Project
Upper Yampa Water Conservancy District

Mr. John R. Fletcher
Upper Yampa Water Conservancy District
P.O. Box 880339
Steamboat Springs, Colorado 80488-0339

Dear Mr. Fletcher,

The Water Quality Control Division (Division) is pleased to have the opportunity to comment regarding water quality issues on the re-licensing of the Stagecoach Hydroelectric Project.

Since completion of Stagecoach Reservoir, water quality issues have been identified both in the reservoir and immediately below the dam in the Yampa River. The Upper Yampa Water Conservancy District (UYWCD) has worked with the Division and the Colorado Division of Wildlife (DOW) to address the discharge water temperature and dissolved oxygen levels below the dam. The Division has recognized the fact that the Yampa River has depressed dissolved oxygen levels for approximately 1000 feet downstream from the dam's stilling basin.

As identified in the UYWCD's amended application permit, depressed dissolved oxygen levels have persisted in the reservoir since its filling. The Division has also identified these low dissolved oxygen levels and placed Stagecoach Reservoir on Colorado's Monitoring and Evaluation List. This is a list of identified water bodies where there is reason to suspect water quality problems but due to factors or uncertainty have not been placed on the State's list of impaired waters or 303(d) List.

The Division believes during this re-licensing that UYWCD needs to investigate dam release management strategies to ameliorate dissolved oxygen problems within the reservoir. Management of the reservoir should provide cold water refuge with adequate dissolved oxygen for the cold water aquatic life population. The reservoir needs to be managed to maximize all of its objectives as stated in the application for amending the current FERC license using its multi-stage intake tower.

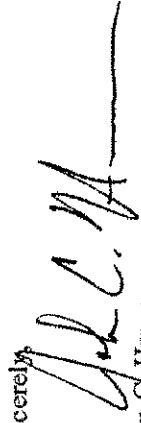
Mr. John Fletcher
Upper Yampa Water Conservancy District
September 21, 2007
Page 2 of 2

The UYWCD needs to investigate and develop a reservoir management strategy to operate the reservoir to protect both the aquatic life in the reservoir and the Yampa River below the dam.

The Division would be willing to assist the UYWCD in the development and review of a reservoir management strategy suitable for the aquatic life use of the reservoir and the Yampa River.

If you have any questions please don't hesitate to contact me at 303 692-3586 or john.hranac@state.co.us.

Sincerely,



John C. Hranac
Surface Water Specialist
Water Quality Control Division

cc: Kimberly D. Bose, Secretary, FERC, 888 First Street, NE, Washington, DC 20426
Jay Skinner, Colorado Division of Wildlife, 6060 Broadway, Denver, CO 80216
Libbie Miller, Colorado Division of Wildlife, 6060 Broadway, Denver, CO 80216
Wayne M. Dyok, MWH Americas, Inc., 3321 Power Inn Road, STE 300, Sacramento, CA 95826-3889
Dan Beley, WQCD

STATE OF COLORADO

Bill Ritter, Jr., Governor
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE
AN EQUAL OPPORTUNITY EMPLOYER

Mark B. Korishi, Acting Director
6060 Broadway
Denver, Colorado 80216
Telephone: (303) 297-1192
wildlife.state.co.us



*For Wildlife-
For People*

September 18, 2007

Upper Yampa Water Conservancy District
3310 Clear Water Trail
P.O. Box 880339
Steamboat Springs, CO 80488
Attention: John Fetcher

Re: FERC License 9202-142 Colorado – Stagecoach Reservoir Enlargement Project

Dear Mr. Fetcher:

Colorado Division of Wildlife (CDOW) field staff has had the opportunity to review the Upper Yampa Water Conservancy District's (UYWCD) response to the list of application deficiencies in their application to the Federal Energy Regulatory Commission (FERC) requesting a license amendment to enlarge Stagecoach Reservoir. Based on this review, we have the following comments and concerns.

July 12, 2007 – Agency Meeting:

On page 1 of UYWCD's response to FERC, you provide a summary of the meeting that took place on July 12, 2007 between representatives from UYWCD, CDOW, and the US Fish and Wildlife Service (USFWS). This meeting was held to discuss the fishery-related concerns associated with the proposed enlargement of Stagecoach Reservoir. Much of the information you have provided within the introduction of your prepared response contains background information that was discussed during this meeting to provide participants with a better understanding of some broader fishery management issues the CDOW and USFWS are facing. Some of these items do not directly pertain to your application to FERC. While we appreciate the fact that UYWCD does support the CDOW in our fishery management efforts; ultimately, UYWCD does not have a specific role in some of the measures that you identified on page 1 as agreeing to.

1. The CDOW currently manages Stagecoach Reservoir as a trout fishery in the presence of northern pike. The CDOW does this, at considerable expense, by stocking 12" trout in late fall to minimize pike predation on trout. This management strategy is not directly related to UYWCD's

DEPARTMENT OF NATURAL RESOURCES, Harris D. Sherman, Executive Director
WILDLIFE COMMISSION, Tom Burke, Chair • Claire O'Neal, Vice Chair • Robert Bray, Secretary
Members, Dennis Buechler • Brad Coors • Jeffrey Crawford • Tim Glenn • Roy McAnally • Richard Ray
Ex Office Members, Harris Sherman and John Shulp

license amendment request to FERC. In addition, as management of this fishery is under the purview the CDOW, we may later decide the fishery in Stagecoach Reservoir would be better managed using a different strategy. For these reasons, we do not feel the current management strategy should be referenced in response to FERC on application deficiencies as a measure that UYWCD is agreeing to.

2. In addition to the CDOW management of the fishery at Stagecoach Reservoir, the management of the fishery in Lake Catamount and the Yampa River are also management strategies that are not specifically related to UYWCD's license amendment request to FERC. Therefore, we do not feel the current management strategy for Lake Catamount or the Yampa River, specifically those stretches below Lake Catamount, should be referenced in response to FERC on application deficiencies as a measure that UYWCD is agreeing to. In addition, Lake Catamount is a private lake and under private management, any specific reference to its fishery management in regards to this FERC application should be eliminated.

3. We agree that UYWCD did agree at this meeting to work cooperatively with the CDOW and the USFWS to minimize spills. It is our understanding that we would have joint annual meetings in January and again in the early spring to discuss the following.

- a. Reservoir status
- b. Opportunities to minimize spills
- c. Researching and forecasting runoff in regards to managing spills and when possible manipulating reservoir levels
- d. Maintaining required DO levels

We feel that minimizing spills and manipulating reservoir levels are important management strategies for reducing escapement of northern pike from Stagecoach Reservoir.

Responses to Schedule A – Subject (I), Comment (A):

Again, The CDOW currently manages Stagecoach Reservoir as a trout fishery in the presence of northern pike. The CDOW does this, at considerable expense, by stocking 12" trout in late fall to minimize pike predation on trout.

In addition, the following statements within your response on this issue are inaccurate.

- "It is assumed that this size will not be ingested by pike."

As pike are capable of consuming prey approximately $\frac{1}{2}$ their body length, larger pike are still able to consume 12" trout. The management strategy of stocking 12" trout in the fall accomplishes our objective of reducing predation impacts. First, northern pike experience a significant decline in their metabolism as the water cools during late fall, resulting in a slowdown in predation rates. By stocking 12" trout in late fall, when water temperatures are cooler and pike predation rates are lower, pike predation on these trout is reduced. Second, because Stagecoach

Reservoir is still very productive, these 12" plants grow to approximately 14.5" by the following summer when pike predation rates increase. As a result, these trout are then only susceptible to predation by pike approximately 30" and greater in size, resulting in an additional reduction in predation impacts and subsequently higher recruitment rates.

- "...the reservoir is managed as a Northern Pike fishery..."

Once again, The CDOW currently manages Stagecoach Reservoir as a trout fishery in the presence of northern pike. While angling for pike is a popular sport-fish opportunity at Stagecoach Reservoir, the CDOW does not manage the reservoir as a pike fishery. In part, our current stocking regime for trout has resulted in some trophy-sized northern pike. However, this is incidental to our goal for developing and managing a quality trout fishery in Stagecoach Reservoir.

Responses to Schedule A – Subject (i), Comment (B):

We feel it is important to reiterate our concerns that an increase in reservoir elevation will inundate some additional vegetation around the reservoir, which could result in an increase in northern pike recruitment. This is a concern that we feel could be potentially mitigated by researching and forecasting runoff in regards to managing spills and when possible manipulating reservoir levels.

In addition, the following statement within your response on this issue is somewhat misleading.

- "Total reservoir fluctuation will only be slightly less (in order of inches) than what occurs under current demand."

This statement seems to reflect the following assumptions. First, the current need for water will remain static. We understand from conversations with you and your staff that there is a need for the raise due to future projected needs for water. It seems that reservoir level fluctuations would increase to some extent as greater needs are being met. Please clarify this point for us, as we may be misinterpreting the information you have provided. Second, you have agreed to meet with CDOW and USFWS annually in January and again in the early spring to discuss some issues including researching and forecasting runoff in regards to managing spills and when possible manipulating reservoir levels. If UYWCD agrees at any point in time to manipulating reservoir levels, then reservoir fluctuations may be greater at that time than current fluctuation.

Responses to Schedule A – Subject (i), Comment (C-G):

We understand and have no concerns with the UYWCD removing "shallow shoreline impoundments" and the concept of "closed wetland mitigation basins" from their license amendment request to FERC.

Responses to Schedule A – Subject (i), Comment (H-J):

One of the primary concerns that the CDOW has had with the proposed enlargement of Stagecoach Reservoir is low DO concentrations in Stagecoach Reservoir and more importantly in the Yampa River downstream of the dam. It is our understanding that the UYWCD has agreed to install an additional boulder structure within 250 feet of the stilling basin to help mitigate our concerns. In addition, UYWCD

has agreed to install a structure on the upper gate of the intake tower to raise the invert level of the upper gate by 4' if after the reservoir raise, DO levels fall below 6.0 mg/l at the lower station.

In addition, we feel that the following statement within your response on this issue is misleading.

- "Our records show that during the critical month of August (2004, 5, 6 & 7) the discharge DO level never dropped below 4.1 mg/l...a level of 6 mg/l is reached well within 1000 feet."

This is a reflection of the current situation. The inverts of the intake gates are fixed, so there will undoubtedly be some variation in DO levels after a 4' increase in reservoir level is implemented, as there will be a 4' decrease in the effective elevation of each gate.

Responses to Schedule B – Subject Recreation, Comment (A-D):

We feel very strongly that the Handicap Fishing Access near the Keystone Day-Use Area needs to be replaced. Furthermore, we would like the UYWCD to incorporate replacement plans and an implementation timeline for replacement within their response to FERC.

Responses to Schedule B – Subject Vegetation and Habitat:

Columbian Sharp-tailed Grouse

The 4' reservoir raise will likely inundate two Columbian Sharp-tailed Grouse leks. It is our understanding that UYWCD has agreed to perform some vegetation manipulation in these locations to increase the availability of suitable lek habitat in these areas. All vegetation manipulation in these instances should be completed post-consultation with the appropriate CDOW personnel. In addition, UYWCD has agreed to use a grouse-friendly seed mixture, pre-approved by the CDOW, in all seeding/re-vegetation efforts in these areas. Ideally, this same seed mixture should be used in all re-vegetation efforts.

Waterfowl

We are concerned about the lack of waterfowl habitat included within the UYWCD's mitigation plan. In this instance, we feel that wetland mitigation should incorporate a minimum of a 1:1 ratio for acreage as well as meet a function per function objective. As a result, UYWCD has stated that they "... will commit to creating appropriate habitat in the "contingency" area identified on the Northwest side of the Reservoir." In addition, we would like the UYWCD to commit to consult with the appropriate CDOW personnel during the planning phase of these wetlands, prior to construction. The creation of quality wetlands for waterfowl will also benefit numerous other species, including Greater Sandhill Cranes.

Fishery and Aquatic Resources

The following statements within your response on this issue are inaccurate.

- "In discussing this matter with the Division of Wildlife, we came to the conclusion that if DO levels are affected, the District will commit to a boulder reeration structure below the Dam."

It is our understanding that the UYWCD has agreed to install an additional boulder structure

within 250 feet of the stilling basin to help mitigate our concerns as part of the reservoir raise. We have been led to believe that this was a definitive commitment from UYWCD, and was not dependent upon any future determination of necessity. We believe this structure needs to be installed to help offset potential low DO levels that we believe will result from a 4' increase in surface elevation of Stagecoach Reservoir, particularly as the inverts of the intake gates will remain fixed.

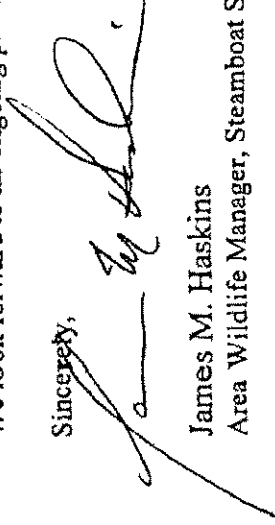
In addition, UYWCD has agreed to install a structure on the upper gate of the intake tower to raise the invert level of the upper gate by 4' if after the reservoir raise, DO levels fall below 6.0 mg/l at the lower station.

- "We have agreed to minimize spills if it is determined that Pike escape over the spillway."
- Spilling is a primary source for pike escapement. It is our understanding that UYWCD has agreed to work cooperatively with the CDOW and the USFWS to minimize spills in an effort to reduce the potential for pike escapement. Again, we have been led to believe that this was a definitive commitment from UYWCD, and was not dependent upon any future determination of necessity.
- "The Service is actively working on a program to eradicate Pike between Steamboat Springs and Craig."
- The USFWS is actively working on a program to eradicate pike between Hayden (not Steamboat Springs) and Craig.

As always, we appreciate the opportunity to comment on matters that affect wildlife. Please do not hesitate to contact my staff or me if you have any questions and/or concerns regarding our comments.

We look forward to an ongoing partnership with the UYWCD on managing our resources.

Sincerely,



James M. Haskins
Area Wildlife Manager, Steamboat Springs

JMH/ekm

CC: Velarde, Area file, Miller, Atkinson



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services

764 Horizon Drive, Building B

Grand Junction, Colorado 81506-3946

IN REPLY REFER TO:

ES/CO:FERC

TAILS/65413-2006-I-00125

September 24, 2007

John Fetcher, Secretary
Upper Yampa Water Conservancy District
P.O. Box 880339
Steamboat Springs, Colorado 80488-0339

Dear Mr. Fetcher:

This responds to an August 22, 2007, e-mail request to provide comments on the Upper Yampa Water Conservancy District's draft response to FERC's information request on the proposed amendment to the license for Stagecoach Hydropower Project (P-9202).

In the summary of our July 12, 2007, meeting you concluded that the following measures were agreed to by UYWCD, Colorado Division of Wildlife (CDOW) and the Fish and Wildlife Service (Service):

- 1) Continue stocking of trout in larger sizes (12 inches plus) too large for pike to ingest, thus, eliminating a source of pike forage.
- 2) Eliminate pike from Catamount and in the Gold Metal trout fishery and below Catamount through the proposed research program, and evaluate impacts of removal.
- 3) Work cooperatively to minimize spills, including: a) a meeting of CDOW and UYWCD in January and in early spring of each year regarding status of the reservoir and discussion of opportunities to minimize spills; and b) using the forecast of runoff, manage the reservoir to minimize spills to the extent possible.

The Service concurs with these proposed measures to minimize northern pike from traveling downstream to critical habitat of the endangered fishes in the Yampa and Green rivers. Now the UYWCD should formalize these measures as conservation measures in the project description or as conditions of the proposed license amendment.

If certain measures are not carried out, such as elimination of northern pike from Catamount Reservoir, other measures may be necessary to prevent pike from traveling downstream into critical habitat for the endangered fishes. Meetings with UYWCD, CDOW, and the Service should also include updates on nonnative fish control measures at Catamount Reservoir and adjacent river reaches.

Responses to Schedule A

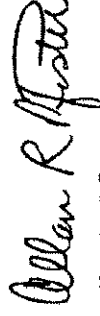
1. Environmental Report (page 2). The Service provided comments on an environmental report dated December 2006 (see enclosed comments).
2. Comment B (page 2). The Service finds that it is likely that increasing the size of the reservoir will inundate vegetation and create additional spawning habitat for northern pike. The Service is concerned that the increase in northern pike in the reservoir will increase the chance of pike escaping from the reservoir and traveling downstream into critical habitat of the endangered fishes.
3. Water Quality (page 3). The Service recommends the installation of an automated continuous monitoring device to measure DO below the reservoir.
4. Northern leopard frog (page 5). An explanation should be provided why the amendment application identifies impacts to northern leopard frog habitat, but now UYWCD states that habitat for the frog will not be affected.
5. Fishery and Aquatic Resources (page 5). On page 3 of your response you state that "when the spillway is raised the District will install an additional boulder structure within 250 feet below the stilling basin to accelerate aeration of flows." On page 5 of your response you state "...if the DO levels are affected, the District will commit to a boulder reeration structure below the Dam." It is unclear if the aeration structure is part of the proposed license amendment or not.
6. January Meeting (page 6). Page 1 of your response states that "a meeting of CDOW and Upper Yampa District in January and in early spring of each year" will be held to minimize reservoir spills. Page 6 implies that only a January meeting will be held. Runoff forecasts in January are very unreliable because it is so early in the snowpack season, therefore, an additional spring meeting would be appropriate. Also, the meetings should include an update of nonnative fish control measures conducted at Lake Catamount and in adjacent river reaches. Minimizing spills is just one measure to minimize escapement of northern pike from the reservoir. There are many years when spill cannot be avoided. Control of pike in Catamount Reservoir downstream is an important measure to keep northern pike from reaching critical habitat of the endangered fishes. This measure needs to become formalized as part of the license amendment. The measure should include provisions for adaptive management, so if northern pike control at Catamount Reservoir is not successful, other measures can be implemented to minimize northern pike from entering critical habitat.
7. Water releases (page 6). The Service agrees the reservoir enlargement will cause an annual average depletion of 470 acre-feet to the Yampa River. The reasonable and prudent measures in the Yampa programmatic biological opinion state (page 68) that all projects over 100 acre-feet/year will be monitored to determine impacts to peak flows on the Yampa River. The terms and conditions that implement the measures state that the Recovery Program will use the CRDSS hydrologic model to track and analyze all new water depletion projects over 100 acre-feet/year to determine impacts to peak flows on the Yampa River critical habitat. Therefore, the biological assessment should contain

information on how the operation of Stagecoach Reservoir affects downstream flows in critical habitat and resultant effects on fish and their habitat.

8. Northern pike (page 6). As stated above, measures to minimize northern pike from entering critical habitat need to go beyond just a once a year meeting to minimize spills. Controlling pike at Catamount Reservoir was a measure agreed to in our July 12, 2007, meeting. This measure needs to become a formal measure in the license amendment process.
9. Consultation (page 7). The Service has not received a draft biological assessment as requested by FERC on page B-2 of their request for additional information. The Service has not received a copy of the final application.

The aforementioned information is necessary for a timely completion of the required section 7 consultation for your proposed action. If the Service can be of further assistance, please contact Patty Gelatt at the letterhead address or (970) 243-2778, extension 26.

Sincerely,



Allan R. Pfister
Western Colorado Supervisor

Enclosure

pc: FWS/UCREFRP, Denver
FWS/ES/FO, Lakewood
FERC, Washington D.C. (Linda Stewart, Division of Hydropower)
COE, Grand Junction (Nathan Green)
EPA, Denver (Sarah Fowler)
BR, Grand Junction
CDOW, Steamboat Springs

FWS Comments on Application for FERC License Amendment for Stagecoach Hydropower
Project No. 9202

44

These are informal comments requested as a result of a 2/23/07 conference call between the applicant (UYWCD) and the Colorado Division of Wildlife (CDOW). Our major concerns are outlined in our October 18, 2006, letter. We anticipate providing formal comments to FERC during the public comment period for the license amendment.

Page A-2 – States “all of the intake tower gates are trash rack protected.”

Need to provide a description of the trash racks (size of openings, etc.).

Page 6 – States that “the anticipated result of enlarging Stagecoach Reservoir would be that the base flows during the late summer and fall months would be augmented.”

These flows would not be protected to critical habitat, and may not actually provide any benefit to the endangered fishes.

Page 6 – States “Raising the water level in Stagecoach Reservoir would have a primary positive effect of increasing base flow above Elkhead Creek ...”

Endangered fish critical habitat does not occur above Elkhead Creek.

Page 29 – States “the UYWCD anticipates that the increase in spillway elevation may have a minor effect on reducing potential escapement.”

The Service is concerned with the existing escapement of northern pike from the reservoir and any increase in escapement after the enlargement. The application does not address this issue.

Page 44 – States “UYWCD has informally consulted with the USFWS under Section 7 of the Endangered Species Act for the Stagecoach license amendment.”

UYWCD did request our comments; however, the application does not provide any measures to address the Service’s major concern regarding endangered fish species which is escapement of northern pike from the reservoir. One purpose of informal consultation is to give the applicant the opportunity to provide conservation measures to minimize impacts to endangered species.

Page 45 - States “Raising the water level of Stagecoach Reservoir would have a primary positive effect of increasing base flows above Elkhead Creek ...”

Endangered fish critical habitat does not occur above Craig, Colorado.

Page 44 and 45 – The Environmental Impact section for Colorado River endangered fishes needs to address nonnative fish escaping from Stagecoach Reservoir and traveling downstream into

critical habitat. The Service considers impacts from nonnative fish, in particular northern pike, to be one of the biggest impediments to recovery of the endangered fishes in the Yampa River.

Page 61 – States “The UYWCD will analyze the level of mortality expected for northern pike entrained through each of the three potential avenues. Based upon this information, the UYWCD will be able to establish the potential level of escapement of entrained northern pike under current and proposed conditions.”

When will this analysis take place? How will the results be incorporated into the application process?

Page 61 – *Increase in Northern Pike Spawning Habitat*. This section states that “this problem can potentially be alleviated if escapement of northern pike from Stagecoach Reservoir can be controlled.”

The application does not propose any measures to control escapement of northern pike from the reservoir.

Page 61 – UYWCD is proposing to construct closed wetland mitigation basins along the new reservoir shoreline at 7,204 feet in elevation. The application states that these wetland basins would allow northern pike to enter these basins during “high shallow water”, but be trapped and prevented from escaping back into to reservoir basin once they have spawned.

When reservoir levels rise, northern pike and their offspring in the wetland basins will have access to the reservoir and an increased number of northern pike will have the potential to escape the reservoir.

Page 61 – States “In summary, the UYWCD believes that the current management practices utilized by the CDOW, which accept the existing populations of northern pike in the Stagecoach Reservoir and manage around this problem by stocking larger sport fish is probably the best potential solution to this problem.”

The Service fails to see that the current fishery management of the reservoir is a solution to the increase in northern pike spawning habitat.

Page 61 – States “also as documented in the USFWS’ report by Roehm (2004), potential problems of northern pike in the Yampa River above Hayden are of minor concern.”

This is not an accurate citation of the Roehm (2004) report. Endangered fishes do not occur above Hayden, so northern pike would not affect endangered fish above Hayden. The problem is that northern pike travel downstream into critical habitat and compete with and prey upon endangered fishes.

Page 69 – States “the net change in escapement is expected to be similar to present conditions and possibly a slight improvement.”

The Service is concerned about the present condition of northern pike escapement from the reservoir and its adverse affect on endangered fishes downstream. These effects to endangered fish from Stagecoach Reservoir were not anticipated or analyzed in the original Endangered Species Act consultation. Endangered Species Act regulations require reinitiation of formal consultation if new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered.

Also, with the increased pike spawning habitat created with the reservoir enlargement, the Service would anticipate an increase in the potential number of northern pike that could escape from the reservoir.

Page 69 – States “the mortality rate through the turbine should be the same for a given sized fish as there would be no changes to the turbine itself.”

It is unclear what the current mortality rate is through the turbine.

Page 73- States “no mitigation measures are proposed for entrainment because entrainment would not likely differ significantly with the reservoir increase.”

Mitigation measures should be proposed to address impacts to endangered species downstream.

Page 74 – States “the problem caused by northern pike can potentially be alleviated if their escapement from Stagecoach Reservoir to downstream waters can be controlled.”

The previous page just stated that no measures are being proposed to control northern pike escapement from the reservoir!

Page 74 – States “therefore, no mitigation measures for increased northern pike spawning habitat are proposed.”

Mitigation measures should be proposed to address this issue. As stated previously stated, the problem caused by northern pike can potentially be alleviated if their escapement from Stagecoach Reservoir to downstream waters can be controlled.

22 Feb 08

PZ2007-006

UPPER YAMPA WATER CONCERNANCY DISTRICT

PUD Amendment to raise spillway crest by 4 feet.

Applied: October 17, 2007

*Zone change
discipline of
land
see of Reservation*

1041 Regulations approved by BOC on October 15, 2007

W

**SECTION 7
PLANNED UNIT DEVELOPMENT**

7.1 PREREQUISITES:

Permission for Planned Unit Development (PUD) may be granted in the districts in which PUD is listed as a conditional use or a special use in this Resolution, and a development may proceed as a Planned Unit Development (PUD) in the districts in which PUD is listed as a use by right, provided that in any event, no development shall be considered for PUD without a minimum gross land area of 5 acres unless it has received second-level zoning for a Planned Unit Development as described in Section 4.15.4. (9-12-73)

The PUD, by allowing greater flexibility, will be able to accommodate imaginative ideas and development in site design without being restricted to customary "standard" regulations. **It is intended to promote a greater facility for open space, more functional and economical use of land and placement of structures in appropriate relationship to each other, to open space and to common facilities. (9-12-73)**

1041 AREAS AND ACTIVITIES OF STATE INTEREST

E. Exemptions

1. Statutory Exemptions. The provisions of these regulations shall not apply to any development in an Area of State Interest or any Activity of State Interest if any one of the following is true:
 - a. As of May 17, 1974,
 - i. The specific development or activity was covered by a current building permit issued by the County; or
 - ii. The specific development or activity was directly approved by the electorate of the state or the County, provided that approval by the electorate of any bond issue by itself shall not be construed as approval of the specific development or activity; or

Chad:

Regarding the Upper Yampa's PUD amendment, which specifically calls out increasing the crest of the dam at Stagecoach Reservoir by 4 feet. I have two questions at this point.

PUD: First, it seems to me that the technical and environmental issues associated with retrofitting a hydroelectric dam are well beyond the traditional practice or implementation of PUD. Although Routt County's zoning regulations require compliance with Chapters 5, 6, 8, and 9, it appears that only VVV would apply.

~~Sec. 5~~ ~~Performance Standards.~~
~~Sec. 6.~~ Mitigation
~~Sec. 8~~ ~~Specific Land Use Changes~~
~~Sec. 9~~ ~~Mining~~

1041: Does the Statutory Exemption below regarding activities in approved PUD's apply?

PZ2007-006
UPPER YAMPA WATER CONCERNANCY DISTRICT
PUD Amendment to raise spillway crest by 4 feet.
Applied: October 17, 2007

1041 Regulations approved by BOC on October 15, 2007

SECTION 7 PLANNED UNIT DEVELOPMENT

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The PUD, by allowing greater flexibility, will be able to accommodate imaginative ideas and development in site design without being restricted to customary "standard" regulations. ***It is intended to promote a greater facility for open space, more functional and***

- iii. The specific development or activity is to be on land which has been finally approved by the County for planned unit development or for a use substantially the same as a planned unit development; or
 - iv. The specific development or activity is to be on land which was either zoned or rezoned for the use contemplated by such specific development or activity; or
 - v. The specific development or activity is on land with respect to which a development plan has been conditionally or finally approved by the County.
2. Specific Exemptions. The provisions of these regulations shall not apply to any of the following:
- a. Replacement of an existing water diversion structure without change in the point of diversion or point of use of the water, or yield from the diversion.
 - b. Irrigation facilities used for agricultural purposes.

- Morrison Divide

- Wendy → ~~SSR~~
- Nathan -

404 -

FERC - Philip

COE - PRE Application

EPA - WQ & Wetlands

D.O.W ISSUES AT Tail Water
Fishery -

Sharp tail Grasses

Wetlands. - Anadromous
- Waterfowl Wetlands

Nov - Native P.Kc
increase Great breeding of P.Kc
occupant.

Need for project - what
is documented

- Strategic Planning

- Monitor creek reservoir

- Water depleted in reservoir

- State Parks

Don't know
Gowanus

404

**ROUTT COUNTY ATTORNEY'S OFFICE
MEMORANDUM**

TO: Chad Phillips
FROM: Ross Easterling *JE*
SUBJECT: John D. Merrill
Upper Yampa Water Conservancy District Stagecoach Dam
Expansion and the Application of 1041 Regulations
DATE: January 8, 2008

Question Presented: The Upper Yampa Water Conservancy District intends to expand the Stagecoach Reservoir by increasing the height of the dam by about four feet. The Stagecoach Reservoir and Park are zoned PUD and there is an approved PUD plan. The PUD zoning was established in 1987. The PUD plan was approved at the same time. [Ross is this true?] Routt County adopted 1041 Regulations in 2007. As required by the 1041 statute (C.R.S. Section 24-65.1-107) those regulations include an exemption for any development which, as of May 17, 1974, had been "conditionally or finally approved by the appropriate local government for planned unit development or for a use substantially the same as planned unit development." The question presented is whether this exemption applies to the proposed change in the reservoir described above.

Answer: Because the PUD for the reservoir and park were not in place as of May 17, 1974, the exemption does not apply.

**ROUTT COUNTY ATTORNEY'S OFFICE
MEMORANDUM**

TO: Chad Phillips
FROM: Ross Easterling 
SUBJECT: John D. Merrill
Upper Yampa Water Conservancy District Stagecoach Dam
Expansion and the Application of 1041 Regulations
DATE: January 9, 2008

Question Presented: The Upper Yampa Water Conservancy District intends to expand the Stagecoach Reservoir by increasing the height of the dam by about four feet. The Stagecoach Reservoir and Park are zoned OR and there is an approved PUD plan. The OR zoning was established in 1987. The PUD plan was approved at the same time. Routt County adopted 1041 Regulations in 2007. As required by the 1041 statute (C.R.S. Section 24-65.1-107) those regulations include an exemption for any development which, as of May 17, 1974, had been "conditionally or finally approved by the appropriate local government for planned unit development or for a use substantially the same as planned unit development." The question presented is whether this exemption applies to the proposed change in the reservoir described above.

Answer: Because the PUD for the reservoir and park were not in place as of May 17, 1974, the exemption does not apply.