COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: July 8, 2013
AGENDA NUMBER: 13
FILE NUMBER: 13-068
ITEM: Cleaning of CD 59-4, 59-4-B, 59-8 and 59-9

RECOMMENDATION: Approve with 4 Stipulations

APPLICANT: Matt Herbst and Mark Gagnon

PURPOSE: Maintenance of several branches of CD 59

LOCATION: Starting at the confluence of CD 59-4 and 59-4-B. Cleaning upstream on 59-4 to headwaters, upstream on 59-4-B to headwaters, Upstream from confluence with 59-4 on 59-8 approximately 1700’ and Upstream from confluence with 59-8 on CD 59-9 approximately 540’
APPLICABILITY:
1. Any work within or adjacent to a Public Ditch within the Watershed District.
2. The lands and water that have been, or may be covered by the regional flood.
3. Excavation or filling or a combination of excavation and filling of sand or other excavation or fill material including the laying, repairing, replacing or enlarging of a culvert or an underground pipe or facility where it crosses a public ditch or waters of the state.

EXHIBITS:
1. Permit application for Ditch Maintenance and Repair by Herbst and Gagnon dated 6-25-13, received 6-26-13

HISTORY & CONSIDERATIONS: This project has not been reviewed by the Board.

FINDINGS:
Ditches and Drainage: There is a public ditch on the property. The ditches are CD 59-4, 59-4-B, 59-8 and 59-9. The ditches were inspected in 2012. There are approximately 30 acres of existing agricultural land affected by this ditch. The trend in land use for this drainage area is toward open space and agriculture and residential. There are no flooding concerns downstream.

Floodplain: There is non-detailed Zone A floodplain on the property according to FEMA. The total floodplain impact is zero acre-feet, within the flood/fringeway. Compensatory storage is not needed.

Groundwater: Surficial ground water is present at an unknown elevation. The site does include groundwater sensitive areas. Information is not required to substantiate low floor elevations, no structures are proposed.

Historic Sites: The proposed project does not include sites of historic or archeological significance. The site is downstream from Pioneer Park.

Local Planning & Zoning: The proposed project is consistent with local planning and zoning. There is an approved local water plan.

Maintenance: The proposed project does include a ditch maintenance easement or utility line crossings which have been acknowledged by the applicant. No water quality features are required or proposed therefore a drainage and utility easement is not necessary. The application proposes no changes in drainage from the approved ditch plans. The applicant has written permission from property owners which work is proposed with the exception of 1.

Soils & Erosion Control: Soils affected by the proposal are Rifle. Stabilizing vegetation is proposed for disturbed areas within seven days of rough grading. Adjacent properties are protected from sediment deposition. Work adjacent to water conveyance
systems is protected from erosion. Project site is not greater than 1 acre; an NPDES permit is not required.

**Stormwater & Hydraulics:** The applicant is not required to meet the volume management practice equivalent to infiltrating the first inch of precipitation because no new impervious area is proposed. Stormwater leaving the site is discharged into a well defined receiving channel and routed to a public drainage system. Drainage sensitive uses do exist down stream from the proposed site. The rate of post development runoff from the site does not exceed predevelopment rates, or rates which would interfere with sensitive downstream land uses.

**Water Quality:** Project does not include new impervious drainage areas greater than 1 acre. The proposal will not detrimentally affect the existing water quality of the receiving water. The proposal will not cause extreme fluctuations of water levels or temperature changes.

**Wildlife:** The proposed project does include endangered & threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas, wildlife travel corridors. *Fimbristylis autumnalis*, a state species of special concern exists in a wetland at the headwaters of 59-9-A. No substantial adverse alteration or significant detrimental impact on a species food supply, security or reproductive cycle or the alteration or removal of a plant species will occur.

**Wetlands:** Wetlands do exist on-site according to the NWI and Soils Survey. The project is routine maintenance of the public ditch to the approved grades as provided via ditch plans and the CCWD engineer. The applicant has acknowledged that all spoil will be placed within 16.5’ of the top of ditch. This project proposes no wetland impacts.

**Escrows:** Escrows have not been paid.

**Performance Escrow:** $1500 + ($10 * 7120 lf of Ditch) = $72,700.00.

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<th>ISSUES/CONCERNS</th>
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<td>Maintenance: The applicant has written permission from property owners which work is proposed with the exception of 1.</td>
<td>Provide written permission from property owner at 12800 Coral Sea Street NE. If written permission cannot be obtained and provided this area is not to be maintained by the applicant.</td>
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**CONCLUSIONS:** The project does meet District standards. Maintenance issues need to be submitted prior to issuance of a permit.

**RECOMMENDATION:** Approve with 4 Stipulations

**Stipulations:**
1. Receipt of escrows.
2. Provide written permission from property owner at 12800 Coral Sea Street NE. If written permission cannot be obtained and provided this area is not to be maintained by the applicant.
3. CCWD Staff should be notified prior to start of construction.
4. CCWD Staff should be notified upon completion of each ditch segment to verify elevations and stabilization.