

Executive Summary

The 2013 flood along St. Vrain Creek left significant damage that will require both short-term and long-term solutions. A Stream Task Force consisting of State and Federal agencies was created to assist and advise landowners, communities, and other interested parties on such topics as technical information, permitting, funding, and design. The Task Force, however, does not have the authority or the ability to put the stream and its related infrastructure back into its pre-flood condition. Rather, they have stated that each affected landowner and the local communities are ultimately responsible for the short and long-term recovery of the creek. Therefore, property owners, water right owners, and ditch companies must deal with their individual lands and infrastructure.

A coordinate effort amongst all stakeholders along the St. Vrain is needed to ensure that this gets done as effectively and efficiently as possible. Because the stream is interconnected and flows across the land regardless of property boundaries or jurisdictions, what one person does on their property to fix their portion of the damage has the potential to affect or be affected by what others do to fix their section of the stream. Therefore, coordination is essential.

The St. Vrain Recovery and Restoration Team (R2T) is a potential solution to helping coordinate both the short-term recovery and the long-term restoration efforts throughout the entire creek corridor.

This document describes the basic organization and process that R2T will follow. The R2T will be comprised of and led by representatives from the city of Longmont, Boulder County, St. Vrain and Left Hand Water Conservancy District, and a local landowner. Each will provide representation for their specific constituents and interests. The group will meet regularly to get status updates, track progress, find and provide in-house or outside expert resources, and provide support to one another and other stakeholders for all stream recovery and restoration efforts along St. Vrain Creek. The team will also work with the community and stakeholders often to ensure all are on the same page and to make adjustments as necessary.

A number of tasks are laid out to begin this coordinated effort, as well as brief discussions of funding and potential pitfalls for the team.

Issue

This memo attempts to describe the details of St. Vrain Creek Recovery and Restoration Team. This information is intended to act as a straw man to be used for further discussions and should not be considered fait accompli.

Background

The Need

The 2013 Flood has created both short term and long term needs. Because there is limited federal, state or local responsibility to act to modify the post-flood stream condition, any such modification(s) will need to be addressed by affected property owners, water rights owners, and ditch companies (collectively “assistance group”). In addition, Boulder County, the City of Longmont, Town of Lyons, and the St. Vrain & Left Hand Water Conservancy District have significant interest in the restoration of the river to deliver water for agricultural and municipal purposes.

The property owners have the right, and perhaps the responsibility, to protect their property and improvements. The water rights owners have a similar right, specifically applicable to the diversion, headgate, delivery infrastructure and possibly the river itself. The ditch companies have a responsibility to their shareholders to maintain their systems and deliver their shareholders’ water for beneficial use.

Some entities/individuals within the assistance group have already repaired their damages. Others in the assistance group are actively (or within days of) conducting repairs. Others in the assistance group are still assessing the damage or initiating design or repair steps. Some in the assistance group are asking “who is going to fix this?” In the instances where rebuilding or repairs are complete or in the works, it’s not entirely known if those responsible consider them as permanent or temporary.

The assistance group’s rights are important and must be maintained. However, the scale of the flooding disaster and the interconnectivity of a living stream and associated ecosystem present some financial and interdependency challenges. For example, there can be instances of an individual effort to restore a segment of the stream that can then create problems downstream. Furthermore, the collective individual efforts may conflict with the long term vision of a holistic healthy riparian corridor and a stream system that will be better able to handle future floods. In addition, there are other impacted interest groups whose needs will have to be considered when moving forward with recovery and restoration of the stream corridor. To minimize these challenges and maximize limited resources, the idea of creating a local “River Recovery Team” was proposed based on a model that has been developed by the State.

On October 15, Sean Cronin (St. Vrain and Left Hand Water Conservancy District - SVLHWCD), Dale Rademacher (City of Longmont - Longmont) and Ron Stewart (Boulder County Parks and Open Space – BCPOS) met to discuss if coordination is: 1.) needed, 2.) necessary, and 3.) feasible. This group answered **yes** to the first two, and put the feasibility question off until further details are worked out.

The Stream Task Force

In response to the flooding State and Federal agencies created a stream task force (formerly the stream team). The stream task force is assembled to **help** communities **strategize** the rehabilitation of stream channels. The members of the task force can **advise** on all aspects of the rehabilitation process including:

- Assembling local stream coalitions
- Permitting
- Technical Assistance
- Funding
- Project Design, Prioritization, Implementation

The stream task force does this by advocating for master planning/conceptual design for river alignments, especially those with significant damage. The stream task force will message the **landowner is ultimately responsible for the river**, and they should be cognizant of the fact that discrete fixes do have the potential to damage downstream channel (property) owners. The stream task force is willing to work with those interested in a holistic approach to restoration, but their only regulatory authority is through permitting (USACE) and water rights issues (DWR).

According to the stream task force, it does **not have authority** to reconfigure stream channels and will **not be putting the streams back** the way they were. The stream task force is stating **these decisions should be made by local communities and affected land owners**.

St. Vrain Creek Recovery and Restoration Team

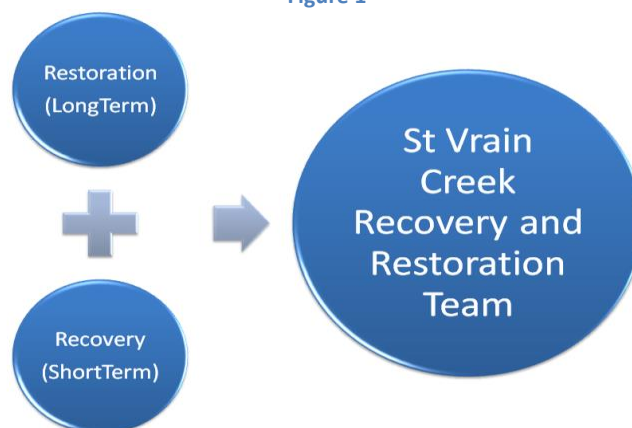
As the stream task force is not going to be taking an active role to address the “The Need” as described above, it will be up to “local community” to deal with this issue.

Dale and Ron asked that David Bell (BCPOS), Sean Cronin (SVLHWCD), and Ken Huson (Longmont) meet to further discuss if a local stream team is feasible. On October 16th, those three individuals, along with Dale Rademacher met to discuss what “local community” coordination might look like. This group came up with the concept for a St. Vrain Creek Recovery and Restoration Team (R2T).

Mission of the R2T

The mission of R2T would be to restore and recover the St. Vrain, for flood control and maintain the beneficial uses of existing municipal and agricultural water rights while protecting the ecological integrity of the stream, starting upstream of Lyons.

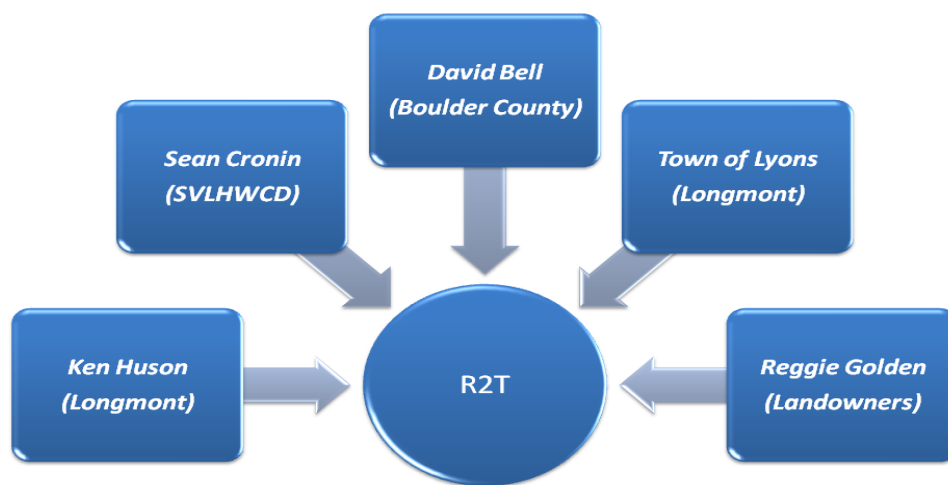
Figure 1



R2T Organizational Structure

The group thought it best to model R2T after a representative democracy, whereby the many stakeholder interests would be represented, but each and every interest would not actively participate regularly with R2T. If the representatives are strong and communicate effectively to their constituents, this model can work. However, this approach could risk the perception that not all interests have a voice at the table. This model does have the benefit of being more manageable and nimble. It's critical however, that the R2T representatives are somehow empowered to make decisions and act quickly. Figure 2 below is a possible starting place.

Figure 2 – R2T



R2T Process and Expertise

Because many of the short term and long term needs have significant consequences to several key stakeholders, it was determined that these groups would take the lead in coordinating an effort to restore the river.

Longmont: Municipal and agricultural water delivery, public utilities and flood control.

Boulder County: Owns and manages 4.68 miles of the St. Vrain River. Because of this substantial property ownership, it is important not only to meet the water delivery needs, but also to recognize and plan for the long-term restoration of the river.

SVLHWCD: Protecting the water rights of the users in the basin.

Landowners: This key group represents those individuals and businesses that are directly impacted by the current and future location and health of the river and do not have representation through ditch companies or one of the other groups at the table.

Lyons: Important “headwaters” stakeholder. Short on resources and may communicate through Longmont.

R2T proposes to meet weekly to begin the process of addressing “The Need”. R2T meetings will have minutes and be published on a website shortly after they are approved. R2T will appoint a chair to draft an agenda, run the meetings, and attempt to achieve group progress.

As issues arise, R2T will bring in specific expertise to assist with solving those issues. For example, if R2T has questions on environmental permitting it could call on the stream task force, or obtain advice from an environmental attorney, or consult directly with the Corps of Engineers. Similarly, the strength of R2T is that it has tremendous resources within the partner agencies of Longmont and the County.

The R2T appointee from each of those agencies will have the ability to bring in expertise from within the agency, as will other members who can identify and bring in similar expert resources. As can be seen in Figure 3 below, the City of Longmont has staff expertise in fundraising and R2T can rely on their in-house staff to support R2T in securing outside funding. Longmont however, may decide specialized expertise is necessary on river restoration issues, and if R2T is in need of that expertise, could request, for example, Longmont bring in an “Outsourced” consultant to advise R2T. Moreover, Longmont could solicit input directly or through the “Outsourced” firm to obtain additional expertise from “Stakeholders”. The decision on whom and when to bring in expertise will be done by general consensus of R2T. If successful, the manageable and nimble R2T can respond quickly, though has the depth of a much larger group.

Figure 3 - Example

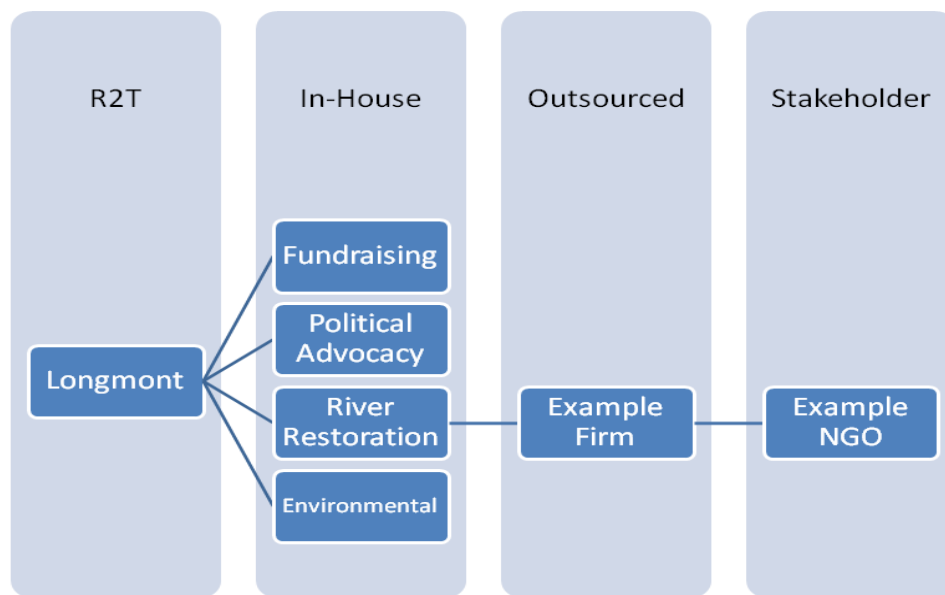


Figure 3 is for illustrative purposes. It may be that Political Advocacy, for example, is handled through Boulder County, all R2T governmental partner agencies collectively, or an unidentified third party [i.e. Colorado Water Congress]. The following were identified as expertise that need to either be directly part of R2T or as a resource provided in-house or hired on a case by case basis from the outside.

- Permitting
- Fundraising/Financing
- River Restoration
- Agriculture

- Natural Resources Conservation Service (NRCS)
- Public Outreach/Marketing/Communications
- Facilitation – both public meetings and possibly for R2T
- Volunteer Coordination
- Engineering
- Construction
- Environmental
- Political Advocacy
- Individual Land Owner
- GIS
- Industry/Business
- Corps of Engineers

It may be determined that these areas of expertise exist with the individual R2T appointees show in Figure 2. This however is something that will need to be discussed in more detail. Moreover, consideration for in-house capacity should be given; so that when the time comes to bring in expertise, it's not later determined that the availability of time, money or specific expertise is not available. There are pros and cons to outsourcing, R2T should discuss both and place a heavy emphasis on getting work done to a high level and in an expedited amount of time. For example, although the hiring of outside help may appear more costly, outside hired help can provide significant time savings.

R2T will gather (at least monthly until April 1, 2014, which is the beginning of the 2014 irrigation season, and then quarterly thereafter) the community and stakeholders to reassess "The Need" and report on progress.

Tasks/Work Items

As described in Figure 1, R2T will focus its efforts on the short-term recovery and long-term restoration. By necessity, this focus will have to be done concurrently. However, any short-term recovery work should be done knowing that the long-term restoration could change things such that the short term efforts will need to be redone or modified.

Task 1: It's clear to some on R2T that coordination is critical to success. Therefore, it is recommended that R2T discuss hiring a coordinator to keep R2T on task and shepherd this process along.

Task 2: The first step for both recovery (short-term) and restoration (long-term) is a damage assessment. It is likely the assessments are complete, but reside separately within each of the government agencies. Putting together one comprehensive assessment, tabular and spatial (map) is necessary. Once the assessment is compiled, R2T can begin prioritizing short term recovery activities to take place in 30, 60 and 90 days out until June 1.

Task 3: Identify priority projects and stream reaches. All activities that are determined to take place after 90 days, either because more time is necessary to study or implementation is not feasible prior to April 1, 2014, will be considered restoration or long-term activities. These activities will likely be related to stream restoration for flood control and riparian enhancement.

Task 4: R2T will begin immediately on the plan to implement the long-term restoration activities.

R2T Funding

R2T needs to be structured so that it can receive and distribute funds. The agencies would fund projects through their own budgeting process, but would be open to creative funding solutions if they were available and feasible.

R2T Potential Pitfalls

Some possible pitfalls to look out for:

Scope Creep – being all things to everyone.

No Authority – having property owner buy-in is critical.

Transparency – perception that R2T is making decisions (or plans) behind closed doors.

Funding – no money to be effective.

Burn Out – exclusively relying on in-house staff that are already overtaxed with flood response.

Paralysis by analysis – inordinate amount of time and resources on studying and evaluation activities.

Stakeholder involvement – insuring adequate involvement and opportunity to be involved.

Others - ???