

Park County Land & Water Trust Fund Application

[This application has been amended based on meetings with the Colorado Division of Water Resources on January 8th, the BOCC on January 15th, and the LWTF on February 5th)

GENERAL INFORMATION

Organization Name: Fire Adapted Bailey
Organization Type: 501(c)(3) EIN 82-5016282
Organization Address: P.O. Box 465, Pine CO 80470
Organization Phone: 303-838-9059

Contact Persons: John Van Doren & Robin Davis
Contact Title: Former President and Current Secretary/Treasurer
Contact Address: P.O. Box 465
Pine, CO 80470
Contact Cell Phones: 303-877-1447 John, (303) 883-8912 Robin

Project Name: Bailey Area – Water for Structure & Wildfire Suppression Study

PROJECT SCHEDULE

- 1) Start
- 2) Project Milestones
 - a) Catalog all Ponds with Fire Suppression Potential in the Platte Canyon and Elk Creek Fire Protection Districts within Park County (project geographic territory) [COMPLETE]
 - b) Coordinate with Park County GIS and the PCFPD to quantify what the impact of potentially losing these ponds would have on ISO ratings.
 - c) Identify those ponds in b) above that DO NOT have water rights (non-compliant ponds)[COMPLETE]
 - d) For those ponds that do not have water rights, calculate the surface areas and annual evaporation rates for each pond. [PARTIALLY COMPLETE]
 - e) Based on the annual evaporation rates determine the estimated augmentation costs to bring the ponds without water rights into legal compliance [PARTIALLY COMPLETE]
 - i) Obtain data from BOTH Mountain Mutual and HASP. Note: BOCC prefers Mountain Mutual because augmentation purchased via stock in MM becomes an asset rather than an expense, that can be sold or traded at a later date.
 - f) For the ponds that do not have water rights, determine which ponds qualify for the study based on the “Decision Tree” attached to this grant proposal. Note: Based on a preliminary review, for three of the ponds in the study (one in Woodside and two in Burland), a strategically placed cistern would be a better option than purchasing augmentation.
 - g) Engage contractor to assess each of the above ponds identified using the “Decision Tree” for additional upgrades required for compliance. At a minimum it is expected that these ponds will require the addition of a “staff gage” and an outlet gate valve.
 - h) Estimate the required engineering upgrade costs for each pond.

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- i) Engage legal counsel and notify the owners of all non-compliant ponds identified as eligible for the study using the “Decision Tree” and obtain Letters of Intent to pursue future LWTF grants to achieve compliance.
 - i) Dufford, Waldeck, Milburn & Krohn, L.L.P. have completed a conflict of interest survey based on the current list of property owners
 - j) Create a final project report compiling all of the above into a multi-year prioritized plan to bring all of the ponds (that make the decision tree cut) without rights into compliance. We will prioritize future expenditure and work by service area based on population served within each service area.
- 3) Study Completion: 6 months from date of award

PROJECT DESCRIPTION, SCOPE, & NATURE

- 1) SCOPE: To determine the financial resources required to secure, maintain and preserve fire suppression water resources that are critical to the protection of Bailey Area real property, infrastructure, viewsheds, wildlife habitat, and watersheds.
- 2) NEED: Legacy (non-compliant) fire suppression water resources in Front Range rural and mountain areas that have long been taken for granted are coming under increasing pressure from downstream senior water rights holders. Many of these legacy resources do not have legitimate rights and/or hold rights that are junior. Some of these front range resources are already being eliminated and drained (Clear Creek County). Losing these resources in the Bailey Area would greatly reduce our fire suppression capabilities, leaving our real property, infrastructure, viewsheds, wildlife habitat, and water sheds vulnerable to wildfires.
- 3) ALIGNMENT: The project aligns with the Land and Water Trust Fund to maintain “sources of water that are useful or potentially useful to support human or natural value...”
 - a. In addition, this project aligns with the Park County Community Wildfire Protection Plan (CWPP) which states that: *“The Bailey area is the largest area of high risk, in that it contains the largest population and amount of development in Park County. This area is located within, and adjacent to, heavily forested lands with a high fire occurrence history, including several large fires. The region has high values at risk, generally high fuels risk, and a high ignition risk. Large acreages of National Forest lands are also located here. “*
 - b. Natural values at risk include wildlife habitat, gold medal fishing along the North Fork of the South Platte, and viewsheds.
 - c. Other values at risk include insurability (ISO ratings), and any and all outdoor recreation resources north of Kenosha pass.
- 4) ROI: The ROI for this application and subsequent grant proposals stemming from the strategic plan developed by this “study” grant should be based on the potential avoided costs of a Bailey area wildfire. A reasonable baseline for that cost is the 15,000-acre El

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Paso County, Black Forest Fire which cost \$525.8 million including \$16.1 million in indirect costs to El Paso County. Given the estimated total cost to bring all 15 ponds into compliance the ROI for this project is potentially greater than 100:1.

- 5) SUPPORTING DOCUMENTS:
 - a. W.W. Wheeler & Associates Inc. proposal to evaluate each of the 15 ponds in the study for necessary engineering upgrades (gates, gages, etc.) and the estimated associated costs for those upgrades. Note: Based on our meeting with the BOCC, an estimated cost of \$2,500 per pond is added in the budget for bathometric survey to determine the total volume of water in each pond that makes the decision tree cut AND is determined to be useful for helicopter operations.
 - b. Maps of the Three PCFPD "Service Area".
 - c. Pond "Decision Tree" used to determine which ponds to include in the study.
- 6) PROPERTY OWNERS: There are 12 property owners associated with non-compliant ponds in the project. Some of these ponds will be eliminated via the "Decision Tree" selection process. For those ponds identified via the "Decision Tree" process, the owners will be contacted and asked to sign a Letter of Intent to participate in the project. In addition, those signing a Letter of Intent will also be asked to sign a Right to Enter Agreement to allow W.W. Wheeler Associates to access each property for the engineering evaluation. Property owner names who have signed a Letter of Intent will be revealed in the final report.
- 7) ROLE OF FIRE ADAPTED BAILEY: Fire Adapted Bailey is a Bailey area non-profit whose mission is to "reduce the inevitable impacts to our homes, businesses, schools, view sheds, infrastructure, and watersheds due to a major wildfire event". Our role in this project will be one of project manager and coordinator.
- 8) ACCESSABILITY TO THE PUBLIC: The county and local fire protection districts will have the right of access the water in each pond for fire suppression and/or helicopter water drop operations and for the installation of dry hydrants to service ground-based fire fighting vehicles.
- 9) RECOGNITION: This study project will be a high visibility project and attract a great deal of attention. Fire Adapted Bailey will use the Flume and social media to emphasize the importance of the LWTF to protect critical fire suppression water resources for the community.
- 10) BUDGET:

Sources of Funding Note: All in-kind funding will be in the form of labor @ \$100/hour	Status	Estimated current value of in-kind support	Estimated future value of in-kind support	LWTF Request	Total
Engineering				\$50,000	\$50,000
Legal				\$20,000	\$20,000

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PCFPD Pond review, evaluation, and prioritization	Partially Complete	\$2,000	\$2,000	\$0	\$4,000
Fire Adapted Bailey Pond survey, project management, final report	Partially Complete	\$2,000	\$2,000	\$4,000	\$8,000
CO Division of Water Resources Pond area calculations, water right review	Complete	\$4,000	\$0	\$0	\$4,000
DOLA Matching \$ Grant					(TBD)
TOTAL		\$8,000	\$4,000	\$74,000	\$86,000

11) EXPENSES:

Description	Dates to be Expended	LWTF Grant	Applicant In-Kind	Total
Engineering (W.W. Wheeler)	6 months from award	\$50,000	\$10,000	\$60,000
Legal Note (1)	6 months from award	\$20,000	\$0	\$20,000
Final Report & Plan, FAB	6 months from award	\$2,000	\$4,000	\$6,000
DOLA \$ Grant				(TBD)
Total Expenses		\$72,000	\$14,000	\$86,000

(1) Estimated legal expenses include a \$4,000 contingency

12) NARRATIVE: Of the 36 ponds with fire suppression potential identified in our initial survey, 15 of those ponds DO NOT have water rights according to a review by the CO Department of Natural Resources. The estimated augmentation cost for all 15 of these ponds is \$1.4-million dollars. However, it is expected that some of these ponds will be eliminated from the study based on the pond selection process described in the attached pond "Decision Tree".

- a. Woodside Area: This area consists of approximately 500 households with an estimated population of 1,200. There were 7 ponds identified in this service area. Four of those ponds DO NOT have water rights. Based on an initial review one of these ponds will probably be eliminated from the study. The estimated augmentation costs for the three remaining ponds is \$188K. Additional upgrade costs to bring these ponds into compliance are TBD.
- b. Burland/Roland Valley Area: This area consists of approximately 1,750 households with estimated population of 4,000. There were 7 ponds identified in this service area, including one of the ponds in the new Teachers Retreat. Six of these ponds DO NOT have water rights. None of the ponds within the Burland/Roland Valley have rights. Based on an initial review, two of these ponds will be eliminated from the study. The estimated augmentation costs for the

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remaining four ponds is \$566K. Additional upgrade costs to bring these ponds into compliance are TBD.

- c. CR43 Area: This area consists of approximately 2,500 households with an estimated population of 5,800. There were 12 ponds identified in this service area. Five of these ponds DO NOT have water rights. The estimated augmentation costs for these ponds is \$557K. Additional upgrade costs to bring these ponds into compliance are TDB.
 - d. Platte Canyon Area: This area is the private land area between Bailey and Kenosha Pass. We identified 8 ponds in this service area ALL of which have water rights.
- 13) FUTURE PURCHASE OF AUGMENTATION RIGHTS: Based on a Working Session with the Park County BOCC (January 15, 2020), it was agreed that the County would retain any water right and that best option for obtaining Augmentation for any pond would be through Mountain Mutual. The County's expenditure for Augmentation through Mountain Mutual would be in the form of shares in Mountain Mutual and would therefore be accounted for as an asset rather than as an expense.
- 14) FUTURE MATCHING FUNDS: Based on a January 8th meeting with the Anna Mauss, COO of the Colorado Water Conservation Board, engineering upgrades for ponds in the study meet the grant requirements and mission of their program.
- 15) CERTIFICATION: I, the undersigned certify that:
- a. We have been authorized by the organization named in this application to administer the Trust Fund Grant (if awarded);
 - b. All information contained in the application is true and accurate;
 - c. The LWTF investment will be recognized during the project and at its completion as agreed upon;
 - d. A final report, including a PPT presentation to the LWTF board, will be prepared and submitted to Park County for publication on its web site;
 - e. Report & presentation will be presented within 6 months of the scheduled finish date as stated above for the project described herein; and
 - f. All required reporting forms will be furnished in a timely manner to be considered for future funding.

Representing: Fire Adapted Bailey

Contact Persons: John Van Doren & Robin Davis

Contact Person Signature:



Date: April 13, 2020