WESTMINSTER

REVISED DRAFT ENVIRONMENTAL ASSESSMENT
WESTMINSTER BOULEVARD DRINKING WATER PROJECT
CITY OF WESTMINSTER, COLORADO

Prepared for—

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

On Behalf of—

City of Westminster
4800 W. 92nd Avenue
Westminster, Colorado 80031

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ACRONYMS AND ABBREVIATIONS

APCD ..... Air Pollution Control District
APE ..... Area of Potential Effect
APEN ..... Air Pollutant Emission Notice
AWWA ..... American Water Works Association
BGEPA ..... Bald and Golden Eagle Protection Act
BMP ..... best management practice
CC/C&S/CB&Q/BNSF ..... Colorado Central/Colorado & Southern/Chicago, Burlington & Quincy/Burlington Northern Santa Fe Railroad
CDOA ..... Colorado Department of Agriculture
CDNR ..... Colorado Department of Natural Resources
CDPHE ..... Colorado Department of Public Health and Environment
CDPS ..... Colorado Discharge Permit System
CEC ..... contaminants of emerging concern
CEQ ..... Council on Environmental Quality
CFR ..... Code of Federal Regulations
CGS ..... Colorado Geological Survey
City ..... City of Westminster
CO ..... carbon monoxide
CODEX ..... Conservation Data Explorer
CNHP ..... Colorado Natural Heritage Program
CPW ..... Colorado Parks and Wildlife
CWA ..... Clean Water Act
dB ..... decibel
dBA ..... A-weighted decibel
DBP ..... Disinfection By-Products
DWF ..... Drinking Water Facility
DWRF ..... Drinking Water Revolving Funds
EA ..... Environmental Assessment
EB ..... eastbound
EDR ..... Environmental Data Resources
EJ ..... environmental justice
EO ..... Executive Order
EPA ..... Environmental Protection Agency
ESA ..... Endangered Species Act
FEMA ..... Federal Emergency Management Agency
FFRMS ..... Federal Flood Risk Management Standards
FONSI ..... Finding of No Significant Impact
GLO ..... General Land Office
HAP ..... hazardous air pollutants

HDD ..... horizontal directional drilling
IPaC ..... Information, Planning, and Conservation System
KOP ..... key observation point
lf ..... linear feet
LOS ..... level of service
MBTA ..... Migratory Bird Treaty Act
µg/L ..... micrograms per liter
mg/L ..... milligrams per liter
MGD ..... million gallons per day
MHFD ..... Mile High Flood District
MSAT ..... mobile source air toxics
NA ..... not applicable
NAAQS ..... National Ambient Air Quality Standards
NB ..... northbound
NDA ..... non-disclosure agreement
NEPA ..... National Environmental Policy Act
NHD ..... National Hydrography Dataset
NHPA ..... National Historic Preservation Act
NO_2 ..... nitrogen dioxide
Northwest ..... Northwest Water Treatment Facility
NPDES ..... National Pollutant Discharge Elimination System
NRCS ..... Natural Resources Conservation Service
NRHP ..... National Register of Historic Places
NWI ..... National Wetlands Inventory
NWP ..... Nationwide Permit
O_3 ..... ozone
OAHP ..... Office of Archaeology and Historic Preservation
OHWM ..... ordinary high water mark
Pb ..... lead
PEM1A ..... Palustrine Emergent Persistent Temporarily Flooded
PEMA/C ..... Palustrine Emergent Temporarily Flooded/Seasonally Flooded
Phase 1 ESA ..... Phase 1 Environmental Site Assessment
PM_{10} ..... particulate matter less than or equal to 10 microns in diameter
$PM_{2.5}$ ..... fine particulate matter less than or equal to 2.5 microns in diameter
PSS ..... Palustrine Scrub Shrub
PUBGx ..... Palustrine Unconsolidated Bottom Intermittently Exposed Excavated
PUD ..... Planned Unit Development
R5UBH ..... Riverine Unknown Perennial Unconsolidated Bottom
REC ..... Resources of Environmental Concern
SB ..... southbound
SCADA ..... Supervisory Control and Data Aquisition

Semper.....Semper Water Treatment Facility
SHPO.....State Historic Preservation Officer
SO_2.....sulfur dioxide
SPCCP.....Spill Prevention, Control, and Countermeasure Plan
SVOC.....semi-volatile organic compounds
TIS.....Transportation Impact Study
TMDL.....total maximum daily load
USACE.....U.S. Army Corps of Engineers
USC.....U.S. Code
USCB.....U.S. Census Bureau
USFWS.....U.S. Fish and Wildlife Service
USGS.....U.S. Geological Survey
VOC.....volatile organic compound
WIFIA.....Water Infrastructure Finance and Innovation Act
WB.....westbound
WOUS.....waters of the U.S.
WQS.....water quality standards

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1. SUMMARY

1.1 Project Identification

Applicant: City of Westminster
Address: 4800 W. 92nd Avenue, Westminster, Colorado 80031
DWRF Project No: 142880D
WIFIA Project Control No: 21109CO

1.2 Contact Person

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1.3 Background

The City of Westminster (City) prepared a draft Environmental Assessment (EA) for the Westminster Boulevard Drinking Water Project that was circulated for a 30-day public review period from September 12 through October 12, 2023. The City also conducted a public meeting on October 5, 2023. Comments received during this initial public review period have been addressed in this document. Following the public review period, changes were made to the project design, including a new sanitary sewer line design and alignment, and the addition of a stormwater conveyance facility. These changes require new analysis and the disclosure of potential impacts; therefore, the City has prepared this revised draft EA for public review and comment.

1.4 Abstract

The City's Public Works and Utilities Department provides water service to all properties within the City's municipal boundaries. The City also provides water service to several Jefferson County enclave properties and the unincorporated community of Shaw Heights and is the primary drinking water provider through a wholesale contract for Federal Heights, Colorado (City of Westminster 2020). The City is proposing to construct the Westminster Boulevard Drinking Water Facility (DWF) in central Westminster (Figure 1-1). The proposed project, which would address aging infrastructure and potential source water quality challenges for the City, includes a (1) 14.7 million gallons per day (MGD) DWF, (2) water supply line to connect the facility to the City's existing raw water system, (3) finished waterline to connect the facility to the City's existing distribution system, (4) sanitary sewer line to convey domestic wastewater from the DWF, (5) stormwater detention and conveyance facilities, and (6) connections for supporting dry utilities (e.g., gas, electric, and communication). Construction of the water supply line is anticipated to occur from fall 2024 through summer 2025. Construction of the finished waterline is anticipated to occur from spring 2025 through spring 2026. Construction of the DWF is anticipated to occur from spring 2025 through summer 2028.

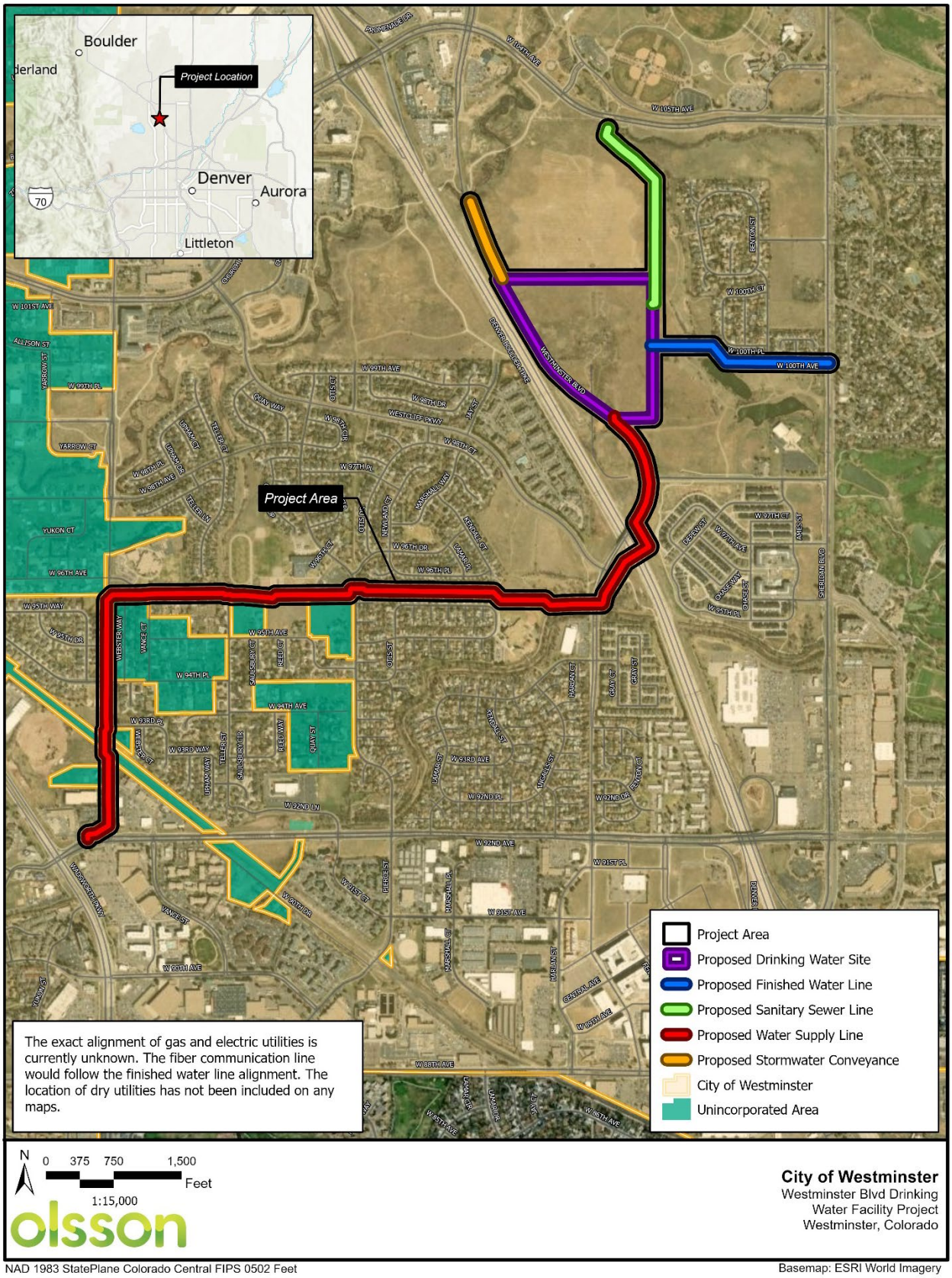

Figure 1-1. Project Area Map.

The total cost of the project is estimated to be between $196 million and $216 million contingent on funding availability to include intermediate ozone-biofiltration technologies into the treatment process. Intermediate ozone is estimated to cost approximately $20 million and is being offered as an add on bid alternate option. Using the upper bound project cost estimate of $216 million, funding for the project is anticipated to be a mix of grants (3 percent; $6.48 million), cash reserves (16 percent; $34.56 million), municipal bonds (27 percent; $58.32 million), Drinking Water Revolving Fund (DWRF) financing from the state (27 percent; loan amount $58.32 million), and Water Infrastructure Finance and Innovation Act (WIFIA) financing from the federal government (27 percent; loan amount $58.32 million). As design progresses, these costs and funding sources are subject to change.

The near- and long-term fiscal plan for the water utility currently includes up to 4.5 percent rate adjustments each year to support operation and maintenance of the system, current and future debt service obligations, and the defined 2024-2028 Capital Improvement Plan, including a new DWF and other important repair and replacement infrastructure projects.

1.5 Comment Period

This revised draft EA is being circulated for a 30-day public review period from January 30 through February 28, 2024. The revised draft EA is available online at www.westminsterco.gov/drinkingwaterproject. A hard copy is also available for review at the following locations:

City of Westminster
City Hall
4800 W. 92nd Avenue
Westminster, Colorado 80031

College Hill Public Library
3705 W. 112th Avenue
Westminster, Colorado 80031

During the public review period, comments from the general public as well as organizations and agencies on environmental issues may be submitted via email at waterfacilityproject@westminsterco.gov, online at www.westminsterdrinkingwaterfacility.com, or by U.S. mail to the following address:

Westminster Boulevard Drinking Water Project
C/O HDR
1670 Broadway, Ste. 3400
Denver, Colorado 80202

Upon completion of the public review period, a final EA will be prepared. It will include comments on the revised draft EA received during the public review period (refer to Section 6). Responses to significant environmental issues raised in those comments and any revisions to the revised draft EA made in response to public comments will also be included.

The final EA will be submitted to the Colorado Department of Public Health and Environment (CDPHE) for final review and processing. It is anticipated that CDPHE will issue a Finding of No Significant Impact (FONSI), which will be subject to a 30-day public review period.

2. PURPOSE AND NEED FOR ACTION

The purpose of the proposed project is to replace aging water infrastructure and address source water quality challenges. The City owns and operates two potable water treatment facilities that supply water to customers – the Semper Water Treatment Facility (Semper) and the Northwest Water Treatment Facility (Northwest). Semper is more than 50 years old with a significant number of assets at or beyond their predicted useful lives. Semper provides 75 percent of the City's water and is capable of treating 44 MGD using conventional filtration technology; however, it lacks the ability to address potential source water quality decline using the current treatment approach. Northwest is more than 20 years old and is capable of treating up to 15 MGD using membrane micro-filtration technology. Northwest provides the remaining 25 percent of the City's water.

The City's estimated maximum day potable demand at buildout (2040) is 43.4 MGD. The City's established reliability goal is that maximum daily potable water demand be met with the largest treatment train out of service. The City has also established water quality goals that meet or exceed the American Water Works Association's (AWWA) Partnership for Safe Water goals. The increasing frequency and severity of wildfires and other natural hazards have the potential to adversely impact water quality at Standley Lake, which currently provides 90 percent of the City's water supply, resulting in rising treatment challenges (City of Westminster 2019a). The City's existing DWFs (Semper and Northwest) do not have the firm capacity to meet the City's reliability goal without additional treatment capacity. Additionally, Semper cannot maintain high finished water quality during challenging conditions, such as runoff in the watershed after fires, using the current treatment approach.

The City is proposing to construct a new DWF on Westminster Boulevard that would address these shortfalls and allow the City to meet water demand reliability and water quality goals into the future and eventually replace Semper. The project would be a 14.7 MGD DWF with room for expansion in the future up to 44.1 MGD. The City's Master Plan, prepared in 2015, indicated the best value solution was the construction of a new DWF. The new DWF would allow the portions of Semper in the worst condition to be taken offline while portions of Semper with remaining life would continue to be used as long as is reasonable. New water supply and finished water lines and a sanitary sewer line would also be constructed as part of the project to tie in the new Westminster Boulevard DWF to the City's existing water and wastewater systems. The water lines would be sized to accommodate the near-term 14.7-MGD treatment capacity of the Westminster Boulevard DWF. Future need for treatment capacity expansions would also trigger the expansion of water supply, finished water, and sanitary sewer line connections. However, that work is not anticipated to begin until future buildout; future capacity sizing and associated costs are not included as part of this project.

The City's source waters are susceptible to water quality impacts from natural hazards, including the increased frequency and severity of droughts, floods, and upstream wildfires (City of Westminster 2019a). The design of the proposed Westminster Boulevard DWF considers this vulnerability and leaves space to incorporate innovative technologies that address source water quality concerns and emerging contaminants. The selected treatment process for the proposed Westminster Boulevard DWF would meet water quality goals for treatment during normal, challenging, and catastrophic raw water quality conditions at Standley Lake and would provide

protection against natural hazards and the associated impacts on source water quality into the future.

Water quality scenarios were established from representative historical conditions, flood events, drought, post-drought, “first flush” events, and from an analysis of post-wildfire water quality impacts from adjacent utilities. The parameter benchmarks for these scenarios are defined in the Basis of Design Report developed for the project (City of Westminster 2021a). The finished water quality goals were broken into two levels for different source water quality conditions, both of which meet current federal and state drinking water regulations. The catastrophic water quality condition is defined as ‘infrequent extreme weather events seen on less than a two-year basis or sometime in the future.’ If ‘infrequent extreme weather events’ become more frequent, the Level 2 water quality treatment goals for catastrophic watershed events would still meet state and federal drinking water regulations with the new DWF, including for disinfection by-products (DBP), inorganics, and radionuclides. The design for the proposed DWF considers anticipated future regulations, contaminants of emerging concern (CEC), and establishes goals to meet or be below potential maximum contaminant levels (City of Westminster 2021a).

The proposed Westminster Boulevard DWF is designed to balance cost and water quality performance. The incorporation of ozone-biofiltration technologies would provide a superior treatment approach that would improve the City’s adaptability to catastrophic source water quality conditions (CDM Smith 2021). Additionally, ozone and biofiltration technologies remove DBP precursors, which have been detected in Standley Lake, and have the capability to address cyanotoxins, toxins produced by cyanobacteria, from harmful algae blooms that are becoming increasingly common in Front Range reservoirs. Both DBP and cyanotoxins are emerging contaminants included on the Environmental Protection Agency’s (EPA) Contaminant Candidate List-5 chemical contaminants (EPA 2023a). Inclusion of intermediate ozone treatment processes in the design is contingent on funding availability and is currently being offered as a bid alternate option.

3. PROJECT SUMMARY

The proposed Westminster Boulevard DWF would address aging infrastructure and source water quality challenges for the City. The proposed 14.7-MGD DWF would use advanced technology to provide the City greater resiliency to address potential water quality challenges, flexibility to adapt to evolving regulatory standards, security to address future water shortages in water supply, space to accommodate the potential need for expansion and replacement in the future, and opportunities for environmental sustainability and resource stewardship. The following sections include a summary of the alternatives considered for the project and a detailed description of the proposed project and its estimated costs.

3.1 Alternatives Analysis

Several alternative analyses were conducted for the proposed project, including evaluation of potential DWF sites, treatment process train design options, water supply and finished water line alignment locations, and existing facility rehabilitation versus replacement. The following sections

summarize the no action alternative and the various siting and design alternatives considered for the project.

3.1.1 No Action Alternative

Description: Under the no action alternative, the City would not construct the Westminster Boulevard DWF and supporting utility infrastructure. Neither rehabilitation of Semper nor construction of a new process train at any location would occur, and Semper would continue to operate as-is.

Estimated Costs: The no action alternative was estimated to cost the City approximately $4 million per year in perpetuity to cover annual maintenance costs and needed repairs to continue operation at Semper.

Advantages and Disadvantages: The advantages of the no action alternative are that it is the least costly alternative and impacts associated with construction of a new DWF or rehabilitation of existing facilities would be avoided. Disadvantages are that the no action alternative would not address any of the identified Semper deficiencies, and the City would continue to operate its existing water treatment plants, which lack the firm capacity to meet the City's reliability goal without additional treatment capacity. The City's source water would remain susceptible to contamination from natural events and Semper would be unable to maintain high finished water quality during challenging conditions.

Conclusion: The no action was not selected as the recommended alternative as it does not meet the purpose and need of the project.

3.1.2 Westminster DWF Site Selection Alternatives Analysis

Description: After the City identified the need for a new DWF, a site selection alternatives analysis was conducted to evaluate sites suitable for construction of a new facility. The site selection process identified more than 50 sites for initial consideration using two criteria: a minimum area of 24 acres and locations outside the 100-year floodplain. The initial site list was narrowed to nine using three categories of evaluation criteria: community, engineering, and site characteristics. The next phase of the process further reduced the list to three recommended sites: the 98th Avenue and Westminster Boulevard location, a site between 108th Avenue and 106th Avenue, and a site near Ball Aerospace and Technologies Maintenance Building located on the northwest corner of Wadsworth Parkway and 108th Avenue (City of Westminster 2019b).

Estimated Costs: A life-cycle cost analysis was conducted for the three recommended sites. At the time of the analysis, capital costs, including treatment plant, waterline easement and construction, land acquisition and excavation costs, for developing on the 98th Avenue and Westminster Boulevard site were estimated to total $131,000,000. Capital costs for developing on the 108th Avenue and 106th Avenue were estimated to total $142,000,000, and capital costs for developing on the site near the Ball Aerospace and Technologies Maintenance Building were estimated to total $145,000,000.

Advantages and Disadvantages: Advantages and disadvantages of each potential site are summarized in the following bullets.

- **Site at 98th Avenue and Westminster Boulevard**: Advantages of this site include lower overall costs compared to the other site alternatives, this site would result in no impact to a critical community asset, such as parks, high value open space, prime commercial areas, residential areas, or schools, and it is compatible with surrounding existing and proposed development. Additionally, the site allows for gravity flow from the existing raw water system to the new DWF and would connect directly to a major collector, which would provide greater overall energy efficiency. Finally, no mitigation would be required for adjacency to a railroad or highway. Disadvantages include short-term and temporary impacts on the surrounding trail system, the potential to trigger street improvement requirements, and change in existing use for a portion of the site to be developed.
- **Site between 108th Avenue and 106th Avenue**: Advantages of this site include the potential for gravity flow to the site from Standley Lake and its compatibility with surrounding existing and proposed development. Disadvantages include its overlap with the Rocky Mountain Metropolitan Airport "Runway Approach Zone," impacts of proposed development on community assets, and change in existing use from dedicated open space.
- **Site near Ball Aerospace and Technologies Maintenance Building**: Advantages of this site include the potential for gravity flow to the site from Standley Lake, its compatibility with surrounding existing and proposed development, and the lack of impacts on open space. Disadvantages include its overlap with the Rocky Mountain Metropolitan Airport "Runway Approach Zone" and limited site access.

Conclusion: The 98th and Westminster Boulevard location was selected as the recommended site for the DWF.

3.1.3 Treatment Process Train Alternatives Analysis

Description: Selection of the most appropriate treatment process train for the new DWF involved several pre-design investigations. Based on those investigations, assessment of historical source water quality and treatment performance trends at Semper, and finished water quality goals, three treatment process train options were evaluated—conventional treatment, advanced ozone-biofiltration, and advanced ozone-biological activated carbon treatment (CDM Smith 2021).

Estimated Costs: A planning-level construction cost was prepared for each treatment process train alternative. At the time of development, for conventional treatment, there was an estimated construction planning cost of -15 percent to +20 percent (4 percent annual escalation), which would result in a total project cost between $141,800,000 and $200,200,000. The advanced ozone-biofiltration treatment alternative and advanced ozone-biological activated carbon treatment alternative had an estimated planning cost of -15 percent to +20 percent (4 percent annual escalation), resulting in a total estimated cost between $155,200,000 and $219,200,000. The cost of the advanced ozone-biological activated carbon treatment alternative would be slightly higher than that of the anthracite/sand filter media configuration due to the cost of granulated activated carbon.

Advantages and Disadvantages: Treatment process train option advantages and disadvantages are summarized in the following bullets.

- **Conventional treatment**: Advantages include a lower carbon footprint and the lowest capital costs. Disadvantages include fewer treatment options to meet water quality goals and no effective treatment for CECs.
- **Advanced ozone-biofiltration treatment**: Advantages include an ability to treat catastrophic raw water quality conditions and CECs. Disadvantages include a higher capital cost and a higher carbon footprint than conventional treatment.
- **Advanced ozone-biological activated carbon treatment**: Advantages include an ability to treat catastrophic raw water quality conditions and CECs. Disadvantages include a higher capital cost and the highest carbon footprint compared to the other two alternatives.

Conclusion: The advanced ozone-biofiltration option was selected as the recommended treatment process train based on the evaluation of process train design alternatives, results of pilot testing and desktop report assessments, and input from the City.

3.1.4 Water Supply and Finished Water Line Alignment Alternatives Analysis

Description: Route alternatives were considered for both the water supply and finished water lines that would be constructed to connect the new DWF to the City's existing system. Eight preliminary conceptual route alternatives were considered for the water supply line. Four were eliminated during an initial evaluation (Tier I), and the four remaining were evaluated using a paired comparison analysis that considered non-monetary factors to weigh competing interests (Tier 2). The paired comparison analysis resulted in two recommended routes for the water supply line alignment, the Old Wadsworth Boulevard route and the Farmers High Line Canal BNSF route (Burns and McDonnell 2021a).

Two route alternatives were considered for the finished waterline to connect the new DWF to the City's existing system. The first alternative would connect to the transmission main at Sheridan Boulevard and 100th Avenue, and the second alternative would connect at Sheridan Boulevard and 98th Avenue (HDR 2022).

Estimated Costs: Cost estimates were not included in the alternatives analysis for the water supply and finished water line routes. Cost estimates for the selected routes are ongoing.

Advantages and Disadvantages: Water supply and finished water line alignment advantages and disadvantages are summarized below.

- **Water Supply Line**: The Old Wadsworth Boulevard route would convey the required water supply flow by gravity. In addition, it would provide the best connection location that would provide the opportunity to connect the new water supply line extension to the existing Standley Lake water supply lines, all while avoiding a hot tap or removal and replacement of a section of pre-stressed concrete cylinder pipe. The Farmers High Line Canal and BNSF route would convey the required water supply flow by gravity. However, it would not provide the same opportunities for connection to the existing water supply system as the other alternative.
- **Finished Waterline**: The route that connects to the transmission main at Sheridan Boulevard and 100th Avenue would be significantly shorter than the Sheridan Boulevard

and 98th Avenue route and therefore more affordable and least environmentally impactful. Neither finished waterline route would significantly impact the water distribution system, nor result in plant flows from Semper and the new DWF that would be significantly different from each other.

Conclusion: The Old Wadsworth Boulevard route was selected as the recommended water supply line alignment, and the 100th Avenue route was selected as the recommended finished waterline alignment.

3.1.5 Semper Rehabilitation versus Rebuild Evaluation

Description: In early 2023, the City, by direction of City Council, conducted a feasibility study to evaluate options for the rehabilitation or rebuild of Semper based on cost, risks/benefits, and the ability to meet water demands in the future. The following four options were considered in the study: rehabilitate Semper, rebuild Semper using alternate land, rebuild Semper on adjacent MSC, Inc. land, and construct a new DWF on the Westminster Boulevard site (City of Westminster 2023a).

Estimated Costs: The feasibility study presented a comparison of costs associated with each option. At the time of the estimate, costs to rehabilitate Semper were estimated to be $172,000,000, while rebuilding Semper on an alternate or adjacent site were estimated to be between $201,000,000 an $286,000,000. Construction of a new DWF at the 98th Avenue and Westminster Boulevard site was estimated to cost $196,000,000 without ozone treatment. A bid alternate option to include intermediate ozone biofiltration technologies is estimated to add approximately $20,000,000 to the total project cost.

Advantages and Disadvantages: Rehabilitation, rebuild, and new build option advantages and disadvantages are summarized below.

- **Rehabilitate Semper**: Advantages include utilizing remaining value in Semper while mitigating the most critical risks associated with reliability and quality. Disadvantages include limited ability to treat catastrophic raw water quality conditions and no space for expansion or future treatment processes.
- **Rebuild Semper on alternate land**: Advantages include using most of the remaining value in Semper. Disadvantages include land acquisition and less organized treatment infrastructure.
- **Rebuild Semper on adjacent MSC, Inc. land**: Advantages include using most of the remaining value in Semper. Disadvantages include extending the water supply and finished water lines and land acquisition.
- **New Westminster Boulevard DWF**: Advantages include using most of the remaining value in Semper and land acquisition was completed in 2023. Disadvantages include the need to extend the water supply and finished water lines.

Conclusion: Constructing a new Westminster Boulevard DWF was selected as the recommended alternative.

3.2 Proposed Project

The proposed project includes construction of a new DWF, water supply line, finished waterline, sanitary sewer line, stormwater detention and conveyance facilities, and dry utilities. Each of these project components is described below, followed by detailed treatment process information, and estimated project costs.

3.2.1 Project Components

Drinking Water Facility. The Westminster Boulevard DWF would utilize conventional pre-treatment (rapid mixing, flocculation, high-rate sedimentation) and the following advanced treatment technologies: ozone-enhanced biological dual-media filtration, intermediate (settled water) ozone oxidation and disinfection, and a redundant multi-barrier chlorine disinfection system in a finished water storage tank. The DWF would be sized for 14.7 MGD to serve the City and its customers through 2040, improve drinking water quality, and reduce rising annual maintenance costs of Semper, which are currently projected at $4 million per year. When Semper is retired, the Westminster Boulevard DWF may be expanded (up to 44.1 MGD) to continue serving residents beyond 2040. Figure 3-1 includes a preliminary site layout plan of the proposed DWF, and specific treatment process details are included in Section 3.2.2.

Water Supply Line. Approximately 11,000 linear feet (lf) of 36-inch diameter steel pipe and related appurtenances would be installed to connect the City's existing raw water system to the proposed DWF. There are no planned changes to the water intake locations and the water supply line would connect to the City's existing system near the intersection of (old) Wadsworth Boulevard and 92nd Avenue.

Finished Waterline. Approximately 2,000 lf of 30-inch diameter pipe would be installed to connect the proposed DWF to the City's existing watermain along Sheridan Boulevard. The water produced at the proposed DWF would be conveyed directly to the City's distribution system.

Sanitary Sewer Line. Approximately 2,200 lf of gravity sewer main would be installed to convey domestic wastewater from the DWF to the City's Big Dry Creek wastewater collection system. The sanitary sewer would be located west of South Hylands Creek and would connect to an existing sanitary sewer main near W. 104th Avenue. No lift stations or force mains are currently anticipated with this design, but exact alignment and connection points will be determined during final design.

Stormwater Detention and Conveyance. A full-spectrum detention basin, designed to current Mile High Flood District (MHFD) standards, would be located in the northwest corner of the DWF site to collect and treat stormwater and manage peak flows. Stormwater conveyance to the proposed basin would consist of high-density polyethylene piping and disconnected swales to provide additional water quality and peak reduction. Discharge from the basin would exit the site at the northwest corner maintaining existing drainage patterns and peak flows to not impact the existing stormwater conveyance along Westminster Boulevard. Because existing drainage patterns would be maintained, no additional offsite improvements are anticipated for drainage. Planting requirements would follow MHFD standards and would be designed by a registered landscape architect in the state of Colorado.

Dry Utilities. Dry utilities that would be provided to the DWF site include natural gas, electrical service, and radio and fiber optic communications. A fiber optic communication line (approximately 2,000 lf) would follow a similar alignment as the finished waterline. Radio communications between the proposed DWF and the City's utility and water resources field stations would be established. This would include routing of the Supervisory Control and Data Acquisition (SCADA) communications link, which would provide fully looped communications to the proposed DWF. In addition, electrical and natural gas service would be coordinated through the respective utility provider. The exact location of the dry utilities will be determined during final design.

3.2.2 DWF Treatment Process Details

The proposed DWF includes: three-stage rapid mixing, three-stage flocculation, high-rate inclined plate settling, intermediate ozonation (bid alternate), and filtration with biologically active anthracite/sand filters. It would take a multi-barrier disinfection strategy approach to treatment. This strategy relies on three treatment barriers—ozone, filtration, and chlorination—for removal or inactivation of regulated pathogens in drinking water. During normal operation, ozone would receive primary disinfection credit from CDPHE. Should the ozone process be excluded from design or be unable to achieve the requirements at any time, chlorine disinfection in the finished water storage tank would continue to meet CDPHE regulatory disinfection requirements.

Rapid mixing is the first step in the treatment process. The rapid mix process is divided into three separate steps: pre-oxidation with sodium permanganate, coagulation with ferric chloride, and pH/alkalinity adjustments using hydrated lime. The next step is flocculation, which uses gentle mixing to create floc particles that settle by gravity during sedimentation. There are three stages of flocculation, and each has baffling and a mixer. Following flocculation, the next step is sedimentation, which separates and removes flocculation particles from the water. Each basin would be rated for 15.7 MGD and would have inclined plate settlers and solids collectors.

If intermediate ozone is included in the design, it would provide primary disinfection, oxidation, and enhancements for downstream biological filtration following the pretreatment process described above. The system would include ozone generation with liquid oxygen and a post-clarification contacting basin. Major equipment components that would be included with intermediate ozone are an oxygen feed gas system, ozone generation system, ozone dissolution system, and an ozone off-gas destruct system. The bid alternate intermediate ozone process would be designed to meet contact time requirements for 2 log virus inactivation and 1 log giardia inactivation. To meet the requirements, the ozone system would be designed for ozone doses of 1.5 milligrams per liter (mg/L). The contact basin would be designed for a disinfection contact time (T10 value) of six minutes at design flow. A serpentine baffled contactor arrangement would be used to improve plug-flow hydraulic conditions through the contactor to achieve a baffle factor of 0.65 and hydraulic detention time up to 10 minutes. The ozone process would be used year-round as a primary disinfection process to meet the disinfection goals of the multi-barrier disinfection strategy. After ozone, biologically active filters would remove particles, dissolved organic matter, and turbidity from the clarified water through biodegradation, adsorption, and filtration. The proposed DWF would use ozone-enhanced biological dual-media filtration with 48 inches of anthracite over 12 inches of sand filter material.

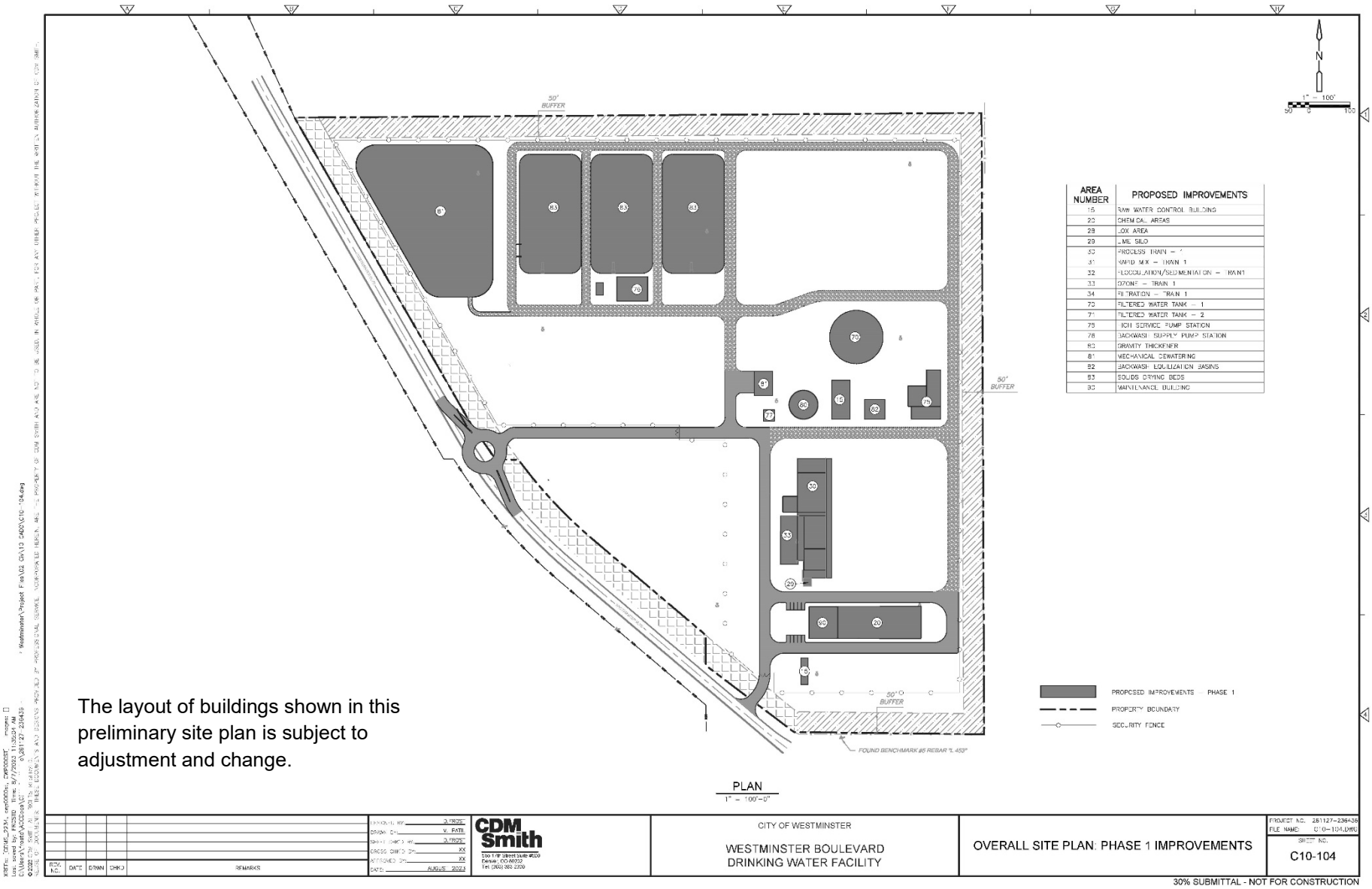

Figure 3-1. Drinking Water Facility Preliminary Site Plan.

The biofiltration process is designed and operated to achieve filtered water turbidities less than 0.1 nephelometric turbidity units for individual filter effluent and combined filter effluent 95 percent of the time; consistent with voluntary AWWA Partnership for Safe Water treatment goals and historical filtered water turbidity trends at Semper. These turbidity targets would provide 3 log cryptosporidium, 2.5 log giardia, and 2 log virus removal credits. The biofiltration process would include four filters with a pipe gallery located within the footprint of the advanced treatment module, downstream of the intermediate ozone contactor.

The post-filter chlorine disinfection process is designed to meet the contact time requirements for 0.5-log giardia inactivation and 4-log virus inactivation. To meet these requirements, the chlorine feed system would be designed to deliver a chlorine residual of 1.4 mg/L for a contact time (T10) of 31 minutes. This is designed to meet the required chlorine contact time (CT) of 43 mg-min/L.

3.2.3 Project Costs

Costs to construct the proposed project are estimated to be $216 million. A cost breakdown by project component is provided in Table 3-1. Costs associated with dry utilities (natural gas, electricity, and radio and fiber communications) are not reflected in the table below as they will be absorbed by others.

Table 3-1. Estimated Project Costs.

Project Component	Estimated Cost
Land Acquisition	$31 million
Westminster Boulevard DWF	$140 million
Intermediate Ozone Treatment for Emerging Contaminants (Bid Alternate)	$20 million
Water Supply, Finished Water, and Sewer Lines	$25 million
Total	**$216 million**

4. AFFECTED ENVIRONMENT

4.1 Description of the Planning Area

Westminster is located between the cities of Boulder and Denver, in the northwest quadrant of the Denver metropolitan area in Colorado. The City encompasses 34 square miles and is located within both Jefferson and Adams counties.

The planning area (Figure 4-1) for this project consists of the City's water service area, which includes all properties within the City's municipal boundaries. The City also provides water service to several Jefferson County enclave properties and the unincorporated community of Shaw Heights and is the primary drinking water provider through a wholesale contract for Federal Heights, Colorado.

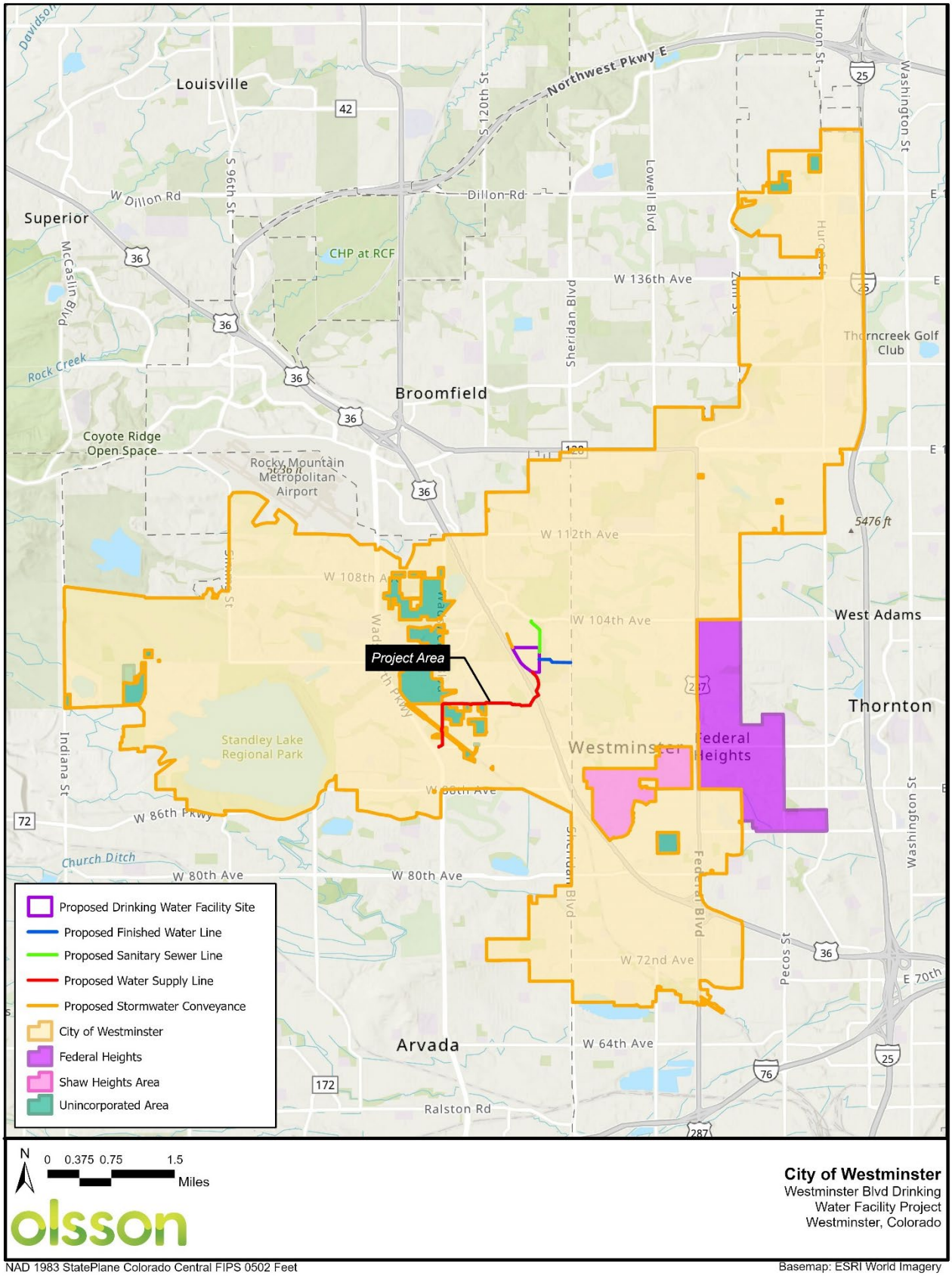

Figure 4-1. Planning Area Map.

4.2 Population and Flow Projections

The City's growth and land use patterns have been influenced by the natural features of the Front Range, constrained by abutting political boundaries, and organized by transportation infrastructure. As such, there are limited opportunities for future annexation into the City and buildout within the City is anticipated to occur by 2040 (City of Westminster 2023b). The current system population is approximately 113,200 with an estimated population growth rate of 0.58 based on 2040 population projections from the City's recently updated (2023) Comprehensive and Water Supply plans. Potable water demands are anticipated to increase up to 43.4 MGD as the City reaches buildout. The City's existing DWFs (Semper and Northwest) do not meet the City's established potable water demand reliability goals. The proposed Westminster Boulevard DWF would be designed to accommodate development in the area through 2040, would have the capability to meet or exceed established water demand reliability and water quality goals, and would have room to expand in size and capacity in the future, as needed, up to 44.1 MGD. The proposed Westminster Boulevard DWF and associated water lines would be sized to accommodate the near-term 14.7-MGD capacity with room for future expansion to accommodate a DWF capacity of up to 44.1 MGD.

5. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

This section describes the environmental resources and conditions most likely to be affected by the proposed project and provides information to serve as a baseline from which to identify and evaluate potential environmental and socioeconomic impacts that could result from the project. Baseline conditions represent current conditions. In compliance with the National Environmental Policy Act (NEPA) and Council on Environmental Quality (CEQ) guidelines, as amended, the description of the affected environment focuses on those resources and conditions potentially subject to direct or secondary impacts.

5.1 Direct and Secondary Impacts

Construction of the Westminster Boulevard DWF Project may have direct impacts from facility construction and secondary and cumulative impacts from future development within the service area. Secondary impacts are those induced or stimulated by, or as a result of, the proposed action. These can include cumulative, social and land use impacts, among others. Cumulative impacts are the collective incremental impacts of the proposed action regardless of the entity undertaking the action. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. From the characteristics of the proposed project, and descriptive elements of the environmental setting, probable impacts are direct and/or secondary.

Potential secondary and cumulative impacts to the environment from new development, such as increased quantity and decreased quality of urban runoff, degradation of wetland and wildlife habitat, and increased air pollution and noise are likely to affect the planning area. Some of the more specific impacts are as follows:

5.1.1 Surface Water and Groundwater Quality and Quantity

Surface and groundwater resources in the vicinity of the project are shown on Figure 5-1. Wetlands occurring in the project area are described in Section 5.1.2. The project area is located within the Big Dry Creek Watershed, which is tributary to the South Platte River and its basin. There are no surface water resources within the boundary of the proposed DWF site. South Hylands Creek and Hyland Pond are crossed by or adjacent to the finished water, fiber optic, and sanitary sewer lines, and the stormwater conveyance facility will outfall into Big Dry Creek. Other surface water resources proximate to the project area include one wetland, three ephemeral streams, and one roadside ditch adjacent to the water supply line alignment.

Standley Lake is the primary drinking water supply for the City and would serve as the primary raw water supply for the proposed DWF. Standley Lake is mainly supplied by Clear Creek, which receives snowmelt from the watershed and transports the snowmelt to Standley Lake via three separate canals: Church Ditch, Farmers' High Line Canal, and Croke Canal. The raw water is generally high quality, with significant variation across parameters throughout the year. The average manganese concentration exceeds the secondary maximum contaminant limit and the maximum influent target concentration of 0.05 milligrams per liter (mg/L) for membrane filtration (City of Westminster 2019a). The maximum concentration of iron is consistently below the EPA's secondary maximum contaminant level. Turbidity and total organic carbon are relatively low, and alkalinity is very consistent. The water quality at Standley Lake is variable and can be influenced by spring runoff, nutrient inputs, reservoir operations, and issues within the basin such as forest fires (City of Westminster 2019a).

Every two years, the Clean Water Act (CWA) requires states to publish an updated list of water bodies that are not meeting their beneficial uses because of excess pollutants; these pollutants can be naturally occurring or a result of human activity. The list, known as the EPA Section 303(d) list, is based on violations of water quality standards and is organized by watersheds, which are further divided into stream segments. Colorado Regulation Number 93 satisfies the federal requirements of Section 303(d) reporting and CDPHE assigns total maximum daily loads (TMDL) to these impaired segments, which accelerates their clean-up.

There are currently two tributaries to Standley Lake that are on the 2022 303(d) list of impaired waters: Big Dry Creek (COSPBD01_A) and Woman and Walnut Creeks (COSPBD04a_A), including an *Escherichia Coli* (*E. coli*) TMDL for the impaired segments of Big Dry Creek (CDPHE 2022). The project area does not include any surface water listed on the states 303(d) list of impaired waters (CDPHE 2022); however, the stormwater conveyance facility would discharge into the impaired segment of Big Dry Creek.

The project area overlies the Denver Basin aquifer, which is a 600- to 1,100-foot-thick sequence of moderately consolidated, interbedded shale, claystone, siltstone, and sandstone, in which coal and fossilized plant remains are common. Water-yielding layers of sandstone and siltstone occur in poorly defined irregular beds that are dispersed within relatively thick sequences of claystone and shale. Individual sandstone and siltstone layers commonly are lens-shaped and range in thickness from a few inches to as much as 50 feet. Although the Denver aquifer yields usable

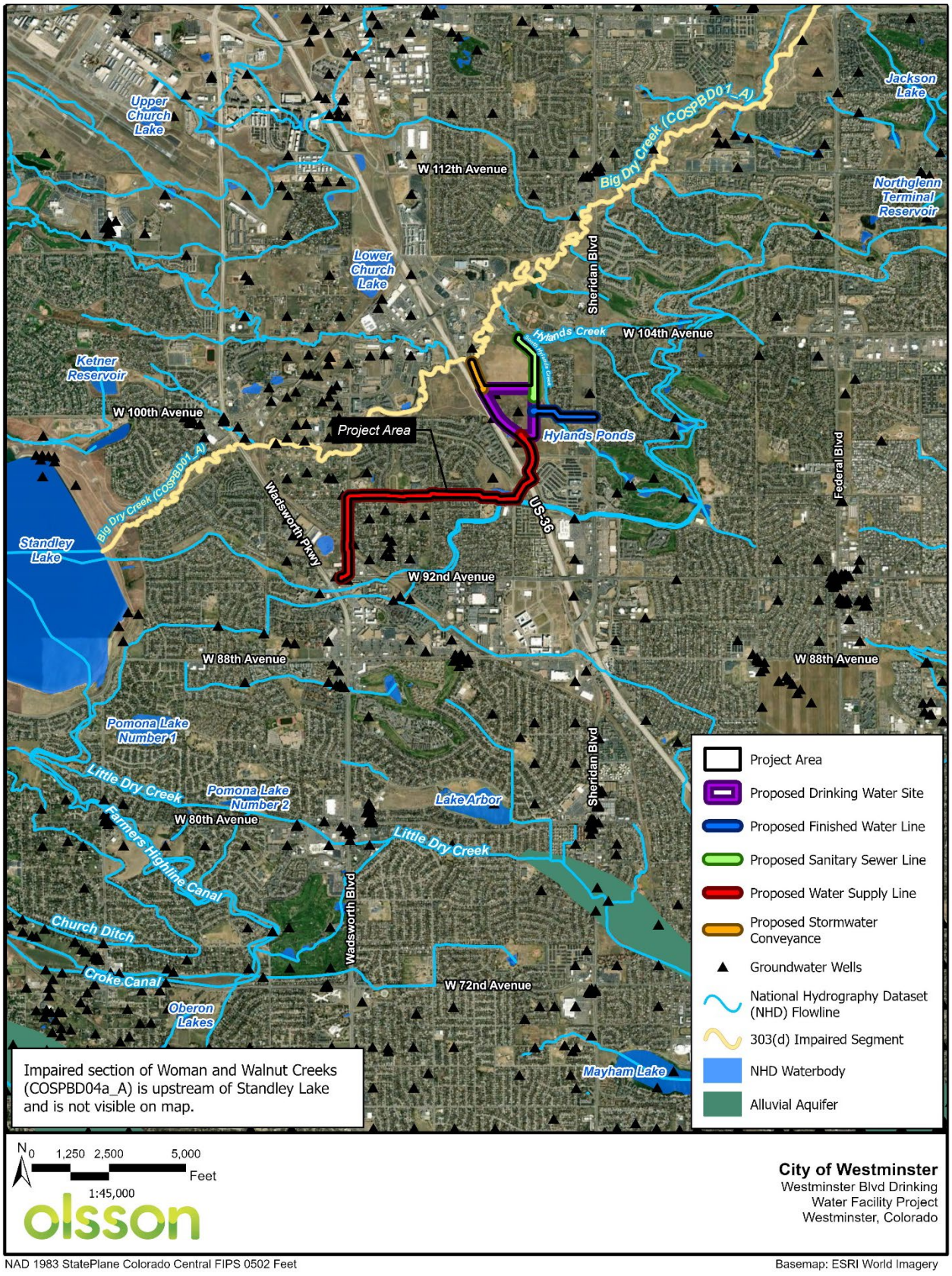

Figure 5-1. Water Resources within the Project Area.

quantities of water to wells, claystone and shale are prevalent in this unit and tend to form a leaky confining layer between the overlying Dawson aquifer and the underlying Arapahoe aquifer. Soils and surficial materials in the Denver Basin typically are sufficiently permeable to allow percolation into underlying bedrock aquifers (USGS 2023a).

Water quality in the Denver aquifer meets drinking water standards established by the EPA for public water supplies. It generally contains about 100 to 1,000 milligrams per liter of dissolved solids and is a calcium bicarbonate type near the center of the aquifer and a sodium bicarbonate or sodium sulfate type near the margins of the aquifer. As the calcium bicarbonate water moves through the Denver and underlying aquifers, the water is naturally softened by cation exchange of calcium ions for sodium ions on the surface of clay minerals in the formations. This cation exchange process increases the dissolved-sodium concentration in the water while decreasing the dissolved calcium concentration. As a result, water in the Denver Basin aquifers generally is softer at greater depth (USGS 2023a).

There are no sole source aquifers in the vicinity of the project or within the state of Colorado (EPA 2019).

Several groundwater wells are located in the vicinity of the project (Figure 5-1). All of the wells are identified as monitoring/sampling wells, with the exception of one that is identified as a domestic well. During geotechnical investigations for the DWF site, monitoring wells were installed to allow for periodic monitoring of groundwater levels and quality across the site. The most recent groundwater level and quality monitoring event was conducted in December 2023 (final of four events). Recorded groundwater levels during the monitoring events are shown in Table 5-1.

Table 5-1. Recorded Groundwater Levels.

Well ID	Date	Water Level (feet below top of casing)	Groundwater Elevation (feet)
B-1 (downgradient well)	11/30/2021	12.07	5,321.93
	6/8/2023	11.70	5,322.30
	9/12/2023	11.57	5,322.43
	12/7/2023	11.53	5,322.47
B-12 (upgradient well)	11/30/2021	21.30	5,351.70
	6/8/2023	25.70	5,347.30
	9/12/2023	24.53	5,348.47
	12/7/2023	24.43	5,348.57

Source: Olsson 2024

The water quality laboratory results were compared to the Colorado Discharge Permit System (CDPS) General Permit COG317000 for Discharges from Short-Term Remediation Activities and CDPS General Permit COG318000 for Discharges from Long-Term Remediation Activities water quality standards (WQS) for metals. The concentration of total manganese was reported at 926 micrograms per liter (µg/L) in B-1, which is higher than the chronic WQS of 125 µg/L. Additionally, the concentration of potentially dissolved uranium was reported at 37.7 µg/L in B-1, which is above the chronic WQS of 30 µg/L. The concentration of dissolved iron was reported at 397 µg/L in B-12, which is above the chronic WQS of 300 µg/L. Additionally, the concentration of total iron was reported at 3,620 µg/L in B-1 and 1,810 µg/L in B-12, which are both above the chronic WQS of

1,000 µg/L. No other metal concentrations were reported above the established WQS (Olsson 2024).

Volatile organic compounds (VOC) and semi-volatile organic compounds (SVOC) were compared to the CDPHE Regulation 41 for Groundwater Quality Standards. The laboratory reported that no VOCs were detected at or above the laboratory reporting limits in monitoring wells B-1 and B-12. The laboratory reported concentrations of diethyl phthalate at 0.861 µg/L in B-1 and 0.693 µg/L in B-12. There is no established standard for diethyl phthalate. All other SVOCs were not detected at or above the laboratory reporting limit (Olsson 2024).

Impacts. No surface water resources were identified within the boundaries of the DWF site; therefore, no impacts to surface water resources are anticipated at this location.

Surface water features adjacent to the water supply line alignment include one wetland, three ephemeral streams, and one roadside ditch. The current design of the water supply line avoids impacts to surface water features and no temporary or permanent impacts to surface water features are anticipated. The identified adjacent surface water features will be flagged for avoidance during construction.

The finished water and fiber communication line alignments would cross South Hylands Creek and would be installed using one of two methods—horizontal directional drilling (HDD or boring) or open cut trenching. If HDD is used to bore under South Hylands Creek, no temporary or permanent impacts to surface waters would occur. If open cut trenching is used to cross South Hylands Creek, this would result in temporary impacts to surface waters; however, no permanent impacts would occur. If the open cut trenching method is used, a CWA Section 404 Permit from the U.S. Army Corps of Engineers (USACE) would be required. As currently preliminarily designed, the proposed finished waterline would likely be authorized under Nationwide Permit (NWP) 58, which includes utility line activities for water and other substances. The proposed fiber communication line would likely be authorized under NWP 57, which includes electric utility lines and telecommunications activities. In addition, the stormwater conveyance facility may require an NWP 7 for outfall structures and associated intake structures. Each of these NWPs has an impact limit of 0.50 acre. No compensatory mitigation would be required because there are no permanent impacts expected. If this changes as the design progresses and the project would result in permanent impacts to wetlands over 0.10 acre or loss of streambed over 0.03 acre, compensatory mitigation would be required.

Water collected at the detention basin located in the northwest corner of the DWF site would be transported through a conveyance facility located adjacent and east of Westminster Boulevard before discharging into Big Dry Creek. This segment of Big Dry Creek is listed on the State's 303(d) list of impaired waters and includes a TMDL for *E. coli*. The project would not result in any new point-source discharges within the Big Dry Creek watershed that would result in increased *E. Coli* loads into Big Dry Creek. To comply with the *E. coli* TMDL, any new stormwater discharges from the site would be managed in accordance with the City's current MS4 permit. The City, as part of the MS4 Program, conducts regular inspections and maintenance of stormwater ponds, similar to the one planned at the DWF site. Additionally, the City will use best management

practices (BMPs) during construction and with the detention basin and drainage design that reduce runoff of pollution from the site.

Construction activities have the potential to result in temporary discharges into surface water resources. To minimize impacts, the City will be required to obtain a Construction Stormwater Discharge Permit and Dewatering General Permit from CDPHE. In addition, the City will develop a Spill Prevention, Control, and Countermeasure Plan (SPCCP) to avoid or minimize pollutants reaching water resources.

The proposed project would not result in permanent impacts to groundwater resources. Temporary impacts to groundwater resources during construction could result from incidental spills of fuels and other hazardous materials from construction equipment. Although there is potential for incidental spills, impacts to groundwater will be avoided or minimized through the practices described in the project specific SPCCP. No other impacts to groundwater are expected.

Mitigation Measures. The following measures will be implemented to reduce or avoid impacts to water resources:

- Prior to construction, the City will obtain a National Pollutant Discharge Elimination System (NPDES) Construction Stormwater Permit (COR400000) from CDPHE. This permit is required for any proposed project that disturbs one acre or more of land in Colorado. The requirements of the permit include implementation of “control measures” (formerly called BMPs) to minimize pollutant discharges from construction sites, development and implementation of a Stormwater Management Plan, and regular site inspection and reporting to ensure compliance with permit terms.
- Prior to construction, the City will obtain a Construction Dewatering General Permit (COG080000) from CDPHE. The permit authorizes discharges of groundwater, surface water, and/or stormwater commingled with groundwater or surface water that comes into contact with short-term construction activities to waters of the state.
- The City will develop a SPCCP to avoid or minimize pollutants reaching water resources.
- BMPs and engineering controls will be implemented during construction to avoid and minimize erosion, sedimentation, and pollution impacts on water resources.

5.1.2 Wetlands

The federal CWA was enacted to restore and maintain the chemical, physical, and biological integrity of U.S. waters through the elimination of discharges of pollutants. In support of this goal, the CWA established permit programs to control discharges into waters of the U.S. (WOUS) and provided regulatory authority to the EPA and USACE to issue permits. Section 404 of the CWA regulates the discharge of dredged or fill material into WOUS, including wetlands and streams, and requires the issuance of a permit for any activities resulting in such discharge, unless an exemption applies.

According to Section 404 of the CWA, the USACE defines wetlands as:

> *Those areas that are inundated or saturated by surface or ground waters at a frequency and duration sufficient to support, and that under normal circumstances do support, a*

> *prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas (Code of Federal Regulations [CFR] 328.3, CFR 230.3).*

Wetlands occur when all of the following diagnostic environmental characteristics are present:

1. **Vegetation**. The prevalent vegetation consists of macrophytes that are typically adapted to areas having hydrologic and soil conditions that are typically inundated or saturated by surface or ground water. Hydrophytic species, through morphological, physiological, and/or reproductive adaptation(s), have the ability to grow, effectively compete, reproduce, and/or persist in anaerobic (absence of free oxygen) soil conditions.

2. **Soil**. Soils are present and have been classified as hydric, or they possess characteristics that are associated with reducing soil conditions.

3. **Hydrology**. Wetland hydrology indicators provide evidence that the site has a continuing wetland hydrologic regime and that hydric soils and hydrophytic vegetation are not relicts of a past hydrologic regime. Wetland hydrology encompasses all hydrologic characteristics of areas that are periodically inundated or have soils saturated to the surface at some point during the growing season.

The proposed project includes construction of a DWF, water supply line, finished waterline, sanitary sewer line, stormwater conveyance facility, and supporting dry utilities. The construction areas associated with each of these project components were evaluated for the presence of wetlands and other WOUS. This included an assessment/review of aerial imagery; Natural Resources Conservation Service (NRCS) soil survey and hydric soils listing; U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI); U.S. Geological Survey (USGS) National Hydrography Dataset (NHD); Federal Emergency Management Agency (FEMA) 100-year floodplain data; and Jefferson County 100-year floodplain data. A summary of the desktop reviews and field surveys to identify wetlands for each project component is provided below.

Drinking Water Facility

A desktop review and environmental field survey were completed for the undeveloped 40-acre DWF site. The survey area is shown in Figure 5-2a. Results of the desktop review and field surveys conducted in 2021 and 2023, as they relate to wetlands, are summarized below (Olsson 2023a).

A review of aerial imagery depicts the proposed DWF site on an undeveloped parcel, with Hylands Creek Open Space and Hyland Ponds Open Space abutting the site to the east. A topographic review of the DWF site corresponds with aerial imagery and indicates the area is relatively flat, sloping slightly north-northwest. The NWI data depict no wetlands or WOUS within the DWF site. The DWF site is not located within the FEMA 100-year flood zone. The NRCS data indicates one soil unit located within the DWF site, which is not considered hydric. Hydric soil is defined as being inundated with water for a sufficient length of time to create an anoxic environment and is one of the three main indicators of the presence of a wetland. During the field survey no potential wetlands or WOUS were observed within the DWF survey area (Figure 5-2a).

Water Supply Line

A desktop review and environmental field survey were completed for the water supply line and associated staging areas. The survey area is shown in Figure 5-2a and Figure 5-2b. Results of the desktop review and field surveys conducted in 2021 and 2023, as they relate to wetlands, are summarized below (Burns and McDonnell 2023a, 2024).

According to the NWI, a riverine wetland is on the border of the water supply line survey area. The NHD data identifies this feature as a stream. The water supply line alignment is not located within the FEMA 100-year flood zone. The NRCS data indicates seven soil units are located within the water supply line survey area, none of which are hydric. The field survey conducted on July 11, 2023, confirmed the presence of an approximately 0.30-acre Palustrine Scrub Shrub (PSS) wetland, three ephemeral unnamed streams, and one roadside ditch adjacent to the water supply line alignment (Figure 5-2a and Figure 5-2b).

Finished Water, Sanitary Sewer, and Fiber Communication Lines

In 2023, a desktop review and environmental field survey were completed for the finished water, sanitary sewer, and fiber communication line alignments. The survey area is shown on Figure 5-2a. Results of the desktop review and field survey, as it relates to wetlands, are summarized below (Olsson 2023b).

Aerial imagery and topographic maps depict the survey area as being located within Hyland Ponds and Hylands Creek open spaces. The northern portion of Hyland Pond and South Hylands Creek are located within the survey area. Within the survey area, NWI data depicts one potential Palustrine Emergent Persistent Temporarily Flooded (PEM1A) wetland, one Palustrine Unconsolidated Bottom Intermittently Exposed Excavated (PUBGx) pond, and two Riverine Unknown Perennial Unconsolidated Bottom (R5UBH) riverine features, one occurring between the pond and wetland, and another at the northern extent of the survey area south of W. 104th Avenue. The NRCS data indicates the presence of hydric soils within the survey area for the finished water, sanitary sewer, and fiber communication line alignments. Site visits were conducted on June 27 and October 20, 2023, to identify the presence of water features with the potential to be WOUS. One Palustrine Emergent Temporarily Flooded/Seasonally Flooded (PEMA/C) wetland was identified abutting Hyland Pond and continuing as a narrow fringe along South Hylands Creek (Figure 5-2a).

Stormwater Conveyance Facility

In 2023, a desktop review and environmental field survey were completed for the stormwater conveyance facility alignment. The survey area is shown on Figure 5-2a. Results of the desktop review and field survey, as it relates to wetlands, are summarized below (Olsson 2023b).

Aerial imagery and topographic maps depict the survey area as including Big Dry Creek. Within the survey area, NWI data depict one potential Palustrine Emergent Persistent Temporarily Flooded (PEM1A) wetland, and one Riverine Unknown Perennial Unconsolidated Bottom (R5UBH) riverine feature passing beneath Westminster Boulevard. The NRCS data indicate the presence of hydric soils within the survey area for the stormwater conveyance facility. A site visit was conducted on October 20, 2023, to identify the presence of water features with the potential

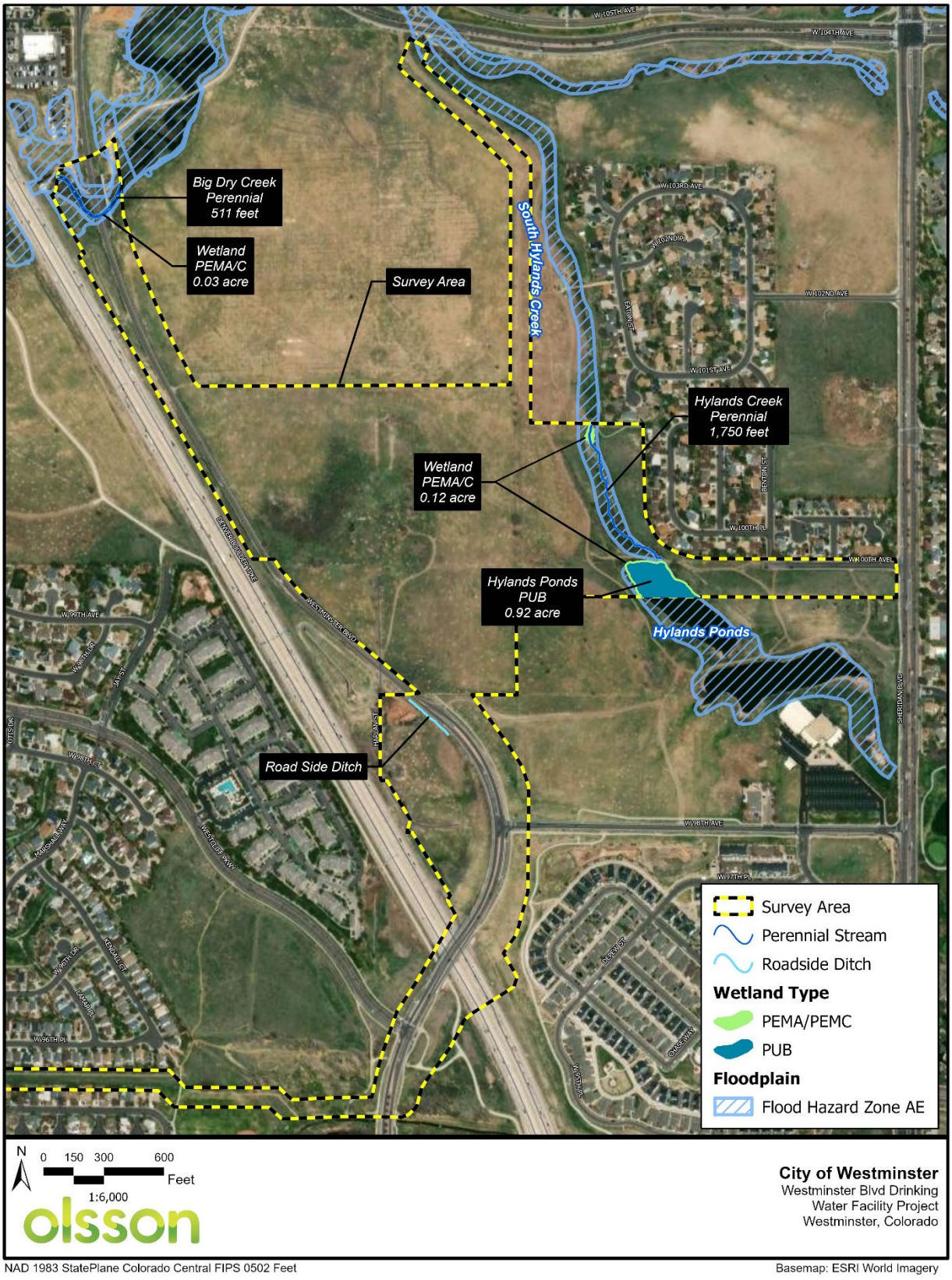

Figure 5-2a. Impacts to Wetlands and other Waters of the U.S. within the Northern Portion of the Project Area.

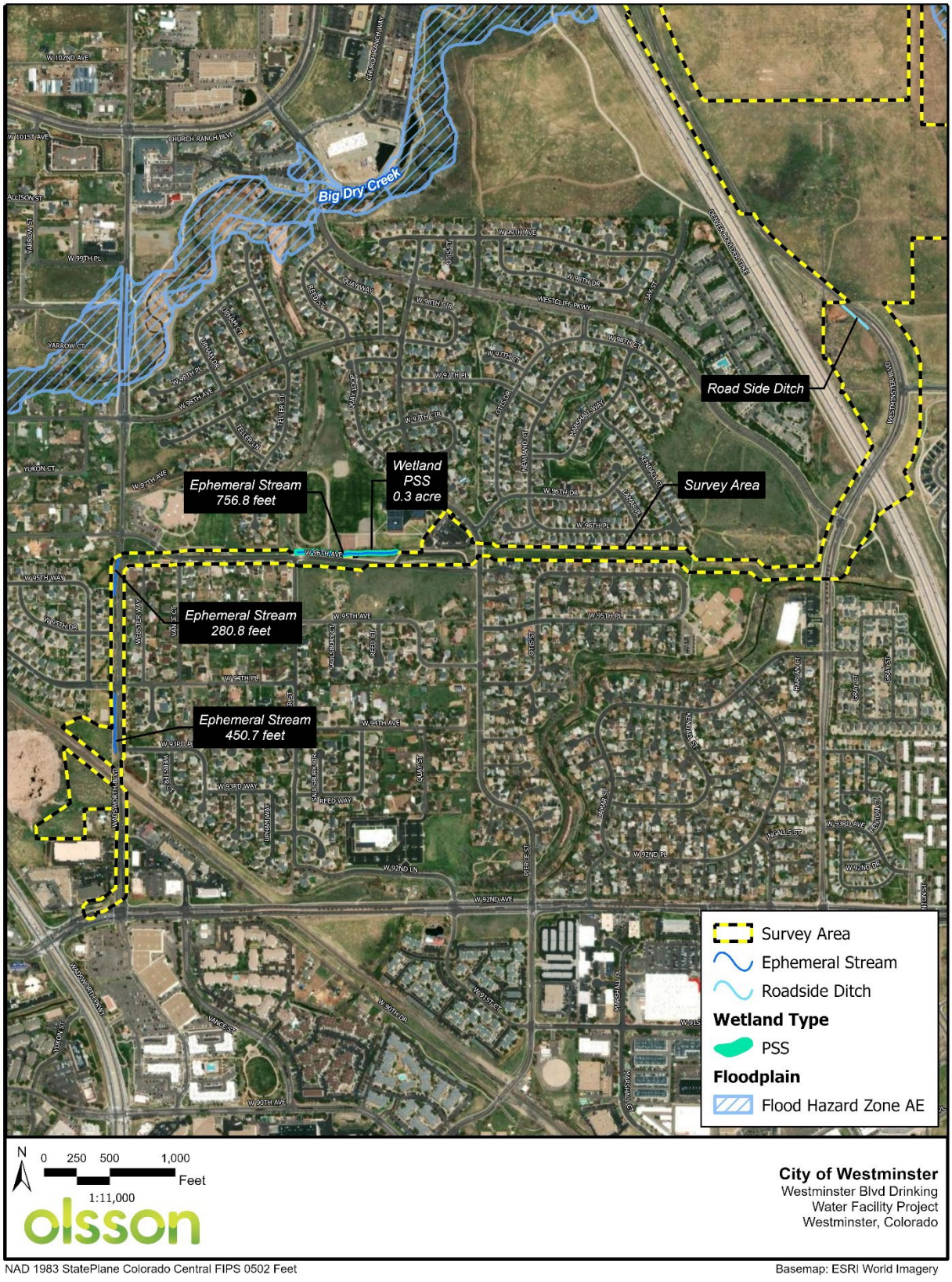

Figure 5-2b. Impacts to Wetlands and other Waters of the U.S. within the Southern Portion of the Project Area.

to be WOUS. One Palustrine Emergent Temporarily Flooded/Seasonally Flooded (PEMA/C) wetland was identified along the banks of Big Dry Creek (Figure 5-2a).

Impacts. No wetlands or other water features were identified within the boundaries of the DWF site; therefore, no impacts are anticipated at this location.

The water supply line survey area includes wetland, ephemeral stream, and roadside ditch features adjacent to the alignment. The current design of the water supply line avoids locating permanent structures and/or fills within wetlands and streams. Based on the current design, no temporary or permanent impacts to wetlands or streams are anticipated along the water supply line alignment. The identified adjacent wetlands and streams will be flagged for avoidance during construction.

The survey area for the finished water, sanitary sewer, and fiber communication lines includes areas identified as wetlands adjacent to South Hylands Creek and Hyland Pond, both of which are likely WOUS. The finished water and fiber communication line alignments would cross South Hylands Creek. These project facilities would be installed using one of two methods—HDD or open cut trenching. If HDD is used to bore under South Hylands Creek, no temporary or permanent impacts to wetlands would occur. If open cut trenching is used to cross South Hylands Creek, this would result in temporary impacts to wetlands and WOUS; however, no permanent impacts would occur. If the open cut trenching method is used, a CWA Section 404 Permit from the USACE would be required. As currently preliminarily designed, the proposed finished waterline would likely be authorized under NWP 58, which includes utility line activities for water and other substances. The proposed fiber communication line would likely be authorized under NWP 57, which includes electric utility lines and telecommunications activities.

The survey area for the stormwater conveyance facility includes areas identified as wetlands adjacent to Big Dry Creek. Installation of the stormwater conveyance facility would likely be authorized under NWP 7, which includes outfall structures and associated intake structures.

Each of the NWPs identified above has an impact limit of 0.50 acre. No compensatory mitigation would be required because there are no permanent impacts expected. If this changes as the design progresses and the project would result in permanent impacts to wetlands that are over 0.10 acre or there would be loss of streambed over 0.03 acre, compensatory mitigation would be required.

Mitigation Measures. The following measures will be implemented to reduce or avoid impacts to wetlands and other WOUS:

- Prior to construction, the City will obtain appropriate CWA Section 404 Permits from the USACE, as required, and adhere to all terms and conditions therein.
- Prior to construction, wetlands within the project area will be flagged for avoidance.

5.1.3 Floodplains

Executive Order (EO) 11988, *Floodplain Management*, requires federal agencies to evaluate the potential effects of proposed modifications to floodplains. The agency must determine whether the proposed action will occur in the floodplain and identify practicable alternatives “to avoid

adverse effects and incompatible development in floodplains;" develop measures to minimize potential harm to people, property and floodplains; and provide an opportunity for public review and comment.

A floodplain is defined as "any land area susceptible to being inundated by water from any source" (44 CFR 59.1). A special flood hazard area is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year, commonly referred to as a 100-year flood. FEMA maps and regulates floodplains, which are identified on Flood Insurance Rate Maps and adopted for regulation by local communities.

The proposed project area in relation to special flood hazard areas is shown on Figure 5-3. The DWF site and water supply line alignment are not located within special flood hazard areas (FEMA 2023). Portions of the finished water, sanitary sewer, and fiber communication lines and the stormwater conveyance facility would intersect the regulatory floodway around South Hylands Creek and Big Dry Creek (FEMA 2023).

EO 14030, *Climate-Related Financial Risks*, reinstated the Federal Flood Risk Management Standard (FFRMS), which aims to build a more resilient future. Under the FFRMS, agencies are required to prepare for and protect federally funded buildings and projects from flood risks.

Impacts. The DWF site and water supply line alignment are not located within special flood hazard areas (i.e., the 100- or 500-year floodplain); therefore, no impacts to floodplains would occur at these locations and EO 14030 FFRMS requirements do not apply.

South Hylands Creek and Big Dry Creek are designated by FEMA as special flood hazard areas. Installation of project facilities within these special flood hazard areas is not anticipated to result in a change to existing base flood elevations. While temporary ground disturbance would occur within the floodplain during construction activities, no new impervious area is expected to be created that would displace floodplain area or impact floodplain functions. Once the utilities have been installed and soil backfilled, all disturbed areas would be restored to pre-construction elevations and conditions. A floodplain development permit that demonstrates a no-rise condition, or no increases in the base flood elevations of the creek, will be required by the City prior to construction.

The finished water, sanitary sewer, and fiber communication lines and the stormwater conveyance facility would tie into the City's existing systems and the total project improvement costs are less than 50 percent of market value of the existing systems, therefore, the EO 14030 FFRMS requirements do not apply. Compliance with EO 14030 will be documented through completion of a Certification of Compliance with CDPHE.

Mitigation Measure. The following measure will be implemented to reduce or avoid impacts to floodplains:

- Prior to work within a mapped floodplain, the City will obtain a Floodplain Development Permit.

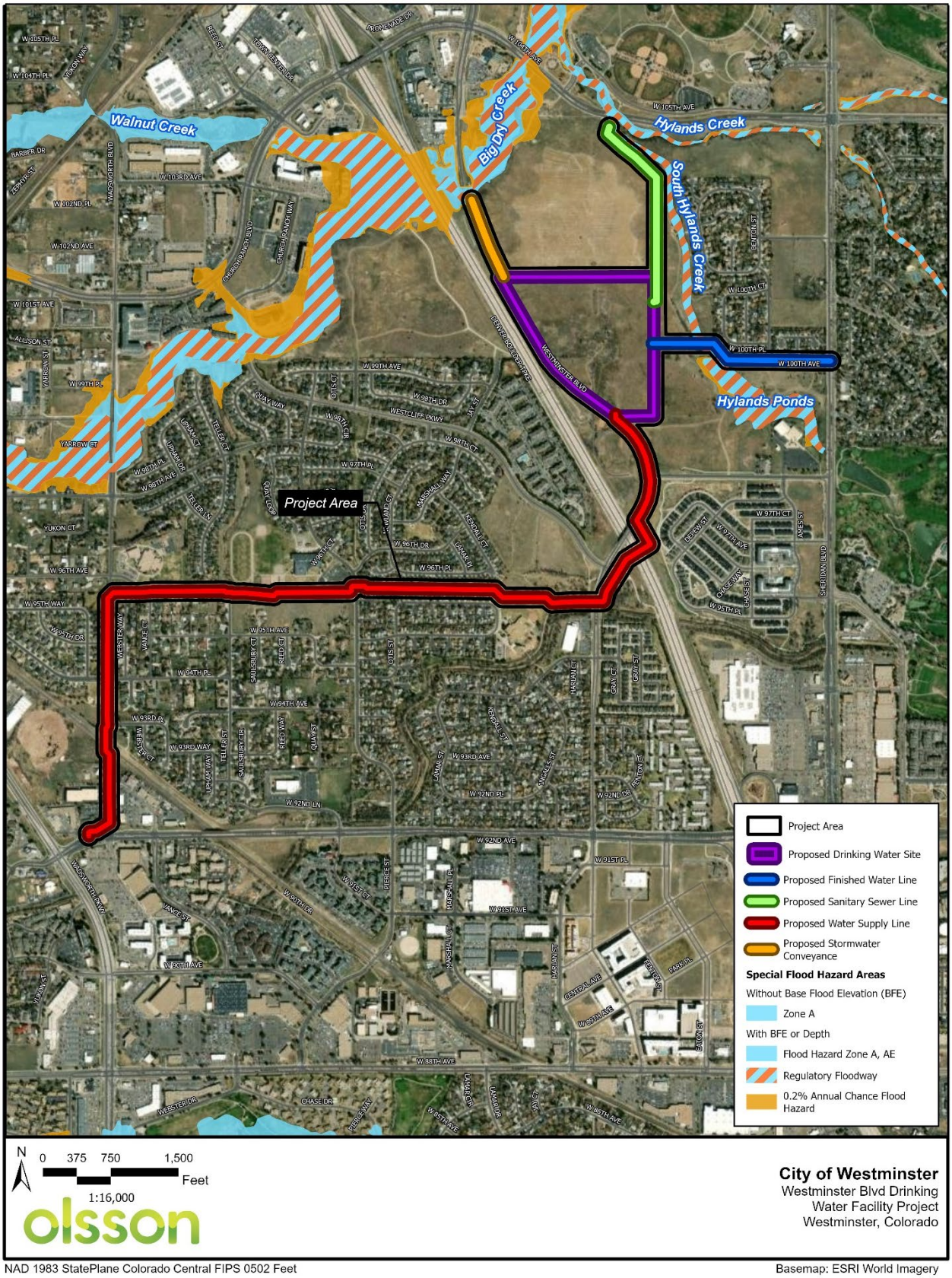

Figure 5-3. Special Flood Hazard Areas within the Project Area.

5.1.4 Terrestrial and Aquatic Plants and Wildlife

This section describes the general ecological setting in the project area, including vegetation, noxious weeds, and fish and wildlife that are present in the project area and potential effects the proposed project may have on those resources. Information presented in this section is summarized from desktop reviews and environmental field surveys conducted for the proposed project (Olsson 2021a; Olsson 2023a; Olsson 2023b; Burns and McDonnell 2023a).

Vegetation and Noxious Weeds

Originally, the project area consisted of shortgrass prairie vegetation. Remnant species from this vegetation community persist in small pockets throughout the City, but most of the project area has been affected by human activities and settlement, including residential and commercial development and agriculture. Vegetation communities in the project area consist of grasslands, shrub lands, riparian areas, and wetlands. The project area includes a variety of native and non-native grasses, shrubs, and trees that are common within the disturbed urban landscape.

The undeveloped DWF site occurs in a disturbed upland habitat with sparse vegetation dominated by weeds and native and non-native trees. Dominant vegetation at the DWF site includes peachleaf willow (*Salix amygdaloides*), crack willow (*Salix fragilis*), mahaleb cherry (*Prunus mahaleb*), lodgepole pine (*Pinus contorta*), honey locust (*Gleditsia triacanthos*), white poplar (*Populus alba*), plains cottonwood (*Populus deltoides*), tree-of-heaven (*Ailanthus altissima*), Siberian elm (*Ulmus pumila*), and Russian olive (*Elaeagnus angustifolia*) (Olsson 2021a; Olsson 2023a).

The water supply line alignment is comprised of mostly urban landscapes with some open space in the northernmost portions. Dominant vegetation along this alignment includes cowpen daisy (*Verbesina encelioides*), curly dock (*Rumex crispus*), common teasel (*Dipsacus fulonum*), field bindweed (*Convolvulus arvensis*), plains cottonwood (*Populus deltoides*), narrowleaf willow (*Salix exigua*), western wheatgrass (*Pascopyrum smithii*), and yellow salsify (*Tragopogon dubius*) (Burns and McDonnell 2023a).

The finished water, sanitary sewer, and fiber communication line alignments would cross Hylands Creek Open Space and Hyland Ponds Open Space. These areas include uplands featuring a mixture of native and non-native vegetation and riparian development along the stream channel and around the pond. Dominant understory vegetation consists of curly dock *(Rumex crispus*), common teasel (*Dipsacus fulonum*), smooth brome (*Bromus inermis*), golden currant (*Ribes aureum*), broadleaf cattail (*Typha latifolia*), and soft-stemmed bulrush (*Schoenoplectus tabernaemontani*). Overstory native and non-native tree species include plains cottonwood *(Populus deltoides*), Russian olive (*Elaeagnus angustifolia*), and peachleaf willow (*Salix amygdaloides*) (Olsson 2023b).

As defined by the Colorado Department of Agriculture (CDOA), noxious weeds are plants that reduce agricultural productivity, lower real estate values, endanger human health and wellbeing, and damage scenic values. The Colorado Noxious Weed Act §§ 35-5.5-101 through 119, Colorado Revised Statute as amended, states that an organized and coordinated effort must be made to stop the spread of noxious weeds.

Under the Colorado Noxious Weed Act, state-designated noxious weeds are categorized as high-priority (List A), medium-priority (List B), low-priority (List C), or Watch List weeds. Per this Act, List A weeds must be eradicated, List B weeds must be treated and controlled to prevent spread based on county weed control priorities, and List C weeds are low-priority weeds requiring control and education to prevent further spread. Watch List weeds are those that should be tracked and reported, but control is not required (CDOA 2020a; 2020b).

A total of nine "List B and C" noxious weed species were identified during wetland and environmental field surveys in the project area. No "List A" species were found. Table 5-2 identifies the species and state noxious weed list designation.

Table 5-2. Noxious Weed Species Observed within the Project Area.

Common Name (Scientific)	State Noxious Weed List
Canada thistle (*Cirsium arvense)*	List B
Cheatgrass (*Bromus tectorum)*	List C
Common teasel (*Dipsacus fulonum)*	List B
Field bindweed (*Concolculus arvensis)*	List C
Hoary cress (*Lepidium draba)*	List B
Leafy spurge (*Euphorbia esula)*	List B
Musk thistle (*Carduus nutans)*	List B
Russian olive (*Elaeagnus angustifolia)*	List B
Siberian elm (*Ulmus pumila)*	List C

Impacts. Construction would result in permanent impacts to vegetation at the DWF site. Clearing of the site to allow for construction of the DWF would result in the removal of healthy, native trees. The extent of removal and the species to be removed would be determined during final design. The City will be required to implement a landscaping plan that includes details of revegetating the site, including tree replacement and other plantings.

While most of the water supply line would be installed within existing road right-of-way, portions of the alignment would be installed in previously undeveloped areas or open space, which would result in impacts to upland vegetation. Impacts to upland vegetation would be temporary and post-construction revegetation efforts would restore impacted areas to pre-project conditions using an approved native seed mix.

The finished water, sanitary sewer and fiber communication lines and stormwater conveyance facility would be installed in upland areas and wetland areas containing riparian vegetation (South Hylands Creek and Big Dry Creek). Impacts to upland vegetation would be temporary and post-construction revegetation efforts would restore impacted areas to pre-project conditions using an approved native seed mix. The City will be required to obtain a CWA Section 404 Permit from the USACE for installation of project components that affect wetlands and WOUS. Measures to protect riparian vegetation at these locations would be included in conditions associated with the CWA Section 404 Permit.

Soil disturbance from construction equipment could create favorable conditions for noxious weeds to establish or further spread. Construction equipment can carry weed seeds in residual mud or soil on the equipment from one location to another. BMPs and engineering controls will be implemented to avoid the introduction or spread of noxious weeds.

Federal and State Listed Species and Species of Concern

Under the Endangered Species Act (ESA) (16 U.S. Code [USC] 1536), an "endangered species" is defined as any species in danger of extinction throughout all or a significant portion of its range. A "threatened species" is defined as any species likely to become endangered in the foreseeable future. The USFWS also maintains a list of species considered to be candidates for possible listing under the ESA. Although "candidate species" receive no statutory protection under the ESA, the USFWS has attempted to advise government agencies, industry, and the public that these species are at risk and might warrant protection under the ESA.

Based on the USFWS online Information, Planning, and Conservation System (IPaC; USFWS 2023), six ESA-listed species, one candidate species, and one species proposed for listing were identified as having the potential to occur in the project area (Appendix A). Table 5-3 identifies the species, federal status, habitat requirements and likelihood that the species is found in the project area. Based on the general habitat reconnaissance/site visits conducted for the project, there is no suitable habitat for federally listed species in the project area. No further evaluation is deemed necessary for those species not known or suspected to occur within the project area.

Critical habitat has been designated for three of the listed species potentially occurring in the project area: Gray wolf (*Canis lupus*), piping plover (*Charadrius melodus*), and the whooping crane (*Grus americana*). The project area does not contain any mapped critical habitat for the aforementioned species.

The City is in the process of preparing documentation to initiate consultation with the USFWS regarding the project.

Table 5-3. Federally listed Threatened, Endangered, and Candidate Species within the Project Area.

Common Name (Scientific)	Federal Status	Habitat Requirements	Habitat in Project Area
Mammals			
Gray wolf (*Canis lupus*)	Endangered	Temperate forests, mountains, tundra, taiga, grasslands, and deserts.	No, habitat is not present.
Tricolored bat (*Perimyotis subflavus*)	Proposed Endangered	Intact forested landscapes and along waterways, particularly in forested riparian areas.	Yes, forested riparian habitats are present.
Birds			
Piping plover (*Charadrius melodus*)	Threatened	Sandy upper beaches, especially where scattered grass tufts are present, and sparsely vegetated shores and islands of shallow lakes, ponds, rivers, and impoundments.	No, habitat is not present.

Common Name (Scientific)	Federal Status	Habitat Requirements	Habitat in Project Area
Whooping crane (*Grus americana*)	Endangered	Nesting occurs in dense emergent vegetation (sedge, bulrush) in shallow (often slightly alkaline) ponds, freshwater marshes, wet prairies, or along lake margins.	No, project area is outside of migration corridor.
Fishes			
Pallid sturgeon (*Scaphirhynchus albus*)	Endangered	Large, turbid, free-flowing riverine habitat; it occurs in strong current over firm gravel or sandy substrate. Downstream Platte River system.	No, habitat is not present.
Insects			
Monarch butterfly (*Danaus plexippus*)	Candidate	Monarch habitats require milkweed for caterpillars and native flowers and water for adult butterflies.	No, large communities of milkweed were not seen in the project area during the 2023 site visit.
Plants			
Ute ladies'-tresses orchid (*Spiranthes diluvialis*)	Threatened	Moist to wet alluvial meadows, floodplains of perennial streams, and around springs and lakes below 7,800 feet in elevation.	No, upland habitat is too dry and is dominated by aggressive non-native grasses, which creates incompatible conditions. Wetlands are vegetated with dense cattails and willows are not typically associated with this species.
Western prairie fringed orchid (*Platanthera praeclara*)	Threatened	Most often grows in relatively undisturbed grassland but can also be found in moderately disturbed sites such as roadside ditches. Downstream Platte River system.	No, habitat is not present.

Based on the Colorado Parks and Wildlife (CPW) online Conservation Data Explorer (CODEX) (CNHP 2023), six state-listed species were identified as having the potential to occur in the project area (Appendix B). Table 5-4 identifies the species, state status, habitat requirements and likelihood that the species is found in the project area. Based on the general habitat reconnaissance/site visits conducted for the project, there is suitable habitat for burrowing owl, bald eagle, common garter snake, and black-tailed prairie dog in the project area. The City is in the process of preparing documentation to initiate consultation with CPW regarding the project.

Table 5-4. State-listed Threatened, Endangered, and Species of Concern within the Project Area.

Common Name (Scientific)	State Status	Habitat Requirements	Habitat in Project Area
Mammals			
Preble's meadow jumping mouse (*Zapus hudsonius preblei*)	Threatened	Riparian areas with adjacent, relatively undisturbed grasslands.	No, the project is in the Metro Block Clearance Zone in which the USFWS has determined the species no longer exists.
Black-tailed prairie dog (*Cynomys ludovicianus*)	Concern	Shortgrass to mid-grass prairies on flats or shallow slopes.	Yes, prairie dog colonies are present.
Black-footed ferret (*Mustela nigripes*)	Endangered	Limited to open habitat, the same habitat used by prairie dogs: grasslands, steppe, and shrub steppe.	No, only known occurrences are experimental populations outside of the project footprint.
Birds			
Burrowing owl (*Athene cunicularia*)	Threatened	Nests are in abandoned burrows, such as those dug by prairie dogs, ground squirrels, foxes, woodchucks.	Yes, prairie dog colonies are present.
Bald eagle (*Haliaeetus leucocephalus*)	Concern	Seldom seen far from water, such as large rivers, lakes, and seacoasts. In Colorado, often occur near reservoirs and along major rivers.	Yes, project area is within winter range, roost site, and nest site.
Reptiles			
Common garter snake (*Thamnophis sirtalis*)	Concern	Marshes, ponds, and the edges of streams; basically, restricted to aquatic, wetland, and riparian habitats along the floodplains of streams; seldom found away from water or at isolated ponds. Active in shallow water and on land adjacent to water.	Yes, riparian and stream habitats are present.

Impacts. Impacts to federally and state listed species are summarized in the following subsections.

Federally Listed Species

Habitat for federally listed species is not present in the project area; therefore, there would be no impact to federally listed species. There is currently no guidance for the tricolored bat, but if listed, additional conservation conditions may apply. At present, the project would be designed and constructed to replace the City's aging Semper Water Treatment Facility and that through this replacement of infrastructure, no new or additional uses of water are proposed; as such, coordination with the USFWS is not anticipated to be required. If the final project design, construction, operation, and/or maintenance result in consumptive use of waters from the South Platte River basin, federally listed species associated with the South Platte River may be indirectly

impacted by the project (including piping plover, pallid sturgeon, and western prairie fringed orchid), and coordination with the USFWS will be required prior to construction.

State Listed Species

Burrowing Owl: While no burrowing owls were observed during environmental field surveys conducted in 2023, there is potential habitat associated with four observed prairie dog colonies in the project area. Burrowing owls use abandoned prairie dog burrows for nesting and roosting. Construction activities would result in permanent and temporary impacts to the mapped prairie dog colonies. Human activities and noise during construction could temporarily displace burrowing owls from active construction areas. Construction of the proposed DWF would result in permanent habitat loss, causing displacement of burrowing owls. Prior to construction, surveys for burrowing owls will be conducted to determine their presence. If burrowing owls are present, buffers around nest burrows will be established in accordance with CPW's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors (CPW 2020).

Bald Eagle: Based on the CPW non-disclosure agreement (NDA) raptor nest data (CPW 2022), an active bald eagle nest is located within the 0.50-mile buffer of the project area. Additionally, during a site visit conducted on June 30, 2023, two adult bald eagles were observed roosting on a large cottonwood tree within the project area. Impacts to bald eagles are discussed in the Migratory Birds Including Raptors section.

Common Garter Snake: Installation of the finished water and fiber communication lines could temporarily impact habitat for common garter snake if open cut trenching is used to install the utility lines across South Hylands Creek. In addition, the project could result in the direct mortality to common garter snakes from construction activity in riparian and wetland habitat. The use of heavy equipment during construction may cause common garter snakes to temporarily avoid riparian areas adjacent to construction activity. Direct impacts to riparian and wetland habitat would be minor and would not result in a permanent loss of habitat for either species. Indirect impacts such as short-term, localized sedimentation increases could occur when trenching in South Hylands Creek to install the utility lines. Measures to protect common garter snake would be included in conditions associated with the CWA Section 404 Permit.

Black-tailed Prairie Dog: An active black-tailed prairie dog town was observed within the project area during environmental field surveys conducted in 2023. A total of five active colonies were encountered, one in the DWF site, three along the water supply line alignment, and one in a proposed staging area at the southwestern end of the raw water line. Prairie dogs provide an important prey resource for numerous predators, including coyote, red fox, bald eagle, and other raptors. Construction of the proposed project would permanently impact all five prairie dog colonies. Prior to construction, a prairie dog town eradication effort will be conducted by the City.

Fisheries

Numerous perennial waterbodies occur within the City, including creeks, ponds, reservoirs, and lakes. A variety of fish species likely occur within these features, including largemouth bass (*Micropterus salmoides*), bluegill (*Lepomis macrochirus*), green sunfish (*Lepomis cyanellus*), and channel catfish (*Ictalurus punctatus*), as well as various minnow and sucker species. Within the

project area, Hyland Pond and a portion of South Hylands Creek are associated with CPW Aquatic Sportfish Management Waters High Priority Habitat. CPW recommends no surface occupancy and no ground disturbance within 500 feet of the ordinary high-water mark (OHWM) of these water features year-round (CPW 2023).

Impacts. The finished water and fiber communication line alignments would cross South Hylands Creek. These project facilities would be installed using one of two methods—HDD or open cut trenching. If HDD is the selected method, there would be no permanent or temporary impacts to fisheries. If open cut trenching is the selected method, there would be no permanent impacts, however there would be temporary impacts to fisheries as a result of dewatering activities. In addition, the stormwater conveyance facility would outfall into Big Dry Creek north of the project, which has the potential to affect fisheries. Installation of these facilities would require the City to obtain CWA Section 404 permits from the USACE. Measures to protect fisheries would be included in these permits.

Hyland Pond is mapped as an Aquatic Sportfish Management Water. CPW recommends no work within 500 feet of the OHWM of the pond year-round (CPW 2023). Although this is a recommendation, since Hyland Pond is within the project area, the City will coordinate with CPW on BMPs, scheduling, and mitigation measures that may be required for work near the pond.

Migratory Birds Including Raptors

The Migratory Bird Treaty Act (MBTA) and EO 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, require federal agencies to support migratory bird conservation. Additionally, the Bald and Golden Eagle Protection Act (BGEPA) affords added protections for eagles.

The MBTA (16 USC 703-712) is the primary legislation protecting native birds in the U.S. The MBTA protects migratory birds and prohibits the taking of migratory birds, their eggs, parts, and nests, except when authorized by the USFWS. Under the MBTA, “take” is defined as “to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture or collect.” The act also protects native resident species that are not considered migratory but does not protect introduced bird species. The MBTA essentially includes all species except for introduced upland gamebirds, domestic pigeons, European starlings, and house sparrows.

The BGEPA (16 USC 668-668c) is the primary law protecting eagles in the U.S. The BGEPA prohibits “take” of individual eagles and their parts, nests, or eggs without a permit. The BGEPA defines “take” to include “pursue, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” “Disturb” is further defined as: “to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

Portions of the project area are located within a bald eagle roost site and bald eagle winter range (vicinity of the DWF site). In addition, the finished water and fiber communication line alignments

intersect with a bald eagle roost site and are within the 0.50-mile buffer of an active bald eagle nest. The project area contains suitable nesting and foraging habitat for a variety of resident and migratory birds. Mature cottonwoods and riparian vegetation in the project area provide habitat for nesting and roosting raptors. Additionally, the presence of prairie dogs and Hyland Pond in the project area provides a source of prey.

According to CPW NDA data (CPW 2022), an active bald eagle nest is located within the 0.50-mile buffer of the project area. During the 2020 site visit, two red-tailed hawks (*Buteo jamaicensis*) were observed soaring over the DWF site. In addition, during 2023 surveys, two adult bald eagles were observed roosting on a large cottonwood tree east of the proposed DWF site, and a red-tailed hawk was observed in the open space area at the northern end of the water supply line (south of the DWF site).

Impacts. Hyland Ponds Open Space, as well as the proposed DWF site, contains habitat for migratory birds and raptors. No active nests would be directly impacted by project construction. However, indirect impacts such as disturbance by construction workers and noise from equipment may be significant enough to cause stress to nesting raptors and result in abandonment and/or predation of nests. In addition, to accommodate construction of the DWF, several trees would be removed, some of which were observed to contain dilapidated nests during environmental field surveys. Prior to construction and any vegetation removal activities, preconstruction clearance surveys for migratory birds and raptors will be conducted by a qualified biologist to identify and avoid active nests.

Raptor management will be guided by CPW Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors (CPW 2020). In order to facilitate compliance with the BGEPA and the CPW Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors, a raptor survey will be conducted prior to the start of construction. If an active raptor nest is observed within 0.5 mile of the project area, CPW will be notified in order to determine compliance with the CPW's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors guidance.

Mitigation Measures. The following measures will be implemented to reduce or avoid impacts to terrestrial and aquatic plants and wildlife:

- Prior to construction, the City will develop a Landscape Plan for the DWF site that mitigates for the removal of healthy, non-invasive trees. Tree mitigation is required for healthy trees over 4-inch caliper. All trees over 4-inch caliper that are removed will be replaced on a 2:1 caliper-inch equivalent. If trees cannot be replaced onsite due to space limitations, the City will be required to pay a cash-in-lieu fee to allow the City Parks Department to plant trees in other public places. The current cash-in-lieu fee is approximately $250 per inch owed. A combination of tree replacement and cash-in-lieu mitigation is allowed.
- Areas of ground disturbance will be revegetated with a seed mix determined in coordination with the City of Westminster Open Space and Trails Division.
- Vegetation removal and ground disturbance will be minimized to the extent practicable.
- Suitable topsoil will be salvaged to aid in revegetation, where appropriate.

- If open cut trenching is used to install utilities across South Hylands Creek, the City will obtain a CWA Section 404 Permit from the USACE and adhere to all terms and conditions therein.
- Prior to construction, the City will update the Noxious Weed Management Plan (Olsson 2021a) prepared for the DWF site such that it includes the entire project area as currently proposed. The plan will identify measures to prevent the introduction of noxious weeds in the project area and prevent noxious weeds from becoming established in disturbed areas cleared in preparation for project construction. The key objectives of the Noxious Weed Management Plan will include:
    - Prevent the introduction of noxious weeds and control the growth of noxious weeds in the project area.
    - Meet the objectives of the Colorado Noxious Weed Act (Title 35, Agriculture, Article 5.5).
    - Identify an integrated weed management approach for managing activities in the project area.
    - Develop response actions to noxious weed infestations.
- Trash cans will be wildlife-proofed to avoid attracting wildlife to the construction site.
- Equipment will be refueled within designated refueling containment areas away from waterways and wetlands.
- Prior to construction, prairie dog towns will be eradicated, and abandoned prairie dog towns will be destroyed between October 31 and March 15. The City will work with a wildlife expert that specializes in prairie dog mitigation in Colorado to implement a control strategy that considers appropriate veterinarian guidelines and standards. If activities to eradicate prairie dogs or destroy abandoned towns are scheduled to occur between March 15 and October 31, burrowing owl surveys would be required to determine if burrowing owls are occupying the prairie dog town to prevent potential impacts to burrowing owls and their habitat. If burrowing owls are found within the construction footprint, buffers will be established in compliance with the CPW's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors (CPW 2020).
- Prior to construction, the City will consult with CPW regarding construction activities within 500 feet of designated Aquatic Sportfish Management Waters within the project area.
- Tree removal will be conducted in accordance with the project-specific Tree Removal Plan (Appendix C). The Tree Removal Plan includes the following measures to reduce or avoid impacts to migratory birds and raptors:
    - To the extent possible, the City will conduct tree clearing between September 1 and November 15 (which is outside the typical nesting season for small birds and raptors in Colorado, as well as CPW seasonal restrictions for bald eagle winter roost locations).
    - If small tree clearing must occur between April 1 and August 31 (the typical nesting season for small birds in Colorado), the City will conduct a migratory bird nest survey within seven days prior to the planned tree clearing.
    - If any large trees containing potential raptor nests are planned to be cleared at any time, the City will conduct a raptor nest survey prior to tree clearing to identify whether a raptor nest is active.

- If an active raptor nest is identified, the City will adhere to CPW's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors (CPW 2020). If the City's tree clearing plans conflict with CPW's recommendations for an active raptor nest, the City will consult with CPW.

5.1.5 Cultural, Historic, and Paleontological Resources

Historic properties are protected under Section 106 of the National Historic Preservation Act (NHPA) of 1966 (as amended) and other statutes. Section 106 requires federal agencies to take into account the effects that their undertakings have on historic properties, which are properties that are listed on, or eligible for listing on, the National Register of Historic Places (NRHP). In accordance with Section 106, and for the purposes of this environmental assessment, historic properties include any NRHP listed or NRHP eligible prehistoric site, or district, site, building, structure, or object.

In order to evaluate project effects to historic properties, desktop research was completed for all components of the project, which included a search of site files, records, technical reports, and map files from the Office of Archaeology and Historic Preservation's (OAHP) Compass database; aerial photographs; historic General Land Office (GLO) plat maps; and historic USGS topographic maps. In addition, pedestrian surveys were completed for the Area of Potential Effect (APE) for the project as shown on Figure 5-4. Cultural surveys and reporting were completed for two main areas of the APE: (1) DWF site, finished water, sanitary sewer, stormwater detention and conveyance, and utility line alignments (AKPC 2024), and (2) water supply line (Burns and McDonnell 2023b). Because the project is the early phases of design, should additional staging or work areas be identified in the future, further surveys and analysis could be required. Results of the desktop research and pedestrian surveys completed to date are summarized below.

DWF Site, Finished Water, Sanitary Sewer, Stormwater Detention and Conveyance, and Utility Line Alignments

Desktop background research and an OAHP file search was conducted for the DWF site, finished water, sanitary sewer, stormwater detention and conveyance, and utility line alignments by AK Pioneer Consulting (AKPC) to identify cultural resources within one mile of the APE for these components (approximately 74 acres) (AKPC 2024). Nine previous inventories have been completed and 37 cultural resources have been recorded within one mile of the APE. The previous inventories were a combination of linear and block surveys conducted mostly for Colorado Department of Transportation studies. Two of these inventories intersect the project and cover a small portion, approximately 14 acres, of the western edge of the APE (Figure 5-5). Results of the file search request identified one previously recorded resource, the Waterpointe Dam/Brauch Reservoir #1 (5JF.647) within the project APE. The OAHP determined the dam officially not eligible for listing in the NRHP in 1991. Four historic structures with an associated access road and the Waterpointe Dam are illustrated within the project APE on historic USGS maps. Historic aerial imagery of the area shows buildings, roads, small irrigation ditches, and the dam within the project boundary.

Most of the project APE had not been previously surveyed. AKPC conducted a pedestrian survey (Class III) of the DWF site, finished water, sanitary sewer, stormwater detention and conveyance,

and utility line alignments APE during multiple visits between September 3, 2020, and November 21, 2023. The surveys provided 100 percent coverage of the APE. One previously recorded resource, the Waterpointe Dam/Brauch Reservoir #1 (5JF.647), was revisited for the project. Six new cultural resources were recorded during the inventory. They include an agricultural complex (5JF.7781), two historic artifact scatters (5JF.8187 and 5JF.8193), and three small ditch segments (5JF.8188.1, 5JF.8189.1, and 5JF.8189.2). In addition to these resources, several isolated fragments of concrete, fencing materials, corrugated metal stock tanks, and fragments of farm equipment were noted within the project APE. Most of the resources were likely part of the historic agricultural complex (5JF.7781) associated with Louis A. Brauch, a local farmer that lived in the historic town of Semper between 1930 and 1946.

Water Supply Line

Desktop background research and an OAHP file search was conducted for the water supply line by Burns and McDonnell to identify cultural resources within one mile of the APE for this component (approximately 34 acres) (Burns and McDonnell 2023b). The file search identified 13 previously conducted cultural resource inventories and 65 previously recorded cultural resources within the Study Area. The APE intersects with two previously conducted inventories (MC.CH.R192 and MC.CH.R59) and three previously recorded cultural resources. The previous inventories were conducted in 2008 and 2014 along U.S. Highway 36. Intersecting resources include the BNSF Railroad (Formerly Burlington Northern and Colorado & Southern) (5JF519), which is officially eligible for listing on the NRHP. The two other resources are officially not eligible for the NRHP and include a segment of U.S. Highway 36 (5JF.2243.2) and a historic farmstead (5JF.3756). Cultural resources in the study area include 15 sites that are officially eligible for the NRHP, three field eligible sites, two unevaluated sites, and 45 sites and isolated finds that are either officially NRHP not eligible or filed not eligible. Most of these resources are historic in age and include ditch segments, residences, farms, railroads, and isolated finds. There are no cultural resources in the study area or APE that are listed on the NRHP or the SRHP.

On September 14, 2023, Burns and McDonnell conducted a pedestrian survey of the water supply line APE (with the exception of the staging areas). The Class III intensive cultural resource inventory resulted in the revisitation of two resources (5JF2243.2 and 5JF3756) and in the recording of two new linear resource segments (Colorado Central/Colorado & Southern/Chicago, Burlington & Quincy/Burlington Northern Santa Fe Railroad [CC/C&S/CB&Q/BNSF]: 5JF519.17 and SH 121: 5JF4508.5). An additional pedestrian survey of the staging areas along the water supply line was conducted in December 2023. Reporting related to the staging area survey was not available for inclusion in the revised Draft EA. Results will be provided to SHPO as part of the consultation process.

A file search was conducted by Burns and McDonnell for the water supply line using the Paleobiology database, the University of Colorado Natural History Museum's paleontological database, and the Denver Museum of Natural and Science's paleontological database. The file search indicated ten previously recorded paleontological quarry areas within five miles of the project area. The project area has a moderate probability for the presence of paleontological resources (Burns and McDonnell 2021b).

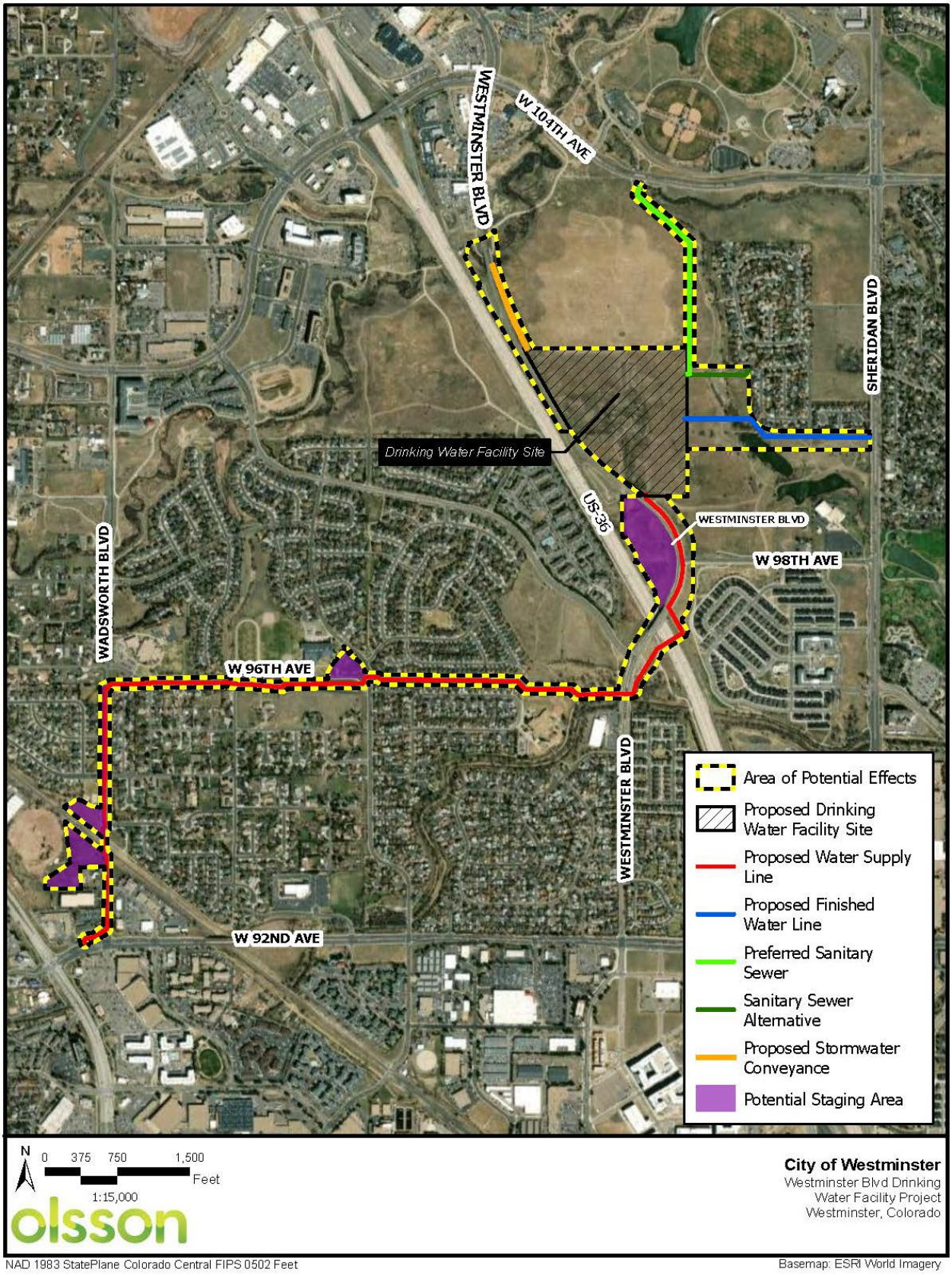

Figure 5-4. Proposed Area of Potential Effects.

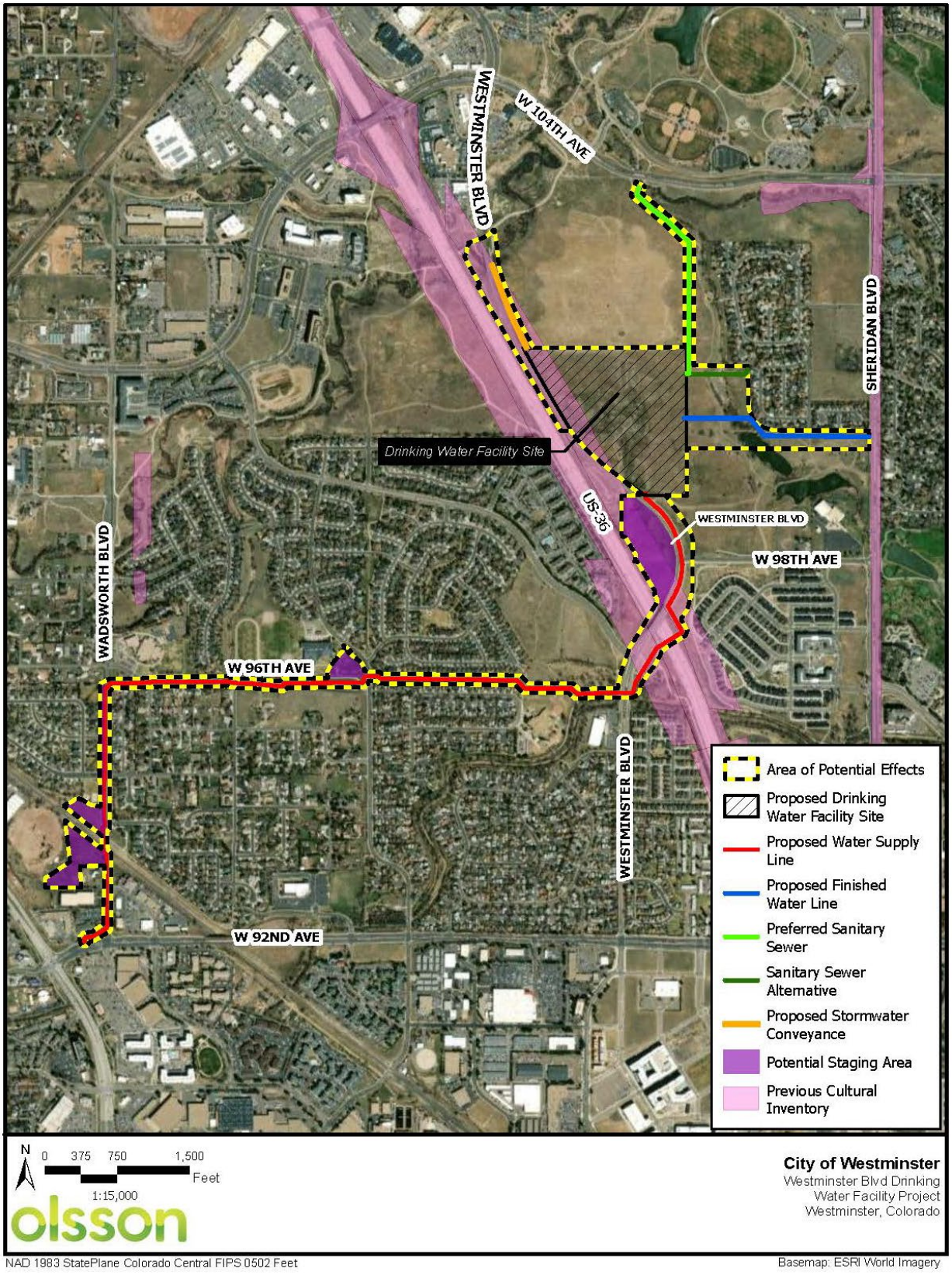

Figure 5-5. Previous Cultural Inventory within the Proposed Area of Potential Effects.

On June 30, 2023, the City sent a letter to the State Historic Preservation Office (SHPO) to inform the agency about the upcoming Westminster Boulevard Drinking Water Project and to request information or issues relating to resources that should be considered during project development (Appendix G). On December 18, 2023, the City sent a letter to Dawn DiPrince, State Historic Preservation Officer, to initiate Section 106 consultation and request concurrence on the proposed APE for the project (Figure 5-4). Consultation with the SHPO on the project is ongoing.

Impacts. AKPC recorded seven cultural resources within the DWF site, finished water, sanitary sewer, stormwater detention and conveyance, and utility line alignments APE. None of these resources are significant under any of the NRHP evaluation criteria. AKPC recommended all resources not eligible for listing in the NRHP. AKPC did not identify any NRHP eligible historic properties within the project APE; thus, direct impacts to known NRHP historic properties are not expected from the project. Subsurface cultural deposits are possible but not likely based on previous work in the area and history of ground disturbance within the APE. Potential indirect impacts (atmospheric, auditory, or visual) from construction of the DWF to known NRHP eligible properties identified in the OAHP file search include the Farmers Highline Canal (5JF.250.4), Church Ranch (Centennial Farm)/Church Ranch Headquarters (5JF.971), and the Kneifl Residence (5JF.4661). All three of these resources are over a quarter mile from the DWF site and are screened by vegetation and residential and commercial buildings. There is not a direct line of site from these resources to project facilities. Atmospheric and auditory impacts are expected to be temporary during construction and are expected to be minimal. No indirect impacts to known NRHP eligible properties are expected from construction of the buried water, sanitary sewer, stormwater detention and conveyance, and utility line alignments.

Burns and McDonnell's cultural resource inventory resulted in the documentation of two historic linear resource segments (5JF519.17 and 5JF4508.5) and the revisitation of two previously recorded historic resources (5JF2243.2 and 5JF3756). A segment of the CC/C&S/CB&Q/BNSF Railroad (5JF519.17) is officially eligible for listing on the NRHP and is further recommended as supporting the eligibility of the entire resource. Resources 5JF2243.2 and 5JF3756 have been determined NRHP not eligible and 5JF4508.5 is recommended not eligible for the NRHP, and no further work is recommended. The proposed project would avoid resource 5JF519.17 because the raw water line would be directionally bored below the railroad. Therefore, as long as 5JF519.17 is avoided during project construction there would be no impact.

It is possible that intact subsurface cultural artifacts, features, or paleontological finds may be present within the project area and uncovered during project construction. To minimize impacts to unknown resources an Inadvertent Discovery Plan was developed for the proposed project (Appendix D). The Inadvertent Discovery Plan outlines the process and procedures to be followed should unanticipated resources be discovered during construction. Per the Inadvertent Discovery Plan, an archaeologist should be consulted for cultural remains (not human) and a paleontologist should be consulted for fossil remains discovered during ground disturbing activities. If suspected human skeletal remains are discovered, the Jefferson County Coroner and the Sheriff would be notified immediately.

Mitigation Measures. The following measures will be implemented to reduce or avoid impacts to cultural, historic, and paleontological resources:

- The City will implement the Inadvertent Discovery Plan during construction activities.

5.1.6 Air Quality

National and State Ambient Air Quality Standards

Under the Clean Air Act, the EPA has established National Ambient Air Quality Standards (NAAQS) for pollutants of concern known as "criteria pollutants" (40 CFR Part 50). The criteria pollutants are carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), ozone (O_3), particulate matter less than or equal to 10 microns aerodynamic diameter (PM_{10}), fine particulate matter less than or equal to 2.5 microns aerodynamic diameter ($PM_{2.5}$), and sulfur dioxide (SO_2). The NAAQS represent the maximum levels of air pollution that are considered acceptable, with an adequate margin of safety, to protect public health (primary standards) and welfare (secondary standards).

The CDPHE Air Pollution Control Division (APCD) is the state agency responsible for monitoring air quality in Colorado. The APCD has adopted the NAAQS and also maintains two state air quality standards. The NAAQS and state standards are presented in Table 5-5.

Table 5-5. National and State Ambient Air Quality Standards.

Pollutant	Averaging Time	Primary Standards	Secondary Standards
Carbon monoxide	8-hour	9 ppm	None
	1-hour	35 ppm	
Lead	Rolling 3-month average	0.15 µg/m3	Same as Primary
Nitrogen dioxide	Annual (arithmetic average)	53 ppb	Same as Primary
	1-hour	100 ppb	None
Particulate matter 10 microns	24-hour	150 µg/m3	Same as Primary
Particulate matter 2.5 microns	Annual (arithmetic average)	12.0 µg/m3	15.0 µg/m3
	24-hour	35 µg/m3	Same as Primary
Ozone	8-hour	0.070 ppm	Same as Primary
Sulfur dioxide	3-hour	None	0.5 ppm
	1-hour	75 ppb	None
Sulfur dioxide (Colorado)	3-hour	700 µg/m3 (0.267 ppm)	None
Visibility (Colorado)[1]	4-hour (standard applies 8:00 a.m.-4:00 p.m. only)	0.076/kilometer (single standard, not designated primary or secondary)	

Source: 40 CFR § 50, 5 Code of Colorado Regulations 1001-14

1 Visibility (Colorado): The standard for visual air quality is 0.076 per kilometer of atmospheric extinction, which means that 7.6 percent of a light source's intensity is extinguished over a 1-kilometer path.

Notes: $\mu g/m^3$ = micrograms per cubic meter; ppb = parts per billion; ppm = parts per million; PM_{10} = particulate matter less than or equal to 10 microns in diameter; $PM_{2.5}$ = fine particulate matter less than or equal to 2.5 microns in diameter.

Areas that are and have historically been in compliance with the NAAQS are designated by EPA as attainment areas. Areas that violate a NAAQS are designated as non-attainment areas. Areas that have transitioned from non-attainment to attainment are designated as maintenance areas and are required to adhere to maintenance plans to ensure continued attainment. The Denver

Metro/North Front Range area, which includes Jefferson County and the project area, is designated as severe non-attainment for ozone (40 CFR § 81.306). It is also designated as a maintenance area for CO and PM_{10}.

Hazardous Air Pollutants

In addition to the ambient air quality standards for criteria pollutants, regulations exist for hazardous air pollutants (HAP) emitted from stationary sources. The National Emission Standards for Hazardous Air Pollutants, established by EPA under the Clean Air Act, regulate 188 HAPs for stationary sources based on available control technologies (40 CFR Parts 61 and 63). The majority of HAPs are volatile organic compounds (VOC).

HAPs emitted from mobile sources are called Mobile Source Air Toxics (MSAT). MSATs are compounds emitted from highway vehicles and non-road equipment, which are known or suspected to cause cancer or other serious health and environmental effects. MSATs would be the primary HAPs emitted by mobile sources during construction and operations under the proposed project. The equipment used during construction would likely vary in age and emission rates. Construction equipment would be operated intermittently over a moderate area and would produce negligible ambient HAP concentrations in a localized area. Operational equipment, including vehicles driven by commuters, produces negligible ambient HAP concentrations. Therefore, HAP emissions are not considered further in this analysis.

General Conformity

The EPA General Conformity Rule (40 CFR 93 Subpart B) ensures that the actions taken by federal agencies in non-attainment and maintenance areas conform to a state's plan to meet the NAAQS. It provides that a federal agency cannot issue a permit for or support an activity unless the agency determines that the action will conform to the most recent EPA-approved State Implementation Plan. This means that projects using federal funds or requiring federal approval must not:

1. Cause or contribute to any new violation of a NAAQS,
2. Increase the frequency or severity of any existing violation, or
3. Delay the timely attainment of any standard, interim emission reduction, or other milestone.

A conformity applicability analysis is the first step of a conformity evaluation and assesses if a federal action must be supported by a conformity determination. This is typically done by quantifying applicable direct and indirect emissions that are proposed to result from a federal action. If the results of the applicability analysis indicate that the net emissions would not exceed the *de minimis* emission thresholds applicable to the proposed project, then the conformity evaluation process is completed. If emissions of one or more applicable pollutants exceed a *de minimis* threshold, then the project must demonstrate conformity under one of the methods prescribed by the General Conformity Rule.

Because Jefferson County is designated severe non-attainment for ozone and maintenance for CO and PM_{10}, the General Conformity Rule applies to the project and a general conformity

applicability analysis was performed. In accordance with the air conformity requirements of 40 CFR § 3.153(b)(1), the applicable *de minimis* levels are presented in Table 5-6.

Table 5-6. Applicable General Conformity *de Minimis* Thresholds (tons per year).

CO	NO_x[1]	PM_{10}	VOCs[1]
NA[2]	25	NA[2]	25

Source: 40 CFR § 93.153.

1 Volatile organic compounds (VOCs) and nitrogen oxides (NOx) are ozone precursors.

2 Per EPA and CDPHE (July 17, 2023 Letter), General Conformity requirements associated with CO and PM_{10} no longer apply.

Air Quality Permitting

The APCD regulates stationary sources of air pollution in the state and requires that Air Pollutant Emission Notices (APEN) and permit applications be filed for stationary sources that exceed specific emission thresholds. In addition, land development projects that disturb 25 or more contiguous acres and/or will last more than six months in duration are required to submit land development APENs and are subject to mandatory fugitive dust control requirements.

Impacts. Potential impacts on air quality could result from operation of an emergency generator at the DWF and construction activities. Potential impacts on air quality were evaluated based on calculated direct and indirect emissions associated with these activities. Operation and construction emissions calculations for the proposed project are summarized below.

While some water treatment chemicals may be stored onsite and could emit minimal quantities of VOC and HAP emissions, the primary emissions source during operation of the project includes emissions resulting from periodic testing and maintenance of diesel-fired emergency generators at the DWF. Operations were evaluated based on the federal EPA limit of 100 hours per emergency generator per year for purposes of maintenance and readiness testing. Operation during an emergency is not limited by federal regulation and is not typically accounted for in quantifying emergency generator emissions because the operation is not routine, nor can it be anticipated in a quantifiable manner. Emissions were calculated using EPA emission factors for Tier 2 diesel-fired emergency engines.

The criteria air pollutant with the largest quantity of emissions as a result of operation of the DWF would be NO_x. The annual NO_x emissions from the project are estimated to be 4.21 tons per year, which is well under the General Conformity Rule *de minimis* threshold of 25 tons per year for NO_x. The remaining pollutant emissions are very small when compared to the conformity thresholds and the 2020 Jefferson County emissions. Comparison of the emissions to the General Conformity Rule *de minimis* thresholds and regional emissions, as shown in Table 5-7, indicates that expected emissions from operations would be below threshold levels; therefore, they would not result in any NAAQS violations and impacts are considered minor.

Table 5-7. Annual Operational Emissions Estimates.

Activity	PM_{10} (tons/yr)	$PM_{2.5}$ (tons/yr)	NO_x (tons/yr)	CO (tons/yr)	SO_2 (tons/yr)	VOC (tons/yr)	HAP (tons/yr)	CO_2 Metric (tons/yr)
Emergency Generators	0.13	0.13	4.21	2.30	0.00	0.91	0.00	457
Total	0.13	0.13	4.21	2.30	0.00	0.91	0.00	457
De Minimis Thresholds[1]	NA	NA	25	NA	NA	25	NA	NA
Exceedance of Thresholds?	NA	NA	**No**	NA	NA	**No**	NA	NA
Jefferson County Emissions, 2020[2]	NA	NA	5,920	NA	NA	14,148	NA	3,065,307

Source: Olsson 2023c

1 General Conformity Rule *de minimis* thresholds from 40 CFR § 93.153

2 Jefferson County emissions from 2020 National Emission Inventory (U.S. Environmental Protection Agency 2023)

Notes: CO_{2e} = carbon dioxide equivalent; CO = carbon monoxide; HAP=hazardous air pollutants; NA = not applicable; NO_x = nitrogen oxide; PM_{10} = particulate matter less than or equal to 10 microns in diameter; $PM_{2.5}$ = fine particulate matter 2.5 microns or less in diameter; SO_2 = sulfur dioxide; tons/yr = tons per year; VOCs = volatile organic compounds.

During construction, short-term degradation of air quality is expected from emissions from construction equipment powered by gasoline and diesel engines and fugitive dust emissions generated by excavation, grading, hauling, and other activities related to construction. These emissions would be temporary and limited to the immediate area surrounding the construction work area. Emissions from construction activities are presented in Table 5-8. The table shows that construction emissions for NO_x and VOC (ozone precursors) and SO_2 are lower than the General Conformity Rule *de minimis* thresholds; as such, detailed air quality analysis is not required, and impacts are considered minor.

Table 5-8. Construction Emissions (2-year, Annual Average).

Activity	PM_{10} (tons/yr)	$PM_{2.5}$ (tons/yr)	NO_x (tons/yr)	CO (tons/yr)	SO_2 (tons/yr)	VOC (tons/yr)	HAP (tons/yr)	CO_2 Metric (tons/yr)
Grading	0.15	0.14	2.44	0.09	0.20	0.02	0	289.28
Construction	1.12	1.09	15.60	6.88	1.23	0.13	0	1,768.30
Paving	0.01	0.01	0.18	0.07	0.02	0.15	0.00	21.73
Pipelines	0.10	0.10	1.99	1.26	0.00	0.28	0.02	530.30
Fugitive Dust	45.60	4.56	NA	NA	NA	NA	NA	NA
Total	46.98	5.90	20.21	8.31	1.46	0.57	0.02	2,609.61
De Minimis Thresholds[1]	NA	NA	25	NA	100	25	NA	NA
Exceedance of Thresholds?	NA	NA	**No**	NA	**No**	**No**	NA	NA

Source: Olsson 2023c

1 General Conformity Rule *de minimis* thresholds from 40 CFR § 93.153

Notes: CO_{2e} = carbon dioxide equivalent; CO = carbon monoxide; HAP=hazardous air pollutants; NA = not applicable; NO_x = nitrogen oxide; PM_{10} = particulate matter less than or equal to 10 microns in diameter; $PM_{2.5}$ = fine particulate matter 2.5 microns or less in diameter; SO_2 = sulfur dioxide; tons/yr = tons per year; VOCs = volatile organic compounds.

During construction, sources of odors may be present. Exhaust odors from diesel engines and fuel, as well as emissions associated with asphalt paving may be considered offensive to some individuals. However, because odors would be temporary and would disperse rapidly with distance from the source, impacts associated with construction-generated odors are considered minor.

Mitigation Measures. The following measures will be implemented to reduce or avoid impacts to air quality:

- Prior to construction, the City will consult with the CDPHE APCD to determine APEN permitting and reporting requirements for the project.
- During construction, the City will implement applicable fugitive dust control measures included in the CDPHE APCD's Land Development APEN Form APCD-223, such as:
    - Minimize wind-blown dust by wetting disturbed areas during construction.
    - Minimize idling and vehicle speed.
    - Keep construction equipment well maintained to ensure exhaust systems are in good working order.
    - Implement post-construction seeding and maintenance of vegetative ground cover.

5.1.7 Environmental Justice

EO 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" was issued by the President of the United States on February 11, 1994. As part of the environmental compliance process, agencies are required to identify and address disproportionately high and adverse human health or environmental effects on minority or low-income communities (EO 12898 populations).

To assess the presence of minority and low-income populations within the project area, a review of the EPA Environmental Justice screening and mapping tool (EJ Screen Tool; EPA 2023b) was conducted. The neighborhoods within a 0.50-mile buffer of the project area (Figure 5-6) have the following demographics:

- Minority population: 25 percent, compared to a state average of 32 percent.
- Low-income population: 19 percent, compared to a state average of 25 percent.

In addition, the EJ Screen Tool was used to determine the presence of limited English-speaking households. Within a 0.50-mile buffer of the project area, two percent of the households have limited English proficiency, which is the same as the state average (EPA 2023b).

On November 22, 2023, as a requirement of the APCD APEN process, the City submitted an Environmental Justice Summary to CDPHE APCD, which concluded that the DWF is not located in a disproportionately impacted community. On November 29, 2023, the APCD issued a letter of concurrence with the City's determination.

Impacts. There would not be any displacement of residents or businesses as a result of the proposed project. Because the percentage of low-income and minority populations within a 0.5-mile buffer of the project area is lower than the state average, it is not considered an area with

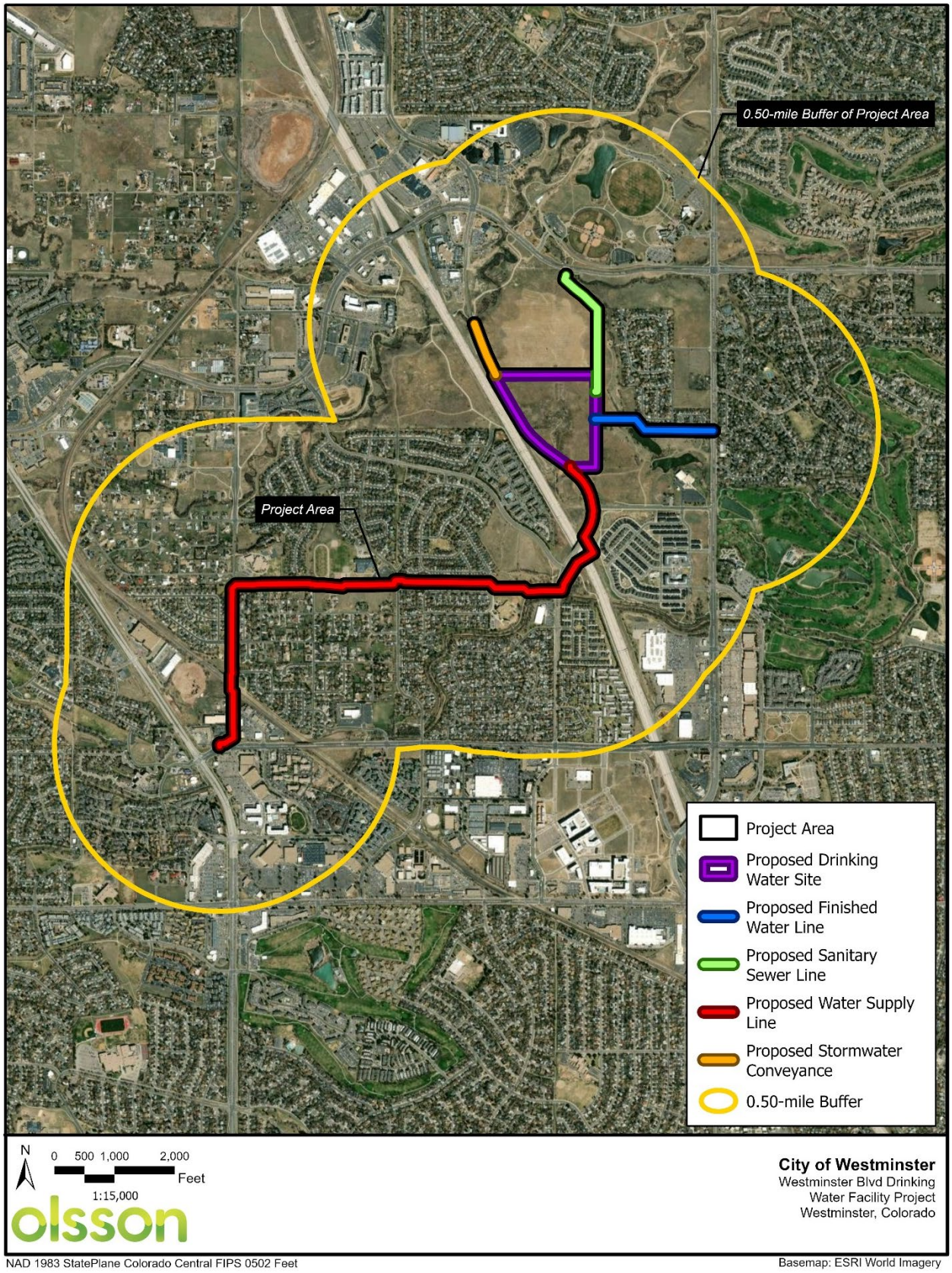

Figure 5-6. Environmental Justice Analysis 0.5-mile Buffer Around the Project Area.

high numbers of environmental justice populations. Therefore, the project would not result in disproportionately high and adverse impacts to minority or low-income populations.

Construction of the project would result in temporary construction-related impacts, including increased noise, air emissions from construction vehicles, and construction vehicle traffic or detours. Temporary construction-related impacts to residents within the project area are not expected to be disproportionate to environmental justice populations and would be borne equally by the residents in the project area.

In addition, since the percentage of households with limited English proficiency is low and does not exceed the state average, translation services are only available upon request. The City will continue to conduct public outreach for the remainder of the design process, including publishing an updated website, collecting community feedback through a dedicated email and hotline, and forming a new community advisory group to inform decisions on appearance, aesthetics, and community amenities of the facility.

Mitigation Measures. No mitigation measures are required.

5.1.8 Land Use

Land use is the way in which, and the purposes for which, people utilize the land and its resources. An area's land use is generally guided by comprehensive plans that specify the allowable types and locations of present and future land use. Most comprehensive plans are developed through public participation processes and approved by publicly elected officials to capture local values and attitudes toward planning and future development.

Land use designations identified in the City's Comprehensive Plan (City of Westminster 2023b) are shown on Figure 5-7. The DWF site and stormwater conveyance facility are located on vacant land that is bounded by a mix of residential, commercial, and open space. The finished water and fiber communication line alignments would connect to the DWF and extend east through existing open space. The water supply line alignment would extend from the DWF to the south and southwest and crosses through existing open space, parks, and residential land uses. The sanitary sewer alignment would extend from the DWF to the north and crosses through existing open space.

The official zoning of the project area is either Open/Agriculture (O-1) or Planned Unit Development (PUD). The Open/Agriculture zoning district is defined as an agricultural and open district for providing an area of the city devoted to the production of agricultural crops and livestock as well as preserving and protecting agricultural and non-urbanized areas until urbanization is warranted and the appropriate change in district classification is made. A PUD zoning district is defined as a district where a maximum amount of flexibility is allowed in order to create a unified, innovative approach to mixed use design. This project would be defined as a public utility, which is a permitted use in both the Open/Agriculture and PUD zoning districts.

Prime and unique farmlands of state and local importance are protected under the Farmland Protection Policy Act of 1981 (7 USC § 4201 et seq.). Prime farmland is characterized as land with the best physical and chemical characteristics for the production of food, feed, forage, fiber, and oilseed crops. Unique farmland is defined as land that is used for the production of certain

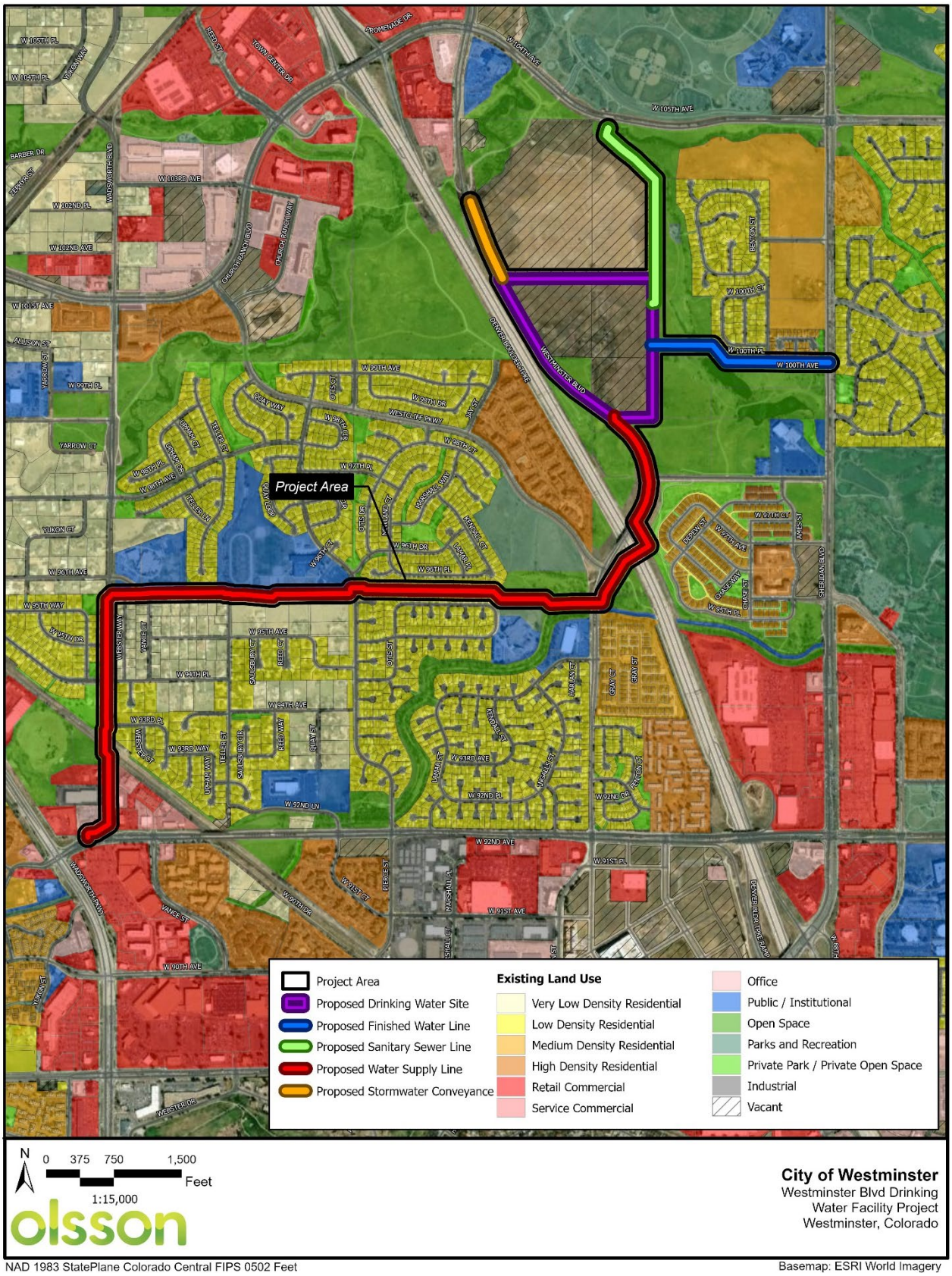

Figure 5-7. Land Use Designations within the Project Area.

high-value crops, such as citrus, tree nuts, olives, and fruits. The project area is not within any mapped prime or unique farmlands. The water supply line alignment does cross one soil type that is considered prime farmland if irrigated, however, the area has been previously developed (NRCS 2023). As part of the scoping process, a letter was sent to the NRCS State Conservationist requesting information on resources and issues that should be included in the environmental analysis (Appendix G). To date, a response has not been received.

Impacts. The proposed project would result in a permanent change in land use at the DWF site. This change in use is consistent with the City's long-term planning identified in its comprehensive plan and impacts are considered minor. The associated water supply and finished water lines and supporting utilities would be installed underground and follow existing rights-of-way and utility corridors, to the extent possible. Following installation of the water lines and utilities, all areas of disturbance would be restored to pre-construction conditions and no permanent impacts to land use would occur.

Mitigation Measures. No mitigation measures are required.

5.1.9 Noise and Vibration

Sound levels are measured on a logarithmic scale in decibels (dB). The most common metric for noise is the overall A-weighted sound level measurement. The A-weighting network measures sound as it is heard by humans, thereby providing a measure for evaluating acceptable and unacceptable sound levels. A-weighted measurements are expressed in terms of A-weighted decibels (dBA). Figure 5-8 shows typical indoor and outdoor A-weighted sound levels for common activities.

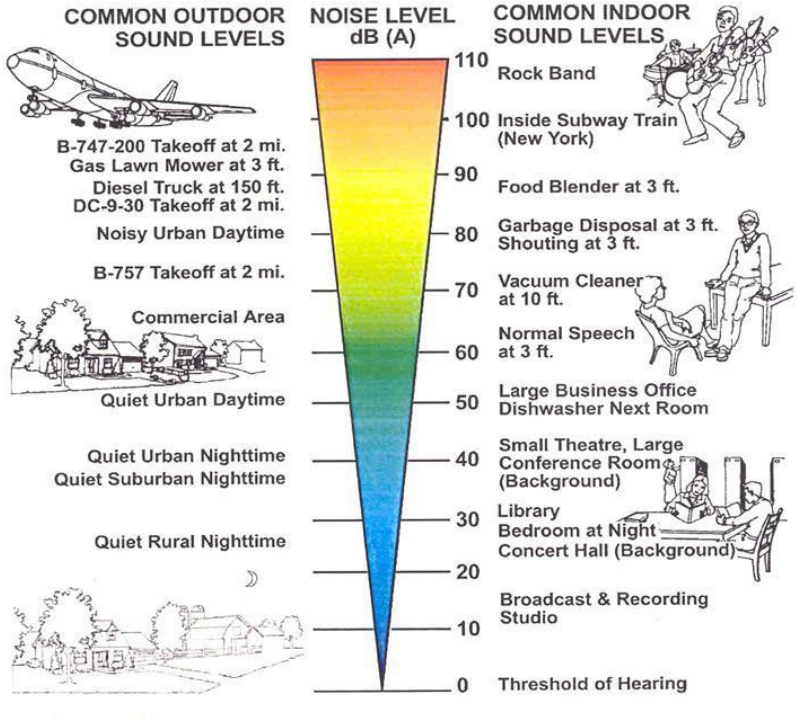

Figure 5-8. Typical Indoor and Outdoor A-Weighted Sound Levels.

Vibration is acoustic energy transmitted as waves through a solid medium, such as soil or concrete. Vibration may be in the form of a single pulse of acoustical energy, a series of pulses, or a continuous oscillating motion. It can be generated by transportation systems, construction activities, and other large mechanical systems. The way that vibration is transmitted through the ground depends on the soil type, the presence of rock formations or man-made features, and the topography between the vibration source and the receptor location.

Noise-Sensitive Land Uses

Noise-sensitive land uses generally are defined as locations where people reside or where the presence of unwanted sound adversely affects the designated use of the land. Typically, noise-sensitive land uses include residential areas, hospitals, places of worship, libraries, and schools, as well as nature preserves and parks. Noise-sensitive locations (or receptors) near the proposed DWF include residences to the east, west, and south, and the area designated as open space to the east.

Applicable Noise and Vibration Policies

The City of Westminster does not have a noise or vibration ordinance or policy related to construction activities or operation and maintenance of drinking water treatment facilities. For construction activities, the next observed ordinance is the Jefferson County Noise Policy (CC07-202), which identifies permissible noise limits applicable to construction activities. Construction projects in residential zones shall be subject to the following permissible noise levels shown in Table 5-10.

Table 5-10. Jefferson County Maximum Permissible Noise Levels for Construction Projects Located in Residential Zones.

Timeframe	Noise Level (decibels [dBA])
7:00 a.m. until 7:00 p.m.	80 dBA
7:00 p.m. until 7:00 a.m. of the following day	75 dBA

For operation and maintenance activities, it has been interpreted that the Jefferson County Noise Policy considers projects like the DWF an exception to the code since it is a public utility (Jefferson County Noise Policy, Section B.2.e.). Despite this exception, operational noise and vibration studies to assess impacts to the public and the environment were conducted and compared to the Jefferson County Noise Policy for non-vehicular sources located in residential zones (Jefferson County Noise Policy, Section D.3.) (Table 5-11).

Table 5-11. Jefferson County Maximum Permissible Noise Levels for Non-Vehicular Sources Located in Residential Zones.

Timeframe	Noise Level (decibels [dBA])
7:00 a.m. until 7:00 p.m.	55 dBA
7:00 p.m. until 7:00 a.m. of the following day	50 dBA

Ambient Noise Measurements

To establish existing ambient noise levels, a 72-hour ambient sound level survey was completed in 2021 at the DWF site (BAENC 2021). Survey results confirmed road noise as the major sound level contributor with measurements during the daytime ranging from 53 to 69 dBA and measurements during the nighttime ranging from 53 to 67 dBA.

Impacts. To predict noise impacts associated with construction of the proposed project and with noise generated by traffic accessing the DWF site during future operations, construction noise and traffic noise models were developed (BAENC 2023a; BAENC 2023b). Results of each model were compared against the Jefferson County Noise Policy to determine if the construction and traffic noise generated by the proposed project would comply with Jefferson County permissible limits and if the proposed project would create a significant noise increase on the area around the DWF site.

In addition, to predict noise impacts associated with operation of the DWF, an operational noise model was developed. A vibration analysis was also conducted to assess the potential vibration impacts associated with operation of the DWF (BAENC 2023c).

For all models, the predicted noise levels represent only the contribution of the proposed project and do not include ambient noise or noise from other facilities. Actual field sound level measurements may vary from the modeled noise levels due to other noise sources such as traffic, other facilities, other human activity, or environmental factors.

Construction

For the construction noise model, noise sensitive receptor locations were chosen based on the nearest residential properties to the modeled DWF and represent the typical sound levels from the modeled equipment. To be conservative, the model assumed that construction equipment would be placed on the east side of the DWF site. This placement puts construction equipment as close as possible to the nearest residences and represents a worst-case scenario for construction noise at the nearest receptors.

The modeling results indicate that construction activities would be loudest at residences and open space areas to the east of the DWF site (60 dBA). Predicted noise levels of the proposed construction operations would be within the allowable daytime and nighttime construction noise limits of the Jefferson County Noise Policy (BAENC 2023a).

While no acoustical mitigation measures are required to comply with the Jefferson County limits, construction of the project would result in a short-term, temporary increase in noise levels in the vicinity of construction activities (e.g., DWF site and utility alignments). The City of Westminster will implement standard engineering controls and prepare a sound control design plan, as necessary, to minimize construction noise related impacts to nearby sensitive receptors.

Operational Traffic Noise

Three modeling scenarios were created to predict the sound levels of the (1) existing traffic, (2) projected traffic, and (3) projected traffic plus DWF future operations traffic. Model inputs were

based on the Transportation Impact Study (Olsson 2021c) and U.S. Highway 36 traffic volumes obtained from the Colorado Department of Transportation.

The traffic noise model was developed to predict the noise levels at noise sensitive receptors (fifty feet from the center of the lane of travel). The receptor locations were chosen based on the nearest residential properties and commercial areas to the modeled DWF and represent the typical sound levels from the modeled traffic.

Comparing the results of projected traffic to projected traffic plus DWF future operations traffic demonstrate that there would be minimal noise impact from the proposed project traffic. The impact at the various receptors range between 0 dBA and 1 dBA. According to guidance published by the Federal Highway Administration, an increase of 3 dBA can be considered "barely perceptible"; therefore, the impacts predicted for the proposed project could be interpreted as less than "barely perceptible" (BAENC 2023b).

The noise limits in the Jefferson County Noise Policy are generally applicable to single vehicles, and no guidance is provided regarding the changes in ambient traffic noise due to new projects. All vehicles associated with the proposed project would be equipped with manufacturer mufflers and be free of third-party upgrades that may generate excessive noise. Under this assumption, the vehicles associated with the project are expected to comply with the Jefferson County Noise Policy and no mitigation is required.

Drinking Water Facility Operation

In an effort to obtain operational equipment acoustical data, as well as improve the accuracy of the noise and vibration analysis, Semper was identified as an equivalent treatment facility to the proposed DWF. Since Semper is already operational it was determined that a sound level and vibration survey of this facility could serve as a potential proxy for aspects of the proposed DWF depending on the status of design. On August 21, 2023, a noise and vibration survey was conducted at Semper, which included a lime silo offloading procedure, and operation of a large generator, small generator, and large high service pumps that would be the same, or similar, at the proposed DWF.

For the noise analysis, three modeling scenarios were created to predict the sound levels at the proposed DWF, including (1) daily standard operations, (2) daily standard operations plus emergency generators, and (3) daily standard operations plus lime silo offloading. Depending on the receptor location, predicted noise levels under Scenario 1 ranged from 19 to 29 dBA, Scenario 2 ranged from 29 to 43 dBA, and Scenario 3 ranged from 30 to 46 dBA. While the project was determined to be an exception to the Jefferson County Noise Policy as it is a public utility, noise modeling results were compared to the county's policy for non-vehicular sources located in residential zones. Under the three scenarios, the predicted noise levels of proposed operation and maintenance activities would not exceed the county's noise limits for non-vehicular sources at any receptor location (BAENC 2023c).

The vibration assessment considered impacts associated with operation of a small generator, high service pump, larger generator, and a lime truck at various distances and locations. Since no vibration regulatory standards are applicable to the project, modeling results were compared

to the human guideline vibration criteria, and it was determined that vibration produced by the DWF would be less than barely perceptible by humans beyond the DWF site boundary (BAENC 2023c).

While the project would result in changes to existing ambient noise levels, project design will incorporate siting strategies and/or structural controls to minimize noise and/or vibrations. For example, facilities that may project unwanted noise levels (such as the finished water pump station) would be located closer to Westminster Boulevard. In accordance with Envision Credit QL1.4/Minimize Noise and Vibration, the City plans to achieve the "Conserving" level for the DWF (i.e., no noise increase).

Mitigation Measures. The following measures will be implemented to minimize impacts associated with noise and vibration.

- The City will implement standard engineering controls and prepare a sound control design plan, as necessary, to minimize construction noise related impacts to nearby sensitive receptors.

5.1.10 Geology and Soils

The project area is located in the Colorado Piedmont Subprovince of the Great Plains Province of Colorado. The Colorado Piedmont Subprovince lies between the High Plains and the Front Range of the Rockies, at elevations distinctly lower than the High Plains. The area consists of a series of river terraces, which represent former floodplain levels of the South Platte and Arkansas Rivers and their principal tributaries. The Colorado Piedmont Subprovince is bordered by the Raton Basin to the south, the High Plains to the east and north, and the Southern Rocky Mountains to the west (Olsson 2021b).

The surficial geology consists of Pinedale-Bull Lake Interglaciation and Late Bull Lake Aged loess. Thickness of the loess is commonly three to five feet with local areas up to 10 feet. The loess is described as light-gray-brown to light-brown non-stratified fine sand and silt and forms a mantle covering bedrock and alluvium. Bedrock geology includes Tertiary-Cretaceous aged Denver and Arapahoe Formations. These sedimentary bedrock formations include sandstone, mudstone, claystone, and conglomerate bedrock materials (Olsson 2021b).

According to the NRCS soil survey, the project area is dominated by the Nunn-Urban land complex, consisting primarily of clay loam and clay soils to deeper than 30 inches below the ground surface on 0 to 2 percent slopes. The soil profile below the 30-inch depth consists of clayey, calcareous alluvium to greater than 60 inches below the soil surface. The hydrologic soil group for the project area is uniformly Type C, indicating soils, which are moderately fine in texture and not well draining (NRCS 2023).

The Colorado Earthquake and Fault Map Server indicated no recent or historic earthquakes in or near the project area (CGS 2023). In addition, the U.S. Geological Survey Quaternary Faults Map indicates there are no faults located in or near the immediate project area (USGS 2023b).

Impacts. The proposed project would not result in impacts to geology as construction activities would not occur at a depth that would impact the geology of the area or cause geological hazards.

Disturbance and compaction of soils as a result of construction activities would result in temporary increased potential for erosion and sedimentation. Implementation of control measures during construction would minimize the potential for erosion and sedimentation; therefore, impacts are considered minor.

The 40-acre DWF site generally slopes south to northwest at an average grade of approximately 2.7 percent, demonstrating the natural relief across the site is relatively flat (Olsson 2021b). There is a mild depression on the center, northern area of the site with a maximum depth of approximately one foot as compared to adjacent grade. The fully developed site would drain to proposed onsite detention features, which would be designed to maintain historic flow patterns and release flows to drain toward the adjacent Big Dry Creek at equivalent or lower flow rates than predevelopment conditions. Building layouts would utilize natural site topography trending from the south to the north to allow for gravity flow through process trains, waste flows, drains, and overflows. The developed site would not be affected by any slope stability or drainage related complications.

Installation of the finished waterline, sanitary sewer line, fiber communication line, and stormwater conveyance facility may affect soils, including increased compaction and decreased stability. Test borings would be conducted as part of the design process to minimize impacts to soils. Installation of the water supply line is not expected to affect soils because it would be installed under previously developed land following existing rights-of-way and utility corridors.

Mitigation Measure. The following measure will be implemented to minimize impacts related to erosion and sedimentation:

- Prior to construction, the City will obtain a NPDES Construction Stormwater Permit (COR400000) from CDPHE.
- During construction, the City will implement control measures such as silt fences, erosion logs, vehicle tracking pads, good housekeeping practices, etc. to minimize the potential for erosion and sedimentation.

5.1.11 Socioeconomics

Population data was collected from the 2017-2021 American Community Survey 5-year Estimates for the City of Westminster, Jefferson County, and the State of Colorado. The 5-year estimates for the City of Westminster identified a population of 115,535. Jefferson County and the State of Colorado had an estimated population of 580,130 and 5,723,176, respectively (USCB 2021).

Population growth estimates from 2010-2020 for the City of Westminster, Jefferson County, and the State of Colorado were collected from the U.S. Census Bureau (USCB). The percent change from 2010 to 2020 for the City of Westminster and Jefferson County were similar at 8.05 percent and 8.91 percent, respectively. The State of Colorado's growth rate was almost double that amount at 15.06 percent. For the same period, the year-over-year average percent change for the City of Westminster was 0.78 percent, Jefferson County was 0.86 percent, and the State of Colorado was 1.41 percent (USCB 2020a, 2020b).

According to the most recent data available from the American Community Survey 5-year Estimates, the median household income in 2021 for the City of Westminster was $80,355, the

percent of the civilian labor force that was unemployed was 3.1 percent, and the percent of individuals whose income was below the poverty level was 6.6 percent. For comparative purposes, Table 5-12 provides the corresponding values for Jefferson County and the State of Colorado. In addition, the table includes estimates for 2010. From 2010 to 2021, trends show an increase in median household income, and a decrease in unemployment and individuals living below the poverty level for all three geographic areas.

Table 5-12. Income, Unemployment, and Poverty Level Statistics.

	Median Household Income ($)	Median Household Income ($)	Unemployed Civilian Labor Force (%)	Unemployed Civilian Labor Force (%)	Individuals with Income Below the Poverty Level (%)	Individuals with Income Below the Poverty Level (%)
Geographic Area	**2010**	**2021**	**2010**	**2021**	**2010**	**2021**
City of Westminster	61,936	80,355	5.2	3.1	10.3	6.6
Jefferson County	66,075	93,933	4.7	2.8	8.0	6.8
State of Colorado	56,456	80,184	4.7	3.1	12.2	9.6

Source: USCB 2010; USCB 2021, Table DP03

The City of Westminster 2023 Economic Profile produced by the Department of Economic Development, states that employment is concentrated in five industries: Health, Education and Social Services is the largest employer with 17.9 percent, followed by Professional, Technical and Information Services (17.8 percent), Accommodations, Food and Entertainment (14.6 percent), Administration, Personnel and Other Support Services (10.1 percent), and Retail Trade (9.0 percent). Top primary employers include Ball Corporation, Maxar, and St. Anthony's North Hospital (City of Westminster 2023c).

According to the most recent data available from the American Community Survey 5-year Estimates (2021), select housing characteristics for the City of Westminster, Jefferson County, and the State of Colorado are included in Table 5-13. The median home value for the city was $388,300 compared to $463,400 for Jefferson County and $397,500 for the State of Colorado (USCB 2021).

Table 5-13. Housing Occupancy and Median Home Value (2021).

Housing Characteristic	City of Westminster	Jefferson County	State of Colorado
Total housing units	48,959	246,426	2,454,873
Occupied housing units	46,968	236,499	2,227,932
Vacant housing units	1,991	9,927	226,941
Homeowner vacancy rate (percent)	0.6	0.6	0.9
Rental vacancy rate (percent)	4.6	4.6	5.1
Median home value	$388,300	$463,400	$397,500

Source: USCB 2021, Table DP04

The City of Westminster provides police, fire and medical transport services to Westminster residents and the City is served by three school districts. The City currently operates and maintains neighborhood, community and citywide parks and maintains an open space and trail system that connects to the larger regional system (City of Westminster 2021b).

Impacts. The proposed project is not expected to have a local or regional impact on the total population or affect projected population growth. The primary purpose of the project is to address aging infrastructure and source water quality challenges for the City. Access to high-quality drinking water may induce some localized population growth, however, this indirect growth would be limited, and impacts would be negligible.

The proposed project is not expected to result in changes to the local or regional median household income, average unemployment rate, or the poverty rate. The project would create economic benefits by establishing a new long-term permanent employment opportunity. In addition, some local economies might see beneficial effects resulting from non-local construction workers patronizing surrounding businesses, potentially creating minor, temporary economic benefits.

The proposed project would not require the acquisition or relocation of existing housing. Indirect effects to housing resources have the potential to occur from a short-term workforce temporarily relocating from outside the project area, which might reduce the amount of locally available unoccupied housing. However, the impacts would negligible as it is assumed that the construction workforce would largely be drawn from the local surrounding communities, and that there is sufficient unoccupied housing to accommodate any temporary non-local workers.

The proposed project could temporarily affect emergency response providers as a result of road closures/detours during construction. The City will provide advanced notification to emergency service providers of closures/detours and provide signage directing users to alternate routes; therefore, impacts would be minor.

Mitigation Measure. The following measure will be implemented to minimize impacts to emergency response providers.

- Prior to and during construction, the City will provide advanced notification to emergency response providers of road closures/detours and provide signage directing users to alternate routes.

5.1.12 Transportation and Traffic

A Transportation Impact Study (TIS) was conducted to establish the expected traffic volumes that would be generated by the proposed DWF located northeast of the intersection of Westminster Boulevard and W. 98th Avenue (Olsson 2021c). The TIS analyzed impacts to the surrounding street network based on three volume scenarios (2025, 2035, and 2040) and two phases of construction. The proposed project analyzed in this document only includes construction of Phase I of the DWF, therefore, the following discussion focuses on construction of the proposed project (represented by 2025) and full buildout operations (represented by 2040; worst case scenario).

The study area included three unsignalized intersections adjacent to the DWF site as well as the two nearest signalized intersections (Figure 5-9). These were identified as the intersections that would accept site traffic, such that it could have an appreciable impact on traffic operations. The intersections are as follows:

- Sheridan Boulevard and W. 98th Avenue
- Westminster Boulevard and W. 98th Avenue
- Westminster Boulevard and Westcliff Parkway
- Westminster Boulevard and W. 92nd Avenue (signalized)
- Westminster Boulevard and W. 104th Avenue (signalized)

The DWF site is planned to be accessed by two drives off Westminster Boulevard, which is a minor arterial (Figure 5-9).

Trip generation estimates indicate that the construction phase of the project would bring the most traffic to the DWF site while the operational phase would generate considerably less traffic. At the peak of construction, daily trip generation estimates include approximately 200 craft employees and 50 truck deliveries. During operations (full facility buildout), there would be approximately 25 full-time employees and five contractors traveling to the site daily. In addition, operation of the DWF would include an estimated 43 heavy truck trips per month to accommodate chemical deliveries, other miscellaneous deliveries, and trash and solids removal.

A capacity analysis was conducted on the roadway network to anticipate the expected delays of movement at the study intersections with consideration of background growth and the additional site traffic generated during construction and operation of the DWF. For simplicity, the amount of delay is equated to a grade or Level of Service (LOS) based on thresholds of driver acceptance. The amount of delay is assigned a letter grade A through F, LOS A representing little or no delay and LOS F representing very high delay. Table 5-14 shows the delays associated with each LOS grade for signalized and unsignalized intersections.

Table 5-14. Intersection Level of Service.

Level of Service	Average Control Delay, Signalized (seconds)	Average Control Delay, Unsignalized (seconds)
A	≤ 10	≤ 10
B	> 10-20	> 10-15
C	> 20-35	> 15-25
D	> 35-55	> 25-35
E	> 55-80	> 35-50
F	> 80	> 50

Source: Olsson 2021c

Table 5-15 summarizes results of the existing traffic capacity summary. The existing conditions (2021) capacity analysis determined that both signalized intersections operate at LOS C or better during the morning and afternoon peak hours although some individual left-turning movements operate at LOS D. All unsignalized intersections operate at LOS C or better during the morning

and afternoon peak hours except for the eastbound left turn at Sheridan Boulevard and 98th Avenue, which operates at LOS F in both peak periods.

Capacity analyses were performed on both background traffic and total traffic (background plus site traffic) scenarios. Table 5-16 summarizes results of the construction traffic capacity analysis. During construction (represented by 2025), background traffic at both signalized intersections is expected to operate at LOS C or better during morning and afternoon peak hours although some individual left-turning movements operate at LOS D and one operates at LOS E. All unsignalized intersections operate at LOS C or better during the morning and afternoon peak hours except for the eastbound left turn at Sheridan Boulevard and W. 98th Avenue, which operates at LOS F in both peak periods. The LOS at most study intersections does not degrade with the addition of construction traffic with the exception of Westminster Boulevard and W. 98th Avenue and at Westcliff Avenue and Westminster Boulevard where some individual left-turning movements change from LOS C to LOS D during the afternoon peak hours.

Table 5-17 summarizes results of the operations traffic capacity analysis. During full buildout operation (represented by 2040), background traffic at both signalized intersections is expected to operate at LOS C in the morning peak hours and LOS D in the afternoon peak hours. At the unsignalized intersections several individual turning movements operate at LOS E and LOS F. The LOS at most study intersections does not degrade with the addition of operations traffic with the exception of northbound right-turning movement at the Westminster Boulevard and W. 92nd Avenue intersection, which changes from LOS C to LOS D during the afternoon peak hours. The site driveways are expected to operate with LOS of A or B.

Impacts. Operation of the DWF would result in a minor increase in local traffic as a result of additional vehicles carrying workers and materials in and out of the facility. The addition of DWF site operations traffic to the transportation network would result in negligible impacts to the LOS at the study intersections and the network as a whole. There would be no long-term traffic impacts associated with operation of the water supply, finished water, and utility lines.

Construction activities would result in short-term and temporary impacts to roadway capacities as a result of the arrival and departure of construction workers and trucks hauling equipment and materials to the construction areas. In addition, construction activities would occur within or adjacent to existing road right-of-way and/or utility corridors, which could potentially result in street and lane closures, detours, and traffic and parking restrictions. Access to any adjacent residential areas would be maintained during construction. Impacts to the local road network are temporary and would cease at the end of construction. However, to minimize impacts the City will prepare a Traffic Management Plan that will address short-term disruption in existing circulation patterns during construction. In addition, the water supply line would be installed under U.S. Highway 36, as such the City will coordinate with Colorado Department of Transportation on any necessary reviews or approvals.

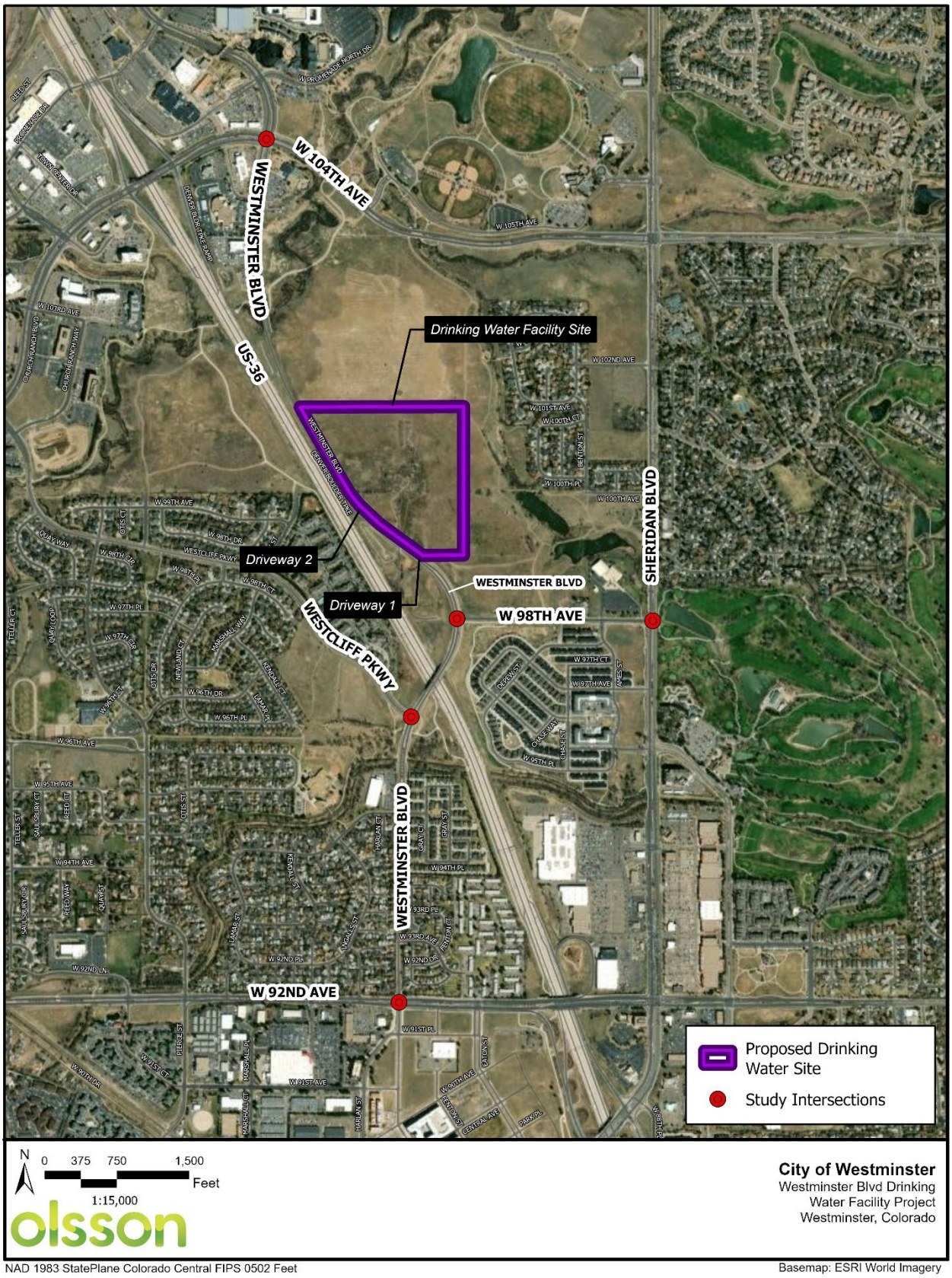

Figure 5-9. Transportation Impact Study Intersections.

Table 5-15. Existing Traffic Capacity Summary (2021).

Intersection	Movement	LOS (A.M.)	Delay (seconds/ vehicle) (A.M.)	LOS (P.M.)	Delay (seconds/ vehicle) (P.M.)
Westminster & W. 104th	EB Left	C	32.4	C	33.4
Westminster & W. 104th	EB Thru/Right	B	12.8	B	17.8
Westminster & W. 104th	WB Left	D	50.0	E	55.7
Westminster & W. 104th	WB Thru/Right	C	22.2	C	28.9
Westminster & W. 104th	NB Left	D	35.5	D	39.4
Westminster & W. 104th	NB Thru/Right	B	19.2	C	24.4
Westminster & W. 104th	SB Left	D	35.5	D	38.6
Westminster & W. 104th	SB Thru/Right	B	18.8	C	22.4
Westminster & W. 104th	Overall Intersection	C	22.7	C	25.9
Westminster & W. 98th	WB Left	B	10.3	C	17.0
Westminster & W. 98th	WB Right	A	9.2	A	9.4
Westminster & W. 98th	SB Left	A	7.7	A	8.0
Sheridan & W. 98th	NB Left	B	12.8	C	15.6
Sheridan & W. 98th	EB Left	F	156.0	F	1636.9
Westminster & W. 92nd	EB Left	D	36.7	D	43.0
Westminster & W. 92nd	EB Thru/Right	B	17.7	B	19.5
Westminster & W. 92nd	WB Left	C	25.1	D	41.2
Westminster & W. 92nd	WB Thru/Right	B	17.6	C	22.8
Westminster & W. 92nd	NB Left	B	10.8	C	21.4
Westminster & W. 92nd	NB Thru/Right	B	11.6	C	30.7
Westminster & W. 92nd	SB Left	A	9.8	B	19.2
Westminster & W. 92nd	SB Thru/Right	B	10.6	C	24.3
Westminster & W. 92nd	Overall Intersection	B	17.3	C	22.7
Westcliff & Westminster	NB Left	A	7.6	A	8.6
Westcliff & Westminster	EB Left	B	11.6	C	20.5
Westcliff & Westminster	EB Right	A	9.0	B	10.7

Source: Olsson 2021c

Notes: A.M.=morning peak; P.M.=afternoon peak; EB=eastbound; NB=northbound; SB=southbound; WB=westbound; LOS=level of service

Table 5-16. Construction Traffic Capacity Summary (2025).

Intersection	Movement	B LOS (A.M.)	B Delay (seconds/ vehicle) (A.M.)	B LOS (P.M.)	B Delay (seconds/ vehicle) (P.M.)	B + Site LOS (A.M.)	B + Site Delay (seconds/ vehicle) (A.M.)	B + Site LOS (P.M.)	B + Site Delay (seconds/ vehicle) (P.M.)
Westminster & W. 104th	EB Left	C	33.9	D	38.2	C	33.9	D	38.4
Westminster & W. 104th	EB Thru/Right	B	12.6	B	18.5	B	12.8	B	18.8
Westminster & W. 104th	WB Left	D	52.8	E	61.9	D	54.4	E	60.6
Westminster & W. 104th	WB Thru/Right	C	23.6	C	32.6	C	23.6	C	32.9
Westminster & W. 104th	NB Left	D	37.6	D	42.2	D	37.7	D	43.6
Westminster & W. 104th	NB Thru/Right	C	20.9	C	27.4	C	21.2	C	27.8
Westminster & W. 104th	SB Left	D	37.5	D	43.8	C	37.5	D	44.0
Westminster & W. 104th	SB Thru/Right	C	20.7	C	25.0	C	20.8	C	25.7
Westminster & W. 104th	Overall Intersection	C	24.0	C	28.8	C	24.1	C	29.2
Westminster & W. 98th	WB Left	B	10.7	C	20.3	B	11.1	D	26.9
Westminster & W. 98th	WB Right	A	9.3	A	9.7	A	9.7	A	9.8
Westminster & W. 98th	SB Left	A	7.7	A	8.1	A	7.8	A	8.3
Sheridan & W. 98th	NB Left	B	13.7	C	17.2	B	14.6	C	17.5
Sheridan & W. 98th	EB Left	F	269.8	F	2732.5	F	393.2	F	3171.1
Westminster & W. 92nd	EB Left	D	39.8	D	47.2	D	37.7	D	47.4
Westminster & W. 92nd	EB Thru/Right	B	18.3	C	20.9	B	18.2	C	20.9
Westminster & W. 92nd	WB Left	C	25.8	D	43.4	C	26.1	D	43.4
Westminster & W. 92nd	WB Thru/Right	B	18.1	C	25.4	B	18.4	C	25.6
Westminster & W. 92nd	NB Left	B	11.5	C	23.4	B	11.7	C	23.4
Westminster & W. 92nd	NB Thru/Right	B	12.4	D	36.0	B	12.8	D	36.0
Westminster & W. 92nd	SB Left	B	10.3	C	21.9	B	10.4	C	22.0
Westminster & W. 92nd	SB Thru/Right	B	10.7	C	28.3	B	11.5	C	28.8
Westminster & W. 92nd	Overall Intersection	B	17.9	C	25.0	B	18.1	C	25.1
Westcliff & Westminster	NB Left	A	7.7	A	8.8	A	7.7	A	8.8
Westcliff & Westminster	EB Left	B	12.0	C	24.5	B	12.2	D	25.3
Westcliff & Westminster	EB Right	A	9.2	B	11.3	A	9.2	B	11.5

Source: Olsson 2021c

Notes: B=background traffic; B+Site= background traffic plus site traffic; A.M.=morning peak; P.M.=afternoon peak; EB=eastbound; WB=westbound; NB=northbound; SB=southbound; LOS=level of service

Table 5-17. Operations Traffic Capacity Summary (2040).

Intersection	Movement	B LOS (A.M.)	B Delay (seconds/ vehicle) (A.M.)	B LOS (P.M.)	B Delay (seconds/ vehicle) (P.M.)	B + Site LOS (A.M.)	B + Site Delay (seconds/ vehicle) (A.M.)	B + Site LOS (P.M.)	B + Site Delay (seconds/ vehicle) (P.M.)
Westminster & W. 104th	EB Left	D	42.4	F	75.5	D	42.4	F	75.5
Westminster & W. 104th	EB Thru/Right	B	12.2	C	22.4	B	12.3	C	22.5
Westminster & W. 104th	WB Left	E	61.7	E	58.3	E	60.6	E	58.4
Westminster & W. 104th	WB Thru/Right	C	29.1	D	46.1	C	29.1	D	46.1
Westminster & W. 104th	NB Left	D	43.2	D	48.8	D	43.1	D	49.4
Westminster & W. 104th	NB Thru/Right	C	26.5	C	32.5	C	26.5	C	32.6
Westminster & W. 104th	SB Left	D	43.3	E	78.4	D	43.3	E	78.4
Westminster & W. 104th	SB Thru/Right	C	25.3	C	30.4	C	25.4	C	30.6
Westminster & W. 104th	Overall Intersection	C	29.1	D	43.4	C	29.0	D	43.5
Westminster & W. 98th	WB Left	B	12.0	F	59.9	B	11.9	E	43.2
Westminster & W. 98th	WB Right	A	9.8	B	10.4	A	9.3	A	9.5
Westminster & W. 98th	SB Left	A	7.9	A	8.6	A	8.0	A	8.6
Sheridan & W. 98th	NB Left	E	36.1	F	78.1	E	38.2	F	80.7
Sheridan & W. 98th	EB Left	F	422.0	F	4109.9	F	482.1	F	4796.0
Westminster & W. 92nd	EB Left	D	45.8	E	62.1	D	46.3	E	62.2
Westminster & W. 92nd	EB Thru/Right	C	21.5	C	34.3	C	21.3	C	34.3
Westminster & W. 92nd	WB Left	C	28.9	E	58.6	C	29.0	E	58.6
Westminster & W. 92nd	WB Thru/Right	C	23.2	F	74.8	C	23.3	F	75.4
Westminster & W. 92nd	NB Left	B	14.1	C	26.0	B	14.2	C	26.0
Westminster & W. 92nd	NB Thru/Right	B	15.6	C	33.7	B	15.9	D	54.3
Westminster & W. 92nd	SB Left	B	11.4	C	30.6	B	11.5	C	30.7
Westminster & W. 92nd	SB Thru/Right	B	12.6	D	38.9	B	13.8	D	39.1
Westminster & W. 92nd	Overall Intersection	C	21.6	D	49.5	C	21.7	D	49.7
Westcliff & Westminster	NB Left	A	7.8	A	9.6	A	7.8	A	9.6
Westcliff & Westminster	EB Left	B	14.0	E	47.2	B	14.0	E	47.7
Westcliff & Westminster	EB Right	A	9.6	B	13.8	A	9.6	B	13.9

Source: Olsson 2021c

Notes: B=background traffic; B+Site= background traffic plus site traffic; A.M.=morning peak; P.M.=afternoon peak; EB=eastbound; WB=westbound; NB=northbound; SB=southbound; LOS=level of service

Mitigation Measures. The following measures will be implemented to minimize impacts to the transportation network during construction:

- Prior to construction, the City will prepare a Traffic Management Plan that includes measures to be implemented during construction, such as the location of temporary detours and signage, and provisions for advanced notification of construction activities to emergency service providers and local users.

5.1.13 Visual

The City of Westminster is located between the cities of Boulder and Denver, in the northwest quadrant of the Denver metropolitan area. The proposed DWF would be located in central Westminster on a currently vacant 40-acre parcel located directly adjacent and east of U.S. Highway 36, between W. 104th Avenue to the north and W. 98th Avenue to the south.

The DWF site generally slopes south to northwest at an average grade of approximately 2.7 percent, demonstrating the natural relief across the site is relatively flat. The site consists of sparse vegetation dominated by weeds and native and non-native trees (Olsson 2021a). The Front Range of the Rocky Mountains is easily visible to the west on a clear day.

Land uses surrounding the DWF site include a mix of residential, commercial, and open space. Immediately to the east of the DWF site are the Hyland Ponds and Hylands Creek open spaces. Beyond the open space areas is a residential neighborhood. The nearest residence to the eastern DWF boundary is approximately 480 feet. Immediately to the west are the Westminster Boulevard and U.S. Highway 36 corridors. Beyond these roadways is an apartment complex. The nearest residence to the western DWF boundary is approximately 460 feet. Directly to the north, the land is vacant, and directly to the south, the land is designated as open space.

Impacts. Construction of the DWF would change the existing visual environment as a result of the introduction of a new visually dominant feature on presently vacant land. Because it is not feasible to analyze all the views in which the DWF would be seen, it is necessary to select a number of key observation points (KOP) that most clearly demonstrate the change in the visual environment as a result of implementation of the project. Thirteen KOPs that the DWF would be seen from are shown in Figure 5-10. Appendix E includes a photograph from each KOP with the proposed DWF superimposed on it to show the altered viewshed as a result of construction of the DWF. The conceptual box that indicates the DWF site footprint is roughly 16.5 feet high and is intended for illustration purposes only as building heights vary and their exact location will be determined during final design. The current design of the drinking water facility (60 percent) shows building heights ranging from approximately 11 feet to almost 50 feet in height. Most of the buildings are between 20 feet to 30 feet in height (refer to Figure 3-1). Due to the generally flat topography of the site and vicinity, the DWF would be visible from adjacent roadways, open space areas, and residences. While the DWF would be visible in the foreground from various KOPs, it would not disrupt views of the distant mountains.

The proposed DWF would create a new source of daytime glare from sunlight reflecting from building structures. The amount of glare depends on the intensity and direction of sunlight. The DWF also includes installation of lighting features, which represent a new source of illumination

at night. To minimize impacts, the proposed project was designed consistent with the City's Unified Development Code, which establishes standards for (1) exterior treatments, including use of non-reflective colors on buildings; (2) lighting and illumination, including the use light control devices, such as fully shielded or cut-off fixtures, to reduce glare and light spillage on to adjacent properties; and (3) vegetation screening.

Figure 5-10. Key Observation Points.

The water supply, finished water, sanitary sewer, and fiber communication lines would be buried underground and would not result in any permanent change to the visual character of the route itself or the surrounding area. Following installation of underground facilities, all areas of disturbance would be restored to pre-construction conditions; therefore, no visual impacts would occur. The stormwater conveyance would be installed in the east shoulder of Westminster Boulevard. This facility is not anticipated to create any visual disturbance as it would either be at grade or underground and within the existing roadway corridor.

During construction of the proposed project, there would be temporary visual impacts associated with onsite storage of construction materials and debris, movement of soil, and other construction

activities that would be visible to viewers in the area. These activities would be visible from all KOPs to varying degrees depending on the phase of construction and distance of the viewer from the construction site. Due to the temporary nature of the impacts, the loss of views and visual quality during construction is considered a minor impact.

Mitigation Measures. The following measures will be implemented to reduce impacts to visual resources.

- The proposed project will be designed in accordance with the City of Westminster's Uniform Development Code, which establishes standards for (1) exterior treatments, including use of non-reflective colors on buildings; (2) lighting and illumination, including the use light control devices, such as fully shielded or cut-off fixtures, to reduce glare and light spillage on to adjacent properties; and (3) vegetation screening.
- Tree removal and grading will be minimized to the extent practicable to retain the screening benefits provided by existing vegetation and berms.

5.1.14 Utility Services

The City owns and maintains its own water, wastewater, and stormwater utilities. This includes water treatment plants, wastewater treatment, a reclaimed water system, hundreds of stormwater treatment ponds, thousands of miles of pipes, fire hydrants, pumps, tanks, valves, and other critical infrastructure. Electricity and natural gas service for the City is primarily provided by Xcel Energy, a regional entity that provides energy to many states in the Midwest. Cable and internet service for residents and businesses in the City is provided by Comcast and CenturyLink. The City encourages undergrounding of all cable and internet utilities and will work with service providers to coordinate improvements, which may include installation of conduit to support broadband infrastructure with new development and ensuring fiber to public facilities (City of Westminster 2021b).

Impacts. The proposed project would not result in permanent impacts to utility services. Construction of the proposed project would include work on existing water and sewer systems and in proximity to underlying dry utilities. During project design, the location of existing utilities will be identified to avoid potential impacts. During construction, there could be temporary outages to facilitate wet and dry utility connections, however these outages are anticipated to be short-term (i.e., a few hours) and any affected customers would be notified in advance by the utility provider.

Mitigation Measure. The following measure will be implemented to reduce impacts to utility services.

- The City will coordinate with utility service providers to minimize interruptions in service during construction.

5.1.15 Recreation

Community services, such as open space and recreational facilities, are important components of the built environment. The City has made preservation and protection of natural environments and habitats a priority, integrating their conservation into the physical development of the City.

The City has preserved 3,100 acres throughout the City and has the goal of preserving 15 percent of the City's land area for open space (City of Westminster 2021b). The City currently has over 150 miles of multi-use trails. There are 50 trails within the system, which are composed of concrete, gravel, natural, and multi-surface materials. There are five regional trails, which are used for commuting and recreational use. These include Big Dry Creek Trail, Farmers' High Line Canal Trail, Little Dry Creek Trail, Rocky Mountain Greenway Trail, and the U.S. 36 Bikeway.

Figure 5-11 depicts the open space, parks, and trails in the vicinity of the proposed project. The DWF site would be adjacent to and west of Hyland Ponds and Hylands Creek open spaces. The finished water and fiber communication line alignments would cross Hyland Ponds Open Space. The sanitary sewer line alignment would cross Hyland Ponds and Hylands Creek open spaces. The proposed water supply line would cross or run adjacent to Farmers' High Line Canal Trail, U.S. 36 Bikeway Connector Trail, Trendwood Park, and Westcliff Open Spaces. The closest recreational center is the Westminster Sports Center at W. 95th Avenue and Westminster Boulevard, which is south of the proposed water supply line alignment.

Impacts. Implementation of the proposed project would not result in permanent impacts to recreational facilities, including open space, parks, and trails. Construction of the proposed project would result in temporary impacts to recreational facilities in the vicinity of construction activities. Temporary closure of trails within the Hyland Ponds and Hylands Creek open spaces would be required for installation of the finished water, fiber communication, and sanitary sewer lines. Installation of the water supply line may also require temporary closure of the Farmers' High Line Canal, U.S. 36 Bikeway Connector, Niver Canal connector, and Westcliff trails, and portions of Trendwood Park and Westcliff Open Spaces that are along the alignment. Open space, park, and trail impacts would be short-term and temporary, and all areas of disturbance would be restored to pre-construction conditions. In addition, the City will provide advanced notification to the public of recreation facility closures and provide signage directing users to alternate routes and/or facilities. Therefore, impacts to recreational facilities are considered minor.

Mitigation Measures. The following measures will be implemented to minimize impacts to recreational facilities:

- The City will provide advanced notification to the public of recreation facility closures and provide signage directing users to alternate routes and/or facilities.
- The City will work with construction contractors to minimize disruption to recreation facilities to the extent practicable.

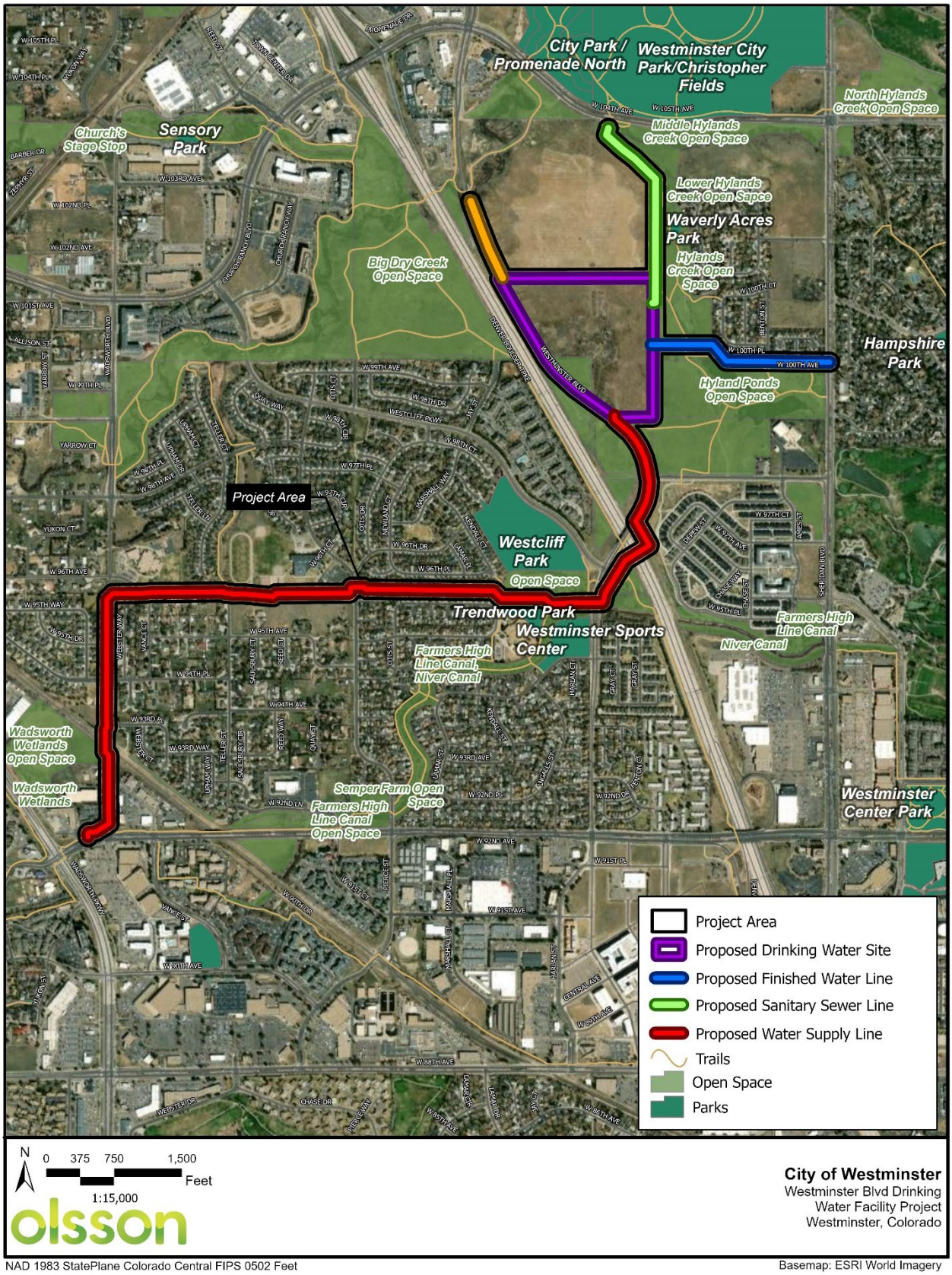

Figure 5-11. Open Space, Parks, and Trails within the Project Area.

5.1.16 Hazardous and Toxic Materials and Waste

In 2020, a Phase I Environmental Site Assessment (Phase I ESA) was conducted for the proposed DWF site to identify resources of environmental concern (REC) associated with the site (Olsson 2020). The currently undeveloped 40-acre parcel previously operated as an agricultural homestead. The Phase I ESA did not identify any RECs associated with the DWF site; however, the historic activities and presence of an agricultural homestead could mean that potential sources of contamination, such as tanks or a septic system, may remain on the property. The environmental database review for the DWF site identified four off-site listings within the search area. These properties were not considered RECs with respect to the DWF site based on their regulatory closure status and/or distance from the site. Interviews with agencies did not identify RECs in conjunction with the DWF site.

In 2023, to support the expanded project components, an Environmental Data Resources (EDR) Radius Map with GeoCheck Report was obtained for a one-mile radius around the project area (Olsson 2023d). A review of database records obtained through EDR identified a petroleum release event listing at West 94th Place and Wadsworth Boulevard, along the water supply line alignment. The database files detailed this listing as having a release occurring on January 23, 1997, with a closed date of May 3, 1999. The cause and source of the release was not reported. In addition, the database records report identified 27 off-site listings within the search area. These properties were not considered RECs with respect to the project based on their regulatory closure status and/or distance from the project area.

Operation of the DWF includes the use of hazardous and toxic substances to support water treatment processes and small amounts of fuels and other similar materials might also be used and stored at the site. In addition, as a result of water treatment, treatment residuals would be generated. The sludge management process for the DWF would pump settled solids from the plate settlers to gravity thickeners. Thickened solids would then be pumped to mechanical dewatering and dosed with polymer for improved thickening of solids prior to being hauled to an established off-site waste facility. The facility has been designed to include a residuals handling strategy that will not allow for additional flows from the Westminster Boulevard DWF to be sent downstream to wastewater treatment facilities.

Impacts. Operation of the DWF includes the use of hazardous and toxic substances to support treatment processes and waste would be generated as a result of water treatment. In addition, small amounts of fuels and other similar materials might also be used and stored at the site. The City is responsible for the proper storage, handling, transportation, and disposal of hazardous materials and waste generated in accordance with local, state, and federal laws and regulations. To minimize impacts during facility operation, the City will prepare an Emergency Response Plan to address the risks of storage of hazardous materials and emergency response procedures.

Construction of the proposed project would require equipment that utilizes hazardous materials such as petroleum fuels and oil. During construction activities, such hazardous materials might accidentally be spilled or otherwise released exposing construction workers, the public, and/or the environment to potentially hazardous conditions. To minimize impacts during construction, the

City will prepare a SPCCP that describes environmental protection measures for preventing spills, minimizing impacts should a spill occur, and responding to potential contamination.

During construction, previously unidentified hazardous waste sites could be encountered. To minimize impacts during construction, the City will prepare a Health and Safety Plan that addresses worker safety and procedures in the event a previously unidentified hazardous waste site is encountered.

Overall, impacts from hazardous and toxic materials as a result of the construction, and operation and maintenance of the project are anticipated to be minor given implementation of environmental protection measures, including BMPs and standard operating procedures, to address the storage, handling, transportation, and disposal of hazardous and toxic materials.

Mitigation Measures. The following measures will be implemented to minimize impacts related to the use of hazardous materials:

- Prior to construction, the City will prepare a SPCCP that includes procedures for the site handling, storage, and packaging of waste; rules for refueling construction equipment; contingency plans in the event of a spill; and notification requirements and contact information.
- Prior to construction, the City will prepare a site-specific Health and Safety Plan that addresses worker safety and procedures in the event a previously unidentified hazardous waste site is encountered during construction.
- Prior to construction, the City will prepare an Emergency Response Plan to address the risks of storage of hazardous materials at the DWF site and emergency response procedures during operation of the facility.

5.1.17 Public Health

The City's Public Works and Utilities Department provides water service to all properties within the City's municipal boundaries. The City also provides water service to several Jefferson County enclave properties, the unincorporated community of Shaw Heights, and is the primary drinking water provider through a wholesale contract for Federal Heights, Colorado (City of Westminster 2020).

The City recently completed revisions to its 2040 Comprehensive Plan (City of Westminster 2023b), which establishes a framework for managing growth over the next 20 years. The following Comprehensive Plan goal and policy are relevant to water infrastructure and public health:

- Goal UR-2. Plan, budget, operate and maintain, and construct our infrastructure to protect public health and safety.
    - Policy 2.3. Prioritize public health and safety through strategic and proactive efforts to protect water quality and the environment.

The City's water distribution system requires continuous maintenance and planned upgrades. As the current drinking water system continues to age, it becomes more expensive to maintain and increasingly vulnerable to threats posed by drought, invasive species, and wildfire (City of Westminster 2021b). In recognition of the need to plan ahead, in 2015 the City began planning

for a new drinking water treatment facility to ensure that all customers continue to have access to high-quality water service and the continued public health benefits that high-quality water provides.

Impacts. Operation of the proposed project would have a beneficial effect on public health as it would allow for the gradual replacement of the aging Semper facility production capacity with a new facility using advanced technology. The new facility would provide greater resiliency to address potential water quality challenges, flexibility to adapt to evolving regulatory standards, security to address future shortages in water supply, space to accommodate the potential need for expansion and replacement in the future, and opportunities for environmental sustainability and resource stewardship.

The proposed project may have an effect on the occupational human health and safety of personnel involved in the operation of the DWF. Operation of the DWF would involve onsite chemical use and storage. Storage and use of chemicals will comply with all applicable rules and regulations of the EPA and Occupational Safety and Health Administration, including secondary containment areas to confine accidental spills and prevent exposure to personnel and the environment.

Project construction may have an effect on occupational human health and safety to personnel involved in construction activities. Project construction has the potential risks inherent to any construction site, including risks of falls and other injuries and risks associated with accidental spills and leaks from construction equipment. Construction-related risks would be minimized through implementation of a comprehensive construction health and safety plan, which addresses site-specific health and safety issues (e.g., working with contaminated sediment, soil, and water, and the demolition/removal of hazardous materials), including specific emergency response services and procedures and evacuation measures. Construction-related risks would also be minimized by limiting site access to personnel involved in the construction activity (e.g., authorized personnel). Efforts to reduce fugitive dust generated during construction will be implemented and is further discussed in Section 5.1.6 Air Quality.

Overall, impacts to public health and safety as a result of the construction, operation, and maintenance of the project are anticipated to be minor given the implementation of BMPs and standard operating procedures to minimize impacts to health and safety in the workplace.

Mitigation Measures. The following measures will be implemented to minimize impacts related to public health:

- Prior to construction, the City will prepare a SPCCP that includes procedures for the site handling, storage, and packaging of waste; rules for refueling construction equipment; contingency plans in the event of a spill; and notification requirements and contact information.
- Prior to construction, the City will prepare a site-specific Health and Safety Plan that addresses worker safety and procedures in the event a previously unidentified hazardous waste site is encountered during construction.

- Prior to construction, the City will prepare an Emergency Response Plan to address the risks of storage of hazardous materials at the DWF site and emergency response procedures during operation of the facility.

5.2 Cumulative Impacts

CEQ regulations stipulate that the cumulative effects analysis in an EA should consider the potential environmental effects resulting from "the incremental impacts of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions" (40 CFR 1508.7). CEQ guidance in considering cumulative effects affirms this requirement, stating that the first steps in assessing cumulative effects involve defining the scope of the other actions and their interrelationship with a project. The scope must consider other projects that coincide with the location and timetable of a project and other actions. Cumulative effects analyses must also evaluate the nature of interactions among these actions.

Cumulative effects for the proposed project were evaluated by combining the effects of the project with other past, present, and reasonably foreseeable future actions in the project area. These projects include the following:

- Sheridan Underpass (completed June 2023)
- Big Dry Creek and City Park Improvements Project (planned completion summer 2023)
- Big Dry Creek Streambank Restoration Project (begins fall 2023)
- Big Dry Creek Interceptor Sewer Improvements (began fall 2020, planned completion in 2023)
- Various private developments throughout the City

The proposed project in combination with current and future development projects in the City could result in cumulative effects for air quality, noise and vibration, surface water, wetlands, terrestrial and aquatic plants and wildlife, recreation, and transportation and traffic. Cumulative effects to these resources are described below.

Air Quality. Cumulative effects to regional or local air quality may result from construction and operation of present and reasonably foreseeable future projects. An increase in air emissions from the combination of these projects could contribute to the degradation of air quality in the Denver metropolitan area. Short-term temporary air quality impacts from construction of the proposed project are not expected to noticeably increase the cumulative air quality impacts in the project area. Further, the implementation of appropriate measures to control construction equipment emissions and fugitive dust during construction activities would minimize the proposed project's contribution to cumulative air emissions. Similarly, air emissions associated with periodic testing and maintenance of an emergency generator at the proposed DWF is not expected to noticeably increase the cumulative air quality impacts in the project area. The City will consult with the CDPHE APCD to determine APEN permitting and reporting requirements for the project to ensure air quality impacts are minimized and that impacts are not cumulatively considerable.

Noise. Construction of the proposed project would create increased noise in the immediate vicinity of construction activities. Temporary impacts from the proposed project, in combination with current and proposed developments occurring at the same time and in the same vicinity,

could have short-term, minor cumulative effects on the noise environment. To minimize cumulative effects, the proposed project includes measures to reduce construction noise to the extent practicable. Operation of the proposed DWF could result in an increase in ambient noise levels. However, project design would incorporate siting strategies and/or structural controls to minimize noise and/or vibrations.

Surface Water and Groundwater Quality and Quantity. Cumulative impacts from future City projects could include increased runoff from paved surfaces and an increase in nonpoint source pollutants entering local surface waters. The proposed project, and present and reasonably foreseeable future projects include implementation of BMPs and engineering controls to prevent and minimize impacts on water resources. With measures in place to protect surface and groundwater quality, potential impacts from the proposed project would not be cumulatively considerable.

Wetlands and Other Waters of the U.S. The proposed project could result in temporary impacts to wetlands and other WOUS if utility lines are installed across South Hylands Creek using open cut trenching. If the open cut trenching method is used, a CWA Section 404 Permit from the USACE would be required. Currently, the project does not include permanent impacts to wetlands or WOUS, however, should this change as the design progresses, compensatory mitigation could be required. In combination with current or proposed developments, temporary impacts to wetlands associated with the proposed project are not cumulatively considerable due to their special isolation and limited nature. Further, all areas of disturbance would be returned to pre-project conditions following construction.

Terrestrial and Aquatic Plants and Wildlife. Construction of the proposed project would result in temporary impacts to vegetation as a result of clearing and grading, and permanent impacts to vegetation as a result of tree removals. These impacts would be incremental to other current and future development in the project area; however, impacts associated with the proposed project are not cumulatively considerable with implementation of measures to revegetate disturbed areas to pre-project conditions and replant trees. Construction activities associated with the proposed project would temporarily displace wildlife as a result of noise and human disturbance, and construction of the proposed DWF would result in permanent habitat loss for wildlife. These impacts would be incremental to other current and future development in the project area; however, impacts associated with the proposed project are not cumulatively considerable with implementation of measures to conduct clearance surveys for wildlife prior to construction, remove trees during times that avoid impacts to migratory birds and raptors, implement appropriate BMPs to prevent and minimize impacts to wildlife, and consult with appropriate resource agencies to ensure that wildlife are protected.

Recreation. Construction of the proposed project would result in temporary impacts to recreational facilities in the vicinity of construction activities, including temporary trail closures and limited access to open space areas. Temporary impacts from the proposed project, in combination with current or proposed developments occurring at the same time and in the same vicinity, could have short-term, minor cumulative effects on recreation resources. To minimize cumulative effects, the proposed project includes measures to reduce disruptions to recreational facilities. Further, a coordinated effort by the City to provide advanced notification to the public of recreation

facility closures and installation of signage directing users to alternate routes and/or facilities would ensure that potential cumulative impacts to recreation facilities would be minimized.

Transportation and Traffic. Construction of the proposed project would result in temporary impacts to local traffic in the vicinity of construction activities, including increased traffic from construction vehicles, lane closures, and detours. Temporary impacts from the proposed project, in combination with current or proposed developments occurring at the same time and in the same vicinity, could have short-term, minor cumulative effects on local traffic. To minimize cumulative effects, the proposed project includes measures to reduce disruptions to the transportation network, including development of a Traffic Management Plan. Operation of the DWF would result in a minor increase in local traffic from additional vehicles carrying workers and materials in and out of the facility. These additional trips are negligible and not cumulatively considerable.

5.3 Unavoidable Adverse Impacts

Unavoidable adverse impacts of all construction and development-related projects that may not be fully mitigated include:

- Construction vehicles used to transport materials to and from the project area would temporarily increase traffic on adjacent roadways.
- Short-term localized construction emissions that impact air quality.
- Increased traffic from road closures/detours in the immediate vicinity of the project area during construction.
- Temporary disruptions to accessing trails and recreation areas by construction activities.
- Increased pollution in stormwater runoff from construction sites and impervious surfaces throughout the project area.
- Commitment of resources including capital, manpower, and materials.
- Loss of potential wildlife habitat and native vegetation due to construction of the DWF.

5.4 Mitigation of Adverse Impacts

Measures to minimize or mitigate impacts as a result of implementation of the proposed project are included in Section 5.1 by resource area.

6. PUBLIC PARTICIPATION

A public meeting was conducted on October 5, 2023, from 6–8 p.m. in the Longs Peak Room located at the City Park Recreation Center, 10455 Sheridan Boulevard, Westminster, Colorado 80020. The meeting was advertised through various outlets, including mailers and flyers distributed to nearby residents and businesses, social media posts, eblasts to the Westminster Boulevard Drinking Water Project email list, and a legal notice published in the Denver Post.

The in-person public meeting included an open house format with display boards and a formal presentation that described the project and the environmental process. In addition, a virtual open house was available online at WestminsterDrinkingWaterFacility.com where community members could access the same information that was available at the in-person meeting.

Comments on the EA were accepted during a 30-day public review period between September 12 and October 12, 2023. Comments were accepted in a variety of ways including:

- Filling out a comment card at the October 5 in-person meeting.
- Speaking with a stenographer at the October 5 in-person meeting. The stenographer was present to capture feedback verbally for up to three minutes per turn.
- Submitting a comment through the virtual open house platform at WestminsterDrinkingWaterFacility.com.
- Sending an email to waterfacilityproject@westminsterco.gov.
- Calling (720) 464-3435.
- Mailing a letter to:
  Westminster Boulevard Drinking Water Project
  C/O HDR
  1670 Broadway, Ste. 3400
  Denver, Colorado 80202

Appendix F includes a meeting summary with the following information: in-person public meeting materials (display boards, scrolling slides, and presentation), virtual open house website pages, outreach materials, in-person meeting attendance list, comments received, stenographer transcript, and the City's response to comments received.

7. AGENCIES CONTACTED

In June 2023, scoping letters were sent to the following state and federal resource and regulatory agencies to provide them with early notification of the project and to request their input on environmental resources or issues under their jurisdiction to be addressed in the environmental assessment (Appendix G). Their input was considered in the environmental analysis process.

- Colorado Department of Natural Resources, Division of Water Resources
- Colorado Department of Public Health and Environment
- Colorado Parks and Wildlife
- National Park Service
- Natural Resources Conservation Service
- State Historic Preservation Officer/Colorado Historical Society
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service

Agency responses were received from the USACE, CDPHE APCD, and Colorado Department of Natural Resources (CDNR) (Appendix H). The USACE response established their regulatory authority, described the procedure for obtaining a jurisdictional determination, summarized the types of permits that could be required for the project, and potential mitigation requirements. The response from CDPHE APCD included comments concerning evaluating emergency generator emissions and construction-related fugitive dust, the filing of APENs associated with stationary sources and land development as applicable, and the need for a General Conformity Analysis. The response from CDNR indicated that they did not have any comments at this time.

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APPENDIX A
U.S. FISH AND WILDLIFE SERVICE INFORMATION, PLANNING, AND CONSERVATION SYSTEM REPORT

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Colorado Ecological Services Field Office
Denver Federal Center
P.O. Box 25486
Denver, CO 80225-0486
Phone: (303) 236-4773 Fax: (303) 236-4005

In Reply Refer To:
Project Code: 2024-0030773
Project Name: Westminster Drinking Water Facility

December 28, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service (fws.gov).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

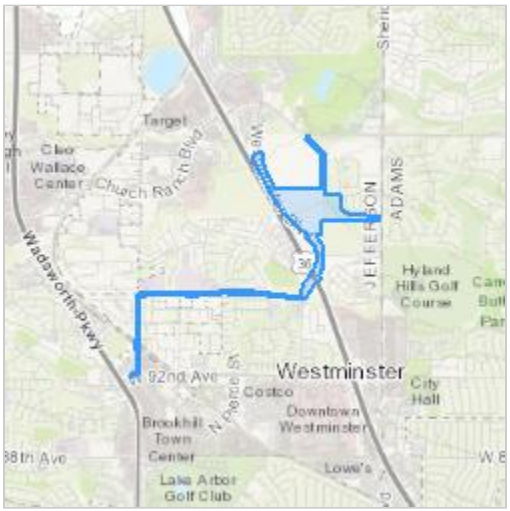
This species list is provided by:

Colorado Ecological Services Field Office
Denver Federal Center
P.O. Box 25486
Denver, CO 80225-0486
(303) 236-4773

PROJECT SUMMARY

Project Code: 2024-0030773
Project Name: Westminster Drinking Water Facility
Project Type: Water Supply Facility - New Constr
Project Description: Construction of a Drinking Water Facility
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@39.874477600000006,-105.06031773112221,14z



Counties: Jefferson County, Colorado

ENDANGERED SPECIES ACT SPECIES

There is a total of 9 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 3 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Wolf *Canis lupus* Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico. There is **final** critical habitat for this species. This species only needs to be considered under the following conditions: ▪ Lone, dispersing gray wolves may be present throughout the state of Colorado. If your activity includes a predator management program, please consider this species in your environmental review. Species profile: https://ecos.fws.gov/ecp/species/4488	Endangered
Gray Wolf *Canis lupus* Population: CO No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4488	Experimental Population, Non-Essential
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME | STATUS

Piping Plover *Charadrius melodus* — Threatened

Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered.
There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
This species only needs to be considered under the following conditions:

- Project includes water-related activities and/or use in the N. Platte, S. Platte, and Laramie River Basins which may affect listed species in Nebraska.

Species profile: https://ecos.fws.gov/ecp/species/6039

Whooping Crane *Grus americana* — Endangered

Population: Wherever found, except where listed as an experimental population
There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/758

FISHES

NAME | STATUS

Pallid Sturgeon *Scaphirhynchus albus* — Endangered

No critical habitat has been designated for this species.
This species only needs to be considered under the following conditions:

- Project includes water-related activities and/or use in the N. Platte, S. Platte, and Laramie River Basins which may affect listed species in Nebraska.

Species profile: https://ecos.fws.gov/ecp/species/7162

INSECTS

NAME | STATUS

Monarch Butterfly *Danaus plexippus* — Candidate

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/9743

FLOWERING PLANTS

NAME | STATUS

Ute Ladies'-tresses *Spiranthes diluvialis* — Threatened

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/2159

Western Prairie Fringed Orchid *Platanthera praeclara* — Threatened

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/1669

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Olsson
Name: joe DiMaria
Address: 1880 Fall River Drive
City: Loveland
State: CO
Zip: 80538
Email jdimaria@olsson.com
Phone: 5106046407

APPENDIX B
COLORADO CONSERVATION DATA EXPLORER REPORT

CODEX

Colorado's Conservation Data Explorer

Project Review Report

Project Description

Construction of a Drinking Water Facility

Project Information

Report Generation Date: 12/28/2023 10:59:45 AM

Project Title: Westminster Drinking Water Facility

User Project Number(s):

System Generated ID: CODEX-3162

Project Type: Water/Sewer Infrastructure

Project Size: 108.14 (acres)

Latitude/Longitude: 39.871070 / -105.068004

County(s): JEFFERSON

Watershed(s) HUC 8: Middle South Platte-Cherry Creek

Township/Range and/or Section(s): 002S069W - 14 - 6P, 002S069W - 13 - 6P, 002S069W - 23 - 6P, 002S069W - 24 - 6P

Contact Information

Organization: olsson

Contact Name: Joe DiMaria

Contact Phone: 5106046407

Contact Email: jdimaria@olsson.com

Contact Address: 1880 Fall River Drive, Loveland, CO 80538

Submitted On Behalf Of:

Prepared By:

Project Report:

The information contained herein represents the results of a search of Colorado's Conservation Data Explorer (CODEX) and can be used as notice to anticipate possible impacts or identify areas of interest. This tool queries multiple conservation datasets and includes a synthesis of Colorado Natural Heritage Program (CNHP) and Colorado Parks and Wildlife (CPW) data for sensitive animal and plant species and natural communities. Care should be taken in interpreting these data.

Please note that the absence of data for a particular area, species, or habitat does not necessarily mean that these natural heritage resources do not occur on or adjacent to the project site, rather that our files do not currently contain information to document their presence. CODEX information should not replace field studies necessary for more localized planning efforts, especially if impacts to wildlife habitat are possible. Although every attempt is made to provide the most current and precise information possible, please be aware that some of our sources provide a higher level of accuracy than others, and some interpretation may be required. CODEX data is constantly updated and revised. Please contact CNHP, CPW and our partners for assistance with interpretation of this report or to obtain more information.

Disclaimer:

1. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. **This review does not constitute environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the review of site-specific projects by CNHP and CPW and our partners.**
2. This Project Report is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
3. The Conservation Data Explorer (CODEX) data is constantly changing and being updated and is not intended to be the final word on the potential distribution of special status species. Colorado is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. CODEX data contains information about species occurrences that have actually been reported to CNHP, CPW and our partners. Not all of Colorado has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.

Location Accuracy Disclaimer:

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

Contact for CODEX Support:

Colorado Natural Heritage Program (CNHP)

CNHP
Colorado State University
1475 Campus Delivery
Fort Collins, CO 80523-1475

Tel: (970) 491-7331
Email: CNHP_codex_support@mail.colostate.edu
CNHP Website: cnhp.colostate.edu

Colorado Parks and Wildlife

For support regarding project review of land use impacts to wildlife, please contact the regional office in which your project resides and visit https://cpw.state.co.us/conservation/Pages/CON-Energy-Land.aspx

CPW Website : cpw.state.co.us

Northeast Region

Denver Office
6060 Broadway
Denver, CO 80216
Tel: (303) 291-7227

Southeast Region

Colorado Springs Office
4255 Sinton Road
Colorado Springs, CO 80907
Tel: (719) 227-5200

Northwest Region

Grand Junction Office
711 Independent Avenue
Grand Junction, CO 81505
Tel: (970) 255-6100

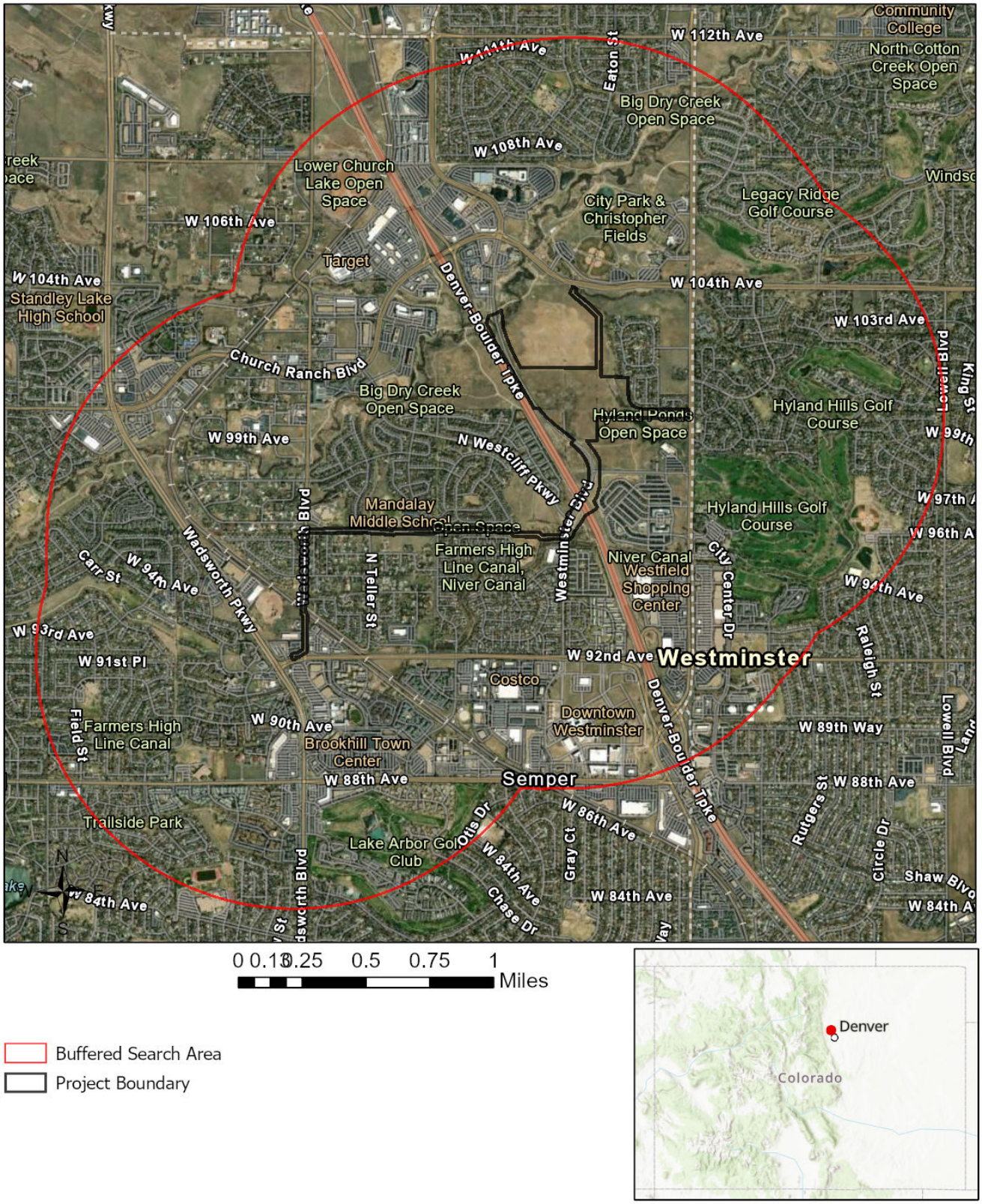
Southwest Region

Durango Office
151 East 16th Street
Durango, CO 81301
Tel: (970) 247-0855

For questions regarding CPW data in CODEX please contact 303-291-7152 or matt.schulz@state.co.us

Westminster Drinking Water Facility

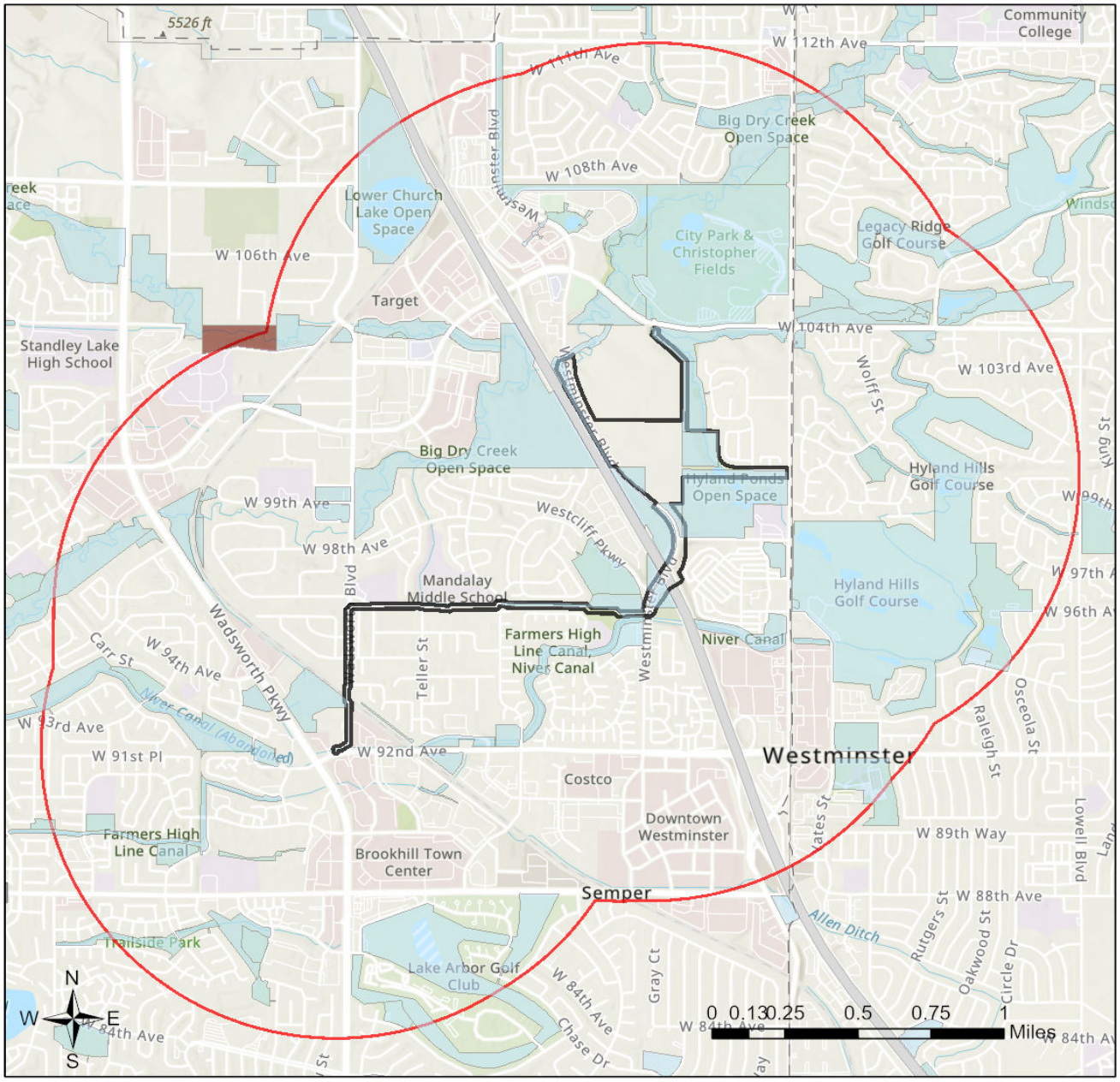
Aerial Image with Locator Map



City of Westminster, County and City of Denver, Jefferson County, CO, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA
Esri, HERE, Garmin, FAO, NOAA, USGS, EPA

Westminster Drinking Water Facility

Topographic Map with Land Management Status



- Buffered Search Area
- Project Boundary
- Misc Federal (BOR, DOD, Misc)
- BLM
- NPS
- USFS
- USFWS
- Tribal
- State
- Local
- NGO/Land Trust
- Private Conservation
- Private

Esri, NASA, NGA, USGS, FEMA
City of Westminster, County and City of Denver, Jefferson County, CO, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Westminster Drinking Water Facility

Web Map As Submitted By User

Esri, NASA, NGA, USGS, FEMA

Regulatory Species

Table 1. Documented Occurrences Within 1 Miles Of Project Area

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	Viability Rank	Last Observation	ESA Status	CO Status	Other Status	CNHP Identifier	Data Source
Birds	Haliaeetus leucocephalus	Bald Eagle	CPW Nest Sites	G5	S3B,S3N				SC	BGEPA/BLM/SWAP Tier 2/USFS		CPW 20221213
Mammals	Zapus hudsonius preblei	Meadow Jumping Mouse Subsp	CNHP EO	G5T2	S1	H	9999-99-99	LT	ST	SWAP Tier 1	4793	CNHP 20221028

Table 2. Potential Regulatory Species within Project Area: Models, Range Maps, or Records with Low Precision

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	ESA Status	CO Status	Other Status	Data Source
Birds	Aquila chrysaetos	Golden Eagle	CPW Breeding Range	G5	S3S4B,S4N			BGEPA/SWAP Tier 1	CPW 20221213
Birds	Haliaeetus leucocephalus	Bald Eagle	CPW Winter Forage	G5	S3B,S3N		SC	BGEPA/BLM/SWAP Tier 2/USFS	CPW 20221213
Mammals	Mustela nigripes	Black-footed Ferret	CNHP General EO	G1	S1	LE, XN	SE	SWAP Tier 1	CNHP 20221028
Mammals	Zapus hudsonius preblei	Meadow Jumping Mouse Subsp	CPW Overall Range	G5T2	S1	LT	ST	SWAP Tier 1	CPW 20221213
Vascular Plants	Spiranthes diluvialis	Ute Ladies' Tresses	CNHP Model	G2G3	S2	LT		SWAP Tier 1	CNHP 20140702

Table 3. Fish & Wildlife Service Critical Habitats within 1 Miles of Project Area

No results were found for this project area.

Other Species of Concern

Table 4. Documented Occurrences within 1 Miles of Project Area: Rare Species, Natural Communities, and Species of Economic, Recreational or Conservation Value

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	Viability Rank	Last Observation	ESA Status	CO Status	Other Status	CNHP Identifier	Data Source
Birds	Branta canadensis	Canada Goose	CPW Production Area	G5	S5							CPW 20221213
Vascular Plants	Bergia texana	Texas Bergia	CNHP EO	G5	S2	H	1953-10-15				17107	CNHP 20221028
Vascular Plants	Oenothera coloradensis (Gaura neomexicana ssp. coloradensis)	Colorado Butterfly Plant	CNHP EO	G3T2	S1S2	D	2011-07-19			SWAP Tier 1	13307	CNHP 20221028

Table 5. Potential Occurrences within Project Area: Models, Range Maps, or Records with Low Precision

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	ESA Status	CO Status	Other Status	Data Source
Birds	Ammodramus savannarum	Grasshopper Sparrow	CPW Breeding Range	G5	S3S4B			SWAP Tier 2/USFS	CPW 20221213
Birds	Athene cunicularia	Burrowing Owl	CPW Breeding Range	G4	S4B		ST	BLM/SWAP Tier 1/USFS	CPW 20221213
Birds	Botaurus lentiginosus	American Bittern	CPW Breeding Range	G5	S3S4B			SWAP Tier 2/USFS	CPW 20221213
Birds	Branta canadensis	Canada Goose	CPW Foraging Area	G5	S5				CPW 20221213
Birds	Branta canadensis	Canada Goose	CPW Winter Range	G5	S5				CPW 20221213
Birds	Buteo swainsoni	Swainson's Hawk	CPW Breeding Range	G5	S5B			SWAP Tier 2	CPW 20221213
Birds	Calamospiza melanocorys	Lark Bunting	CPW Breeding Range	G5	S4			SWAP Tier 2	CPW 20221213
Birds	Catharus fuscescens	Veery	CPW Breeding Range	G5	S3B			SWAP Tier 2	CPW 20221213
Birds	Circus hudsonius	Northern Harrier	CPW Breeding Range	G5	S3B			SWAP Tier 2/USFS	CPW 20221213
Birds	Columba fasciata	Band-tailed Pigeon	CPW Breeding Range	G4	S4B			SWAP Tier 2	CPW 20221213
Birds	Falco mexicanus	Prairie Falcon	CPW Breeding Range	G5	S4B,S4N			SWAP Tier 2	CPW 20221213
Birds	Leucosticte atrata	Black Rosy-finch	CPW Winter Range	G4	S4N			SWAP Tier 2	CPW 20221213
Birds	Leucosticte australis	Brown-capped Rosy-finch	CPW Overall Range	G4	S3B,S4N			SWAP Tier 1	CPW 20221213
Birds	Melanerpes lewis	Lewis's Woodpecker	CPW Breeding Range	G4	S4			SWAP Tier 2/USFS	CPW 20221213
Birds	Passerina amoena	Lazuli Bunting	CPW Breeding Range	G5	S5B			SWAP Tier 2	CPW 20221213
Birds	Peucaea cassinii	Cassin's Sparrow	CPW Breeding Range	G5	S4B			SWAP Tier 2/USFS	CPW 20221213
Birds	Selasphorus rufus	Rufous Hummingbird	CPW Migration Range	G4	SNA			SWAP Tier 2	CPW 20221213
Birds	Spizella breweri	Brewer's Sparrow	CPW Breeding Range	G5	S4B			BLM/SWAP Tier 2/USFS	CPW 20221213
Birds	Vermivora virginiae	Virginia's Warbler	CPW Breeding Range	G5	S5			SWAP Tier 2	CPW 20221213

Table 5. Potential Occurrences within Project Area: Models, Range Maps, or Records with Low Precision

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	ESA Status	CO Status	Other Status	Data Source
Insects	Atrytone arogos	Arogos Skipper	Range Map - within range	G2G3	S2			SWAP Tier 2	CNHP 20210615
Insects	Bombus (Cullumanobombus) morrisoni (Bombus morrisoni)	Morrison's Bumble Bee	Range Map - within range	G3	S2S4			SWAP Tier 2	CNHP 20210615
Insects	Bombus (Thoracobombus) pensylvanicus (Bombus pensylvanicus)	American Bumble Bee	Range Map - within range	G3G4	S2S3			SWAP Tier 2	CNHP 20210615
Insects	Bombus fervidus	Yellow Bumble Bee	Range Map - within range	GNR	S3S4			SWAP Tier 2	CNHP 20210615
Insects	Bombus occidentalis	Western Bumble Bee	Range Map - within range	G3	S3S4			SWAP Tier 2	CNHP 20210615
Insects	Celastrina humulus	Hops Feeding Azure	Range Map - within range	G2G3	S2			SWAP Tier 2	CNHP 20210615
Insects	Danaus plexippus	Monarch	Range Map - present	G4	S5			SWAP Tier 2	CNHP 20210615
Insects	Hesperia ottoe	Ottoe Skipper	Range Map - within range	G3	S2			SWAP Tier 2/USFS	CNHP 20210615
Insects	Plathemis subornata	Desert Whitetail	Range Map - present	G4	S3				CNHP 20210615
Insects	Polites origenes	Cross-line Skipper	Range Map - within range	G5?	S3				CNHP 20210615
Mammals	Corynorhinus townsendii	Townsend's Big-eared Bat	CPW Overall Range	G4	S2			BLM/USFS	CPW 20221213
Mammals	Cynomys ludovicianus	Black-tailed Prairie Dog	CPW Overall Range	G4	S3		SC	BLM/SWAP Tier 2/USFS	CPW 20221213
Mammals	Cynomys ludovicianus	Black-tailed Prairie Dog	CPW Potential Occurrence	G4	S3		SC	BLM/SWAP Tier 2/USFS	CPW 20221213
Mammals	Eptesicus fuscus	Big Brown Bat	CPW Overall Range	G5	S5				CPW 20221213
Mammals	Lasionycteris noctivagans	Silver-haired Bat	CPW Overall Range	G3G4	S3S4				CPW 20221213
Mammals	Lasiurus borealis	Eastern Red Bat	CPW Overall Range	G3G4	S2S3B				CPW 20221213
Mammals	Lasiurus cinereus	Hoary Bat	CPW Overall Range	G3G4	S3S4B			SWAP Tier 2/USFS	CPW 20221213
Mammals	Lepus townsendii	White-tailed Jackrabbit	CPW Overall Range	G5	S4			SWAP Tier 2	CPW 20221213
Mammals	Myotis ciliolabrum	Western Small-footed Myotis	CPW Overall Range	G5	S4				CPW 20221213
Mammals	Myotis evotis	Long-eared Myotis	CPW Overall Range	G5	S4				CPW 20221213
Mammals	Myotis lucifugus	Little Brown Myotis	CPW Overall Range	G3G4	S4			SWAP Tier 1	CPW 20221213
Mammals	Myotis thysanodes	Fringed Myotis	CPW Overall Range	G4	S3			BLM/SWAP Tier 1/USFS	CPW 20221213
Mammals	Myotis volans	Long-legged Myotis	CPW Overall Range	G4G5	S5				CPW 20221213
Mammals	Odocoileus hemionus	Mule Deer	CPW Overall Range	G5	S4				CPW 20221213
Mammals	Odocoileus virginianus	White-tailed Deer	CPW Overall Range	G5	S5				CPW 20221213
Mammals	Perimyotis subflavus	Tricolored Bat	CPW Overall Range	G3G4	S2				CPW 20221213
Mammals	Perognathus fasciatus	Olive-backed Pocket Mouse	CPW Overall Range	G5	S3			SWAP Tier 1	CPW 20221213
Mammals	Perognathus fasciatus	Olive-backed Pocket Mouse	Range Map - within range	G5	S3			SWAP Tier 1	CNHP 20210615

Table 5. Potential Occurrences within Project Area: Models, Range Maps, or Records with Low Precision

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	ESA Status	CO Status	Other Status	Data Source
Reptiles	Aspidoscelis sexlineata	Six-lined Racerunner	CPW Overall Range	G5	S5				CPW 20221213
Reptiles	Chelydra serpentina	Snapping Turtle	CPW Overall Range	G5	S4				CPW 20221213
Reptiles	Chrysemys picta	Painted Turtle	CPW Overall Range	G5	S5				CPW 20221213
Reptiles	Coluber constrictor	Racer	CPW Overall Range	G5	S5				CPW 20221213
Reptiles	Crotalus oreganus	Western Rattlesnake	CPW Overall Range	G5	SNR				CPW 20221213
Reptiles	Crotalus viridis	Western Rattlesnake	CPW Overall Range	G5	S5				CPW 20221213
Reptiles	Heterodon nasicus	Plains Hognose Snake	CPW Overall Range	G5	S4				CPW 20221213
Reptiles	Holbrookia maculata	Lesser Earless Lizard	CPW Overall Range	G5	S5				CPW 20221213
Reptiles	Lampropeltis gentilis	Central Plains Milk Snake	CPW Overall Range	G5	S5			SWAP Tier 2	CPW 20221213
Reptiles	Nerodia sipedon	Northern Water Snake	CPW Overall Range	G5	S4				CPW 20221213
Reptiles	Phrynosoma hernandesi	Hernandez's Short-horned Lizard	CPW Overall Range	G5	S5				CPW 20221213
Reptiles	Pituophis catenifer sayi	Bullsnake	CPW Overall Range	G5T5	S5				CPW 20221213
Reptiles	Plestiodon multivirgatus	Many-lined Skink	CPW Overall Range	G5	S4				CPW 20221213
Reptiles	Sceloporus consobrinus	Fence/prairie/plateau Lizard	CPW Overall Range	G5	S5				CPW 20221213
Reptiles	Sceloporus tristichus	Southern Plateau Lizard	CPW Overall Range	G5	S3				CPW 20221213
Reptiles	Tantilla nigriceps	Plains Blackhead Snake	CPW Overall Range	G5	S4				CPW 20221213
Reptiles	Thamnophis elegans	Western Terrestrial Garter Snake	CPW Overall Range	G5	S5				CPW 20221213
Reptiles	Thamnophis radix	Plains Garter Snake	CPW Overall Range	G5	S5				CPW 20221213
Reptiles	Thamnophis sirtalis	Common Garter Snake	CPW Overall Range	G5	S3		SC	SWAP Tier 2	CPW 20221213
Reptiles	Trionyx spiniferus	Spiny Softshell	CPW Overall Range	G5	S4				CPW 20221213
Reptiles	Tropidoclonion lineatum	Lined Snake	CPW Overall Range	G5	S3				CPW 20221213
Vascular Plants	Oenothera coloradensis (Gaura neomexicana ssp. coloradensis)	Colorado Butterfly Plant	CNHP Model	G3T2	S1S2			SWAP Tier 1	CNHP 20210614

Special Areas and Land Status

Table 6. CNHP Potential Conservation Areas and Other Special Areas within 1 Miles of Project Area

Name	Data Type	CNHP Biodiversity Rank	CNHP Edit Date	CNHP Identifier	Data Source
Aquatic Native Species Conservation Waters	SB181 High Priority Habitat				CPW 20220528
Aquatic Sportfish Management Waters	SB181 High Priority Habitat				CPW 20220528

Table 6. CNHP Potential Conservation Areas and Other Special Areas within 1 Miles of Project Area

Name	Data Type	CNHP Biodiversity Rank	CNHP Edit Date	CNHP Identifier	Data Source
Bald Eagle Active Nest Site - Half Mile Buffer	SB181 High Priority Habitat				CPW 20220528
Bald Eagle Active Nest Site - Quarter Mile Buffer	SB181 High Priority Habitat				CPW 20220528
Bald Eagle Roost or Communal Roost	SB181 High Priority Habitat				CPW 20220528

Table 7. Managed Areas within Project Area

Name	Owner	Manager	Management Description	Public Access*	Protection Mechanism	Easement Holder	Data Source
Westcliff Greenbelt	CITY	CITY	City Greenbelt	Yes	Fee		COMaP 20230223
	CITY	CITY	City Land - General	Yes	Fee		COMaP 20230223
Farmers High Line Canal, Niver Canal	CITY	CITY	City Land - General	Yes	Fee		COMaP 20230223
Hyland Ponds	CITY	CITY	City Land - General	Yes	Fee		COMaP 20230223
Hylands Creek Open Space	CITY	CITY	City Land - General	Yes	Fee		COMaP 20230223
Wadsworth Wetlands Open Space	CITY	CITY	City Land - General	Yes	Fee		COMaP 20230223
Waverly Acres Park	CITY	CITY	City Parks	Yes	Fee		COMaP 20230223
	PRIVATE	PRIVATE	Private Land	No	NA		COMaP 20230223

*It is the responsibility of the user to verify public access on any site as access can change over time. Entering an area that is not open to the public subjects an individual to possible sanctions for trespass under Colorado law.

Water and Wetlands

Table 8. National Wetland Inventory (NWI) Features within Project Area

NWI Code	Wetland Type	Total Acres	System	Class	Water Regime	Modifier	Data Source
PEM1A	Emergent	2.87	Palustrine	Emergent/Herbaceous	Temporarily Flooded	None	CNHP 20210122
PUBGx	Pond	2.11	Palustrine	Unconsolidated Bottom	Intermittently Exposed	Excavated	CNHP 20210122
R5UBH	Rivers & Streams	4.24	Riverine	Unconsolidated Bottom	Permanently Flooded	None	CNHP 20210122

Project Report Appendix

Please visit the CNHP website for a more extensive collection of definitions for CODEX reports in addition to what is provided here below.

About CNHP Data

One of CNHP's core research activities is managing a statewide database that details the locations of rare and imperiled species and natural plant communities in Colorado. We gather data from CNHP surveys and monitoring projects, as well as from partners and other trusted sources like herbariums. All of our data are compiled and managed in the Biodiversity Information Management System (Biotics), a web-enabled database platform hosted by **NatureServe**. The species and natural plant communities we track are assigned global and state imperilment ranks based on rarity, threats, and trends, and their locations are mapped as element occurrences. Element occurrences include spatial data as well as details on condition, size, and landscape context. This information allows us to track both overall distribution and site-specific details describing how well elements are thriving at each location. We use element occurrences to delineate Potential Conservation Areas that represent the primary area needed to support the element occurrences, and often include additional suitable habitat or buffers from disturbance. **Please visit the CNHP website for more definitions and details related to CNHP data in CODEX.**

CODEX Report Definitions

CNHP Biodiversity Rank – The significance of a potential conservation

Managed Areas Name – Name of the managed area.

area in terms of its biological diversity ranging from B1 (Outstanding Biodiversity significance meaning protection of this potential conservation area can prevent a species from going extinct) to B5 (General interest or open space for more globally secure species).

CNHP Edit Date– The date the CNHP potential conservation area record was last updated.

CNHP Identifier– A unique identifier for each CNHP data type, applicable only to CNHP data records.

CO Status – State status per Colorado Parks & Wildlife: Endangered (SE), Threatened (ST), or State Special Concern (SC).

Common Name – The common name of the species or plant community.

Critical Habitat Status – Critical habitat status for federally listed species under the Endangered Species Act.

Proposed – Proposed critical habitat
Final – Final critical habitat

Critical Habitat Federal Register- The volume number and first page of the federal register publication describing the critical habitat.

Critical Habitat Publication Date - Federal Register publication date.

Data Source – The agency and date of the data provided.

Data Type –

Manager – The general land Manager.

Management Description - The general category of how the feature is managed.

Other Species of Concern – Other globally rare species and plant communities, BLM or USFS sensitive species, state listed species, or Tier 1 and Tier 2 priority species from Colorado's State Wildlife Action Plan, and species of economic and recreational value.

Other Status – Other status such as BLM sensitive species (BLM), U.S Forest Service sensitive species (USFS), and Tier 1 and Tier 2 priority species from Colorado's State Wildlife Action Plan (SWAP Tier 1, SWAP Tier 2).

Owner – The general land owner.

Public Access – Level of public access to the feature.

Protection Mechanism – Any mechanism of protection assigned to the managed area.

Regulatory Species – Species with federal protection under the Endangered Species Act or Bald and Golden Eagle Protection Act along with FWS designated critical habitat.

Return on Investment Report - Provides maps and the estimated annual benefit in dollars of conserved ecosystem services by ecosystem type within the project area in PDF format. Ecosystem types are derived

CNHP EO – A location in which an element is, or was, present.

CNHP General EO – An element occurrence with imprecise directions; broadly mapped and typically historical or extirpated.

CNHP Observation – Sightings of species on CNHP's watchlist or sightings of tracked elements that do not meet the minimum criteria necessary to make an occurrence.

CNHP PCA – Areas in the state contributing to Colorado's biological diversity.

CNHP Model – Modeled presumed presence or habitat for a particular species.

CNHP PCA (Important Plant Area) – B1 or B2 CNHP potential conservation area supporting globally rare plants.

CNHP Range Map – Overall range for a particular species by HUC 10 and HUC 12 for aquatics.

Important Bird Area – The most important places for birds as identified by the National Audubon Society.

State Natural Area - Areas that contain at least one unique or high-quality natural feature of statewide significance as designated by the Colorado Natural Areas Program.

CPW <description> - CPW data with a long list of data types: observations, nest sites, leks, etc.

from the 2016 National Land Cover Database (NLCD).

Scientific Name – The scientific name of the species or plant community

Special Areas and Land Status – CNHP Potential Conservation Areas (PCA), State Designated Natural Areas, Important Bird Areas, and managed lands from the Colorado Ownership, Management and Protection database (COMaP), SB181 High Priority Habitat

Special Areas Name – The name of the special area.

State Rarity - The rarity rank used by CNHP and The Natural Heritage Network to track how rare a species or plant community is in Colorado, ranging from S1 (rarest) to S5 (most common).

Viability Rank – The estimated viability of the species or ecological integrity of the natural community based on condition, size, and landscape context, ranging from A (excellent) to D (poor).

Water and Wetlands – Wetland types from the National Wetland Inventory database.

Class - The general appearance of the habitat in terms of either the dominant life form of the vegetation, or the physiography and composition of the substrate.

Modifier - Modifier assigned to further describe wetlands and deepwater habitats within the classification hierarchy based on water chemistry or ph, wetland or deepwater alteration, or soil type.

NWI Code

Easement Holder – Organization or agency holding an easement (if present).

ESA Status – Federal status under the Endangered Species Act: Endangered (E), Threatened (T), or Federal Candidate (C) with qualifiers for Partial Status (PS) and experimental populations (XN).

Global Rarity – The rarity rank used by CNHP and The Natural Heritage Network to track how rare a species or plant community is globally, ranging from G1 (rarest) to G5 (most common).

Last Observation – The most recent field observation.

Major group – The major group in which the element falls: Amphibians, Birds, Crayfish, Fish, Insects, Mammals, Mollusks, Natural Communities, Nonvascular Plants, Reptiles, and Vascular Plants.

– An alpha-numeric code corresponding to the classification nomenclature that best describes a particular wetland habitat. For more information on NWI data values, visit https://www.fws.gov/wetlands/data/wetland-codes.html

System – A complex of wetlands and deepwater habitats that share the influence of similar hydrologic, geomorphologic, chemical or biological factors.

Water Regime - Description of water duration within a wetland habitat.

Wetland Total Acres - Total acres of the wetland type in the project area.

Wetland Type – The generalized Cowardin wetland type.

APPENDIX C
TREE REMOVAL PLAN

CITY OF WESTMINSTER
WESTMINSTER BOULEVARD DRINKING WATER FACILITY PROJECT
WESTMINSTER, JEFFERSON COUNTY, COLORADO
TREE REMOVAL PLAN

The Migratory Bird Treaty Act (MBTA) prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization from the U.S. Fish and Wildlife Service (USFWS). In support of the MBTA and to prevent impacts to migratory birds for the Westminster Boulevard Drinking Water Facility Project, the City of Westminster (City) will conduct tree clearing activities in the project area between September 1 and November 15, so that the clearing occurs outside the typical nesting season for small birds and raptors in Colorado as well as Colorado Parks and Wildlife (CPW) seasonal restrictions for bald eagle winter roost locations. By clearing trees within the project area between September 1 and November 15, the City will prevent potential raptor nesting activities occurring on site during the nesting season the following year.

If small tree clearing must occur between April 1 and August 31 (the typical nesting season for small birds in Colorado), the City will conduct a migratory bird nest survey within 7 days prior to planned tree clearing to identify any active nests within the trees to be cleared. If active nests are identified, a construction buffer will be placed around the active nest(s) and the tree(s) within the required buffer, and those trees will be monitored weekly and not be cleared until the chicks have fledged the nest and the nest becomes inactive (this is typically 4-6 weeks).

If any large trees containing potential raptor nests are planned to be cleared at any time, the City will conduct a raptor nest survey prior to tree clearing to identify whether a raptor nest is active. If the nest is identified as inactive, the City will remove the tree within 7 days of the raptor nest survey. CPW recommends specific buffer zones and seasonal restrictions for active raptor nests, dependent on the species occupying the nest. If an active raptor nest is identified, the City will adhere to CPW's *Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors* (2020) (copy attached). If the City's tree clearing plans conflict with CPW's recommendations for an active raptor nest, the City will consult with CPW.

Below is a step-by-step guide to tree removal for the Westminster Boulevard Drinking Water Facility Project:

1) To the extent possible, the City will conduct tree clearing between September 1 and November 15 (which is outside the typical nesting season for small birds and raptors in Colorado, as well as CPW seasonal restrictions for bald eagle winter roost locations). This

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is always the preferred approach for scheduling tree clearing and does not require a migratory bird nest survey in advance of tree clearing.

2) If small tree clearing cannot occur between August 31 and April 1, the City will conduct a migratory bird nest survey within 7 days prior to the planned tree removal.
    a. If no nests are identified, the City will remove trees within 7 days of the migratory bird nest survey.

        Note: If tree clearing is delayed beyond 7 days from the date of the original migratory bird nest survey, an additional migratory bird nest survey will be performed within 7 days of the planned tree clearing (as nest surveys are only valid for 7 days).

    b. If a nest is identified, the City will:
        i. Delay tree removal to occur between August 31 and April 1, or
        ii. Adhere to the recommended nest buffer (which is species specific) until the nest is no longer active, and remove the occupied tree after the chicks have fledged/the nest has become inactive, or
        iii. Consult with CPW on the recommended buffer around an active nest (which varies by the species present).

3) If any large trees containing potential raptor nests are to be removed, the City will conduct a raptor nest survey before tree clearing to determine whether the potential raptor nest is active.
    a. If the nest is identified as inactive, the City will remove the tree within 7 days of the raptor nest survey.
    b. If the nest is identified as active, the City will delay tree removal until the nest is no longer active, adhere to CPW's *Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors* (2020) (copy attached), and consult with CPW before tree removal.

The information presented in this Tree Removal Plan applies to both living and dead/dying trees as both provide suitable habitat for bird nests. Similarly, the information contained herein applies to native and non-native/invasive tree species in the project area site as birds do not discern between the two.

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Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors (2020)

COLORADO
Parks and Wildlife
Department of Natural Resources

RECOMMENDED BUFFER ZONES AND SEASONAL RESTRICTIONS FOR COLORADO RAPTORS (2020)

OVERVIEW

Colorado Parks and Wildlife (CPW) is routinely asked for recommendations on ways to avoid and minimize disturbance to nesting, wintering, and resident raptors in Colorado. These guidelines were originally developed by Colorado Division of Wildlife in 2002 and updated in 2008. We recently (2020) undertook a periodic review of our guidelines to ensure that they are the most up to date based on the best available science and professional judgement. Further revisions of this document may become necessary as additional information is published or becomes available.

Background on Disturbance

The term "disturbance" is ambiguous and experts disagree on what actually constitutes a disturbance. Reactions may be as subtle as elevated pulse rate or as obvious as vigorous defense or abandonment of a nest site. Impacts of disturbance may not be immediately evident. A pair of raptors may respond to human intrusion by defending the nest, but well after the disturbance has passed, the male may remain in the vicinity for protection rather than forage to feed the nestlings. Golden eagles rarely defend their nests, but merely fly a half mile or more away and perch and watch. Chilling and overheating of eggs or chicks and starvation of nestlings can result from human activities that appeared not to have caused an immediate response.

Tolerance limits to disturbance vary among as well as within raptor species. As a general rule, Ferruginous Hawks and Golden Eagles respond to human activities at greater distances than do Ospreys and American Kestrels. Some individuals within a species also habituate and tolerate human activity at a proximity that would cause the majority of the group to abandon their nests. Other individuals can become sensitized to repeated encroachment and react at greater distances. The tolerance of a particular pair may change when a mate is replaced with a less tolerant individual and this may cause the pair to react to activities that were previously ignored. Responses will also vary depending upon the reproductive stage. Although the level of stress is the same, the pair may be more secretive during egg laying and incubation and more demonstrative when the chicks hatch. Recognizing that there is individual variability, the buffer areas and seasonal restrictions suggested here reflect an informed opinion that if implemented, should assure that the majority of individuals within a species will continue to occupy the area. Also, in order to allow for individual variability and renesting pairs, CPW recommends seasonal restrictions continue to be implemented until the chicks have fledged. Other factors such as intervening terrain, vegetation screens, and the existing cumulative impacts of activities should also be considered.

A ‘holistic’ approach is recommended when protecting raptor habitats. While it is important for land managers to focus on protecting nest sites, attention should also focus on defining important foraging areas that support the pair's nesting effort. Hunting habitats of many raptor species are extensive and may necessitate interagency cooperation to assure continued nest occupancy. Unfortunately, basic knowledge of habitat use for individual nesting pairs is often lacking.

RECOMMENDED BUFFER ZONES AND SEASONAL RESTRICTIONS

CPW recommends consultation with local CPW staff early in the planning phase of project proposals in order to assess and develop site-specific recommendations based on pre-existing conditions (e.g. existing development, topography, vegetation, and line-of-sight to nest). CPW maintains a leadership role with respect to raptor management in Colorado; however it is important to keep in mind that the primary authority for the regulation of take and the ultimate jurisdiction for most of these species rests with the U. S. Fish and Wildlife Service (USFWS) under the Migratory Bird Treaty Act (16 U.S.C. 703-712) and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c). Therefore, CPW also recommends early consultation with the U.S. Fish and Wildlife Service to comply with the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and the 2016 U.S. Fish and Wildlife Service Eagle Permits Rules as applicable (USFWS 2016).

BALD EAGLE

Nest Site: No Surface Occupancy (NSO) beyond that which historically occurred, within ¼ mile (1320 feet, 400 meters) radius of active nests. No permitted, authorized, or human encroachment activities within ½ mile (2640 feet, 800 meters) radius of active nest sites from December 1 through July 31. The majority of bald eagle chicks in Colorado have fledged by July 31; however, for late-nesting or potential re-nesting bald eagles, CPW recommends seasonal restrictions beyond July 31 if chicks are still present in the nest. CPW's recommended buffer is more extensive than the National Bald Eagle Management Guidelines (USFWS 2007) due to the generally open habitat used by Colorado's nesting bald eagles.

If surface occupancy cannot be avoided within ¼ mile of the nest AND the nest is located within a Highly Developed Area, then the recommended NSO extends ⅛ mile (660 feet, 200 meters) from the nest site. No permitted, authorized, or human encroachment activities within ¼ mile radius of active nests from December 1 through July 31. This buffer recommendation matches the USFWS 2007 Guidelines in the instances where eagles have demonstrated the ability to tolerate previous levels of human encroachment and surface occupancy.

Winter Night Roost and/or Communal Roost: No permitted, authorized, or human encroachment activities within ¼ mile (1320 feet, 400 meters) radius of an active night and/or communal roost from November 15 through March 15 if there is no direct line of sight between the roost and the activity. No permitted, authorized, or human encroachment activities within ½ mile (2640 feet, 800 meters) radius of an active night or communal roost from November 15 through March 15 if there is a direct line of sight between the roost and the activity.

If an active winter night roost is located within a Highly Developed Area, then no permitted, authorized, or human encroachment activities within ⅛ mile (660 feet, 200 meters) radius from November 15 through March 15 if there is no direct line of sight between the roost and the activity. No permitted, authorized, or human encroachment activities within ¼ mile (1320 feet, 400 meters) radius from November 15 through March 15 if there is a direct line of sight between the roost and the activity. Note: Communal roosts are relatively rare in Colorado and have disproportionately high biological value. Therefore a reduced buffer within a Highly Developed Area does not apply to communal roosts.

If periodic visits (such as oil well maintenance work) to preexisting facilities are required within the buffer zones described above, activity should be restricted to the period between 1000 and 1400 hours from November 15 to March 15.

GOLDEN EAGLE

Nest Site: No surface occupancy (beyond that which historically occurred in the area) within ¼ mile (1320 feet, 400 meters) radius of active nests. No permitted, authorized, or human encroachment activities within ½ mile (2640 feet, 800 meters) radius of active nests from December 15 through July 15.

FERRUGINOUS HAWK

Nest Site: No surface occupancy (beyond that which historically occurred in the area) within ½ mile (2640 feet, 800 meters) radius of active nests. No permitted, authorized, or human encroachment activities within ½ mile (2640 feet, 800 meters) radius of active nests from February 1 through July 15. This species is especially prone to nest abandonment during incubation if disturbed.

RED-TAILED HAWK

Nest Site: No surface occupancy (beyond that which historically occurred in the area) within ⅓ mile radius of active nests. No permitted, authorized, or human encroachment activities within ⅓ mile radius of active nests from February 15 through July 15. Some individuals of this species have adapted to urbanization and may exhibit a high tolerance to human habitation and activities within 100 yards of their nest. Development that encroaches on rural nest sites is more likely to cause abandonment.

SWAINSON'S HAWK

Nest Site: No surface occupancy (beyond that which historically occurred in the area) within ¼ mile (1320 feet, 400 meters) radius of active nests. No permitted, authorized, or human encroachment activities within ¼ mile (1320 feet, 400 meters) radius of active nests from April 1 through July 31. Some members of this species have adapted to urbanization and may tolerate human habitation to within 100 yards of their nest.

PEREGRINE FALCON

Nest Site: No surface occupancy (beyond that which historically occurred in the area) within ½ mile (2640 feet, 800 meters) radius of active nests. No permitted, authorized, or human encroachment activities within ½ mile (2640 feet, 800 meters) mile of the nest cliff(s) from March 15 to July 31. Due to propensity to relocate nest sites, sometimes up to ½ mile (2640 feet, 800 meters) along cliff faces, it is more appropriate to designate 'Nesting Areas' that encompass the cliff system and a ½ mile (2640 feet, 800 meters) buffer around the cliff complex.

PRAIRIE FALCON

Nest Site: No surface occupancy (beyond that which historically occurred in the area) within ½ mile (2640 feet, 800 meters) radius of active nests. No permitted, authorized, or human encroachment activities within ½ mile (2640 feet, 800 meters) radius of active nests from March 15 through July 15.

NORTHERN GOSHAWK

Nest Site: No surface occupancy (beyond that which historically occurred in the area) within ½ mile (2640 feet, 800 meters) radius of active nests. No permitted, authorized, or human encroachment activities within ½ mile (2640 feet, 800 meters) radius of active nests from March 1 through September 15.

OSPREY

Nest Site: No surface occupancy (beyond that which historically occurred in the area) within ¼ mile (1320 feet, 400 meters) radius of active nests. No permitted, authorized, or human encroachment activities within ¼ mile

(1320 feet, 400 meters) radius of active nests from March 15 through August 15. Some osprey populations have habituated and are tolerant to human activity in the immediate vicinity of their nests.

MEXICAN SPOTTED OWL

No surface occupancy (beyond that which historically occurred in the area) within USFWS designated Critical Habitat and within Protected Activity Center (PAC). No permitted, authorized, or human encroachment activities within ½ mile (2640 feet, 800m) buffer of Protected Activity Center from March 1 through August 31.

BURROWING OWL

Nest Site: No permitted, authorized, or human encroachment activities within ⅛ mile (660 feet, 200 meters) of the nest site during the nesting season March 15 through August 31. For large industrial disturbances (drilling rig, residential construction, etc.), no permitted, authorized, or human encroachment activities within ¼ mile (1320 feet, 400 meters) of the nest site during the nesting season March 15 through August 31. Although Burrowing Owls may not be actively nesting during this entire period, they may be present at burrows up to a month before egg laying and several months after young have fledged. Therefore, it is recommended that efforts to eradicate prairie dogs or destroy abandoned towns not occur between March 15 and October 31 when owls may be present. Because nesting Burrowing Owls may not be easily visible, it is recommended that targeted surveys be implemented to determine if burrows are occupied. More detailed recommendations are available in a document entitled "Recommended Survey Protocol and Actions to Protect Nesting Burrowing Owls," which is available from the CPW.

DEFINITIONS

Active nest – Any nest that is frequented or occupied by a raptor during the breeding season, or which has been occupied in any of the five previous breeding seasons. Many raptors use alternate nests in various years. Thus, a nest site may be active even if a particular structure is not occupied in a given year.

Winter night roost and/or communal roost – Areas where bald eagles and sometimes golden eagles perch overnight or gather to perch or forage. Individuals, pairs, and groups of eagles demonstrate site fidelity to winter night roosts and communal roosts throughout the winter season and year after year. Communal roost sites have more than 15 eagles for the majority of the roosting season and are usually in large trees (live or dead) that are relatively sheltered from wind and are generally in close proximity to foraging areas. Winter night roost and communal roosts may also serve a social purpose for pair bond formation and communication among eagles.

Permitted, authorized, or human encroachment activities- Any activity that brings humans in the area. Examples include construction activities, oil and gas development and production, driving, facilities maintenance, boating, trail access (e.g., hiking, biking), etc.

Surface Occupancy – Any physical object that is intended to remain on the landscape permanently or for a significant amount of time. Examples include houses, oil and gas wells, tanks, wind turbines, solar developments, roads, tracks, trails, etc.

Highly Developed Area – An area where existing density from the cumulative development of oil and gas facilities, home sites, subdivisions, commercial buildings, malls, apartment complexes, gravel pit operations, etc. exceed 10 or more daily occupied facilities within a ¼ mile (1320 feet, 400 meters) radius of the nest. Determination of whether or not a nest site is within a highly developed area will be done in consultation with CPW.

Mexican Spotted Owl Critical Habitat – Critical habitat is defined as areas of land and water with physical and biological features that are essential to the conservation of a threatened or endangered species, and that may require special management considerations or protection. Defined by U.S. FWS Final Rule 2004.

Mexican Spotted Owl Protected Activity Center (PAC) – An area established around an owl nest (or sometimes roost) site, for the purpose of protecting that area. Management of these areas is largely restricted to managing for forest-health objectives.

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COLORADO
Parks and Wildlife
Department of Natural Resources

Recommended Buffer Zones and Seasonal Restrictions Around Raptor Use Sites

Species and Use	Buffer	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Bald Eagle													
ACTIVE NEST - No Surface Occupancy	¼ Mile	■	■	■	■	■	■	■	■	■	■	■	■
ACTIVE NEST - No Human Encroachment	½ Mile	■	■	■	■	■	■	■					■
ACTIVE NEST HIGHLY DEVELOPED AREA – No Surface Occupancy	⅛ Mile	■	■	■	■	■	■	■	■	■	■	■	■
ACTIVE NEST HIGHLY DEVELOPED AREA – No Human Encroachment	¼ Mile	■	■	■	■	■	■	■					■
ACTIVE WINTER NIGHT ROOST without a direct line of sight- No Human Encroachment	¼ Mile	■	■	■								■	■
ACTIVE WINTER NIGHT ROOST with a direct line of sight - No Human Encroachment	½ Mile	■	■	■								■	■

Species and Use	Buffer	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Golden Eagle													
ACTIVE NEST - No Surface Occupancy	¼ Mile	■	■	■	■	■	■	■	■	■	■	■	■
ACTIVE NEST - No Human Encroachment	½ Mile	■	■	■	■	■	■	■					■
Osprey													
ACTIVE NEST - No Surface Occupancy	¼ Mile	■	■	■	■	■	■	■	■	■	■	■	■
ACTIVE NEST - No Human Encroachment	¼ Mile			■	■	■	■	■	■				
Ferruginous Hawk													
ACTIVE NEST - No Surface Occupancy	½ Mile	■	■	■	■	■	■	■	■	■	■	■	■
ACTIVE NEST - No Human Encroachment	½ Mile		■	■	■	■	■	■					
Red-tailed Hawk													
ACTIVE NEST - No Surface Occupancy	⅓ Mile	■	■	■	■	■	■	■	■	■	■	■	■
ACTIVE NEST - No Human Encroachment	⅓ Mile		■	■	■	■	■	■					
Swainson's Hawk													
ACTIVE NEST - No Surface Occupancy	¼ Mile	■	■	■	■	■	■	■	■	■	■	■	■
ACTIVE NEST - No Human Encroachment	¼ Mile				■	■	■	■					

Species and Use	Buffer	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Peregrine Falcon													
ACTIVE NEST - No Surface Occupancy	½ Mile												
ACTIVE NEST - No Human Encroachment	½ Mile												
Prairie Falcon													
ACTIVE NEST - No Surface Occupancy	½ Mile												
ACTIVE NEST - No Human Encroachment	½ Mile												
Northern Goshawk													
ACTIVE NEST - No Surface Occupancy	½ Mile												
ACTIVE NEST - No Human Encroachment	½ Mile												
Burrowing Owl													
ACTIVE NEST - No Human Encroachment	⅛ Mile												
ACTIVE NEST INDUSTRIAL ACTIVITIES – No Human Encroachment	¼ Mile												
Recommend against prairie-dog eradication or conduct surveys													

Species and Use	Buffer	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Mexican Spotted Owl													
Critical Habitat and Protected Activity Center (PAC) – No Surface Occupancy													
Critical Habitat and Protected Activity Center (PAC) – No Human Encroachment	½ Mile												
		= time period for which seasonal restrictions are in place.											

APPENDIX D
HUMAN REMAINS, CULTURAL RESOURCES, AND PALEONTOLOGICAL RESOURCES INADVERTENT DISCOVERY PLAN

Human Remains, Cultural Resources, and Paleontological Resources Inadvertent Discovery Plan

Jefferson County, Colorado

Olsson
1525 Raleigh, Suite 400
Denver, Colorado 80204

CDM Smith, Inc
Westminster Boulevard Drinking
Water Facility Project

Human Remains, Cultural Resources, and Paleontological Resources Inadvertent Discovery Plan Jefferson County, Colorado

AK Pioneer Consulting, LLC
1768 Bluebird Dr.
Bailey, CO 80421

TYPE OF WORK
Inadvertent Discovery Plan

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DATE
January 3, 2024

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Introduction

The City of Westminster (City) is considering construction of the Westminster Boulevard Drinking Water Facility (Project). The Project site is located in central Westminster, Jefferson County, Colorado. The City is applying for federal funding through the Drinking Water State Revolving Fund and Water Infrastructure Finance and Innovation Act. AK Pioneer Consulting, LLC (AKPC) was contracted to develop this Human Remains, Cultural Resources, and Paleontological Resources Inadvertent Discovery Plan (Plan) to be followed if cultural resources, including human remains, are discovered during any ground-disturbing activities for the Project. The City and its contractors will take the following steps if inadvertent cultural resources, especially human remains or suspected human remains, are discovered during construction of the Project.

This Plan provides important information concerning the process to follow if human remains, pre-historic or historic artifacts or features, and/or fossils are encountered during ground-disturbing activities once construction commences. This Plan supports Colorado Revised Statutes (CRS) 24-80-401-411 (Part 4 – Historical, Prehistorical, and Archaeological Resources), Jefferson County's goal to "balance development with the preservation and integration of significant historic resources (Jefferson County Comprehensive Master Plan), the City's goals "to identify, recognize and protect Westminster's unique and irreplaceable historic and cultural heritage" (Section 6.7 CID-G-9 in the Westminster Comprehensive Plan, amended 2015), and assists the City in meeting obligations under 36 Code of Federal Regulations (CFR) Part 800 of the National Historic Preservation Act of 1966, as amended in 2000 (NHPA).

The City is proposing to construct the Westminster Boulevard Drinking Water Facility (DWF) in central Westminster (**Figure 1**). The proposed project, which would address aging infrastructure and source water quality challenges for the City, includes a (1) 14.7 million gallons per day (MGD) DWF, (2) water supply line to connect the facility to the City's existing raw water

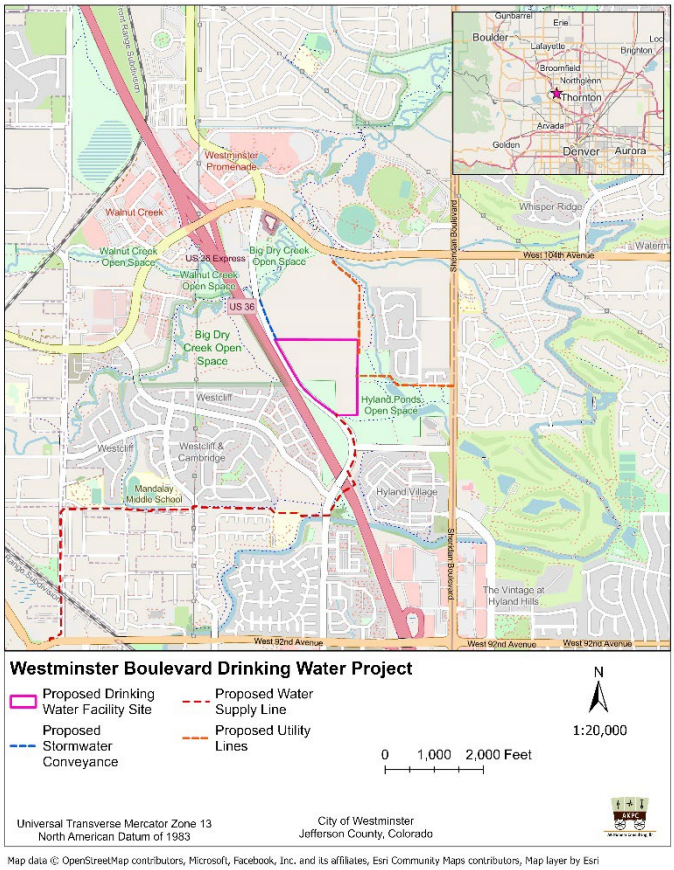

Figure 1. Westminster Boulevard Drinking Water Facility Project Location.

system, (3) finished water line to connect the facility to the City's existing distribution system, (4) sanitary sewer line to convey domestic wastewater from the DWF, (5) stormwater detention and conveyance, and (6) connections for supporting dry utilities.

Discovery of Human Remains

The City and its contractors will enact the following procedures in the event human remains or suspected human remains are discovered:

- If suspected human remains are discovered, all ground-disturbing activities in the vicinity of the discovery will immediately stop.
- Any person who discovers suspected human skeletal remains, on any land, will immediately notify the Coroner and the Sheriff of Jefferson County (**Table 1**).
- If possible, a 30-meter (100-foot) buffer will be created around the discovery and access restricted by installing temporary fencing.

Table 1. Points of Contact if Human Remains are Discovered.

Contact Agency	Address	Phone Number
Jefferson County Coroner	800 Jefferson County Parkway Golden, CO 80419	303-271-6480
Jefferson County Sheriff	200 Jefferson County Parkway Golden, CO 80419	303-271-0211

The Jefferson County Coroner will conduct an on-site inquiry within 48 hours of notification to attempt to determine whether such skeletal remains are human remains and to determine their forensic value. If the Coroner is unable to make such determinations, the sheriff or the Coroner will request a forensic anthropologist from the Colorado Bureau of Investigation to assist in making such determinations.

If it is confirmed that the remains are human remains, but of no forensic value, the Coroner will notify the State Archaeologist of the discovery. The State Archaeologist will recommend security measures for the site and will require the human remains be examined by a qualified archaeologist to determine whether the remains are more than 100 years old and to evaluate the integrity of their archaeological context before ground-disturbing activities can resume. Complete documentation of the archaeological context of the human remains will be accomplished in a timely manner by a qualified archaeologist.

If the on-site inquiry discloses that the human remains are Native American, the State Archaeologist will notify the Commission of Indian Affairs (Commission). The remains will be disinterred unless the City, the State Archaeologist, and the Chairman of the Commission or his/her designee unanimously agree to leave the remains in place. Disinterment shall be conducted carefully, respectfully, and in accordance with proper archaeological methods and by an archaeologist who holds the appropriate permit. In the event the remains are left in place, they will be covered over.

Without the City's express consent for an extension of time, disinterment will be accomplished no later than 10 consecutive days after the State Archaeologist has received notification from the Coroner. The archaeologist who conducts the disinterment will assume temporary custody of the human remains, for a period not to exceed one year from the date of disinterment, for the purpose of study and analysis. If a period in excess of one year is required to complete such study and analysis, the Commission shall hold a hearing and may, based upon its findings, grant an extension.

The cost of the disinterment, archaeological analysis, and physical anthropological study shall be borne by the State Archaeologist except when the human remains are recovered from private lands. In the latter case, if no party can be identified who will bear the cost of such scientific study, the State Archaeologist shall bear such costs.

Discovery of Cultural Resources

There is potential for cultural resources to be discovered during ground-disturbing activities. These cultural resources may be pre-contact or historic artifacts or features. Artifacts that may be encountered include stone tools, ceramic vessels (possibly fragments), bottles, household items, etc. Features may also be encountered. Some examples of features are rock-lined hearths and foundation remnants. The City will enact the following procedures in the event cultural resources are discovered:

- If cultural resources are encountered, ground-disturbing activities in the vicinity of the discovery will stop and a permitted archaeologist will be contacted to record the discovery (**Table 2**).
- If possible, a 30-meter (100-foot) buffer will be created around the discovery and access will be restricted through installation of temporary fencing or similar.
- If the discovery is determined to have potential National Register of Historic Places (NRHP) significance or to be of importance to interested Tribes, the City will notify the Colorado Office of Archaeology and Historic Preservation (OAHP) and work will not resume until the OAHP has reviewed the discovery and an avoidance or treatment plan is developed and implemented.
- If the discovery is not considered significant, then construction may resume. Documentation of the find will be filed with the OAHP.

Table 2. Points of Contact if Cultural Resources are Discovered.

Company/Agency	Contact	Address	Phone Number/Email
AK Pioneer Consulting, LLC	Amie Gray, permitted archaeologist, Principal Investigator	1768 Bluebird Drive, Bailey, CO 80421	303-579-6143/ akpioneerconsulting@gmail.com
Colorado Office of Archaeology and	Office of the State Archaeologist –	1200 Broadway,	303-866-3392/ hc_oahp@state.co.us,

Company/Agency	Contact	Address	Phone Number/Email
Historic Preservation (OAHP)	for a list of permitted archaeologists	Denver, CO 80302	Directory of Cultural Resource Professionals and Historic Preservation (historycolorado.org)

Discovery of Paleontological Resources

Fossil remains may be encountered during ground-disturbing activities. Both fossilized animal and plant material are potential discoveries. The City will enact the following procedures in the event fossils are encountered:

- If paleontological resources are encountered, ground-disturbing activities will stop in the vicinity of the discovery and a permitted paleontologist will be contacted to record the discovery (Table 3).
- If possible, a 30-meter (100-foot) buffer will be created around the discovery and access restricted by installing temporary fencing or similar.
- Work may resume once the paleontologist has reviewed the fossil encounter and recorded and completed all work required.

Table 3. Points of Contact if Paleontological Resources are Discovered.

Contact	Company/Agency	Address	Phone Number
Office of the State Archaeologist – for a list of permitted paleontologists	Colorado Office of Archaeology and Historic Preservation	1200 Broadway, Denver, CO 80302	303-866-3392/ hc_oahp@state.co.us, Directory of Cultural Resource Professionals and Historic Preservation (historycolorado.org)

Closing

This Plan provides important information concerning the process the City and its contractors will follow if human remains, pre-contact or historic artifacts or features, and/or fossils are encountered during ground-disturbing activities once construction commences. This Plan supports CRS 24-80-401-411 (Part 4 – Historical, Prehistorical, and Archaeological Resources), Jefferson County's goal to "balance development with the preservation and integration of significant historic resources (Jefferson County Comprehensive Master Plan), the City's goals "to identify, recognize and protect Westminster's unique and irreplaceable historic and cultural heritage" (Section 6.7 CID-G-9 in the Westminster Comprehensive Plan, amended 2015), and assists the City in meeting obligations under 36 Code of Federal Regulations (CFR) Part 800 of the National Historic Preservation Act of 1966, as amended in 2000 (NHPA).

APPENDIX E
KEY OBSERVATION POINTS

WESTMINSTER, CO
DRINKING WATER FACILITY

Visual Study

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KEY OBSERVATION POINTS

A Church Ranch Road & US Highway 36 (Denver Boulder Turnpike)

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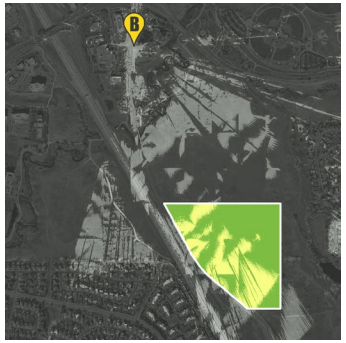
Butterfly Pavilion at Westminster Boulevard



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Southbound US Highway 36 (Denver Boulder Turnpike)

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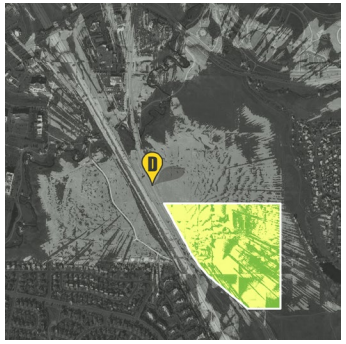
Southbound Westminster Boulevard



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Trail at Jay Street / Westcliff Apartments

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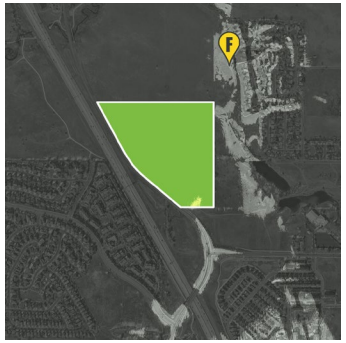
Waverly Acres Park Shelter at Eaton Street



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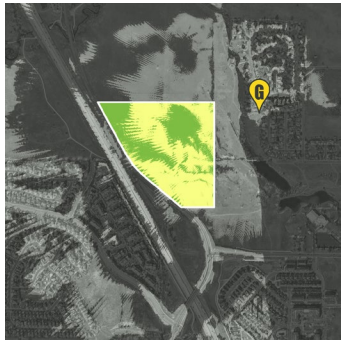
Waverly Acres Park at Depew Street



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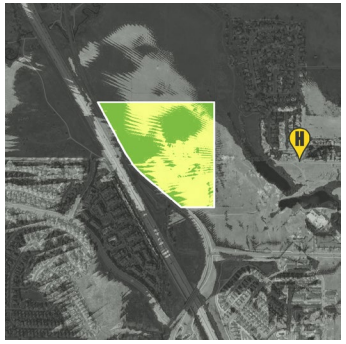
West 100th Avenue & North Benton Street



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Northbound Westminster Boulevard

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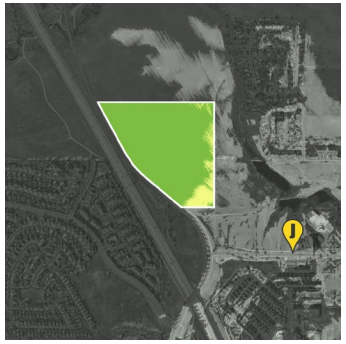
West 98th Avenue at New Beginnings Child Care



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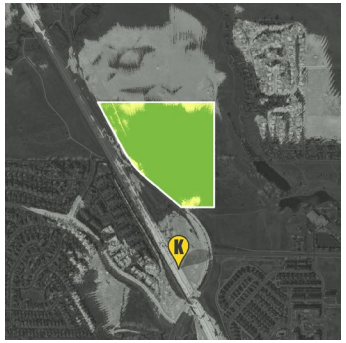
Northbound US Highway 36 (Denver Boulder Turnpike)



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Northbound Westminster Boulevard Overpass

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Westminster Boulevard & Westcliff Parkway

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APPENDIX F

PUBLIC MEETING SUMMARY AND RESPONSE TO COMMENTS

In-Person Open House Display Boards

WESTMINSTER
BOULEVARD DRINKING WATER PROJECT

Providing clean, safe, and affordable drinking water for generations to come

WELCOME

OPEN HOUSE: 6-8 P.M.

PRESENTATION, Q&A, PUBLIC COMMENT: 7-8 P.M.

WATER SYSTEM OVERVIEW

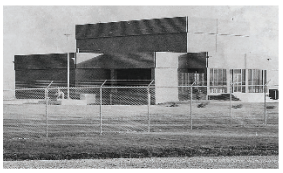
The City of Westminster is committed to providing affordable, high-quality water services.

More than **nine billion gallons** of water supplied to **33,000 homes and businesses** each year.

Two water treatment facilities:
- Semper Water Treatment Facility provides **75%** of the City's water.
- Northwest Water Treatment Facility provides **25%** of the City's water.

Over 500 miles of existing potable water pipe.

Water storage facilities throughout the city.



The Semper Water Treatment Facility, left, was built back in 1969 when Westminster's population was approximately 70,000 people. Today, the facility is capable of treating 44 million gallons per day using conventional filtration technology.

Chemist, Eric Scott, left, works on collecting water samples from the Northwest Water Treatment Facility. Capable of treating up to 75 million gallons per day, the Northwest Water Treatment Facility was built in 2001 and uses state-of-the-art membrane micro-filtration.

WESTMINSTER
BOULEVARD DRINKING WATER PROJECT

WHERE YOUR WATER COMES FROM

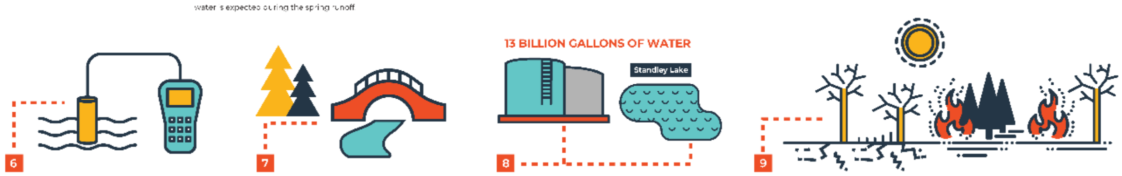
1 The Front Range is a dry place. Like most communities in Colorado, Westminster's water starts as snowflakes that fall in the Rocky Mountains.

2 About 12 inches of snow melts to one inch of water on average, but that's not always the case. We monitor snow water equivalent, or how much water is contained in snow, at two locations to get a better estimate of how much water is expected during the spring runoff.

3 The majority of Westminster's water comes from the Clear Creek watershed. Snow across 400 square miles of mountainous terrain surrounding Golden, Idaho Springs, Central City, Georgetown and Loveland Pass melts in the spring and summer and flows into Clear Creek.

4 A small portion of Westminster's water comes from the Continental Divide thanks to a long-standing agreement with Denver Water.

5 Water is serious business in Colorado. Westminster is only allowed to store and use water that it has a right to use.



6 Westminster partners with neighboring communities and businesses that rely on Clear Creek to monitor its water quality. Ten monitoring sites take over three million water quality tests each year. If contamination occurs, an automated alert system will alert downstream users.

7 Canals play a critical role moving water across Colorado, and Westminster is no different. Three different canals are designed to bring water to Standley Lake. In an emergency, canal gates can be adjusted to divert flows from entering Standley Lake.

8 Standley Lake stores 13 billion gallons of water for Westminster, Thornton, Northglenn, and Farmers Reservoir and Irrigation Company (FRICO). Enough water is stored in Standley Lake to serve Westminster residents and businesses for one and a half years.

9 The biggest threat to Westminster's water supply is climate variability — drought and wildfire, most specifically. Changes to precipitation and temperatures will affect how much water Westminster may receive in a given year. Staff carefully monitor the city's water supply and plan for the future. Drought is always possible, but Westminster's water supply will remain in good shape if residents continue to conserve water like they have over the last 20 years.

PROJECT OVERVIEW

Between 2015-2021, the City evaluated options for a new water treatment facility to provide the community with clean, safe, and affordable drinking water.

The proposed facility site is on the **east side of Westminster Boulevard** between 98th and 104th avenues.

The new water treatment facility would eventually **replace Semper** as it is phased out over the next two decades.

As part of the project, the City would also install **a new water supply line, finished waterline, sewer line, and other supporting utilities.**

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(720) 464-3435 waterfacilityproject@westminsterco.gov westminsterco.gov/drinkingwaterproject

PROJECT HISTORY & TIMELINE

2015

The City began planning for a new water treatment facility to replace the Semper Water Treatment Facility.

2021-2023

Under City Council's guidance, different facility options were considered to better balance the community's need for clean, safe, and affordable water:

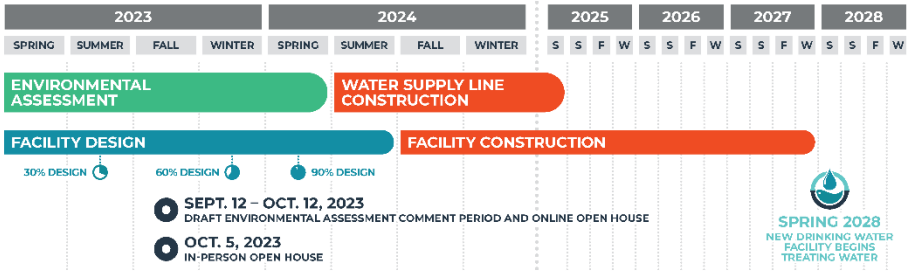
1. The reevaluation focused on rightsizing the facility and associated infrastructure, which originally had an inflation-adjusted cost of over $300 million.
2. Staff assessed and presented alternative sites, facility capacities and treatment capabilities.
3. The reevaluation resulted in an adjustment of the water treatment facility's capacity. The new conceptual design reduced the facility's treatment capacity by 25% and offered a different mix of water treatment technologies.
4. The anticipated cost also decreased by $100 million to a more affordable project estimate of $200 million, based on current information.

2023

City Council adopted Resolution 13 directing staff to pursue the design of a substantially different water treatment facility.

Project Timeline

The project recently reached two big milestones. The draft environmental assessment report (EA) is ready for review, and the facility has reached 30% design.



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BUILDING RESPONSIBLY

Projected drinking water demand at full buildout was reduced after reviewing the city's water conservation practices between 2015-2022, resulting in a streamlined project design, lower project cost and smaller project footprint.

2015

Projected buildout demand was 60 million gallons per day (MGD).

2022

Projected buildout demand showed a 25% reduction at 45 MGD.

As a result of this decrease

1. For the first phase of the project, the proposed drinking water facility went from two treatment trains to one treatment train with the rightsized treatment capacity decreasing from 30 MGD to 14.7 MGD. A treatment train is a sequence of treatment stages the water flows through.
2. The water supply line diameter decreased from 42 inches to 36 inches, allowing the waterline to connect to a location that is closer to the site. The subsequent reduction in length resulted in significant cost savings.
3. The finished waterline diameter decreased from 36 inches to 30 inches.

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BUILDING RESPONSIBLY

Why a New Facility?

The 54-year-old Semper Water Treatment Facility is nearing the end of its useful life and will soon be phased out. The Semper site is inadequate for upgrading the facility to meet current and anticipated regulatory needs.

The new facility would provide an affordable solution with the flexibility to:

- Replace aging infrastructure and expand if needed.
- Respond to future state and federal clean water regulations.
- Build additional treatment processes to respond to potential future wildfire or watershed contamination and emerging contaminants.

Aging Semper Water Treatment Facility, Built in 1969

Proposed Westminster Boulevard Drinking Water Facility Site

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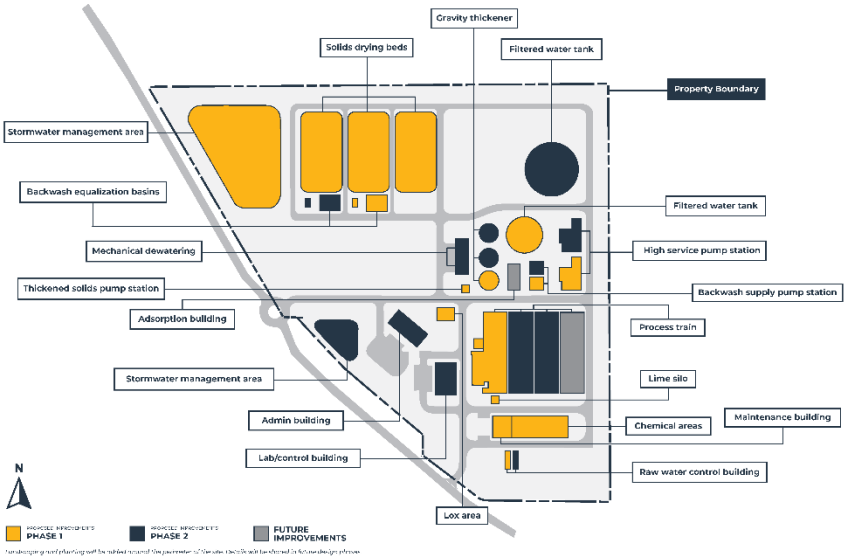
PROPOSED ACTION 30% DESIGN

Common milestones for construction projects are 30%, 60% and 90% design.

These indicate the level of design that has been completed to that point and are often opportunities for public or community input.

Thirty percent design is a very high-level design where major project elements are defined. The project team has determined fatal flaws, defined the scope of the project and refined the cost estimate.



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PHASED APPROACH

Large water treatment projects are often done in phased construction.

This project would be built in phases over the next two decades to manage impacts to Westminster residents and make the full and best use of the portions of Semper that have decades of service life.

Proposed Drinking Water Facility Quick Facts

- One treatment train until more are needed due to aging infrastructure at Semper
- 14.7 million gallons per day (MGD)
- Semper would reduce its treatment capacity from 44 MGD to 29.4 MGD
- In about 20 years, when it's time to replace the rest of Semper, the new facility would add 29.4 MGD of treatment capacity to the 14.7 MGD for a total of 44.1 MGD
- Ozonation would be added to the treatment process on a staggered timeline as funding availability and/or needs occur
- At this early stage of the design process the cost estimate for the new drinking water facility has a range of -15% to +30%

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PROPOSED LOCATIONS OF SUPPORTING UTILITIES

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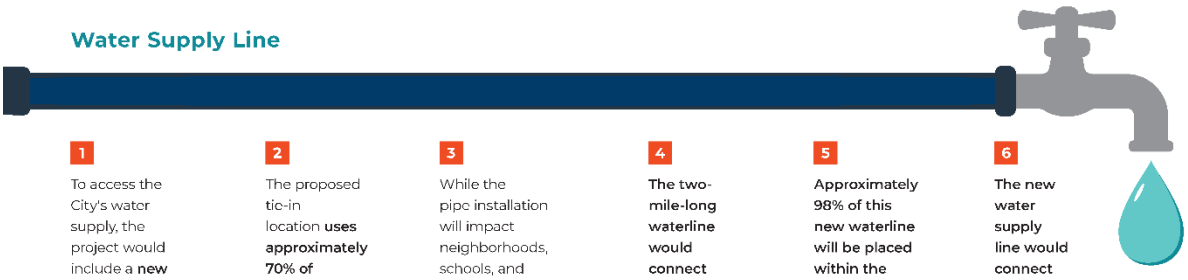
SUPPORTING UTILITIES

In conjunction with the new water treatment facility, several supporting utilities would also need to be installed.

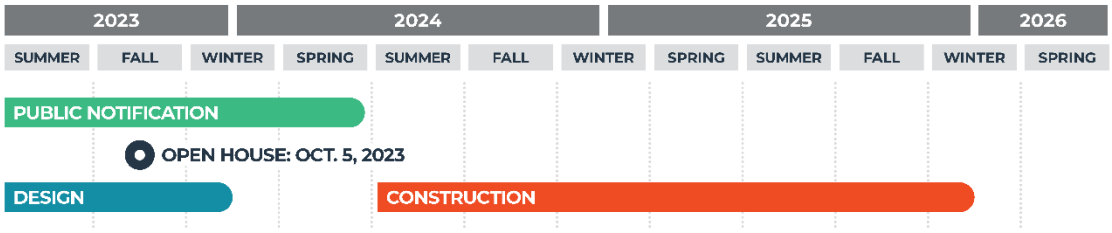
Water Supply Line



1. To access the City's water supply, the project would include a **new 36-inch-diameter water supply line to transport untreated water to the new drinking water facility.**
2. The proposed tie-in location **uses approximately 70% of existing raw water lines and will result in significant cost savings.**
3. While the pipe installation will impact neighborhoods, schools, and traffic, **the City is proactively researching methods to reduce and minimize disruptions as much as is feasible.**
4. **The two-mile-long waterline would connect to the new facility at the southern border of the project site.**
5. **Approximately 98% of this new waterline will be placed within the City-owned right-of-way,** which will result in a limited number of additional easements.
6. **The new water supply line would connect to the existing Standley Lake raw waterlines.**

SUPPORTING UTILITIES

Water Supply Line Project Schedule



Additional Utilities

Sewer Line

Approximately 650 feet of underground sewer line would be installed and connected to an existing sewer main.

Finished Waterline

A 30-inch-diameter underground finished waterline would deliver drinking water from the facility to our community through a connection along Sheridan Boulevard.

Other Utilities

- Gas Service
- Fiber Communications
- Electrical Service

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ENVIRONMENTAL ASSESSMENT (EA)

What is an EA?

In order to secure federal funding for the drinking water facility, the City is required to conduct an EA of the proposed site. An EA describes how a project will affect people, animals, land, water, and air quality in an area.

Should a potentially undesirable impact be identified during the EA, the applicant is required to propose alternative solutions to address the issue. An EA also offers a robust public engagement process, including a public comment period, and requires the City to respond to public comments in the final EA document.

The EA will evaluate the facility site, waterline alignments, and cumulative impacts to the City's water service area.

Alternatives

No Action Alternative

No construction and the existing site and infrastructure remain unchanged

Proposed Action

- **New 14.7 MGD drinking water facility**
- **Tie into the existing water supply lines with a new pipe to deliver raw water to the new facility**
- **New finished waterline to connect the facility to the existing distribution system**

Other Action Alternatives Considered

- **Alternative waterline alignments**
- **Alternative facility and associated infrastructure sizing**
- **Treatment capacities**
- **Treatment capabilities**

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PURPOSE AND NEED

Address Aging Infrastructure

50 Years Old

The Semper Water Treatment Facility is over 50 years old with a significant number of its assets at or beyond their predicted service life.

AGE

Semper's aging condition makes it costly to maintain and vulnerable to water quality challenges due to drought and wildfire.

Increasingly stringent state and federal clean water requirements **will make Semper more expensive to operate and maintain.**

Source Water Quality Challenges

Source water refers to sources of water such as rivers, lakes, and reservoirs, that provide water to public drinking water supplies. The City's source waters are susceptible to **water quality challenges due to the increased frequency and severity of drought, floods, and wildfires in the Clear Creek watershed.**

Wildfires in our watershed can cause poor raw water conditions that can last for months or even years. **We have had high-quality raw water because there has not been a wildfire in the Clear Creek watershed for over 50 years.** Northwest Water Treatment Facility has reliably treated raw water with a wide range of water quality. When raw water conditions are challenging, the City will not be able to rely on Semper to produce drinking water as consistently as Northwest.

Regulatory Constraints

Semper likely cannot treat the anticipated quality of source water under potential future drinking water regulatory standards.

Federal drinking water regulations change over time. When Semper was built 50+ years ago, regulations were very different from what they are today. Semper would not be approved by state and federal regulators for construction today because it does not meet current regulatory standards. Regulators continue to evaluate and rerate existing treatment facilities over time for treatment capacity. In the past year, Semper and other similar facilities have seen their rating adjusted downward by state regulators.

Providing Reliable Drinking Water

Semper lacks sufficient space to reliably produce and deliver drinking water when portions of the facility come due for replacement in upcoming years.

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IMPACTS ON THE HUMAN ENVIRONMENT

	CULTURAL, HISTORICAL, & PALEONTOLOGICAL RESOURCES	ENVIRONMENTAL JUSTICE	LAND USE	PUBLIC HEALTH	RECREATION	SOCIOECONOMICS	TRANSPORTATION	UTILITY SERVICES	VISUAL
NEGLIGIBLE OR NO EFFECT *There would be no measurable or perceptible impact.*	✓	✓	✓	✓	✓	✓	✓	✓	
MINOR EFFECT *The impact would be measurable or perceptible, but it is slight and would only affect a limited area of a resource or group of resources.*									✓
MODERATE EFFECT *The impact would be measurable and perceptible.*									
MAJOR/ SIGNIFICANT EFFECT *The impact would be substantial, noticeable, and permanent.*									
POTENTIAL POSITIVE/NEGATIVE PROJECT EFFECTS	• No anticipated impact to known cultural, historical, or paleontological resources • Unknown cultural resources could be uncovered during construction	• No disproportionately high and adverse impacts for minority and low-income populations when compared to the general population	• Change in land use at drinking water facility site • Project is consistent with City's Comprehensive Plan	• Exposure to occupational human health and safety risks by construction workers and operations staff • Allows greater resiliency to address potential future source water and drinking water quality challenges	• Short term and temporary trail and open space closures during construction	• Short-term and temporary benefit to economy from influx of construction workers spending locally • Long-term (small) from creation of new jobs at the drinking water facility	• Short-term and temporary increase in traffic associated with construction • Road closures/detours during construction • Minor long-term increase in traffic associated with operations	• Potential for short-term and temporary utility disruptions during construction	• Short-term and temporary visual impacts associated with construction activities • New visually dominant feature • New source of light/ glare
AVOIDANCE/MINIMIZATION/ MITIGATION MEASURES	• Complete pedestrian surveys of portions of project area not yet surveyed • Implement Inadvertent Discovery Plan that includes procedures in the event human remains, cultural resources, or paleontological resources are discovered during construction • Consult with State Historic Preservation Office (SHPO)			• Implement best management practices and health and safety procedures to minimize impacts to worker and staff health and safety	• Provide advanced notification to the public of closures and provide signage directing users to alternate routes and/ or facilities		• Prepare Traffic Management Plan • Provide advanced notification to the public and emergency service providers of closures/ detours and provide signage directing users to alternate routes	• Schedule during non-peak use periods • Limit utility conflicts through design • Provide advanced notification to customers about planned service disruptions during construction	• Incorporate Uniform Development Code standards for exterior treatments, lighting, and illumination, and vegetation screening into drinking water facility design

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IMPACTS ON THE PHYSICAL ENVIRONMENT

	AIR QUALITY	FLOODPLAINS	GEOLOGY & SOILS	HAZARDOUS MATERIALS	NOISE & VIBRATION	WATER QUALITY
NEGLIGIBLE OR NO EFFECT *There would be no measurable or perceptible impact.*						
MINOR EFFECT *The impact would be measurable or perceptible, but it is slight, and would only affect a limited area of a resource or group of resources.*	✓	✓	✓	✓		✓
MODERATE EFFECT *The impact would be measurable and perceptible.*					✓	
MAJOR/ SIGNIFICANT EFFECT *The impact would be substantial, noticeable, and permanent.*						
POTENTIAL POSITIVE/NEGATIVE PROJECT EFFECTS	• Short-term and temporary increase in air pollution during construction • Minor increase in air pollution from periodic operation of drinking water facility emergency generators	• Some water or sewer line installations would occur within a floodplain	• Erosion and sedimentation during construction	• Accidental spills associated with the use of hazardous materials during construction and operation (e.g., fuels, oil, chemicals, etc.)	• Short-term and temporary increase in ambient noise levels due to construction activities • Increase in ambient noise from operation of drinking water facility	• Erosion and sedimentation during construction • Accidental spills
AVOIDANCE/MINIMIZATION/ MITIGATION MEASURES	• Complete Air Pollutant Emissions Notice • Implement construction best management practices, such as: minimize idling of construction equipment, fugitive dust control, etc.	• Obtain Floodplain Development Permit	• Implement control measures, such as silt fences, erosion logs, vehicle tracking pads, good housekeeping practices, etc.	• Prepare Spill Pollution Prevention Plan, Health and Safety Plan, and Emergency Response Plan • Incorporate secondary containment barriers into drinking water facility design	• Implement construction best management practices, such as follow noise ordinance limits, all noise control technologies on construction equipment, etc. • Consider additional operational noise assessment further in design process • Incorporate noise mitigating features into drinking water facility design where possible	• Obtain Construction Stormwater Discharge Permit and Dewatering General Permit • Prepare Stormwater Management Plan and implement control measures specified in it • Implement construction best management practices to protect nearby wetland • Prepare Spill Pollution Prevention Plan

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IMPACTS ON THE BIOLOGICAL ENVIRONMENT

	MIGRATORY BIRDS	TERRESTRIAL & AQUATIC WILDLIFE	THREATENED & ENDANGERED SPECIES	VEGETATION & NOXIOUS WEEDS	WETLANDS/WATERS OF THE U.S. *(assumes horizontal directional drilling)*	WETLANDS/WATERS OF THE U.S. *(assumes open cut trenching)*
NEGLIGIBLE OR NO EFFECT *There would be no measurable or perceptible impact.*					✓	
MINOR EFFECT *The impact would be measurable or perceptible, but it is slight and would only affect a limited area of a resource or group of resources.*		✓				
MODERATE EFFECT *The impact would be measurable and perceptible.*	✓		✓	✓		
MAJOR/ SIGNIFICANT EFFECT *The impact would be substantial, noticeable, and permanent.*						✓
POTENTIAL POSITIVE/NEGATIVE PROJECT EFFECTS	• Short-term and temporary disturbance during construction • Habitat for migratory birds and raptors present • Active raptor nest present in project vicinity	• Temporary disturbance during construction • Work within Aquatic Sport Fish Management Waters / High Priority Habitat Buffer	• Habitat for federally listed species not present • Habitat for state listed burrowing owl, bald eagle, and black-tailed prairie dog potentially impacted	• Temporary impacts to upland vegetation during construction • Permanent removal of trees • Spread of noxious weeds	• No impacts to wetlands	• Temporary impacts to wetlands
AVOIDANCE/MINIMIZATION/ MITIGATION MEASURES	• Implement Tree Removal Plan that includes measures to reduce or avoid impacts to migratory birds and raptors • Conduct pre-construction nest clearance surveys • Consult with Colorado Parks and Wildlife (CPW) and U.S. Fish and Wildlife (USFW)	• Consult with CPW on activity buffers for work within Aquatic Sportfish Management Waters and appropriate construction best management practices to be implemented for protection of stream and wildlife	• Conduct pre-construction burrowing owl surveys • Implement prairie dog relocation/ removal effort	• Prepare Tree Mitigation Plan and Noxious Weed Management Plan • Revegetate/reclaim disturbed areas with approved native seed mix		• Obtain Clean Water Act Section 404 Permit from USACE

FUNDING AND RATES

Funding is anticipated to be a mix of sources:

- Grants
- Cash on hand
- Municipal revenue bonds
- Drinking Water Revolving Fund (DWRF) financing from the state
- Water Infrastructure Finance and Innovation Act (WIFIA) financing from the federal government

The near- and long-term fiscal plan for the water utility currently includes annual rate adjustments each year over the next decade to support:

- Operations and maintenance of the system
- Current and future debt service obligations
- The defined 2024-2028 Capital Improvement Plan, including a new water treatment facility and other important repair and replacement infrastructure projects

This information is based on current data and is subject to change as more project details are determined.

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YOUR VOICE MATTERS

Speak with a stenographer or fill out a comment card today to officially document your feedback about the draft environmental assessment or project as a whole.

Scan this QR Code to visit our website and find other ways to provide comments.

After the public comment period closes October 12, comments will be included and addressed as applicable in the final EA and future design phases.

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THANK YOU FOR JOINING!

Next Steps

1. Draft environmental assessment comment period closes October 12

2. Completion of the environmental assessment (EA)
   The Colorado Department of Public Health and Environment and U.S. Environmental Protection Agency will issue their findings.

3. Sixty percent design milestone and corresponding open house this winter

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Share your feedback

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COME TALK ABOUT NEW COMMUNITY IMPROVEMENT IDEAS

In-Person Open House Scrolling Slides

Slides were scrolling on screen during the open house portion of the event.

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BOULEVARD DRINKING WATER PROJECT

OTHER WAYS TO PROVIDE COMMENT

There are several ways to comment on the Environmental Assessment through October 12, including via our online open house, email, hotline and mail.

Scan the QR code or visit the link below:
westminsterco.gov/drinkingwaterproject

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PUBLIC COMMENT

Interested in providing comment following the presentation?

Sign up for a time slot at the Welcome table.

Those who sign up will have the opportunity to voice their thoughts for up to three minutes each.

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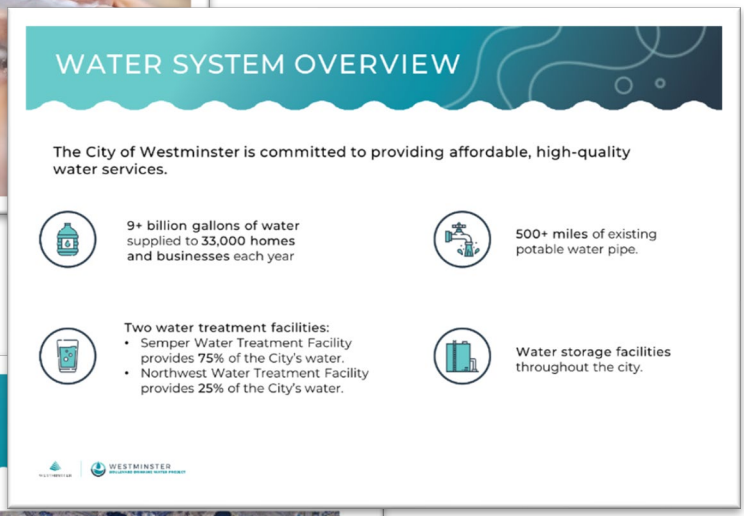
LEARN MORE

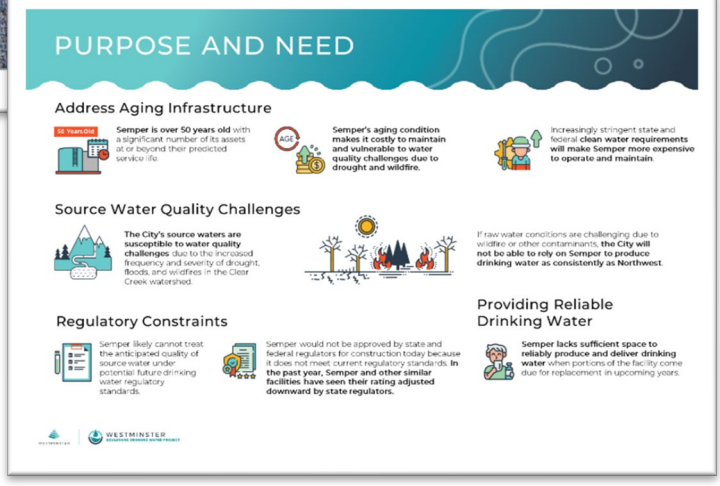
Find the information presented tonight online.

Comments will be accepted through October 12.

Scan the QR code or visit the link below:
WestminsterDrinkingWaterFacility.com

In-Person Open House Environmental Assessment Presentation





PROPOSED LOCATIONS OF SUPPORTING UTILITIES

Water Supply Line

A new 36-inch-diameter underground water supply line to transport untreated water to the facility.

Finished Waterline

A 30-inch-diameter underground finished waterline would deliver drinking water from the facility to our community through a connection along Sheridan Boulevard.

Sewer Line

Approximately 650 feet of underground sewer line would be installed.

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PROJECT TIMELINE

The project has reached two big milestones:

1. The draft environmental assessment report (EA) is ready for review.
2. The facility has reached 30% design.

FUNDING AND RATES

Funding is anticipated to be a mix of sources:

Grants | Cash on hand | Municipal revenue bonds | Drinking Water Revolving Fund financing | Water Infrastructure Finance and Innovation Act financing

The near- and long-term fiscal plan for the water utility includes annual rate adjustments over the next decade to support:

- Operations and maintenance of the system
- Current and future debt service obligations
- The defined 2024-2028 Capital Improvement Plan, including a new water treatment facility and other important [illegible] replacement infra

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This information is based on current

ENVIRONMENTAL ASSESSMENT (EA)

What is an EA?

To secure federal funding, the City must comply with National Environmental Policy Act (NEPA) requirements and conduct an EA of the proposed project site.

An EA describes **how a project will affect people, animals, land, water, and air quality** in an area.

The applicant must propose alternative solutions to identified impacts. An EA also offers a robust public engagement process, including a public comment period, and the City will respond to public comments in the final EA.

The EA evaluates the facility site, waterline alignments, and cumulative impacts to the City's water service area.

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PROJECT ALTERNATIVES

Project Alternatives Considered

No Action Alternative
No construction and the existing site and infrastructure remain unchanged

Proposed Action
- New 14.7 MGD drinking water facility
- Tie into the existing water supply lines with a new pipe to deliver raw water to the new facility
- New finished waterline to connect the facility to the existing distribution system

Other Action Alternatives Considered
- Alternative waterline alignments
- Alternative facility and associated infrastructure sizing
- Treatment capacities
- Treatment capabilities

ENVIRONMENTAL RESOURCES

Human Environment	Physical Environment	Biological Environment
Cultural, Historical, and Paleontological Resources	Air Quality	Migratory Birds
Environmental Justice	Floodplains	Terrestrial and Aquatic Wildlife
Land Use	Geology and Soils	Threatened and Endangered Species
Public Health	Hazardous Materials	Vegetation and Noxious Weeds
Recreation	Noise and Vibration	Wetlands/Waters of the U.S. (assumes horizontal directional drilling)
Socioeconomic	Water Quality	Wetlands/Waters of the U.S. (assumes open cut trenching)
Transportation		
Utility Services		
Visual		

NEGLIGIBLE OR NO EFFECT

- Cultural, Historical, and Paleontological Resources
- Public Health
- Transportation
- Environmental Justice
- Recreation
- Utility Services
- Land Use
- Socioeconomic
- Wetlands/Waters of the U.S. (assumes horizontal directional drilling)

MINOR EFFECTS

Resource Area	Avoidance/Minimization/Mitigation Measures
Visual	• Incorporate UDC standards for exterior treatments, lighting/illumination, and vegetation screening into design
Air Quality	• Complete Air Pollutant Emissions Notice • Implement fugitive dust control measures
Floodplains	• Obtain Floodplain Development Permit
Geology & Soils	• Implement measures to control erosion and sedimentation
Hazardous Materials	• Prepare Spill Pollution Prevention Plan, Health and Safety Plan, and Emergency Response Plan • Incorporate secondary containment features into design
Water Quality	• Obtain Construction Stormwater Discharge Permit and Dewatering General Permit • Prepare Stormwater Management Plan and implement specified control measures • Implement construction BMPs to protect nearby waters • Prepare Spill Pollution Prevention Plan
Terrestrial & Aquatic Wildlife	• Consult with CPW on activity buffers for work within Aquatic Sportfish Management Waters and appropriate construction BMPs

MODERATE AND MAJOR EFFECTS

Resource Area	Avoidance/Minimization/Mitigation Measures
Noise & Vibration	• Implement BMPs to minimize noise • Complete additional operational noise assessment • Incorporate noise mitigating features into design where possible
Migratory Birds and Raptors	• Implement Tree Removal Plan • Conduct pre-construction nest clearance surveys • Consult with CPW and USFWS
Threatened & Endangered Species	• Conduct pre-construction burrowing owl surveys • Implement prairie dog relocation/removal effort
Vegetation and Noxious Weeds	• Prepare Tree Mitigation Plan and Noxious Weed Management Plan • Revegetate/reclaim disturbed areas with approved native seed mix
Wetlands/Waters of the U.S. (assumes open cut trenching)	• Obtain Clean Water Act Section 4

EA NEXT STEPS

1 **Fall 2023**
- City addresses agency and public comments on the EA
- City initiates agency consultations (USFWS, SHPO)

2 **Winter 2023/24**
- City submits final EA to CDPHE for review
- City anticipates CDPHE will issue a FONSI for 30-day public review
- City completes agency consultation
- CDPHE address comments on FONSI and issues final documents (EA

cess

process

YOUR VOICE MATTERS

Speak with a stenographer or fill out a comment card today to officially document your feedback about the draft environmental assessment or project as a whole.

Scan this QR code to visit our website and find other ways to provide comments.

After the public **comment period closes October 12**, comments will be included and addressed as applicable in the final EA and future design phases.

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U FOR JOINING!

Next Steps

1 Draft EA comment period closes October 12

2 Completion of the EA
The Colorado Department of Public Health and Environment and U.S. Environmental Protection Agency will issue their findings.

3 The 60% design milestone and corresponding open house will occur this winter.

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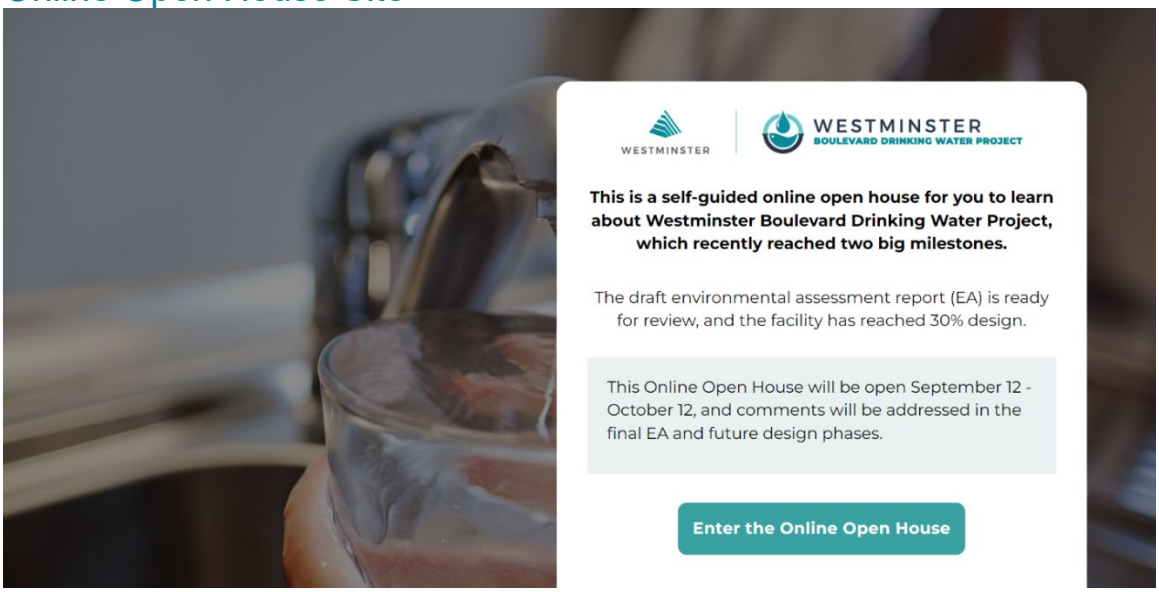
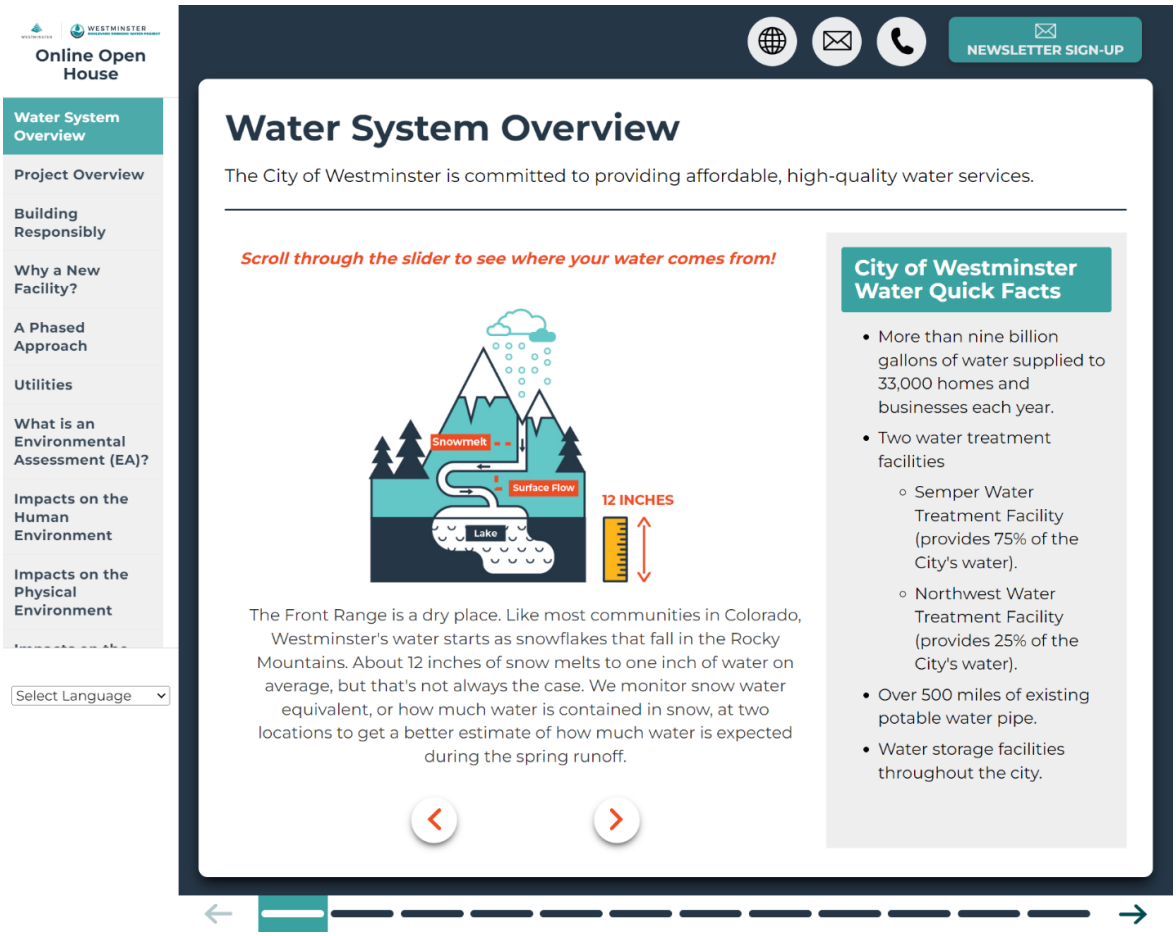
Online Open House Site





Online Open House

- Water System Overview
- Project Overview
- Building Responsibly
- Why a New Facility?
- A Phased Approach
- Utilities
- What is an Environmental Assessment (EA)?
- Impacts on the Human Environment
- Impacts on the Physical Environment
- Impacts on the Biological Environment
- Funding and Rates
- Your Voice Matters

Select Language

NEWSLETTER SIGN-UP

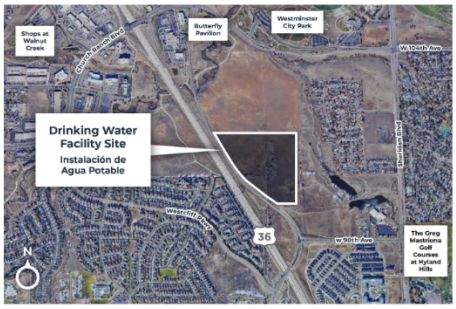
Project Overview

Between 2015-2021, the City evaluated options for a new water treatment facility to provide the community with clean, safe, and affordable drinking water.

The facility will be built on the east side of Westminster Boulevard between 98th and 104th avenues.

The new water treatment facility will eventually replace Semper as it is phased out over the next two decades.

As part of the project, the City would also install a new water supply line, finished waterline, sewer line, and other supporting utilities.



Click to enlarge

Anticipated Timeline

Click to enlarge

Project History

- 2015: Planning
- 2021 - 2023: Community Input
- 2021 - 2023: A New Plan
- 2023: Council Resolution Adoption

Online Open House

- Water System Overview
- Project Overview
- **Building Responsibly**
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- What is an Environmental Assessment (EA)?
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- Impacts on the

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NEWSLETTER SIGN-UP

Building Responsibly

Updating Westminster buildout demand for drinking water revealed projected **demand decreased** due to the community's water conservation practices between 2015 and 2022. In 2015, projected buildout demand was 60 million gallons per day (MGD). **In 2022, projected buildout demand showed a 25% reduction at 45 MGD**.

As a result of this decrease:

For the first phase of the project, the proposed drinking water facility went from two treatment trains to one treatment train with the rightsized treatment capacity decreasing from 30 MGD to 14.7 MGD. A treatment train is a sequence of treatment stages the water flows through.

The water supply line diameter decreased from 42 inches to 36 inches, allowing the waterline to connect to a location that is closer to the site. The subsequent reduction in length resulted in significant cost savings.

The finished waterline diameter decreased from 36 inches to 30 inches.

Online Open House

- Water System Overview
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- **Why a New Facility?**
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- What is an Environmental Assessment (EA)?

Select Language

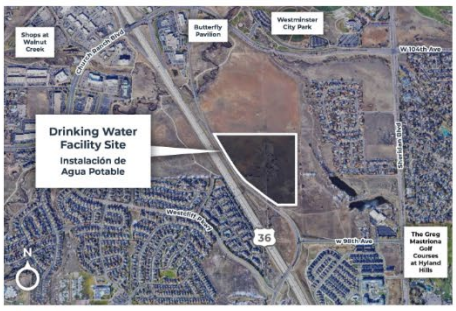
NEWSLETTER SIGN-UP

Why a New Facility?

The 54-year-old Semper Water Treatment Facility is nearing the end of its useful life and will soon be phased out.

The Semper site is inadequate for upgrading the facility to meet current and anticipated regulatory needs. The new facility would provide an affordable solution with the flexibility to:

- Replace aging infrastructure and expand if needed.
- Respond to future state and federal clean water regulations.
- Build additional treatment processes to respond to potential future wildfire or watershed contamination and emerging contaminants.



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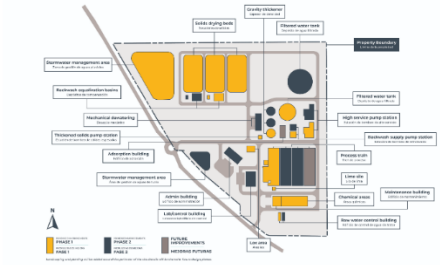
Select Language

NEWSLETTER SIGN-UP

A Phased Approach

Large water treatment projects are often done in phased construction. This project would be built in phases over the next two decades to manage impacts to Westminster residents and make the full and best use of the portions of Semper that have decades of service life.

Proposed Action - 30% Design



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Facility Quick Facts

- One treatment train until more are needed due to aging infrastructure at Semper
- 14.7 million gallons per day (MGD)
- Semper would reduce its treatment capacity from 44 MGD to 29.4 MGD
- In about 20 years, when it's time to replace the rest of Semper, the new facility would add 29.4 MGD of treatment capacity to the 14.7 MGD for a total of 44.1 MGD
- Ozonation would be added to the treatment process on a staggered timeline as funding availability and/or needs occur
- At this early stage of the design process the cost estimate for the new drinking water facility has a range of -15% to +30%

Utilities

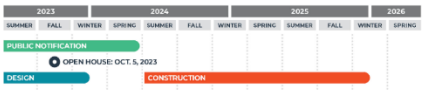
In conjunction with the new water treatment facility, several supporting utilities would also need to be installed.

Water Supply Line

- To access the City's water supply, the project would include a new 36-inch-diameter water supply line to transport untreated water to the new drinking water facility.
- The two-mile-long waterline would connect to the new facility at the southern border of the project site.
- The new water supply line would connect to the existing Standley Lake raw waterlines.
- The proposed tie-in location uses approximately 70% of existing raw water lines and will result in significant cost savings.
- While the pipe installation will impact neighborhoods, schools, and traffic, the City is proactively researching methods to reduce and minimize disruptions as much as is feasible.
- Approximately 98% of this new waterline will be placed within the City-owned right-of-way, which will result in a limited number of additional easements.

Click to enlarge

WATER SUPPLY LINE PROJECT SCHEDULE



Click to enlarge

Finished Waterline

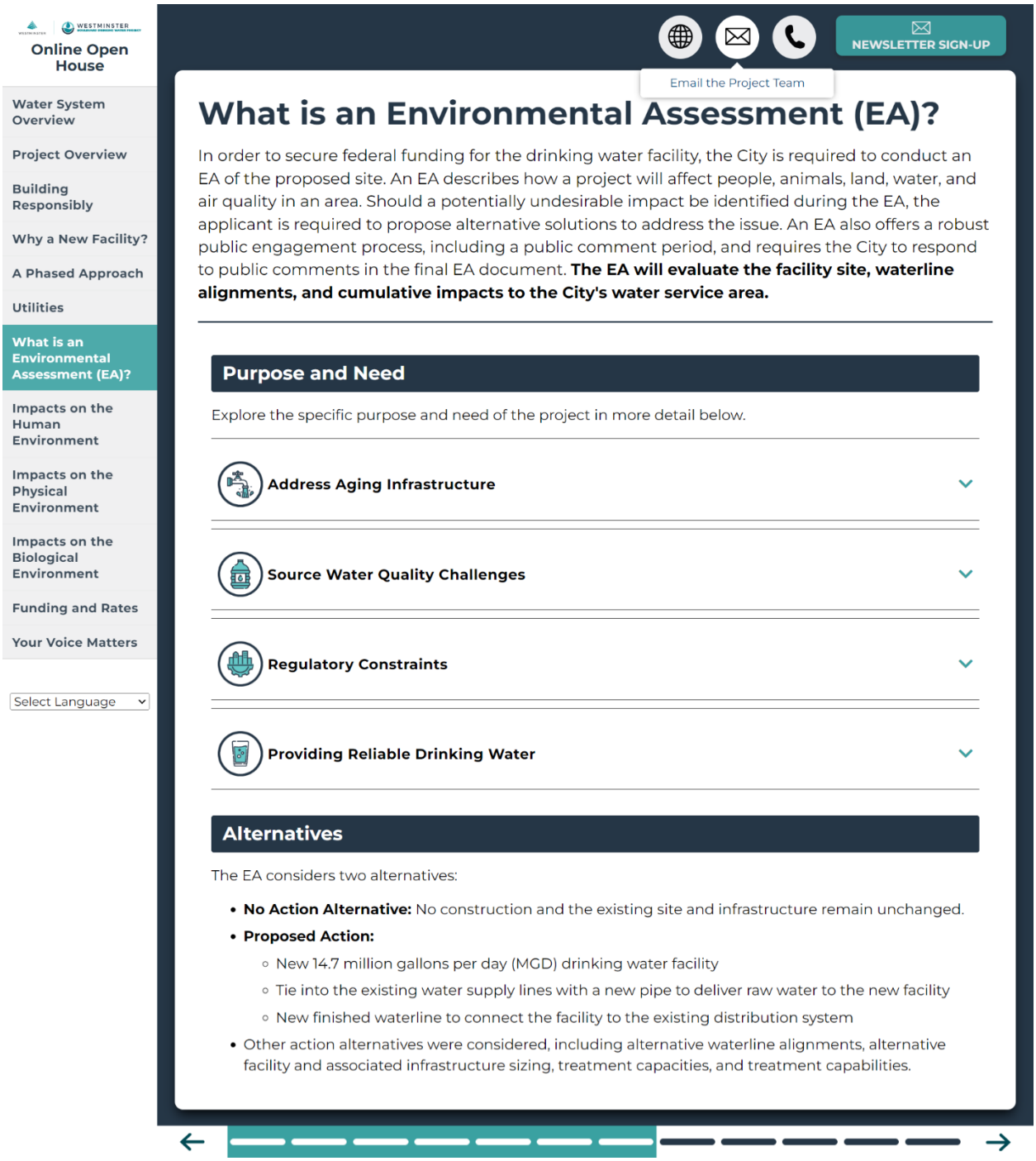
- A 30-inch-diameter underground finished waterline would deliver drinking water from the facility to our community through a connection along Sheridan Boulevard.
- The finished waterline would extend approximately one third of a mile from the eastern boundary of the facility and connect to an existing water main near Sheridan Boulevard.

Sewer Line

- Approximately 650 feet of underground sewer line would be installed and connected to an existing sewer main.

Other Supporting Utilities

- Gas service
- Fiber communications
- Electrical service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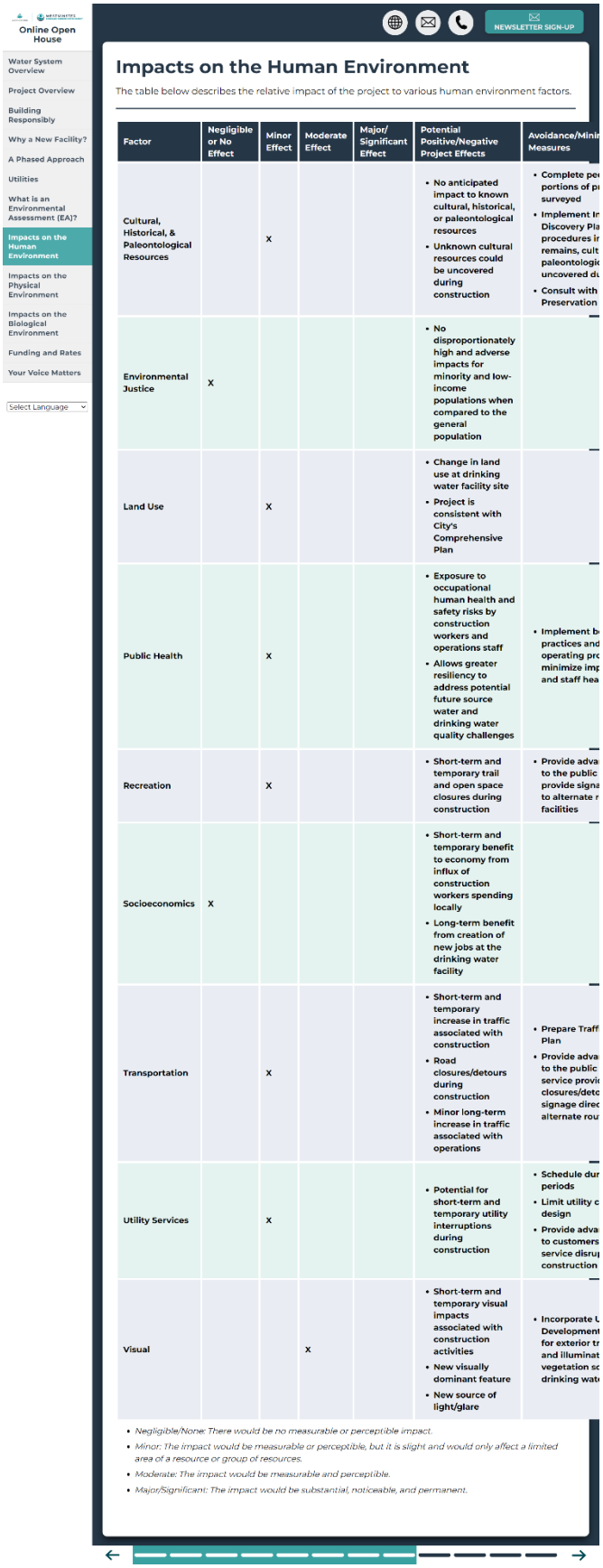
NEWSLETTER SIGN-UP
Email the Project Team
What is an Environmental Assessment (EA)?
In order to secure federal funding for the drinking water facility, the City is required to conduct an EA of the proposed site. An EA describes how a project will affect people, animals, land, water, and air quality in an area. Should a potentially undesirable impact be identified during the EA, the applicant is required to propose alternative solutions to address the issue. An EA also offers a robust public engagement process, including a public comment period, and requires the City to respond to public comments in the final EA document. The EA will evaluate the facility site, waterline alignments, and cumulative impacts to the City's water service area.
Purpose and Need
Explore the specific purpose and need of the project in more detail below.
Address Aging Infrastructure
Source Water Quality Challenges
Regulatory Constraints
Providing Reliable Drinking Water
Alternatives
The EA considers two alternatives:
No Action Alternative: No construction and the existing site and infrastructure remain unchanged.
Proposed Action:
New 14.7 million gallons per day (MGD) drinking water facility
Tie into the existing water supply lines with a new pipe to deliver raw water to the new facility
New finished waterline to connect the facility to the existing distribution system
Other action alternatives were considered, including alternative waterline alignments, alternative facility and associated infrastructure sizing, treatment capacities, and treatment capabilities.



Impacts on the Human Environment

The table below describes the relative impact of the project to various human environment factors.

Factor	Negligible or No Effect	Minor Effect	Moderate Effect	Major/ Significant Effect	Potential Positive/Negative Project Effects	Avoidance/Mini Measures
Cultural, Historical, & Paleontological Resources		X			• No anticipated impact to known cultural, historical, or paleontological resources • Unknown cultural resources could be uncovered during construction	• Complete pe portions of p surveyed • Implement In Discovery Pla procedures i remains, cult paleontologi uncovered d • Consult with Preservation
Environmental Justice	X				• No disproportionately high and adverse impacts for minority and low-income populations when compared to the general population	
Land Use		X			• Change in land use at drinking water facility site • Project is consistent with City's Comprehensive Plan	
Public Health		X			• Exposure to occupational human health and safety risks by construction workers and operations staff • Allows greater resiliency to address potential future source water and drinking water quality challenges	• Implement b practices and operating pr minimize imp and staff hea
Recreation		X			• Short-term and temporary trail and open space closures during construction	• Provide adva to the public provide signa to alternate facilities
Socioeconomics	X				• Short-term and temporary benefit to economy from influx of construction workers spending locally • Long-term benefit from creation of new jobs at the drinking water facility	
Transportation		X			• Short-term and temporary increase in traffic associated with construction • Road closures/detours during construction • Minor long-term increase in traffic associated with operations	• Prepare Traff Plan • Provide adva to the public service provi closures/detc signage direc alternate rou
Utility Services		X			• Potential for short-term and temporary utility interruptions during construction	• Schedule dur periods • Limit utility c design • Provide adva to customers service disru construction
Visual			X		• Short-term and temporary visual impacts associated with construction activities • New visually dominant feature • New source of light/glare	• Incorporate U Development for exterior t and illuminat vegetation s drinking wat

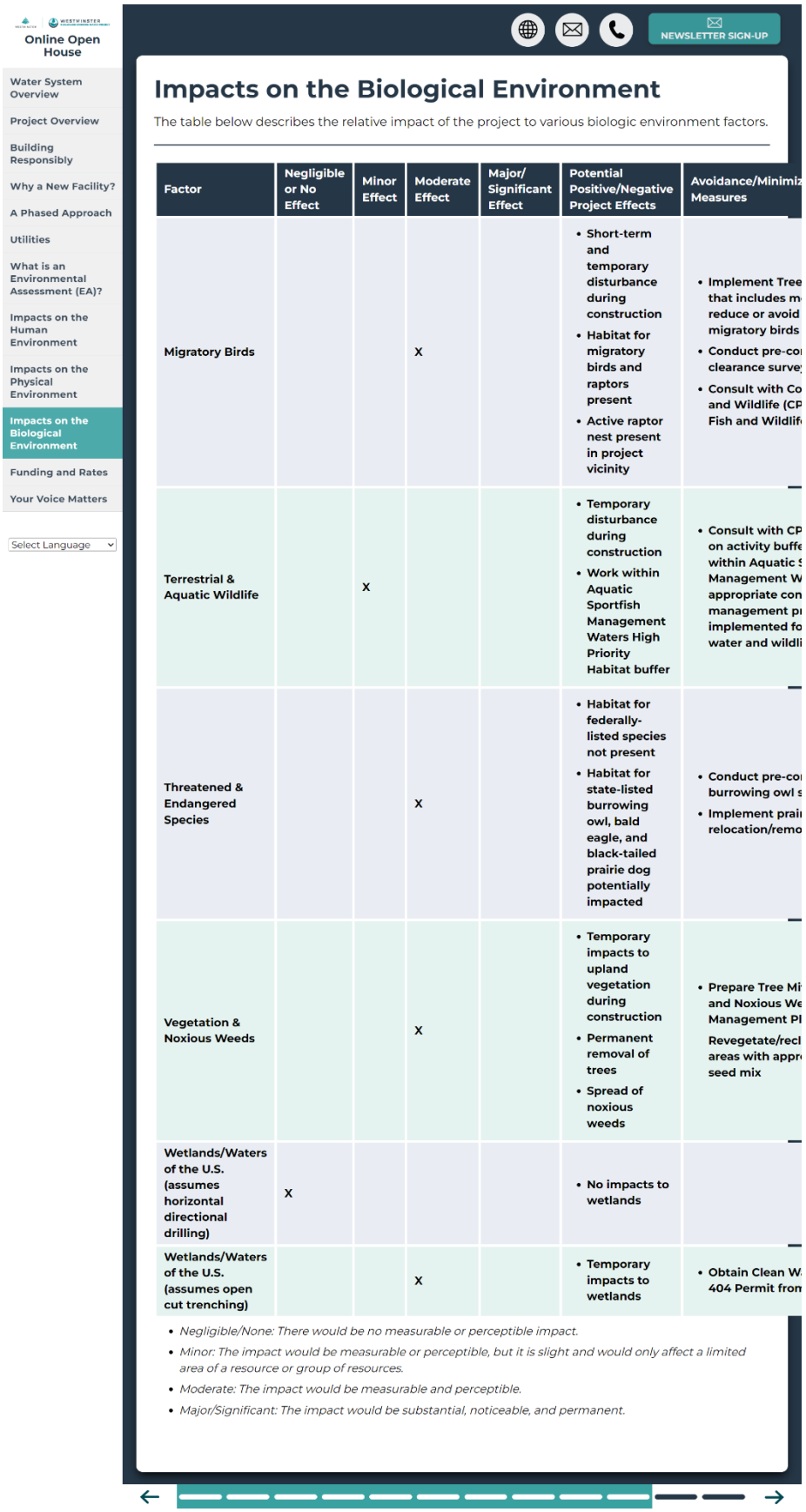
- *Negligible/None: There would be no measurable or perceptible impact.*
- *Minor: The impact would be measurable or perceptible, but it is slight and would only affect a limited area of a resource or group of resources.*
- *Moderate: The impact would be measurable and perceptible.*
- *Major/Significant: The impact would be substantial, noticeable, and permanent.*

Impacts on the Physical Environment

The table below describes the relative impact of the project to various physical environment factors.

Factor	Negligible or No Effect	Minor Effect	Moderate Effect	Major/ Significant Effect	Potential Positive/Negative Project Effects	Avoidance/Minimization/ Measures
Air Quality		X			• Short-term and temporary increase in air pollution during construction • Minor increase in air pollution from periodic operation of drinking water facility emergency generators	• Complete Air Pollutan Emissions Notice • Implement constructi management practice minimize idling of cor equipment, fugitive d control, etc.
Floodplains		X			• Some water or sewer line installations would occur within a floodplain	• Obtain Floodplain Dev Permit
Geology & Soils		X			• Erosion and sedimentation during construction	• Implement control me such as: silt fences, er logs, vehicle tracking good housekeeping p etc.
Hazardous Materials		X			• Accidental spills associated with the use of hazardous materials during construction and operation (e.g., fuels, oil, chemicals, etc.)	• Prepare Spill Pollution Prevention Plan, Healt Safety Plan, and Emer Response Plan • Incorporate secondary containment features drinking water facility
Noise & Vibration			X		• Short-term and temporary increase in ambient noise levels due to construction activities • Increase in ambient noise from operation of drinking water facility	• Implement constructi management practice follow noise ordinanc noise control techniq construction equipme • Complete additional c noise assessment furt design process • Incorporate noise miti features into drinking facility design where
Water Quality		X			• Erosion and sedimentation during construction • Accidental spills	• Obtain Construction Stormwater Discharg and Dewatering Gene • Prepare Stormwater Management Plan an implement control me specified in it • Implement constructi management practice protect nearby waters • Prepare Spill Pollution Prevention Plan

- *Negligible/None: There would be no measurable or perceptible impact.*
- *Minor: The impact would be measurable or perceptible, but it is slight and would only affect a limited area of a resource or group of resources.*
- *Moderate: The impact would be measurable and perceptible.*
- *Major/Significant: The impact would be substantial, noticeable, and permanent.*

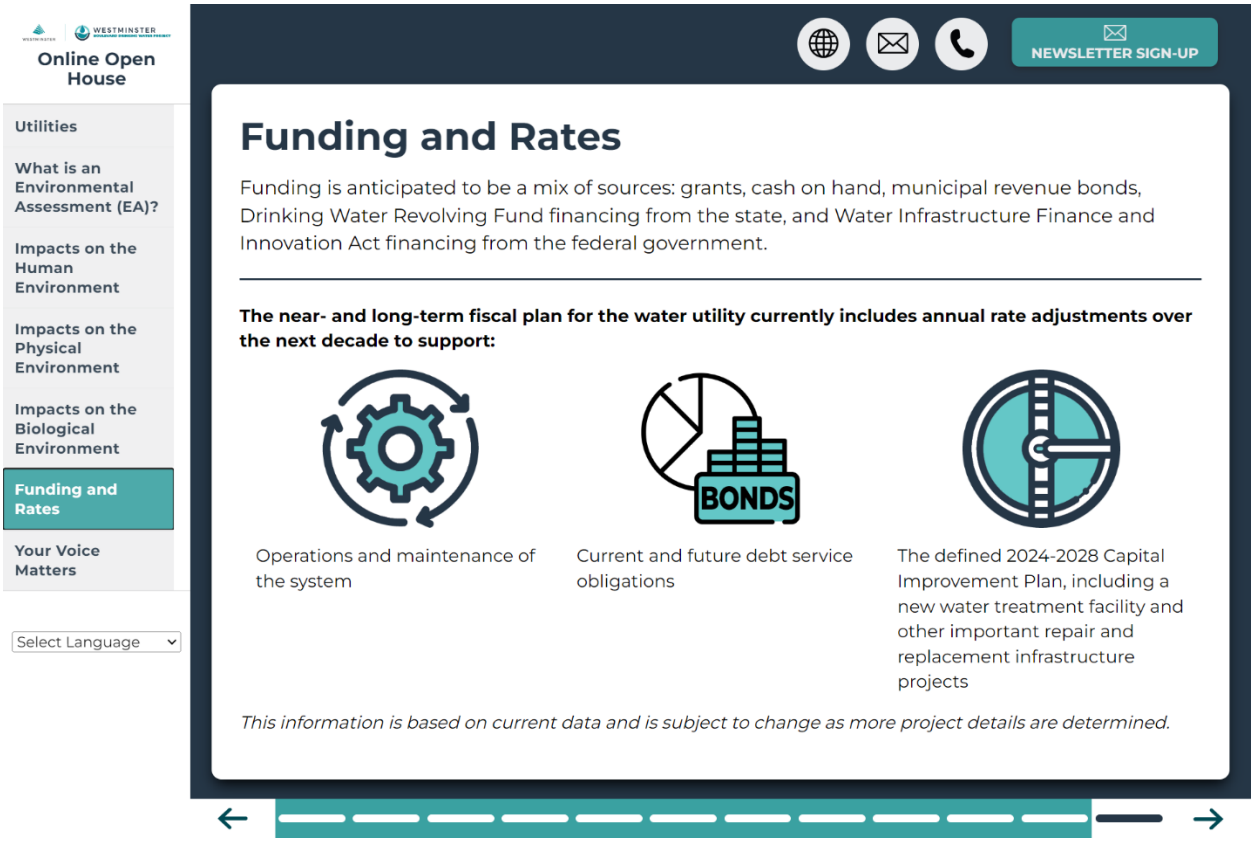


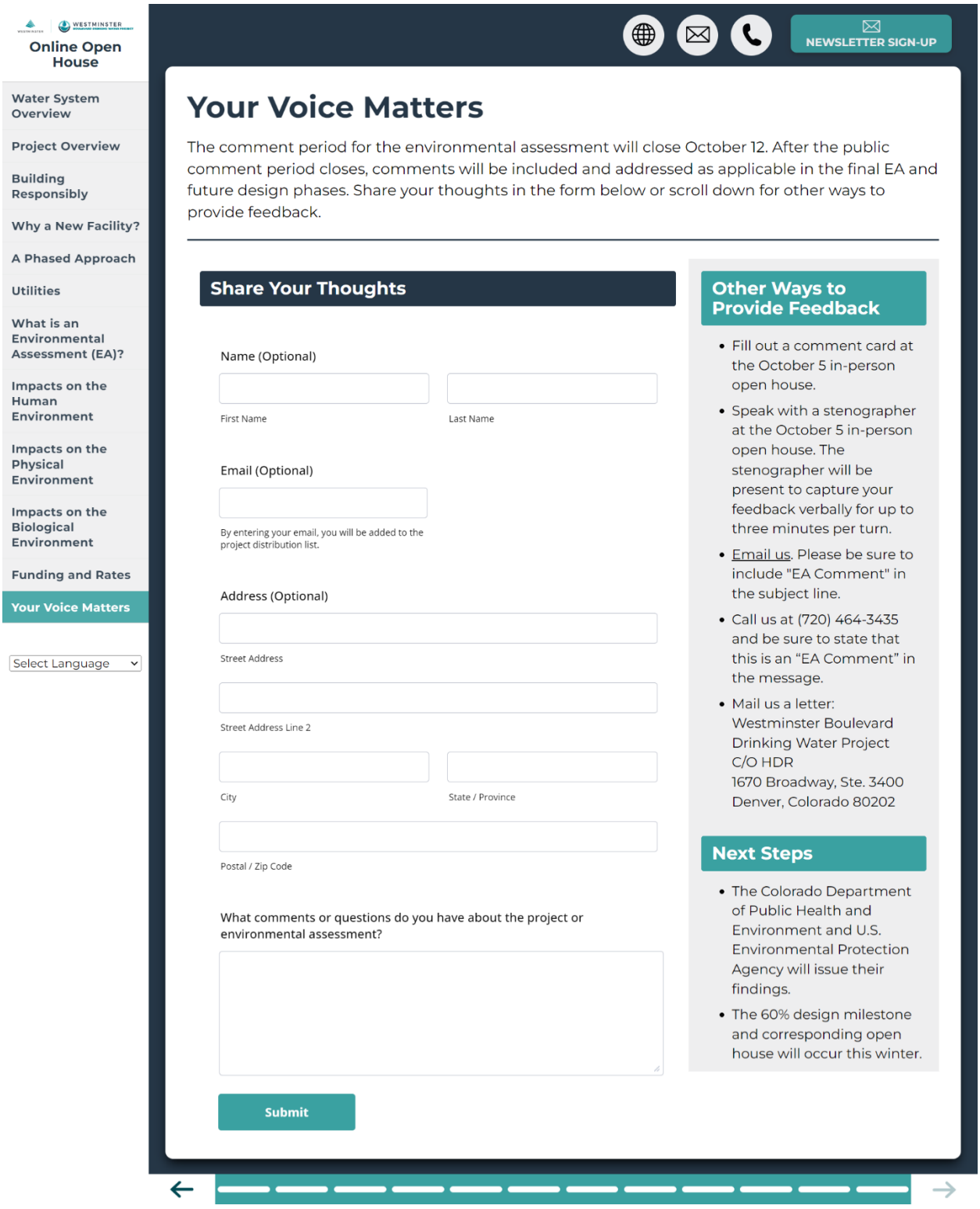
Impacts on the Biological Environment

The table below describes the relative impact of the project to various biologic environment factors.

Factor	Negligible or No Effect	Minor Effect	Moderate Effect	Major/ Significant Effect	Potential Positive/Negative Project Effects	Avoidance/Minimiz Measures
Migratory Birds			X		• Short-term and temporary disturbance during construction • Habitat for migratory birds and raptors present • Active raptor nest present in project vicinity	• Implement Tree that includes m reduce or avoid migratory birds • Conduct pre-co clearance survey • Consult with Co and Wildlife (CP Fish and Wildlif
Terrestrial & Aquatic Wildlife		X			• Temporary disturbance during construction • Work within Aquatic Sportfish Management Waters High Priority Habitat buffer	• Consult with CP on activity buffe within Aquatic S Management W appropriate con management pl implemented fo water and wildli
Threatened & Endangered Species			X		• Habitat for federally-listed species not present • Habitat for state-listed burrowing owl, bald eagle, and black-tailed prairie dog potentially impacted	• Conduct pre-co burrowing owl s • Implement prai relocation/remo
Vegetation & Noxious Weeds			X		• Temporary impacts to upland vegetation during construction • Permanent removal of trees • Spread of noxious weeds	• Prepare Tree Mi and Noxious We Management Pl Revegetate/recl areas with appr seed mix
Wetlands/Waters of the U.S. (assumes horizontal directional drilling)	X				• No impacts to wetlands	
Wetlands/Waters of the U.S. (assumes open cut trenching)			X		• Temporary impacts to wetlands	• Obtain Clean W 404 Permit from

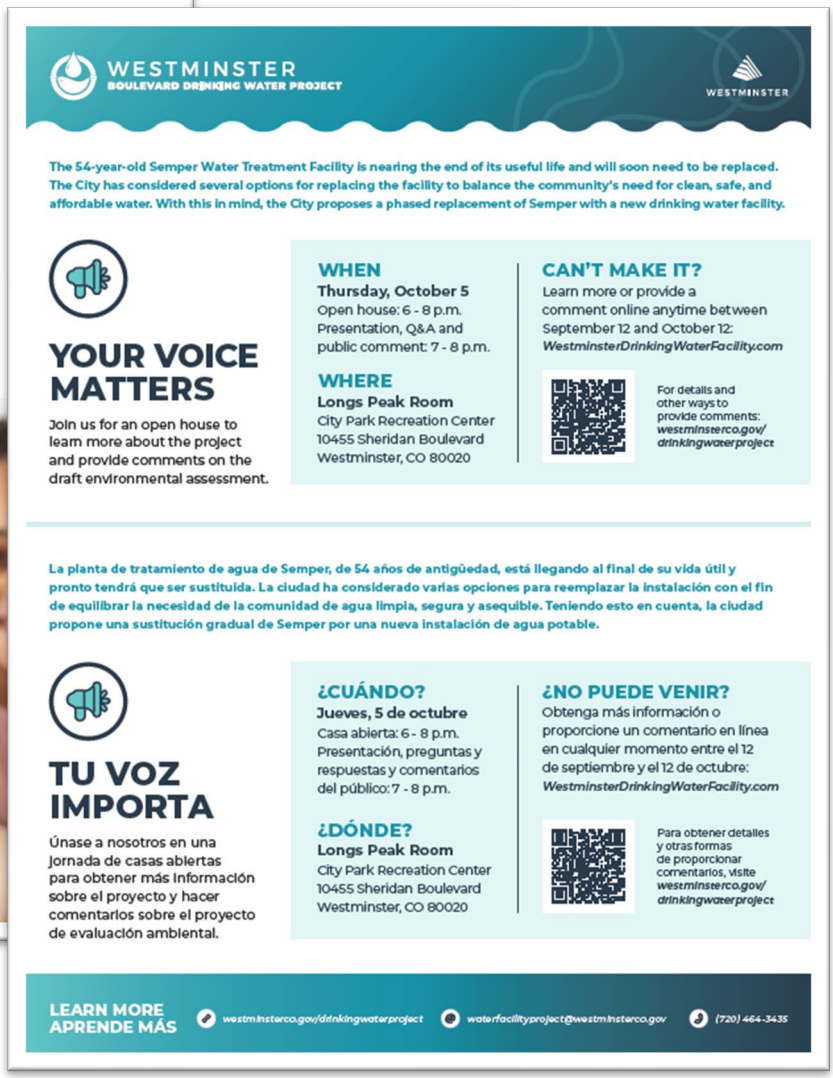
- *Negligible/None: There would be no measurable or perceptible impact.*
- *Minor: The impact would be measurable or perceptible, but it is slight and would only affect a limited area of a resource or group of resources.*
- *Moderate: The impact would be measurable and perceptible.*
- *Major/Significant: The impact would be substantial, noticeable, and permanent.*


Online Open House
Utilities
What is an Environmental Assessment (EA)?
Impacts on the Human Environment
Impacts on the Physical Environment
Impacts on the Biological Environment
Funding and Rates
Your Voice Matters
Select Language
NEWSLETTER SIGN-UP
Funding and Rates
Funding is anticipated to be a mix of sources: grants, cash on hand, municipal revenue bonds, Drinking Water Revolving Fund financing from the state, and Water Infrastructure Finance and Innovation Act financing from the federal government.
The near- and long-term fiscal plan for the water utility currently includes annual rate adjustments over the next decade to support:
BONDS
Operations and maintenance of the system
Current and future debt service obligations
The defined 2024-2028 Capital Improvement Plan, including a new water treatment facility and other important repair and replacement infrastructure projects
This information is based on current data and is subject to change as more project details are determined.


Online Open House
Water System Overview
Project Overview
Building Responsibly
Why a New Facility?
A Phased Approach
Utilities
What is an Environmental Assessment (EA)?
Impacts on the Human Environment
Impacts on the Physical Environment
Impacts on the Biological Environment
Funding and Rates
Your Voice Matters
Select Language
NEWSLETTER SIGN-UP
Your Voice Matters
The comment period for the environmental assessment will close October 12. After the public comment period closes, comments will be included and addressed as applicable in the final EA and future design phases. Share your thoughts in the form below or scroll down for other ways to provide feedback.
Share Your Thoughts
Name (Optional)
First Name
Last Name
Email (Optional)
By entering your email, you will be added to the project distribution list.
Address (Optional)
Street Address
Street Address Line 2
City
State / Province
Postal / Zip Code
What comments or questions do you have about the project or environmental assessment?
Submit
Other Ways to Provide Feedback
Fill out a comment card at the October 5 in-person open house.
Speak with a stenographer at the October 5 in-person open house. The stenographer will be present to capture your feedback verbally for up to three minutes per turn.
Email us. Please be sure to include "EA Comment" in the subject line.
Call us at (720) 464-3435 and be sure to state that this is an "EA Comment" in the message.
Mail us a letter:
Westminster Boulevard Drinking Water Project
C/O HDR
1670 Broadway, Ste. 3400
Denver, Colorado 80202
Next Steps
The Colorado Department of Public Health and Environment and U.S. Environmental Protection Agency will issue their findings.
The 60% design milestone and corresponding open house will occur this winter.

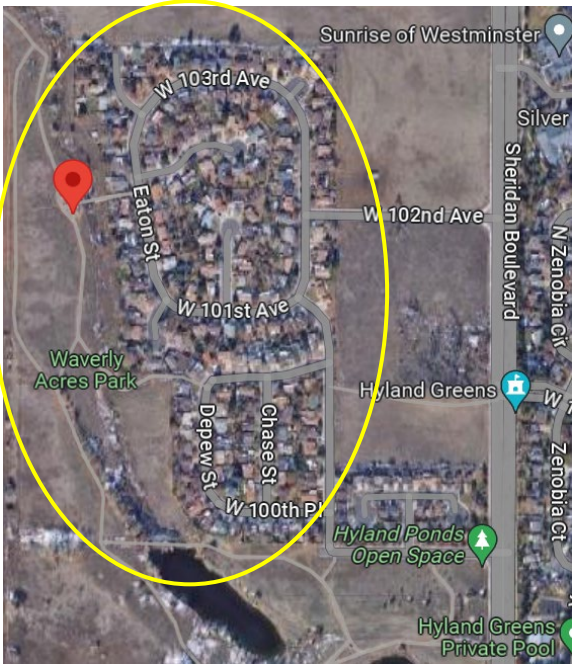
Mailer


WESTMINSTER
BOULEVARD DRINKING WATER PROJECT
The Westminster Boulevard Drinking Water Project recently reached two important milestones:
The draft environmental assessment report (EA) is ready for the community's feedback.
The facility has reached 30% design.
El proyecto de agua potable de Westminster Boulevard ha alcanzado recientemente dos importantes logros:
El documento provisional del informe de evaluación ambiental (EA) está listo para recibir los comentarios de la comunidad.
La instalación ha alcanzado el 30% de diseño.
Learn more or provide a comment:
Obtenga más información o brinde un comentario:
IN-PERSON OPEN HOUSE
6 – 8 P.M., OCTOBER 5
EN PERSONA CASA ABIERTA
6 – 8 P.M., 5 DE OCTUBRE
LONGS PEAK ROOM, CITY PARK RECREATION CENTER
VIRTUAL OPEN HOUSE
SEPTEMBER 12 – OCTOBER 12
VIRTUAL CASA ABIERTA
12 DE SEPTIEMBRE – 12 DE OCTUBRE
WESTMINSTERDRINKINGWATERFACILITY.COM
For details and other ways to provide comments: westminsterco.gov/drinkingwaterproject
WESTMINSTER
BOULEVARD DRINKING WATER PROJECT
YOU'RE INVITED
ESTÁS INVITADO
JOIN US FOR AN OPEN HOUSE TO LEARN MORE ABOUT THE WESTMINSTER BOULEVARD DRINKING WATER PROJECT.
Visítenos en una jornada de casas abiertas para obtener más información sobre el proyecto de agua potable de Westminster Boulevard.


WESTMINSTER
BOULEVARD DRINKING WATER PROJECT
WESTMINSTER
The 54-year-old Semper Water Treatment Facility is nearing the end of its useful life and will soon need to be replaced. The City has considered several options for replacing the facility to balance the community's need for clean, safe, and affordable water. With this in mind, the City proposes a phased replacement of Semper with a new drinking water facility.
YOUR VOICE MATTERS
Join us for an open house to learn more about the project and provide comments on the draft environmental assessment.
WHEN
Thursday, October 5
Open house: 6 - 8 p.m.
Presentation, Q&A and public comment: 7 - 8 p.m.
WHERE
Longs Peak Room
City Park Recreation Center
10455 Sheridan Boulevard
Westminster, CO 80020
CAN'T MAKE IT?
Learn more or provide a comment online anytime between September 12 and October 12:
WestminsterDrinkingWaterFacility.com
For details and other ways to provide comments: westminsterco.gov/drinkingwaterproject
La planta de tratamiento de agua de Semper, de 54 años de antigüedad, está llegando al final de su vida útil y pronto tendrá que ser sustituida. La ciudad ha considerado varias opciones para reemplazar la instalación con el fin de equilibrar la necesidad de la comunidad de agua limpia, segura y asequible. Teniendo esto en cuenta, la ciudad propone una sustitución gradual de Semper por una nueva instalación de agua potable.
TU VOZ IMPORTA
Únase a nosotros en una jornada de casas abiertas para obtener más información sobre el proyecto y hacer comentarios sobre el proyecto de evaluación ambiental.
¿CUÁNDO?
Jueves, 5 de octubre
Casa abierta: 6 - 8 p.m.
Presentación, preguntas y respuestas y comentarios del público: 7 - 8 p.m.
¿DÓNDE?
Longs Peak Room
City Park Recreation Center
10455 Sheridan Boulevard
Westminster, CO 80020
¿NO PUEDE VENIR?
Obtenga más información o proporcione un comentario en línea en cualquier momento entre el 12 de septiembre y el 12 de octubre:
WestminsterDrinkingWaterFacility.com
Para obtener detalles y otras formas de proporcionar comentarios, visite westminsterco.gov/drinkingwaterproject
LEARN MORE
APRENDE MÁS
westminsterco.gov/drinkingwaterproject
waterfacilityproject@westminsterco.gov
(720) 464-3435

Flyering

Flyers were distributed the week leading up to Oct. 5 to the following locations:



WESTMINSTER
BOULEVARD DRINKING WATER PROJECT

WESTMINSTER

WESTMINSTER BOULEVARD DRINKING WATER PROJECT

PROJECT BACKGROUND

The 54-year-old Semper Water Treatment Facility is nearing the end of its useful life and will soon need to be replaced.

The City has considered several options for replacing the facility to balance the community's need for clean, safe, and affordable water. With this in mind, the City proposes a phased replacement of Semper with a new drinking water facility.

The Westminster Boulevard Drinking Water Project recently reached two important milestones:

- The draft environmental assessment report (EA) is ready for the community's feedback.
- The facility has reached 30% design.

YOUR VOICE MATTERS

Join us for an open house to learn more about the project and provide comments on the draft environmental assessment.

WHEN

Thursday, October 5
Open house: 6 - 8 p.m.
Presentation, Q&A and public comment: 7 - 8 p.m.

WHERE

Longs Peak Room
City Park Recreation Center
10455 Sheridan Boulevard
Westminster, CO 80020

CAN'T MAKE IT?

Learn more and provide comments online anytime between September 12 and October 12:
WestminsterDrinkingWaterFacility.com

For details and other ways to provide comments: *westminsterco.gov/drinkingwaterproject*

WANT TO LEARN MORE?

westminsterco.gov/drinkingwaterproject | *waterfacilityproject@westminsterco.gov* | *(720) 464-3435*

WESTMINSTER

ER BOULEVARD
ATER PROJECT

54 años
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?
octubre
- 8 p.m.
preguntas y
respuestas y comentarios
del público: 7 - 8 p.m.

Unase a nosotros en una jornada de casas abiertas para obtener más información sobre el proyecto y hacer comentarios sobre el proyecto de evaluación ambiental.

¿NO PUEDE VENIR?

Obtenga más información y proporcione comentarios en línea en cualquier momento entre el 12 de septiembre y el 12 de octubre:
WestminsterDrinkingWaterFacility.com

¿DÓNDE?

Longs Peak Room
City Park Recreation Center
10455 Sheridan Boulevard
Westminster, CO 80020

Para obtener detalles y otras formas de proporcionar comentarios, visite *westminsterco.gov/drinkingwaterproject*

APRENDE MÁS

westminsterco.gov/drinkingwaterproject | *waterfacilityproject@westminsterco.gov* | *(720) 464-3435*

Social Media Posts

Facebook
Tuesday, September 12
https://www.facebook.com/236447918524955/posts/702158625287213

Tuesday, September 19 (Event Post)
https://fb.me/e/1152VkMi9

Wednesday, October 4
https://www.facebook.com/236447918524955/posts/715615923941483

Thursday, October 5
https://www.facebook.com/236447918524955/posts/716346637201745

Instagram
Tuesday, September 12
https://www.instagram.com/p/CxGku5Ss5dd/

Wednesday, October 4
https://www.instagram.com/p/Cx_AIzLg0Co/

Thursday, October 5
https://www.instagram.com/p/CyCj-X7s5WV/

X (Formerly Twitter)
Tuesday, September 12
https://twitter.com/westminsterco/status/1701657952854138980

Wednesday, October 4
https://twitter.com/westminsterco/status/1701657952854138980

Thursday, October 5
https://x.com/westminsterco/status/1710114971965689914?s=20

Nextdoor Posts

Tuesday, September 12
https://nextdoor.com/local_events/5x8f4MKyd_Sn/

Tuesday, September 19 (Event Post)
https://nextdoor.com/local_events/5x8f4MKyd_Sn/

Tuesday, October 3
https://nextdoor.com/p/Rtzghwj48Z9Y?utm_source=share&extras=MTY5MTUwNzU%3D

Wednesday, October 11
https://nextdoor.com/p/xrMDm9qKLt_F?utm_source=share&extras=MTY5MTUwNzU%3D

Eblasts

September 12 (Initial Email)
https://t.e2ma.net/webview/nmv7rk/046214eaf51264892abf33de47aff2eb

October 3 (Open House Reminder)
https://t.e2ma.net/webview/b1mhtk/944b041480d9caf859527fa2476fc893

October 10 (Last Chance Email)
https://t.e2ma.net/webview/36hztk/cbdc75e65e4bce6d02fdbdcc41f492f7

Public Notice

September 4, 2023

The Denver Post, LLC

PUBLISHER'S AFFIDAVIT

City and County of Denver)
State of Colorado)
)

The undersigned **Nicole Maestas**
being first duly sworn under oath, states
and affirms as follows:
1. He/she is the legal Advertising Reviewer
of The Denver Post, LLC, publisher
of The Denver Post and Your Hub.
2. The Denver Post and Your Hub are
newspapers of general circulation that
have been published continuously and
without interruption for at least
fifty-two weeks in Denver County
and meet the legal requisites for a legal
newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto
is a true copy, published in The Denver Post
on the following date(s):

September 4, 2023

Signature

Subscribed and sworn to before me this
6 day of September, 2023.

Notary Public

(SEAL)

ROSANN R WUNSCH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024002315
MY COMMISSION EXPIRES FEBRUARY 26, 2026

Notice of Public Hearing for the Westminster Boulevard Drinking Water Project Westminster, Colorado

Date:	October 5, 2023
Time:	6-8 p.m.
Location:	City Park Recreation Center Longs Peak Room
Address:	10455 Sheridan Boulevard Westminster, Colorado
Topic:	Westminster Boulevard Drinking Water Project
Remote Access:	Meeting materials will be accessible September 12 to October 12 at WestminsterDrinkingWaterFacility.com. Comments will also be accepted on this site. A live stream option of the meeting will not be available.

A public hearing will be conducted for informing citizens and soliciting public input, written or oral, regarding the Westminster Boulevard Drinking Water Project Needs Assessment (PNA) and Environmental Assessment (EA). The PNA is a report detailing the project as proposed, including project necessity, alternatives, and components. The PNA also describes how the project is being funded. The EA considers the short- and long-term direct, secondary, and cumulative impacts of the project on the human, physical, and biological environment. The reports are being submitted to the Colorado Department of Public Health and Environment (CDPHE) to qualify the City of Westminster for a State Revolving Fund Loan to help fund the project.

The purpose of the proposed project is to replace aging water infrastructure and address the potential occurrence of emerging contaminants in the City's source water supply. The proposed project would contain several components: a new drinking water treatment facility, new water supply line, new finished waterline, and new sanitary sewer line. The new Westminster Boulevard Drinking Water Facility (DWF) would gradually replace the existing Semper Water Treatment Plant over two decades. That facility is nearly 50 years old and has several assets that are at or beyond their predicted useful lives. The City's new DWF would allow the worst-condition portions of Semper to be taken offline while portions of Semper with remaining life would continue to be used as long as is reasonable. The new DWF would be located on a City-owned parcel at 88th Avenue and Westminster Boulevard and have a treatment capacity of 14.7 million gallons per day (MGD) with the potential for future expansion up to 44.1 MGD. The water supply line would connect the City's existing raw water system to the new DWF, and the finished waterline would connect the new DWF to the existing water distribution system.

Standley Lake, the City's primary source of drinking water, is susceptible to impacts related to the increased frequency or severity of upstream wildfires with the potential to contaminate the lake with contaminants of emerging concern (CECs). The new DWF would consider this vulnerability with the potential incorporation of ozone and biofiltration technologies to treat emerging contaminants and periods of challenging or catastrophic source water quality conditions. The total estimated cost of the proposed project is estimated to be between $196 to $216 million depending on whether intermediate ozone treatment is implemented (which is contingent on funding availability). Projected water rates will be presented at the public meeting, along with details pertaining to construction related and environmental impacts of the project as defined in the EA.

Notice of Public Hearing for the Westminster Boulevard Drinking Water Project Westminster, Colorado

Copies of the PNA and EA are available for public review prior to the Public Hearing at the following location(s):

City of Westminster
City Hall
4800 West 92nd Avenue
Westminster, Colorado 80031

College Hill Public Library
3705 West 112th Avenue
Westminster, CO 80031

Online at: cityofwestminster.us/waterinwestminster and WestminsterDrinkingWaterFacility.com

The point of contact for the City of Westminster is:
Westminster Boulevard Drinking Water Project
Project Team
4800 West 92nd Avenue
Westminster, Colorado 80031
(720) 464-3435
waterfacilityproject@cityofwestminster.us

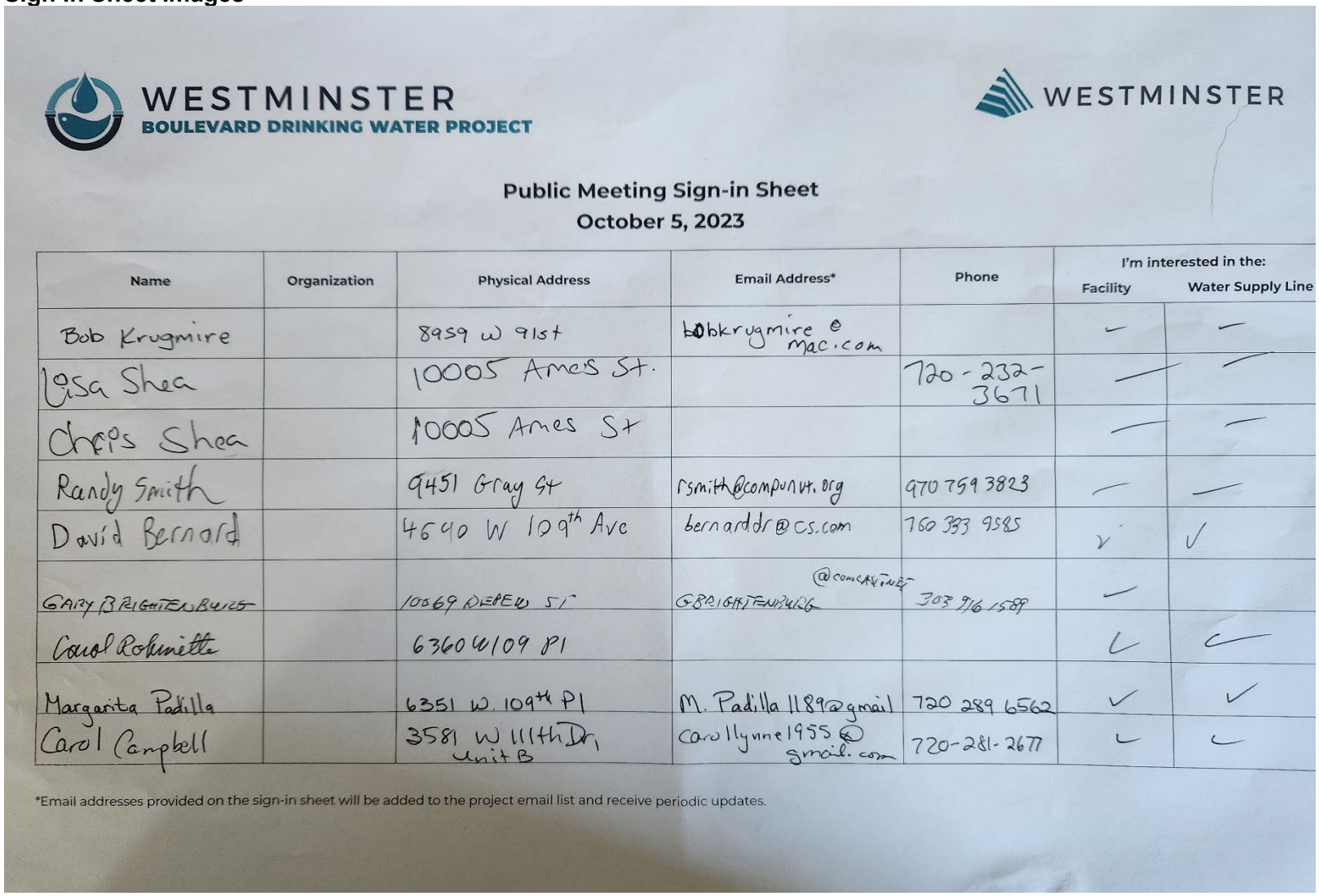
Please note: The Denver Post will no longer be issuing paper tears. They will only be a digital copy.

In-Person Open House Sign In Sheet

Name	Organization	Physical Address	Zip Code	Email Address	Phone	I'm interested in (facility or water supply line)
Allison Gooding	New Beginnings	5305 W 98th Ave	80020	cajgooding@msn.com	303-460-0064	Water Supply Line
James Vestuto	Hyland Village	5530 97th Ave	80020	jamesvestuto@gmail.com	847-337-1018	Facility
Susan DeMeules	Hyland Village	5561 W 95th Pl	80020	susanofmpls@gmail.com	303-902-2173	Both
Bob Frances	Waverly	10221 Eaton		robert.j.farnes@gmail.com	3030-908-3686	
Bob Krugmire		8959 W 91st St		bobkrugmire@mac.com		Both
Lisa Shea		10005 Ames St			720-23203671	Both
Chris Shea		10005 Ames St				Both
Randy Smith		9451 Gray St		rsmith@compunet.org	970-759-3823	Both
David Bernard		4640 W 109th Ave		bernarddr@cs.com	760-333-9585	Both
Gary Brightenburg		10069 Depew St		gbrightenburg@comcast.net	303-916-1589	Facility
Carol Rolunitte		6360 W 109 Pl				Both
Margarita Padilla		6351 W 109th Pl		m.padilla1189@gmail.com	720-189-6562	Both
Carol Campbell		3581 W 111th Dr Unit B		carollynne1955@gmail.com	720-281-2677	Both
Sarah Keith		10231 Eaton St		staghorn.sk		Both
Vivek Sunderraj		9305 Utica St		sunderraj@ieee.org	303-657-6379	Both

Rebekah Sunderraj		9305 Utica St				Both
Bryan Evans	Covenant Living	9153 Yarrow St		bgevans@covliving.org	303-515-6362	Both
Emily Brooks		10054 Lowell Way		ejb3870@gmail.com	720-732-7870	Both
Roger Garlick		5411 W 101st Ave		RLFCJG66@gmail.com	303-257-6110	
Sandy Johnson		5452 W 97th Pl		sandy_a_johnson@hotmail.com	303-481-8914	Both
Harald Stark		5452 W 97th Pl		harrycolorado69@gmail.com		
Michael Beckel		10241 Eaton St				Both
Karen Kalavty		9940 Westcliff Pkwy		integradesign1@yahoo.com	303-997-40401	Both

Sign In Sheet Images



WESTMINSTER
BOULEVARD DRINKING WATER PROJECT

WESTMINSTER

Public Meeting Sign-in Sheet
October 5, 2023

Name	Organization	Physical Address	Email Address*	Phone	I'm interested in the: Facility	I'm interested in the: Water Supply Line
Bob Krugmire		8959 W 91st	bobkrugmire@mac.com		–	–
Lisa Shea		10005 Ames St.		720-232-3671	–	–
Chris Shea		10005 Ames St			–	–
Randy Smith		9451 Gray St	rsmith@compunet.org	970 759 3823	–	–
David Bernard		4640 W 109th Ave	bernarddr@cs.com	760 333 9585	✓	✓
GARY BRIGHTENBURG		10069 DEPEW ST	GBRIGHTEN@COMCAST.NET	303 916 1589	–	
Carol Rohmiller		6360 W 109 Pl			✓	✓
Margarita Padilla		6351 W. 109th Pl	M. Padilla1189@gmail	720 289 6562	✓	✓
Carol Campbell		3581 W 111th Dr, Unit B	carollynne1955@gmail.com	720-281-2677	✓	✓

*Email addresses provided on the sign-in sheet will be added to the project email list and receive periodic updates.

WESTMINSTER
BOULEVARD DRINKING WATER PROJECT

WESTMINSTER

Public Meeting Sign-in Sheet
October 5, 2023

Name	Organization	Physical Address	Email Address*	Phone	I'm interested in the: Facility	Water Supply Line
Sarah Keith		10231 Eaton St.	staghorn.sk		✓	✓
Vivek & Rebekah Sunderraj		9305 Utica St	sunderraj@ieee.org	303-657-6379	✓	—
Bryan Evans Covenant Living		9153 Yarrow St	Bg-evans@Covliving.org	3-$515-6362	✓	—
Emily Brooks		10054 Lowell WAY	ejb3810@gmail.com	720-732-7870	✓	✓
Roger Garlick		5411 W. 101st Ave	RLGCJG466@Gmail.com	303-257-6110		
[illegible]		5452 W. 97th Pl.	sandy_a_johnson@hotmail.com	3-481-8914	—	—
Harald Stark		5452 W 97th Pl.	harrycolorado69@gmail.com			
Michael Beckel		10241 Eaton St			✓	✓
Karen Kalarty		9940 Westcliff Pkwy	integradesignz@yahoo.com	3)997-4041	✓	✓

*Email addresses provided on the sign-in sheet will be added to the project email list and receive periodic updates.

WESTMINSTER
BOULEVARD DRINKING WATER PROJECT

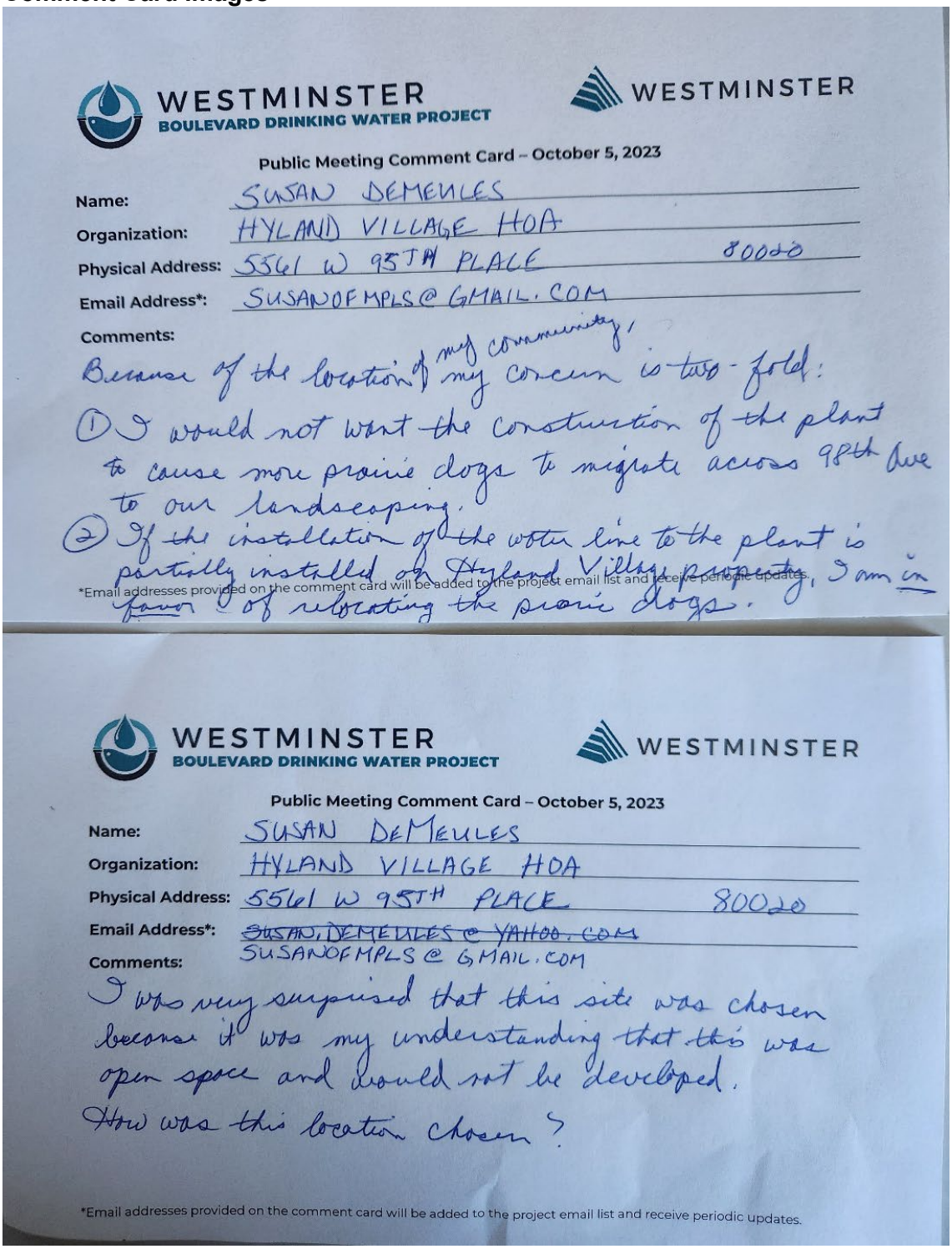
WESTMINSTER

Public Meeting Sign-in Sheet
October 5, 2023

Name	Organization	Physical Address	Email Address*	Phone	I'm interested in the: Facility	I'm interested in the: Water Supply Line
Allison Gooding	New Beginnings	5305 W 98th Ave 80020	caj gooding@msn.com	3·460-0064		X
James Vestuto	Hyland's Village	5530 97th Ave 80020	jamesvestuto@gmail.com	847-337-1018	X	
Susan DeMeules	HYLAND VILLAGE	5561 W 95TH PL 80020	SUSANOFMPLS@GMAIL.. ~~SUSAN.DEMEULES~~ COM	303-902 2173	X	X
Bob Farnes	WAVERLY	10221 EATON	robert.j.farnes@gmail.com	3 303 ~~908~~ 9083686	X	X

*Email addresses provided on the sign-in sheet will be added to the project email list and receive periodic updates.

Comment Card Images



WESTMINSTER
BOULEVARD DRINKING WATER PROJECT

WESTMINSTER

Public Meeting Comment Card – October 5, 2023

Name: SUSAN DEMEULES
Organization: HYLAND VILLAGE HOA
Physical Address: 5561 W 95TH PLACE 80020
Email Address*: SUSANOFMPLS@GMAIL.COM
Comments:

Because of the location of my community, my concern is two-fold:
① I would not want the construction of the plant to cause more prairie dogs to migrate across 98th due to our landscaping.
② If the installation of the water line to the plant is partially installed on Hyland Village property, I am in favor of relocating the prairie dogs.

*Email addresses provided on the comment card will be added to the project email list and receive periodic updates.

WESTMINSTER
BOULEVARD DRINKING WATER PROJECT

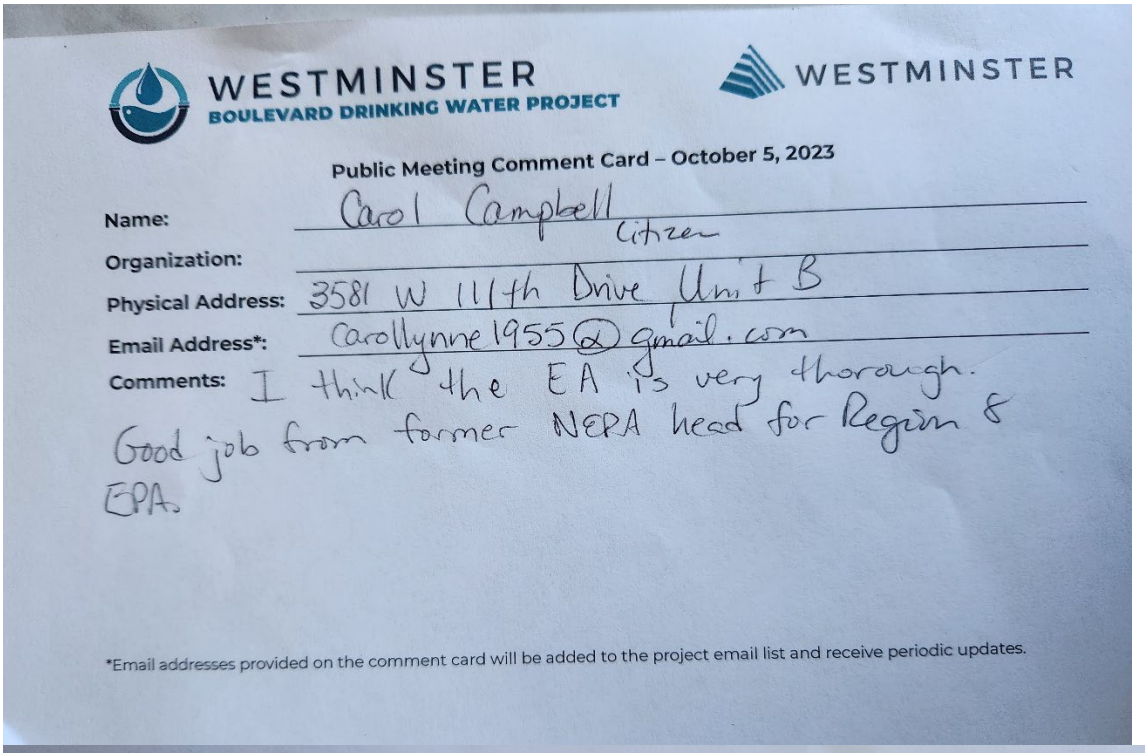
WESTMINSTER

Public Meeting Comment Card – October 5, 2023

Name: SUSAN DEMEULES
Organization: HYLAND VILLAGE HOA
Physical Address: 5561 W 95TH PLACE 80020
Email Address*: ~~SUSAN.DEMEULES@YAHOO.COM~~
SUSANOFMPLS@GMAIL.COM
Comments:

I was very surprised that this site was chosen because it was my understanding that this was open space and would not be developed.
How was this location chosen?

*Email addresses provided on the comment card will be added to the project email list and receive periodic updates.



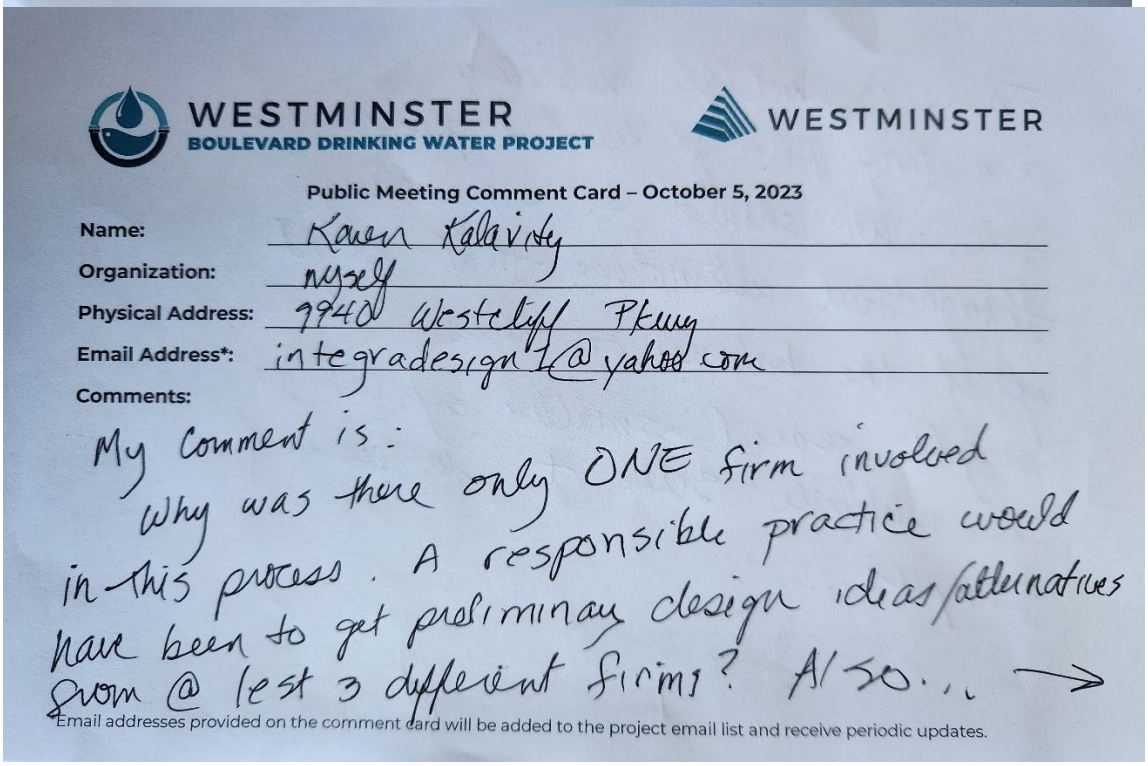
WESTMINSTER
BOULEVARD DRINKING WATER PROJECT

WESTMINSTER

Public Meeting Comment Card – October 5, 2023

Name: Carol Campbell
Organization: Citizen
Physical Address: 3581 W 111th Drive Unit B
Email Address*: Carollynne1955@gmail.com
Comments: I think the EA is very thorough. Good job from former NERA head for Region 8 EPA.

*Email addresses provided on the comment card will be added to the project email list and receive periodic updates.



WESTMINSTER
BOULEVARD DRINKING WATER PROJECT

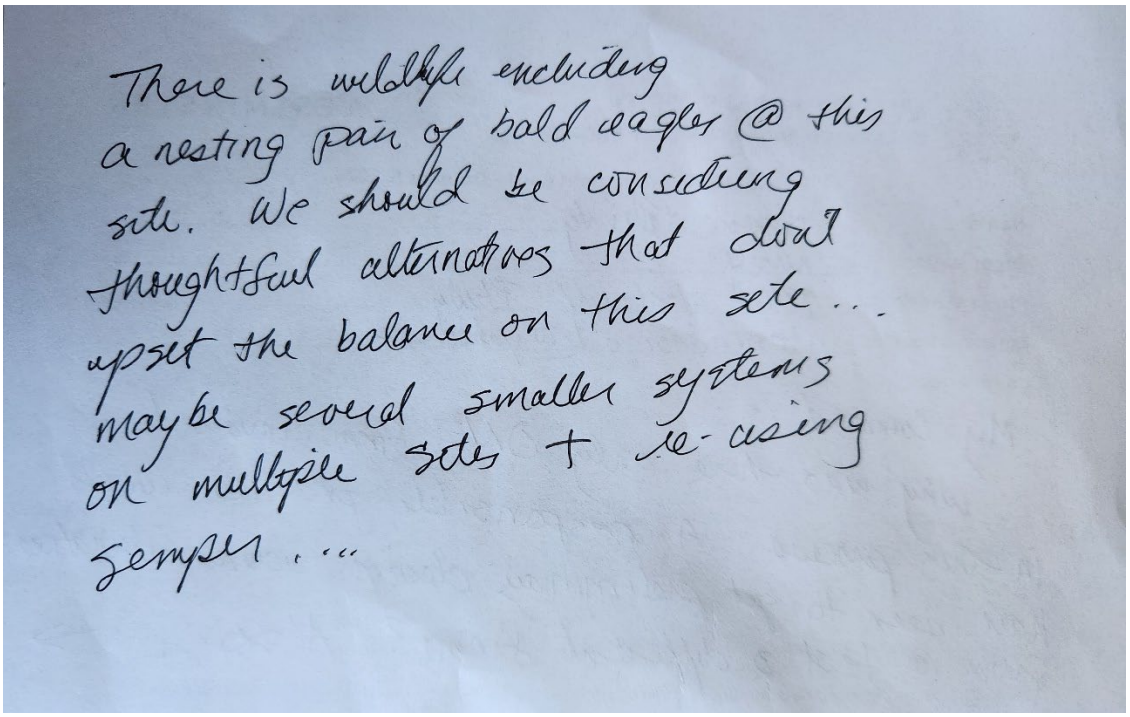
WESTMINSTER

Public Meeting Comment Card – October 5, 2023

Name: Karen Kalavity
Organization: myself
Physical Address: 9940 Westcliff Pkwy
Email Address*: integradesign1@yahoo.com
Comments:

My comment is:
Why was there only ONE firm involved in this process. A responsible practice would have been to get preliminary design ideas/alternatives from @ lest 3 different firms? Also... →

Email addresses provided on the comment card will be added to the project email list and receive periodic updates.



Email Comments

From: Donny O'Neill <donaldmoneill@gmail.com>
Sent: Wednesday, October 11, 2023 3:32 PM
To: Water Facility Project <waterfacilityproject@westminsterco.gov>
Subject: [EXTERNAL] EA Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Putting a gigantic drinking water facility in the Hyland Ponds Open Space is a complete slap in the face to local residents. Hyland Ponds is an incredible natural area that provides local residents with myriad mental and physical benefits. Dropping a complete eye sore in the middle of it and destroying one of the few spaces of natural land in the city is a complete blunder by the city. Put it elsewhere, somewhere that's not relied upon for outdoor recreation. The entire basis of this project is moronic.

From: janemariefillmore@gmail.com <janemariefillmore@gmail.com>
Sent: Thursday, October 12, 2023 1:50 AM
To: Water Facility Project <waterfacilityproject@westminsterco.gov>
Subject: [EXTERNAL] Ea comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello! I read the proposal and support that construction not be done during the bald eagles that are 0.5 miles from the field site roosting time. I also support that if the tall cottonwood trees that they use to roost as taken out another equally tall structure be provided to them. This is a small cost compared to other expensive choices that have been made!

Respectfully,

Jane fillmore
6629 w 95th place
Westminster co 80021

Sent from my iPhone

From: Tom <coloradotomb@gmail.com>
Sent: Tuesday, October 3, 2023 6:59 PM
To: Water Facility Project <waterfacilityproject@westminsterco.gov>
Subject: [EXTERNAL] EA comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I recently tried to submit a response online but was unable to due to an ongoing message - please wait - that never went away.

I'd also like to find out how to be apart of the meeting online. Can you share a zoom link please?

———

Below is my comment.

It seems necessary to build this new facility to ensure clean water and it seems necessary to do this sooner than 2 decades from now. Just look at the leak under the bridge on Sheridan pouring water into big dry creek (it's been there for weeks).

I have concerns there are efforts to bypass what's needed in pursuit of saving a few dollars today. Can you explain why our water was made so cheap in recent years while at the same time, it appears this overview quotes shortcut after shortcut to save money?

Is the goal long-term clean water or short term "savings"?

I'd rather sacrifice my lawn and have clean water, than have cheap dirty water and some grass.

Our infrastructure is too old and more people are coming everyday. Since temperatures have been higher and appear to be continually rising, more water will be needed rather than less.

——-

Thank you,
Thomas Benedict.

From: Bob Farnes <robert.j.farnes@gmail.com>
Sent: Thursday, October 12, 2023 9:29 PM
To: Water Facility Project <waterfacilityproject@westminsterco.gov>
Subject: [EXTERNAL] EA Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

WESTMINSTER BOULEVARD DRINKING WATER PROJECT

Draft Environmental Assessment (EA)

Public Comment

Background
I was an active member of the Water2025 Design Working Group when this project was called Water2025. During that process, I inquired about National Environmental Policy Act NEPA applicability. The response I received from the City of Westminster Communications and Outreach Coordinator for Public Works & Utilities on June 25, 2020 is below:

> "…Thanks for your time last night. I spoke with the project team today and the WATER2025 project does not trigger the NEPA process and an EA is not required. We are, however, conducting our own ecological study of flora and fauna on the site to determine what mitigation measures, if any, need to take place.
>
> Let me know if you have any follow up questions.
>
> Thanks…"

I find it troubling that the City of Westminster was either misleading or uniformed about the need to comply with NEPA requirements in June 2020.

One of the City of Westminster's reasons for selecting this site for the Proposed Action was that it could improve trail connectivity. On January 21, 2021, the City of Westminster indicated:

> "…Regarding trail improvements, we have reviewed the site selection materials and confirmed that it was listed as a benefit of the site, but did not commit to any specific trail improvements. With that said, it will continue be on our priority list…."

The Draft Environmental Assessment does not mention any trail improvements as a proposed mitigation measure or carry through the trail improvements as a benefit of this site. I find it troubling that alternative analysis and site selection section does not include previous City of Westminster commitments. I think the EA should address this issue and the commitment should be honored.

EA Comments

- In the acronyms and abbreviations section APEN is defined as Air Pollutant Emission**S** Notice. According to the Colorado Department of Health and Environment (CDPHE) an APEN is a Air Pollutant Emission (*singular, not plural)* Notice.

- **Section 3.1.2 , Westminster DWF Site Selection Alternatives Analysis:**
  The Site near Ball Aerospace and Technologies Maintenance Building lists the lack of impacts on open space as an advantage.

  The Site between 108th Avenue and 106th Avenue lists the change in existing use from dedicated Westminster Open Space as a disadvantage.

The Proposed Action Site impacts open space.

The taking of open space at the Site at 98th Avenue and Westminster Boulevard should be listed and a disadvantage of the Site and the analysis of impacts to open space should be consistent between all alternatives.

- **Section 5.8, Land Use**, talks to the taking of open space for the Proposed Action, yet there is no mitigation mentioned. There should be some mitigation to preserve the overall open space acreage in the area or the open space should be preserved.

- **Section 5.1.13, Visual**, indicates Directly to the north and south are additional vacant properties. The property to the north is vacant. The property to the south is open space. Key Observation Points (KOP) F and G are misleading as they are at a much lower elevation than the Proposed Action. There should be a KOP on the trail to the west of KOPs F and G at an elevation similar to the Proposed Action.

Robert Farnes
10221 Eaton Street
Westminster, Colorado 80020
303.908.3686

From: Lindsay Weber <lindsayweber14@gmail.com>
Sent: Wednesday, October 11, 2023 11:33 PM
To: Water Facility Project <waterfacilityproject@westminsterco.gov>
Cc: Sustainability <sustainability@westminsterco.gov>; McNally, Nancy <nmcnally@westminsterco.gov>; Nurmela, Sarah <snurmela@westminsterco.gov>
Subject: [EXTERNAL] EA Comment

Hi - I am a resident of Westminster, live near the proposed project, and attended the October 5 open house. My public comments on the new drinking water facility are as follows:

1. This project needs guiding principles, and one of those guiding principles needs to be sustainability. For example, the guiding principle(s) could be "safe, affordable water provided in a sustainable manner". Until there are guiding principles, decisions can be made against community wishes. This project should put into action the principles and goals in the Westminster Sustainability Plan.

2. I am very concerned about the project's impact on wildlife. The proposed site is valuable open space, habitat, and recreation area in Westminster with wetlands and habitat for eagles, prairie dogs, and more. The project needs to ensure it is implemented without causing harm or eradication of the species onsite.

3. As such, I urge Westminster to share the results of the CO Parks and Wildlife and U.S. Fish and Wildlife consultations with the community. We need transparency and accountability.

4. I encourage the project team to incorporate sustainability into the construction and design of the facility, specifically:

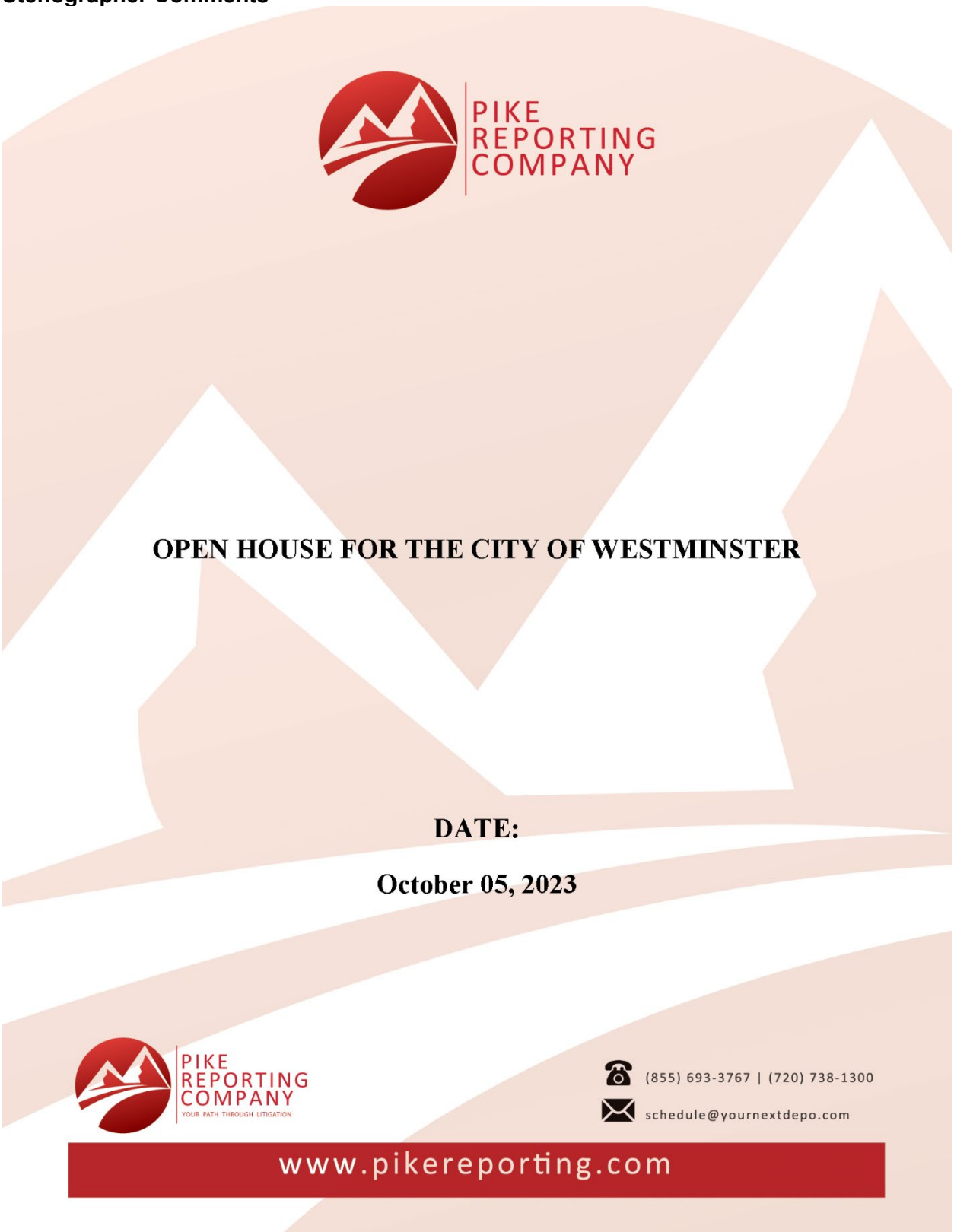
a. require using emission capture technology on the construction equipment to reduce the air quality impact from diesel pollution on the surrounding community
b. install state-of-the-art generator(s) at the site to reduce the impact of diesel pollution during generator operation
c. install onsite rooftop solar on the facility since it would be a new build with a new roof
d. reduce the impact of noise, light, and vibration on wildlife and the community
e. achieve a certification through the Envision rating system for infrastructure
f. research selecting a brownfield or already-disturbed site instead of this greenfield site

5. I disagree with some of the impact levels presented in the open house. Specifically:

- construction will have more than a minor effect on air quality (for example, I get headaches from diesel pollution)
- there will be more than a minor effect on terrestrial and aquatic wildlife, from construction through operation, as habitat will be decreased and degraded
- there will more than a negligible effect on recreation as the project will encroach on the feel of the open space and onsite wildlife

Thank you for your time and consideration,
Lindsay

Stenographer Comments



OPEN HOUSE FOR THE CITY OF WESTMINSTER

DATE: OCTOBER 5, 2023

REPORTER: JENNIFER KEEFE

Pike Reporting Company
410 17th Street, Suite 1350
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APPEARANCES

ON BEHALF OF THE COMMUNICATIONS FOR THE CITY OF WESTMINSTER:

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1670 Broadway
Suite 3400
Denver, Colorado 80202
Telephone No.: (303) 764-1520
E-mail: aimee.housh@hdrinc.com

INDEX

STIPULATION

The PUBLIC MEETING was taken at WESTMINSTER CITY PARK RECREATION CENTER, 10455 SHERIDAN BOULEVARD, WESTMINSTER, COLORADO 80020, on THURSDAY, the 5th day of OCTOBER 2023 at 6:10 P.M. MT.

PROCEEDINGS

THE REPORTER: Gary, Can I just have you write down your name for me?
MR. BRIGHTENBURG: Sure.
THE REPORTER: Perfect. Thank you. What would you like to leave feedback about?
MR. BRIGHTENBURG: Just the height of the facility not blocking any views, or minimizing any views being blocked, especially with the water tower that's planned in Phase 2.
THE REPORTER: Okay.
MR. BRIGHTENBURG: And I was told that it wouldn't be that tall, maybe 25 feet or so. The tallest structures would be down in the south end, and they would be about 40 feet tall.
THE REPORTER: Okay. Anything else?
MR. BRIGHTENBURG: They were talking to the communication people about maybe expanding the trail system.
THE REPORTER: Okay.
MR. BRIGHTENBURG: Over toward the south end of the treatment plant. It's kind of underutilized at the moment. Maybe another trail or two over there.

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THE REPORTER: Okay.
MR. BRIGHTENBURG: Okay. That was -- that was about it.
THE REPORTER: All right. Thank you.
MR. BRIGHTENBURG: Like I said, the main concern was the height of the --
THE REPORTER: The height.
MR. BRIGHTENBURG: -- not blocking views and stuff.
THE REPORTER: Okay. Thank you.
MR. BRIGHTENBURG: All right. Thank you.
MS. KALAVITY: These are my comments: Why was there only one firm, one design firm, involved in this process? A responsible practice would have been to get preliminary design ideas and alternatives from at least three different consulting firms. Also, there is wildlife, including a nesting pair of bald eagles, at this site. We should be considering thoughtful alternatives that don't upset the balance of the wildlife here. Maybe we could consider several smaller systems on multiple sites and reusing semper as a good design rather than upsetting a beautiful multi-acre site, which by the way was obtained through eminent domain.

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THE REPORTER: Hi.
MS. JOHNSON: So, I am told I don't have to type, you can type for me.
THE REPORTER: Yes.
MS. JOHNSON: And do I need to sign this?
THE REPORTER: Yes, please.
MS. JOHNSON: Okay.
THE REPORTER: If you could just write down your name and your address, if you'd like to put that in.
MS. JOHNSON: Of course.
THE REPORTER: Thank you.
MS. JOHNSON: Okay. A couple of points. Number one, I fully support this project. The safety and availability of water for us and future generations is, in my mind, the number one priority for our community. Secondly, I think that this is a good start. I am disappointed by the scaling back that occurred, and I am disappointed by what I see as the waste of resources of the current City Council by redoing the same plan. However, I don't want that to get in the way of forward progress. Third point, I appreciate the research that went into creating a facility that will function at the 45 or whatever

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that is, at the 45 capacity. I would like to have a -- I understand that we are building right now for 15 capacity with the idea that we can build out in the future. I would like to see agreement to a timeline that allows us for that build-out. It's 15. It's a start. It's still behind what even the second report shows we need. And we can't just keep putting off those decisions. It's not fair to those who come after. Again, I fully support this project. I appreciate the open house. I have not yet reviewed the environmental impact statement. I will get information on that tonight. I do have some concerns about the switch to the 30-inch pipeline. I understand the utility of having it go out to Sheridan, and that it's a much shorter route. But are we setting ourselves up for higher costs? When we expand from 15 to 30 or 45, we have to dig another pipeline. Are we better off not doing that now? I think that's it. Maybe say one more time that I fully support this project.
THE REPORTER: Thank you.
MS. JOHNSON: Great. Thank you so much.
MS. KALAVITY: Now you're going to try and write

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mine down, huh? So what do you need from us exactly?
THE REPORTER: If you just want to write down your name and your address, if you want to provide the address, that'd be perfect. If not, that's totally okay.
MS. KALAVITY: That's all right. I'll give you mine. Well, obviously, Westminster. I guess that's kind of -- you start writing, you know, and it just kind of goes.
THE REPORTER: Yeah.
MS. KALAVITY: Are there different addresses here? I mean, area codes or ZIP codes?
THE REPORTER: ZIP codes.
MS. KALAVITY: Anyways, they'll know by the -- so how does this work?
THE REPORTER: So basically, if you have any feedback or concerns, you can tell me about them, and I will type them up and make a written transcript so that the city has it.
MS. KALAVITY: And is that -- so it's not necessarily questions. It's transcript?
THE REPORTER: Yes.
MS. KALAVITY: It -- will it be responded to in a matter --

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THE REPORTER: I think -- I don't know how that works.
MS. KALAVITY: I was just --
THE REPORTER: I'm just taking down the transcript, yeah.
MS. KALAVITY: Yeah, it's okay. I was trying to get organized. It's going to start here pretty soon. So, well, number one, my first -- you need my name or anything, or?
THE REPORTER: Nope.
MS. KALAVITY: Okay. So my first question is: What color are the structures going to be? Are they going to be a dark or natural dark color that blends into the landscape? What materials will the buildings be built out of? Trying to think. And what'll be the building heights of different structures, tanks, buildings? Will there be a trail connecting, as they talked about originally, from Westminster Boulevard into the existing open space? I'm trying to think of the name of what type of noise once the plants are built, what noise level, decibel-wise, will it be when they are operating. And they answered a bunch of questions, so that's what I wanted to do, sort of. What trees and natural areas are

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going to be disturbed during this process, and will trees be replaced? I'm trying to remember, I went all the way around, talking to people. Oh, I didn't even see all these. I hate -- I forget what I had to talk about. Size, path, trees, noise, the major things overall. Sorry.
THE REPORTER: You're okay.
MS. KALAVITY: I -- well, I ran here. I thought the whole thing started at 7:00 -- at 6:00, they were going to start the presentation, I wouldn't have time to ask questions. So it's been, like, a big -- will the new facility be able to handle ash and other contaminants that possibly could enter the water source due to wildfires in the mountains and run-off? I think that's it. I can't think of anything else right now. Can I add a comment? Are you going to be here afterwards, or no?
THE REPORTER: Yeah, I will be.
MS. KALAVITY: But I think that's the basis of it. Those are my biggest concerns. Oh, what about air pollution, smell of pollution, air quality.
THE REPORTER: Okay. You're good. Yep.
MS. KALAVITY: I wish I could type anywhere half

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your speed. I am so bad at typing. Thank you so much.
THE REPORTER: Of course.
(OFF THE RECORD)
THE REPORTER: Okay. Perfect. Okay.
MS. KEITH: Since I realized, maybe I talked about some things that this wasn't focusing on. This is the best possible site. I agree with those that said, you know, we have some concerns about dust during construction. I have some concerns about the open trench versus the boring. What do I want to add to that? I'll just leave -- I'll leave it at that. I do think it's important. I do think it's important to continue to work with the community on things like building heights. I would like to see a lot of conversation around the landscaping since we are removing trees, and conversations around rebuilding habitats because of the habitat disruption, and also questions about sound. I know that part of the -- we have mitigation strategies for sound during construction. And I don't know enough about sound impacts from the plant once it's operating, but I would like to see that targeted for a few reasons. And to echo

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what others have said, I do care about the bird habitat, but I think that this is the best location. And I think that we just have to be sensitive to the community and to trying to protect the wonderful species that we have there. But that's not a reason to stop us. There, now I was actually on target.
THE REPORTER: You did it. Thanks so much.
MS. KEITH: Can I add one thing? Sorry.
THE REPORTER: Oh no, you're okay. Go ahead.
MS. KEITH: I favor active prairie dog removal. I don't want them showing up in my back yard, and they already are.
THE REPORTER: Okay. Thank you.
MS. JOHNSON: They call us back and we talk about this?
THE REPORTER: I believe everything that is included in this turns into like she said, that it's going to be included in all the EA --
MS. JOHNSON: Elements.
THE REPORTER: Yeah.
MS. JOHNSON: EA.
THE REPORTER: Yeah. So fire away.
MS. JOHNSON: Hang on. Did I write that down? All right. So as far as prairie dogs are

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concerned, I think they're great. I love them. I love wildlife. However, the population of the prairie dogs on this entire open space and -- is not only over abundant and running over the playground in the area. It is dangerous, it is hazardous, it's a disease possibility. In the winter, there is poop, prairie dog poop, all over the play area. And these kids are literally, I saw a 2-year-old pick up prairie dog poop and go to eat it. They are good and they're necessary, but they need to be controlled. They are also a nuisance to not only whoever spoke in the meeting, but the church is inundated with them. The subdivision to the south on the lower side of 98, that landscape has been destroyed, like, three times over the 13 years, or four times, the 14 years that I've lived here. They are a nuisance. And they are great, and they shouldn't all be eradicated by any means. They're very important to the environment. However, they do need to be controlled, and Westminster needs to take some step in efficiently -- well effectively keeping them in population, sustainable population, in boundaries. Thank you.

THE REPORTER: How did you guys want your copy of this? Do you want it electronic, or

MS. HOUSH: Yeah.

THE REPORTER: Electronic?

MS. HOUSH: Yeah.

THE REPORTER: Okay. Perfect.

(PUBLIC MEETING CONCLUDED AT 8:05 P.M. MT)

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CERTIFICATE OF REPORTER

STATE OF COLORADO

I do hereby certify that the meeting in the foregoing transcript was taken on the date, and at the time and place set out on the Stipulation page hereof by me and that the said matter was recorded by me and then reduced to typewritten form under my direction, and constitutes a true record of the transcript as taken, all to the best of my skills and ability. I certify that I am not a relative or employee of either counsel, and that I am in no way interested financially, directly or indirectly, in this action.

JENNIFER KEEFE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20164005250
MY COMMISSION EXPIRES NOVEMBER 12, 2025

JENNIFER KEEFE,
COURT REPORTER/NOTARY
COMMISSION EXPIRES ON: 11/12/2025
SUBMITTED ON: 10/18/2023

Appendix F-7. Westminster Drinking Water Project Response to Comment Table.

Commentor / Comment	Response
Colorado Department of Public Health & Environment (CDPHE), October 9, 2023	
1. Understanding the submitted document is a draft, there are several comments about decisions to be made; page 18 says if open trench is used a 404 permit may be required, NWP 57 and 12 may be required, and it all depends on finalization of the design. When will the design be at a point where these decisions can/will be final? Page 24 indicates wetlands disturbances may occur but it depends on the method. Open cut trenching would surely require a permit.	The decision regarding pipeline installation methods (open cut trenching or horizontal directional drilling) will be informed based on consultation with Colorado Parks and Wildlife (CPW). The finished water and fiber communication lines will cross South Hylands Creek just north of the northernmost Hylands Pond. Since Hylands Ponds are CPW Sportfish Management Water High Priority Habitat (HPH), the City of Westminster (City) initiated consultation with CPW. The HPH includes a 500-foot buffer around the ordinary high-water mark (OHWM) of the northernmost Hylands Pond. The 500-foot buffer includes the section of South Hyland Creek where the finished water and fiber communication lines will cross. Consultation with CPW will help determine if work outside of the Sportfish Management Water HPH, but within the 500-foot buffer, will be allowed in South Hylands Creek and whether open cut trenching will be allowed or if boring will be required. Since a response from CPW was not received prior to issuance of the Revised Draft Environmental Assessment (EA), the City has retained discussion of both options and the required permitting and measures associated with each.
2. Section 5.1.1, page 18, indicates no surface water resources were identified, but the project is within the boundary of the Big Dry Creek TMDL. How does the project anticipate compliance with the TMDL?	Section 5.1.1 indicates that there are no surface water resources identified **within the boundaries of the drinking water facility (DWF) site** but goes on to describe that there are surface water features adjacent to the water supply line and that the finished water and fiber communication lines would cross South Hylands Creek. In addition, the Revised Draft EA now includes a stormwater conveyance facility that would discharge into Big Dry Creek. This project will not result in any new point-source discharges within the Big Dry Creek watershed that would result in increased *Escherichia Coli (E.coli)* loads into Big Dry Creek. o comply with the *E. coli* TMDL, any new stormwater discharges from the site will be managed in accordance with the City's current MS4 permit. The City, as part of the MS4 Program, conducts regular inspections and maintenance of stormwater ponds, similar to the one planned at the DWF site. Additionally, the City will use best management practices (BMPs) during construction and with the stormwater pond and drainage design that reduce runoff from the site.
3. The Environmental Checklist indicated a floodplain impact study was to be completed in Fall 2023. Is this still on track? EO 14030 is identified in the EA document, but what will the finished floor elevation of the DWF be? Though the DWF will not be in the 100-year floodplain, what is the relationship to the 500-year floodplain? Coordination with the local floodplain manager should determine the need for a floodplain development permit.	**Compliance with EO 14030.** The Environmental Checklist stated that an evaluation of the potential impacts of the water line construction within the floodplain was underway. The Revised Draft EA will include findings of this evaluation. Results indicate that the water supply line and DWF site are not located in either the 100- or 500-year floodplain; however, portions of the finished water, sanitary sewer, fiber communication lines and the stormwater conveyance facility intersect the regulatory floodway around South Hylands Creek and Big Dry Creek. The finished water, sanitary sewer, fiber communication lines and the stormwater conveyance facility tie into the existing systems for the City and the total project costs are less than 50% of the market value of those systems, therefore, the EO 14030 Federal Flood Risk Management Standard (FFRMS) requirements do not apply. Compliance with EO 14030 will be documented through completion of a Certification of Compliance with CDPHE. **Floodplain Development Permit**. The City understands that coordination with the local floodplain manager will inform whether a floodplain development permit is required; however, based on previous projects, the City assumes a floodplain development permit will be required for the project and this was identified in the EA.

Commentor / Comment	Response
4. Regarding historical and cultural resources, some clarification is required for the Area of Potential Effect (APE). The Class III Cultural Resources Inventory from February 2021 does not appear to include all of the project area (proposed pipelines and lift station). The Inadvertent Discovery Plan from July 2023 in Appendix D of the draft EA appears to include the pipelines, but the APE is not clearly defined. Which of these were sent to SHPO? Also, the correspondence to SHPO in June 2023 (Appendix G) does not indicate the required review/consultation type. The scoping letter should specifically state a Section 106 consultation is required.	Subsequent to public review for the Draft EA, several changes were made to the project Area of Potential Effects (APE). The Revised Draft EA, Inadvertent Discovery Plan, and Class III Cultural Resources Inventories for the Project (two reports, one focused on the water supply line and one focused on the remaining project area) were updated to reflect these changes and clearly depict the APE. The APE shown in the Revised Draft EA was submitted to the State Historic Preservation Officer (SHPO) for concurrence and Section 106 consultation was initiated.
5. Section 5.1.8 addresses the Farmland Protection Act, but the document does not indicate correspondence with NRCS occurred. Riley Dewberry is the contact, and a scoping letter should be sent to ensure compliance.	Per the Colorado Department of Public Health and Environment (CDPHE) template (3/23/23 revision), a scoping letter was sent to the Natural Resources Conservation Service (NRCS) and was addressed to State Conservationist, Clint Evans. To date, no response has been received. Section 5.1.8 was revised to describe this scoping effort.
6. The IPaC indicates Pallid Sturgeon as an endangered species in the South Platte River basin and should be considered under conditions related to water activities. Further investigation of this is required; perhaps input from local USFWS office or CPW.	The City initiated consultation with CPW and the U.S. Fish and Wildlife Service (USFWS). Species that are included on the IPaC were considered during project development and input from USFWS was requested. Based on initial calculations, the project is not anticipated to cause depletions within the Platte River which could negatively affect these species.
7. Since this project is within the South Platte River Basin, coordination is required with South Platte Water Related Activities Program (SPWRAP https://cospwrap.org/) and its associated program Platte River Recovery Implementation Program https://platteriverprogram.org/. The SPWRAP website has a form to be submitted with USFWS consultation. Depletions are of concern.	The City is a member of the South Platte Water Related Activities Program (SPWRAP). The SPWRAP form was submitted as part of consultation with the USFWS. Based on the anticipated water use for the City, the project is not anticipated to cause impacts to threatened and endangered species in the Platte River.
Carol Campbell, October 5, 2023, Source: Comment Card	
I think the EA is very thorough. Good job from former NEPA head for Region 8 of EPA.	Comment noted.
Susan Demeules, October 5, 2023, Source: Comment Card	
Because of the location of my community, my concern in two-fold: 1) I would not want the construction of the plant to cause more prairie dogs to migrate across 98th Ave to our landscaping 2) If the installation of the water line to the plant is partially installed on Hyland Village property, I am in favor of relocating the prairie dogs.	We understand the public's concerns regarding wildlife and other natural resources. Prairie dog control and mitigation can be a delicate process and we are taking steps to make sure it is completed in a thoughtful way that limits negative impacts to neighboring properties and the species. The City will work with a wildlife expert that specializes in prairie dog mitigation in Colorado to implement a prairie dog control strategy and consider appropriate veterinarian guidelines and standards.
Susan Demeules, October 5, 2023, Source: Comment Card	
I was very surprised that this site was chosen because it was my understanding that this was open space and would not be developed. How was this location chosen?	After the City identified the need for a new DWF, a site selection alternatives analysis was conducted to evaluate sites suitable for construction of a new facility. The site selection process used a national, data-driven approach to narrow alternative sites to a final recommended site. Integral to this process was a concurrent community engagement program that identified community values which were incorporated into the evaluation at each phase. The site selection process identified more than 50 sites for initial consideration using two criteria: a minimum area of 24 acres and locations outside the 100-year floodplain. The initial site list was narrowed to nine using three categories of evaluation criteria: community, engineering, and site characteristics. The next phase of the process further reduced the list to three recommended sites: the 98th Avenue and Westminster Boulevard location, a site between 108th Avenue and 106th Avenue, and a site near Ball Aerospace and Technologies Maintenance Building located on the northwest corner of Wadsworth Parkway and 108th Avenue. Ultimately, the site at 98th Avenue and Westminster Boulevard was selected as the preferred location.

Commentor / Comment	Response
Karen Kalavity, October 5, 2023, Source: Comment Card and Stenographer	
My comment is: Why was there only ONE firm involved in this process. A responsible practice would have been to get preliminary design ideas/alternatives from @ least 3 different firms? Also there is wildlife including a nesting pair of bald eagles @ this site. We should be considering thoughtful alternatives that don't upset the balance on this site...maybe several smaller systems on multiple sites + re-using Semper....	**Consultants**. The City engaged a variety of consulting firms throughout the life of this project. Currently, the City is working with three different consultants on design of project components. Early in the process, the City obtained preliminary design alternatives from various consultants during the proposal phase. Subsequently, preliminary design alternatives were compared and refined during the process selection and pilot plant project. The process selection and pilot plant project helped the City to: (1) select the most suitable process train for the DWF to meet current and future drinking water regulations, (2) develop conceptual facility layouts for the DWF, (3) develop construction and operating cost estimates for the DWF and associated water supply and finished water pipelines, and (4) achieve environmental sustainability goals. This included bench-scale testing, pilot testing, and conceptual design development consisting of numerous collaborative workshops and technical memoranda. **Eagles**. The City is aware of the nesting bald eagles near the project area. The City's goal is to design a project that results in the least impacts on the resources present in the project area. The City is working closely with CPW and the USFWS to provide species protection and has included measures to protect valuable habitat in the area. As indicated in the EA, construction of the project will be coordinated to follow CPW's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors as much as possible in order to avoid sensitive breeding and roosting periods for bald eagles (refer to Appendix C Tree Removal Plan). The project also includes implementation of a Landscape Plan that mitigates for the removal of healthy, non-invasive trees.
Michael Fitch, September 19, 2023, Source: Online Open House	
I am very excited about this project and happy that Westminster is working to build a resilient and improved water system for the city. I am a huge supporter and look forward to even cleaner drinking water once this facility is built. Please continue the community outreach and make progress on this project.	Comment noted.
Name not Provided, September 26, 2023, Source: Online Open House	
I back the open space and will be staring right at this facility. Will it smell like a port-a-potty every time we walk outside? How high will the buildings be?	**Odors**. The new DWF is not anticipated to have any strong odors associated with it as it is an indoor facility dedicated to treating drinking water. It is not a wastewater treatment facility that typically generates odors. The dewatering basins on the north side of the property are not expected to generate any sulfur odors during normal operations. The solids that accumulate in the basins will be periodically removed usually after a freeze/thaw, draining/drying cycle over the winter. Minor odors that may be generated would dissipate quickly and are not anticipated to be noticeable at nearby properties. **Building Heights**. Final design is not yet complete. The current design of the drinking water facility (60 percent) shows building heights ranging from approximately 11 feet to almost 50 feet in height. Most of the building are between 20 feet to 30 feet in height, with a few buildings being under 20 feet in height. The tallest building is just under 50 feet in height.
Thomas Benedict, October 3, 2023, Source: Online Open House and Email	
It seems necessary to build this new facility to ensure clean water and it seems necessary to do this sooner than 2 decades from now. Just look at the leak under the bridge on Sheridan pouring water into big dry creek (it's been there for weeks). I have concerns there are efforts to bypass what's needed in pursuit of saving a few dollars today. Can you explain why our water was made so cheap in recent years while at the same time, it appears this overview quotes shortcut after shortcut to save money?	The City developed a phased approach to this project. The new DWF would allow the portions of Semper in the worst condition to be taken offline while portions of Semper with remaining life would continue to be used as long as is reasonable. This allows the remaining value of Semper to be utilized before full replacement occurs. The City has not structured the project for short-term savings, but rather is trying to be responsible economic and environmental stewards by making use of a facility that still has life while slowly phasing it out over time. Since the City is nearly fully built out, any future development that has been approved is commensurate with future water supply and demand. The DWF project is not being implemented to address increasing water demand,

Commentor / Comment	Response
Is the goal long-term clean water or short term “savings”? I’d rather sacrifice my lawn and have clean water, than have cheap dirty water and some grass. Our infrastructure is too old and more people are coming everyday. Since temperatures have been higher and appear to be continually rising, more water will be needed rather than less. Thank you. Do well please.	but rather to replace aging infrastructure (Semper) and address potential future source water quality challenges. Further, the City has an established policy to ensure new development does not result in water demand that exceeds the City’s existing water supply.
Harald Stark, October 6, 2023, Source: Online Open House	
I do support the choice to build a new water treatment plan and its proposed location! I have one main area of concern: The proposed outflow line to Sheridan Boulevard seems wrong for both environmental and financial reasons. I think taking this shortcut is short-sighted. It will cross through very sensitive landscape, including a small stream, several trees, and a walking path. It also is under dimensioned at 30 inches to supply the water to the network once the full capacity is reached. This means that an additional line would have to be built later, which would have additional environmental and financial impact. As far as I understand, two main goals of this new plan is to prepare for the increased delivery rate later, and to keep the costs down. While this shortcut will result in momentary lower costs, it does not show any foresight for the required expansion later, likely with much higher total costs. I would recommend reconsidering this plan and go to a larger diameter output line, connecting to a larger city water line nearby. Or, to summarize in more prosaic words: Don't take the shortcut because there is more construction ahead!	**Design**. The finished water pipeline extending from the DWF to Sheridan Boulevard is sized to accommodate the near-term 14.7-million gallon per day (MGD) capacity of the DWF (Phase 1). Something larger would be oversized at this time. We understand the concern that the pipeline would need to be enlarged with the future expansion to occur under Phase 2. However, this phased construction approach is typical for projects like the Westminster DWF, in fact, the Semper and Northwest water treatment facilities were built using phased approaches. The City also believes that a future expansion will result in greater reliability and redundancy should there be an issue as there will be two pipelines, one to serve as a backup. **Sensitive Landscapes**. Regarding installation of project components through sensitive landscapes, the City has included several measures as part of the project to protect these resources. The City’s goal is to design a project that results in the least impacts on the resources present in the project area. The City is working closely with CPW and the USFWS to provide species protection and has included measures to protect valuable habitat and recreation resources in the area. The City will also be required to coordinate with the U.S. Army Corps of Engineers should a Clean Water Act 404 Permit be required. This permit will include conditions the City will be responsible for implementing to protect water resources during construction.
Name not Provided, October 6, 2023, Source: Online Open House	
This is a wasteful and unnecessary project pushed forward by city staff against the wishes of citizens.	Comment noted.
Stanley Pedzick, October 7, 2023, Source: Online Open House	
Appears to be thorough.	Comment noted.
Robert McAdoo, October 11, 2023, Source: Online Open House	
1.) I am in Trenwood Park neighborhood and noticed a drop in city water pressure, will this new site improve the water pressure or decrease it as the site is lower in elevation? 2.) Treatment sites tend to generate odors that may travel, has this been considered in the plan as it could potentially affect property values?	**Water pressure**. The proposed facility is not expected to significantly change the water pressure in the City’s distribution system as it will be designed to target existing water pressures at the new point of entry into the existing distribution system. **Odors**. The new DWF is not anticipated to have any strong odors associated with it as it is an indoor facility dedicated to treating drinking water. It is not a wastewater treatment facility which typically generates odors. The dewatering basins on the north side of the property are not expected to generate any sulfur odors during normal operations. The solids that accumulate in the basins will be periodically removed usually after a freeze/thaw, draining/drying cycle over the winter. Minor odors that may be generated would dissipate quickly and are not anticipated to be noticeable at nearby properties.

Commentor / Comment	Response
Donald ONeill, October 11, 2023, Source: Online Open House	
This is a complete destruction of the Hyland Ponds Open Space. Building a gigantic drinking water facility and destroying cherished outdoor recreation opportunities is a complete waste. Put the facility elsewhere, somewhere that's not depended on for the benefits of nature. Hyland Ponds Open Space is an area where residents go for mental and physical benefits, and this drinking facility will be a complete eyesore and deteriorate this amazing natural place. Vote NO on this drinking facility.	Comment noted.
Mary Jane Harper, October 12, 2023, Source: Online Open House	
This project seems well thought through. I believe this is very much needed infrastructure. Planning for future problems due to climate change is very important. Yes, we must pay for this but maintaining future water supply is of the most importance for the present and future generations.	Comment noted.
Donny O'Neill, October 11, 2023, Source: Email	
Putting a gigantic drinking water facility in the Hyland Ponds Open Space is a complete slap in the face to local residents. Hyland Ponds is an incredible natural area that provides local residents with myriad mental and physical benefits. Dropping a complete eye sore in the middle of it and destroying one of the few spaces of natural land in the city is a complete blunder by the city. Put it elsewhere, somewhere that's not relied upon for outdoor recreation. The entire basis of this project is moronic.	Comment noted.
Lindsay Weber, October 11, 2023, Source: Email	
Hi - I am a resident of Westminster, live near the proposed project, and attended the October 5 open house. My public comments on the new drinking water facility are as follows: 1. This project needs guiding principles, and one of those guiding principles needs to be sustainability. For example, the guiding principle(s) could be "safe, affordable water provided in a sustainable manner". Until there are guiding principles, decisions can be made against community wishes. This project should put into action the principles and goals in the Westminster Sustainability Plan. 2. I am very concerned about the project's impact on wildlife. The proposed site is valuable open space, habitat, and recreation area in Westminster with wetlands and habitat for eagles, prairie dogs, and more. The project needs to ensure it is implemented without causing harm or eradication of the species onsite. 3. As such, I urge Westminster to share the results of the CO Parks and Wildlife and U.S. Fish and Wildlife consultations with the community. We need transparency and accountability. 4. I encourage the project team to incorporate sustainability into the construction and design of the facility, specifically: a. require using emission capture technology on the construction equipment to reduce the air quality impact from diesel pollution on the surrounding community b. install state-of-the-art generator(s) at the site to reduce the impact of diesel pollution during generator operation c. install onsite rooftop solar on the facility since it would be a new build with a new roof d. reduce the impact of noise, light, and vibration on wildlife and the community e. achieve a certification through the Envision rating system for infrastructure	**Guiding Principles**. While the project does not have specific "guiding principles", the City maintains other documents with goals and strategies to promote sustainability. Specifically, the Sustainability Plan (2021) provides a framework that City staff and community partners use to move the City toward its vision of becoming a sustainable community. The Natural Resources and Environment section of the Sustainability Plan includes strategy "NR5. Replace Aging City Utility Infrastructure," which identifies that the primary responsibility of the City is to provide safe, clean, and reliable drinking water. This strategy includes two related actions (1) incorporate best practices and principles from Envision to establish and pilot sustainability guidelines for the design, construction, operation, and maintenance of City Infrastructure projects, and (2) develop a long-term plan for infrastructure replacement and upgrades based on known aging issues and predictive maintenance considerations. In addition, the Comprehensive Plan (2021) includes the following vision and guiding principle: "Westminster responsibly manages water and natural resources, prioritizing environmental stewardship and understanding feasibility of infrastructure and resource availability." The City's growth management program and conservation of resources, including water, energy, habitat, and natural areas, provide the framework for a sustainable environment that will continue to impact all aspects of physical planning in the City. The Comprehensive Plan emphasizes conservation and management of the City's water supply, with policies and land use planning that will maintain water availability at citywide buildout. **Wildlife**. We appreciate your comment and concern regarding wildlife, habitat, and recreation resources in the project area. The City's goal is to design a project that results in the least impact on resources present in the project area. The City is working closely with CPW and the USFWS to provide species protection and has included measures to protect valuable habitat and recreation resources in the area. **Communication**. The City will continue to work with the public on this important project and disclose results of consultation efforts with CPW and USFWS.

Commentor / Comment	Response
f. research selecting a brownfield or already-disturbed site instead of this greenfield site 5. I disagree with some of the impact levels presented in the open house. Specifically: construction will have more than a minor effect on air quality (for example, I get headaches from diesel pollution) there will be more than a minor effect on terrestrial and aquatic wildlife, from construction through operation, as habitat will be decreased and degraded there will more than a negligible effect on recreation as the project will encroach on the feel of the open space and onsite wildlife. Thank you for your time and consideration, Lindsay	**Sustainability**. In addition, the project is being designed in accordance with guidelines produced by the Institute for Sustainable Infrastructure (ISI). ISI is the organization that developed and manages Envision, a framework that encourages systemic changes in the planning, design, and delivery of sustainable, resilient, and equitable civil infrastructure. The framework provides a flexible system of criteria and performance objectives to aid decision makers and help project teams identify sustainable, resilient, and equitable approaches during the planning, design, and construction that will continue throughout the project's operations, maintenance, and end-of-life phases. The City intends to apply for Envision credits for the project. **Impact Levels**. We appreciate your comments on the impact levels presented in the EA. Please note that impact determinations presented in the EA include consideration of mitigation measures and design features that will be implemented to reduce impacts.
Jane Fillmore, October 12, 2023, Source: Email	
Hello! I read the proposal and support that construction not be done during the bald eagles that are 0.5 miles from the field site roosting time. I also support that if the tall cottonwood trees that they use to roost as taken out another equally tall structure be provided to them. This is a small cost compared to other expensive choices that have been made!	As indicated in the EA, construction of the project will be coordinated to follow CPW's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors as much as possible in order avoid sensitive breeding and roosting periods for bald eagles (refer to Appendix C Tree Removal Plan). The project also includes implementation of a Landscape Plan that mitigates for the removal of healthy, non-invasive trees.
Robert Farnes, October 12, 2023, Source: Email	
WESTMINSTER BOULEVARD DRINKING WATER PROJECT Draft Environmental Assessment (EA) Public Comment Background I was an active member of the Water2025 Design Working Group when this project was called Water2025. During that process, I inquired about National Environmental Policy Act NEPA applicability. The response I received from the City of Westminster Communications and Outreach Coordinator for Public Works & Utilities on June 25, 2020 is below: "…Thanks for your time last night. I spoke with the project team today and the WATER2025 project does not trigger the NEPA process and an EA is not required. We are, however, conducting our own ecological study of flora and fauna on the site to determine what mitigation measures, if any, need to take place. Let me know if you have any follow up questions. Thanks…" I find it troubling that the City of Westminster was either misleading or uniformed about the need to comply with NEPA requirements in June 2020. One of the City of Westminster's reasons for selecting this site for the Proposed Action was that it could improve trail connectivity. On January 21, 2021, the City of Westminster indicated: "…Regarding trail improvements, we have reviewed the site selection materials and confirmed that it was listed as a benefit of the site, but did not commit to any specific trail improvements. With that said, it will continue be on our priority list…." The Draft Environmental Assessment does not mention any trail improvements as a proposed mitigation measure or carry through the trail improvements as a benefit of this site. I find it troubling that alternative analysis and site selection section does not include previous City of Westminster commitments. I think the EA should address this issue and the commitment should be honored.	**NEPA**. The response you received in June of 2020 from the City regarding the NEPA analysis, was correct. At the time, there was no federal funding that triggered a NEPA analysis. Since that time, federal funding options are being pursued by the City, which triggered the current EA under NEPA. **Trails**. The Westminster Boulevard DWF project does not include any trail improvements. The project, as proposed, includes measures to protect existing trails in the area. Any previous commitments by the City to improve trail connectivity will continue to be explored through the City's Community Advisory Team. There are currently members of the Community Advisory Team that are interested in the project area's surrounding open space trails and wildlife. **Acronyms**. The acronyms section of the EA was revised. **Land Use**. Section 3.1.2 was revised to reflect the disadvantage of the change in land use of a portion of the DWF site from open space. **Land Use**. The official zoning of the project area is either Open/Agricultural (O-1) or Planned Unit Development (PUD). The DWF project would be defined as a public utility, which is a permitted use in both of these zoning districts. While the project would result in a permanent change in land use at the DWF site, this change in use is consistent with the City's long-term planning identified in its Comprehensive Plan. Therefore, it was determined that no mitigation was necessary regarding land use. **Visual**. Thank you for your comment regarding KOP F and G. The KOPs identified are not intended to be misleading. They are meant to show how the proposed DWF would change the existing visual environment and what a person would see from adjacent properties. The DWF site ranges in elevation from approximately 5,300 feet to 5,400 feet. KOP F (5,330 feet), KOP G (5,357 feet) and KOP H (5,372 feet) provide a variety of vantage points from which the new DWF could be viewed, and no additional KOPs were added.

Commentor / Comment	Response
EA Comments In the acronyms and abbreviations section APEN is defined as Air Pollutant Emissions Notice. According to the Colorado Department of Health and Environment (CDPHE) an APEN is a Air Pollutant Emission (singular, not plural) Notice. Section 3.1.2, Westminster DWF Site Selection Alternatives Analysis: The Site near Ball Aerospace and Technologies Maintenance Building lists the lack of impacts on open space as an advantage. The Site between 108th Avenue and 106th Avenue lists the change in existing use from dedicated Westminster Open Space as a disadvantage. The Proposed Action Site impacts open space. The taking of open space at the Site at 98th Avenue and Westminster Boulevard should be listed and a disadvantage of the Site and the analysis of impacts to open space should be consistent between all alternatives. Section 5.8, Land Use, talks to the taking of open space for the Proposed Action, yet there is no mitigation mentioned. There should be some mitigation to preserve the overall open space acreage in the area or the open space should be preserved. Section 5.1.13, Visual, indicates Directly to the north and south are additional vacant properties. The property to the north is vacant. The property to the south is open space. Key Observation Points (KOP) F and G are misleading as they are at a much lower elevation than the Proposed Action. There should be a KOP on the trail to the west of KOPs F and G at an elevation similar to the Proposed Action.	
Gary Brightenberg, October 5, 2023, Source: Stenographer	
THE REPORTER: Gary, Can I just have you write down your name for me? MR. BRIGHTENBURG: Sure. THE REPORTER: Perfect. Thank you. What would you like to leave feedback about? MR. BRIGHTENBURG: Just the height of the facility not blocking any views, or minimizing any views being blocked, especially with the water tower that's planned in Phase 2. THE REPORTER: Okay. MR. BRIGHTENBURG: And I was told that it wouldn't be that tall, maybe 25 feet or so. The tallest structures would be down in the south end, and they would be about 40 feet tall. THE REPORTER: Okay. Anything else? MR. BRIGHTENBURG: They were talking to the communication people about maybe expanding the trail system. THE REPORTER: Okay. MR. BRIGHTENBURG: Over toward the south end of the treatment plant. It's kind of underutilized at the moment. Maybe another trail or two over there. THE REPORTER: Okay. MR. BRIGHTENBURG: Okay. That was -- that was about it. THE REPORTER: All right. Thank you. MR. BRIGHTENBURG: Like I said, the main concern was the height of the --	**Height of Facility**: Final design is not yet complete. The current design of the drinking water facility (60 percent) shows building heights ranging from approximately 11 feet to almost 50 feet in height. Most of the building are between 20 feet to 30 feet in height, with a few buildings being under 20 feet in height. The tallest building is just under 50 feet in height. The City understands the importance of viewsheds to local residents and will minimize impacts to visual resources and viewsheds in the project area. **Trails**: The Westminster Boulevard DWF project does not include any trail improvements. A portion of the Farmers' High Line Canal Trail runs east-west south of the proposed drinking water facility and connects trails within the Hyland Ponds Open Space area to Westminster Boulevard. Any future trail improvements would be explored through the City's Community Advisory Team. There are currently members of the Community Advisory Team that are interested in the project area's surrounding open space trails and wildlife.

Commentor / Comment	Response
THE REPORTER: The height. MR. BRIGHTENBURG: -- not blocking views and stuff. THE REPORTER: Okay. Thank you. MR. BRIGHTENBURG: All right. Thank you.	
Sandy Johnson, October 5, 2023, Source: Stenographer	
THE REPORTER: Hi. MS. JOHNSON: So, I am told I don't have to type, you can type for me. THE REPORTER: Yes. MS. JOHNSON: And do I need to sign this? THE REPORTER: Yes, please. MS. JOHNSON: Okay. THE REPORTER: If you could just write down your name and your address, if you'd like to put that in. MS. JOHNSON: Of course. THE REPORTER: Thank you. MS. JOHNSON: Okay. A couple of points. Number one, I fully support this project. The safety and availability of water for us and future generations is, in my mind, the number one priority for our community. Secondly, I think that this is a good start. I am disappointed by the scaling back that occurred, and I am disappointed by what I see as the waste of resources of the current City Council by redoing the same plan. However, I don't want that to get in the way of forward progress. Third point, I appreciate the research that went into creating a facility that will function at the 45 or whatever that is, at the 45 capacity. I would like to have a -- I understand that we are building right now for 15 capacity with the idea that we can build out in the future. I would like to see agreement to a timeline that allows us for that build-out. It's 15. It's a start. It's still behind what even the second report shows we need. And we can't just keep putting off those decisions. It's not fair to those who come after. Again, I fully support this project. I appreciate the open house. I have not yet reviewed the environmental impact statement. I will get information on that tonight. I do have some concerns about the switch to the 30-inch pipeline. I understand the utility of having it go out to Sheridan, and that it's a much shorter route. But are we setting ourselves up for higher costs? When we expand from 15 to 30 or 45, we have to dig another pipeline. Are we better off not doing that now? I think that's it. Maybe say one more time that I fully support this project. THE REPORTER: Thank you. MS. JOHNSON: Great. Thank you so much.	The original DWF design was for a capacity that was beyond what the City would need at full build out, so the City reevaluated design of the facility such that it was sized correctly. While this effort took time and money, it would have been far more expensive to build and maintain a facility that was more than what the City needs. The City developed a phased approach to this project. The new DWF would allow the portions of Semper in the worst condition to be taken offline while portions of Semper with remaining life would continue to be used as long as is reasonable. This allows the remaining value of Semper to be utilized before full replacement occurs. The City has not structured the project for short-term savings, but rather is trying to be responsible economic and environmental stewards by making use of a facility that still has life while slowly phasing it out over time. The finished water pipeline extending from the DWF to Sheridan Boulevard is sized to accommodate the near-term 14.7-MGD capacity of the DWF (Phase 1). Something larger would be oversized at this time. We understand your concern that the pipeline would need to be enlarged with the future expansion to occur under Phase 2. However, this phased construction approach is typical for projects like the Westminster DWF, in fact, the Semper and Northwest water treatment facilities were built using phased approaches. The City also believes that a future expansion will result in greater reliability and redundancy should there be an issue as there will be two pipelines, one to serve as a backup. The City anticipates that Phase 2 would be completed in approximately 20 years.
Kalavity, October 5, 2023, Source: Stenographer	
MS. KALAVITY: Now you're going to try and write mine down, huh? So what do you need from us exactly? THE REPORTER: If you just want to write down your name and your address, if you want to provide the address, that'd be perfect. If not, that's totally okay. MS. KALAVITY: That's all right. I'll give you mine. Well, obviously, Westminster. I guess that's kind of -- you start writing, you know, and it just kind of goes. THE REPORTER: Yeah.	**Design**. The project is currently at 30 percent design. The building color and materials have not been finalized. However, the project is being designed consistent with the City's Unified Development Code (UDC), which establishes standards for exterior treatments, including use of non-reflective colors on buildings. The City will continue to work with the Community Advisory Team and the public on exterior facility design details. **Building Height**. Final design is not yet complete. The current design of the drinking water facility (60 percent) shows building heights ranging from approximately 11 feet to almost 50 feet in height. Most of the building are

Commentor / Comment	Response
MS. KALAVITY: Are there different addresses here? I mean, area codes or ZIP codes? THE REPORTER: ZIP codes. MS. KALAVITY: Anyways, they'll know by the – so how does this work? THE REPORTER: So basically, if you have any feedback or concerns, you can tell me about them, and I will type them up and make a written transcript so that the city has it. MS. KALAVITY: And is that -- so it's not necessarily questions. It's transcript? THE REPORTER: Yes. MS. KALAVITY: It -- will it be responded to in a matter – THE REPORTER: I think -- I don't know how that works. MS. KALAVITY: I was just -- 4 THE REPORTER: I'm just taking down the transcript, yeah. MS. KALAVITY: Yeah, it's okay. I was trying to get organized. It's going to start here pretty soon. So, well, number one, my first -- you need my name or anything, or? THE REPORTER: Nope. MS. KALAVITY: Okay. So my first question is: What color are the structures going to be? Are they going to be a dark or natural dark color that blends into the landscape? What materials will the buildings be built out of? Trying to think. And what'll be the building heights of different structures, tanks, buildings? Will there be a trail connecting, as they talked about originally, from Westminster Boulevard into the existing open space? I'm trying to think of the name of what type of noise once the plants are built, what noise level, decibel-wise, will it be when they are operating. And they answered a bunch of questions, so that's what I wanted to do, sort of. What trees and natural areas are going to be disturbed during this process, and will trees be replaced? I'm trying to remember, I went all the way around, talking to people. Oh, I didn't even see all these. I hate – I forget what I had to talk about. Size, path, trees, noise, the major things overall. Sorry. THE REPORTER: You're okay. MS. KALAVITY: I -- well, I ran here. I thought the whole thing started at 7:00 -- at 6:00, they were going to start the presentation, I wouldn't have time to ask questions. So it's been, like, a big -- will the new facility be able to handle ash and other contaminants that possibly could enter the water source due to wildfires in the mountains and run-off? I think that's it. I can't think of anything else right now. Can I add a comment? Are you going to be here afterwards, or no? THE REPORTER: Yeah, I will be. MS. KALAVITY: But I think that's the basis of it. Those are my biggest concerns. Oh, what about air pollution, smell of pollution, air quality. THE REPORTER: Okay. You're good. Yep. MS. KALAVITY: I wish I could type anywhere half your speed. I am so bad at typing. Thank you so much. THE REPORTER: Of course.	between 20 feet to 30 feet in height, with a few buildings being under 20 feet in height. The tallest building is just under 50 feet in height. **Trails**. The Westminster Boulevard DWF project does not include any trail improvements. A portion of the Farmers' High Line Canal Trail runs east-west south of the proposed drinking water facility and connects trails within the Hyland Ponds Open Space area to Westminster Boulevard. Any future trail improvements would be explored through the City's Community Advisory Team. There are currently members of the Community Advisory Team that are interested in the project area's surrounding open space trails and wildlife. **Noise**. Refer to Section 5.1.9 of the EA for details regarding noise impacts associated with construction and operation of the project and proposed mitigation measures. **Trees**. Clearing of the site to allow for the construction of the DWF would result in the removal of healthy, native trees. The extent of removal and the species to be removed would be determined during final design. The City will be required to implement a landscaping plan that includes details of revegetating the site, including tree replacement and other plantings. **Contaminants**. The design of the proposed Westminster Boulevard DWF considers future source water quality concerns due to natural hazards (including wildfires) and emerging contaminants. The selected treatment process for the proposed Westminster Boulevard DWF would meet water quality goals for treatment during normal, challenging, and catastrophic raw water quality conditions at Standley Lake and would provide protection against natural hazards (e.g., post-wildfire runoff) and the associated impacts on source water quality into the future. For DWF treatment process details, refer to Section 3.2.2 of the EA. **Air Quality**. Refer to Section 5.1.6 of the EA for details regarding air quality impacts associated with construction and operation of the project and proposed mitigation measures.

Commentor / Comment	Response
Sarah Keith, October 5, 2023, Source: Stenographer	
THE REPORTER: Okay. Perfect. Okay. MS. KEITH: Since I realized, maybe I talked about some things that this wasn't focusing on. This is the best possible site. I agree with those that said, you know, we have some concerns about dust during construction. I have some concerns about the open trench versus the boring. What do I want to add to that? I'll just leave -13- I'll leave it at that. I do think it's important. I do think it's important to continue to work with the community on things like building heights. I would like to see a lot of conversation around the landscaping since we are removing trees, and conversations around rebuilding habitats because of the habitat disruption, and also questions about sound. I know that part of the -- we have mitigation strategies for sound during construction. And I don't know enough about sound impacts from the plant once it's operating, but I would like to see that targeted for a few reasons. And to echo what others have said, I do care about the bird habitat, but I think that this is the best location. And I think that we just have to be sensitive to the community and to trying to protect the wonderful species that we have there. But that's not a reason to stop us. There, now I was actually on target. THE REPORTER: You did it. Thanks so much. MS. KEITH: Can I add one thing? Sorry. THE REPORTER: Oh no, you're okay. Go ahead. MS. KEITH: I favor active prairie dog removal. I don't want them showing up in my back yard, and they already are. THE REPORTER: Okay. Thank you.	**Communication**. The City appreciates your comments and concerns on this important project. The City will continue to actively communicate with the public regarding this project and accept input as facility design moves forward. **Prairie Dogs**. We understand the public's concerns regarding wildlife and other natural resources. Prairie dog control and mitigation can be a delicate process and we are taking steps to make sure it is completed in a thoughtful way that limits negative impacts to neighboring properties and the species. The City will work with a wildlife expert that specializes in prairie dog mitigation in Colorado to implement a prairie dog control strategy and consider appropriate veterinarian guidelines and standards. **Trenching vs. Boring**: The City is consulting with CPW to determine the most appropriate installation method. Depending on the installation approved/selected, the City may also need to obtain a permit from the U.S. Army Corps of Engineers for work affecting wetlands and other water of the U.S. **Noise**. Refer to Section 5.1.9 of the EA for details regarding noise impacts associated with construction and operation of the project and proposed mitigation measures.
Sandy Johnson, October 5, 2023, Source: Stenographer	
MS. JOHNSON: They call us back and we talk about this? THE REPORTER: I believe everything that is included in this turns into like she said, that it's going to be included in all the EA -- MS. JOHNSON: Elements. THE REPORTER: Yeah. MS. JOHNSON: EA. THE REPORTER: Yeah. So fire away. MS. JOHNSON: Hang on. Did I write that down? All right. So as far as prairie dogs are concerned, I think they're great. I love them. I love wildlife. However, the population of the prairie dogs on this entire open space and – is not only over abundant and running over the playground in the area. It is dangerous, it is hazardous, it's a disease possibility. In the winter, there is poop, prairie dog poop, all over the play area. And these kids are literally, I saw a 2-year-old pick up prairie dog poop and go to eat it. They are good and they're necessary, but they need to be controlled. They are also a nuisance to not only whoever spoke in the meeting, but the church is inundated with them. The subdivision to the south on the lower side of 98, that landscape has been destroyed, like, three times over the 13 years, or four times, the 14 years that I've lived here. They are a nuisance. And they are great, and they shouldn't all be eradicated by any means. They're very important to the environment. However, they do need to be controlled, and Westminster needs to take some step in efficiently -- well effectively keeping them in population, sustainable population, in boundaries. Thank you.	We understand the public's concerns regarding wildlife and other natural resources. Prairie dog control and mitigation can be a delicate process and we are taking steps to make sure it is completed in a thoughtful way that limits negative impacts to neighboring properties and the species. The City will work with a wildlife expert that specializes in prairie dog mitigation in Colorado to implement a prairie dog control strategy and consider appropriate veterinarian guidelines and standards.

APPENDIX G
AGENCY SCOPING LETTERS SENT

WESTMINSTER

June 30, 2023

VIA EMAIL: ioana.comaniciu@state.co.us

Ms. Ioana Comaniciu, Denver Basins Water Resources Engineer
Colorado Department of Natural Resources
Division of Water Resources
1313 Sherman Street, Suite 821
Denver, CO 80203

Re: City of Westminster
Westminster Boulevard Drinking Water Facility

Dear Ms. Comaniciu:

The City of Westminster (City) is proposing to construct the new Westminster Boulevard Drinking Water Facility (DWF) (Project) in central Westminster (Figure 1). The proposed Project, which would address aging infrastructure and source water quality challenges for the City, includes a new water treatment facility, associated finished and raw water pipelines, sanitary sewer line, lift station, forcemain, and associated utilities.

The City owns and operates two potable water treatment facilities that supply water to customers – Semper Water Treatment Facility and Northwest Water Treatment Facility. The Semper facility is over 50 years old with a significant number of its assets at or beyond their predicted useful lives. The City's water treatment facilities do not have the firm capacity to meet established reliability goals, which require that maximum daily potable water demand be met with the largest treatment train out of service. Additional treatment redundancy is needed to meet these goals now and in the future. In addition, treatment challenges with the City's source water are anticipated as regulations increase around emerging contaminants, and the possibility of contaminated source water should there be a wildfire in the watershed. The Semper facility cannot treat the projected quality of source water under future potable water demands.

The proposed Westminster Boulevard DWF would allow for gradual replacement of the Semper facility production capacity. The new facility would use advanced technology to provide greater resiliency to address potential water quality challenges, flexibility to adapt to evolving regulatory standards, security to address future water shortages in water supply, space to accommodate the potential need for expansion and replacement in the future, and opportunities for environmental sustainability and resource stewardship.

CITY OF WESTMINSTER
Department of Public Works & Utilities
6575 West 88th Avenue
Westminster, Colorado 80031
P 303-658-2500
www.cityofwestminster.us

The proposed Project includes the following components:

- **Water Treatment Facility**: A DWF will be constructed on an undeveloped 40-acre parcel located at 9988 Westminster Boulevard, Westminster, Colorado 80020. The facility will be designed for future expansion (44.1 million gallons per day [mgd] buildout capacity); however, the initial phase of construction only includes a treatment capacity of 14.7 mgd. The drinking water facility process will incorporate conventional treatment using mechanical flocculation, plate settler enhanced sedimentation, intermediate ozonation, deep bed media biofiltration, and onsite residuals handling.

- **Finished Water Pipeline**: A 30-inch-diameter finished water pipeline will convey water from the DWF. The approximate 2,000-linear-foot (lf) finished water pipeline will extend from the eastern boundary of the water treatment facility, parallel to West 100th Avenue, and connect to an existing watermain along Sheridan Boulevard.

- **Raw Water Pipeline**: A 36-inch-diameter water pipeline will transport raw water to the DWF. Near the intersection of (old) Wadsworth Boulevard and West 92nd Avenue, the new raw water pipeline will connect to the existing Standley Lake Pipelines, which are owned and operated by the City. From this connection point, the approximately 11,000-lf raw water pipeline will extend north along (old) Wadsworth Boulevard, then east generally paralleling West 96th Avenue before crossing U.S. Highway 36 and heading north generally paralleling Westminster Boulevard. The pipeline will connect to the DWF at the southern boundary of the Project site.

- **Sewer Line**: An approximate 100-lf gravity sewer main will convey domestic wastewater from the DWF to a lift station located proximate to the DWF. The diameter of the gravity sewer main has not been determined at this time and will be a function of the sanitary load generated by the DWF.

- **Lift Station**: A lift station will convey sanitary sewer flows from the gravity sewer line to and through an approximate 550-lf forcemain. The location of the lift station has yet to be determined but is anticipated to be on the DWF site or on an abutting parcel to the east. The size of the lift station, valve vault, and pumps have not been determined at this time and will be functions of the sanitary load generated by the DWF.

- **Forcemain**: Flows will be conveyed from the lift station through a 550-lf forcemain to an existing sanitary sewer manhole located near the access path from Depew Street to Waverly Acres Park. The location of the lift station has yet to be determined but is anticipated to be on the DWF site or on an abutting parcel to the east. The diameter of the forcemain has not been determined at this time and will be a function of the sanitary load generated by the DWF.

- **Dry Utilities**: Other dry utilities that will be provided to the DWF site include natural gas, electrical service, and fiber optic communications. The alignment of dry utilities is yet to be determined and is likely to be trenchless construction.

WESTMINSTER

The City is applying for funding through the Drinking Water State Revolving Fund and Water Infrastructure Finance and Innovation Act. As part of the funding process, an environmental assessment (EA) is being prepared to analyze potential impacts on the physical, biological, and human environment from the proposed Project. The EA will evaluate direct impacts of proposed improvements within the Project Area, which corresponds to the DWF site and pipeline alignments (Figure 1). The EA study area for secondary and cumulative impacts, referred to as the Planning Area, includes the City's water service area (Figure 2).

The City would like your comments on the proposed Project, including resources and issues that should be included in the environmental analysis. Please respond with your comments by **July 30, 2023**. Please send your comments by email to Julie Smith, jsmith2@olsson.com or by mail to:

Olsson
Attn: Julie Smith
1525 Raleigh Street, Suite 400
Denver, CO 80204

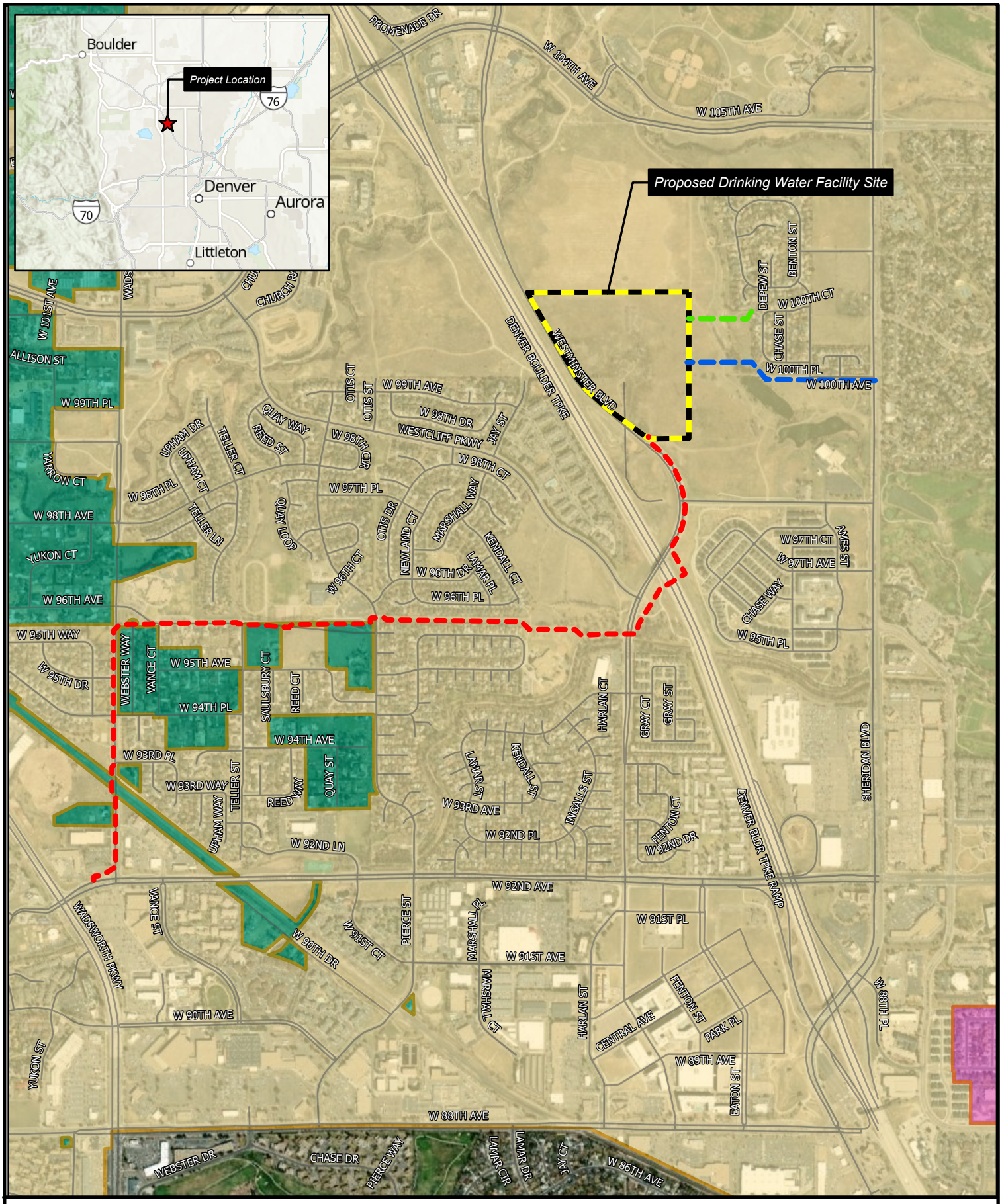
We look forward to your comments. If you have any questions about this request, please contact Julie Smith at 661-714-5953 or jsmith2@olsson.com.

Sincerely,

Stephanie Bleiker

Stephanie Bleiker, PE
Project Manager / Senior Engineer
City of Westminster

Enclosures: Project Area Map, Planning Area Map



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olsson

- Proposed Drinking Water Facility Site
- City of Westminster
- Shaw Heights Area
- Unincorporated Area

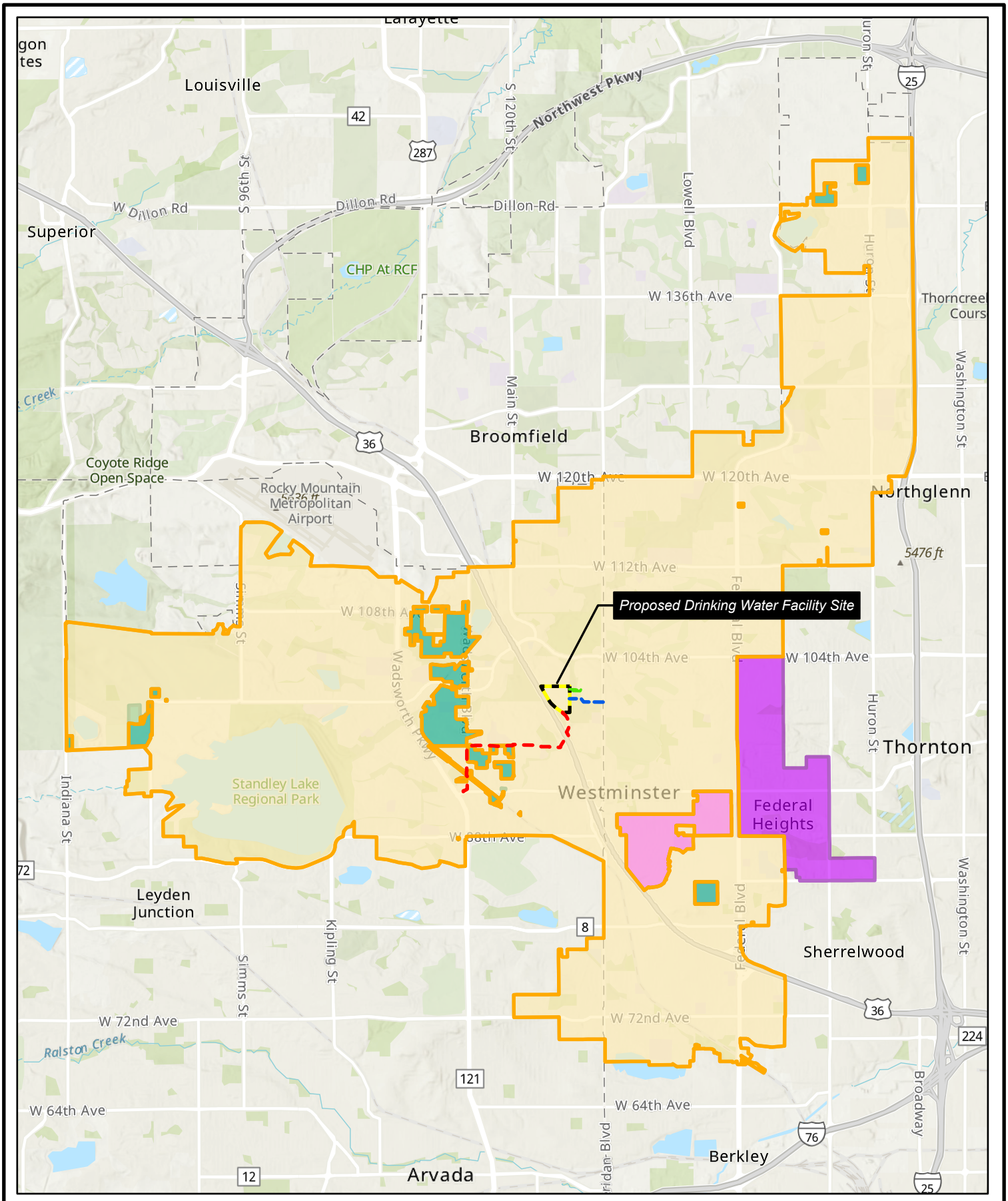
Preliminary Utility Routes

- Finished Water Pipeline
- Gravity Sanitary Sewer
- Raw Water Pipeline

City of Westminster
Westminster Blvd Drinking Water Facility Project
Westminster, Colorado
Project Area Map
Figure 1

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery



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olsson

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City of Westminster
Westminster Blvd Drinking Water Facility Project
Westminster, Colorado
Planning Area Map
Figure 2

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery

WESTMINSTER

June 30, 2023

VIA EMAIL: jessica.ferko@state.co.us

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

Re: City of Westminster
Westminster Boulevard Drinking Water Facility

Dear Ms. Ferko:

The City of Westminster (City) is proposing to construct the new Westminster Boulevard Drinking Water Facility (DWF) (Project) in central Westminster (Figure 1). The proposed Project, which would address aging infrastructure and source water quality challenges for the City, includes a new water treatment facility, associated finished and raw water pipelines, sanitary sewer line, lift station, forcemain, and associated utilities.

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The proposed Westminster Boulevard DWF would allow for gradual replacement of the Semper facility production capacity. The new facility would use advanced technology to provide greater resiliency to address potential water quality challenges, flexibility to adapt to evolving regulatory standards, security to address future water shortages in water supply, space to accommodate the potential need for expansion and replacement in the future, and opportunities for environmental sustainability and resource stewardship.

CITY OF WESTMINSTER
Department of Public Works & Utilities
6575 West 88th Avenue
Westminster, Colorado 80031
P 303-658-2500
www.cityofwestminster.us

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- **Water Treatment Facility**: A DWF will be constructed on an undeveloped 40-acre parcel located at 9988 Westminster Boulevard, Westminster, Colorado 80020. The facility will be designed for future expansion (44.1 million gallons per day [mgd] buildout capacity); however, the initial phase of construction only includes a treatment capacity of 14.7 mgd. The drinking water facility process will incorporate conventional treatment using mechanical flocculation, plate settler enhanced sedimentation, intermediate ozonation, deep bed media biofiltration, and onsite residuals handling.

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- **Dry Utilities**: Other dry utilities that will be provided to the DWF site include natural gas, electrical service, and fiber optic communications. The alignment of dry utilities is yet to be determined and is likely to be trenchless construction.

WESTMINSTER

The City is applying for funding through the Drinking Water State Revolving Fund and Water Infrastructure Finance and Innovation Act. As part of the funding process, an environmental assessment (EA) is being prepared to analyze potential impacts on the physical, biological, and human environment from the proposed Project. The EA will evaluate direct impacts of proposed improvements within the Project Area, which corresponds to the DWF site and pipeline alignments (Figure 1). The EA study area for secondary and cumulative impacts, referred to as the Planning Area, includes the City's water service area (Figure 2).

The City would like your comments on the proposed Project, including resources and issues that should be included in the environmental analysis. Please respond with your comments by **July 30, 2023**. Please send your comments by email to Julie Smith, jsmith2@olsson.com or by mail to:

Olsson
Attn: Julie Smith
1525 Raleigh Street, Suite 400
Denver, CO 80204

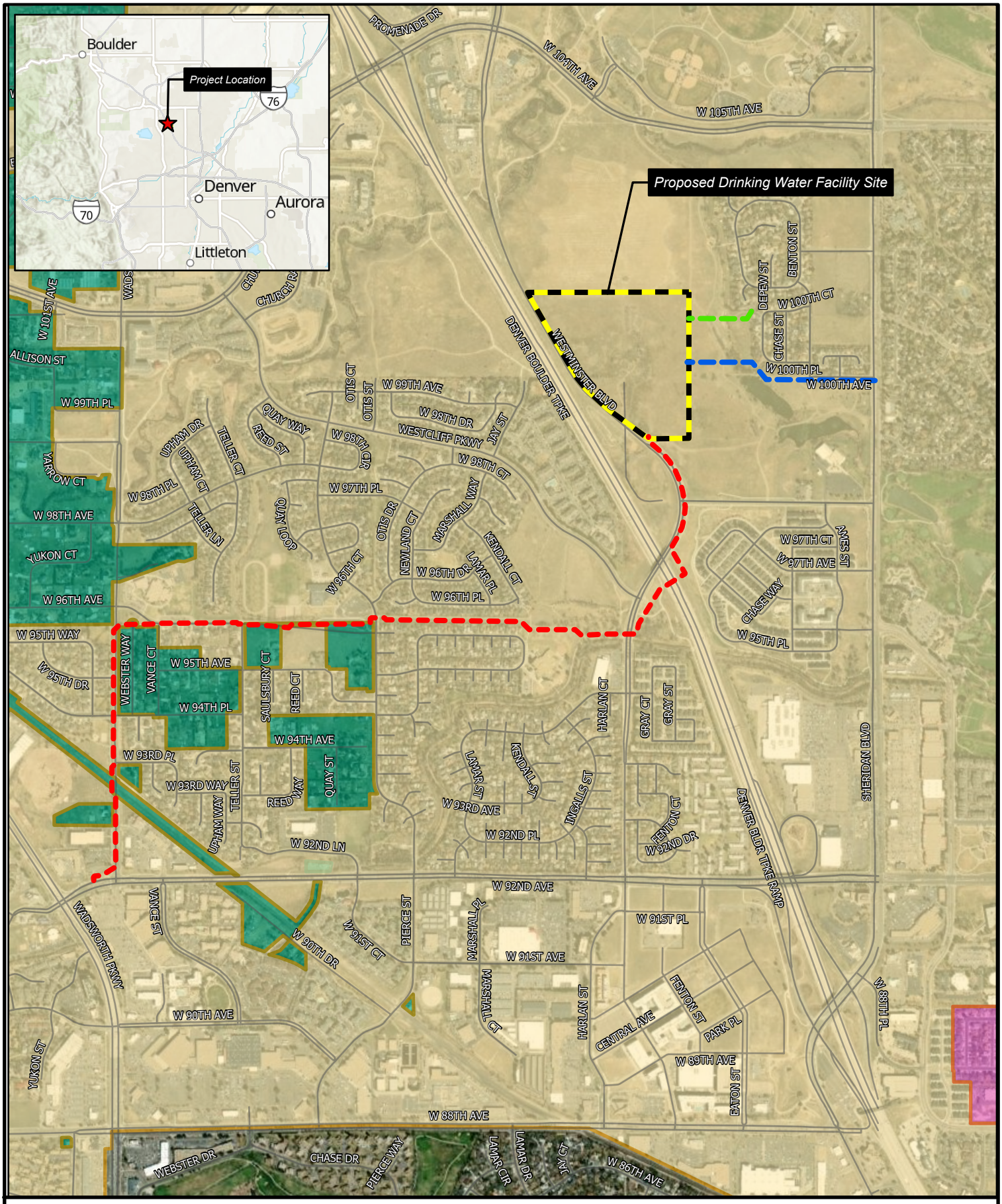
We look forward to your comments. If you have any questions about this request, please contact Julie Smith at 661-714-5953 or jsmith2@olsson.com.

Sincerely,

Stephanie Bleiker

Stephanie Bleiker, PE
Project Manager / Senior Engineer
City of Westminster

Enclosures: Project Area Map, Planning Area Map



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olsson

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Westminster, Colorado
Project Area Map
Figure 1

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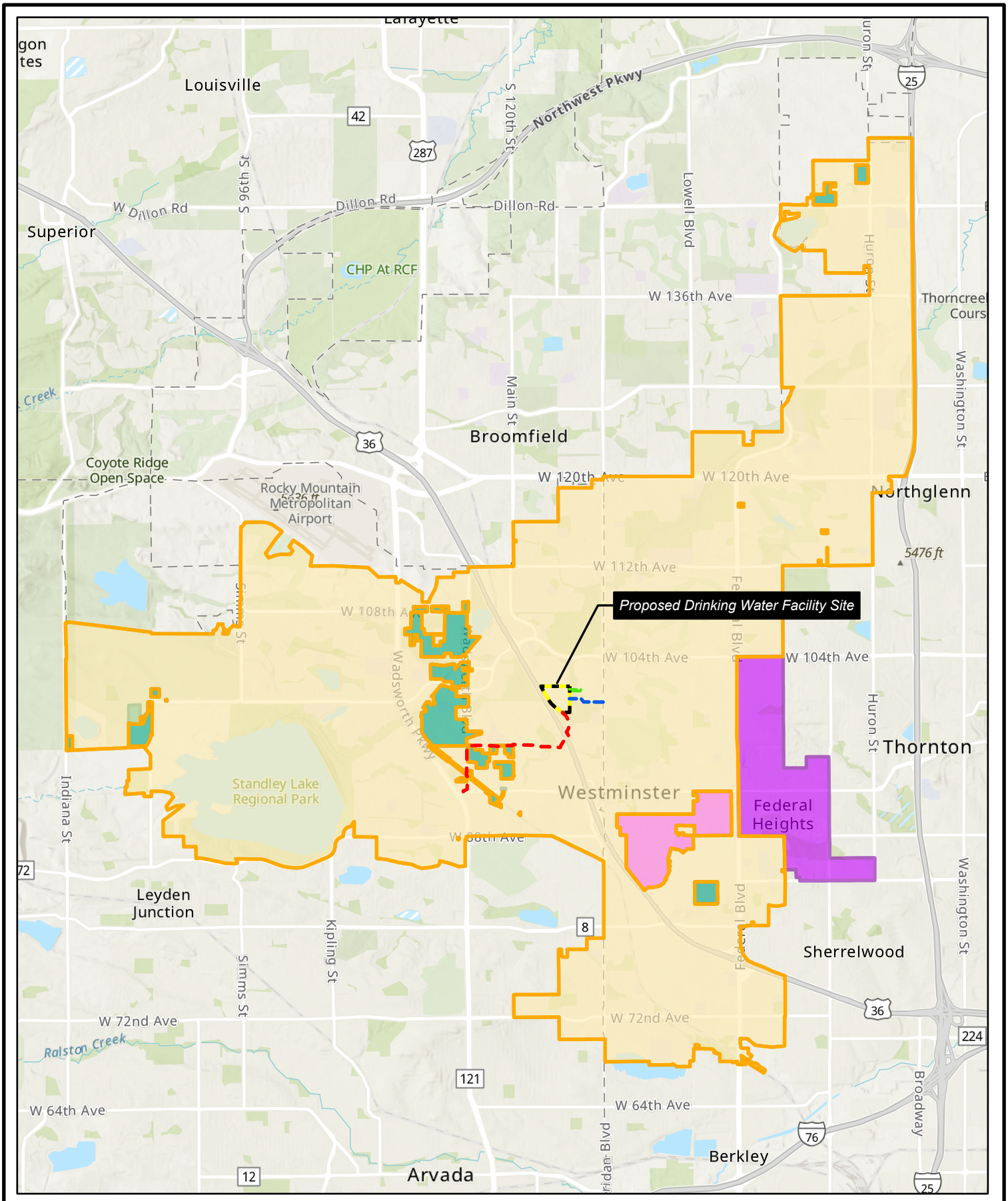
Basemap: ESRI World Imagery



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olsson

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City of Westminster
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Westminster, Colorado
Planning Area Map
Figure 2

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery

WESTMINSTER

June 30, 2023

VIA EMAIL: mark.leslie@state.co.us

Mr. Mark Leslie
Northeast Regional Manager
Colorado Parks and Wildlife
6060 Broadway
Denver, CO 80216

Re: City of Westminster
Westminster Boulevard Drinking Water Facility

Dear Mr. Leslie:

The City of Westminster (City) is proposing to construct the new Westminster Boulevard Drinking Water Facility (DWF) (Project) in central Westminster (Figure 1). The proposed Project, which would address aging infrastructure and source water quality challenges for the City, includes a new water treatment facility, associated finished and raw water pipelines, sanitary sewer line, lift station, forcemain, and associated utilities.

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CITY OF WESTMINSTER
Department of Public Works & Utilities
6575 West 88th Avenue
Westminster, Colorado 80031
P 303-658-2500
www.cityofwestminster.us

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WESTMINSTER

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Attn: Julie Smith
1525 Raleigh Street, Suite 400
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We look forward to your comments. If you have any questions about this request, please contact Julie Smith at 661-714-5953 or jsmith2@olsson.com.

Sincerely,

Stephanie Bleiker

Stephanie Bleiker, PE
Project Manager / Senior Engineer
City of Westminster

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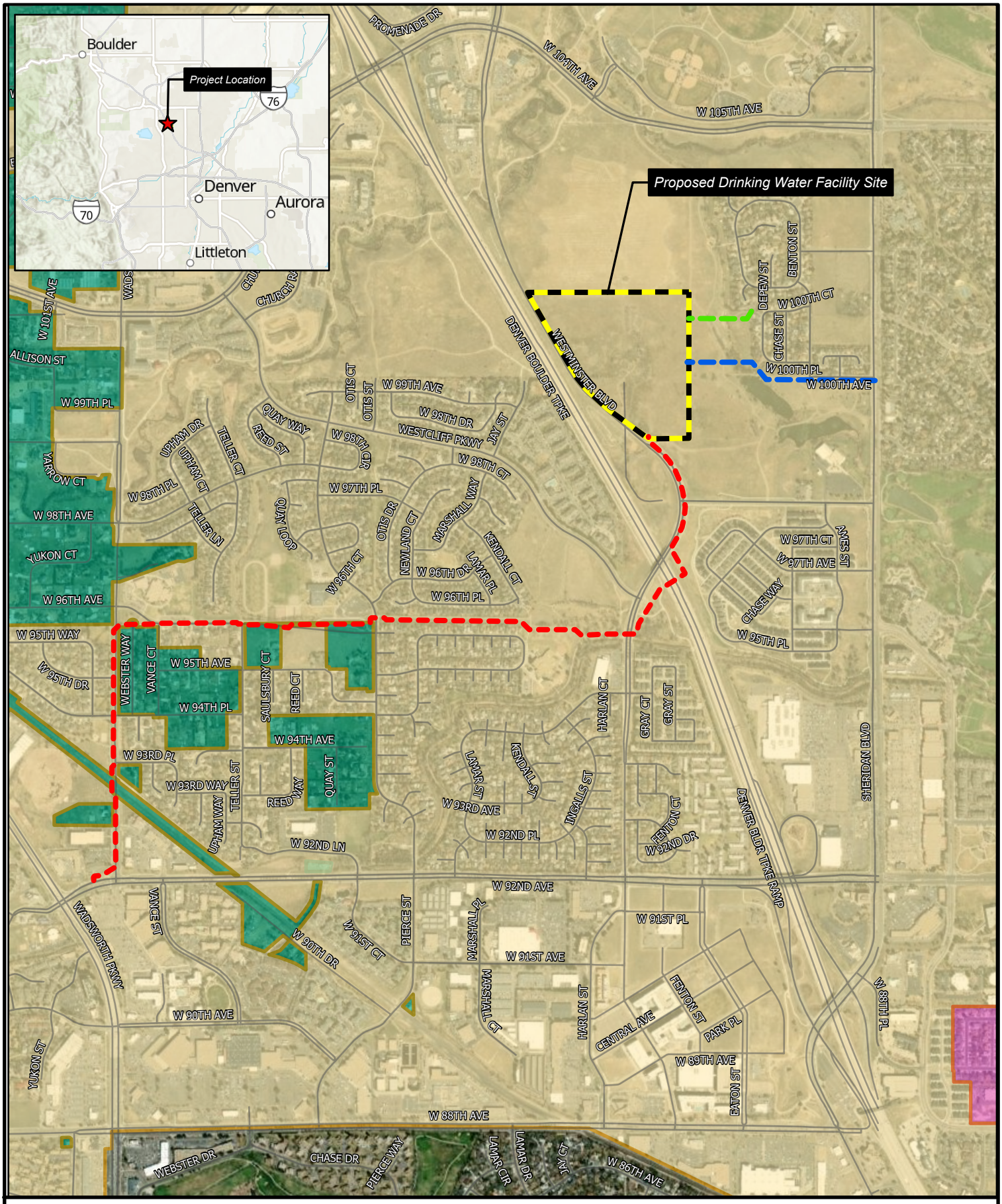

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Westminster, Colorado
Project Area Map
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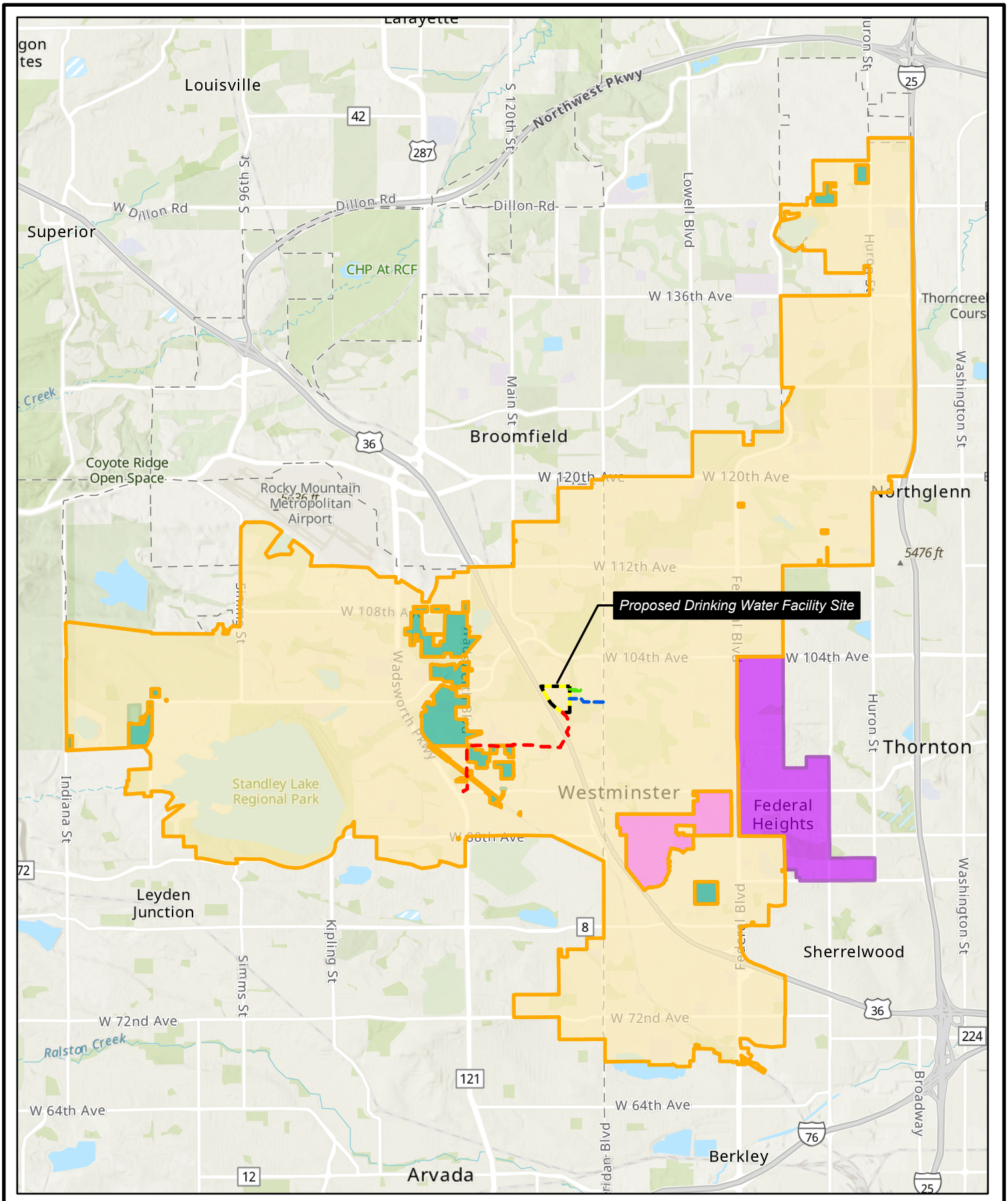

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Westminster, Colorado
Planning Area Map
Figure 2

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery

WESTMINSTER

June 30, 2023

VIA EMAIL: david_jacob@nps.gov

Mr. David Jacob
National Park Service
Intermountain Regional Office
Environmental Quality Division
12795 West Alameda Parkway
Lakewood, CO 80228

Re: City of Westminster
Westminster Boulevard Drinking Water Facility

Dear Mr. Jacob:

The City of Westminster (City) is proposing to construct the new Westminster Boulevard Drinking Water Facility (DWF) (Project) in central Westminster (Figure 1). The proposed Project, which would address aging infrastructure and source water quality challenges for the City, includes a new water treatment facility, associated finished and raw water pipelines, sanitary sewer line, lift station, forcemain, and associated utilities.

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WESTMINSTER

The City is applying for funding through the Drinking Water State Revolving Fund and Water Infrastructure Finance and Innovation Act. As part of the funding process, an environmental assessment (EA) is being prepared to analyze potential impacts on the physical, biological, and human environment from the proposed Project. The EA will evaluate direct impacts of proposed improvements within the Project Area, which corresponds to the DWF site and pipeline alignments (Figure 1). The EA study area for secondary and cumulative impacts, referred to as the Planning Area, includes the City's water service area (Figure 2).

The City would like your comments on the proposed Project, including resources and issues that should be included in the environmental analysis. Please respond with your comments by **July 30, 2023**. Please send your comments by email to Julie Smith, jsmith2@olsson.com or by mail to:

Olsson
Attn: Julie Smith
1525 Raleigh Street, Suite 400
Denver, CO 80204

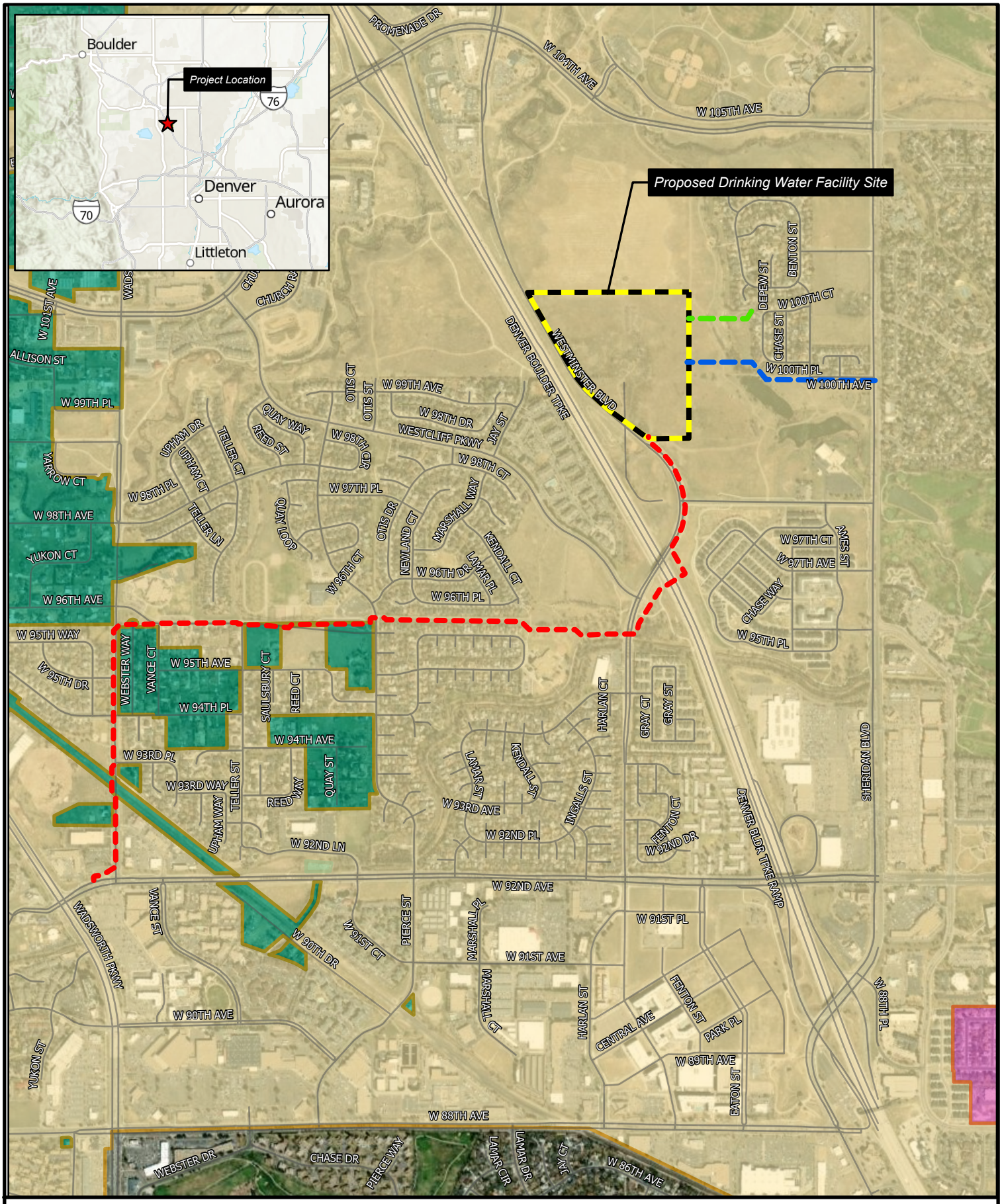
We look forward to your comments. If you have any questions about this request, please contact Julie Smith at 661-714-5953 or jsmith2@olsson.com.

Sincerely,

Stephanie Bleiker

Stephanie Bleiker, PE
Project Manager / Senior Engineer
City of Westminster

Enclosures: Project Area Map, Planning Area Map



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olsson

- Proposed Drinking Water Facility Site
- City of Westminster
- Shaw Heights Area
- Unincorporated Area

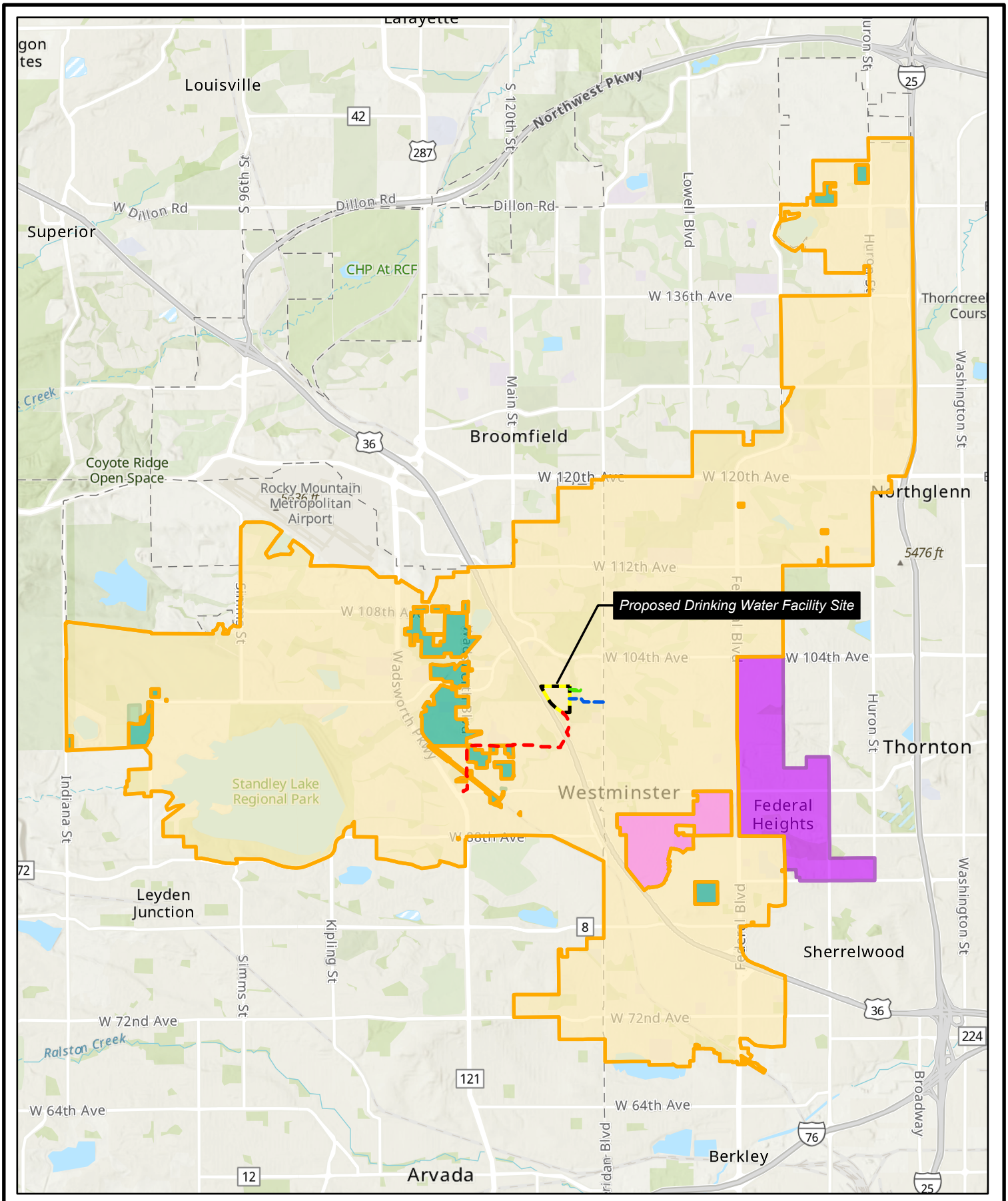
Preliminary Utility Routes

- Finished Water Pipeline
- Gravity Sanitary Sewer
- Raw Water Pipeline

City of Westminster
Westminster Blvd Drinking Water Facility Project
Westminster, Colorado
Project Area Map
Figure 1

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery



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olsson

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City of Westminster
Westminster Blvd Drinking Water Facility Project
Westminster, Colorado
Planning Area Map
Figure 2

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery

WESTMINSTER

June 30, 2023

VIA EMAIL: clint.evans@co.usda.gov

Mr. Clint Evans
State Conservationist
Natural Resources Conservation Service
Denver Federal Center
Building 56, Room 2604
P.O. Box 25426
Denver, CO 80225-0426

Re: City of Westminster
Westminster Boulevard Drinking Water Facility

Dear Mr. Evans:

The City of Westminster (City) is proposing to construct the new Westminster Boulevard Drinking Water Facility (DWF) (Project) in central Westminster (Figure 1). The proposed Project, which would address aging infrastructure and source water quality challenges for the City, includes a new water treatment facility, associated finished and raw water pipelines, sanitary sewer line, lift station, forcemain, and associated utilities.

The City owns and operates two potable water treatment facilities that supply water to customers – Semper Water Treatment Facility and Northwest Water Treatment Facility. The Semper facility is over 50 years old with a significant number of its assets at or beyond their predicted useful lives. The City's water treatment facilities do not have the firm capacity to meet established reliability goals, which require that maximum daily potable water demand be met with the largest treatment train out of service. Additional treatment redundancy is needed to meet these goals now and in the future. In addition, treatment challenges with the City's source water are anticipated as regulations increase around emerging contaminants, and the possibility of contaminated source water should there be a wildfire in the watershed. The Semper facility cannot treat the projected quality of source water under future potable water demands.

The proposed Westminster Boulevard DWF would allow for gradual replacement of the Semper facility production capacity. The new facility would use advanced technology to provide greater resiliency to address potential water quality challenges, flexibility to adapt to evolving regulatory standards, security to address future water shortages in water supply, space to accommodate the potential need for expansion and replacement in the future, and opportunities for environmental sustainability and resource stewardship.

CITY OF WESTMINSTER
Department of Public Works & Utilities
6575 West 88th Avenue
Westminster, Colorado 80031
P 303-658-2500
www.cityofwestminster.us

The proposed Project includes the following components:

- **Water Treatment Facility**: A DWF will be constructed on an undeveloped 40-acre parcel located at 9988 Westminster Boulevard, Westminster, Colorado 80020. The facility will be designed for future expansion (44.1 million gallons per day [mgd] buildout capacity); however, the initial phase of construction only includes a treatment capacity of 14.7 mgd. The drinking water facility process will incorporate conventional treatment using mechanical flocculation, plate settler enhanced sedimentation, intermediate ozonation, deep bed media biofiltration, and onsite residuals handling.

- **Finished Water Pipeline**: A 30-inch-diameter finished water pipeline will convey water from the DWF. The approximate 2,000-linear-foot (lf) finished water pipeline will extend from the eastern boundary of the water treatment facility, parallel to West 100th Avenue, and connect to an existing watermain along Sheridan Boulevard.

- **Raw Water Pipeline**: A 36-inch-diameter water pipeline will transport raw water to the DWF. Near the intersection of (old) Wadsworth Boulevard and West 92nd Avenue, the new raw water pipeline will connect to the existing Standley Lake Pipelines, which are owned and operated by the City. From this connection point, the approximately 11,000-lf raw water pipeline will extend north along (old) Wadsworth Boulevard, then east generally paralleling West 96th Avenue before crossing U.S. Highway 36 and heading north generally paralleling Westminster Boulevard. The pipeline will connect to the DWF at the southern boundary of the Project site.

- **Sewer Line**: An approximate 100-lf gravity sewer main will convey domestic wastewater from the DWF to a lift station located proximate to the DWF. The diameter of the gravity sewer main has not been determined at this time and will be a function of the sanitary load generated by the DWF.

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- **Forcemain**: Flows will be conveyed from the lift station through a 550-lf forcemain to an existing sanitary sewer manhole located near the access path from Depew Street to Waverly Acres Park. The location of the lift station has yet to be determined but is anticipated to be on the DWF site or on an abutting parcel to the east. The diameter of the forcemain has not been determined at this time and will be a function of the sanitary load generated by the DWF.

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WESTMINSTER

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Attn: Julie Smith
1525 Raleigh Street, Suite 400
Denver, CO 80204

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Stephanie Bleiker

Stephanie Bleiker, PE
Project Manager / Senior Engineer
City of Westminster

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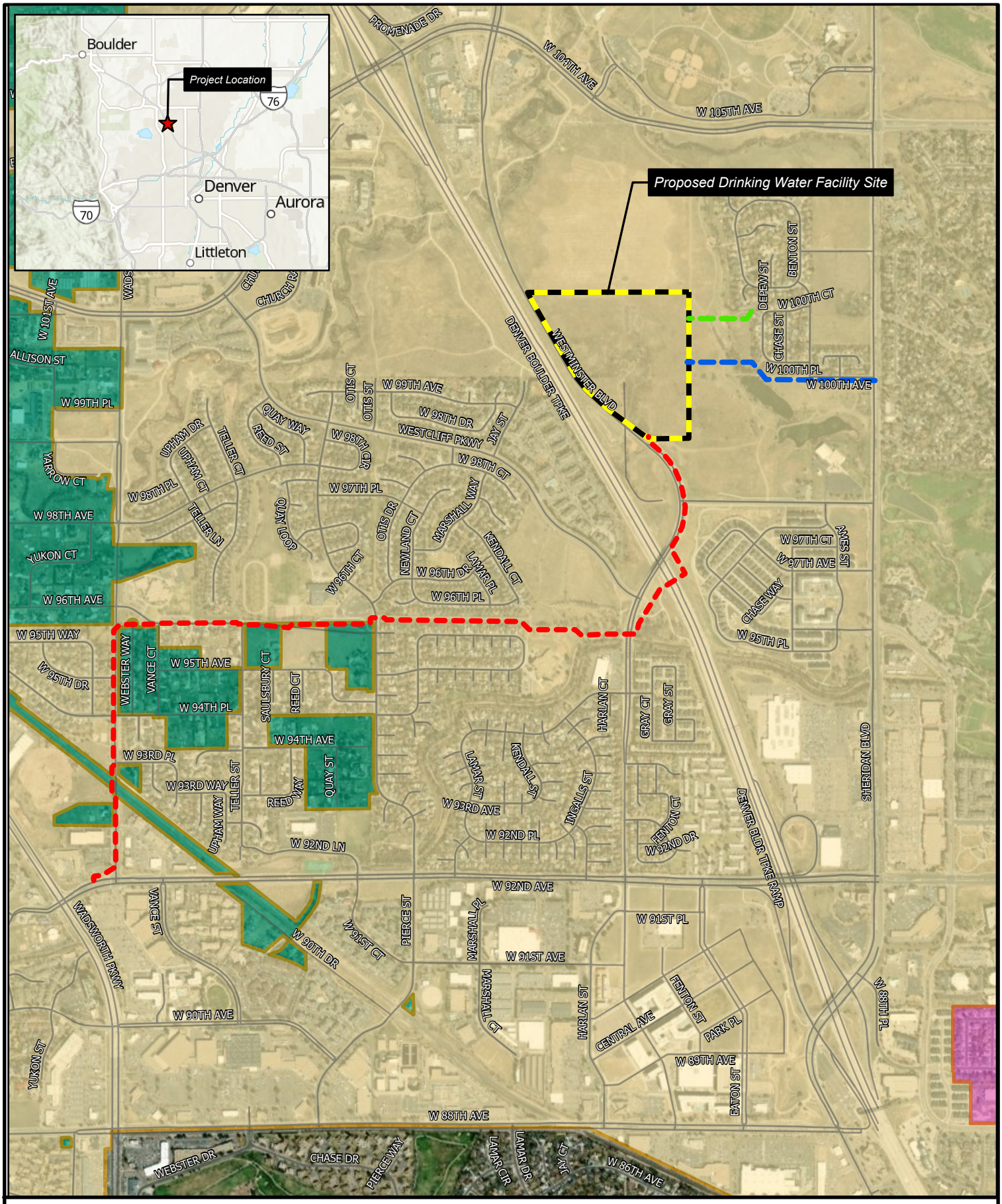

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olsson

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City of Westminster
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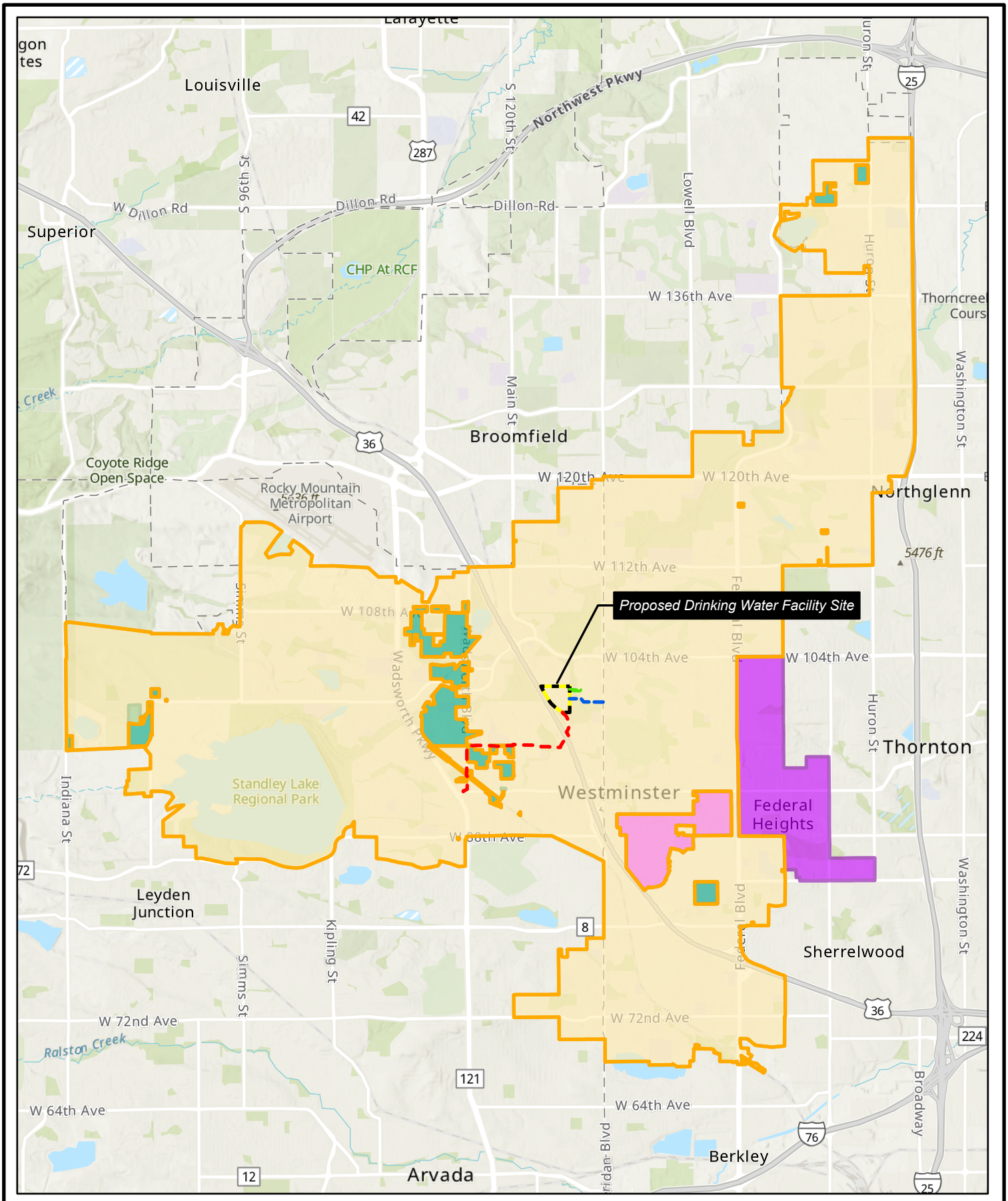
Westminster, Colorado
Project Area Map
Figure 1

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery



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olsson

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City of Westminster
Westminster Blvd Drinking Water Facility Project
Westminster, Colorado
Planning Area Map
Figure 2

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery

WESTMINSTER

June 30, 2023

VIA EMAIL: mark.tobias@state.co.us

Mr. Mark Tobias
State Historic Preservation Officer
History Colorado
1200 N Broadway
Denver, CO 80203

Re: City of Westminster
Westminster Boulevard Drinking Water Facility

Dear Mr. Tobias:

The City of Westminster (City) is proposing to construct the new Westminster Boulevard Drinking Water Facility (DWF) (Project) in central Westminster (Figure 1). The proposed Project, which would address aging infrastructure and source water quality challenges for the City, includes a new water treatment facility, associated finished and raw water pipelines, sanitary sewer line, lift station, forcemain, and associated utilities.

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CITY OF WESTMINSTER
Department of Public Works & Utilities
6575 West 88th Avenue
Westminster, Colorado 80031
P 303-658-2500
www.cityofwestminster.us

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WESTMINSTER

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Attn: Julie Smith
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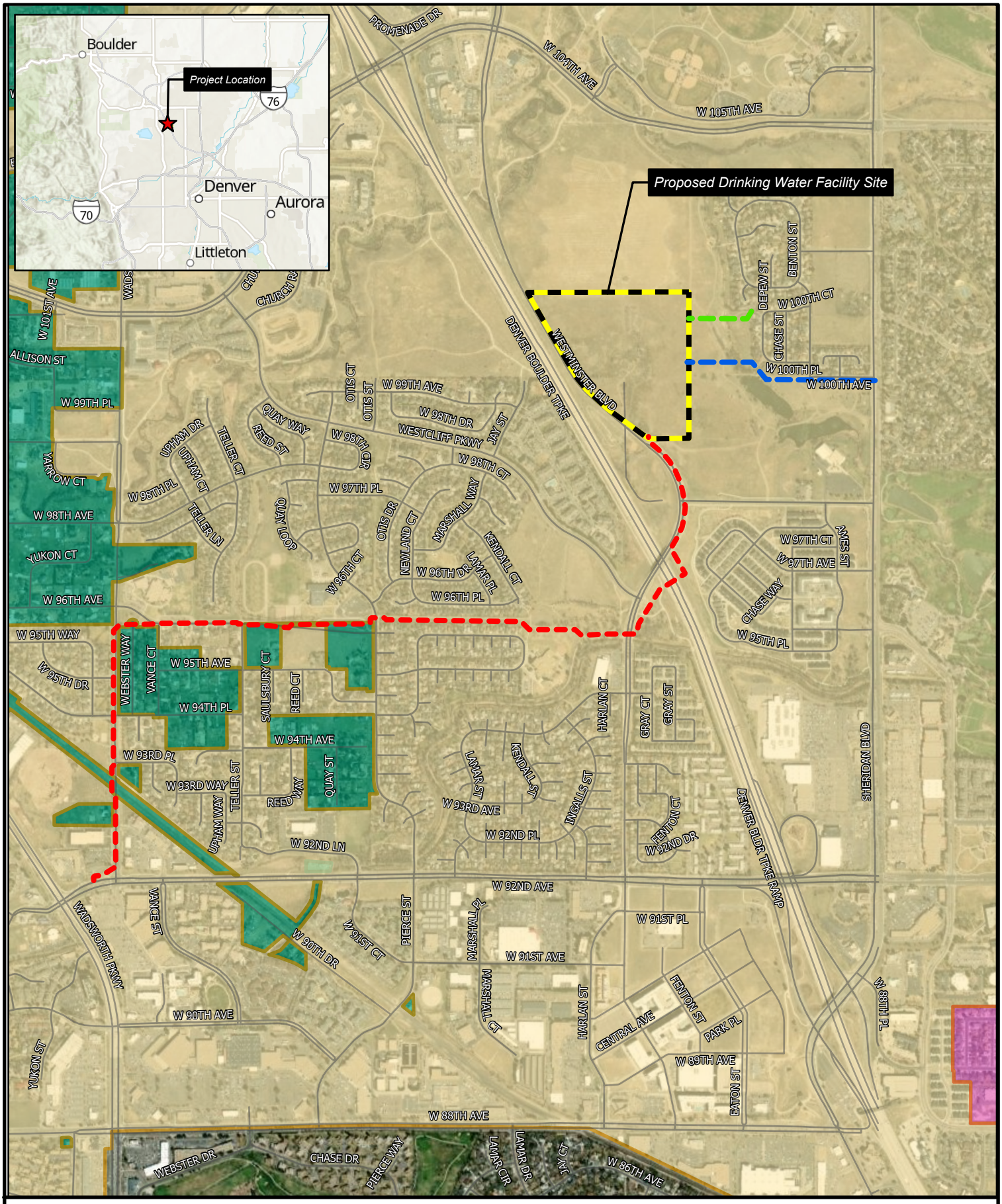
Sincerely,

Stephanie Bleiker

Stephanie Bleiker, PE
Project Manager / Senior Engineer
City of Westminster

Enclosures: Project Area Map, Planning Area Map



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olsson

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City of Westminster
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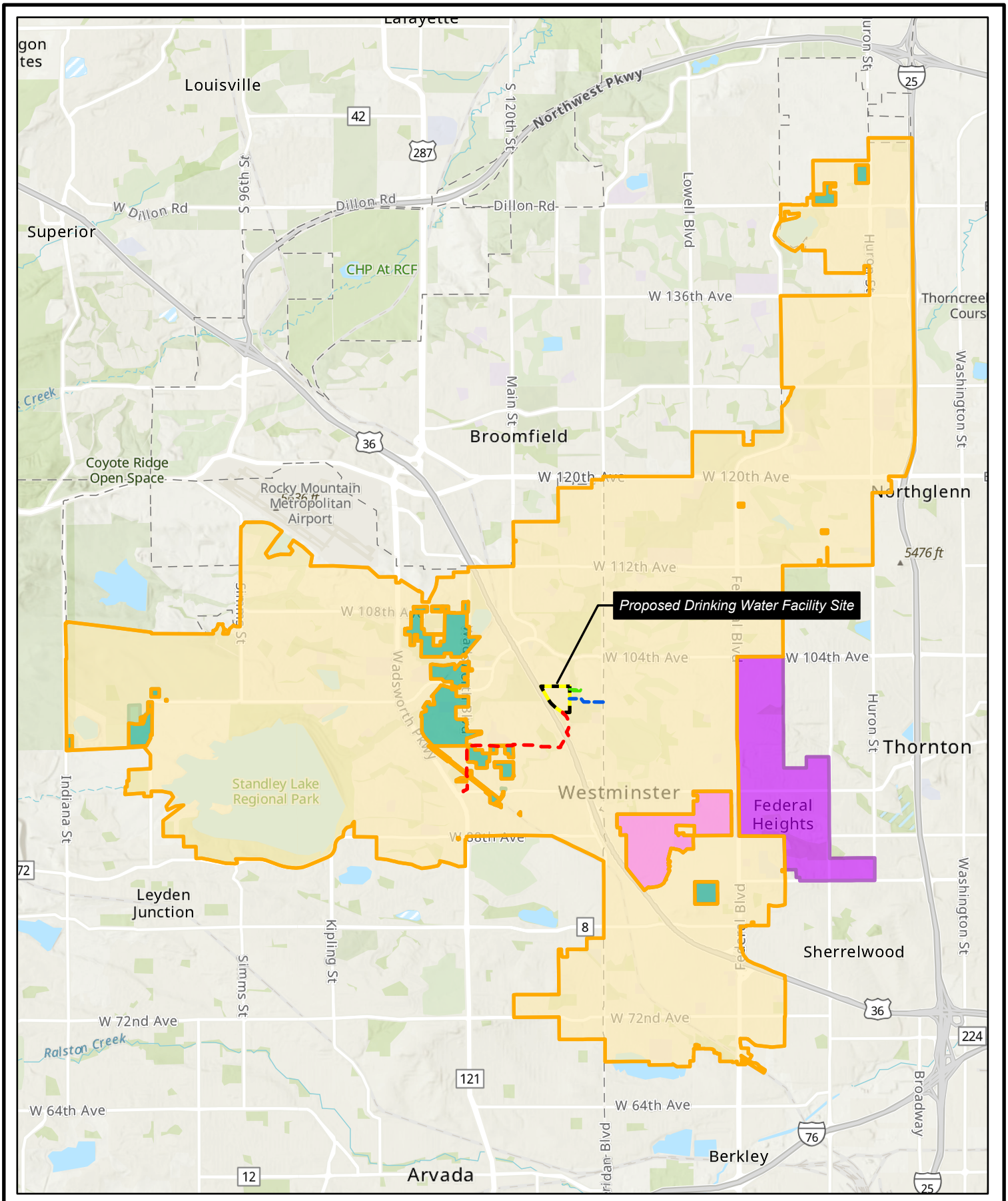
Westminster, Colorado
Project Area Map
Figure 1

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery



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City of Westminster
Westminster Blvd Drinking Water Facility Project
Westminster, Colorado
Planning Area Map
Figure 2

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery

WESTMINSTER

June 30, 2023

VIA EMAIL: matthew.r.montgomery@usace.army.mil

Mr. Matthew Montgomery
U.S. Army Corps of Engineers
Omaha District
Denver Regulatory Office
9307 South Wadsworth Boulevard
Littleton, CO 80128

Re: City of Westminster
Westminster Boulevard Drinking Water Facility

Dear Mr. Montgomery:

The City of Westminster (City) is proposing to construct the new Westminster Boulevard Drinking Water Facility (DWF) (Project) in central Westminster (Figure 1). The proposed Project, which would address aging infrastructure and source water quality challenges for the City, includes a new water treatment facility, associated finished and raw water pipelines, sanitary sewer line, lift station, forcemain, and associated utilities.

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CITY OF WESTMINSTER
Department of Public Works & Utilities
6575 West 88th Avenue
Westminster, Colorado 80031
P 303-658-2500
www.cityofwestminster.us

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WESTMINSTER

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Stephanie Bleiker

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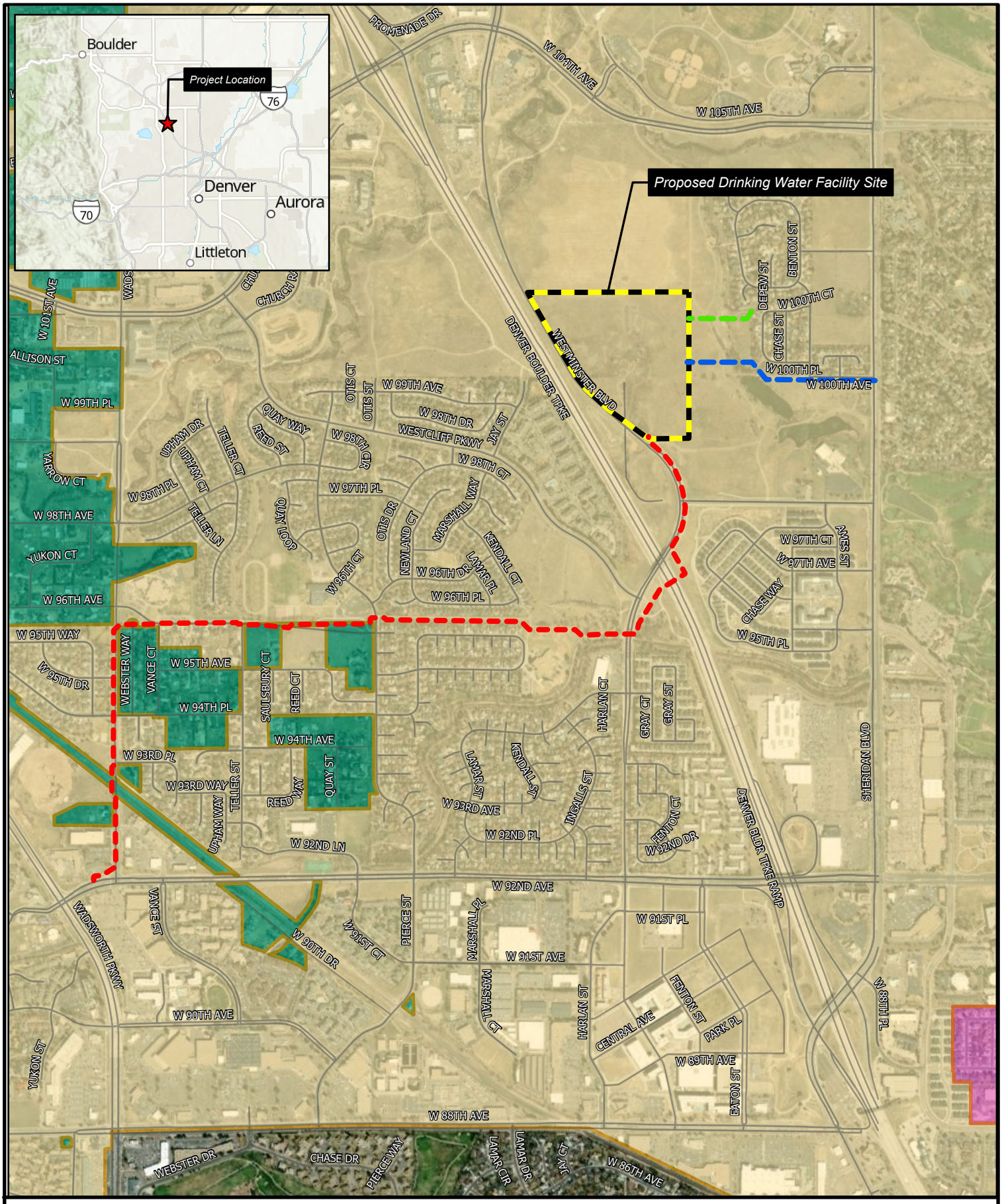

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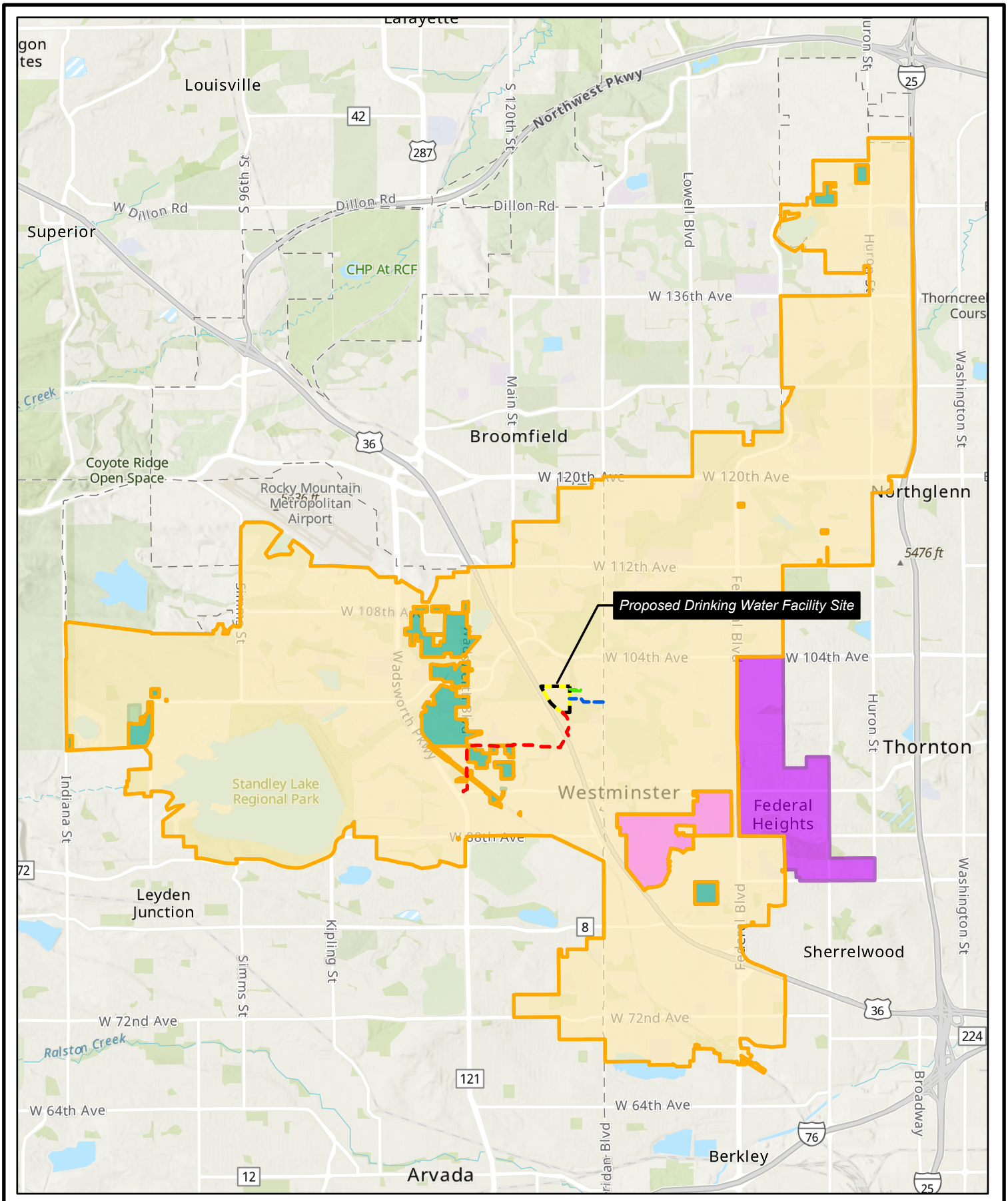

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City of Westminster
Westminster Blvd Drinking Water Facility Project
Westminster, Colorado
Planning Area Map
Figure 2

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery

WESTMINSTER

June 30, 2023

VIA EMAIL: liisa_niva@fws.gov

Ms. Liisa Niva, Field Supervisor
U.S. Fish & Wildlife Service
Ecological Services, Colorado Field Office
134 Union Blvd
Lakewood, CO 80228

Re: City of Westminster
Westminster Boulevard Drinking Water Facility

Dear Ms. Niva:

The City of Westminster (City) is proposing to construct the new Westminster Boulevard Drinking Water Facility (DWF) (Project) in central Westminster (Figure 1). The proposed Project, which would address aging infrastructure and source water quality challenges for the City, includes a new water treatment facility, associated finished and raw water pipelines, sanitary sewer line, lift station, forcemain, and associated utilities.

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CITY OF WESTMINSTER
Department of Public Works & Utilities
6575 West 88th Avenue
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1525 Raleigh Street, Suite 400
Denver, CO 80204

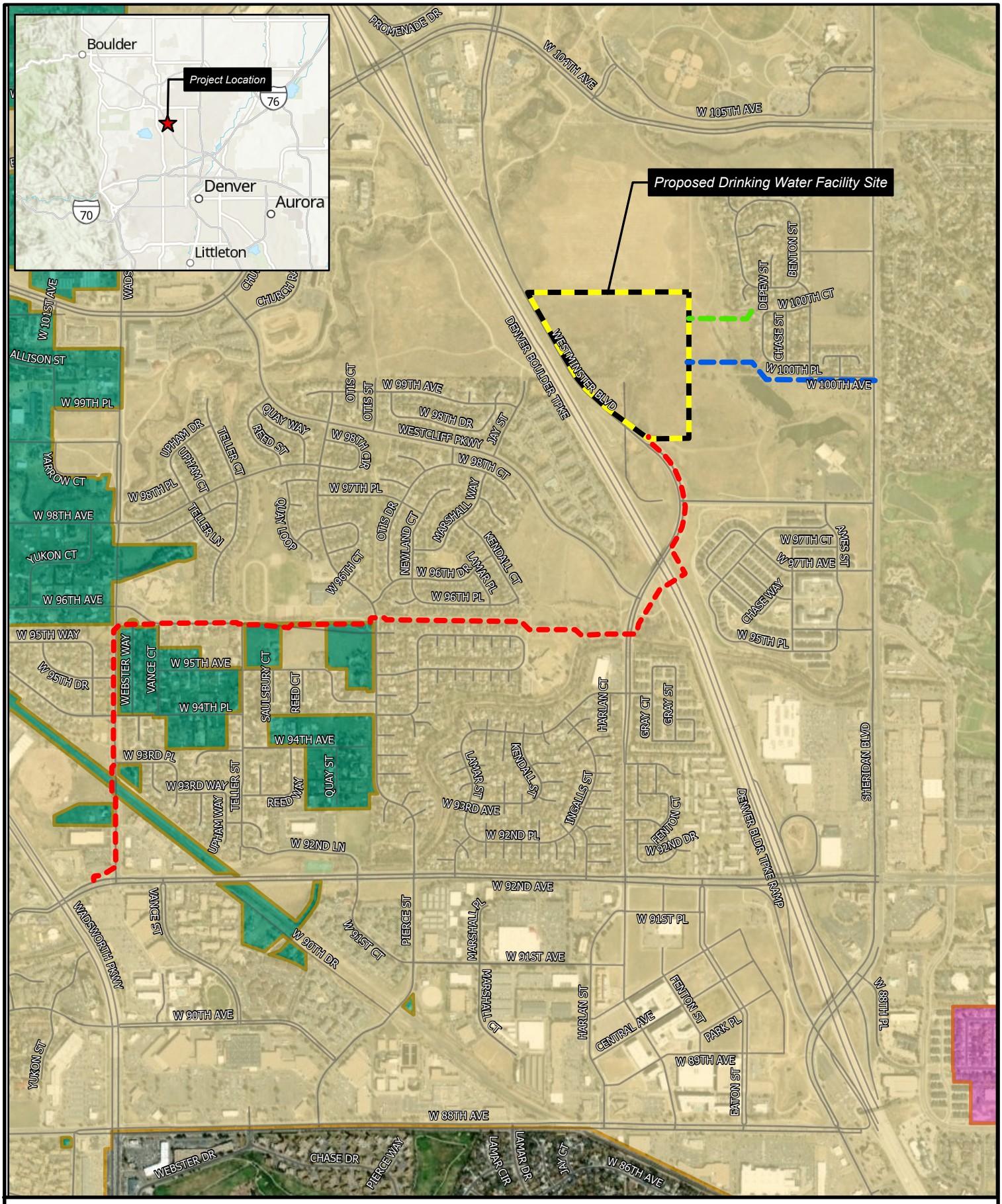
We look forward to your comments. If you have any questions about this request, please contact Julie Smith at 661-714-5953 or jsmith2@olsson.com.

Sincerely,

Stephanie Bleiker

Stephanie Bleiker, PE
Project Manager / Senior Engineer
City of Westminster

Enclosures: Project Area Map, Planning Area Map



N

0 375 750 1,500 Feet

1:15,000

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- Proposed Drinking Water Facility Site
- City of Westminster
- Shaw Heights Area
- Unincorporated Area

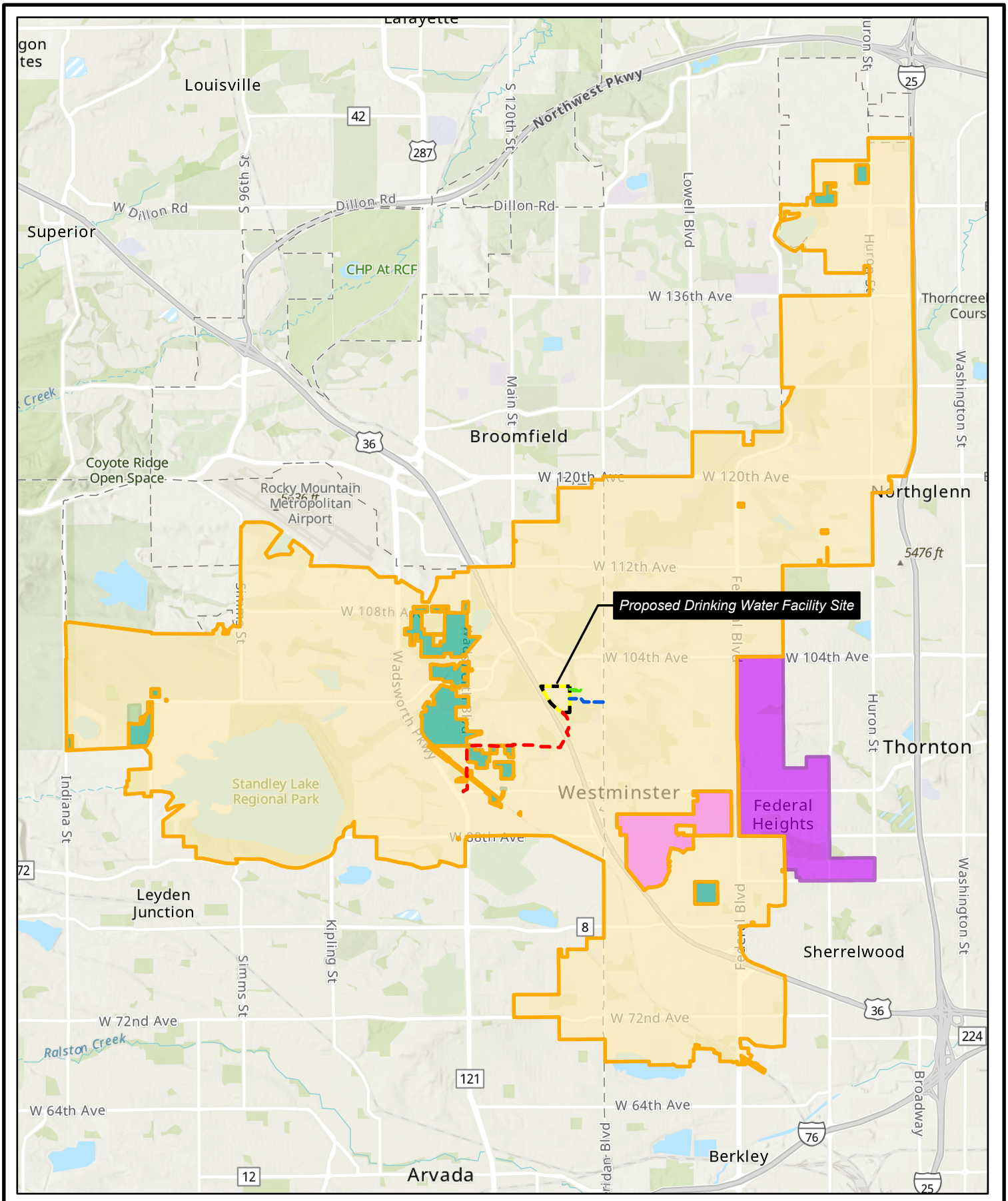
Preliminary Utility Routes

- Finished Water Pipeline
- Gravity Sanitary Sewer
- Raw Water Pipeline

City of Westminster
Westminster Blvd Drinking Water Facility Project
Westminster, Colorado
Project Area Map
Figure 1

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery



N

0 0.375 0.75 1.5 Miles

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- Proposed Drinking Water Facility Site
- City of Westminster
- Shaw Heights Area
- Unincorporated Area

Preliminary Utility Routes

- Finished Water Pipeline
- Gravity Sanitary Sewer
- Raw Water Pipeline

City of Westminster
Westminster Blvd Drinking Water Facility Project
Westminster, Colorado
Planning Area Map
Figure 2

NAD 1983 StatePlane Colorado Central FIPS 0502 Feet

Basemap: ESRI World Imagery

APPENDIX H
AGENCY SCOPING RESPONSE LETTERS RECEIVED

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE
9307 SOUTH WADSWORTH BLVD
LITTLETON, CO 80128-6901

SUBJECT: Section 404 of the Clean Water Act Initial Comments

To whom it concerns:

In accordance with Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers reviews and authorizes any work associated with the discharge of dredged or fill material, and any excavation associated with a dredge or fill project, either temporary or permanent, in waters of the United States. Waters of the United States may include ephemeral, intermittent and perennial streams, wetlands, lakes, ponds, drainage ditches and irrigation ditches. Please note that the discharge of dredged or fill material into upland areas or aquatic resources which are not waters of the United States does not require authorization from this office.

Jurisdictional Determinations identify the locations and amounts of aquatic resources within a specified area to determine if they are or are not waters of the United States. Prior to submitting a request for a Jurisdictional Determination, we recommend a wetland delineation be conducted in the field by a qualified environmental consultant. A wetland delineation identifies the boundaries of aquatic resources located within your project area and must be conducted using the methods outlined in the Corps of Engineers Wetlands Delineation Manual and applicable regional supplements.

Nationwide Permits authorize common types of dredge and fill activities in waters of the United States that will result in a minimal adverse effect to the environment. Some fill activities require a pre-construction notification (PCN) to the Corps prior to any work and possibly coordination with other local or state agencies. Descriptions of the current nationwide permits and their general conditions can be found at:

https://www.nwo.usace.army.mil/Missions/Regulatory-Program/Colorado/

Regional General Permits authorize specific types of dredge and fill activities in waters of the United States that will result in a minimal adverse effect to the environment. These fill activities require a pre-construction notification to the Corps prior to starting work, and possibly coordination with other local or state agencies. Please note several of the RGP's are applicant and location specific. Descriptions of the current regional general permit activities and their general conditions can be found at:

https://www.nwo.usace.army.mil/Missions/Regulatory-Program/Colorado/Regional-General-Permits/

Standard Individual Permits authorize dredge and fill activities that do not qualify for Nationwide or Regional General Permits. We recommend contacting the Denver Regulatory Office to arrange for a pre-application consultation prior to applying for a

Standard Individual Permit. Standard Individual Permits include public interest review procedures, including public notice, notification of adjacent property owners and review of public and agency comments. Standard Individual Permits require an evaluation of effects for a range of alternatives. The Corps will evaluate practicable (cost, logistics, and technology) alternatives that meet the overall project purpose for environmental effects. Alternatives can include off-site alternatives and alternative designs. When evaluating Standard Individual Permit applications, the Corps can only issue a permit for the least environmentally damaging practicable alternative (LEDPA). In some cases, the LEDPA may not be the applicant's preferred alternative. The Standard Individual Permit application form and instructions can be found at:

https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-andPermits/Obtain-a-Permit/

A federal action occurs when a discharge of dredged or fill material into waters of the United State requires a Clean Water Act Section 404 permit. For the Corps to make a permit decision, the applicant must provide enough information to demonstrate compliance with Section 106 of the National Historic Preservation Act (NHPA) and Section 7 of the Endangered Species Act (ESA).

Dredge and fill activities in waters of the United States must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to the maximum extent practicable at the project site. Mitigation, including avoiding, minimizing, rectifying, reducing, or compensating for resource losses, will be required to the extent necessary to ensure that the adverse effects to the aquatic site are minimal.

Any loss of function at an aquatic site may require compensatory mitigation. Compensatory mitigation must take into consideration the mitigation hierarchy and only the environmental preferable type of mitigation will be approved as outlined in 33 CFR 332. Often, this results in the permittee being required to purchase credits from an approved mitigation bank. Mitigation requirements will be determined during the Clean Water Act Section 404 review process.

If the activity you described would impact waters of the United States, the Denver Regulatory Office should be notified. Please include a map identifying dimensions of work in each aquatic site, the county, Township, Range and Section and the latitude and longitude of the activity in decimal degrees, along with a description of your request, to the Denver Regulatory Office mailbox located at DenverRegulatoryMailbox@usace.army.mil or contact the Denver Regulatory Office at 303-979-4120.

Sincerely,

Kiel Downing
Chief, Denver Regulatory Office

Olsson
Attn: Julie Smith
1525 Raleigh Street, Suite 400
Denver, CO 80204

Re: City of Westminster
Westminster Boulevard Drinking Water Facility

Dear Julie Smith,

The Colorado Department of Public Health and Environment's Air Pollution Control Division (APCD or Division) received a request for conformity review request regarding the proposed Westminster Boulevard Drinking Water Facility project. The Division has reviewed the project letter and respectfully offers the following comments. Please note that the following Air Quality Control Commission (AQCC) regulations may not be inclusive of the regulations the proposed project will be subject to. It is the responsibility of the involved parties to determine what regulations they are subject to and follow them accordingly.

APEN and Regulation No. 3

We note that projects similar to this proposal have included the use of engines and/or generators. In Colorado, most businesses that are or will be emitting air pollutants above certain levels are required to report those emissions to the Division by completing an Air Pollutant Emissions Notice (APEN). This is a two in one form for reporting air emissions and to obtain an air permit, if a permit will be required. While only businesses that exceed the AQCC reporting thresholds are required report their emissions, all businesses - regardless of emission amount - must always comply with the Colorado AQCC regulations. APEN and permit reporting thresholds are provided at https://cdphe.colorado.gov/apens-and-air-permits/apen-and-permit-threshold-table. We note that your project may be exempt from APEN requirements if any one of the follow reasons apply to your project:[1]

- Is a stationary internal combustion engine that is an emergency power generator that operates no more than 250 hrs/year; or
- Is a stationary internal combustion engine with uncontrolled actual emissions less than 5 tons per year for each individual criteria pollutant emitted; or
- Is a stationary internal combustion engine with manufacturer's site-rated horsepower of less than 50

Please refer to https://cdphe.colorado.gov/apens-and-air-permits/air-permits-for-non-oil-gas for additional information on engines and generators APEN and permitting requirements. Emission calculation spreadsheets are also provided.

VOC and Hazardous Air Pollutants (HAPS) Analysis for Wastewater Projects

An Air Pollutant Emissions Notice (APEN) for VOC and HAPS may be required depending on the existing and new throughput of your facility. Municipal wastewater projects may use the following chart to estimate VOC and HAPs emissions in order to determine if they are required to submit an APEN under Regulation Number 3.

Pollutant	Emission Factor Lb/MM gallon	Reporting Threshold
VOC	3.49414	1 ton/year OR 2 ton/year
Hexane	0.41207	250 lbs/year
Perchloroethylene	0.00890	
Benzene	0.22873	
Toluene	0.00267	
Total Xylene	0.00267	
Ammonia	19.0000	

[1]APEN or Permit Exemptions, CDPHE, https://cdphe.colorado.gov/apens-and-air-permits/common-apen-or-air-permit-exemptions

Odor
All businesses in Colorado are subject to AQCC Regulation Number 2 (Odor Emission) and a permit may be required for the installation of odor control equipment. Please refer to AQCC Number 2 for guidance on odor suppression actions. You may also view the complete regulatory language at https://cdphe.colorado.gov/aqcc-regulations.

Land Development
We also note that projects similar to this proposal often involve land development. Under Colorado air quality regulations, land development refers to all land clearing activities, including but not limited to land preparation such as excavating or grading, for residential, commercial or industrial development. Land development activities release fugitive dust, a pollutant regulation by the Division. Small land development activities are not subject to the same reporting and permitting requirements as large land activities. Specifically, land development activities that are less than 25 contiguous acres and less than 6 months in duration do not need to report air emissions to the Division. **It is important to note that even if a permit is not required, fugitive dust control measures included the Land Development APEN Form APCD-223 must be followed at the site.** Fugitive dust control techniques commonly included in the plan are included in the table below.

Control Options for Unpaved Roadways	
Watering	Use of chemical stabilizer
Paving	Controlling vehicle speed
Graveling	
Control Options for Mud and Dirt Carry-Out Onto Paved Surfaces	
Gravel entry ways	Washing vehicle wheels
Covering the load	Not overfilling trucks
Control Options for Disturbed Areas	
Watering	Application of a chemical stabilizer
Revegetation	Controlling vehicle speed
Compaction	Furrowing the soil
Wind Breaks	Minimizing the areas of disturbance
	Synthetic or Natural Cover for Slopes

Please refer to the website https://cdphe.colorado.gov/apens-and-air-permits for information on land use APENs and permit forms. Click on "Land Development" to access the land development specific APEN form. Please contact KC Houlden, Construction Permits Unit Supervisor, at 303-692-4092, kenneth.houlden@state.co.us if you have any specific questions about APENs and permit forms.

Federal General Conformity (if project is federally funded)
The federal General Conformity rule applies to federally funded projects in federal nonattainment and air quality maintenance areas, such as the Denver Metro/North Front Range severe ozone nonattainment area.[2] Within these areas, the general conformity rule applies to any "Federal action" not specifically exempted by the Clean Air Act or Environmental Protection Agency (EPA) regulations, i.e., any non-exempt activity by a federal governmental department, agency or instrumentality, or any activity that such an entity supports in any way, provides financial assistance for, or licenses, permits, or approves.

The federal general conformity rule and associated EPA guidance provides for a federal department or instrumentality to determine if the estimated emissions resulting from a proposed action in a nonattainment or maintenance area are below EPA's de minimis levels for the applicable National Ambient Air Quality Standard (NAAQS).[3] Note that Adams County Is also located in the Denver Metro Carbon Monoxide Maintenance Area and the Denver Metro PM10 Maintenance Area. EPA has confirmed that General Conformity requirements associated with Carbon Monoxide and PM10 no longer apply in those maintenance areas, as each of the areas demonstrated 20-years of continued attainment of the applicable NAAQS, as of January 14, 2022 and October 16, 2022.

The General Conformity de minimis levels for the Denver Metro/North Front Range severe ozone nonattainment area are 25 tons per year of the ozone precursors VOCs or NOx. If a federal department or instrumentality determines that its action will result in emissions that are below the de minimis levels, the action is exempt and detailed air quality analysis is not required. Information about the general conformity rule, including training and frequently asked questions, is available at https://www.epa.gov/general-conformity.

[2] U.S. EPA, Green Book, Colorado, https://www3.epa.gov/airquality/greenbook/anayo_co.html
[3] U.S. EPA, De Minimis Tables, https://www.epa.gov/general-conformity/de-minimis-tables

If you have any other questions or need additional assistance, please call or e-mail me directly. Thank you for contacting the Air Pollution Control Division about requirements for your project.

Sincerely,

Richard Coffin
Supervisor, General SIP Unit
Planning and Policy Program
Air Pollution Control Division
Colorado Department of Public Health and Environment
303-692-3127 / richard.coffin@state.co.us

From:	Dickinson - DNR, Wenli
To:	Julie Smith
Cc:	Comaniciu - DNR, Ioana
Subject:	Re: City of Westminster, Westminster Boulevard Drinking Water Facility Scoping Letter
Date:	Friday, June 30, 2023 7:57:48 PM
Attachments:	Olsson_RGB_email_d55ef253-8cc7-4e67-9c4f-de6229091c98.png

Hi Julie,

DWR has reviewed the referral for the new City of Westminster, Westminster Boulevard Drinking Water Facility. This office does not provide comments on infrastructure. No information was provided regarding proposed water uses, estimated water demands, or the city's water supplies. Therefore this office has no comments on this referral.

Please let me know if you have any questions.

Regards,

Wenli Dickinson, P.E.
Water Resource Engineer
P 303.866.3581 x8206
1313 Sherman St, Suite 821, Denver, CO 80203
wenli.dickinson@state.co.us | dwr.colorado.gov

---------- Forwarded message ---------
From: **Julie Smith** <jsmith2@olsson.com>
Date: Fri, Jun 30, 2023 at 4:02 PM
Subject: City of Westminster, Westminster Boulevard Drinking Water Facility Scoping Letter
To: ioana.comaniciu@state.co.us <ioana.comaniciu@state.co.us>
Cc: Bleiker, Stephanie <sbleiker@cityofwestminster.us>, Miesen, Paniz B. <miesenpb@cdmsmith.com>

Dear Ms. Comaniciu:

The City of Westminster (City) is proposing to construct the new Westminster Boulevard Drinking Water Facility (DWF) (Project) in central Westminster. The proposed Project, which would address aging infrastructure and source water quality challenges for the City, includes a new water treatment facility, associated finished and raw water pipelines, sanitary sewer line, lift station, forcemain, and associated utilities. The attached scoping letter and maps provide additional information on the proposed Project.

The City is applying for funding through the Drinking Water State Revolving Fund and Water Infrastructure Finance and Innovation Act. As part of the funding

process, an environmental assessment is being prepared to analyze potential impacts on the physical, biological, and human environment from the proposed Project.

The City would like your comments on the proposed Project, including resources and issues that should be included in the environmental analysis. Please respond with your comments by **July 30, 2023**. Please send your comments by email to Julie Smith, jsmith2@olsson.com or by mail to:

Olsson

Attn: Julie Smith

1525 Raleigh Street, Suite 400

Denver, CO 80204

We look forward to your comments. If you have any questions about this request, please contact me at 661-714-5953 or jsmith2@olsson.com.

Julie Smith
Technical Leader / Environmental Planning & Permitting
D 214.807.4620
C 661.714.5953