Development Review Team Comments

Date: 12/23/2019
Project Number: PLN2019-00008
Project Name: Second Creek Interceptor

Commenting Division: Plan Coordination 2nd Review
Name of Reviewer: Greg Barnes
Date: 12/23/2019
Email: gjbarnes@adcogov.org
Resubmittal Required

Commenting Division: Planner Review 2nd Review
Name of Reviewer: Greg Barnes
Date: 12/07/2019
Email: gjbarnes@adcogov.org

There are two remaining issues that I'm hoping we can make some progress on before scheduling public hearings:

1. I'd like to clarify the justification for locating the line along the Sisneros property. Please resubmit a written justification, or consider relocating the line.
2. I would like for the issues addressed by our Parks and Facilities Departments to be resolved.
Commenting Division: Development Engineering Review 2nd Review
Name of Reviewer: Matthew Emmens
Date: 12/11/2019
Email: memmens@adcogov.org

Resubmittal Required
Review complete. Comment ENG7 remains open. See doc #6014132. Applicant must acknowledge and accept the Condition of Approval.

Commenting Division: Parks Review 2nd Review
Name of Reviewer: Aaron Clark
Date: 12/06/2019
Email: aclark@adcogov.org

Resubmittal Required
Please see attached letter from Sean Braden dated 12/06/2019

Commenting Division: SIA Review 1 - Finance
Name of Reviewer: Megan Ulibarri
Date: 11/18/2019
Email:
Complete

Commenting Division: SIA Review 1 - Attorney
Name of Reviewer: Megan Ulibarri
Date: 11/18/2019
Email:
Complete
Commenting Division: Application Intake 2nd Review
Name of Reviewer: Megan Ulibarri
Date: 11/18/2019
Email:
Complete

Commenting Division: Application Intake 2nd Review
Name of Reviewer: Kevin Mills
Date: 09/04/2019
Email:
Complete

Commenting Division: Planner Review
Name of Reviewer: Greg Barnes
Date: 08/22/2019
Email: gjbarnes@adcogov.org
Resubmittal Required
PLN01: Please provide e-mail addresses in Section 1.6
PLN02: There is no description of two alternative routes. Please provide.
Commenting Division: Environmental Analyst Review
Name of Reviewer: Katie Keefe
Date: 08/19/2019
Email:

Complete

ENV1: Numerous sections of pipe infrastructure cross parcels covered by the Natural Resource Conservation Overlay (NRCO) district. The intent of the NRCO is to protect environmentally valuable areas and wildlife corridors associated with rivers, streams, riparian ecosystems and wetlands. All development must comply with the NRCO buffers/setbacks requirements in section 4-11-02-04-02.

ENV2: As noted in the project Information Report for the Second Creek Interceptor, an Environmental Assessment will be completed during the design phase of the project. The Environmental Assessment, as described, appears to meet the objectives of a Resources Review, which is required when development disturbs more than 1-acre of land within the NRCO. A Resources Review must be completed by a qualified professional prior to application submittal and provided to the county so that it may be taken into consideration. See section 4-11-02-03-04 for Resource Review methodology and content requirements.

Comment

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Adams County Parks, Open Space and Cultural Arts Dept. (ACPOSCAD) has the following comments on the Second Creek Interceptor project.

• The District will not commence any construction without first obtaining all necessary approvals, permits, and authorizations from Adams County Tri-County Health and/or the State of Colorado.

• Any work being done within the boundaries of the Riverdale Regional Park (including the Riverdale Golf Courses) shall only take place during November – February.

• The District will utilize its best efforts to coordinate its overall construction schedule with any infrastructure construction or event(s) contemplated and scheduled by the County in order to minimize the disruption of County construction efforts and/or special events.

• Project shall not cause closure of any Adams County Trail. The District shall maintain a safe alternative for trail users throughout the duration of the project. District will provide and maintain all safety barriers and will be required to coordinate necessary traffic control. The District shall submit a traffic control plan, in advance, which will have to be approved in advance by the County prior to any physical work being initiated.

• Adams County Parks Open Space and Cultural Arts and Riverdale Golf staff shall be included in constitution meetings and/or project meetings and will be included in the distribution of any project correspondence.

Contact for Golf Course work: Steve Bruning Steve@riverdalegolf.com (303) 659-4700
Contact for Regional Park work: Kurt Carlson kcarlson@adcogov.org (303) 637-8013

• After the project, the District shall return the site to its native and/or pre-construction state.

• District will be responsible for any damages that are caused by the project and/or by any contractor /
subcontractor doing work for the District.

- Adams County shall not be responsible for the maintenance and upkeep of any District facilities.

**Commenting Division:** ROW Review

**Name of Reviewer:** Marissa Hillje  
**Date:** 08/08/2019  
**Email:** mhillje@adcogov.org

**Complete**

**ROW1:** Pipelines should be located in easements on private property. Said easements should be placed outside of the ultimate Right-of-ways of County roads as delineated by the Adams County Transportation Plan, approved 2012.

**ROW2:** Encroachment upon Future Right-of-Way. In any segment of the Project that is parallel to an Adams County right-of-way, the pipeline shall be constructed a minimum of five (5) feet from the edge of the maximum future right-of-way width, as designated in the Adams County 2012 Transportation Plan.

**ROW3:** As development of the Transportation Plan is implemented and if the location and existence of Developer's permanent easement precludes such development, Developer's overlapping easement rights shall be subordinated (subject to the then existing rights of the parties, laws and regulations) to accommodate Adams County's development.

**ROW4:** The proposed alignment through the Adams County owned property will need easements granted by BOCC.

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**Commenting Division:** Environmental Analyst Review

**Name of Reviewer:** Katie Keefe  
**Date:** 08/06/2019  
**Email:**

**Comment**

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**ENV2:** As noted in the project Information Report for the Second Creek Interceptor, an Environmental Assessment will be completed during the design phase of the project. The Environmental Assessment, as described, appears to meet the objectives of a Resources Review, which is required when development disturbs more than 1-acre of land within the NRCO. A Resources Review must be completed by a qualified professional prior to application submittal and provided to the county so that it may be taken into consideration. See section 4-11-02-03-04 for Resource Review methodology and content requirements.
Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 07/12/2019

Email: gjbarnes@adcogov.org

External Agencies Selected

Commenting Division: Development Engineering Review

Name of Reviewer: Matthew Emmens

Date: 07/10/2019

Email: memmens@adcogov.org

Resubmittal Required

Review complete with comments. See Doc #5959402.

Planned alignment will require some revisions.
ENG1: It appears that the project crosses various floodplains. Depending upon construction techniques and the presence of surface structures, the applicant may be required to obtain a floodplain use permit. It is recommended that the applicant provide the alignment of the pipeline in Adams County superimposed with the data from all relevant floodplains.

Potential flood plains are shown on:


**Applicant Response:** The 100-year floodplain boundary was added to the Metro District’s SD Interceptor updated design plans (50% design). A Floodplain Use Permit will be obtained from the County prior to starting work in the 100-year floodplains shown on the applicable FIRM panels.

**County Comment:** Comment closed.

ENG2: The project is located within the boundaries of the following regional drainage studies:


*South Platte River MDP*, Prepared for City of Brighton, Commerce City, Denver Water Department, Metro Wastewater, reclamation District, City of Thornton, South Adams County Water and Sanitation District, Adams County, and Urban Drainage and Flood Control District. Prepared by Camp Dresser & McKee Inc., April 2002.

*Second Creek (Downstream of DIA) and DFA 0053 Watersheds Outfall System Planning Study Update*, Prepared for City of Brighton, Commerce City, Adams County, and Urban Drainage and Flood Control District. Prepared by Kiowa Engineering, October 2002.


For the regional drainage facilities mentioned in the studies listed above, it is recommended that the applicant either avoid them or install the line to a depth below the facility to provide sufficient cover and avoid potential utility conflicts. Show these regional facilities on the plans.

**Applicant Response:** Regional drainage facilities were considered as a part of the SD Interceptor alignment evaluation. The Metro District has reviewed information from Mile High Flood District and verified the SD Interceptor does not impact the proposed regional facilities. The Interceptor is expected to be buried at a depth that would not impact the proposed regional facilities.

**County Comment:** Comment closed.

ENG3: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is within the County’s MS4 Stormwater Permit area.
In the event that the disturbed area of the site exceeds 1 acre, or disturbing less than 1 acre but belonging to a larger subdivision (over 1 acre), the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR400000.

**Applicant Response:** A SWMP will be prepared for the Metro District’s SD Interceptor and construction stormwater discharge permits will be obtained in accordance with CDPHE and County regulations. The SWMP will include control measures to mitigate the adverse effects of construction activities on surface water quality as discussed in Section 10.3.2 of the Information Report.

**County Comment:** County construction permits cannot be issued until the applicant has obtained a County SWQ permit. The County’s SWQ permit is issued by the Public Works Department. The applicant should contact Juliana Archuleta, the County’s Stormwater Program Manager, to inquire about obtaining a SWQ Permit. Ms. Archuleta can be contacted at 720-523-6869 or By email at mjarchuleta@adcogov.org.

Comment closed.

ENG4: All necessary paperwork such as Commissioners Resolutions, Development Agreements, Collateral Agreements, BOA decisions, easements, etc. will be on file with the Adams County Department of Public Works / Construction Management Section prior to the issuance of any construction or building permits.

**Applicant Response:** The Metro District will continue to coordinate with the County to ensure required documents are on file to support permit issuance for the SD Interceptor.

**County Comment:** comment closed.

ENG5: The Adams County boundaries are not clearly identified on any of the construction plan sheet. Jurisdictional boundaries need to be identified with ownership labels on either side of the boundary line. See example below:

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ADAMS COUNTY

  — — — —

BRIGHTON
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For example: On sheet 2011, the Adams County/Brighton Boundary runs along the north/west side of the railroad ROW. There is no label identifying this as the boundary.

**Applicant Response:** Jurisdictional boundaries have been added to the Metro District’s SD Interceptor revised 50% design plans as requested.

**County Comment:** Comment closed.

ENG6: The project appears to cross several irrigation ditches. It is recommended that the applicant either avoid them or contact the irrigation company directly and discuss crossing requirements.

**Applicant Response:** The Metro District is working with irrigation ditch companies to determine crossing requirements and obtain appropriate land rights associated with the SD Interceptor.

**County Comment:** Comment closed.

ENG7: The pipeline appears to cross several Adams County roadways and properties. **Condition of Approval:** In the event that Adams County performs a roadway or drainage project that requires adjustment or relocation of the pipe line within the right-of-way, the Public Works Department will require that the
Applicant perform any adjustments or relocations, at their own expense, upon receiving notification from the County.

**Applicant Response:** In the event that the County needs to grade and move the earth cover over the Metro District's SD Interceptor, or adjust or relocate the SD Interceptor, for County roadway construction or drainage projects located within County ROW, the District anticipates that the County will use its best efforts in the development and design of its roads or streets to avoid causing relocation of the SD Interceptor. In the event a relocation of the SDI is required, the District’s Board of Directors would need to authorize entering into a utility relocation agreement (URA) between the District and the County that identifies conflicting utilities, design review and approval processes, and construction inspection and acceptance procedures. Based on past relocations of District infrastructure by the County, the URA will indicate the County agrees that it will take all necessary actions to protect, modify, or relocate the SD Interceptor, at its sole cost and expense at the time of the initial construction of the roadway or street or drainage project.

**County Comment:** When the County needs to change the grade of a street, every effort is made to avoid having to move utilities. However, the County does not enter into utility relocation agreement (URA) with utility districts. As stated in the condition of approval above, when necessary moving of the utility is done at the expense of the utility district. The condition of approval will remain.

ENG8: The applicant will be required to obtain Adams County construction permits for any crossing of Adams County road Right-of-Ways or, easements or properties owned by Adams County.

**Applicant Response:** The Metro District will coordinate with the County to obtain the required permits for the SD Interceptor. A preliminary permit summary is provided in Appendix C of the Information Report.

**County Comment:** Comment closed.

ENG9: Pipelines running parallel to Adams County road Right-of-Way must be located outside of all current and future road Right-of-way’s (ROW).

**Applicant Response:** The Metro District’s SD Interceptor alignment generally is planned within easements on private properties at least five feet beyond ultimate ROW as defined in the 2012 Adams County Transportation Plan. Section 3.4 was added which describes five instances where placement of the SD Interceptor may encroach on this requirement. The Metro District is requesting a variance or waiver of this requirement from the County due private property impacts described in Section 3.4.

**County Comment:** Comment closed.

ENG10: All crossing of Adams County ROW must be perpendicular. The plan set includes many non-diagonal roadway crossings. For example, Sheet 02 shows the interceptor pipe crossing diagonally Peoria St.

**Applicant Response:** In some circumstances, diagonal crossings of County roadways are required due to utility conflicts, to maintain a smooth hydraulic flow in the SD Interceptor, or to limit property impacts on adjacent parcels. Trenchless construction will be utilized for diagonal crossings of major roadways to limit traffic impacts and the need for asphalt patching. Open cut crossings of County roadways will be made as close to perpendicular as possible with consideration for existing utilities and minimizing private property impacts. The Metro District coordinated with the County in November 2019 to discuss the proposed diagonal crossing at E. 120th Avenue and Potomac Street. Based on discussions between the District and the County and input from various departments at the County, a diagonal road crossing is acceptable as long as the trenchless construction spans from manhole to manhole and the interceptor is installed in a steel casing at a depth greater than 10 feet. Ongoing coordination will occur with the County for review and acceptance of the planned road crossings. The 50% design plans include markups to reflect the road crossing alignment modifications resulting from discussions with the County.

**County Comment:** The applicant has reached out to County staff concerning diagonal crossings of County roadways and intersections. The reasons given were sufficient to allow the County to approve diagonal crossings at certain locations.
Comment Closed.
December 6, 2019

Mr. Jon Wicke
Metro Wastewater Reclamation District (MWRD)
6450 York Street
Denver, CO 80229

Review Comments sent through Community & Economic Development (CED)
c/o Mr. Greg Barnes, Planner III at Adams County CED

RE: PAR 1232 - Second Creek Interceptor
Review Comments Related to Planning Review Application dated 11/18/19

Dear Jon,

As a follow up to the original submission from earlier this year, we thank you for the opportunity to review and further comment on the proposed Second Creek Interceptor development planned to route through the Riverdale Regional Park. As you and your team are aware, the substance of our review is related specifically to the ‘ownership’ of the land, associated agreements, and future operational elements. Neither Parks, Open Space & Cultural Affairs (Parks) Department, nor the Facilities & Fleet Management (Facilities) Department are providing comment specific to the regulatory elements of your submittal, and only commenting on elements impacting the County’s ownership and use of the land potentially impacted by your development.

To this end, Parks and Facilities have collaboratively reviewed the proposal and offer the following comments:

1. Please refer to the review letter dated November 18, 2019 for pertinent comments and requests that were likely not available for review or inclusion in your latest submittal. These comments still stand.

2. We (you and I) have been exchanging emails over the past week or so with intent to further review the routing and impacts to the park and golf course. We are still planning that meeting and the opportunity to address our concerns in person. Additional comment may follow that meeting, which is currently anticipated for mid to late December 2019.
3. The submittal, and its preceding document, both make several references to collaborative meetings with the county. While that is true, and it is also true our desire to be collaborative with MWRD, the document does not address the discrepancies and requested changes/alternative investigations. To that end, this submittal should not imply that everything included in the submittal has been agreed to by the County, when in fact, there are many elements needing resolution. We do not suggest to author the document or language, but we would suggest that documents submitted to regulatory review show the current status of negotiation and agreement, not only for us, but for any landowner which MWRD has to have some easement or similar agreement. Status for the County is still in negotiation, with potential change to route and construction methodology.

We are looking forward to our upcoming meeting and some potential solutions to those items of concern. If you should have any questions regarding these specific reviews, please let us know.

Sincerely,

Adams County – Facilities and Fleet Management

[Signature]

Seán Braden
Manager, Planning, Design and Construction

Encl.

Cc: Project File
Greg Barnes, CED
Byron Fanning, Parks, Open Space and Cultural Affairs
Greg,  

Previous comments for this review still apply. Any work in the State Highway Right-of-Way will require a permit from our office. Permits can be applied for at the following link: [https://www.codot.gov/business/permits/utilitiesspecialuse/online-permit-application](https://www.codot.gov/business/permits/utilitiesspecialuse/online-permit-application)

Thank you for the opportunity to review this referral.

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Steve Loeffler  
Permits Unit- Region 1

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P 303.757.9891 | F 303.757.9886  
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204  
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

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On Mon, Nov 25, 2019 at 1:26 PM Greg Barnes <GJBarnes@adcogov.org> wrote:

A resubmittal of new information was provided to Adams County regarding the Second Creek Interceptor project (PLN2019-00008). You are receiving this e-mail, because you previously provided comments regarding this case.

The new case material can be found at the following link: [http://www.adcogov.org/planning/currentcases](http://www.adcogov.org/planning/currentcases)

If you have any new or additional comments please provide them to me by **December 6, 2019**.
Hi Greg,

I apologize for this coming in late to you, I was just sent this comment in regards to this referral:

Thornton Water Resources (with the respective ditch companies) should be contacted if any interruption to either canal is anticipated during construction, so we can adequately plan diversions to our reservoirs.

Thank you,

Sadie Naglich
Planner I
9500 Civic Center Drive, Thornton, CO 80229
P: 303.538.7301 | E: Sadie.Naglich@cityofthornton.net
December 6, 2019

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO  80601

Attn: Greg Barnes

Re:  Second Creek Interceptor - 2nd referral, Case # PLN2019-00008

Public Service Company of Colorado’s (PSCo) Right of Way & Permits Referral Desk acknowledges the comment response for Second Creek Interceptor and has no further concerns at this time.

The property owner/developer/contractor is reminded to complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect.; and, to call the Utility Notification Center for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com