

**COLORADO NATURAL RESOURCE TRUSTEES
RESOLUTION MARCH 28, 2018
CONCERNING COMMERCE CITY'S SAND CREEK 1 AND SAND
CREEK 2 PROJECTS**

WHEREAS, the Colorado Natural Resource Trustees ("Trustees") are responsible for the management and direction of Colorado's natural resource damages program;

WHEREAS, the Trustees are responsible for administering State funds to restore, replace or acquire the equivalent of injured natural resources;

WHEREAS, the Rocky Mountain Arsenal ("RMA") natural resource damages ("NRDs") settlement established a fund of \$10 million ("Foundation Fund") to fund projects selected by the Northeast Greenway Corridor Advisory Committee ("NGC") projects;

WHEREAS, on July 31, 2012, the Trustees approved a set of projects proposed by the NGC for the Foundation Fund, including \$2.6 million for Commerce City's "Sand Creek 1" and "Sand Creek 2" projects;

WHEREAS, Commerce City now requests an additional \$228,523 to complete restoration of these properties, pursuant to the attached budget.

NOW THEREFORE, the Colorado Natural Resource Trustees resolve as follows:

The Trustees do hereby approve Commerce City's request for an additional \$228,523 from the Foundation Fund to complete restoration of the "Sand Creek 1" and "Sand Creek 2" properties, pursuant to the attached budget. This approval is conditioned upon Commerce City delivering to Trustee staff a letter of approval from the NGC.

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for Melanie Snyder
Cynthia H. Coffman, Melanie Snyder
Colorado Attorney General Chief Deputy AG

3/28/2018
Date

Martha Rudolph
Martha Rudolph,
Director of Environmental Programs, CDPHE

4/4/2018
Date

Robert Randall
Robert Randall, Executive Director, DNR

4.11.18
Date

March 2018 Proposed Budget - Grant Funding Allocation Summary - Sand Creek Properties						
Task	Description	Total Cost	Funding by Source	Request from Trustees (Foundation Fund)	Match that Meets NRDs Criteria	Other Match
1	Construction Mgmt/ Project Mgmt	\$ 326,550.00	Commerce City			\$ 326,550.00
2	Removals, Grading & Excavation	\$ 140,425.00	Commerce City			\$ 140,425.00
3	ET Cover Construction	\$ 1,752,974.75	NRD	\$ 1,160,000.00		
			Commerce City		\$ 142,974.75	
			Adams County Open Space		\$ 450,000.00	
4	Planting & Revegetation	\$ 228,523.00	NRD	\$ 228,523.00		
5	Monitoring Well Replacement	\$ 20,000.00	Commerce City			\$ 20,000.00
	Subtotal	\$ 2,468,472.75				
6	Contingency	\$ 119,145.79	Commerce City			\$ 119,145.79
	Totals	\$ 2,587,618.54		\$ 1,388,523.00	\$ 592,974.75	\$ 606,120.79
				Leverage	42.71%	86.36%



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March 21, 2018

State of Colorado Natural Resource Trustees
c/o David Banas, Senior Assistant Attorney General
Colorado Department of Law
Natural Resources and Environment Section
1300 Broadway, 7th Floor
Denver, CO 80203

Dear Natural Resource Trustees:

Commerce City's Foundation Fund project involved the acquisition of two properties along the Sand Creek near the confluence of the South Platte River and the subsequent remediation and restoration of these properties. The acquisitions were completed in 2014 and the remediation began in 2017 after an extensive planning process.

Remediation activities are wrapping up leaving the restoration as the final piece of the project. With Foundation Fund money, grant funding and approximately \$1 million of city funds, this project will end up costing over \$4.5 million and from the first planning stages has taken 20 years to accomplish. Unfortunately, an additional \$228,523 is needed to ensure it is completed as designed. Additional unforeseen costs have occurred throughout the project, and the restoration will have to be scaled back (primarily landscape and irrigation) if we cannot find the additional funding.

Adams County is supportive of allowing \$228,523 of the approximately \$550,000 that they will be returning to the Foundation Fund to be transferred to Commerce City to complete this project. Please see the enclosed letter of support from the Director of Adams County Parks and Open Space.

All members of the Northeast Greenway Corridor (NGC) Working Group that are associated with the Foundation Fund (Adams County, Aurora, Brighton, Commerce City, Denver, and Thornton) responded affirmatively to a March 12, 2018 email to support the transfer of \$228,523 from the Adams County Foundation Fund project (88th Ave. Open Space Restoration Project) to the Commerce City Foundation Fund project (previously called Sand Creek 1 and Sand Creek 2 and now called Sand Creek Open Space Remediation and Restoration Project.) Please consider this letter as written approval from the NGC Working Group for the Commerce City request.

Sincerely,

Pat Schuler, on behalf of Paul Frohardt, Chair of the NGC Working Group
Open Space Manager
Aurora Parks and Open Space

Cc: Ed Perkins, CDNR
Susan Newton, CDPHE
Traci Ferguson, Commerce City Parks, Recreation and Golf
Marc Pedrucci, Adams County Parks and Open Space