



UPPER CLEAR CREEK WATERSHED ASSOCIATION

Frederick Rollenhagen,
Clear Creek County Planning Department
P.O. Box 2000
Georgetown, CO 80444

July 26, 2023

Re: AMENDMENT TO AREAS AND ACTIVITIES OF STATE INTEREST CASE #SI2023-0001, CDOT Floyd Hill Project 1041 Review Process

Dear Mr. Rollenhagen:

The Upper Clear Creek Watershed Association (UCCWA) is designated under Section 208 of the Clean Water Act as the management agency responsible for reviewing proposed actions that may impact water quality in the watershed. Our membership includes municipalities, counties, dischargers, and related entities located in the upper Clear Creek watershed, primarily in Clear Creek and Gilpin counties.

UCCWA, in partnership with West Denver-Trout Unlimited, Colorado Trout Unlimited, and Trout Unlimited (TU) National are bringing our concerns to the CDOT Floyd Hill 1041 process. The additional deicer to the Clear Creek corridor, which is predicted to be above already toxic levels for most aquatic life, is a primary concern.

CDOT's response to mitigation that the river is already degraded, and the statement that CDOT will not be in the channel (only directly above and adjacent), has resulted in a CDOT finding of no significant impact. Our review team understands the need for road treatments and the importance of the I-70 project for local communities and the State. There are benefits for much needed road and Greenway improvements. However, the finding of no significant impact due to the already-degraded condition of Clear Creek as a "best case scenario", allows for further decline of Clear Creek waters which then becomes the new normal.

UCCWA, in collaboration with TU, intends to voice concerns and request stipulations be considered during the Clear Creek County 1041 process that would prevent further degradation of Clear creek due to deicing. While deicer impacts are of concern in most cold weather States, there are new innovative technologies, designs, and treatments for mitigating deicer impacts.

There are significant details missing from the finding of no significant impact. The water quality data is inconclusive. CDOT's hired consultant has been monitoring water quality for a decade - the trend showing annual deicer pulses coupled with low stream biodiversity. The CDOT consultant is one of many collecting data. We would like to discuss with the County the need to request additional corroborating data and expand the analysis of this data to better understand the potential long-term impacts to the Clear Creek watershed. There remain many unanswered questions that were not addressed in the finding of no significant impact.

I-70 expansion presents an opportunity for CDOT, the Clear Creek community, the State, Trout Unlimited, etc. to collaborate and develop environmentally sound solutions for road deicer impacts. The Upper Clear Creek Watershed Association, in partnership with Trout Unlimited, would like to schedule a meeting with the Clear Creek County Planning Department at your earliest convenience to discuss in further detail the Floyd Hill 1041 process and UCCWA's participation in providing a review.

Thank you for the opportunity to comment.

On behalf of the UCCWA membership,

A handwritten signature in black ink, appearing to read 'D. Kielty', written in a cursive style.

Diane Kielty
UCCWA Secretary/Treasurer

cc: Josh Giovanetti, CDOT
Kurt Kionka, Floyd Hill Project Director
Ashley Giles, Trout Unlimited
Gary Frey, Trout Unlimited
Jo Ann Sorensen, UCCWA Floyd Hill Representative
Brad Benning, Esq., UCCWA Chair
Geoffrey Niggele, UCCWA Co-Chair
Lisa Leben, Clear Creek County UCCWA Representative