

Michael B. Hancock
Mayor



City and County of Denver

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Memorandum of Understanding

South Platte River & Tributaries, Adams & Denver Counties, Colorado Project

September 13, 2021

Mayor Michael B. Hancock, in his State of the City address on July 26, 2021, listed “Reclamation of the South Platte River” as one of his and the City’s top priorities.

BACKGROUND

Colorado is a headwaters state. Four major river basins originate in Colorado, including the Arkansas River, Colorado River, Platte River and Rio Grande River. These four river basins provide water to many western and midwestern states and Mexico. The South Platte River is one of two tributaries of the Platte River, the other being the North Platte River.

South Platte River water and habitat were used, abused and denigrated over the years. The river is the vital lifeline for people, wildlife, domesticated animals and habitat. South Platte River water is used for drinking purposes – for human, livestock and wildlife uses; treatment of sanitary waste; industrial use; recreation; and habitat.

Historic flooding in 1965 led to the design and construction of Chatfield Dam and Reservoir. Following construction of the Chatfield project by the U.S. Army Corps of Engineers (USACE) that was completed in 1975, the river downstream was further impacted by narrowing and straightening the channel thus reducing habitat and affecting wildlife. Over the years, industrial and commercial and other development negatively impacted the river and adjacent habitat, resulting in further deterioration of the river ecosystem.

INITIAL EFFORTS TO RECLAIM THE RIVER

In 1974, Mayor Bill McNichols created the Platte River Development Committee (PRDC) and appointed State Senator Joe Shoemaker as its Chairman. Mayor McNichols and Senator Shoemaker co-appointed eight other committee members, including Ted Bendelow, Dana Crawford, Marjorie Hornbein, Dan Trujillo, Potts Berglund, Hiawatha Davis, Phil Milstein and John Zapien. The PRDC became The Greenway Foundation, initially led by State Senator Joe

Shoemaker and in ensuing years by Jeff Shoemaker. The early efforts focused on projects such as Confluence Park.

In the 1980s and 1990s, the Central Platte Valley became a focus of redevelopment and expansion of downtown. Relocation of the railyards opened land in the center of Denver and adjacent to the South Platte River to development. New parks and open space initiatives were undertaken on land near the South Platte River including Commons Park, Centennial Gardens and Johnson Habitat Park as well as other new river parks.

USACE Omaha District, the City and County of Denver and The Greenway Foundation implemented a successful half-mile ecosystem restoration project on the South Platte River at Mile High Stadium from the Colfax Viaduct downstream to Bronco Bridge. That project included so-called “reconnaissance” studies of the South Platte River from Chatfield all the way through Arapahoe, Denver and Adams counties. Those USACE studies identified areas where there was federal interest in working with the state and local governments on South Platte River improvements.

Denver’s efforts continued for the renewal of the South Platte River through undertaking master planning studies during 2007 through 2010. These master planning studies – River North Greenway Master Plan, River South Greenway Master Plan and River Vision Implementation Plan – were completed by 2010 and provided the framework to move forward.

Mayor Michael B. Hancock led the successful effort to secure the initial seed money in the form of a \$4.6 million Great Outdoors Colorado River Corridor Initiative grant in 2012 that helped jumpstart the momentum that has resulted in nearly \$90 million in local, regional, federal, and public and private funds to design and/or build 10 park projects in Denver’s 11.1-mile South Platte River corridor today.

U.S. ARMY CORPS OF ENGINEERS STUDY AND PROJECT

The U.S. Army Corps of Engineers Omaha District has jurisdiction over the South Platte River Basin. With the planning efforts undertaken during the period of 2007 through 2010 by the City and County of Denver, Mile High Flood District, The Greenway Foundation, The Trust for Public Land, Great Outdoors Colorado, and many interested organizations and Denver citizens, USACE Omaha District took a renewed interest in the South Platte River, which lead to the USACE undertaking a study of the river and two tributaries resulting in the completion of the South Platte River & Tributaries, Adams & Denver Counties, Colorado (Denver SPRT) study (now project). The City and County of Denver matched the federal (U.S. Army Corps of Engineers) contribution to the study dollar for dollar.

The Denver SPRT project is now ready for implementation. It received the all-important project authorization in the Water Resources Development Act of 2020 (WRDA 2020), which was passed by Congress and signed into law by the President in late 2020. Denver SPRT received dual authorization under ecosystem restoration and flood risk management. The project is

authorized for a total cost of \$550,273,000 with a federal share of \$344,076,000 and a non-federal, local share of \$206,197,000.

Federal government rules do not require that the City has all local match monies identified before funds are appropriated for the project. However, their budgets are limited, and they must prioritize projects that can show broad support, provide match dollars, and demonstrate successful delivery of large local projects. Denver is ready. Denver is recovering from the COVID-19 pandemic and needs to put people back to work, boost revenues for the state, the City, and its businesses and residents.

The project will restore degraded ecosystem conditions as a primary benefit along 6.5 miles of the South Platte River and implement flood risk management protection in areas of the 6.5 miles as a secondary benefit. Flood risk management protection is the primary benefit in both Weir Gulch and Harvard Gulch and ecosystem restoration as a secondary benefit in Weir Gulch. Recreation improvements are an additional benefit for the South Platte River and Weir Gulch.

There are investors coming to Denver seeking sites for new developments who comment that other cities are making show-stopping investments in their rivers. They say Denver has the potential to do much more to transform the South Platte River corridor.

The project could take from 10 to 20 years to complete, depending on federal funding availability. The matching funds will not have to be available up front. However, the City and its partners will have to be able to assure the federal government that the match will be ready when they are.

MEMORANDUM OF UNDERSTANDING REQUEST

Every effort will be made to secure funding and support to help meet the non-federal, local share of the costs of this important ecosystem restoration, flood risk management, and recreation enhancement project. The first step is this Memorandum of Understanding (MOU).

For reasons stated above, the City and its partners are committed to restoring the South Platte River to create more and better habitat for wildlife and to enhance fish passage, to develop new riparian habitat, to expand wetland habitat, and to reconnect existing habitat. The City is also committed to create public spaces for all people to enjoy and to mitigate flood hazards for the people in harms way along the river and tributaries. The City is committed to bringing funding – federal, state and local, public and private, and philanthropic – to the City and its river corridor. The City is committed to bringing construction jobs, permanent jobs, and visitor destinations to the river corridor.

The support demonstrated by the signees of this MOU is key to our success. Signatures of individuals representing organizations and companies help the City make its case for urgent action on federal funding.

Signees who become informed about the project and the subprojects that make up this overall

effort can help the City spread the word. And help the City maintain the momentum achieved to date.

Signees who can send letters and make calls to our congressional delegation, the Administration, or directly to the U.S. Army Corps of Engineers in support of the project, the funding, and the urgency of the projects, will make significant contributions, which will be much appreciated.

Signees who can commit funding now or in the future are most welcome but signing the MOU is non-binding and does not constitute a monetary pledge. However, it does pledge support for the project and will result in requests from the City from time to time for expressions of advocacy, such as letters to help speed federal funding, grants and other forms of funding the City will seek for this project. What is concretely affirmed in this MOU is a shared acknowledgement of the importance of the South Platte River and the positive impacts to the City that this project will bring.

The City will launch and maintain a website to report progress, detail current funding needs, and to thank all signees of this MOU for their support. Regular updates will be posted on The Greenway Foundation website as well.

Many people living along the South Platte River are within the 100-year floodplain and are in low-income, underserved communities. Improvements associated with the project are key to achieving environmental and economic equity for these residents. The project will remove homes from the floodplain. It will also provide access to recreational and cultural amenities. This project will help those who need it most.

The project – coupled with a second USACE 2.4-mile-long project in south Denver - will bring \$345 million (and an additional \$9 million) in funding to Colorado from the federal government. It will also create jobs, provide public amenities for everyone, and transform 9 miles of the 11.1-mile river corridor in the City and County of Denver.

The City and USACE have already taken giant steps toward making this vision a reality. The City, the Mile High Flood District, The Greenway Foundation, the 19 funding partners who have helped build 10 River Vision projects already completed along the river – with an investment of \$90 million – are already fully on board.

The study is done. The Colorado congressional delegation is right now helping the City and USACE secure FY2022 funding to begin pre-construction engineering and design on the most urgent portions of the larger project.

The following entities are participating in the project as partners. They are committed to the mission and the project and are working together to achieve its strategic objectives:

- U.S. Army Corps of Engineers
- City and County of Denver
- Mile High Flood District

- The Greenway Foundation

Other organizations, entities, companies and individuals may join this effort at any time, pledging to do all they can to be advocates for aggressive progress toward full implementation of the improvements planned for the South Platte River and Tributaries in Denver.

The undersigned commit to supporting the South Platte River & Tributaries, Adams & Denver Counties, Colorado project. This MOU is an expression of the understanding and intent of the participating entities and may be terminated by any entity at any time upon written notice to the other entities. This MOU does not, is not intended to, nor should it be understood to, affect or extend the legal responsibilities of any of the parties, create or extend any legal rights to any person or entity not a party to this MOU or confer remedies on any party in the event of its non-compliance. By this MOU no entity waives or limits any right, power or authority under City, State or Federal law, statute, rules, or regulations.

Samuel Wallace
Samuel Wallace (Oct 5, 2021 17:00 MDT)
Signature

Samuel Wallace
Name Printed

Oct 5, 2021
Date

On behalf of South Platte River Urban Waters Partnership (SPRUWP) partners
Organization

