

## **El Paso County Reaches Settlement on Willow Springs Ponds**

Colorado Springs, Jan. 19, 2007 - El Paso County has reached a settlement with Schlage Lock and its parent company, Ingersoll-Rand, to resolve the environmental impacts affecting Willow Springs Ponds since 1997. The El Paso County Board of County Commissioners approved the agreement at its regularly scheduled meeting yesterday.

Prior to 1997, Willow Springs Ponds, located within Fountain Creek Regional Park, near the intersection of Interstate 25 and Highway 16, were one of the most heavily utilized fisheries in Colorado. The ponds featured both warm and cold water species of fish that were stocked by the Colorado Division of Wildlife (CDOW), under the "Fishing is Fun" grant program. Perchloroethylene ("PCE"), detected in the Willow Spring Ponds in 1997, was allegedly caused by PCE contaminated groundwater that seeped into the Widefield aquifer from the Schlage Lock factory north of Hancock Expressway. The county elected to close the ponds to public fishing in September 1997.

Since July 1998, pursuant to compliance orders from the Colorado Department of Public Health and Environment (CDPHE), the county has allowed Schlage Lock to operate aerators in Willow Springs Pond No. 1 and the aerators have achieved the CDPHE fish+water consumption surface water quality standard for PCE.

The settlement requires Schlage Lock to install and operate an upgradient groundwater treatment system in county-owned Ceresa Park, which is located northeast of Willow Springs Ponds. The treatment system, which will have no effect on the public's use of the park, will intercept and reduce the PCE prior to the groundwater entering the ponds. Schlage Lock will operate the system until the PCE concentrations reach acceptable standards for one year without operation of the aerators. Once this standard is achieved, Schlage Lock will continue to maintain the treatment system in a stand-by mode for an additional two years. During this time, the county and Schlage Lock have agreed to a series of water quality and fish sampling tests.

Schlage Lock also agreed to pay El Paso County \$375,000 to reimburse the county for expenses incurred in addressing the impact issues. Incorporated into the agreement is a CDOW-imposed requirement that Schlage Lock fund the installation of several public amenities at the park, including two new handicapped accessible fishing docks. The settlement also prohibits the county from taking legal action against Schlage Lock and Schlage Lock, in exchange, indemnifying, defending and holding the county harmless against any personal injury claims related to the consumption of PCE contaminated fish.

The Colorado Division of Wildlife still needs to agree to participate in the plan, but in 2005 CDOW gave a preliminary written commitment to participate in the restoration of the fishery. The CDOW restoration plan includes providing large, warm water fish to prey on the existing "rough" fish that have accumulated in the ponds since 1997. Following a three-year restocking plan to be preformed by Schlage Lock, CDOW will begin stocking trout per the "Fishing is Fun" grant program guidelines. Finally, CDOW has requested the installation of ten fish habitat structures, two handicap accessible fishing piers, and educational signs for the public. The settlement agreement requires Schlage Lock funding of these improvements.

With the approval of this agreement by all parties, Schlage Lock will undertake pilot studies to obtain design information for the upgradient treatment system. The system will be installed within four months following the pilot studies. The county hopes to re-open the ponds to "catch and release" fishing by Memorial Day.

This has been a long and tough road, and I am pleased that we are finally reaching a settlement," said Board of County Commissioners Chair Dennis Hisey. "The commissioners have worked to provide the due diligence the public expects. It will be good to see this area being restored to its purpose in the community and that our citizens will once again be able to enjoy it," he added.