

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 14-cv-02749-PAB

AUDUBON SOCIETY OF GREATER DENVER,
Petitioner,

v.

UNITED STATES ARMY CORPS OF ENGINEERS, Omaha District,
Respondent,

CASTLE PINES METROPOLITAN DISTRICT,
CASTLE PINES NORTH METROPOLITAN DISTRICT,
CENTENNIAL WATER AND SANITATION DISTRICT,
CENTER OF COLORADO WATER CONSERVANCY DISTRICT,
TOWN OF CASTLE ROCK, and
COLORADO DEPARTMENT OF NATURAL RESOURCES,
Intervenors-Respondents.

EXHIBIT 5 — DECLARATION OF POLLY REETZ

I, Polly Reetz, declare as follows:

1. The facts set forth in this declaration are based on my personal knowledge and experience. If called as a witness, I could and would testify to these facts. As to those matters that reflect an opinion, they reflect my personal opinion and judgment on the matter.

2. In reference to my interest in birding and my concern over the unmitigatable impacts of the Chatfield Reallocation Project (Project), I have become very concerned about the irreparable harm that the construction work of the Project will cause.

3. As a long-time birder, I can see one very pressing problem for Audubon members that we will soon have to face because of the construction work. This problem is related to the impact of construction on the Christmas Bird Counts.

4. The Denver Count will occur on Dec. 16, and it includes both the West side of the reservoir and the Plum Creek drainage within the Park. The closures in the park because of construction, as depicted on the Chatfield Reallocation website, will severely handicap the Audubon members who are conducting the Count in those areas.

5. The Denver Christmas Bird Counts at Chatfield have been conducted since 1974, usually in mid-December, and the information collected on the Counts is sent to the Cornell Laboratory of Ornithology, where it is compiled with Christmas Bird Counts across the nation and later published. All of this data can be made available for scientific study and interpretation, so they are an important resource.

6. The gap in the record of accurate annual Christmas bird counts, caused by closures related to construction work at the Park this year, will irreparably harm the scientific research data and information that Denver Audubon members depend on.

I declare under the penalty of perjury that the foregoing is true and correct and was executed this 7th day of December, 2017.

/s/ Polly Reetz

Polly Reetz