

Water Supply Reserve Account – Grant Application Form

Form Revised March 2000



COLORADO WATER CONSERVATION BOARD

**WATER SUPPLY RESERVE ACCOUNT
2009-2010 GRANT APPLICATION FORM**



2009 Rio Grande Riparian Stabilization Project - Phase 4

Name of Water Activity/Project	Approving Basin Roundtable
\$148,000	Amount from Statewide Account \$98,000
Total Amount of Funds Requested	Amount from Basin Account \$50,000

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Instructions

To receive funding from the Water Supply Reserve Account (WSRA), a proposed water activity must be approved by the local Basin Roundtable AND the Colorado Water Conservation Board (CWCB). The process for Basin Roundtable consideration/approval is outlined in Attachment 1.

Once approved by the local Basin Roundtable, the applicant should submit this application, a detailed statement of work, detailed project budget, and project schedule to the CWCB staff by the application deadline.

The application deadlines are:

- Basin Account – 60 days prior to the bi-monthly Board meeting
- Statewide Account – 60 days prior to the March and September Board meeting

Board Meeting Dates	Basin Account Deadlines	Statewide Account Deadlines
3/17 - 3/18/2009	1/16/2009	1/16/2009
5/19 - 5/20/2009	3/19/2009	n/a
7/21 - 7/22/2009	5/21/2009	n/a
9/15 - 9/16/2009	7/15/2009	7/15/2009
11/17 - 11/18/2009	9/17/2009	n/a
January 2010	11/15/2010	n/a
March 2010	1/15/2010	n/a
May 2010	3/15/2010	n/a

When completing this application, the applicant should refer to the WSRA Criteria and Guidelines available at: <http://cwcb.state.co.us/IWMD>.

The application, statement of work, budget, and schedule must be submitted in electronic format (Microsoft Word or text-enabled PDF are preferred) and can be emailed or mailed on a disk to:

Mr. Todd Doherty
Colorado Water Conservation Board
Intrastate Water Management and Development Section
WSRA Application
1580 Logan Street, Suite 600
Denver, CO 80203
Todd.Doherty@state.co.us

If you have questions or need additional assistance, please contact Todd Doherty of the IWMD Section at 303-866-3441 x3210 or todd.doherty@state.co.us.

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Part A. Description of the Applicant (Project Sponsor or Owner);

1. Applicant Name(s):

Mailing address:

Taxpayer ID#: Email address:

Phone Numbers: Business:
 Home:
 Fax:

2. Person to contact regarding this application if different from above:

Name:

Position/Title

3. Eligible entities that may apply for grants from the WSRA include the following. What type of entity is the Applicant?

- Public (Government) – municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities and the local entity should be the grant recipient. Federal agencies are eligible, but only if they can make a compelling case for why a local partner cannot be the grant recipient.
- Public (Districts) – special, water and sanitation, conservancy, conservation, irrigation, or water activity enterprises.
- Private Incorporated – mutual ditch companies, homeowners associations, corporations.
- Private individuals, partnerships, and sole proprietors are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
- Non-governmental organizations – broadly defined as any organization that is not part of the government.

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4. Provide a brief description of your organization

The Colorado Rio Grande Restoration Foundation (the Foundation) is a 501(c)(3) Colorado non-profit organization. The Foundation is governed by the following Board of Directors: Steve Russell serves as President, Karla Shriver as Vice-President, Michael (Mike) Gibson as Secretary/Treasurer, and the remaining members are Doug Messick, Greg Higel, Cathy Morin, and Rich Davie. The Foundation is the current fiscal agent for the Rio Grande Headwaters Restoration Project (RGHRP). The RGHRP was formed to implement the recommendations of a study done in 2001 (The 2001 Study) to analyze the condition of the river. The study was prompted by a group of citizens who were concerned that the river had been impaired. The 2001 Study, sponsored by the San Luis Valley Water Conservancy District and funded by the Colorado Water Conservation Board, analyzed 91 miles of the Rio Grande and determined causes of deterioration in river function. From the 2001 Study, recommendations were developed to improve the river's functions. The Rio Grande Headwaters Restoration Project (RGHRP) was the outgrowth of the 2001 Study to implement its findings. The mission of the Rio Grande Headwaters Restoration Project is "...to restore and conserve the historical functions and vitality of the Rio Grande in Colorado for improved water quality, optimal agricultural water use, riparian habitat, wildlife and aquatic species habitat, recreation, and community safety, while meeting the requirements of the Rio Grande Compact." In 2004 the need was identified for a well-defined Rio Grande Watershed Restoration Strategic Plan (Strategic Plan). Completed in 2007, the Strategic Plan highlighted the importance of continued efforts to implement of the recommendations from the 2001 Study. The San Luis Valley Water Conservancy District (the District) supports the RGHRP through its Manager, Mike Gibson, dedicating 25% of his time to the RGHRP and the Foundation. In addition the District contributes office space and materials to the RGHRP. The Foundation retained Fleming & Fleming, CPA, Alamosa, Colorado, to provide accounting services for the Foundation.

The projects that have been completed through cooperation with local, state, and federal stakeholders by the RGHRP have aimed to improve river function with a multi-faceted approach to riparian stabilization. In 2004, through partnerships with the NRCS, the RGHRP completed a cost-share riparian stabilization project with funding from the Colorado Non-Point Source Program. The 2004 Riparian Stabilization Project – Phase 2 involved 17 private landowners on approximately 8,300 feet of stream bank on the Rio Grande in Rio Grande County, CO. Matching funds came from the Environmental Quality Incentive Program (EQIP), the Colorado Division of Wildlife (CDOW) Colorado Habitat Improvement Program (CHIP), and the landowners. The total expenditures on these riparian stabilization projects was \$397,000.

In 2008, the RGHRP received a Colorado Non-Point Source Program grant of \$250,000 for the 2008 Riparian Stabilization Project – Phase 3 (Phase 3), to be completed on five sites in Alamosa County. The sites have been surveyed and the riparian stabilization projects have been engineered. Groundwork will occur in accordance with appropriation river levels and environmental conditions in the spring of 2010.

In 2009 the RGRHP received Colorado Water Supply Reserve Account funding of \$285,000. This grant is being used as a match for Phase 3, in Alamosa County. In 2009 the RGHRP became aware of the NRCS sponsored Cooperative Conservation Partnership Initiative (CCPI) program. The RGHRP applied for and received a grant of \$390,000, which required non-federal funds match. After consideration, it was determined a portion of the CO WSRA grant of \$285,000 could be made available as match to the CCPI grant. Therefore, the 2009 awarded WSRA grant of \$285,000 is being used to match the Colorado Non Point Source grant of \$250,000 and the CCPI grant of \$390,000. Therefore, \$250,000 is being used to match \$540,000 of federal funds, or a 1:2 ratio. The 2009 CCPI Project is underway and twelve riparian stabilization projects in Rio Grande County have selected, of which seven have been completed.

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In January 2009 the RGHRP received a Colorado Non-Point Source Grant of \$250,000 to continue riparian restoration on the Rio Grande. On behalf of the RGHRP, the Foundation is requesting \$148,000 from the Colorado Water Supply Reserve Account to assist in the completion of the 2009 Rio Grande Riparian Stabilization Project, Phase 4 (Phase 4) in Alamosa County. The Project's goals of Phase 4 are to stabilize stream banks, improve riparian habitat and enhance the fishery by reducing sediment loading and to configure the stream channel to improve the river's natural ability to move sediments through the system.

5. If the Contracting Entity is different then the Applicant (Project Sponsor or Owner) please describe the Contracting Entity here.

The Colorado Rio Grande Restoration Foundation will be the contracting entity, on behalf of the Rio Grande Headwaters Restoration Project (RGHRP).

6. Successful applicants will have to execute a contract with the CWCB prior to beginning work on the portion of the project funded by the WSRA grant. In order to expedite the contracting process the CWCB has established a standard contract with provisions the applicant must adhere to. A copy of this standard contract is included in Attachment 3. Please review this contract and check the appropriate box.

The Applicant will be able to contract with the CWCB using the Standard Contract

The Applicant has reviewed the standard contract and has some questions/issues/concerns. Please be aware that any deviation from the standard contract could result in a significant delay between grant approval and the funds being available.

7. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.

The Applicant, The Colorado Rio Grande Restoration Foundation is not subject to TABOR as it is a 501(c)(3) non-profit Colorado non-profit organization.

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Part B. - Description of the Water Activity

1. Name of the Water Activity/Project:

2009 Rio Grande Riparian Stabilization Project - Phase 4

2. What is the purpose of this grant application? (Please check all that apply.)

Environmental compliance and feasibility study

Technical Assistance regarding permitting, feasibility studies, and environmental compliance

Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects

Study or Analysis of:

Structural project or activity

Nonstructural project or activity

Consumptive project or activity

Nonconsumptive project or activity

Structural and/ or nonstructural water project or activity

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3. Please provide an overview/summary of the proposed water activity (no more than one page).

The Foundation is requesting \$148,000 from the Colorado Water Supply Reserve Account to assist in the completion of the 2009 Rio Grande Riparian Stabilization Project - Phase 4 (Phase 4), in Alamosa County. The 2001 Study designated 30 sub-reaches within the 91-mile study area and analyzed the condition of each sub-reach. Within the Phase 4 project area, the analysis of the condition of the riparian corridor (condition of the vegetation, re-vegetation conditions, human impact, agricultural disturbance, terrestrial wildlife habitat, and aquatic habitat) indicated overall poor condition of the riparian zone within the targeted reaches. The findings of the geomorphic condition of the sub-reaches within the project area gave them a low Stability Index, indicating the stream banks were very prone to instability. Therefore, it has been determined that a major cause of the deterioration in water quality and fishery conditions was due to increased sediment loading in the river.

The environmental goals of Phase 4 are to improve the riparian habitat, enhance the fishery, improve the natural stability of the stream bank, reduce sediment loading, increase capacity of the river to transport sediment, and improve the function of the floodplain by stabilizing the streambanks of five sites on the Rio Grande. The riparian stabilization activities will utilize proven techniques that have been used on similar reaches of the Rio Grande in Colorado. In addition, consideration will be given to how the riparian stabilization can enhance fish habitat in the specific reach of the river. Generally, the overall concepts of riparian stabilization include an initial characterization of the riparian zone and stream bank, the re-contouring of the stream bank to its natural angle of repose, limited channel modification to increase the depth to width ratio, installation of rock or wood (trees) structures to move the river flow or thalweg away from the impaired stream bank, re-vegetation of the stream bank, typically with clumps of willows, and where appropriate, the fencing out of cattle from the riparian zone. Based on similar projects, a reduction in sediment loading of some 2.0 cubic yards of material for every ten (10) feet of riparian zone stabilization is expected.

The programmatic goals of Phase 4 are to involve local landowners in a cost share program to stabilize riparian areas on their properties adjacent to the Rio Grande. In addition, past practices have demonstrated that riparian stabilization can also be a mechanism to improve fisheries without detracting from the primary goal of riparian stabilization. A Technical Team will be formed to determine the most cost effective and ecologically desirable way to stabilize the riparian areas. This Team will consist of the third party engineering company personnel, experienced staff of the Alamosa & Monte Vista, Colorado, offices of the Natural Resource Conservation Service (NRCS), members of the RGHRP, technical support staff from the Watershed Restoration Department of the Colorado Water Conservation Board and staff of the Monte Vista, Colorado, Colorado Division of Wildlife.

Finally, Phase 4 has an outreach and public education element. The educational element associated with Phase 4 is to inform landowners on the river and members of the public of the needs and benefits of riparian stabilization and the reduction in sediment loading of the river.

Phase 4 is an example of multiple sources of funding being identified and subsequently acquired to mitigate the Rio Grande's current conditions in a specific reach of the river in Colorado. The different funding sources include federal monies that are being matched, with WSRA monies, and funds from local sources, including landowners. The funding from the WSRA will be used in the on-site activities, specifically to fund cost-share programs with landowners. By obtaining this grant, the RGHRP will be able to enter into cost-share agreements with landowners where the landowners pay up to 20% of the cost of the project while the RGHRP supplies the remaining amount due with funds from the Colorado Non Point Source Program.

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Part C. – Threshold and Evaluation Criteria

1. Describe how the water activity meets these **Threshold Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines.)

a. The water activity is consistent with Section 37-75-102 Colorado Revised Statutes.¹

Phase 4 is consistent with Section 37-75-102 C.R.S. because this Project does not supersede, abrogate, or otherwise impair the State’s current system of allocating water within Colorado or in any manner repeal or amend the existing water rights adjudication system. Phase 4 does not affect the State constitution’s recognition of water rights as a private usufructuary property right nor is it intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law. Phase 4 protects water users and land owners along the Rio Grande from loss by repairing the river channel and restoring the riparian corridor, thereby helping to ensure that the provisions of Section 37-75-102 C.R.S. are supported and observed.

b. The water activity underwent an evaluation and approval process and was approved by the Basin Roundtable (BRT) and the application includes a description of the results of the BRTs evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it. Note- If this information is included in the letter from the roundtable chair simply reference that letter.

This information is included in the letter from the Rio Grande Interbasin Roundtable

¹ 37-75-102. Water rights - protections. (1) It is the policy of the General Assembly that the current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this article. Nothing in this article shall be interpreted to repeal or in any manner amend the existing water rights adjudication system. The General Assembly affirms the state constitution's recognition of water rights as a private usufructuary property right, and this article is not intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law. (2) The General Assembly affirms the protections for contractual and property rights recognized by the contract and takings protections under the state constitution and related statutes. This article shall not be implemented in any way that would diminish, impair, or cause injury to any property or contractual right created by intergovernmental agreements, contracts, stipulations among parties to water cases, terms and conditions in water decrees, or any other similar document related to the allocation or use of water. This article shall not be construed to supersede, abrogate, or cause injury to vested water rights or decreed conditional water rights. The General Assembly affirms that this article does not impair, limit, or otherwise affect the rights of persons or entities to enter into agreements, contracts, or memoranda of understanding with other persons or entities relating to the appropriation, movement, or use of water under other provisions of law.

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- c. *The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.² Specifically describe how the water activity either furthers the Roundtable's basin-wide water needs assessment or meets a consumptive or non-consumptive water supply need identified in the Roundtable's working needs assessment.*

Phase 4 is a structural project that will improve the ability of the Rio Grande to meet both consumptive and non-consumptive needs of the area by stabilizing streambanks and increasing the ability of the river to transport water. As such, Phase 4 allows for agriculture demands to be met by increasing the ability of irrigators to divert their appropriated water right when they are in priority and improving the function of diversion structures by reducing sediment loading. Additionally, Phase 4 sustains multiple non-consumptive uses and environmental needs by improving riparian conditions, repairing river channel problems, reducing sediment load, thereby improving both wildlife habitat and water quality for fisheries. Finally, Phase 4 supports the preservation of the long-term cultural values inherent in this rural area's historical and current agricultural lifestyle. It complies with all applicable laws, regulations, and water rights.

- d. *Matching Requirement: For requests from the Statewide Fund, the applicants is required to demonstrate a 20 percent (or greater) match of the request from the Statewide Account. Sources of matching funds include but are not limited to Basin Funds, in-kind services, funding from other sources, and/or direct cash match. Past expenditures directly related to the project may be considered as matching funds if the expenditures occurred within 9 months of the date the application was submitted to the CWCB. Please describe the source(s) of matching funds. (NOTE: These matching funds should also be reflected in your Detailed Budget in Part D of this application)*

The budget for Phase 4, including matching funds, is available in Part D. in Tables 1 and 2: Detailed Budget for the 2009 Riparian Stabilization Project - Phase 4. Sources of matching funds available for this project include federal Colorado Non-Point Source funds of \$250,000.00, cash match from participating landowners, and in-kind services from the RGHRP.

2. For Applications that include a request for funds from the Statewide Account, describe how the water activity

² 37-75-104 (2)(c). Using data and information from the Statewide Water Supply Initiative and other appropriate sources and in cooperation with the on-going Statewide Water Supply Initiative, develop a basin-wide consumptive and nonconsumptive water supply needs assessment, conduct an analysis of available unappropriated waters within the basin, and propose projects or methods, both structural and nonstructural, for meeting those needs and utilizing those unappropriated waters where appropriate. Basin Roundtables shall actively seek the input and advice of affected local governments, water providers, and other interested stakeholders and persons in establishing its needs assessment, and shall propose projects or methods for meeting those needs. Recommendations from this assessment shall be forwarded to the Interbasin Compact Committee and other basin roundtables for analysis and consideration after the General Assembly has approved the Interbasin Compact Charter.

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meets the **Evaluation Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines.)

Promoting Collaboration and Cooperation

a. The water activity addresses multiple needs or issues, including consumptive and/or non-consumptive needs, or the needs and issues of multiple interests or multiple basins.

The Rio Grande Riparian Stabilization Project - Phase 4 addresses multiple needs and issues in the Rio Grande Basin as it will:

- Promote improved water quality in non-consumptive uses, particularly in the downstream riparian habitat conservation focus areas, through re-establishment of riparian species along the river corridor. Phase 4 will also improve fishery conditions by improving water quality through the reduction of sediment loading.
- Help meet the consumptive needs of agricultural irrigation water by reducing sediment loading.
- Facilitate the diversion of irrigation water by overcoming sandbar obstructions.
- Avoid damage to diversion and irrigation structures and reduce maintenance costs of these structures.
- Help to offset many human impacts on the Rio Grande, particularly those relating to unrestricted grazing practices.
- Repair and enhance deteriorated riparian conditions, restore stream bank stability, and mitigate the effects and causes of a significantly modified river system.
- Avoid further deterioration in the channel.
- Support Rio Grande's Basin and interbasin cooperation and improve the ability of Colorado to fulfill its commitments under the Rio Grande Compact by facilitating passage of mandated waters under the Rio Grande Compact.

b. The number and types of entities represented in the application and the degree to which the activity will promote cooperative and collaboration among traditional consumptive water interests and/or non-consumptive interests, and if applicable, the degree to which the water activity is effective in addressing intrabasin or interbasin needs or issues.

Entities that will provide input and assistance as requested, are the: Mosca - Hooper Conservation District; NRCS; Colorado Division of Wildlife providing information on the aquatic habitat health; Farm Service Agency (FSA) - assisting with landowner information and acreage; San Luis Valley Wetlands Focus Committee – coordination of activities; US Fish and Wildlife Service (USFWS); US Army Corps of Engineers (COE) - providing 404 permits and other guidance; San Luis Valley GIS/GPS Authority - providing GIS support; Rio Grande Water Conservation District – coordinating water resource related issues and a quarterly report platform; the Colorado Water Conservation Board, Watershed Restoration; the Colorado Division of Water Resources, Division Engineer - providing input on water flow related issues, and the SLVWCD providing the RGHRP's Coordinator.

Depending on the particular agency, the support may come in the form of technical assistance, consultation on broader community related aspects, or a forum for the presentation of updated Phase 4 status reports. A Technical Advisory Team will be formed with resources from the NRCS, RGHRP, Colorado Division of Wildlife, Colorado Water Conservation Board's Watershed Restoration staff, and the third party engineering company. The role of the Technical Team will be the consideration of all potential methods to accomplish riparian stabilization and fishery improvement and to ensure all ideas are considered and the individual projects

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meet the specific requirements of each site.

Public information and outreach will be provided by public meetings, radio interviews, and presentations to specific groups, including the SLV Wetlands Area Focus Committee, Rio Grande Interbasin Roundtable, Quarterly Board Meetings of the Rio Grande Water Conservancy District, and Board Meetings of the San Luis Valley Water Conservancy District. In addition, public awareness and community education efforts will specifically target landowners with riverbank properties. Landowners have expressed interest in participating in this project and in riparian stabilization. As of the date of this submission it is expected that five sites will be selected for riparian stabilization on privately owned land. At least another five landowners have expressed interest in doing similar stabilization on their properties if funding is available.

Facilitating Water Activity Implementation

c. Funding from this Account will reduce the uncertainty that the water activity will be implemented.

The function of the Foundation and the RGHRP is to enable, facilitate, coordinate, and ensure that all technical, scientific, and engineering resources of Phase 4 benefit from a consistent approach to the restoration work on all reaches of the Rio Grande. The Foundation simply does not have the resources to fund a project of this magnitude. As such, the Foundation must third party funding sources. This proposal reflects a coordinated approach to funding, with the Foundation seeking matching funds to those obtained from the 2009 Colorado Non Point Source Program Funds. Additional resources for Phase 4 will come in the form of landowner contributions and external technical support and funding. Phase 4, therefore, demonstrates a creative and proactive funding strategy in which the Foundation's request for WSRA funding plays a vital and enabling role. If this proposal is not funded, it will not be possible to complete Phase 4.

d. There is an urgency of need for the water activity and/or any compelling "window of opportunity" that may be missed without funding from the Account.

Phase 4 addresses the high priority mitigation measures identified in the 2001 Study to improve the historical functions of the river. These functions include:

- Maintenance of channel capacity and overbank capacity
- Protection of channel and floodplain from damage by flooding
- Maintenance of riparian habitat and fisheries
- Delivery of Rio Grande Compact commitments
- Access to river for water diversion

If mitigation measures are not taken to protect these attributes as the opportunities present themselves, the condition of the Rio Grande in Colorado will continue to deteriorate. The 2001 Study has determined that much of the deterioration in river function is primarily due to increased sediment loading. The increased sediment loads are caused by unstable stream banks, resulting from a deteriorated condition of the riparian zone of the river. There is urgency to complete Phase 4 in order to avoid the any further adverse effects upon the Rio Grande as a result of sediment loading.

e. The length of time needed to implement the water activity; preference will be given to activities which can be implemented in the least amount of time taking into consideration the complexity of the activity.

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This project will be completed in its entirety within three years from the time of the order to commence work. The timing of project activities is driven by streamflow and ground conditions. Instream work is performed in the spring and fall during periods of low flow and unfrozen ground. Typically, two to three sites are stabilized per year.

f. The applicant has the expertise and ability to implement the proposed activity.

The Foundation has a knowledge base and a breadth of understanding of riparian stabilization based on its leadership and collaborative roles with numerous proposed, planned and completed projects. The Foundation will be responsible for management, implementation, and subsequent monitoring of the Project to assure success. Monitoring of the restoration sites will consist of the protocol developed through the 2004 Riparian Stabilization Project and updated in 2009. Monitoring includes annual Stream Visual Assessments, photopoints, streambank location surveys, and best management practices implementation compliance. If the work at a specific site fails because of abnormal flooding or other unforeseen natural events, repair can be done under the Emergency Watershed Program (EWP), administered by NRCS.

Implementation of Phase 4 involves the application of techniques that have proven effective in previous and ongoing projects. For example, the 2004 Riparian Restoration Project involved cooperation with the NRCS, CDOW, NPS program, and 17 private landowners to successfully stabilize approximately 8,300 feet of stream bank in Rio Grande County, CO. Currently, the RGHRP is administering the following projects: The 2008 Riparian Stabilization Project, Phase 3 involves five sites in Alamosa County. The sites have been surveyed and the riparian restoration projects have been engineered. Groundwork will occur in accordance with appropriation river levels and environmental conditions in the spring of 2010; The 2009 Cooperative Conservation Partnership Initiative (CCPI) project, a cooperation with the Natural Resources Conservation Service (NRCS), is underway with twelve riparian restoration projects in Rio Grande County; The 2009 Riparian Stabilization Project, Phase 4 will target five sites in Alamosa County. The Foundation is requesting \$148,000 from the Colorado Water Supply Reserve Account to assist in the completion of the 2009 Riparian Restoration Project.

g. The applicant is providing matching funds and/or is obtaining partial funding from other sources and the amount and source of such other funds or is providing demonstratable in-kind contributions.

The Project has been awarded \$250,000 from 2009 Colorado Non Point Source Program funds. Landowners are contributing \$100,000, and the RGHRP will be contributing \$2,000 in-kind services. This represents a matching component of \$352,000 to the Foundation's requested \$148,000 from the Water Supply Reserve Account.

h. The applicant has a demonstrated need for financial assistance based on the inability or difficulty obtaining funds elsewhere.

The 2001 Study identified the problems associated with the function of the river and made recommendations for mitigation. It is only through third-party funding that Phase 4 can proceed because of the high cost of implementing these mitigating measures and because this specific reach of the Rio Grande has only private and municipal ownership. The Foundation simply does not have the resources to fund a project of this magnitude. The function of the Foundation is to enable, to facilitate, coordinate, and to bring a high level of technical, scientific, and engineering consistency to the restoration work on all reaches of the Rio Grande. For this reason the Foundation has obtained \$250,000 in 2009 Colorado Non Point Source Program Funds and is seeking to augment those funds with additional funding from the Water Supply Reserve Account. The Foundation is combining the contributions of landowners with external technical and funding sources to implement the Project. This results in strong leverage of the funds requested. Phase 4 therefore demonstrates a creative and proactive funding strategy in which the

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Foundation's request for WSRA funding plays a vital and enabling role. If this proposal is not funded, Phase 4 will not be implemented.

Meeting Water Management Goals and Objectives and Identified Water Needs

i. The water activity helps complete a needs assessment, including consumptive and/or non-consumptive needs, that was not fully funded from other sources.

Phase 4 will continue ongoing efforts to implement recommendations from the 2001 Study in which riparian area problems and the need for streambank stabilization was identified. Streambank stabilization efforts have been ongoing and are dependent on funding availability from multiple sources. Funding to complete streambank stabilization on the entire 91-mile section of the Rio Grande analyzed in the 2001 Study has not yet been obtained.

j. The water activity meets one or more of the nine water management objectives of the Statewide Water Supply Initiative (SWSI); helps implement projects and processes identified as helping meet Colorado's future water needs, and/or addresses the gap areas between available water supply and future need as identified in the SWSI or the Rio Grande Interbasin Roundtable's basinwide water needs assessment done in accordance with the Colorado Water for the 21st Century act.

The water activity (Phase 4) meets the following water management objectives identified in the Statewide Water Supply Initiative (SWSI) and the Rio Grande Roundtable consumptive and non-consumptive needs assessments:

- It sustainably meets agricultural demands by increasing the ability of irrigators to divert their appropriated water right when they are in priority.
- It provides operational flexibility by reducing the problems of high sediment loading in and near diversion structures, and downstream of the riparian restoration sites.
- It provides for multiple non-consumptive uses and environmental needs by improving riparian conditions, repairing river channel problems, and reducing sediment load, thereby improving both wildlife habitat and water quality for fisheries. There are potential enhancements to recreational opportunities in the benefits provided to fisheries and related recreational assets.
- It supports the preservation of the long-term cultural values inherent in this rural area's historical and current agricultural lifestyle. It complies with all applicable laws, regulations, and water rights.

k. The water activity promotes water conservation and efficiency.

By stabilizing channel boundaries and enhancing channel capacity Phase 4 promotes water conservation and efficiency.

l. The applicant has an existing water conservation plan.

The Foundation does not itself have a conservation plan, but works to accomplish efficiencies in consumptive and non-consumptive uses of water, as described in this proposal.

m. The water activity will make new water available for use.

N/A

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n. The water activity involves reoperation, enlargement, or rehabilitation of existing facilities.

This is a rehabilitation project whose primary objective is to improve the riparian habitat, restore the natural stability of stream banks and hence reduce sediment loading through streambank stabilization. Streambank stabilization work associated with the stream channel will increase capacity of the Rio Grande to transport sediment, and will thus improve the function of the floodplain.

The Water Activity Addresses Issues of Statewide Value

o. The water activity helps sustain agriculture and open space or meets environmental or recreational needs.

Phase 4 will help sustain agriculture, environment, and recreation by stabilizing streambanks, which will improve water quality and riparian health. Agriculture in the San Luis Valley will benefit from the decrease in sediment, which will reduce bed-load materials downstream, which in turn reduces problems at water diversions used for agriculture. Additionally, the enhanced ability of the river to transport sediment and high flows will insure water users receive their allotted water at critical times of need. The environment will be sustained as Phase 4 will improve riparian habitat, improve the stability of the stream bank, and enhance the fishery. Additionally, rehabilitation work associated with the stream channel will increase capacity of the Rio Grande to transport sediment, and improve the function of the floodplain. Finally, Phase 4 will sustain recreation as the streambank stabilization activities will enhance the river's aquatic and riparian resources for recreation activities including fishing, birding, hunting, and floating.

p. The water activity assists in the administration of compact-entitled waters or addresses problems related to compact entitled waters and compact compliance and the degree to which the activity promotes maximum utilization of state waters.

The Rio Grande channel gradient averages 0.0005 ft/ft, as the river crosses the floor of the San Luis Valley. The shallow gradient and progressive downstream decrease in bed material size results in a reduction of channel width as was observed by the 2001 Study at various locations within the targeted reach. Reduced channel capacity would result in out-of-bank flows during minor flood events. Should this occur when Compact deliveries are being made, those deliveries will be reduced, causing potential problems in meeting the delivery obligations when flows decrease, which in-turn may raise the curtailment of agricultural deliveries. Out of bank flows would also significantly increase meander migration, erosion potential, and river sedimentation. Phase 4 addresses these stability issues and ensures functionality of the river system to convey Rio Grande Compact flows within the targeted reach.

q. The water activity assists in the recovery of threatened and endangered wildlife species of Colorado State species of concern.

The riparian communities along the Rio Grande, especially in dense multi-storied willow/cottonwood patches, provide potential habitat for three bird species that are either protected under the federal Endangered Species Act (ESA) or the Colorado State Threatened, Endangered and Species of Special Concern list. The Southwestern Willow Flycatcher is federally endangered, the Yellow-billed Cuckoo is a federal candidate species, and the bald eagle is a Colorado State Threatened Species. It is imperative that riparian zones do not deteriorate but are enhanced to provide potential habitat, especially for these identified species. Phase 4 represents a proactive approach to providing riparian habitat improvements to potentially benefit three imperiled species, as well as

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countless additional riparian dependent species of songbirds, small mammals, and so forth.

r. The water activity provides a high level of benefit to Colorado in relationship to the amount of funds requested.

The funds requested in this proposal constitute matching funds to those already approved from the federal 2009 Colorado Non Point Source Program. They are also matched by the participation of at least five landowners, and the RGHRP. The Water Supply Reserve Account funds are being leveraged at a ratio greater than 1:1.

In relationship to the amount of funds requested, Phase 4 provides a high level of benefit to Colorado and in turn, to Colorado's downstream Rio Grande Compact members. Phase 4 supports the State in meeting its Compact obligations.

s. The water activity is complimentary to or assists in the implementation of other CWCB programs.

Phase 4 implements recommendations of the 2001 Study, which was funded during 1999-2001 by the CWCB, continuing a history of many successful partnerships. The CWCB participated in the funding of the RGHRP's Rio Grande Watershed Restoration Strategic Plan by providing funding from the Colorado Watershed Protection Fund and Severance Taxes. In 2004, the Foundation worked with NRCS and 17 landowners in Rio Grande County to implement a similar riparian stabilization project, again partly funded with 2004 Colorado Non Point Source Program funds. Phase 4 continues similar restoration efforts on another portion of the 91 miles of Rio Grande covered by the 2001 Study. This water activity is complementary to and is related, through the Rio Grande Interbasin Roundtable, to other WSRA funded projects such as the following: The San Luis Valley Irrigation District is completing a multi-use enlargement study of the Rio Grande Reservoir. The RGHRP has been providing input to that study in terms of discussions relating to changing flow regimes, again addressed in the 2001 Study and 2007 Strategic Plan. In addition, the Rio Grande Watershed Restoration Strategic Plan addressed the value of conservation easements in protecting the Rio Grande corridor, and funding from both the Basin & Statewide portions of the Water Supply Reserve Account was used to support these efforts on the Rio Grande through the Rio Grande Initiative of the Rio Grande Headwaters Land Trust.

t. The water activity helps support the State's economic vitality and competitiveness in national and international markets.

The San Luis Valley hosts a large agriculture community, which relies heavily on the Rio Grande as a source of irrigation water. The agricultural economy of the San Luis Valley is a major contributor to the overall agricultural economy of Colorado. The agricultural economy of the San Luis Valley produced \$143,637,000 in revenues in 2006, or 37.9 percent of the Valley's base industry income. Tourism is becoming an important component in the Valley and accounts for \$43,508,000, or 11.5 percent of base industry income. The Rio Grande plays a significant role in tourism because of the "Gold Medal" trout fishing, and commercial rafting and floating operations. These figures represent the most recent agriculture and tourism census data that have been analyzed specifically for the economy of the San Luis Valley. Phase 4, by protecting the integrity of the river, helps to support the vitality and competitiveness of the agriculture and tourism industries that rely on the Rio Grande.

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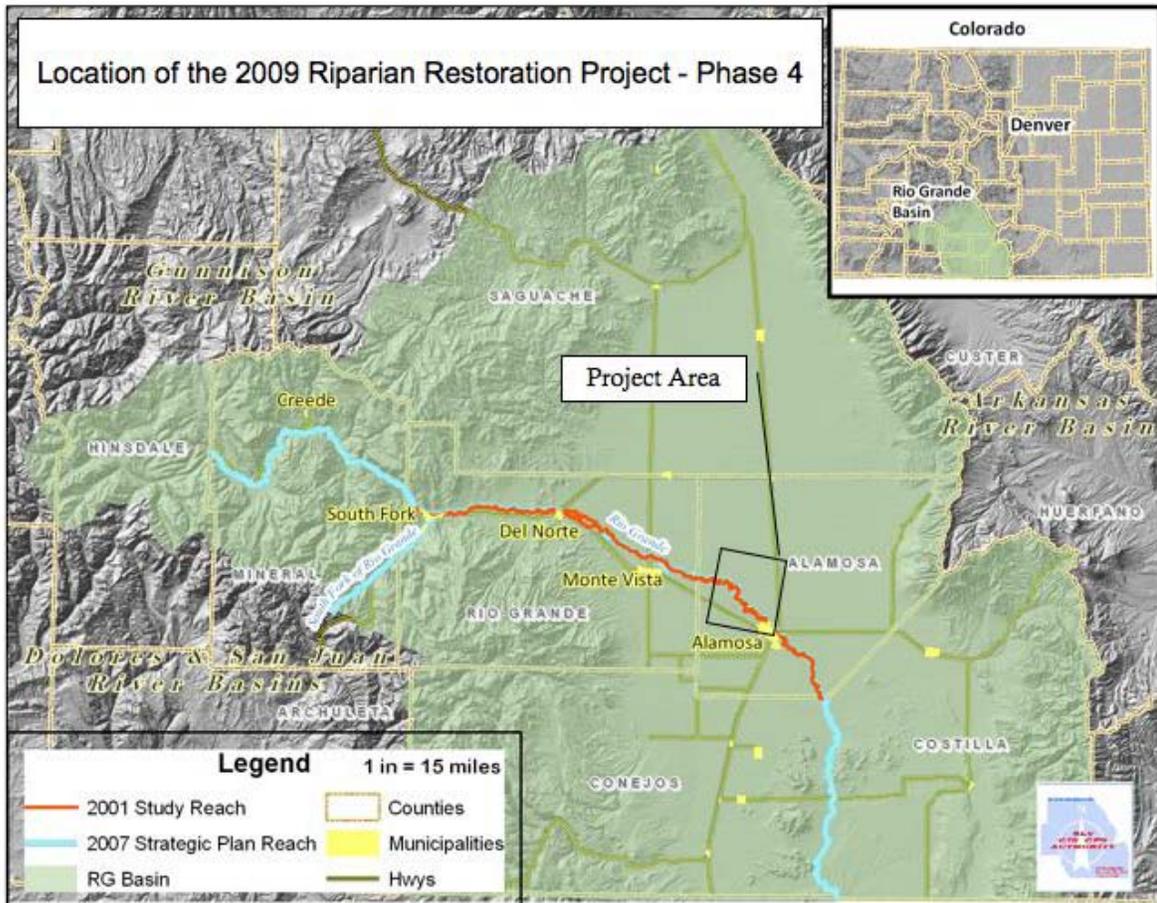
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Part D. – Required Supporting Material

1. Water Rights, Availability, and Sustainability

This information is needed to assess the viability of the water project or activity. Please provide a description of the water supply source to be utilized, or the water body to be affected by, the water activity. This should include a description of applicable water rights and the name/location of water bodies affected by the water activity.

The water body to be affected by the water activity is the Rio Grande. The Rio Grande watershed in Colorado covers 8,200 square miles. The river flows some 200 miles through Colorado, originating near the Continental Divide. Numerous tributaries converge on the east slope of the Continental Divide from elevations near 13,000 feet to form the Rio Grande mainstem. The river flows to the east through the Rio Grande National Forest and then through private property for approximately 55 miles, where it passes near the town of Creede, located at approximately 8,850 feet. Willow Creek originates near the Continental Divide on the north side of the basin. Willow Creek flows through Creede and then enters the Rio Grande at an elevation of 8,600 feet. The Rio Grande continues its relatively steep descent for another 22 miles to the confluence with the South Fork of the Rio Grande at approximately 8,200 feet elevation, where the town of South Fork is located. The Rio Grande enters the San Luis Valley, the largest intermountain basin in Colorado, at the town of South Fork. The river then flows southeasterly for approximately 65 miles through Del Norte and Monte Vista to Alamosa, the largest city in the watershed, at an elevation of approximately 7,550 feet. The river turns to the south and flows for another 40 miles to the New Mexico border. The elevation at the New Mexico border is approximately 7,400 feet.

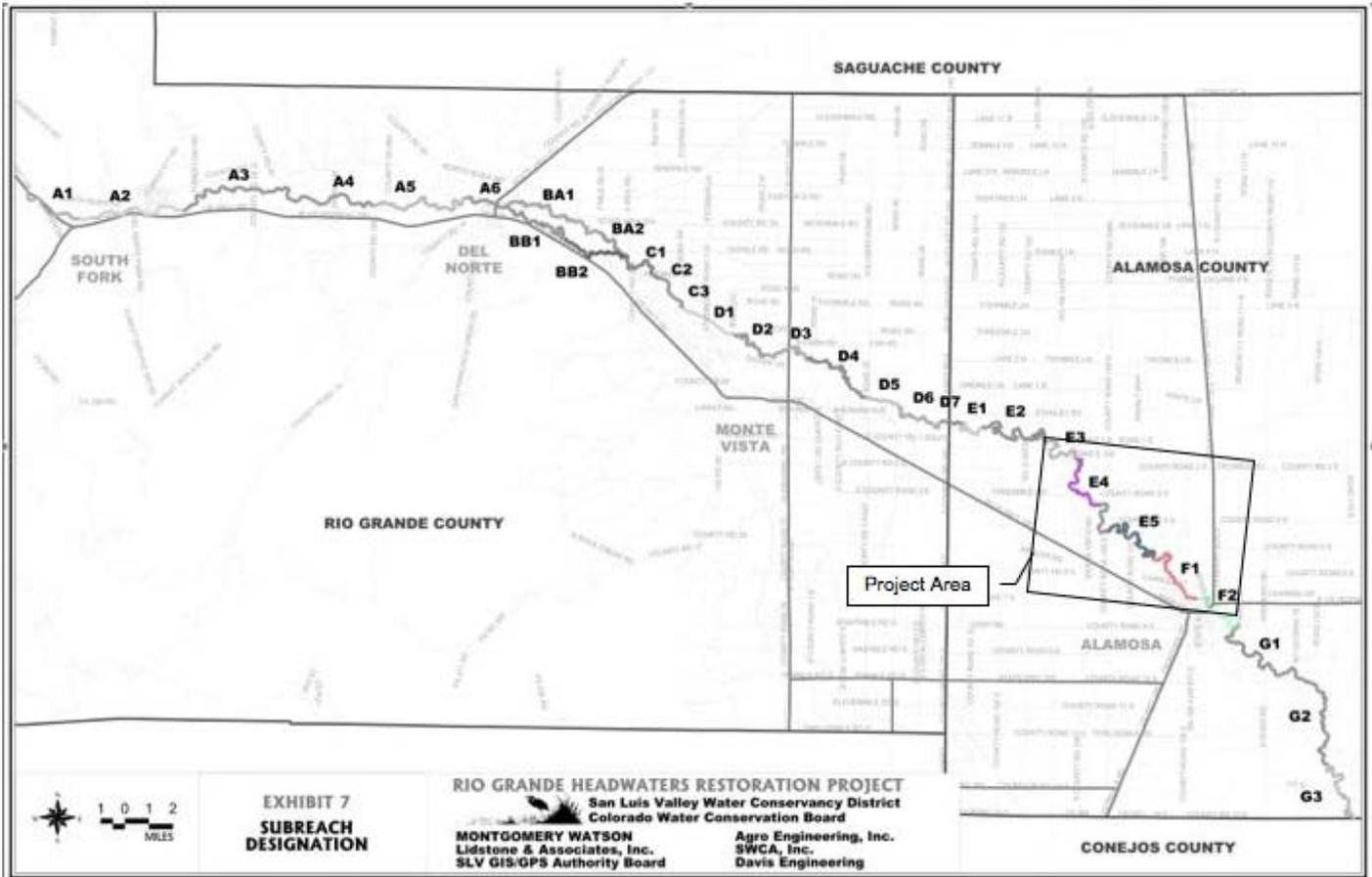


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Phase 4 will take place within the reaches E4, E5, F1, and F2 as delineated in the 2001 Study. The project area for Phase 4 is shown on the map below.

Location of Subreaches (Designated in the 2001 Study) Included in the 2009 Riparian Restoration Project, Phase 4



Phase 4 does not specifically deal with, change, or affect any water rights or their allocation. Phase 4 has been designed to provide increased riparian stability and stream bank stabilization at typical Rio Grande flows through the specific reaches being addressed. Phase 4 will enhance the function of the river by stabilizing the banks and securing the flows, reducing the range of hazard variables and increasing the ability of the river to transport sediments under all flow regimes. Phase 4 includes the following actions:

- Improve water quality by reducing sediment load
- Increase the ability of the river to transport sediment
- Reduce changes in river characteristics such as flow patterns
- Enhance the ability to pass Rio Grande Compact flows when needed

2. Please provide a brief narrative of any related or relevant previous studies.

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As discussed above, the 2001 Study was completed in response to widespread concern regarding the deterioration in the function of the Rio Grande in Colorado. The 2001 Study covered 91 miles of the Rio Grande, from the Town of South Fork to the Alamosa – Conejos County line, Colorado (see above maps).

The study evaluated the condition of the river's functions as they related to:

- The condition of riparian habitat and fisheries
- Accessibility of the river to existing irrigation structures and their condition and performance
- The protection of lives and property
- The protection of channel and flood plain from flood damage
- The maintenance of river channel and over bank capacity
- The ability to meet the Rio Grande Compact requirements

The 2001 Study found the primary cause of degradation to be sedimentation and identified measures that could be implemented to holistically improve the river's functions. These measures were of both "structural" in nature, such as riparian restoration, or those relating to "policy or administrative measures" or "non – structural" measures, such as grazing management practices or land use issues. Phase 4 seeks to implement these actions in order to improve the function of the Rio Grande.

3. Statement of Work, Detailed Budget, and Project Schedule

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The statement of work will form the basis for the contract between the Applicant and the State of Colorado. In short, the Applicant is agreeing to undertake the work for the compensation outlined in the statement of work and budget, and in return, the State of Colorado is receiving the deliverables/products specified. Please note that costs incurred prior to execution of a contract or purchase order are not subject to reimbursement. Please provide a detailed statement of work using the following template. Additional sections or modifications may be included as necessary. Please define all acronyms. If a grant is awarded an independent statement of work document will be required with correct page numbers.

Statement of Work

Water Activity Name – The 2009 Rio Grande Riparian Stabilization Project – Phase 4

Grant Recipient – The Colorado Rio Grande Restoration Foundation

Funding Source - Funds from the State and Basin Water Reserve Accounts will be matched with 2009 Colorado Non Point Source Program funding, private landowner monies, and RGRHP (in-kind) resources.

Introduction and Background

Provide a brief description of the project. (Please limit to no more than 200 words; this will be used to inform reviewers and the public about your proposal)

The proposed project (Phase 4) is a riparian stabilization project on the Rio Grande in Alamosa County. The purpose of the project is to address the causes of deterioration of river function as identified in a study performed in 2001 (2001 Study). The 2001 Study analyzed the condition of the Rio Grande and determined the deterioration in water quality and fishery conditions was due to increased sediment loading. This was caused by unstable stream banks, which resulted from deteriorated conditions of the riparian zone and changing river flow patterns. The primary objective of the project is to improve riparian habitat, stabilize stream banks, reduce sediment loading, increase the sediment transport capacity, and hence improve and enhance fisheries. Other benefits will be a more effective function of the floodplain and improved condition of wet meadows located throughout the area. A multi-faceted approach will be used and proven techniques such as bioengineering, installation of rock and wooden structures, revegetation, construction of bank-full benches, and implementation of grazing best management practices will be applied. Phase 4 will be a cooperative effort between private landowners and local, state, and federal stakeholders. A public education and outreach component will be included.

Objectives

The primary objective of Phase 4 is to improve riparian habitat, stabilize stream banks, reduce sediment loading, increase the sediment transport capacity, and hence improve and enhance fisheries. Other benefits will be a more effective function of the floodplain and improved condition of wet meadows located throughout the area. An improved riparian area will not only provide stream bank stability, but also will filter sediment and possible pollutants before they return to the river.

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Tasks

Task # 1: Riparian Stabilization

- Improve water quality by reducing sediment loading, stabilizing the stream-bank and, by reconfiguring the stream channel to enhance sediment transport.
- Methods: Stabilize stream banks through use of native material revetment. Install channel modification structures (rock weirs) and channel shaping to increase the depth to width ratio. Use bioengineering techniques (vegetative methods): Re-establish native riparian vegetation. Willow clumps will be planted as appropriate in the treated reaches. Bioengineering will also be used with grazing BMPs when appropriate. Third party engineering and contractor(s) will implement this work.
- Deliverables/products: Improved riparian zones. Stabilized stream banks and reconfigured stream channel on five (5) sites. Reduced sediment loading. ** If planned work is not as costly as originally estimated and funds are available, additional sites will be added to the project.*
- Cost to Complete Task # 1: \$ 460,000.00

Task # 2: Grazing Management

- Methods: Improved grazing management will be instituted. At sites where past grazing practices have been a factor in the degradation of the riparian zone, landowners will be required to implement grazing BMPs.
- Deliverables/products: Improved riparian zones.
- Cost to Complete Task # 2: \$1,000.00

Task # 3: Project Monitoring

- Methods: Monitoring will consist of several assessments that include changes in stream bank locations and hence erosion rates, photographic documentation, visual stream assessments, and compliance with BMPs. Surveys will map current locations of the bank and channel, the bank location after construction, and follow-up surveys will monitor the sites for several years. Photographic documentation will be used to track conditions of the riparian and shoreline plant communities, bank stabilization, and overall visual condition of the stream channel. The United States Department of Agriculture's (USDA) publication "Stream Visual Assessment Protocol", 1998, (SVAP) consists of several components that will be used in assessing the sites. This monitoring strategy was used in the EPA 319 funded 2004 Riparian Stabilization Project. The Foundation and the RGHRP will be responsible for conducting monitoring.
- Deliverables/products: Annual Reports will compare current data to prior data in order to demonstrate the relative stability of the stream bank and to evaluate the degree of improvement in the riparian condition.
- Cost to Complete Task # 3: \$12,000.00

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Task # 4 Education / Outreach

- Conduct public information / outreach / education program on Project activities to raise awareness of the RGHRP, and encourage other landowners to consider participation in this or future projects.
- **Methods:** Develop visual aids and written materials of Project showing the specific sites and proposed work. Make presentations at the SLV Wetlands Area Focus Committee; Rio Grande Interbasin Roundtable; quarterly Board Meetings of the Rio Grande Water Conservancy District; Board Meetings of the San Luis Valley Water Conservancy District and to specific public meetings. In addition, give interviews and status reports on local radio stations. Conduct tours to demonstrate the applied techniques. This will be done by RGHRP staff and volunteers.
- **Deliverables/products:** A public that is better informed and more aware of river related issues, especially regarding the work of the RGHRP, the role of the Foundation, and the restoration program in general, including site-specific methodologies used to achieve stabilization of the riparian areas. Outreach and education efforts will impress upon the public the importance of reducing sediment loading in the river and will raise awareness and gain support and participation in this and future projects of the RGHRP.
- Cost to Complete Task # 4: \$2,000.00

Task # 5 Administration of the Project

- **Methods:** Execute CWCB Purchase Order or Contract. Administer P.O. or Contract with CWCB. Maintain financial records of all payments and reimbursements. Execute and administer State CDPH&E Contract for EPA 319 Funds, and administer, including Semi-Annual Reports, Annual Reports, and a Final Report. Maintain financial records of all payments and reimbursements. Coordinate with Project's landowners, contract with participating landowners. Administer contracts. Select third party engineering support and construction contractor(s), contract negotiation and administration. Execute contracts for services. Monitor work to ensure project design and cost estimates are timely, complete, and accurate. Monitor on-site activities for completeness and correctness. Maintain financial records of all payments. Manage the necessary Monitoring Program
- **Deliverables/products:** All appropriate contracts, financial records, external and internal reports. Project completion within planned period and anticipated costs.
- Cost to Complete Task #5: \$25,000.00

Total Project Cost \$500,000.00

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Reporting and Final Deliverable

Reporting: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion of the tasks identified in the statement of work including a description of any major issues that have occurred and any corrective action taken to address these issues.

Final Deliverable: At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

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Budget

Provide a detailed budget by task including number of hours and rates for labor and unit costs for other direct costs (i.e. mileage, \$/unit of material for construction, etc.). A detailed and perfectly balanced budget that shows all costs is required for the State's contracting and purchase order processes. Sample budget tables are provided below. Please note that these budget tables are examples and will need to be adapted to fit each individual application. Tasks should correspond to the tasks described above.

Table 1. Budget for 2009 Rio Grande Riparian Stabilization Project - Phase 4: Part 1 - Funding Sources					
Funding Source	Year After Project Approval and Contract Completion				Total
	Year 1	Year 2	Year 3	Year 4	
CO NPS Program					
1. FY 09 Funds	13,000.00	79,000.00	79,000.00	79,000.00	250,000.00
Subtotal	13,000.00	79,000.00	79,000.00	79,000.00	250,000.00
State/Local Match					
1. WSRA	16,000.00	44,000.00	44,000.00	44,000.00	148,000.00
2. Landowners - cash	4,000.00	32,000.00	32,000.00	32,000.00	100,000.00
3. RGHRP - in-kind	200.00	600.00	600.00	600.00	2,000.00
Subtotal	20,200.00	76,600.00	76,600.00	76,600.00	250,000.00
Total Budget	33,200.00	155,600.00	155,600.00	155,600.00	500,000.00

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Table 2. Budget for 2009 Rio Grande Riparian Stabilization Project - Phase 4: Funding (in Dollars) by Objective and Source

Budget for Year 1 - Year 4 by Objective						Source and Allocation of Funds by Objective		
TASK	Year 1	Year 2	Year 3	Year 4	Total	Match Cash	Match In-Kind	CO NPS Funds
TASK 1: Streambank Stabilization and Bioengineering	10,000	150,000	150,000	150,000	460,000	248,000	-	212,000
TASK 2: Grazing Management	-	300	300	400	1,000	-	-	1,000
TASK 3: Site Evaluation and Monitoring	-	4,000	4,000	4,000	12,000	-	-	12,000
TASK 4: Outreach and Education	500	500	500	500	2,000	-	2,000	-
TASK 5: Administration	4,000	7,000	7,000	7,000	25,000	-	-	25,000
Total	15,500	176,900	161,800	161,900	500,000	248,000	2,000	250,000

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Schedule

Provide a project schedule including key milestones for each task and the completion dates or time period from the Notice to Proceed (NTP).

Project Schedule: 2009 Rio Grande Riparian Stabilization Project - Phase 4																	
Milestone Table																	
#	Activity	Year 1				Year 2				Year 3				Year 4			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1	Complete Planning w/Project / CDOW / NRCS / CWCB																
2	Execute Agreements w/Project / Landowners																
3	Approval of PIP by CDPHE & EPA																
4	Execute CO NPS State Contract - Project																
5	Execute CWCB State Contract - Project																
6	Execute Contract with 3rd Party Engineer - Project																
7	Engineering Design and Cost Estimates w/ Project / CDOW / NRCS / CWCB / Engineer																
8	Contractor Selection & Contract Execution - Project / Contractors																
9	Use of Bio-Engineering Techniques w/Project / CDOW / NRCS / CWCB																
10	BMPs re: Grazing w/ Project / NRCS / Landowners																
11	Monitoring of Site Conditions - Project																
12	Education Outreach - Project																
13	Final Reporting																
14	Project Administration - Project																

Payment

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Payment will be made based on actual expenditures and invoicing by the applicant. Invoices from any other entity (i.e. subcontractors) cannot be processed by the State. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for individual tasks and the entire water activity in relation to the percentage of budget spent, identification of any major issues and proposed or implemented corrective actions. The last 5 percent of the entire water activity budget will be withheld until final project/water activity documentation is completed. All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to Basin Roundtables and the general public and help promote the development of a common technical platform.

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The above statements are true to the best of my knowledge:

Signature of Applicant:

Print Applicant's Name: Michael H. Gibson

Project Title: The Rio Grande Riparian Stabilization Project - Phase 4

Date: January 8, 2010

Return this application to:

Mr. Todd Doherty
Intrastate Water Management and Development Section
COLORADO WATER CONSERVATION BOARD
1580 Logan Street, Suite 600
Denver, CO 80203

To submit applications by Email, send to: todd.doherty@state.co.us

To submit applications by Fax, send to: (303) 894-2578

For questions, call Telephone No.: (303) 866-3426

Attachment 1
Reference Information

The following information is available via the internet. The reference information provides additional detail and background information.

Colorado Water Conservation Board (<http://cwcb.state.co.us/>)

Loan and Grant policies and information are available at – <http://cwcb.state.co.us/Finance/>

Interbasin Compact Committee and Basin Roundtables (<http://ibcc.state.co.us/>)

Interbasin Compact Committee By-laws and Charter (under Helpful Links section) –

<http://ibcc.state.co.us/Basins/IBCC/>

Legislation

House Bill 05-1177 - Also known as the Water for the 21st Century Act –

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<http://cwcbweblink.state.co.us/DocView.aspx?id=105662&searchhandle=28318>

House Bill 06-1400 – Adopted the Interbasin Compact Committee Charter –

<http://cwcbweblink.state.co.us/DocView.aspx?id=21291&searchhandle=12911>

Senate Bill 06-179 – Created the Water Supply Reserve Account –

<http://cwcbweblink.state.co.us/DocView.aspx?id=21379&searchhandle=12911>

Statewide Water Supply Initiative

General Information – <http://cwcb.state.co.us/IWMD/>

Phase 1 Report – <http://cwcb.state.co.us/IWMD/SWSITechnicalResources/SWSIPhaseIReport/>

Attachment 2
Insurance Requirements

NOTE: The following insurance requirements taken from the standard contract apply to WSRA projects that exceed \$25,000 in accordance with the policies of the State Controller’s Office. Proof of insurance as stated below is necessary prior to the execution of a contract.

13. INSURANCE

Grantee and its Sub-grantees shall obtain and maintain insurance as specified in this section at all times during the term of this Grant: All policies evidencing the insurance coverage required hereunder shall be issued by insurance companies satisfactory to Grantee and the State.

A. Grantee

i. Public Entities

If Grantee is a "public entity" within the meaning of the Colorado Governmental Immunity Act, CRS §24-10-101, et seq., as amended (the “GIA”), then Grantee shall maintain at all times during the term of this Grant such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the GIA. Grantee shall show proof of such insurance satisfactory to the State, if requested by the State. Grantee shall require each Grant with Sub-grantees that are public entities, providing Goods or Services hereunder, to include the insurance requirements necessary to meet Sub-grantee’s liabilities under the GIA.

ii. Non-Public Entities

If Grantee is not a "public entity" within the meaning of the GIA, Grantee shall obtain and maintain during the term of this Grant insurance coverage and policies meeting the same requirements set forth in §13(B) with respect to sub-Grantees that are not "public entities".

B. Sub-Grantees

Grantee shall require each Grant with Sub-grantees, other than those that are public entities, providing Goods or Services in connection with this Grant, to include insurance requirements substantially similar to the following:

i. Worker’s Compensation

Worker’s Compensation Insurance as required by State statute, and Employer’s Liability Insurance covering all of Grantee and Sub-grantee employees acting within the course and scope of their employment.

ii. General Liability

Commercial General Liability Insurance written on ISO occurrence form CG 00 01 10/93 or equivalent, covering premises operations, fire damage, independent Grantees, products and completed operations, blanket Grantual liability, personal injury, and advertising liability with minimum limits as follows: (a) \$1,000,000 each occurrence; (b) \$1,000,000 general aggregate; (c) \$1,000,000 products and completed operations aggregate; and (d) \$50,000 any one fire. If any aggregate limit is reduced below \$1,000,000 because of claims made or paid, Sub-grantee shall immediately obtain additional insurance to restore the full aggregate limit and furnish to Grantee a certificate or other document satisfactory to Grantee showing compliance with this provision.

iii. Automobile Liability

Automobile Liability Insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of \$1,000,000 each accident combined single limit.

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iv. Additional Insured

Grantee and the State shall be named as additional insured on the Commercial General Liability and Automobile Liability Insurance policies (leases and construction Grants require additional insured coverage for completed operations on endorsements CG 2010 11/85, CG 2037, or equivalent).

v. Primacy of Coverage

Coverage required of Grantee and Sub-grantees shall be primary over any insurance or self-insurance program carried by Grantee or the State.

vi. Cancellation

The above insurance policies shall include provisions preventing cancellation or non-renewal without at least 45 days prior notice to the Grantee and the State by certified mail.

vii. Subrogation Waiver

All insurance policies in any way related to this Grant and secured and maintained by Grantee or its Sub-grantees as required herein shall include clauses stating that each carrier shall waive all rights of recovery, under subrogation or otherwise, against Grantee or the State, its agencies, institutions, organizations, officers, agents, employees, and volunteers.

C. Certificates

Grantee and all Sub-grantees shall provide certificates showing insurance coverage required hereunder to the State within seven business days of the Effective Date of this Grant. No later than 15 days prior to the expiration date of any such coverage, Grantee and each Sub-grantee shall deliver to the State or Grantee certificates of insurance evidencing renewals thereof. In addition, upon request by the State at any other time during the term of this Grant or any sub-grant, Grantee and each Sub-grantee shall, within 10 days of such request, supply to the State evidence satisfactory to the State of compliance with the provisions of this **§13**.

Attachment 3
Water Supply Reserve Account Standard Contract

NOTE: The following contract is required for WSRA projects that exceed \$100,000. (Projects under this amount will normally be funded through a purchase order process.) Applicants are encouraged to review the standard contract to understand the terms and conditions required by the State in the event a WSRA grant is awarded. Significant changes to the standard contract require approval of the State Controller's Office and often prolong the contracting process.

It should also be noted that grant funds to be used for the purchase of real property (e.g. water rights, land, conservation easements, etc.) will require additional review and approval. In such cases applicants should expect the grant contracting process to take approximately 3 to 6 months from the date of CWCB approval.

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Attachment 4

W-9 Form

NOTE: A completed W-9 form is required for all WSRA projects prior execution of a contract or purchase order. Please submit this form with the completed application.