

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

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July 20-21, 2010 Agenda

A meeting of the Colorado Water Conservation Board (CWCB) will commence on Tuesday, July 20, 2010, at 10:00 a.m. and continue through Wednesday, July 21, 2010. This meeting will be held at the Salida SteamPlant Event Center, 220 W. Sackett St., Salida, Colorado 81201.

The CWCB will hold a workshop on Colorado's Water Supply Future, Tuesday, July 20, 2010, from 8:00 a.m. to 10:00 a.m., at the Salida SteamPlant Event Center.

The CWCB posts notices of its meetings 30-days from the next regular meeting. Notices of special meetings are posted on the website within five business days and not less than 24-hours of such a meeting. Notices of regular and special meetings may also be received by email. To receive notices by email visit: <http://cwcb.state.co.us/Home/CWCBInsider/>.

Although dates and times are indicated in this notice and in the following agenda, the CWCB may address and take action on noticed items in any order. Known changes will be announced at the beginning of the meeting. This notice, any late notice (s) of additional items, and briefing memos prepared for the CWCB will be posted at 1313 Sherman Street, Suite 721, Denver, CO 80203, and on our internet website at: www.cwcb.state.co.us.

The CWCB's meetings are made available live through the internet. To listen to the proceedings, click the "Listen to the meeting LIVE!" link on the CWCB website homepage. The link will be posted just prior to the start of the meeting on the first day of the meeting. A program that handles streaming media (such as Windows Media Player, RealPlayer or similar) is necessary to be able to listen.

Presentations are also being made available. To watch presentations that accompany agenda items, click the "Watch Presentations" link on the CWCB website homepage. You will encounter a few dialog boxes: 1) click Run for the See-and-Share loader, 2) click Run, to run the software, and 3) enter your name to join the conference and click ok.

CWCB encourages citizens to express their views and provide information to the Board on every agenda item. This can be done by sending an email to lisa.barr@state.co.us, by sending a letter to the Board Director or its Chairman, or by attending the meeting. If you attend a meeting, simply fill out a comment sheet and give it to the Board Coordinator at the recording station. The Board will appreciate hearing your views when it reaches that agenda item. If you have any questions, need special accommodations as a result of a disability, or require further information on any CWCB activity, please contact Lisa Barr at 303-866-3441, Ext. 3244. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).

Bill Ritter, Jr.
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

Tuesday, July 20, 2010

CWCB Call to Order 10:15 a.m.

1. Review and Approval of Agenda (10:15 – 10:20)
2. Review and Approval of Meeting Minutes – May 18-19, 2010 Board Meeting (10:20 – 10:25)
3. Approve and/or Remove Items from Consent Agenda (10:25 – 10:30)
4. Future Board Meeting Dates – Informational item only. No action is required by the Board (10:30 – 10:35)
 - a. September 14-15, 2010 Grand Junction (in conjunction with the Colorado River District Water Seminar, September 16, 2010)
 - b. November 16-17, 2010 Denver
 - c. January 25-26, 2011 Denver/Hilton Garden Inn DTC (in conjunction with Colorado Water Congress)
5. Water Information Section – CWCB’s New Website – Susan Lesovsky Presenting (10:35 – 11:05)
6. Directors’ Reports (11:05 – 11:45)
 - a. DNR Executive Director
 - b. IBCC Director
 - c. Agriculture Commissioner
 - d. CWCB Director
 - e. State Engineer
 - f. Division of Wildlife
 - g. Water Resource and Power Development Authority
7. Finance Section – Construction/Severance Tax Fund Projections and Cash Balance Report (11:45 – 12:00)

LUNCH 12:00 – 1:00

8. Finance Section – Construction Fund and Severance Tax Trust Fund Perpetual Base Account - New Project Loans (1:00 – 1:30)
 - a. Stagestop Owners Association – Stagestop Water Augmentation Reservoirs Projects
 - b. Grand River Ditch Company – Grand River Ditch Pipeline Project
 - c. Swan’s Nest Metropolitan District – Water Acquisition Project
9. Finance Section – Prequalification Project List Update (1:30 – 1:50)
 - a. Plains Metro District – Water Rights Purchase
 - b. Farmers Highline Canal Company – Capital Improvement Projects
 - c. Huerfano Cucharas Irrigation Company – Cucharas Reservoir Dam Rehabilitation
10. Finance Section/Interstate & Federal Section - Animas-La Plata (A-LP) State’s Pool Allocation Update (1:50 – 2:05)
11. Water Supply Planning Section - Water Supply Reserve Account – Grant Applications (2:05 – 2:30)
 - a. Leroux Creek Water Users Association – Hanson Reservoir Outlet Rehabilitation
 - b. Colorado Climate Center - Colorado Agricultural Meteorological Network (CoAgMet)

- c. Northern Colorado Water Conservancy District – Data Logger and Telemetry Installation Project
 - d. Southeastern Colorado Water Conservancy District – Stakeholders’ Cooperative Management Analysis for the Upper Arkansas River Basin
12. Water Supply Planning Section – Proposed Change of Fiscal Agent for Water Supply Reserve Account Projects (2:30 – 2:45)
- a. Fraser River Settling Pond
 - b. Demonstration of Membrane Zero Liquid Discharge Process for Drinking Water Systems
13. Water Supply Planning Section – Alternative Agricultural Transfer Methods Criteria and Guidelines (2:45 – 3:05)
- BREAK 3:05 – 3:20**
14. Water Supply Planning Section – Arkansas Basin Roundtable Activities and Next Steps (3:20 – 3:35)
15. Arkansas Valley Conduit Update – Jim Broderick presentation (3:35 – 3:50)
16. Water Information Section – Arkansas River Decision Support System Feasibility Study (3:50 – 4:05)
17. Water Information Section – Upper Arkansas Water Conservancy District Data Collection Platform/Gaging Project (4:05 – 4:20)
18. Water Information Section – CSU Arkansas Basin Data Collection and Assessment (4:20 – 4:40)
19. Water Information Section – USGS Upper Arkansas Water Balance Study (4:40 – 5:00)

RECESS 5:00 p.m.

Wednesday, July 21, 2010

CWCB Call to Order 8:00 a.m.

20. Basin Directors’ Reports (8:00 – 9:00)
- a. Colorado River (Mainstem) Basin Director’s Report
 - b. San Juan/San Miguel-Dolores River Basin Director’s Report
 - c. Gunnison River Basin Director’s Report
 - d. North Platte River Basin Director’s Report
 - e. South Platte River Basin Director’s Report
 - f. Arkansas River Basin Director’s Report
 - g. City and County of Denver Director’s Report
 - h. Rio Grande River Basin Director’s Report
 - i. Yampa-White River Basin Director’s Report
21. Watershed Protection & Flood Mitigation Section – State Support for the Community Rating System (CRS) (9:00 – 9:30)
22. Office of Water Conservation & Drought Planning Section – Sterling Ranch Application for the Rainwater Harvesting Pilot Project Program (9:30 – 10:00)

BREAK 10:00 – 10:15

23. Office of Water Conservation & Drought Planning Section – Presentation on the Guidebook of Best Practices for Municipal Water Conservation in Colorado (10:15 – 11:00)
24. Office of Water Conservation & Drought Planning Section – Presentation on the Updated Passive Water Conservation Savings from the SWSI Conservation Levels Analysis Report (11:00 – 11:30)
25. Watershed Protection & Flood Mitigation Section – Floodplain Rules and Regulations Update (11:30 – 11:45)
26. Watershed Protection & Flood Mitigation Section – Chatfield Reallocation Project (11:45– 12:05)

LUNCH 12:05 – 1:05

27. Attorney General’s Report, Legal Briefing and Executive Session – *This is a briefing on legal issues contained in the Attorney General’s written report and on items listed below that the Board may refer for discussion in an Executive Session based upon attorney-client privilege.* (1:05 – 1:45)

Executive Session Items

- a. Case No. 3-08CW010: Application of Robert Gregg Sease
 - b. Grand Canyon Trust v. U.S. Bureau of Reclamation
 - c. U.S./Mexico Negotiations
 - d. Republican River Litigation Update
 - e. Case No. 6-07CW061 and 6-07CW072: Applications of Upper Yampa Water Conservancy District
28. Report from Executive Session (1:45 – 1:50)
 29. Interstate & Federal Section – Wild and Scenic Rivers – *Staff will update the Board on the various ongoing Wild and Scenic Rivers processes and will ask for Board input on stakeholder proposals.* (1:50 – 2:10)
 30. Interstate & Federal Section – Compact Compliance Strategies Study (2:10 – 2:30)
 31. Stream and Lake Protection Section – Injury with Mitigation – Case No. 4-03CW108: Application of Upper Gunnison River Water Conservancy District, Lake San Cristobal - *Pursuant to ISF Rule 8i.(3), the Board will be asked to (1) determine that the natural environment of Lake San Cristobal could be preserved to a reasonable degree with the proposed injury if applicant provides the proposed mitigation and (2) to approve the proposed pre-trial resolution of this injury with mitigation. This is the second of two required meetings for the Board to approve an Injury with Mitigation proposal.* (2:30 – 3:00)

BREAK 3:00 – 3:15

32. Stream & Lake Protection Section – Big and Little Dominguez Creeks Uncontested 2010 Instream Flow Appropriations. *Staff will ask the Board to take final action on these two stream segments.* (3:15 – 3:35)
33. Stream & Lake Protection Section – Report on Economic Benefits of Instream Flows and the Recovery Program – *Staff will present the findings of a draft report by John Loomis and Jeff Ballweber of the Department of Agricultural and Resource Economics, Colorado State University.* (3:35 – 4:05)

34. Stream & Lake Protection Section – Case Nos. 6-07CW061 and 6-07CW072: Applications of Upper Yampa Water Conservancy District – *Timing of Board consideration of the District’s request to inundate the Board’s Silver Creek instream flow water right with Morrison Creek Reservoir.* (4:05 – 4:25)

ADJOURN

4:25 p.m.

CWCB Consent Agenda

July 20-21, 2010

Matters may be placed on the Consent Agenda when the recommended action follows established policy or precedent, there has been a negotiated settlement, or the matter is uncontested and non-controversial. Staff provides memos to CWCB members explaining the matters on the Consent Agenda. Matters on the Consent Agenda are noticed for hearing in the same manner as other agenda items. If a member of the CWCB requests further consideration of an item on the Consent Agenda, the item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without reading or discussing individual items. Any CWCB member may request clarification about any matter on the Consent Agenda.

1. Stream and Lake Protection Section – Statements of Opposition – The Board will be asked to ratify Statements of Opposition that have been filed by staff to protect instream flow and natural lake level water rights in the following cases:
 - a. Case No. 5-10CW47: Application of Basalt Water Conservancy District
 - b. Case No. 5-10CW60: Application of River Valley Ranch HOA and Town of Carbondale
 - c. Case No. 5-10CW115: Application of Powdr – Copper Mountain LLC
 - d. Case No. 2-10CW17: Application of Richard Pursell
2. Watershed Protection and Flood Mitigation Section – Designation and Approval of Regulatory Floodplain Information
 - a. Renumbering Only of Previously Designated Study No. 608, “Flood Insurance Study, Town of Erie Colorado, Boulder and Weld Counties”, December, 2004 (previously designated in January, 2008)
 - b. Renumbering Only of Previously Designated Study No. 609, “Flood Insurance Study , Larimer County, Colorado and Incorporated Areas”, Prepared by the Federal Emergency Management Agency, June, 2008 (previously designated in January, 2008)
 - c. “Flood Insurance Study, Adams County, Colorado and Incorporated Areas”, Prepared by the Federal Emergency Management Agency, March, 2007.
 - d. “Flood Insurance Study, Alamosa County, Colorado and Incorporated Areas”, Prepared by the Federal Emergency Management Agency, April, 1999.
 - e. “Flood Insurance Study, City of Alamosa, Colorado, Alamosa County”, Prepared by the Federal Emergency Management Agency, April, 1999.
 - f. “Flood Insurance Study, Archuleta County, Colorado and Incorporated Areas”, Prepared by the Federal Emergency Management Agency, September, 2009.
 - g. “Flood Insurance Study, Summit, Colorado, Unincorporated Areas”, Prepared by the Federal Emergency Management Agency, August, 2001.
 - h. “Flood Insurance Study, Town of Silverthorne, Colorado, Summit County”, Prepared by the Federal Emergency Management Agency, August, 2001.

- i. "Flood Insurance Study, Fremont County, Colorado and Incorporated Areas", Prepared by the Federal Emergency Management Agency, September, 2007.
- j. "Flood Insurance Study, Teller County, Colorado and Incorporated Areas", Prepared by the Federal Emergency Management Agency, September, 2009.
- k. "Flood Insurance Study, Eagle County, Colorado and Incorporated Areas", Prepared by the Federal Emergency Management Agency, December, 2007.
- l. "Flood Insurance Study, Park County, Colorado and Incorporated Areas", Prepared by the Federal Emergency Management Agency, December, 2009.
- m. "Flood Insurance Study, Grand County, Colorado and Incorporated Areas", Prepared by the Federal Emergency Management Agency, January, 2008.
- n. "Flood Insurance Study, Garfield County, Colorado and Incorporated Areas", Prepared by the Federal Emergency Management Agency, August, 2006.
- o. "Flood Insurance Study, Clear Creek County, Colorado and Incorporated Areas", Prepared by the Federal Emergency Management Agency, March, 2007.
- p. "Flood Insurance Study, Pitkin County, Colorado and Incorporated Areas", Prepared by the Federal Emergency Management Agency, October, 2004.