

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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DRAFT

SUMMARY MINUTES AND RECORD OF DECISIONS SEPTEMBER 27-28, 2012

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

A regular meeting of the Colorado Water Conservation Board (CWCB) was convened at the offices of the Northern Colorado Water Conservancy District, located at 220 Water Ave, Berthoud, CO, 80513. The meeting was called to order by Chair John McClow. Seven voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present were: John McClow, Geoff Blakeslee, Alan Hamel, Travis Smith, April Montgomery, Ty Wattenberg, and Diane Hoppe. Barbara Biggs and Russ George arrived during item 5, Director's Reports. Non-voting *ex officio* members present or represented were Dick Wolfe, State Engineer; Casey Shpall, Office of the Attorney General; Jeff Ver Steeg, Assistant Director, Colorado Parks and Wildlife; John Salazar, Colorado Commissioner of Agriculture; and Jennifer Gimbel, CWCB Director. Also present were John Stulp, Special Policy Advisor to the Governor for Water and Ginny Brannon, Assistant Director for Water and Energy, Colorado Department of Natural Resources.

On the second day, the meeting was called to order by Chair John McClow. Nine voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present on the second day were: John McClow, Russ George, Geoff Blakeslee, Alan Hamel, Travis Smith, April Montgomery, Ty Wattenberg, and Diane Hoppe. Non-voting *ex officio* members present or represented were: Dick Wolfe, State Engineer; Casey Shpall, Office of the Attorney General; Rick Cables, Director, Colorado Parks and Wildlife; Ron Carleton, Deputy Commissioner of Agriculture; and Jennifer Gimbel, CWCB Director. Also present were John Stulp, Special Policy Advisor to the Governor for Water and Ginny Brannon, Assistant Director for Water and Energy, Colorado Department of Natural Resources.

Note: While the Board's consideration of agenda items does not always follow the sequence indicated by the agenda numbers, these minutes are listed in agenda item order for easier reference.

THURSDAY, SEPTEMBER 27, 2012

CWCB Call to Order 8:30 AM

1. Review and Approval of Agenda

Action: Ty Wattenberg made a motion to approve the agenda, which was seconded by Alan Hamel. The motion was approved unanimously (7-0).

2. Review and Approval of Meeting Minutes – July 17-18, 2012 Board Meeting

Action: Alan Hamel made a motion to approve the July 17-18, 2012 minutes, which was seconded by Diane Hoppe. The motion was approved unanimously (7-0).

3. Approve and/or Remove Items from Consent Agenda

Action: Travis Smith made a motion to accept the consent agenda, which was seconded by Geoff Blakeslee. The motion was approved unanimously (7-0).

CWCB 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. 5-12CW04: Application of Colorado Mountain Resorts Investors, LLC

2. Stream and Lake Protection Section - Temporary Leases of Water for Instream Flow Use

- *The Board will be asked to ratify the CWCB Director's acceptance of the following temporary leases of water for instream flow use:*
 - a. Temporary Lease of Water Right from Colorado Water Trust and Aspen Shorefox, LLC for ISF use on the Colorado River
 - b. Temporary Lease of Water Right from Colorado Water Trust and Coyote River Ranch, LLC for ISF use on Deep Creek

4. Future Board Meeting Dates

- a. November 13-14, 2012 Denver (in conjunction with IBCC)
- b. January 28-29, 2013 Denver (Monday/Tuesday Meeting)

Action: This was an informational item only. No Board action was required.

5. Directors' Reports

- a. DNR Executive Director

Action: Report by Ginny Brannon. This was an informational item only. No Board action was required.

b. IBCC Director

Action: Report by John Stulp. This was an informational item only. No Board action was required.

c. Agriculture Commissioner

Action: Report by John Salazar. This was an informational item only. No Board action was required.

d. CWCB Director

Action: Report by Jennifer Gimbel. This was an informational item only. No Board action was required.

e. State Engineer

Action: Report by Dick Wolfe. This was an informational item only. No Board action was required.

f. Division of Parks and Wildlife

Action: Report by Jeff Ver Steeg. This was an informational item only. No Board action was required.

g. Water Resource and Power Development Authority.

Action: A report was included in the Board packet. This was an informational item only. No Board action was required.

6. Value of Water Campaign – Public Survey Update

Action: Presentation by Tom Browning. This was an informational item only. No Board action was required.

7. Stream and Lake Protection Section — Authorization to Proceed to Trial in Consolidated Case Nos. 4-10CW164, 165, 166, 167, and 169: Application of the Board of Commissioners of Montrose County, Town of Nucla and Town of Naturita

Action: Presentation by Linda Bassi. Action was taken after Executive Session. A motion was made by April Montgomery to approve staff recommendation, which was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

Staff Recommendation: Pursuant to ISF Rule 8j., Staff recommends that the Board authorize Staff to proceed to trial to protect the Board's exclusive authority to adjudicate instream flow water rights in the event that Staff and the Attorney General's Office are unable to reach a settlement with the Applicants.

8. Attorney General's Report, Legal Briefing and Executive Session

Action: Report by Casey Shpall, Deputy Attorney General. This was an informational item only. No Board action was required.

9. Executive Session

Action: Barbara Biggs made a motion for the Board to go into executive session for discussion of agenda items 9a-9f, with the addition of 9g: an item discussing the motion to vacate in Subdistrict 1, Division 3, which was seconded by Alan Hamel. The motion was approved unanimously (9-0).

- a. Consolidated Case Nos. 4-10CW164, 165, 166, 167, and 169: Application of the Board of Commissioners of Montrose County, Town of Nucla and Town of Naturita
- b. Case No. 4-11CW129: Application of CWCB on the San Miguel River
- c. Case No. 4-10CW180: Application of Colorado Water Conservation Board on Washington Gulch and the Slate River
- d. Republican River and associated litigation issues
- e. Colorado River Issues
- f. Loan Contract #C152824 – Rodney Preisser (Bankruptcy Court Settlement)
- g. Subdistrict 1, Division 3, and associated litigation issues

Geoff Blakeslee made a motion for the Board to leave executive session, which was seconded by Ty Wattenberg. The motion was approved unanimously (9-0).

Action: After the close of the regular agenda on the second day, Travis Smith made a motion for the Board to go into executive session for discussion of agenda item 9a, which was seconded by Ty Wattenberg. Alan Hamel was unavailable for this motion. The motion was approved unanimously (8-0).

Diane Hoppe made a motion for the Board to leave executive session, which was seconded by Ty Wattenberg. Alan Hamel was unavailable for this motion. The motion was approved unanimously (8-0).

10. Report from Executive Session

Action: Deputy Attorney General Casey Shpall reported that the Board went into Executive Session, pursuant to C.R.S. Section 24-6-402(3)(a)(II) for discussion of Agenda Items 9a-9g, and that the discussion was limited to those items only, with no action taken.

Action: After the close of a brief executive session on the second day, First Assistant Attorney General Susan Schneider reported that the Board went into Executive Session, pursuant to C.R.S. Section 24-6-402(3)(a)(II) for discussion of Agenda Item 9a, and that the discussion was limited to that item only, with no action taken.

11. Joint Meeting with Northern Colorado Water Conservancy District

Action: Presentation by staff members and directors of NCWCD. This was an informational item only. No Board action was required.

12. Presentation by Pioneer Natural Resources – Purgatoire Watershed Monitoring Program in the Raton Basin

Action: Presentation by Diane Hoppe and Julie Vlier of Pioneer Natural Resources. This was an informational item only. No Board action was required.

13. Stream and Lake Protection Section – Lower Dolores River Working Group Presentation

Action: Presentation by Linda Bassi, CWCB; Mike Preston, Dolores Water Conservancy District; Dave Kraft, Colorado Parks and Wildlife; Peter Mueller, The Nature Conservancy; Jim White, Colorado Parks and Wildlife, as well as Working Group members Don Magnusson, Randy Carver, Nathan Fay, and Mandy McDermott. This was an informational item only. No Board action was required.

14. Stream and Lake Protection Section – Proposed Water Rights Acquisition on the Alamosa River

Action: Presentation by Linda Bassi, CWCB; Kaylea White, CWCB; and Cindy Medina, Alamosa Riverkeepers. This was an informational item only. No Board action was required.

15. *ITEM REMOVED BY STAFF*

16. Water Supply Planning Section – Drought Update

Action: Presentation by Taryn Hutchins-Cabibi. This was an informational item only. No Board action was required.

17. Finance / Interstate, Federal, and Water Information Sections – Animas-La Plata (A-LP) State's Pool Allocation Update

Action: Presentation by Tim Feehan. This was an informational item only. No Board action was required.

18. Finance Section – Changes to Existing Loans

a. Town of Starkville – Loan Restructuring

Action: Presentation by Steve Biondo, with Crick Carlisle, Mayor of Starkville. A motion was made by Alan Hamel to approve staff recommendation, which was seconded by Russ George. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends that the Board approve accrued interest forgiveness for the Town of Starkville, up to \$20,000, and amend Loan Contract No. C153347 to amortize the current principal balance of \$141,066, with loan terms of 30 years at a zero percent interest rate. The repayment provisions of the loan contract and Promissory Note will be revised accordingly. As security for the loan, the Town will pledge its water revenues backed by a rate covenant and provide annual financial reporting. This brings them in compliance with CWCB Financial Policy #5.

b. Pagosa Area Water & Sanitation District – Dry Gulch Reservoir Project

Action: Presentation by Kirk Russell. This was an informational item only. No Board action was required.

c. Tri-County Water Conservancy District – Tri-County Water Hydropower Project

Action: Presentation by Kirk Russell, with Mike Perry, General Manager of Tri-County Water Conservancy District. A motion was made by Ty Wattenberg to approve staff recommendation, which was seconded by Alan Hamel. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends the Board approve a change to Loan Contract #C150324. The contract shall include the addition of a contract condition which shall state: The CWCB may disburse up to \$5,000,000 for Project costs prior to completion of conditions 1 through 5, provided that the District conveys a security interest in \$5,000,000 of its investment portfolio. The CWCB will release its security interest in the District's investment portfolio upon the District's successful completion of Conditions #1 through #5. In addition, if the Borrower is unable to successfully complete Contract Conditions 1 through 5 within three years from the date of the contract amendment, the Borrower shall pay the loan principal in full.

RECESS

FRIDAY, SEPTEMBER 28, 2012

CWCB Call to Order 8:30 AM

19. Basin Directors' Reports

- a. Colorado River (Mainstem) Basin Director's Report - Russell George reporting.

Action: This was an informational item only. No Board action was required.

- b. San Juan/San Miguel-Dolores River Basin Director's Report – April Montgomery reporting.

Action: This was an informational item only. No Board action was required.

- c. Gunnison River Basin Director's Report – John McClow reporting.

Action: This was an informational item only. No Board action was required.

- d. North Platte River Basin Director's Report – Ty Wattenberg reporting.

Action: This was an informational item only. No Board action was required.

- e. South Platte River Basin Director's Report – Diane Hoppe reporting.

Action: This was an informational item only. No Board action was required.

- f. Arkansas River Basin Director's Report – Alan Hamel reporting.

Action: This was an informational item only. No Board action was required.

g. City and County of Denver Director's Report – Barbara Biggs reporting.

Action: This was an informational item only. During her Director's Report, Barbara Biggs made a motion that the CWCB approve a resolution honoring Leo Eisel, which was seconded by Diane Hoppe. The motion was approved unanimously (9-0).

h. Rio Grande River Basin Director's Report – Travis Smith reporting.

Action: This was an informational item only. No Board action was required.

i. Yampa – White River Basin Director's Report – Geoff Blakeslee reporting.

Action: This was an informational item only. No Board action was required.

j. Letter Regarding Storage at Green Mountain Reservoir

Action: A motion was made by Alan Hamel to approve a letter prepared by staff, regarding storage in Green Mountain Reservoir, and to send the letter, with Board suggested edits, to Bureau of Reclamation Commissioner Michael Connor. The motion was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

20. Finance Section – Finance and Administration History Presentation

Action: Presentation by Anna Mauss. This was an informational item only. No Board action was required.

21. Finance Section – Projections and Cash Balance Report

Action: Presentation by Kirk Russell. This was an informational item only. No Board action was required.

22. Finance Section – New Construction Fund Loans

a. The Well Augmentation Subdistrict of Central Colorado Water Conservancy District – Water Rights Purchase and Gravel Pit Storage Project

Action: Presentation by Ryan Edwards. A motion was made by Diane Hoppe to approve staff recommendation, which was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends the Board approve a loan, from the Construction Fund, not to exceed \$3,030,000 (\$3,000,000 for Project costs and \$30,000 for the 1% Loan Service Fee) to the Well Augmentation Subdistrict of Central Colorado Water Conservancy District for the Water Rights Purchase and Gravel Pit Storage Project. The loan terms shall be 30 years at the agricultural rate of 1.75% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

Staff further recommends the following loan contract condition: Prior to disbursement of funds, the borrower shall provide CWCB an appraisal or written opinion of the value of water rights proposed for purchase and an engineering analysis identifying how the water will be put to beneficial use.

b. Eckhardt Farms, Inc. – Water Rights Purchase

Action: Presentation by Anna Mauss. A motion was made by Diane Hoppe to approve staff recommendation, which was seconded by Alan Hamel. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends the Board approve a loan not to exceed \$1,336,230 (\$1,323,000 for project costs and \$13,230 for the 1% Loan Service Fee) from the Construction Fund to Eckhardt Farms Inc. for costs related to the Water Rights Purchase Project. The loan terms shall be 30 years at the agricultural interest rate of 1.75% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

Staff additionally recommends the following contract conditions:

a) The Corporation must use the water rights purchased with the CWCB loan funds for irrigation of crops. If the water cannot be used for crop irrigation, the remaining balance of the loan may be called due within one year by the CWCB.

c. Fort Morgan Reservoir and Irrigation Company – River Diversion Rehabilitation Project

Action: Presentation by Anna Mauss and Cynthia Vassios, from Fort Morgan Reservoir and Irrigation Company. A motion was made by Diane Hoppe to approve staff recommendation, which was seconded by Travis Smith. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends the Board approve a loan not to exceed \$1,308,960 (\$1,296,000 for project costs and \$12,960 for the 1% Loan Service Fee) to the Fort Morgan Reservoir and Irrigation Company for costs associated with construction of the River Diversion Rehabilitation Project from the Construction Fund. The loan terms shall be 30 years at a blended rate of 1.85% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

23. Finance / Water Supply Planning Sections – Construction Fund Loan & WSRA Grant

a. Town of Ridgway – Lake Otonowanda Rehabilitation Project

Action: Presentation by Ryan Edwards. A motion was made by April Montgomery to approve staff recommendation for WSRA grant, which was seconded by Alan Hamel. The motion was approved unanimously (9-0). A motion was made by April Montgomery to approve staff recommendation for Construction Fund loan, which was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

Staff Recommendation for WSRA Grant: Staff recommends grant approval of \$540,000 from the Statewide Account and \$60,000 from the Gunnison Basin account to help fund the Town of Ridgway's Lake Otonowanda Rehabilitation Project.

Staff Recommendation for Construction Fund Loan: Staff recommends the Board approve a loan, from the Construction Fund, not to exceed \$606,000 (\$600,000 for Project costs and \$6,000 for the 1% Loan Service Fee) to the Town of Ridgway, acting by and through its Water Enterprise, for the Lake Ontonowanda Rehabilitation Project. The loan terms shall be 30 years at a middle-income municipal interest rate of 3.0% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

Staff further recommends the following loan contract condition: Prior to disbursement of funds the Town shall have the necessary funds secured to finance the entire Project.

b. Pisgah Reservoir and Ditch Company – Mount Pisgah Dam / Wrights Reservoir Outlet Works Rehabilitation Project

Action: Presentation by Ryan Edwards. A motion was made by Alan Hamel to approve staff recommendation for WSRA grant, which was seconded by Geoff Blakeslee. The motion was approved unanimously (9-0). A motion was made by Alan Hamel to approve staff recommendation for Construction Fund loan, which was seconded by Geoff Blakeslee. The motion was approved unanimously (9-0).

Staff Recommendation for WSRA Grant: Staff recommends approval of \$136,345 from the Statewide Account and \$25,000 from the Arkansas Basin account to help fund the Mount Pisgah Dam/Wright's Reservoir Outlet Works Rehabilitation Project.

Staff Recommendation for Construction Fund Loan: Staff recommends the Board approve a loan, from the Construction Fund, not to exceed \$162,958 (\$161,345 for Project costs and \$1,613 for the 1% Loan Service Fee) to the Pisgah Reservoir and Ditch Company for the Mount Pisgah Dam/Wright's Reservoir Outlet Works Rehabilitation Project. The loan terms shall be 30 years at a blended interest rate of 1.75% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

c. Sanchez Ditch and Reservoir Company – Sanchez Reservoir Outlet Rehabilitation Project

Action: Presentation by Anna Mauss. A motion was made by Travis Smith to approve staff recommendation for WSRA grant, which was seconded by Diane Hoppe. The motion was approved unanimously (9-0). A motion was made by Travis Smith to approve staff recommendation for Construction Fund loan, which was seconded by Alan Hamel. The motion was approved unanimously (9-0).

Staff Recommendation for WSRA Grant: Staff recommends approval of up to \$859,400 from the Statewide Account and \$55,000 from the Rio Grande Basin Account to fund the Sanchez Reservoir Outlet Rehabilitation Project.

Staff Recommendation for Construction Fund Loan: Staff recommends the Board approve a loan, from the Construction Fund, not to exceed \$1,128,776 (\$1,117,600 for project costs and \$11,176 for the 1% Loan Service Fee) to the Sanchez Ditch and Reservoir Company for the Sanchez Reservoir Outlet Rehabilitation Project. The loan terms shall be 30 years at the agricultural rate of 1.75% per annum, the first 5 years of which are interest only. Security for the loan shall be in compliance with CWCB Financial Policy #5.

Staff additionally recommends a contract condition requiring the Company to make additional principal payments of \$5,000 annually to CWCB Loan Contract C153623. Upon the final payment to C153623, an additional \$15,000 shall be paid annually to CWCB Loan Contract C153755A.

24. Finance Section – New Severance Tax Trust Fund Perpetual Base Account

a. Colorado Division of Parks & Wildlife – Beaver Park Dam Rehabilitation Project

Action: Presentation by Tim Feehan. A motion was made by Travis Smith to approve staff recommendation, which was seconded by Diane Hoppe. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends the Board approve a loan not to exceed \$10,000,000 from the Construction Fund to the Colorado Division of Parks and Wildlife, for permitting, engineering and construction costs related to the Beaver Park Dam Rehabilitation Project. The loan terms shall be 30 years at an interest rate of 0% per annum. The Colorado Division of Parks and Wildlife, in coordination with the Department Controller, will encumber from its Wildlife Cash Fund, an amount of \$333,333 to be transferred on September 1st of each year to CWCB's Construction Fund, until such time as its debt obligation is paid in full.

25. Water Supply Planning Section – WSRA Grant Applications

Arkansas Basin Requests

a. Lower Arkansas Valley Water Conservancy District - Ag-Municipal Conservation Easement Demonstration

Action: Presentation by Todd Doherty. A motion was made by Alan Hamel to approve staff recommendation, which was seconded by Travis Smith. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval of up to \$216,000 from the Statewide Account and up to \$54,000 from the Arkansas Basin Account to help fund the Ag-Municipal Conservation Easement Demonstration project contingent upon the applicant addresses items described in the "Issues/Additional Needs" section.

b. Cross Creek Metropolitan District - Hale Reservoir Renovation – Final Design & Permitting

Action: Presentation by Todd Doherty. A motion was made by Alan Hamel to approve staff recommendation, which was seconded by Diane Hoppe. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval of up to \$100,000 from the Statewide Account and up to \$20,000 from the Arkansas Basin Account to help fund the Hale Reservoir Renovation-Final Design and Permitting.

c. Upper Arkansas Water Conservancy District - Build, Assess, and Document
Accounting and Administration Tools for Lease Fallowing in the Arkansas River Valley

Action: Presentation by Todd Doherty and Gary Barber, chair of the Arkansas Basin Roundtable. A motion was made by Alan Hamel to approve staff recommendation, which was seconded by Travis Smith and Ty Wattenberg. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval of up to \$39,215 from the Statewide Account and up to \$20,000 from the Arkansas Basin Account to help complete Phase 4 of the project, Building and Assessing Accounting and Administration Tools for Lease-Fallowing in Colorado's Lower Arkansas River Valley. Phase 4 will document the accounting tool and prepare a methods reference document for the tool.

Southwest Basin Requests

d. La Plata Archuleta Water District - Construction of Municipal Water Distribution Pipeline and Related Facilities

Action: Presentation by Ryan Edwards; Eric Jorgenson, counsel for the District; and Dan Lamb, vice-chair for the District. A motion was made by April Montgomery to approve staff recommendation, which was seconded by Alan Hamel. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval of \$475,000 from the Statewide Account and \$25,000 from the Southwest Basin account to help fund the Construction of Municipal Water Distribution Pipeline and Related Facilities project contingent upon resolution of the items listed in the issues/additional needs section.

e. Mancos Conservation District - Mancos River Habitat and Diversion Project - Phase 2

Action: Presentation by Greg Johnson. A motion was made by April Montgomery to approve staff recommendation, which was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval of up to \$99,340 from the Statewide Account and \$20,000 from the Southwest Basin Account to partially fund the Mancos River Habitat and Diversion Project, Phase 2.

f. Montezuma Valley Irrigation Company - Improved Water User, Conservation, Management and Operations through the Implementation of Water Accounting Software

Action: Presentation by Greg Johnson. A motion was made by April Montgomery to approve staff recommendation, which was seconded by Geoff Blakeslee. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval of up to \$52,500 from the Southwest Basin Account to help complete the project titled: Improved Water Use, Conservation, Management and Operations through the Implementation of Water Accounting Software.

g. Red Mesa Reservoir & Ditch Company - Red Mesa Dam & Reservoir – Spillway Alternatives Analysis

Action: Presentation by Greg Johnson. A motion was made by April Montgomery to approve staff recommendation, which was seconded by Geoff Blakeslee. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval of up to \$19,400 from the Southwest Basin Account to fund the Red Mesa Dam & Reservoir - Spillway Alternatives Analysis.

Rio Grande Basin Requests

h. Rio Grande Headwaters Land Trust - Rio Grande Initiative: Haywood Ranch Conservation Easement

Action: Presentation by Greg Johnson. A motion was made by Travis Smith to approve staff recommendation, which was seconded by Alan Hamel. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval of up to \$400,000 from the Statewide Account and \$25,000 from the Rio Grande Basin Account to partially fund the Rio Grande Initiative: Haywood Ranch Conservation Easement.

Gunnison Basin Requests

i. Trout Unlimited - Relief Ditch Diversion Modification Construction

Action: This item was withdrawn by the applicant. Drew Peternell of Trout Unlimited attended the meeting to thank the Board for their support. This was an informational item only. No Board action was required.

j. ***ITEM REMOVED BY STAFF***

Metro / South Platte Basin Requests

k. The Greenway Foundation - Denver South Platte River Implementation Project - Frontier/Overland Final Design

Action: Presentation by Greg Johnson and Jeff Shoemaker of the Greenway Foundation. A motion was made by Diane Hoppe to approve staff recommendation, which was seconded by Russ George. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval of up to \$175,000 from the Metro Basin Account, \$25,000 from the South Platte Basin Account, and \$300,000 from the Statewide Account to help fund the final design of the Frontier/Overland Park project upon the condition of providing the additional documentation specified in the Issues/Additional Needs section.

Metro Basin Requests

l. ***ITEM REMOVED BY STAFF***

Colorado Basin Requests

m. Robinson Ditch Company - Robinson Ditch Piping Improvements

Action: Presentation by Greg Johnson. A motion was made by Geoff Blakeslee to approve staff recommendation, which was seconded by Ty Wattenberg. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval of up to \$60,000 from the Colorado Basin Account to help complete the project titled: Robinson Ditch Piping Improvements, on the condition that the issues and additional needs are met.

n. Blue River Watershed Group - Tenmile Creek Restoration Project

Action: Presentation by Chris Sturm. A motion was made by Russ George to approve staff recommendation, which was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval upon the condition of addressing concerns specified in the Issues/Additional Needs section of up to \$17,500 from the Colorado Basin Account and \$332,500 from the Statewide account to help fund the Tenmile Creek Restoration Project.

o. Eagle River Watershed Council - Colorado River Restoration and Conservation Projects

Action: Presentation by Chris Sturm. A motion was made by Barbara Biggs to approve staff recommendation, with an alteration to “28% of non-CWCB match funding”. The motion was seconded by Geoff Blakeslee. Alan Hamel was unavailable for this motion. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends approval upon the condition of addressing concerns specified in the Issues / Additional Needs section of up to \$20,000 from the Colorado Basin Account and \$90,000 from the Statewide account to help fund the Colorado River Restoration and Conservation Projects.

p. *ITEM REMOVED BY STAFF*

q. Roaring Fork Water Conservancy - Crystal River Watershed – Assessment and Design of Restoration Projects

Action: Presentation by Chris Sturm. A motion was made by Geoff Blakeslee to approve staff recommendation, which was seconded by Ty Wattenberg. Alan Hamel was unavailable for this motion. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends approval upon the condition of addressing concerns specified below in the Issues/Additional Needs section of up to \$15,854 from the Colorado Basin Account and \$317,073 from the Statewide account to help fund the Crystal River Watershed - Assessment and Design of Restoration Projects.

r. Tamarisk Coalition - Grand Valley Riparian Restoration Collaborative (GVRRC)
Project

Action: Presentation by Chris Sturm. A motion was made by Russ George to approve staff recommendation, which was seconded by Geoff Blakeslee. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends approval upon the condition of addressing concerns specified in the Issues/Additional Needs section of up to \$42,726 from the Colorado Basin Account and \$207,274 from the Statewide account to help fund the Grand Valley Riparian Restoration Collaborative Project.

26. Watershed & Flood Protection / Interstate, Federal, and Water Information Sections – Invasive Phreatophyte Control Program (IPCP)

Action: Presentation by Chris Sturm. A motion was made by Diane Hoppe to approve staff recommendation, which was seconded by Ty Wattenberg. The motion was approved unanimously (9-0).

Staff Recommendation: Staff recommends that the Board approve the revised guidance and application for the Invasive Phreatophyte Control Program.

Action: Barbara Biggs made a motion that the Board adjourn, which was seconded by Geoff Blakeslee. Alan Hamel was unavailable for this motion. The motion was approved unanimously (8-0).

ADJOURN