

**East Slope Roundtables Joint Meeting**  
**July 24, 2013**  
**Aurora, CO**

**Attendees**

**Arkansas Basin Roundtable**

Gary Barber	Gwen Happ	Johnny Tonko
Jim Broderick	Kevin Karney	Al Tucker
Reeves Brown	Rick Kienitz	Wayne Vanderschuere
Perry Cabot	Betty Konarski	Tom Wallace
Mannie Colon	Kent Mace	Pat Wells
Jeris Danielson	SeEtta Moss	Jay Winner
Dan Drucker	Terry Scanga	
Alan Hamel	David Taussig	

**Metro Roundtable**

Janet Bell	Julio Iturreria	Mark Pifher
Barbara Biggs	Heather Justus	Mark Shively
Cortney Brand	Mark Koleber	Joe Stibrich
Beorn Courtney	Rick Marsicek	Gary Thompson
Casey Davenhill	Peter Nichols	Marc Waage
John Hendrick	David Nickum	Sharon Williams

**South Platte Basin Roundtable**

Mike Applegate	James Ford	Lisa McVicker
Rich Belt	Joe Frank	Doug Robotham
Mike Brazell	Bruce Gerk	Joel Schneekloth
Pete Conovitz	Jim Hall	Mike Shimmin
Sean Conway	Larry Howard	John Stencil
Tony Corrado	Ken Huson	Bert Weaver
Sean Cronin	Julio Iturreria	Eric Wilkinson
Frank Eckhardt	Greg Kernohan	Jim Yahn
Harold Evans	Kevin Lusk	

**Staff**

Viola Bralish (CWCB)	Kate McIntire (CWCB)	Ben Wade (CWCB)
Heather Bergman (Peak Facilitation)	Becky Mitchell (CWCB)	Madeleine West (DNR)
Jacob Bornstein (CWCB)	Olivia Salmon (Peak Facilitation)	
Craig Godbout (CWCB)	Erik Skeie (CWCB)	

### **Welcome and purpose of meeting**

John Stulp welcomed the group and provided some context for the East Slope Roundtables Joint Meeting. Key points from his remarks are highlighted below.

- The Executive Order mandating a Colorado Water Plan will help to focus much of the work the basin roundtables have been doing over the last several years.
- Today's meeting is an indicator of this increased focus in state water planning efforts.
- Much of the Colorado Water Plan will be derived from basin roundtable input. White papers expressing the collective view of multiple basin roundtables can be an excellent starting point in informing the Colorado Water Plan.
- Joint basin roundtable meetings allow for information sharing about the needs and constraints of other basins. This provides important perspectives that will allow the conversation to move beyond individual basins and toward a state water plan.
- The work performed by basin roundtable members is important and very appreciated.

Mark Koleber, Chair of the Metro Roundtable, also provided some opening remarks about the purpose of the meeting; these remarks are summarized below:

- The work of the West Slope basin roundtables in generating a joint statement on new supply was constructive. It inspired the Executive Committees of the East Slope roundtables to start the process for a similar joint statement that will convey the perspectives of the eastern part of the state.
- The East Slope contains 80% of the state's population. It is important that the Colorado Water Conservation Board (CWCB) hears the input of the East Slope joint roundtables as they move forward with a Colorado Water Plan.

Sean Cronin, Chair of the South Platte Basin Roundtable, offered additional context about the Draft East Slope Roundtables Joint Statement (Joint Statement), touching on the following points:

- The Joint Statement was created by the Executive Committees of the East Slope Roundtables and has multiple authors. It is currently in draft form and is intended to invoke conversation and generate feedback. This feedback will be incorporated into subsequent drafts of the document.
- The goal for today's meeting is to identify areas where East Slope basin roundtables share a common vision as well as to identify where there are important differences of opinion. The chairs also hope that basin roundtable members will flesh out further details about concepts laid out in the Joint Statement, as well as come up with concrete solutions and next steps for how to proceed with the document's recommendations.
- The areas of agreement and disagreement between East Slope basin roundtables will shape basin implementation plans, which in turn will shape the Colorado Water Plan. Meetings like this one will be the opportunity for roundtable members to make their voice heard and influence state water planning. As part of this process, it will be

important for participants to come up with alternative recommendations if they do not like what they see.

Gary Barber provided additional context for the East Slope Roundtables Joint Meeting and the Joint Statement; his comments are summarized below:

- In reviewing the Joint Statement, it will be important for all East Slope basin roundtable members to identify key areas where agreement can be reached. Additionally, it is hoped that the group will contribute their unique perspectives and identify further questions that need to be answered.
- While the focus of today's meeting and the Joint Statement is the municipal water gap, the agricultural water gap and nonconsumptive needs are being addressed in other venues. A specialty workshop, "Valuing Colorado's Agriculture: A Workshop for Water Policy Makers," will take place on October 7 to explore the agricultural gap. Similarly, the Executive Committee of the Arkansas Basin is currently focusing on developing more projects that address nonconsumptive needs.

### **Joint Statement: Vision**

Mark Koleber provided an overview of the Vision outlined in the Joint Statement. Key points are highlighted below.

- Statewide support will be needed to reach enhanced levels of municipal conservation and reuse. Some legislation will probably be needed to reach these levels.
- Statewide support is also needed to ensure successful permitting and development of identified projects and processes (IPPs). If these important projects are not able to move forward, the municipal gap will grow even bigger.
- Continued research and funding is needed to explore water sharing partnerships between agriculture and municipalities.
- Storage will be required on the East Slope; deep aquifer and alluvial storage should be explored.
- The ability to develop Colorado River water needs to be preserved. If this does not occur, the default option will be to take water from agriculture.

### **Joint Statement: Electronic Polling**

Following an overview of the Joint Statement vision, the group participated in an electronic polling session to gauge support for the recommendations of the Joint Statement. Polling results revealed the level of support from the entire group on each recommendation, as well as a breakdown of support from each basin roundtable. The polling data, including the number of persons interested in a specific topic, and the top recommendations within that topic, were used to organize the small table discussions. As a result, some topics had multiple tables and one topic, Municipal Reuse, was not the subject of a small table discussion.

# EAST SLOPE ROUNDTABLES JOINT STATEMENT: DRAFT

East Slope Roundtable Joint Meeting  
July 24, 2013  
Aurora, CO

## Vision for Filling Municipal Supply Gap

### Statewide support for:

- Reaching enhanced levels of municipal conservation and reuse
- Successful permitting and development of planned municipal supply projects
- Continued research, testing, and use of agricultural and municipal water-sharing partnerships

## Vision for Filling Municipal Supply Gap

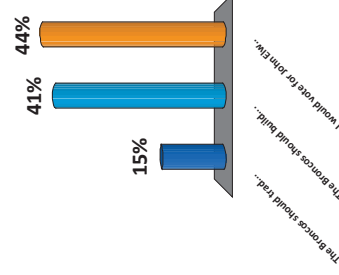
### Statewide support for:

- New water storage on the East Slope using environmentally beneficial methods
- Preserving the ability to develop Colorado's allocation of Colorado River water
- When it is needed, development of a state water project(s) using Colorado River water for municipal uses on the east and west slopes

# ELECTRONIC POLLING

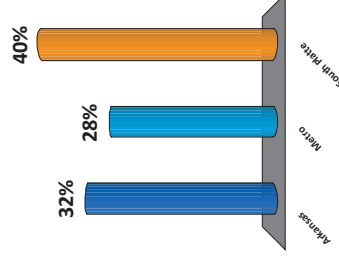
## Which statement do you agree with the most?

- A. The Broncos should trade Peyton Manning for Jay Cutler
- B. The Broncos should build an indoor stadium so they have a chance to win a post-season game
- C. I would vote for John Elway for Governor



## Which basin do you represent?

- A. Arkansas
- B. Metro
- C. South Platte

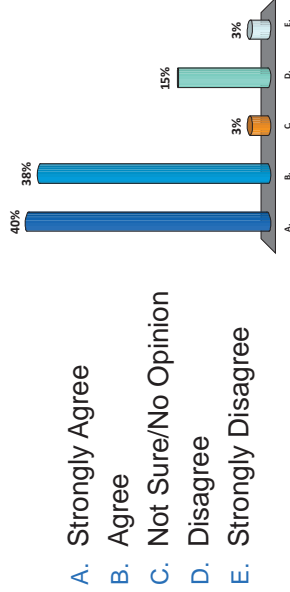


## Municipal Conservation: Recommendations

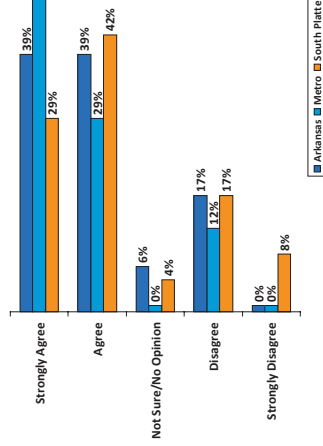
- The selling of only high efficiency plumbing fixtures and appliances in Colorado
- High efficiency standards in new residential and commercial development for plumbing fixtures, appliances, and landscaping
- High efficiency standards for the resale of residences for plumbing fixtures and irrigation system audits
- Coordination of urban land planning and water supply planning

## Municipal Conservation Recommendation:

The selling of only high efficiency plumbing fixtures and appliances in Colorado

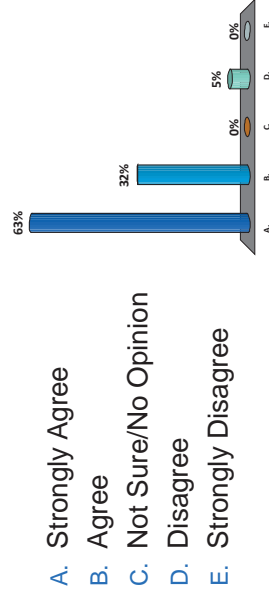


## Municipal Conservation Recommendation: The selling of only high efficiency plumbing fixtures and appliances in Colorado

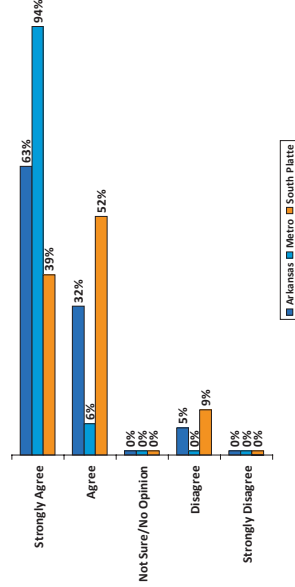


## Municipal Conservation Recommendation:

High efficiency standards in new residential and commercial development for plumbing fixtures, appliances, and landscaping

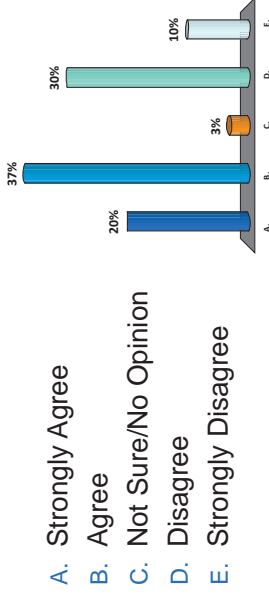


## Municipal Conservation Recommendation: High efficiency standards in new residential and commercial development for plumbing fixtures, appliances, and landscaping

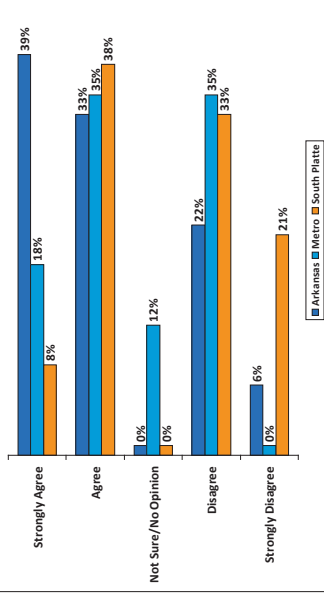


## Municipal Conservation Recommendation:

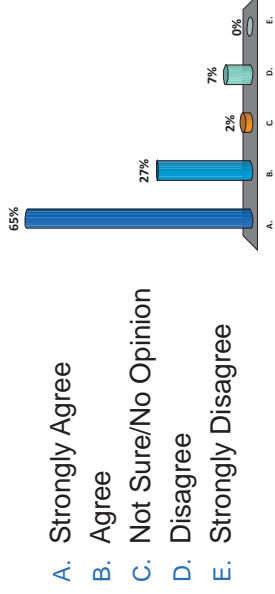
High efficiency standards for the resale of residences for plumbing fixtures and irrigation system audits



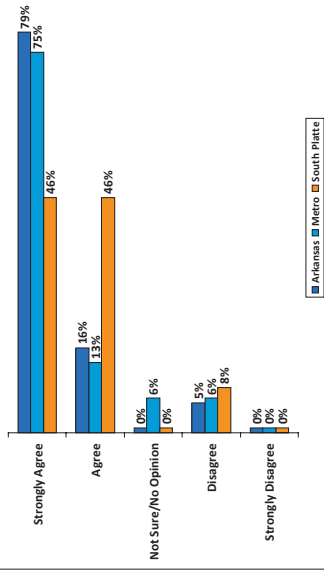
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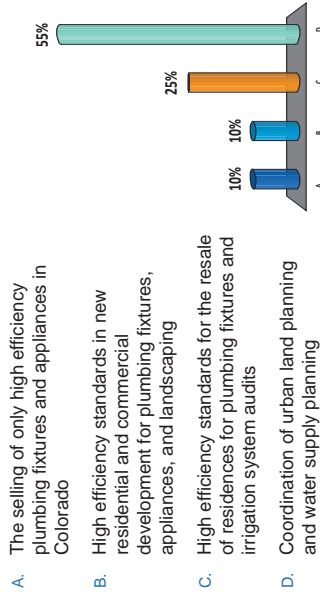
### Municipal Conservation Recommendation: Coordination of urban land planning and water supply planning



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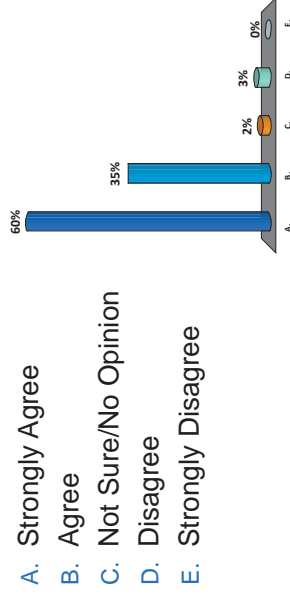
### Which conservation recommendation is most important to discuss this afternoon?



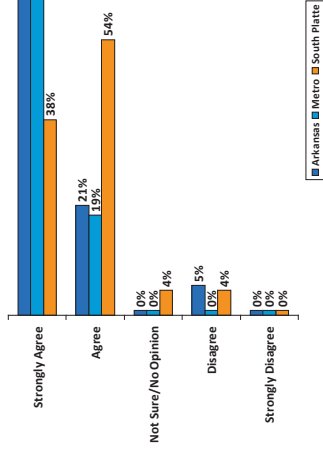
### Municipal Reuse: Recommendations

- Regional cooperation in the development of reusable supplies
- Financing methods for reuse projects
- Research, testing, and development of environmentally responsible methods for disposal of large amount of brine needed for potable reuse

### Municipal Reuse Recommendation: Regional cooperation in the development of reusable supplies

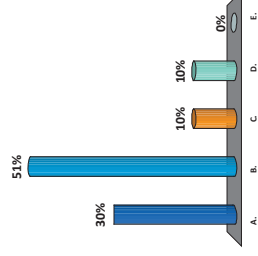


**Municipal Reuse Recommendation:Regional cooperation in the development of reusable supplies**

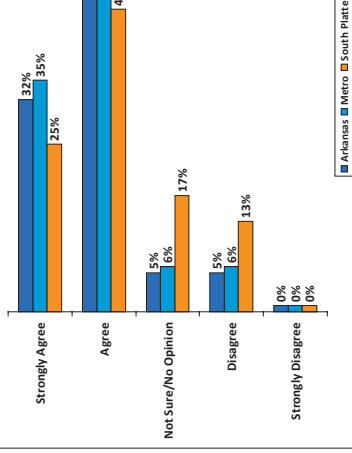


**Municipal Reuse Recommendation:**  
Financing methods for reuse projects

- A. Strongly Agree
- B. Agree
- C. Not Sure/No Opinion
- D. Disagree
- E. Strongly Disagree



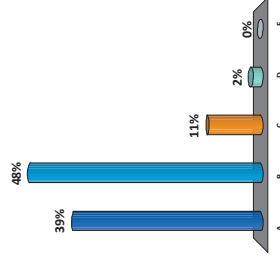
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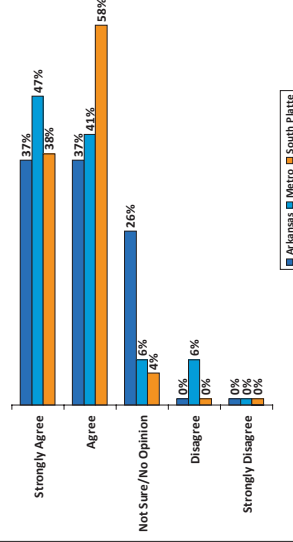
**Municipal Reuse Recommendation:**

Research, testing, and development of environmentally responsible methods for disposal of large amount of brine needed for potable reuse

- A. Strongly Agree
- B. Agree
- C. Not Sure/No Opinion
- D. Disagree
- E. Strongly Disagree

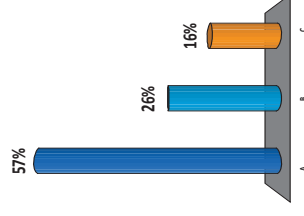


**Municipal Reuse Recommendation:Research, testing, and development of environmentally responsible methods for disposal of large amount of brine needed for potable reuse**



Which reuse recommendation is most important to discuss this afternoon?

- A. Regional cooperation in the development of reusable supplies
- B. Financing methods for reuse projects
- C. Research, testing, and development of environmentally responsible methods for disposal of large amount of brine need for potable reuse



### Planned Supply Projects: Recommendations

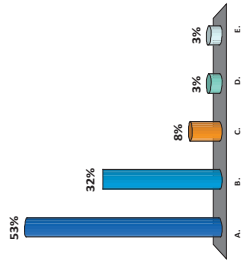
- Agreement between state and federal agencies that when a supply project fits under the purposes and guidelines of the Colorado Water Plan, the “purpose and need” of a supply project will be met
- Streamlining of approval and permitting processes through an interagency coordination process between state and federal agencies

### Planned Supply Projects: Recommendations

- Endorsement and advocacy by all state agencies once a supply project receives the required state approvals and permits. This includes advocacy in the federal permitting process.
- A protocol to keep Colorado’s congressional delegation informed of federal agency actions needed for planned supply projects

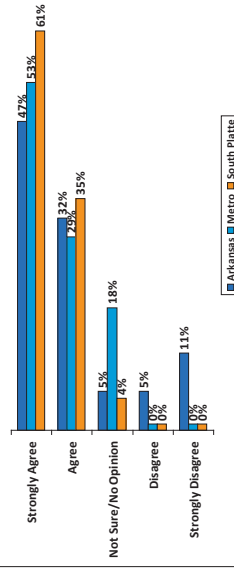
**Planned Supply Projects Recommendation:**  
Agreement between state and federal agencies that when a supply project fits under the purposes and guidelines of the Colorado Water Plan, the “purpose and need” of a supply project will be met

- A. Strongly Agree
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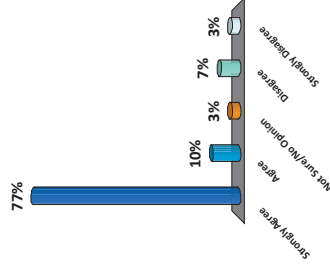
#### Planned Supply Projects

**Recommendation:**Agreement between state and federal agencies that when a supply project fits under the purposes and guidelines of the Colorado Water Plan, the “purpose and need” of a supply project will be met



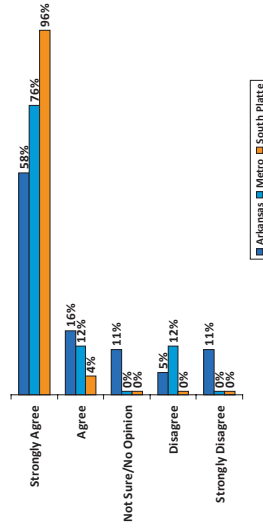
**Planned Supply Projects Recommendation:**  
Streamlining of approval and permitting processes through an interagency coordination process between state and federal agencies

- A. Strongly Agree
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#### Planned Supply Projects

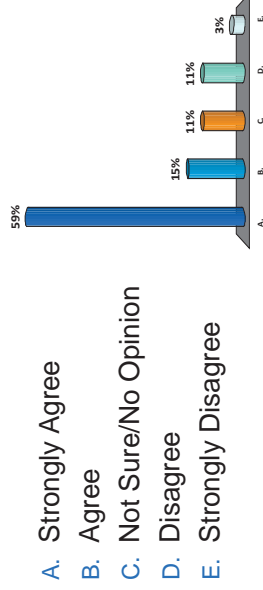
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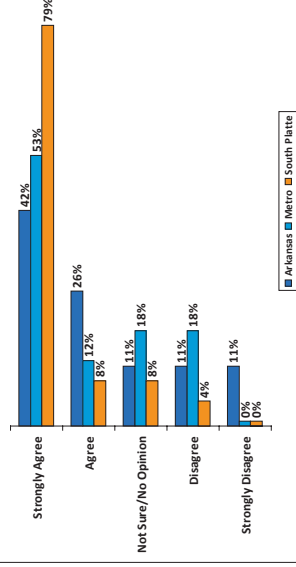
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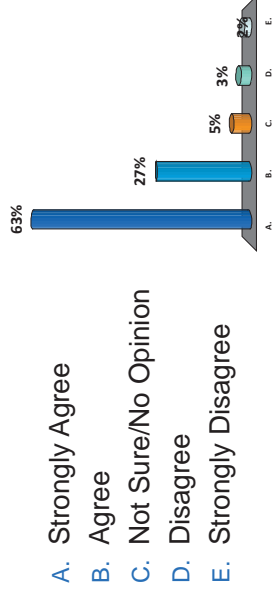
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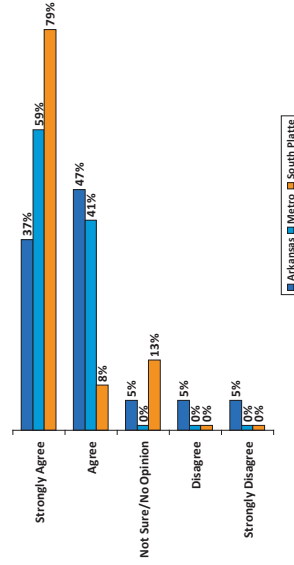


## Planned Supply Projects Recommendation:

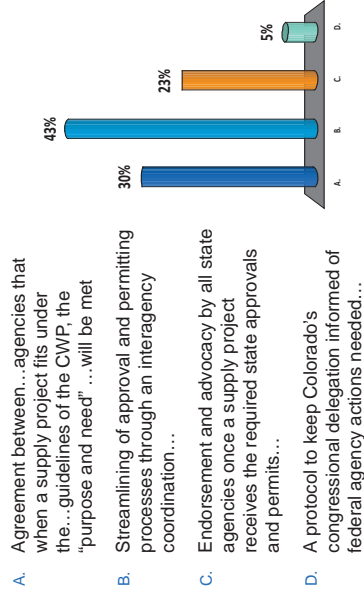
A protocol to keep Colorado's congressional delegation informed of federal agency actions needed for planned supply projects



## Planned Supply Projects Recommendation: A protocol to keep Colorado's congressional delegation informed of federal agency actions needed for planned supply projects



## Which planned supply recommendation is most important to discuss this afternoon?



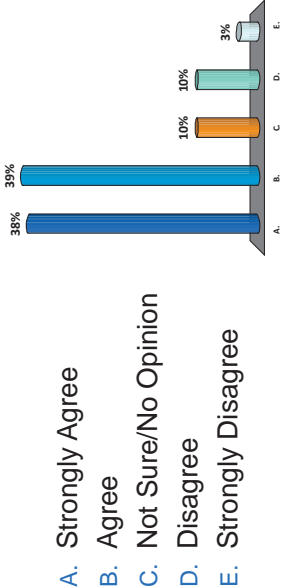
## Water Sharing with Agriculture: Recommendations

- Continued state funding of practical research and pilot projects for water sharing partnerships between cities and agriculture, including alternative water transfer methods
- Solutions for streamlining the water court process for water sharing partnerships that continue to protect vested rights

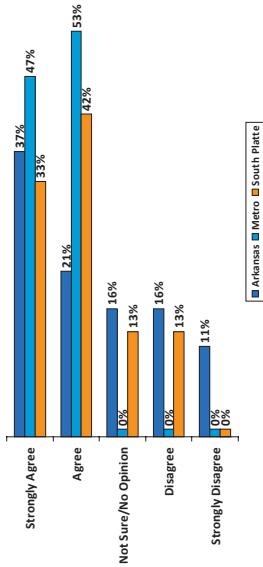
**Water Sharing with Agriculture: Recommendations**

- Incentives to encourage water sharing methods without interference with free market transactions
- Agricultural conservation easements coupled with municipal water lease options

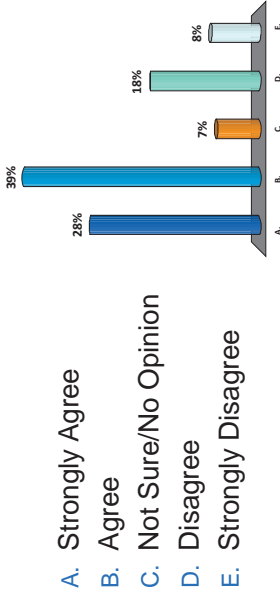
**Water Sharing with Agriculture Recommendation:**  
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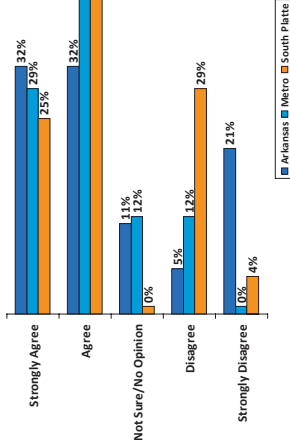
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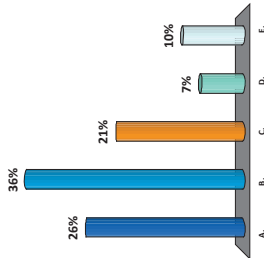


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Solutions for streamlining the water court process for water sharing partnerships that continue to protect vested rights



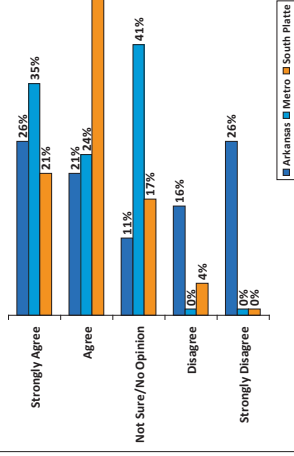
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- A. Strongly Agree
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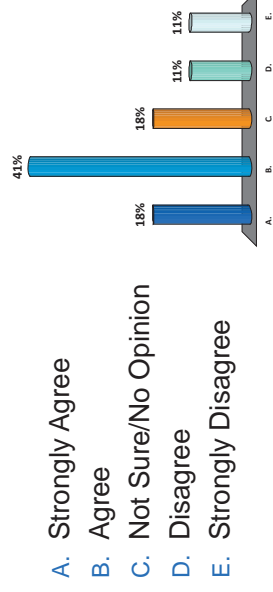


### Water Sharing with Agriculture

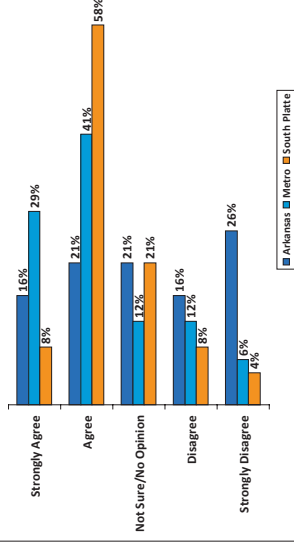
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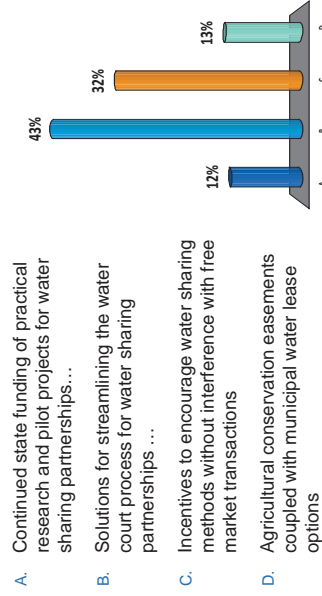
### Water Sharing with Agriculture Recommendation: Agricultural conservation easements coupled with municipal water lease options



### Water Sharing with Agriculture Recommendation: Agricultural conservation easements coupled with municipal water lease options



## Which water sharing recommendation is most important to discuss this afternoon?



## New Colorado River Supply: Recommendations

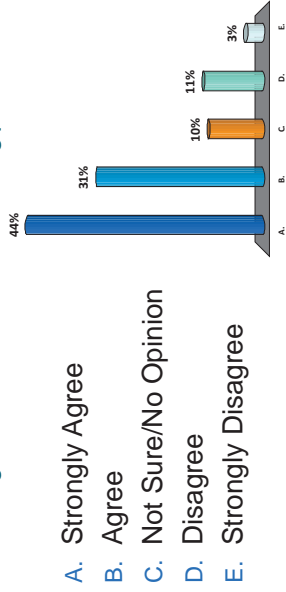
- Identify locations and conceptual configurations of a state water project on the Green, Yampa, and Gunnison rivers using SWSI information as a starting point
- Identify the amounts, locations, and timing of East and West Slope supply gaps that will remain after construction of the planned supply projects
- Preserve the option to build projects on the Green, Yampa, and Gunnison rivers, including securing water rights and land easements or ownership

## New Colorado River Supply: Recommendations

- Establish a trigger for determining when the project(s) would be needed and establish legislative and financial support for the project
- Require an allowance for identified projects in relevant recreational in-channel diversion project and Wild and Scenic process and alternative protection plans
- An objective and creative investigation of how to operate Colorado River Storage Project Act (CRSPA) reservoirs in the state to reduce the risk of curtailment under the Colorado River compact and how to operate the reservoirs to help meet the municipal supply gap

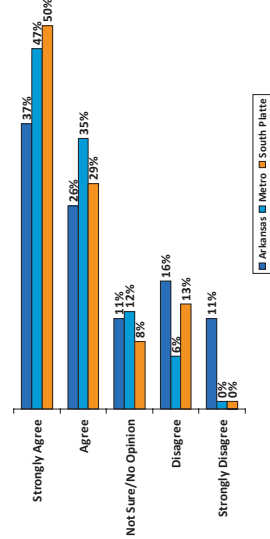
### New Colorado River Supply Recommendation:

Identify locations and conceptual configurations of state water projects on the Green, Yampa, and Gunnison rivers using SWSI information as a starting point



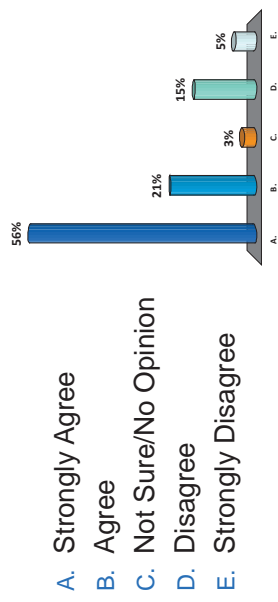
### New Colorado River Supply

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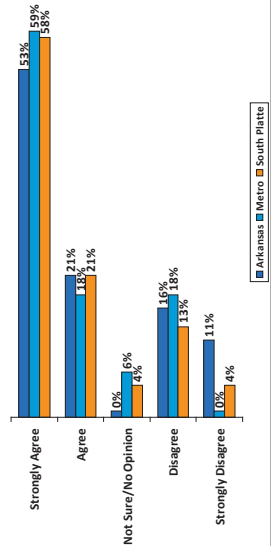
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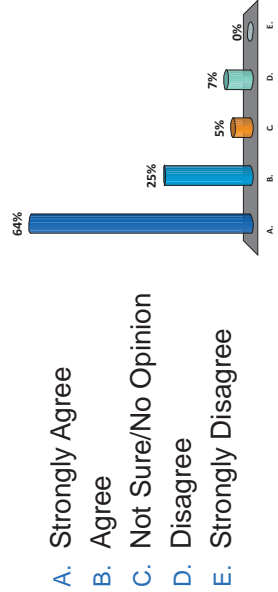
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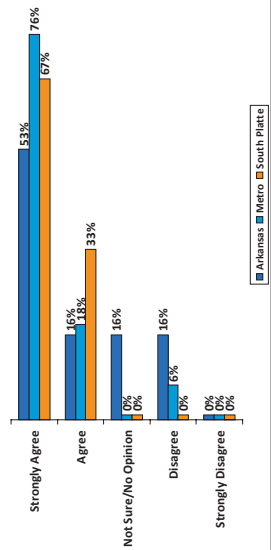
### New Colorado River Supply Recommendation:

Identify the amounts, locations, and timing of East and West slope supply gaps that will remain after construction of the planned supply projects



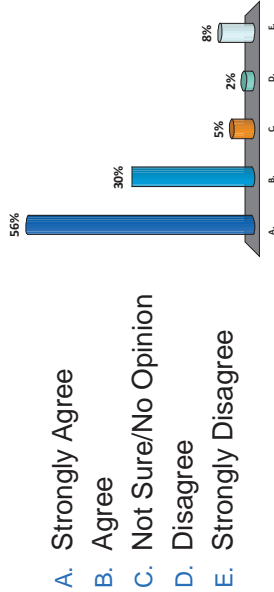
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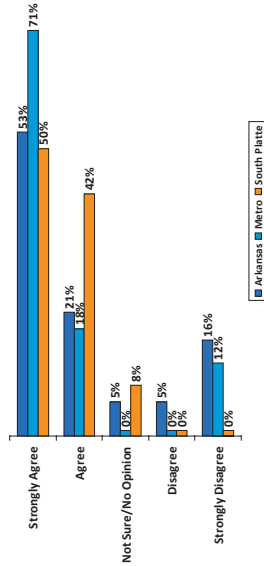
### New Colorado River Supply Recommendation:

Preserve the option to build projects on the Green, Yampa and Gunnison rivers including securing water rights and land easements or ownership



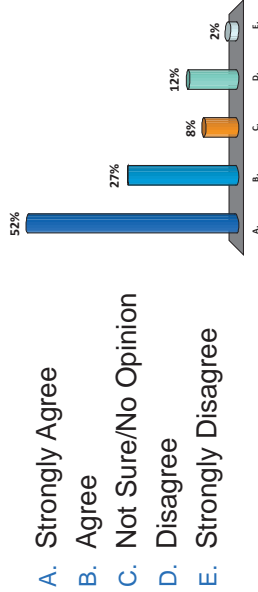
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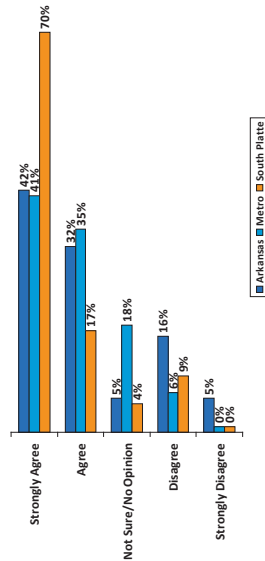
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Establish a trigger for determining when the project(s) would be needed and establish legislative and financial support for the project



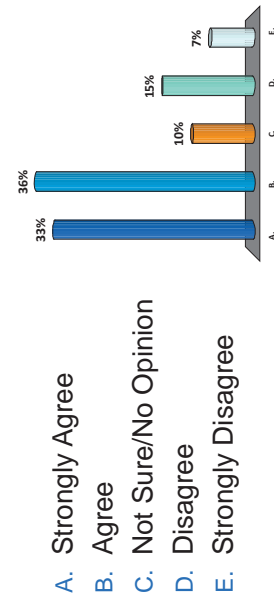
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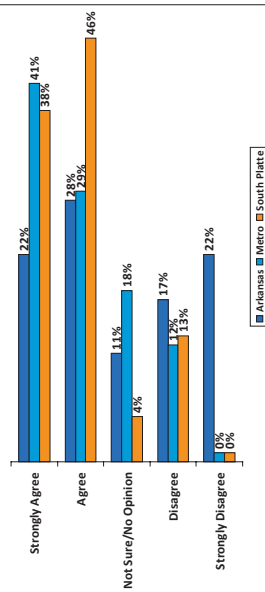
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Require an allowance for identified projects in relevant recreational in-channel diversion project and Wild and Scenic Scenic process and alternative protection plans



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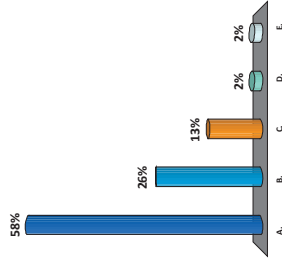
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### New Colorado River Supply Recommendation:

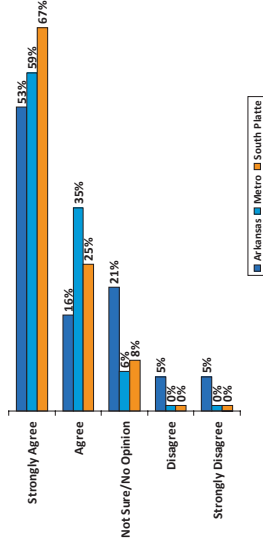
An...investigation of how to operate CRSPA reservoirs... to reduce the risk of curtailment ...and operate...reservoirs to help meet the municipal supply gap

- A. Strongly Agree
- B. Agree
- C. Not Sure/No Opinion
- D. Disagree
- E. Strongly Disagree



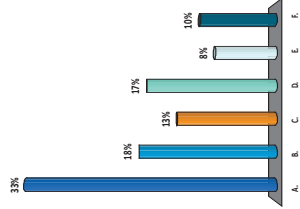
### New Colorado River Supply

Recommendation: An...investigation of how to operate CRSPA reservoirs... to reduce the risk of curtailment ...and operate...reservoirs to help meet the municipal supply gap



### Which new supply recommendation is most important to discuss this afternoon?

- A. Identify locations and conceptual configurations of state water projects. . .
- B. Identify the amounts, locations, and timing of East and West Slope supply gaps. . .
- C. Preserve the option to build projects on Green, Yampa and Gunnison rivers. . .
- D. Establish a trigger for determining when the project(s) would be needed. . .
- E. Require an allowance for identified projects in relevant recreational in-channel diversion project. . .
- F. An . . investigation of how to operate CRSPA reservoirs . . .



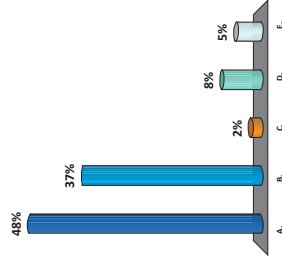
### New East Slope Storage: Recommendations

- Continue state funding of practical research and pilot projects for use of deep aquifer storage and alluvial aquifer storage on the East Slope
- Political and legislative support for enlargement of existing reservoirs and building off-river storage as outlined in the recommendations for planned supply projects

### New East Slope Storage Recommendation:

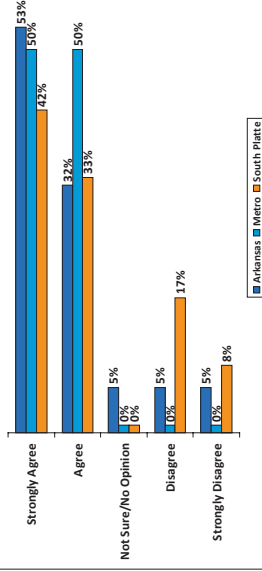
Continue state funding of practical research and pilot projects for use of deep aquifer storage and alluvial aquifer storage on the East Slope

- A. Strongly Agree
- B. Agree
- C. Not Sure/No Opinion
- D. Disagree
- E. Strongly Disagree



### New East Slope Storage

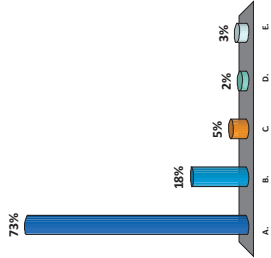
Recommendation: Continue state funding of practical research and pilot projects for use of deep aquifer storage and alluvial aquifer storage on the East Slope



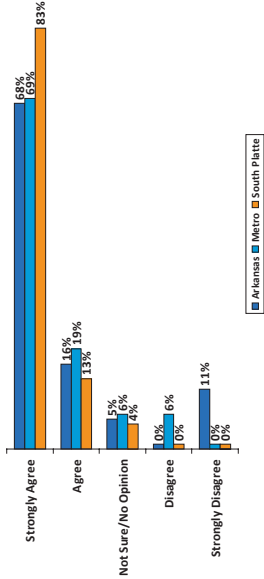
### New East Slope Storage Recommendation:

Political and legislative support for enlargement of existing reservoirs and building off-river storage as outlined in the recommendations for planned supply projects

- A. Strongly Agree
- B. Agree
- C. Not Sure/No Opinion
- D. Disagree
- E. Strongly Disagree

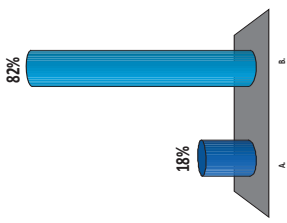


### New East Slope Storage Recommendation: Political and legislative support for enlargement of existing reservoirs and building off-river storage as outlined in the recommendations for planned supply projects



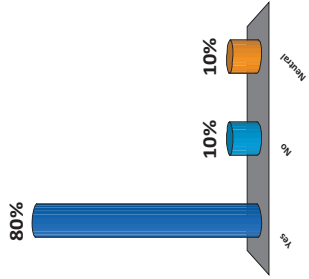
### Which storage recommendation is most important to discuss this afternoon?

- A. Continue state funding of practical research and pilot projects for use of deep aquifer storage and alluvial aquifer storage on the East Slope
- B. Political and legislative support for enlargement of existing reservoirs and building off-river storage as outlined in the recommendations for planned supply projects

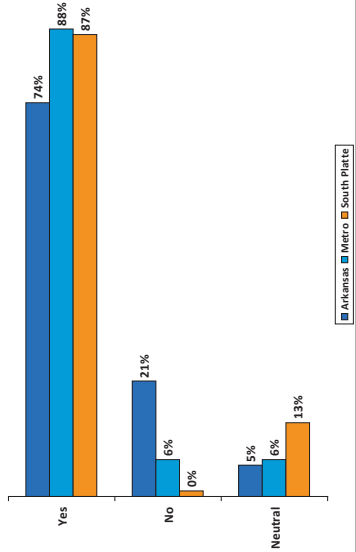


### Overall, do you support the recommendations of the East Slope Roundtables Joint Statement?

- A. Yes
- B. No
- C. Neutral

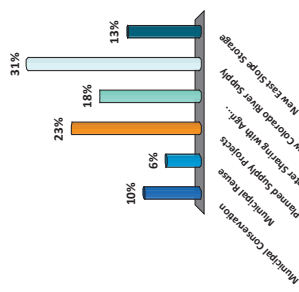


### Overall, do you support the recommendations of the East Slope Roundtables Joint Statement?



### Which topic would you like to discuss in more detail this afternoon?

- A. Municipal Conservation
- B. Municipal Reuse
- C. Planned Supply Projects
- D. Water Sharing with Agriculture
- E. New Colorado River Supply
- F. New East Slope Storage



### **Joint Statement: Small Table Discussions**

Following the electronic polling session, basin roundtable members divided into small groups to discuss individual topics highlighted in the Joint Statement. These groups were asked to focus on recommendations within their topic that polling had revealed to be of high interest. . The results from these small group discussions are summarized below.

#### ***Table One: Municipal Conservation***

*Moderator:* Mark Koleber

*Notetakers:* Ben Wade and Becky Mitchell

*Participants:* Beorn Courtney (Metro), Harold Evans (South Platte), Larry Howard (South Platte), Julio Iturreria (Metro and South Platte), Joe Stibrich (Metro), Wayne Vanderschuere (Arkansas)

The group focused on two of the Joint Statement's recommendations about municipal conservation: coordination of urban land planning and water supply planning, and high efficiency standards for the resale of residences for plumbing fixtures and irrigation system audits. The group touched on the importance of respecting local differences when looking at water and land use issues, with some members stressing that higher density is not for everyone. The group discussed the fact that elected officials are not always knowledgeable about the ties between water and land use and agreed that an education process is needed. While high efficiency standards should be pursued for home resales, group members felt that these objectives should be met through incentives, not mandates. The following next steps were proposed:

- Educate the Colorado Municipal League (CML) and Colorado Counties, Inc. (CCI) about the nexus between land use planning and water planning. The CML has an annual convention which might be a good opportunity to give a presentation on land use planning and water planning. CWCB would be the appropriate body to give this presentation.
- Reintroduce low flow toilet legislation.
- Identify exactly where the water supply gap really exists. Is it at the large municipality level or instead in the aggregate of smaller districts?
- Expand threshold requirements for conservation plans to include providers who divert less than 2,000 acre-feet (af) per year. Alternatively, requirements for conservation plans could take into account a provider's potential for growth in ten years.
- Utilize incentives, not mandates, when implementing high efficiency standards for home resales.
- Standardize criteria for water supply planning in comprehensive plans using best management practices, not metrics.



- Define opportunities for conservation through land use decisions. There needs to be more dialogue about what sorts of conservation decisions lead to what level of water savings. Land density is not always the only solution.

***Table Two: Municipal Reuse***

Due to limited interest in the subject, a small group discussion about municipal reuse did not take place.

***Table Three: Planned Supply Projects***

*Moderator:* Rick Marsicek

*Notetaker:* Mark Bransom

*Participants:* Janet Bell (Metro), Cortney Brand (Metro), Lisa McVicker (South Platte), Tom Wallace (Arkansas), Sharon Williams (Metro)

The group discussed the importance of planned supply projects in meeting the municipal supply gap and the possibility of many IPPs stalling out in the permitting process. Some group members pointed out that with multiple agencies involved, it is difficult to collectively agree on permits. Some group members felt that it was not appropriate to expect federal agencies to accept the Colorado Water Plan as an acceptable basis for the “purpose and need” section of an Environmental Impact Statement. The following next steps were proposed:

- Employ a “boundary spanner” concept, wherein someone in an agency is responsible for knowing all aspects of agency engagement in order to bridge across entities. This individual could help streamline the permitting process by establishing relationships with reviewers to understand their requirements. When differences among reviewers is noted, staff can be brought together to discuss.
- Utilize shared visioning to look at large projects with a long lead time. Representatives from multiple stakeholder groups should be engaged, including regional interests and parties who are not directly part of the water community.
- Implement all recommendations from the Joint Statement regarding planned supply projects together to ensure success. A pilot project to demonstrate the effects of these recommendations would be ideal.
- Develop a “permitting made easy” document (potentially as part of the Colorado Water Plan) to collect permitting information from all involved agencies. Colorado Department of Public Health and Environment has a spreadsheet like this that could serve as a model.

#### ***Table Four: Planned Supply Projects***

*Moderator:* Sean Cronin

*Notetaker:* Erik Skeie

*Participants:* Rich Belt (South Platte), Gwen Happ (Arkansas), Ken Huson (South Platte), David Taussig (Arkansas)

The group discussed the need for local entities to become more involved and engaged in planned water supply projects, with some group members emphasizing the need for language about local governments to be included in the Joint Statement's recommendations. The following wording changes were suggested:

- Planned Supply Projects Recommendation 1: "Agreement between local and state agencies under the undefined purposes and guidelines of the Colorado Water Plan; the need for a water supply project will be supported by those agencies and made known to the federal agencies." This suggested change in wording did not have consensus, with some group members calling for further revision.
- Planned Supply Projects Recommendation 2: "Streamlining of approval and permitting processes through coordination between state and local agencies."

Additionally, the following next steps were suggested:

- Through the Colorado Water Plan, convey unity among state agencies to federal permitting agencies. This will require a collaborative effort among all state agencies.
- Involve local governments early in the process of any planned supply project. Basin roundtables could be an ideal venue for this involvement. However, if this is to occur, basin roundtables will need to discuss broader issues at the local level and potentially create subcommittees to make decisions about key water projects. Additionally, more stakeholders should be brought into the process, such as conservancy districts, county commissioners, ditch companies, etc.
- Initiate legislation to promote local involvement in planned supply projects. This legislation could potentially include the following penalties for a lack of engagement:
  - Loss of voice and rights
  - Loss of 1041 authority

#### ***Table Five: Water Sharing with Agriculture***

*Moderator:* Doug Robotham

*Notetaker:* Seth Turner

*Participants:* Frank Eckhardt (South Platte), Bruce Gerk (South Platte), Joel Schneekloth (South Platte), John Stencel (South Platte), Gary Thompson (Metro), Jay Winner (Arkansas)

The group discussed the importance of pilot projects in learning more about agricultural transfers, with some group members expressing support for continued funding and stressing that experience is more valuable than theoretical discussion. Many questions remain to be answered

about the details of how agricultural to municipal water transfers should occur. Some group members highlighted the importance of agriculture-to-agriculture transfers, pointing out that flexibility in moving water around is important, and that it is better to have four ditches fully farming than seven ditches “sort of” farming. In discussing ways to streamline the water administration process for transfers, the group discussed current disparities in the application of rules. One group member pointed out that “buy-and-dry” is currently a preferable method to alternative transfer methods (ATMs) for municipalities, because the rules are better known. The following changes to the wording of the Joint Statement’s recommendations were suggested:

- Water Sharing with Agriculture Recommendation 3: “Incentives to encourage water sharing methods without interference with free market transactions”

Additionally, the following next steps were suggested:

- Support pilot projects in order to find out what works and what does not. Continued funding of the CWCB ATM program should occur, at least at current levels. Additionally, CWCB should attempt to increase their pool of grant money for this purpose.
- Review, clarify, simplify, and consistently apply rules governing alternative transfer methods.
- Write a state conservation easement tax program in a way that gives farmers control over the process.

***Table Six: Water Sharing with Agriculture***

*Moderator:* Eric Wilkinson

*Notetaker:* Madeleine West

*Participants:* Kevin Karney (Arkansas), Greg Kernohan (South Platte), Rick Kienitz (Arkansas), Kevin Lusk (South Platte), Kent Mace (Arkansas), Peter Nichols (Metro)

The group discussed potential concerns that might be reflected in the polling results for the Water Sharing with Agriculture recommendations from the Joint Statement. The group agreed that some parties might want to see the results of current pilot projects before funding new ones. The group also discussed the challenges of transferring water rights in the water administration process, touching on potential risks to historic water rights. The following next steps were suggested:

- Continue funding for water sharing pilot projects. Additional funding might not be appropriate until current pilot projects have been brought to fruition and the results are known. Any additional funding should be very specific to a basin or a community’s needs.
- Develop a dual decree system for the water transfer process to lessen the risks inherent in presenting historic water use to court scrutiny. Under this system, only the portion of the water right being transferred would be examined. A legislative fix might be needed to define speculation and to help parties move leased water in a transfer.

- Continue to employ conservation easements as one of many tools in successful water sharing arrangements.

***Table Seven: Colorado River New Supply***

*Moderator:* Jim Yahn

*Notetaker:* Kate McIntire

*Participants:* Alan Hamel (Arkansas), John Hendrick (Metro), David Nickum (Metro), Mike Shimmin (South Platte)

The group discussed whether a large state new supply project would be needed, and whether the word “state” should be included in Recommendation 1. Most group members agreed that the State would need to be involved in a large new supply project and that the existing wording should be maintained. The group discussed the importance of generating statewide participation when planning large new supply projects, with individual users plugging into the larger plan. This process would make new supply projects beneficial to multiple parties as well as increasing efficiency and cost effectiveness. The following next steps were suggested:

- Reactivate the Interbasin Compact Committee (IBCC) New Supply Subcommittee and task it with developing a scope of work and process regarding new supply. Their recommendations should be brought back to basin roundtables for discussion. The dialogue that ensues should follow the recommendations laid out by the Basin Roundtable Project Exploration Committee.
- Identify specific water supply gaps in each basin implementation plan so that new supply projects can provide water where it is needed.

***Table Eight: Colorado River New Supply***

*Moderator:* Jeris Danielson

*Notetaker:* Jacob Bornstein

*Participants:* Mannie Colon (Arkansas), Jim Hall (South Platte), Heather Justus (Metro), Betty Konarski (Arkansas), Marc Waage (Metro)

The group discussed the importance of looking outside the box when considering new supply projects, including outside of the state (e.g., the Missouri River). The group also discussed the importance of a serious dialogue between the West Slope and the East Slope about new supply. Figuring out how to finance a new supply project through creative public/private partnerships was another major point of discussion. Some group members stressed the importance of educating decision-makers about the need for new supply projects.

The following next steps were suggested:

- Initiate a statewide dialogue about new supply. East Slope and West Slope parties should find areas of agreement and work together to generate political will for new supply

projects. At the minimum level, criteria should be developed to overcome challenges before a water right is developed.

- Educate policy makers and elected officials about the need for new supply projects to meet the projected water supply gap.
- Investigate alternative financing options (including private/public partnerships) for new supply projects.
- Investigate state acquisition of needed water rights.
- Develop a “straw man” for each potential new supply project to generate a dialogue about challenges that will need to be overcome. Some group members expressed concern about not spending too much time on this component and stressed that mitigation, reuse, etc., should not be delved into at this stage of the process.

***Table Nine: Colorado River New Supply***

*Moderator:* Joe Frank

*Notetaker:* Olivia Salmon

*Participants:* Mike Applegate (South Platte), Barbara Biggs (Metro), Reeves Brown (Arkansas), Tony Corrado (South Platte), Mark Pifher (Metro), Mark Shively (Metro)

The group discussed the need to identify exactly where, within basins, water supply gaps are occurring so that new supply projects can be designed accordingly. The group also discussed the need to identify trigger points on both the West Slope and East Slope to determine when a new supply project should move forward, what the project would look like conceptually, and what potential mitigation should take place. The group discussed the need for strategically located storage on the East Slope and the importance of risk management. Funding emerged as another important issue to consider when discussing new supply projects. The following next steps were suggested:

- Identify trigger points on both the East and West Slopes to determine when a new supply project should move forward. Along with specific triggers, conceptual ideas about new supply projects and potential mitigation should be defined. Examples of triggers could be storage falling below a certain point (East Slope trigger) or an agreement that no water would be taken off the West Slope unless base flows were at “x” level in the basin of origin (West Slope trigger).
- Identify four or five projects to test conceptual trigger points and mitigation ideas on.
- Identify strategic storage locations on the East and West Slopes. Associate these locations with specific basin demands, as identified in basin implementation plans.
- Analyze how to use water banks and Colorado River Storage Project Act reservoirs to address risk management.
- Come up with concrete alternatives and priorities for how new supply projects will be funded.

- Instead of “requiring an allowance” for recreational in-stream diversions, Wild and Scenic Designation processes, and alternative protection plans, identify where these processes have the potential for unintended consequences. Use this information to inform a further conversation about solutions.
- Generate statewide support for new supply projects.

***Table Ten: New East Slope Storage***

*Moderator:* Terry Scanga

*Notetaker:* Craig Godbout

*Participants:* Mike Brazell (South Platte), Jim Broderick (Arkansas), Sean Conway (South Platte), Dan Drucker (Arkansas), James Ford (South Platte), SeEtta Moss (Arkansas)

The group discussed disagreement in the polling results regarding continued funding for pilot projects examining alluvial and deep aquifer storage. Well shut-downs in the South Platte basin were identified as potentially influencing reactions toward this issue. However, most group members believe that storage is an important component of the Colorado Water Plan and that all storage options should be on the table. Group members had questions about where money is coming from to fund these targeted research and pilot projects. The group also discussed the need to generate political support for storage, as well as the permitting constraints that can affect storage implementation. The following next steps were suggested:

- The CWCB should continue to provide funding for research into alluvial and deep aquifer storage.
- Basin roundtables should work to identify storage projects through basin implementation plans. They should prioritize projects against available funding before taking these projects to the CWCB and Legislature for approval of funding and timelines.
- State agencies and the Legislature should work together to coordinate federal, state, and local regulatory permitting processes to ensure success of needed storage projects.

**Some Suggested Next Steps**

Small group discussions were followed by a full group conversation regarding the Joint Statement recommendations. Many group members offered new ideas that built upon the recommendations of the Joint Statement. Consensus was not asked for on these items but rather served as additional input for East Slope basin roundtables moving forward.

- Identify funding sources, utilizing the following potential strategies:
  - Encourage regional cooperation.
  - Encourage public/private cooperation.
  - Utilize taxing strategies (e.g., a flat tax on every bottle of water sold).
  - Collaborate with individuals in the state who have expertise in economic development.
  - Initiate conversations about using state money to pay for environmental and recreational components of water projects.

- Explore funding mechanisms identified in the No/Low Regrets Action Plan.
  - Utilize basin roundtable funds to cover travel costs of meetings that generate constructive dialogue.
- Educate legislators about critical water planning efforts, utilizing the following potential strategies:
  - Eliminate term limits.
  - Collaborate with Diane Hoppe.
  - Require attendance at water workshops around the state.
  - Talk directly to legislators.
  - Attend CCI and CML conferences and give presentations about water planning issues.
  - Attend Planning Association conference in October.
  - Send the Joint Statement to legislators with a letter outlining where their priorities should be. Follow up and ask if they read it.
- Complete necessary hydrologic modeling through basin implementation plans to identify specific supply and demand nodes and tie these nodes to strategic storage locations. Incorporate the following consideration into these efforts:
  - Make sure that overlap does not occur with other basins such that water supply or gaps are accounted for twice.
  - Encourage conversations between basin roundtables during the process to communicate effectively about shared water supplies and gaps.
- Initiate focused conversations between East Slope and West Slope basin roundtables to identify and reach mutual understanding about triggers and appropriate mitigation measures for new supply projects.
- Initiate a dialogue and/or establish a committee to examine the possibility of a pipeline from the Missouri River. This conversation could occur at the basin roundtable level.
- Take a longer term perspective with water planning at the basin roundtable level, including a discussion about what will happen after 2050.
- Initiate serious conversations among basin roundtable members, and potentially other states, about how to sustain groundwater, especially designated basins and the Ogallala Aquifer.
- Develop a dual decree system to facilitate water sharing agreements. This system could be developed through legislation, with the IBCC and/or CWCB establishing a dialogue about how it should occur. The following strategies could be considered in developing a dual decree system:
  - Utilize flex water markets with draft terms and conditions that would protect water users.
  - Continue the policy group on the South Platte and Arkansas basins to explore associated issues in more depth.
  - Include water rights administration along with water court.

- Consider water transfers other than just agriculture to municipalities (e.g., agriculture to agriculture transfers).
- Expedite permitting processes for planned and future projects utilizing the following strategies:
  - Mandate that state permitting agencies work together.
  - Develop a “permitting made easy” document.
  - Communicate with the Interim Water Committee regarding a possible amendment to HB1177.
  - Shape language regarding permitting to emphasize cooperation and coordination between agencies. Avoid the word “streamlining” as it can imply that important regulations are being thrown out.
- Direct the CWCB or IBCC to communicate with the Interim Water Committee this year regarding methods to expedite permitting processes and the development a dual decree system for water sharing.
- Direct basin roundtables to give consideration to groundwater.
- Initiate more robust conversations about the links between conservation and land use, utilizing the following strategies:
  - Direct basin roundtables to come up with conservation standards.
  - Initiate outreach about conservation strategies with local governments and economic development representatives. Use that outreach to generate more in-depth conversations.
- Explore the potential for agricultural efficiency through the elimination of non-beneficial consumptive use, utilizing the following potential strategies:
  - Include this issue in the Colorado Water Plan.
  - Utilize a Colorado Agricultural Water Alliance (CAWA) paper on the subject.
- Direct the CWCB to create a fact sheet outlining the benefits and impacts of using storage water for beneficial use.
- Emphasize the importance of strategic storage in the Colorado Water Plan.

### **Final Remarks**

Following the large group discussion, IBCC members, CWCB board members, and basin roundtable chairs from the East and West Slopes were asked to give their thoughts on the input generated by the day’s meeting.

Jim Pokrandt, Chair of the Colorado Basin Roundtable, offered his perspective on the meeting, touching on the following points:

- Basin roundtables are making remarkable progress when it comes to talking about difficult subjects like new supply.
- The Colorado Basin Roundtable believes that all four legs of the stool should be balanced, and that a transbasin diversion should be a last resort.



- Hearing East Slope basin roundtables emphasize the importance of risk management is important from a West Slope perspective.
- Any sort of new supply project will need state financing, and that financing will require widespread political support for new supply.

Eric Kuhn, Governor Appointee on the IBCC, provided the following input:

- It is a pleasant surprise to see the many areas of agreement between basin roundtable members.
- The West Slope appreciates the fact that East Slope roundtables are talking about risk management.
- Storage will be important during times that new supply projects are not able to divert.

Peter Nichols, a Governor Appointee and Metro Roundtable representative on the IBCC, offered the following comments:

- The conversation today is heartening, and the level of understanding and unity among East Slope basin roundtables is admirable. Also encouraging is the degree of understanding toward West Slope perspectives.
- The IBCC New Supply Subcommittee will be moving forward in the near term with recommendations about how to initiate a constructive dialogue about new supply projects.

Wayne Vanderschuere, Governor Appointee on the IBCC, provided the following comments:

- The work of the basin roundtables over the years has been a remarkable opportunity to elevate the conversation that started with HB1177.
- The Colorado Water Plan is providing the opportunity to get some tangible work done in a short period of time.

Alan Hamel, Chair of the CWCB Board, provided the following comments about the day's meeting:

- The Colorado Water Plan will involve input from each basin roundtable. Basin implementation plans will be important for the bottom-up approach envisioned for the state water plan.
- As the state water planning process moves forward, it will be important for individuals to come up with alternative solutions if they do not agree with proposed recommendations.
- The dialogue heard today suggests that basin roundtable members are committed to a constructive approach. The input and feedback that has been contributed is appreciated.

Mark Koleber, Chair of the Metro Roundtable, provided the following final remarks:

- Basin implementation plans will be an important next step in the state water planning process. The dialogue and recommendations from today's meetings will be incorporated into these plans.
- East Slope basin roundtable chairs have discussed an approach to initiate basin implementation plans, including contacting engineers and facilitators for the next steps of the process.
- Another important next step will be gauging convergence with West Slope perspectives.

Gary Barber, Chair of the Arkansas Basin Roundtable, offered these concluding comments:

- The participation of the East Slope basin roundtable members at today's meeting is appreciated.
- The Joint Statement will be sent to each roundtable for further discussion and to see where convergence is reached on its general principles.

Sean Cronin, Chair of the South Platte Roundtable, offered these final remarks:

- Today's meeting represented serious progress in terms of moving a joint basin roundtable dialogue forward.
- Concepts discussed today will be folded into basin implementation plans.
- Hearing the convergence and areas of agreement identified today is encouraging as the basin roundtables move forward in their contributions to a Colorado Water Plan.

### **Next Steps**

- Sean Cronin, Gary Barber, and Mark Koleber: Review suggestions for how to proceed with topics outlined in Joint Statement and offer proposals to respective basin roundtables in the weeks ahead
- East Slope basin roundtable members: Review Joint Statement at August roundtable meetings

## **Written Comments**

Members of the public and West Slope roundtable members were encouraged to leave their feedback in writing. Some participants left general comments, while others provided suggested next steps. All written feedback is transcribed below.

### **General Comments**

#### **Commenter 1:**

In regards to brine disposal, brine disposal is not needed for reusing water. Brine results from the treatment of low quality water. Brine can be disposed or it may even be able to be used by another industry in growing salt water fish; if brine has metals they may be able to be reclaimed, etc. Think broadly.

#### **Commenter 2:**

Can't plan unless include agriculture, recreation, and environmental needs and gaps with municipal gap. Need to look at holistic approach to planning and providing for all needs and all gaps at the same time. If not, Colorado's economy based on tourism and food production will suffer because recreation, environmental, and agricultural were put on back burner.

### **Next Steps**

#### ***Municipal conservation:***

##### **Commenter 1**

- 1) Require Water sense (or water conservation fixtures) in all new building. Implement in Comprehensive Plans (county and municipal) then Land Development Code then Building Code. Also use state retail Food Regulation to include Water Sense for new restaurants.
- 2) Find ways to encourage wise use of gray water for outdoor and indoor use. Commercial and residential. Continue to encourage new uses for waste water treated effluent (Reg 84)
- 3) Find ways to encourage wise incorporation of rainwater harvesting in new developments which will control stormwater and be a consistent supply of surface water. (Capture rainwater and release to surface water consistent.) Reduces erosion and streambank scouring.

##### **Commenter 2**

- 1) No more lawns, blue grass

## ***New Colorado River Supply***

### **Commenter 1**

- 1) Expand the risk management bullet (#6) to include things other than just CRSPA reservoir operations. Could include topics such as water banking in CO, upper basin, or whole basin. Next step would require Executive Committee checking in with “Water Bank workgroup” existing efforts to determine other risk management options.
- 2) Question general presumption that new Colorado River supply is needed. Review report “Municipal Deliverise of Colorado River Baisn Water” (Pacific Institute, 2011) for examples of communities that have grown in population without increasing total demands.
- 3) Remove specific examples of acquiring easements or property for future supply development – seems way to premature without knowing results of CRWAS Phase II or compact compliance study, i.e., does it make sense to start picking places quite yet.

## ***New East Slope Storage***

### **Commenter 1**

- 1) More cooperation between all agencies. Conversation actually covered this subject.

### **Commenter 2**

- 1) The planning process must recognize the importance of using both the alluvium and the bedrock aquifers as a dependable and usable storage vessel. There are a whole set of benefits for using and managing aquifer storage. During water year 2009 there were 350,000 af (South Platte) artificially recharged. 2010: about 300,000 and 2011 another 300,000 af. Where else can you build, manage and operate that size of a storage vessel? This was all done with existing infrastructure. No need for environmental impact statement.
- 2) Necessary to manage the G.W. aquifer to have storage space available in order to store in time of excess surface flows. Need to manage G.W. levels so as to prevent drainage problems, wet basements, loss by phreatophytes, excess river flows (time and space dependent) to prevent excess flows to downstream states.
- 3) Use stored G.W. to supplement inadequate and undependable surface water supplies. Use G.W. to meet water demands during droughts and replenish when excess surface flows.
- 4) We must return to active conjunctive use of both ground and surface water. Legislative changes in 2002, 2003, and 2004 along with the Empire lodge case in 2001 significantly impacted how G.W. can be used. We are not now maximizing the beneficial use of both ground and surface water. There needs to be flexibility in water administration to allow capture and use of rainfall runoff and snow melt runoff before flows exist the state. Need to store high up in watershed, if possible.
- 5) Need to consider real time basin management with all water right owners present. Probably need a basin management authority. Consider Widefield Channel on Fountain Creek downstream of Colorado Springs which demonstrates how this process works.