

Minutes of NPBRT Meeting: 11-12-13
USFS Conf. Room (3-6 PM) 100 Main Street, Walden, CO

Members/Liaisons Present

*Mike Allnutt
Deb Alpe
Mike Alpe
*Jimmer Baller
*Kent Crowder
Debbie DeVore (Temporary job exchange with Ann Timberman at ANWR)
*Blaine Evans
*Randy Miller
Hunter Townsend
*Barbara Vasquez
*Rick Wyatt
*Ty Wattenberg

Members/Liaisons Absent

Paula Belcher
Jason Brey
*James Carothers
Pete Conovitz
*Scott Fischer
Debbi Heeney
*Tom Hackleman
*Mike Honholz
*John Rich
Ann Timberman
*Carl Trick II

Others Present

Greg Johnson (Wilson Water Group)
Rebecca Mitchell (CWCB Water Supply Planning Section Chief)

I. Agenda Review

The agenda was accepted as published.

II. Approval of Roundtable Minutes: Sept. 24, 2013 Meeting

Minutes of the September 24 meeting were approved as amended.

III. Proposed Changes to the Water Supply Reserve Account Criteria and Guidelines – Rebecca Mitchell, CWCB Water Supply Planning Section Chief

Rebecca explained that the CWCB reviews the WSRA grant guidelines annually. The staff recommended 12 potential changes, of which only 3 made it to final consideration and review by CWCB. Rebecca described the three possible changes and solicited feedback from the NPBRT.

1) Grant and Loan Administration Payment: Increase fund retention from 5% to 10%. The 10% would be held back until all deliverables for the grant are met. The NPBRT members

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were in favor of this change when it was explained that some grants (none in the NP) are very slow in completing their final deliverables and increasing the percentage of retained funds would help incentivize completion.

2) Account and Fund Management revision: These changes are designed to encourage the basins to get good projects approved, funded and completed to meet the goals of their moving Basin Implementation Plans. To this end, the 64%/36% Statewide/Basin Account split will be eliminated and funding of basin accounts will be determined based on the end-of-year balance. Beginning July 1, 2014, each BR will be allocated \$400,000 in addition to their account balance at the time. Timing of the funding will be typically \$160,000 July 1, \$120,000 Jan 1 and \$120,000 April 1. Basin account balances at or above \$400,000 the beginning of any fiscal year as of July 1, 2015, the funds that would otherwise have been allocated to that basin will be allocated to the statewide account. This provides BRs more assured funding expectations, while incentivizing them to award available funds. 'Banking' rather than using basin funds was considered fiscally irresponsible in the face of other needs, highlighted by the emergency needs created by recent floods. The NPBRT has been conservative in spending their allocations, which is not a bad thing, but it means some projects that could have been done to the benefit of the basin didn't get executed.

3) Timing of projects once funded-Part 2, Application Process revision

The CWCB staff would have the authority to remand both Statewide and Basin Account funds that are encumbered by an approved project back to their respective accounts if the grant is not executed within 6 months of the award due to the applicant's lack of due diligence. Rebecca cited some projects that had funds encumbered back in 2009 that still had not even started the associated projects. When asked what the size of this problem was, Rebecca said there was over \$2M currently encumbered for 2009 projects not yet started.

There was considerable discussion about the pros and cons of the new allocation approach. Several folks asked about how 'our money' would be spend by the State if we didn't have a basin account balance below \$400,000 at the beginning of a fiscal year. Becky explained that if the basin is not in a position to receive the annual allocation, it was no longer money tied to a particular basin. She went on to point out that getting state funds granted is tougher, with opportunities only twice a year and with stricter criteria than for basin funds. Kent asked whether the basin matching requirements for state funds would be increased above the current 5%. Rebecca said this was always on her list of suggested changes, to increase a basin's 'skin in the game', but it did not make it to this years recommended modifications. The NPBRT agreed that is should be a minimum of 10% match, if not higher.

Kent asked Rebecca for her estimate of the 'real' timing for the Basin Implementation Plans (BIPs). She replied the ideal timeline is driven by the deadline of Dec 2014 for a Draft Water Plan to be delivered to the governor. She emphasized that this is a bottoms-up approach, with the BIPs feeding into the WP. With that in mind, in order to integrate all the BIPs across the basins into a coherent picture, CWCB staff would like to have the BIPs delivered by the basins by mid-summer, 2014. Barbara asked what structure CWCB was providing to create some commonality between the BIPs across the state. There will be a consultant coordination kickoff in Dec (either 6th or 12th), gated by the last basin (South Platte) to select a consultant. A total of

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4 coordination meetings will be held, which Greg Johnson will attend for NPBRT. Kent appointed Rick Wyatt as a second representative of NPBRT to attend these meetings.

IV. North Platte Basin Implementation Plan- Work Session – Goals and Objectives and Measurable Outcomes – Greg Johnson, Wilson Water Group

Greg passed out a 4 page “DRAFT North Platte Basin Implementation Plan: Goals and Measurable Outcomes”, which is included with these minutes. He also spoke from a powerpoint presentation that is also included with these minutes.

Page 1 lists the 7 draft North Platte Basin Goals he captured from the last meeting. The order in the list does not represent priority.

We discussed each of the 7, using the supporting details Greg provided on pages 2-4:

1) Maintain and maximize the consumptive use of water in the depletion allowance of the Equitable Apportionment Decree and the Three State Agreement Depletion Plan.

Kent will provide correction of this bullet and the first ‘measurable objective’ on page 2 to reflect the language of the referenced documents. The objective to add new acres under irrigation plus the objective to develop an additional 37,000 AF of storage both came of the prioritized list of future consumptive uses that this RT developed a couple years ago. They triggered a lengthy discussion on developing additional storage in the basin. Ty pointed out that the Decree limits storage for irrigation purposes to 17,000AF/year, and we sometimes hit that max. Since the Decree is silent about storage for other uses (piscatorial, waterfowl, in-stream flows, etc), it will be critical to engage CPW and other potential PWEUI water right holders in any plans to add reservoirs or increase storage in existing reservoirs.

Kent asked Blaine Evans to explain the current situation with the McFarlane Reservoir. The original absolute rights are decreed for irrigation only (6507 AF) and a conditional decree (6833 AF) was granted for multiples uses, with a flow-through right for irrigation. 50% of the conditional right is owned by Blaine and the other 50% was originally granted to USFWS. The McFarlane is not a fishing reservoir, so the USFWS interest is not piscatorial but used to support other wildlife habitat, primarily waterfowl. Subsequently, USFWS transferred 15% of their 50% (7.5%) conditional right to the BLM. Ty asked where the flows end up. Blaine said the FWS use some of their water for irrigation and ponds, with the return flow going to Soap Creek. Blaine’s irrigation returns to Buffalo Creek. The Colorado Department of Water Resources has given the owners notice that certain improvements are required. If not improved (5 years left to complete the work), the maximum storage for the reservoir will be restricted. The improvements include relining and reconstruction of the toe drains. Blaine has been trying to work with both federal agencies to get the engineering done for the required improvements, but no response yet. Rebecca gave him contact info for a couple engineers that might be well suited for this project. Ty mentioned that a WSRA grant can be linked with CWCB loan program. Rebecca stated that the loan program has a very low interest rate, about 2%.

In general discussion about increasing storage, Blaine recalled Dave Meyring’s efforts in this direction. He had plans for an off channel reservoir that would be inundate property owned by him as well as John Rich with a max capacity of ~15k AF. It would be on the road to Meyrings on Slough Creek. Blaine wondered whether Kay might have documents related to this

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project. Blaine also suggested the Big Grizzly would be a good candidate for a reservoir, as it usually has high flows early in the season, but often stops flowing late summer. It would be appropriate for both fisheries and irrigation. Kent commented that evaporative losses from any additional storage would have to be figured into the consumptive depletion for the basin. The last proposed measurable objectives for Goal #1 refers to performing analyses, and such analyses using the North Platte Decision Support System (NPDSS) would help define actual opportunities for additional storage, additional irrigated acreage, etc. This would be true for both consumptive and non-consumptive uses. Greg suggested we might include a certain number of projects as a measurable objective. NPBRT agreed that we should have benefit of the analyses before defining a number of projects.

Ty pointed out that we might learn some things from the Rio Grande Basin about getting funding for multipurpose projects, mentioning Mike Gibson. Barbara suggested it would be helpful to have Mike come talk to us at our next meeting. In addition, she suggested that Jeff Streeter would also help us in a couple ways. He has an enviable track record for getting multiple funding sources to contribute to stream restoration projects. In addition, a field trip to see one or more of his projects in the Encampment/Saratoga area might prepare us well for revisiting the CPW project for the Verner stream restoration, as several of his (effective) techniques are similar to those proposed by Kurt Davies.

2) Increase economic development and diversification through strategic water use and development.

Greg offered four measurable objectives. Kent suggested removal of 'seasonal' from the objective. A figure of 5% increase in county sales tax by 2020 was suggested. Kent suggested Greg contact the Visitor's Bureau and the Chamber of Commerce to discuss quantification. Debbie Devore offered that although objectives of increasing county sales tax, hotel/campground occupancy, and jobs/business are the right directions, it will be difficult to tease out what part water projects play in the results. Kent suggested the goal of diversifying the county's economic base be defined as 2 new businesses associated with strategic water development by 2020.

Industrial use of water in the basin is on the rise. Randy Miller mentioned that EE3 is drilling a deep injection well, which will eliminate trucking of flow-back and produced water from their wells. If the businesses that are linked to strategic water development include industrial, Barbara cautioned that we need to keep an eye on consumptive use-to-extinction such as drilling/fracking oil wells.

3) Restore, maintain, and modernize critical water infrastructure to preserve current uses and increase efficiencies.

Several projects have been accomplished in the past 3-4 years in the basin to improve efficiencies and modernize infrastructure with respect to irrigation structures. And the Walden municipal water project definitely fits in this category.

Barbara suggested requiring low flow toilets as one small step we might take towards efficiency in the basin. After a lot of joking around about how/if they work, Ty got serious and stated that no basin would be allowed a 'pass' on the statewide push for water conservation. NPBRT asked Greg to add an 8th basin goal to target conservation.

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4) Meet prioritized non-consumptive needs through the strategic implementation of multipurpose projects.

Barbara took exception to non-consumptive projects being restricted to 'multipurpose' when similar restrictions are not imposed on consumptive projects. It was agreed to remove this restriction from the goal.

Barbara passed out a document entitled "Conservation Position and Principles for Colorado's Water Plan" developed by Western Resource Advocates along with several other NGOs (American Whitewater, American Rivers, Conservation Colorado, Environmental Defense Fund, High Country Citizens' Alliance & Theodore Roosevelt Conservation Partnership). She encouraged a careful consideration of the 8 principles and the rationales offered in the document as potential aides in developing our BIP. The NPBRT agreed to discuss the positions in a bit more detail at the next meeting. Rick keyed in on item C under 'Solutions' and asked Barbara how they defined 'healthy rivers'. She doesn't have their definition, but it would include diverse and numerous riparian plants appropriate for the eco-zone as well as diverse and numerous macro-invertebrates, amphibians and fish appropriate for the temperature and flow regime for the river/stream in question. She suggested we should invite one of the organizations that contributed to this document come to the NPBRT to answer questions.

Greg mentioned the resources already developed by NPBRT, including a prioritized list of non-consumptive attributes, maps of the attributes and lists/maps of NCN projects that serve as good starting points. Given the prioritized non-consumptive attributes, we agreed we should be focusing on water projects that enhance general health of streams and watersheds (including beetle-kill/forest health issues), stream and lake fishing, waterfowl production, waterfowl hunting/viewing, amphibians and any endangered species. In attempting to quantify measurable outcomes, Greg was encouraged to speak with CPW to find out how they measure improvements associated with water resources, including fishing user days & wildlife viewing/hunting.

Barbara added that we should be addressing fish-friendly features as requirements for in-stream structures in the Basin. Rebecca offered that Linda Bassi had put together a one-pager with info on fish-friendly structures, stimulated by the reconstruction underway in the wake of the flooding in the South Platte Basin. Barbara will contact Linda to get a copy, and if acquired, will include it with the minutes.

Ty mentioned that CPW is in the middle of doing an inventory of their water resources and this would be useful information for our BIP. Rebecca expanded on that to explain that CWCB was encouraging CPW, the State Land Board and Dept. of Corrections to complete inventories of their water resources and these inventories would feed into the Colorado Water Plan. In the NP Basin, both CPW and State Land Board are relevant. Rebecca added that CPW was on track, and since they recently hired Alex Davis as head of the Water Unit, she had no doubt they'd finish in a timely manner.

5) Describe and quantify the non-consumptive benefits of agricultural use.

This return flows and subirrigation from consumptive agricultural use is often referenced in the North Platte as providing considerable ecosystem services. Greg had listed as a measurable objective: "Identify specific locations where non-consumptive needs are sustained and supported by agricultural water use. Quantify the positive impacts of agricultural water use

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in time, frequency and duration.” Ty commented that this is the ‘cornerstone of our plan’ and analysis to support this should get sufficient attention.

6) Promote water rights protection and management through improved stream flow gaging data.

Greg mentioned that when the CWCB was building the North Platte Decision Support System, there were very few sources of gage data, and some were in use for very short timeframes. We only have one active gage currently, the North Gate. Kent mentioned there was a wish list generated by Erin Light with the State Engineers Division 6 for more gaging stations. They require annual (or twice annual) calibration and maintenance, so both the initial capital investment (~\$35k) and the ongoing labor costs need to be funded to increase gaging in the basin. Kent commented that the NPDSS could help identify the most useful locations for additional gages.

7) Enhance forest health and management efforts for wildfire protection and beetle kill impacts.

NPBRT contributed to funding an ongoing project on beetle kill forest management and associated water quality/quantity from the watershed. Kent encouraged Greg to contact Kelly Elder to get an update on the project and discuss possible measureable outcomes. The second draft objective was modified to include state liaisons, not just federal.

8) Conservation

It was left to Greg to suggest a goal statement and some measurable outcomes at the next meeting.

Greg then walked through the rest of his powerpoint presentation, demonstrating the type of maps and data that might be generated to support the BIP. The examples shown were for the Canadian River, with maps developed from data out of the NPDSS. Ty asked for analysis, data, maps on storage as well. Barbara suggested that map outputs as active (layer – selectable) pdfs would allow BRT members without GIS to review and understand the basin results better.

Blaine asked whether it would be feasible to make snow as a form of water storage. The discussion extended to weather modification in general, cloud seeding in particular. Ty mentioned that the Gunnison basin had done it in the past, and suggested we might get financial support for such a project from our downstream North Platte users (WY & NE). Kent said the predictability left something to be desired. If you got added precipitation, you’d become a believer in the practice. If you didn’t, you’d remain a skeptic.

Kent commented that the NRCS program for snow course data gathering was losing funding. The SnowTel sites, however, will still be operated. Ty thought it was important to keep getting the snow course data. There was general discussion about the feasibility of adding SnowTel sites (~\$25-\$30k/site) to make up for the loss in Snow Course data.

V. CWCB/IBCC Update –

CWCB: Ty Wattenberg Ty reported that the major topic of the September CWCB meetings was the floods. They also had a presentation on ‘Dust on snow’. The detail that surprised him: estimates of 219 pounds of dust per acre of snow in the SW part of the state. Dust on snow is

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responsible for earlier and faster melt. He also reported that CPW recently hired Alex Davis as head of the water unit.

IBCC: Mike Allnutt No reports as neither Mike nor John Rich made it to the last IBCC meeting. Rebecca commented that the IBCC requested CWCB staff to assemble a schedule and task list for the IBCC work over the next year.

VI. Old Business
None

VII. New Business
None

VIII. Next Meeting date is Tuesday, December 17 from 3 p.m. to 5 p.m.

IX. Meeting Adjourned