

Colorado's Water Plan - Input Received
between 11/07/13 and 1/15/2014

Date	Input Provided By	Method of Input Submission	Related Chapters of CWP Framework	Summary of Input	Documents Submitted for Review	Staff Responses and Recommendations
11/15/13	Linda Tillson - General Public, Agriculture Consituent Group	Online General Input Webform at www.coloradowaterplan.com	5.6.2 Agricultural conservation	Webform Comment as follows: "I would like to see agricultural areas find a way to more efficiently and equitably distribute irrigation water. Some states have replaced irrigation ditches with pressurized irrigation and have set up a system of buying and selling water shares. This seems much more progressive than the current practice in some areas where water rights have been handed down for generations which leaves some land owners with more than they can use and other's drying up."	N/A	Staff response: CWCB has active grant and loan programs to support irrigators to become more efficient. These programs will be reflected in Colorado's Water Plan, currently in the Annotated Framework, Section 5.6.2. Agricultural conservation.
11/29/13	Virginia Till - General Public	Online General Input Webform at www.coloradowaterplan.com	N/A	Webform Comment as follows: "Why has no one really addressed the phrase "limit growth" in this conversation? I know politically this is a sinful word, but in order for our systems, including water, to be resilient and sustainable, I think we really need to take a hard look at our plans for population/development/growth. Why not limit growth and population in the metro area and use all resources more efficiently? Concerning other areas of the state, this should also be the case, though I know that smaller metropolitan areas/towns will disagree that slow or now growth affects them in a more substantial manner How can we continue to use more and more with less and less? We cannot expect unlimted growth forever, as adaptable cycles do not function that way. Our systems are bound to fail if we continue to work toward continual growth rather than adaptability and more efficient use of resources. Just my two cents. Thanks."	N/A	Staff response: Colorado's Water Plan and the technical work that supports it includes 3 growth scenarios: low-growth, mid-growth, high-growth. As water planners, Colorado must prepare for any of these future possibilities as we do not have control over the state's economy and how many people are born or choose to move here. While some communities choose to limit growth, doing so on a broad statewide scale is untenable and unconstitutional.
12/11/13	Stephanie DiBetitto, General Public - Environment and Recreation Consituent Group	Online General Input Webform at www.coloradowaterplan.com	Chapter 5	Webform Comment as follows: "Mandate strict water conservation enforcement on the Front Range to prevent the need to take more water from the Western Slope. We must look at the holistic health of watersheds throughout the state and keep all habitats and instream flows at a healthy level. The need for water on the eastern slope increases with increased population, though it is important to remember that taking from other watersheds directly impacts the health of their watersheds and we should all be using only what we need."	N/A	Staff response: Conservation is a critical component of Colorado's Water Plan and the plan will prioritize solutions that balance healthy watersheds and the environment while meeting Colorado's future municipal water needs.
12/18/13	Douglas Rademacher, South Platte Basin Roundtable Member	Online General Input Webform at www.coloradowaterplan.com	Chapter 4	Webform Comment as follows: "I am a member on the South Platte Roundtable since 2007. My family has been in Agriculture since the early 1900's. We do not operate any wells, all senior water rights are for suface water only. My concern is we are leaving out a critical compoment of the Water Availabilty Study, which the Governor has requested. No where in this plan is Ground water mentioned. I'm confused when we have a estimated 10 million acre feet of water right underneath - why is that not inclued? In fact there are efforts to have it not included. All options should be indentified and explored."	N/A	Staff response: Groundwater will be included in the Chapter 4. Water Supply, Including Description of Historical and Projected Supply.
1/3/14	Charles Howe	Online General Input Webform at www.coloradowaterplan.com		Webform Comment as follows: "Federal farm policy, including the ethanol and sugar programs, will be crucial to what happens in Colorado and must be carefully analyzed-if we ever find out what it is!! Cheers!"	N/A	Staff response: CWCB will work with Colorado's agricultural interests for specific recommendations and will consider federal policy.
1/6/14	Community Alliance of the Yampa Valley	Email to CWCB Director, forwarded to cowaterplan@state.co.us .	N/A	Letter addressed to the Yampa/White Basin Roundtable, dated December 26, 2013	Letter addressed to the Yampa/White Basin Roundtable	Staff recommendation: CWCB Staff send the letter submitted by the Community Alliance of the Yampa Valley on January 6, 2014 to the Yampa/White Basin Roundtable for consideration in the Yampa/White Basin Implementation Plan.
1/7/14	David Smeltzer - General Public, Retired	Online General Input Webform at www.coloradowaterplan.com	N/A	Webform Comment as follows: "Before any serious discussion about population increase and water supplies to those populations begins the first question to ask is: if Colorado's population were to increase without restrictions into the future, would there ever come a time when our water supplies would run out? If the answer to that question is yes then why would we ever want to reach that point with it's quality of life, overcrowding, crime, pollution, infrastructure needs, and traffic congestion problems? We must have a serious, honest, and open discussion about what Colorado means to the people that live here and the quality of life they expect and depend on. Our river's in this state are already overutilized and suffering from raparian habitat losses and fish and aquatic life declines. Most people live here or come here for our natural beauty, resources, and outdoor recreation of which our streams and rivers are it's backbone and largest drawing card. We must objectively determine what our maximum population can be in order to preserve those resource qualities. To do anything else is pure folly and will lead us to an environment that will no longer be fit for our children and grandchildren to exist in. Have the guts to tackle this issue up front. Constant growth without checks and balances is a pyramid scheme with no winners and only losers. The water in this state is limited and thus should our demands for it be! To sacrifice our rivers and streams in the name of economic benefit and growth is unconscionable and immoral."	N/A	Staff response: Colorado's Water Plan and the technical work that supports it includes 3 growth scenarios: low-growth, mid-growth, high-growth. As water planners, Colorado must prepare for any of these future possibilities as we do not have control over the state's economy and how many people are born or choose to move here. While some communities choose to limit growth, doing so on a broad statewide scale is untenable and unconstitutional.
1/7/14	John Hendrick, Centennial Water and Sanitation District	Email to CWCB Staff, forwarded to cowaterplan@state.co.us	Chapters 1, 3, 4, 5, 7, 8 (Annotated Framework - 9/12/13 version)	John Hendrick submitted a document containing comments on specific chapters and sections of the Annotated Framework.	Comments on CWP Framework (9/12/13 version)	Staff response: Most of the suggested edits were accepted and are reflected in the January, 2014 Annotated Framework. Regarding Mr. Hendrick's comment on Section 1.1, the CWCB is working with the BRTs to engage stakeholders beyond BRT membership. Regarding Section 1.2, the suggested description is included in the draft of this section presented at the January, 2014 Board meeting. Regarding Section 1.3, hydrologic variability will be covered in Chapters 4 and 5.
1/15/14	Northwest Colorado Council of Governments/ Water Quality Quantity Committee	Email to cowaterplan@state.co.us	Chapters 1, 4, 5	NWCCOG/QQ Committee submitted two documents - one document is the redline changes the group suggested, and the other pulls out the group's suggested changes and includes rationale for each suggested change.	1. NWCCOG/QQ Committee Redlined version of the CWP Annotated Framework and 2. Letter to CWCB Staff Including Comments and Rational	Staff response: Most of the revisions suggested by the NWCCOG/QQ Group are reflected in the updated January, 2014 version of the Annotated Framework. With regard to suggested changes within Chapter 4, the language was not incorporated since in addition to relying on existing data, CWCB will use the latest climate change models. At this point, CWCB does not want to prejudge the outcome. Comments suggested for Section 5.1 were not included in the January, 2014 version of the Annotated Framework, however "land use" was added to the title of Section 5.6.1. Municipal & industrial conservation, reuse, and land use. Staff recommendation: For the suggestion on Chapter 4, discuss the comments regarding water availability with the CWCB Board. For the suggestion on Section 5.8, discuss with the CWCB Board whether to be proactive or reactive when considering new projects and incentive based criteria.

Cover Sheet for Input Document Received on 1/6/14

The document listed in the table below was submitted as formal input for Colorado's Water Plan. A summary of the document, including a staff response and/or recommendation is included in the master spreadsheet included within this packet.

Date	Input Provided By	Method of Input Submission	Related Sections of CWP Framework	Summary of Input	Documents Submitted for Review	Staff Recommendation
1/6/14	Community Alliance of the Yampa Valley	Email to CWCB Director, forwarded to cowaterplan@state.co.us .	N/A	Letter addressed to the Yampa/White Basin Roundtable, dated December 26, 2013	Letter addressed to the Yampa/White Basin Roundtable	Staff recommendation: CWCB Staff send the letter submitted by the Community Alliance of the Yampa Valley on January 6, 2014 to the Yampa/White Basin Roundtable for consideration in the Yampa/White Basin Implementation Plan.

Comments on the Colorado Water Plan
Yampa River Basin Perspective
December 26, 2013

To: Yampa/White Roundtable
From: Community Alliance of the Yampa Valley

Various sources tell us that the Yampa River is under-allocated, has surplus flows and therefore is targeted by some for more development and higher utilization. This can have many meanings – some detrimental to the health of the river system. We do not agree with the idea of unmitigated higher utilization and feel that as one of the remaining free-flowing river its' natural hydrograph has value now and in the future and should remain as such. Approval of any proposed project should only be given after a rigorous analysis shows no negative impacts on existing water users or on the health of the river system. Several State documents (see below) list key values to be addressed in water plans. These include supporting agriculture and protecting healthy river systems. These values must also be key issues for the Yampa/White Roundtable.

The “**Colorado Water for the 21st Century Act**” (The Act) of 2005 states that “ all areas of the state must cooperate to ensure an adequate supply of water to equitably meet the needs of present and future generations.” It also aims to “... support Colorado’s agricultural economy and rural culture, to protect Colorado’s natural environment, to supply Colorado’s growing populations, to cultivate the state’s economic development, and to foster the beneficial use of the state’s compact entitlements, ...”.

The **Governor’s Executive Order D2013-005** directs the Colorado Water Conservation Board (CWCB) to begin work on the Colorado Water Plan and states that the Plan must incorporate the following values.

- A productive economy that supports vibrant and sustainable cities, viable and productive agriculture, and a robust skiing, recreation and tourism industry;
- Efficient and effective water infrastructure promoting smart land use; and
- A strong environment that includes healthy watersheds, rivers and streams, and wildlife.

We agree with these values. Agriculture, recreation, tourism and strong environmental values are particularly relevant to the residents of the Yampa Basin and we urge that the concept of sustainability be applied by the Yampa/White Roundtable to all of them in development of the Yampa/White River Basin Implementation Plan (BIP).

Agriculture is a prime economic driver in the Yampa River Basin and demands and controls the largest quantity of Yampa River water and as such is a major influence and vital factor in future operation of the river.

Recreation and tourism are also major economic drivers in the Yampa River Basin. It is imperative that healthy watersheds, rivers and streams, fish and wildlife are maintained to support these activities and the quality of life for basins’ citizens. The Act also called out the

need to plan for future environmental and recreational uses. This extends to all of the tributaries to the Yampa River. We urge the Yampa/White Roundtable to collaborate with the CWCB and to use the CWCB's Nonconsumptive Toolbox for the Basin Implementation Plan.

In addition to the directives of the Executive Order and the Act, the Yampa/White River Basin Implementation Plan must consider;

- 1) If there is a Compact Administration of the Colorado River only West Slope basins supply the water needed to meet Colorado's commitment to the 1922 Colorado River Compact; at the least there would be curtailment of all Yampa River water rights junior to the compact.
- 2) There are requirements for water flows from the Yampa River for the protection of endangered fish species as approved in the 1999 PROGRAMATIC BIOLOGICAL OPINION of the Fish and Wildlife Service which protects the fish habitats on the Yampa River and also the fish nursery habitats on the Green River. This PBO states that there can be only an additional 50,000 acre feet of water depletions from the Yampa Basin (30,000 acre feet from the Yampa and 20,000 acre feet from the Little Snake).
- 3) The value for Colorado and future generations to protect the unique natural hydrograph of the Yampa River, the only remaining river in Colorado that could be considered as having historical (unimpeded) annual flows.
- 4) The annual quantity of water production from a basin can, and will, vary greatly depending on year to year variability in precipitation; The BIP must acknowledge this variance and the maximum limit which in turn limits the total demand that can be satisfied.
- 5) Continual increasing demands cannot be met by a limited and highly variable water supply - there is a limit to how much development this limited and highly variable resource can ultimately support.

We realize the import of your task and thank you for considering CAYV's comments.

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Date	Input Provided By	Method of Input Submission	Related Sections of CWP Framework	Summary of Input	Documents Submitted for Review	Staff Response
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Comments on CWP Draft Framework 9/12/13 version

John Hendrick, 1/7/14

- 1.1 First bullet – focus seems exclusively on the state and overlooks individual providers or communities who actually hold the water rights and develop supply projects. The IBCC and RT's include many such entities, but more have not been included, so "grassroots" is somewhat overstated.
- 1.2 A description of the permitting process and steps a project proponent faces would make this clearer to "outsiders." Local zoning and 1041 approvals should be included.
- 1.3 Including an overview of basic hydrologic variability and how yields fluctuate during low runoff years creating shortages for junior rights would be a good supplement to mere water law. The **Objective** discussion might be more appropriate with "how" rather than "that" (since this is not yet spelled out) and CWP "will" work, and not the present tense, "works."
3. Will demands be updated, described by basin or geographic areas?
4. A contrast of demands against supplies over time would be valuable in this section. Link the variable water supplies with the hydrology discussion that should be added to 1.3.
- 5.1 add to the Objective sentence – "...to identify supply opportunities" assuming that is the objective of the CWP. If that's not it then it has limited value.
- 5.2 BIP's don't seem to focus on sufficient detail to support specific solutions as the section suggests.
- 5.3 This section is vague, and it's hard to envision how water supply development protects against beetle kill for example.
- 5.5 Why is the word "showcase" used? It sounds like a level of exaggeration is desired may not sit well with many water providers or the public.
- 5.6 Cost estimates for future water development may not be developed to a significant level in the BIP's. How can this potential information gap be narrowed?
- 5.9 "showcase" – same comment as earlier. The referenced approach summary is not mentioned in Sec. 5.8
7. "Showcase" again
8. To be a viable "Plan" this last section should tie it together and include an action plan and several suggested implementation steps. Even though the CWP will not be in final form, it could provide guidance for a path forward, rather than a mere update.

Thanks for the opportunity to comment on this very ambitious project!

Cover Sheet for Input Document Received on 1/15/14

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1/15/14	Northwest Colorado Council of Governments/ Water Quality Quantity Committee	Email to cowaterplan@state.co.us	Chapters 1, 4, 5	NWCCOG/QQ Committee submitted two documents - one document is the redline changes the group suggested, and the other pulls out the group's suggested changes and includes rationale for each suggested change.	1. NWCCOG/QQ Committee Redlined version of the CWP Annotated Framework and 2. Letter to CWCB Staff Including Comments and Rational	<p>Staff response: Most of the revisions suggested by the NWCCOG/QQ Group are reflected in the updated January, 2014 version of the Annotated Framework. With regard to suggested changes within Chapter 4, the language was not incorporated since in addition to relying on existing data, CWCB will use the latest climate change models. At this point, CWCB does not want to prejudge the outcome. Comments suggested for Section 5.1 were not included in the January, 2014 version of the Annotated Framework, however "land use" was added to the title of Section 5.6.1. Municipal & industrial conservation, reuse, and land use.</p> <p>Staff recommendation: For the suggestion on Chapter 4, discuss the comments regarding water availability with the CWCB Board. For the suggestion on Section 5.8, discuss with the CWCB Board whether to be proactive or reactive when considering new projects and incentive based criteria.</p>



WATER QUALITY / QUANTITY COMMITTEE (QQ)

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January 14, 2014

Colorado Water Conservation Board
Attn: James Eklund, Becky Mitchell and Jacob Bornstein
1313 Sherman St.
Denver, CO 80203

Dear CWCB Staff,

Following are NWCCOG's Water Quality/ Quantity Committee (QQ) proposed changes to the Draft Framework for Colorado's Water Plan, dated 11/07/13, along with the rationale behind the suggested changes.

We have provided redline changes into the draft framework document as a separate document.

Section 1.1

□□ Identify what the CWP aims to achieve, which includes:

- o Align state funding and the state's role in water supply and management with the plan's water values;
- o Streamline the state role in the approval and regulatory process regarding water supply and management;
- o Provide [background to establish an understanding of the need for state support of water supply projects, along with providing](#) a path to state support of those water supply and water management proposals that stress conservation, innovation, collaboration and other criteria such as promoting smart land use, healthy watersheds for Colorado's rivers and streams, and smart water conservation practices that utilize demand-management. State support will also recognize that multipurpose projects will be preferred;

Rationale: This discussion calls for a clear definition of what state support would look like in a project, especially because the state's role is generally fairly limited in development approval process (401 certification and CWCB/CPW Wildlife Mitigation Plan)

Section 1.2.

Potential Approach: Section 1.2 will be a brief section that will indicate the importance of aligning state resources and working collaboratively with federal [and local](#) permitting agencies.

Rationale: We appreciate you listening to our earlier comments and including local entities in the title of section 1.2. However, this section still focuses on aligning state resources and working collaboratively with federal permitting agencies on water supply projects, yet makes no mention of local government permitting of those projects. Examples of 1041 permit regulations within the NWCCOG area were sent to the CWCB in November, 2013. Local permit requirements go to the heart of the socioeconomic and environmental impacts and have resulted in agreements between the affected communities and water project proponents, such as those for Wolford Mountain Reservoir and Windy Gap Firing Project.

Working collaboratively with local government permit agencies is essential to successful water development projects because addressing the impacts of water projects at the local level lays the foundation for cooperative agreements and resolves many of the issues that would arise later in the process.

Section 1.2, continued

In addition, the section will specify that the CWP does not create an extra permitting hurdle for water providers; rather, it will establish a path to [more efficient](#) permitting for projects that meet the water values and criteria identified in the CWP, [and based on the intensity of the impacts associated with the water project](#).

Rationale: The scope of permit review and requirements should correspond to the intensity of the impacts associated with a water project. The requirements imposed by local, state and federal permit processes mark the only time that impacts of the project are addressed and mitigation is proposed.

Section 4

Potential Approach: Section 4 will be a brief section that includes content regarding Colorado's surface and groundwater water supplies and how it relates to other states. The section will refer to the BIPs and SWSI update and be consistent with the IBCC scenarios. [Utilizing existing data, this section will address projected water availability in different river basins in Colorado, acknowledging that additional or "new" water supplies may not be available in the future.](#) In addition to climate change, one of the limitations and concerns for the future will be dust on snow. Conversely, one of the opportunities is weather modification. The section will not describe project specifics.

Rationale: This section should discuss that there may not be water available in the future for new supply development. For example, the Colorado River Basin Water Supply and Demand Study conducted by the U.S. Bureau of Reclamation over the entire seven-state Colorado River Basin identified an average *shortage* of 3.2 million acre feet of water by 2060. Estimates of available water for "new supply" vary from zero to one million acre feet.

Section 5.1

Objective: Ensure that the CWP prepares Colorado for a broad range of potential futures and to show how the CWP builds upon the work of the BRTs and IBCC. [Along with the No and Low Regrets strategies, this section will also examine how local land use controls and regulations \(along with state incentives for responsible land use\) could control growth and reduce the gap.](#)

Rationale: This section should include linkage to local land use planning that could control population growth based on available water and reduce the demand for water through clustering, small lot regulations, and other techniques.

Counties and cities have regulated growth by establishing a set number of development permits available on a competitive basis, a set number of water and sewer taps distributed to proposed developments on an as-available basis, or a set rate of growth that limits the number of development permits issued per year.

Section 5.3

Supporting Information: BIP watershed health section, ~~list of land use plans from the Northwest Colorado Council of Governments~~, and the Colorado State Forest Service watershed report.

Rationale: The documents submitted by NWCCOG do not pertain to watershed health. The point of these documents is to show that basin roundtables on the front range should be aware of not only their own land use plans, but also those directing the future of headwaters' counties and municipalities because local long range planning efforts are based on the availability of water for both consumptive and non-consumptive use. Without this information, front range basin implementation plans could interfere with headwaters' plans that have been implemented through extensive public processes over the course of many years.

Section 5.7

Objective: Summarize the type and amount of infrastructure projects and methods needed to meet our current and future water supply needs, to indicate how much this infrastructure will cost, and to highlight multi-purpose and regional projects and methods from the BIPs. In addition this section will draft incentive-based criteria to evaluate new projects to determine whether a project is worthy of state support. It will also include an evaluation process and actions that take place when criteria are met. Similarly, for existing water supply operation and maintenance, criteria and a rubric for CWCB financing will be included. These efforts will be utilized in the permitting and funding section of the plan.

Rationale: The GOAL should not be to help boost any and all projects, even if they are marginal but meet state criteria. The Plan should focus on more well-rounded end result for all stakeholders, not just building in a "yes" where one would not otherwise exist.

Section 5.9

Potential Approach: This section will summarize the work of local, state and federal permitting entities to accomplish the recommendations in the no and low regrets action plan that builds on the collaborative partnership that the State of Colorado already has with its federal partners. The draft indicates two main actions:

- **Streamline state permitting processes for IPPs that meet values of the CWP:** The Executive Order directs the CWP to help expedite permitting at the state level. The state should develop an approach to permitting IPPs that efficiently moves projects through the process and

toward an outcome, whether positive or not, while ensuring sufficient protection of nonconsumptive and other values. Public engagement and community outreach regarding water supply needs [and impacts of water supply projects](#) may need to increase in affected communities [and needs to occur as early as possible in the project planning process](#) to facilitate [an](#) efficient permitting process.

- **Improve state coordination with [local and federal permitting entities](#):** The state should continue to meet with federal agencies [and local governments](#) to look for opportunities, including entering into MOUs, to make NEPA and permitting processes more efficient [and coordinated](#), especially for projects that meet the values of the CWP and are needed across multiple scenarios. Efficiency would not dictate whether the outcome is positive or not.

Rationale: Local government permitting is a VERY important piece that is missing from this entire section. Many local governments regulate water projects under their local authority. The NWCCOG Headwaters document list links to applicable 1041 regulations in the NWCCOG region.

Section 5.10

Supporting Information: Basin Roundtable Project Exploration Committee, No/Low Regrets Action Plan, Letter to the Governors, new supply subcommittee chairs letter, West Slope Caucus, East Slope white paper, existing agreements [that may serve as models for potential conceptual agreements to resolve permitting issues, water rights disputes, or other issues in the basin of origin](#) (e.g., Colorado River Cooperative Agreement, Windy Gap Firing Agreement), Basin Roundtable and IBCC discussions.

Rationale: The examples provided as “conceptual agreements” for water projects are not, in fact, water project agreements. The Colorado River Cooperative Agreement settles long-standing water rights disputes between Denver Water and the West Slope, and provides enhancements for existing problems caused by Denver Water diversions. The parties to the CRCA agreed not to oppose the Moffat expansion project, but it does not set the ground rules for the Moffat Project or describe mitigation for the Moffat project. Likewise, Windy Gap IGA does not address impacts of the WGFP; those are addressed in the 1041 permit issued by Grand County. These should not be used as examples of water project agreements.

Section 5.11

The contents of this section will be outlined by the State’s interagency water quality and quantity group [and other diverse stakeholders statewide](#).

Rationale: Discussions on the issue of water quality/ quantity should include a more diverse set of stakeholders than just state agencies. At this time, early drafts of this section cast the issue of water quality as a barrier to water development, rather than a reflection of important concerns about reductions in water quality associated with water diversion projects. Water quality is of the upmost importance to headwaters communities and the environment, and impacts to water quality through project development must be addressed rather than viewed as a barrier.

Thank you for your consideration of these comments. Please let us know if you have further questions or need further assistance. We look forward to continued work with the CWCB on the Colorado Water Plan process.

Best regards,

Torie Jarvis, Barbara Green, and Lane Wyatt on behalf of NWCCOG/QQ
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WATER QUALITY / QUANTITY COMMITTEE (QQ)

Following are NWCCOG/QQ's Redline comments.

Draft Framework Colorado's Water Plan

INITIAL DRAFT - Colorado's Water Plan Annotated Framework

Colorado's Water Plan Purpose: The Colorado's Water Plan (CWP) will leverage and integrate nine years of work accomplished by Colorado's Basin Roundtables, the Interbasin Compact Committee (IBCC), and Colorado Water Conservation Board (CWCB) to determine how to implement water supply planning solutions that meet Colorado's future water needs while supporting healthy watersheds and environment, robust recreation and tourism economies, vibrant and sustainable cities, and viable and productive agriculture.

Schedule: A draft water plan will be submitted by CWCB to Governor Hickenlooper by Dec. 10, 2014.

Executive Summary

1. Introduction and Background

1.1. Summary of Colorado Water and Summary of Plan

Objective: Introduce and outline the framework and structure of the CWP.

Potential Approach: Section 1.1 will discuss why the time is right for the CWP and what the CWP aims to accomplish. The section will also build upon Colorado's water values described in the executive order. As stated in the executive order, "Colorado's water policy must reflect its water values. The basin Roundtables have discussed and developed statewide and basin-specific water values and the Colorado Water Plan must incorporate the following:

- "A productive economy that supports vibrant and sustainable cities, viable and productive agriculture, and a robust skiing, recreation, and tourism industry;
- "Efficient and effective water infrastructure promoting smart land use; and
- "A strong environment that includes healthy watersheds, rivers and streams, and wildlife."

In order to incorporate Colorado's water values and set forth the goals of the CWP, this section will:

- Provide historical context for the CWP and water planning efforts in the state, including the Basin Roundtable (BRT) and IBCC processes, and the Statewide Water Supply Initiative (SWSI).
- Illustrate how the CWP was developed from grass roots efforts.
- Discuss challenges with the status quo trajectory vs. opportunities in the water plan. The CWP will seek to address the identified gaps while maintaining healthy watersheds and environment, robust skiing, recreation and tourism industries, vibrant and sustainable cities, and viable and productive agriculture.

- Information regarding other state water plans, and the need to integrate management of water quality and water quantity.
- Establish how the CWP will utilize ~~SWI's~~ SWSI's technical platform.
- Integrate water products.
- Identify what the CWP aims to achieve, which includes:
 - Align state funding and the state's role in water supply and management with the plan's water values;
 - Streamline the state role in the approval and regulatory process regarding water supply and management;
 - Provide background to establish an understanding of the need for state support of water supply projects, along with providing a path to state support of those water supply and water management proposals that stress conservation, innovation, collaboration and other criteria such as promoting smart land use, healthy watersheds for Colorado's rivers and streams, and smart water conservation practices that utilize demand-management. State support will also recognize that multipurpose projects will be preferred
 - Be constructed from the bottom-up, incorporating the work of the grassroots IBCC and BRTs;
 - Protect Colorado's ability to fully use its water within its interstate compacts and agreements and in light of increasing downstream water demands and changing federal requirements;
 - Establish a foundation for common-sense changes to the way we manage and transfer our water; and
 - Address our looming gap between supply and demand while minimizing the permanent buy-and-dry of irrigated agriculture.

Supporting Information: Executive Order, Presentation, talking points, etc.

Staff Support: CWCB Staff

1.2. Description of State, Local, and Federal Entities that Are Involved in Water Administration, Study, Planning and Project Permitting

Objective: Demonstrate that the plan will make water supply project permitting more efficient and effective.

Potential Approach: Section 1.2 will be a brief section that will indicate the importance of aligning state resources and working collaboratively with federal and local permitting agencies.

In addition, the section will specify that the CWP does not create an extra permitting hurdle for water providers; rather, it will establish a path to ~~quicker (not more hurried)~~ more efficient permitting for projects that meet the water values and criteria identified in the CWP, and based on the intensity of the impacts associated with the water project.

Supporting Information: Information from State and Federal entities, 122.2, CWA Section 401, NEPA, ACTS, ESA, local regulations and permit criteria (1041 regulations; see NWCCOG's list of headwaters' local regulation document)

Staff Support: CWCB Staff and Department of Natural Resources (DNR) Executive Director's Office (EDO) staff, Colorado Department of Public Health and Environment (CDPHE) staff, Colorado Parks and Wildlife (CPW) staff

1.3. Description of Colorado Water Law & Administration

Objective: Demonstrate that the CWP works with Colorado water law and supports the doctrine of prior appropriation.

Potential Approach: Write a short section that describes how the plan works with Colorado water law to meet Colorado's future needs. This section will reaffirm the prior appropriation doctrine.

Supporting Information: Numerous sources, including C.R.S. 37-92-101 et. Seq., Colorado Constitution Article XVI, Sections 5 and 6, Interstate Compacts

Staff Support: CWCB Staff, Attorney General's Office, and Division of Water Resources (DWR)

2. Overview of Each Basin

Objective: Demonstrate the diversity of needs and interests throughout Colorado and to highlight each basin's importance in relation to Colorado's water values.

Potential Approach: Section 2 will include a brief summary of each basin, pulling content from SWSI where appropriate. In addition, this section will include information about how CWCB has supported each basin, such as with instream flows, flood assistance, drought assistance, compacts that are important to the basin, and major funding efforts that have occurred within the basin.

Supporting Information: SWSI 1 and 2, Basin Fact sheets

Staff Support: CWCB Staff

3. Water Demand by Sector

Objective: Illustrate Colorado's significant municipal, industrial, agricultural, environmental, and recreational water needs

Potential Approach: Section 3 will be a brief section summarizing Colorado's consumptive and nonconsumptive needs.

Supporting Information: SWSI 2010, HB 1051, SWSI update, BRT work

Staff Support: CWCB Staff

Potential Stakeholder feedback: N/A

Additional Questions or needs: HB 1051.

4. Water Supply, Including Description of Historical and Projected Supply

Objective: Describe Colorado's variable water supplies and highlight where there are critical limitations and opportunities.

Potential Approach: Section 4 will be a brief section that includes content regarding Colorado's surface and groundwater water supplies and how it relates to other states. The section will refer to the BIPs and SWSI update and be consistent with the IBCC scenarios. Utilizing existing data, this section will address projected water availability in different river basins in Colorado, acknowledging that additional or "new" water supplies may not be available in the future. In addition to climate change, one of the limitations and concerns for the future will be dust on snow. Conversely, one of the opportunities is weather modification. The section will not describe project specifics.

Supporting Information: Executive Order, Bureau of Reclamation (BOR) Colorado River Basin Supply and Demand Study, SWSI 2010, BRTs, Drought Plan and Task Force work, Colorado River Water Availability Study (CRWAS), Front Range Vulnerability Study, SWSI update Ch. 7 on Scenario Planning and Adaptive Management, IBCC and BRT work on scenarios, Drought Task Force, Climate Change Technical Advisory Group.

Staff Support: CWCB Staff

5. Water Management

5.1. Scenario Planning and Adaptive Management and No and Low Regrets

Objective: Ensure that the CWP prepares Colorado for a broad range of potential futures and to show how the CWP builds upon the work of the BRTs and IBCC. Along with the No and Low Regrets strategies, this section will also examine how local land use controls and regulations (along with state incentives for responsible land use) could control growth and reduce the gap.

Potential Approach: Section 5.1 will include a brief and simplified narrative that indicates that the CWP is aimed at being successful regardless of what future Colorado faces. Summarize the no and low regrets. This section will frame how the other subsequent components fit into the CWP. This section will indicate where this information came from.

Supporting Information: BRT and IBCC Portfolio and scenario work, SWSI Update Ch. 7., IBCC No/Low Regrets Action Plan

Staff Support: CWCB Staff

5.2. Natural Disaster Management

Objective: To characterize and assess the impact that natural disasters such as drought, flood and wildfire have on the water systems and water availability for Colorado, both now and into the future.

Potential Approach: Utilizing previously completed studies such as the CRWAS, Drought Plan & Flood Plan, as well as the latest CMIP 5 climate change data, CWCB will examine the role that natural disasters have on the water systems and water availability for Colorado under current conditions as well as under a changing climate.

Supporting Information: 2010 & 2013 Drought Mitigation & Response Plan, 2010 & 2013 Flood Mitigation & Response Plan, CRWAS, new analysis of CMIP 5 under CRWAS phase 2 and SWSI 2016

Staff Support: CWCB Staff

5.3. Watershed Health/Management

Objective: Show how Colorado can pull together the state's consumptive and nonconsumptive interests in order to protect critical watersheds from fire and other natural hazards, such as floods, beetle kill, and drought.

Potential Approach: Section 5.3 will synthesize the BIP watershed health sections, and indicate any existing support garnered from downstream states and/or federal agencies. Based on successful examples and lessons learned, the section will make specific recommendations for how a successful partnership between local stakeholder groups, the state and federal agencies can be formed to respond in emergency situations.

Supporting Information: BIP watershed health section, ~~list of land use plans from the Northwest Colorado Council of Governments~~, and the Colorado State Forest Service watershed report. Information on fire impact to downstream states, existing plans, U.S. Forest Service information. This includes incorporating the request of some local staff at federal agencies to use stewardship opportunities and management tools.

Staff Support: CWCB Staff, Colorado State Forest Service staff

5.4. Meeting the Consumptive and Nonconsumptive Gaps

Objective: Demonstrate how the CWP rests upon the foundation of BRT work and indicate that the CWP incorporates the BIPs, which should meet most of Colorado's future water needs while maintaining the state's water values.

Potential Approach: Synthesize and summarize the BIPs showing how they will measurably meet Colorado's future water needs. While a few projects may be highlighted, the section will primarily refer to the BIPs.

Supporting Information: BIPs, especially section 6.

Staff Support: CWCB and CPW Staff

5.5. Conservation and Reuse

- 1.1.1. Municipal & industrial (M&I) conservation and reuse
- 1.1.2. Agricultural conservation
- 1.1.3. Self-Supplied Industrial (e.g., conservation of mining and energy water use)
- 1.1.4. State agency conservation

Objective: Indicate the amount of conservation that can be utilized to meet Colorado's future water needs.

Potential Approach: Section 5.4 will pull from various resources and will highlight recent BRT or legislative progress on the topic. Section 2.4.1 M&I Conservation and Reuse will synthesize BIP action on conservation and reuse and any legislative movements forward and summarize the pros and cons of M&I conservation. It will recognize demand hardening as a concern and will describe land use efforts related to the No and Low Regrets Action Plan. The subsection will also highlight reuse efforts, including graywater, potable reuse, and reuse for irrigation purposes. Section 2.4.2 Agricultural conservation will summarize the work of Colorado Agricultural Water Alliance. It will also recognize Colorado's unique issues with agricultural conservation related to the fact that 1) Colorado is a headwaters state and must consider interstate concerns, 2) there are limitations due to the protection of return flows for downstream users, and 3) nonconsumptive needs could be positively or negatively impacted. For section 2.4.3 Self-Supplied Industrial, summarize efforts to partner with industry, including the water savings associated with utilization of natural gas and renewable energy sources compared to coal. This section could be focused on the energy/water nexus more generally and showcase recent energy/water nexus efforts. For Section 5.4.4., State agency conservation, the section should indicate how state agencies are leading conservation efforts.

Supporting Information: SWSI 2010, Best Practices manual, Ag conservation paper, state agency water/energy conservation paper, Colorado & Yampa/White BRT energy study, nonprofit reports and memos on water/energy nexus, Letter to the Governors, information from water/energy workshops, SWSI Update (especially on industrial needs), BIPs, Colorado River Basin Supply and Demand Study and associated Next Steps Processes [and examples of local government conservation plans.](#)

Staff Support: CWCB Staff, relevant staff from other state agencies

5.6. Alternative Agricultural to Urban Transfers

Objective: Showcase recent and ongoing efforts allowing for water sharing between agricultural and municipal water users.

Potential Approach: The current path Colorado is on is the continued long term permanent dry up of Colorado's irrigated agriculture. Section 5.5 will lay a path for agricultural producers and municipalities to have a greater suite of options, while not rewriting property rights. The section will discuss recent legislative efforts to allow for alternative transfer method pilots, and will further the technical information, which indicates that approximately 50,000 acre-feet of agricultural water will be needed in the Front Range. Relevant aspects of the East Slope Basin Implementation Plans and the No and Low Regrets Action Plan will be incorporated. Examples, such as conservation easements which tie water to agricultural lands while allowing for temporary leasing on fallowed lands, will be highlighted. The section will also include an identification of some of the legal constraints.

Supporting Information: H.B. 1248 and associated Guidance and lessons learned from any pilots, Colorado Agricultural Water Alliance, Ag Policy Dialogue, Alternative Transfer Method grants and report, existing law concerning water banks, interruptible supply agreements, etc., information from discussions with the Colorado Water Bar

Staff Support: CWCB Staff, DWR Staff, Colorado Department of Agriculture Staff

5.7. Municipal, Industrial, and Agricultural Infrastructure Projects and Methods

5.7.1. Water supply projects and methods

5.7.2. Existing water supply operation and maintenance

Objective: Summarize the type and amount of infrastructure projects and methods needed to meet our current and future water supply needs, to indicate how much this infrastructure will cost, and to highlight multi-purpose and regional projects and methods from the BIPs. In addition this section will draft incentive-based criteria to [help evaluate](#) new projects [that may be lacking become to determine whether a](#)

project ~~that~~ is worthy of state support. It will also include an evaluation process and actions that take place when criteria are met. Similarly, for existing water supply operation and maintenance, criteria and a rubric for CWCB financing will be included. These efforts will be utilized in the permitting and funding section of the plan.

Potential Approach: Informed by the BIPs, Section 5.6 will summarize the amount of additional infrastructure Colorado will need to meet our future consumptive needs while striving to uphold Colorado's water values. This will include measures to keep agriculture in production in the state and support environmental and recreational needs as part of multi-purpose projects. Operation and maintenance will be impacted by the flooding on the South Platte and Arkansas, and the assessments sent to FEMA will be summarized. In addition, the section will estimate how much the infrastructure will cost.

Supporting Information: Cost estimates from SWSI 2010, BIPs, SWSI Update (e.g., section 8), CWCB Strategic Framework, flood assessments, [list of land use plans from the Northwest Colorado Council of Governments](#).

Staff Support: CWCB Staff, Colorado Department of Agriculture Staff

5.8. Environmental and Recreational Projects and Methods

Objective: Summarize the needed environmental and recreational projects and methods needed for protecting Colorado's environmental legacy and [economic and](#) recreational opportunities, and to highlight important regional projects and methods

Potential Approach: Informed by the BIPs, Section 5.6 will summarize the amount of additional projects and methods that will be needed to maintain and, in some cases, enhance Colorado's environmental and recreational attributes, while maintaining Colorado's water values. The section will describe how multi-purpose projects can benefit the environment and recreation and how agricultural uses can add value to these nonconsumptive uses as well. In addition, the section will estimate how much the projects and methods will cost. The section will indicate the total number of projects, amount of protected or restored habitat, amount of protected or restored stream miles, and the expected benefit to nonconsumptive attributes.

Supporting Information: SWSI 2010, SWSI Update, BIPs, nonconsumptive database and Identified Projects and Processes (IPPs), Nonconsumptive toolbox, ["Water and its Relationship to the Economies of the Headwaters Counties" study, December 2011](#), http://nwccog.org/docs/qq/QQStudy_Outreach%20Summary%20Jan%202012.pdf.

Staff Support: CWCB and CPW Staff

5.9. Framework on More Efficient Water Project Permitting Processes

Objective: Show how the CWP will help make the water supply project permitting processes more integrated, effective and efficient, especially for those projects that meet Colorado's water values and fit within the CWP framework.

Potential Approach: This section will summarize the work of [local](#), state and federal permitting entities to accomplish the recommendations in the no and low regrets action plan that builds on the collaborative partnership that the State of Colorado already has with its federal partners. The draft indicates two main actions:

- **Streamline state permitting processes for IPPs that meet values of the CWP:** The Executive Order directs the CWP to help expedite permitting at the state level. The state should develop an approach to permitting IPPs that efficiently moves projects through the process and toward an outcome, whether positive or not, while ensuring sufficient protection of nonconsumptive and other values. Public engagement and community outreach regarding water supply needs [and impacts of water supply projects](#) may need to increase in affected communities [and needs to occur as early as possible in the](#)

~~project planning process as early as possible project planning~~ to facilitate ~~anan~~ efficient permitting process.

- **Improve state coordination with ~~the local and~~ federal permitting entities:** The state should continue to meet with federal agencies ~~and local governments to~~ ~~and local governments to~~ look for opportunities, including entering into MOUs, to make NEPA and permitting processes more efficient ~~and coordinated~~, especially for projects that meet the values of the CWP and are needed across multiple scenarios. Efficiency would not dictate whether the outcome is positive or not.

If there are pertinent aspects of the BIP's, those will be included as well. In addition, the CWP will consider any recommendations from the Quality and Quantity Workgroup recommendations on how quality and quantity policies should be linked, and seek to build off other successes, such as those in the endangered species recovery programs.

Supporting Information: CWCB Strategic Framework, No/Low Regrets Action Plan, any results from coordination meetings between state and federal permitting entities, ES white paper, Letter to the Governors, Mark Pifher Letter, nutrient rules, applicable law, Quality and Quantity Workgroup, information from ~~local~~, state and federal permitting entities, information from project proponents, local governments, nonprofits, and other stakeholders on the permitting process, and information from the nutrients standards process, the work of CDPHE, ~~list of land use plans and 1041 regulations from the Northwest Colorado Council of Governments~~, the Colorado Water Quality Forum, nonconsumptive workshop comments at the 2013 Watersheds Conference, and the combined joint review process

Staff Support: CWCB Staff, EDO Staff, CPW Staff

5.10. Cross-basin Conceptual Agreements and Points of Consensus

Objective: Showcase water management agreements achieved across basins and provide support to these agreements by virtue of incorporating them into the CWP.

Potential Approach: Section 5.8 will summarize existing agreements and discuss the importance of additional agreements. It will also detail any new agreements developed as part of the process and discuss any agreements that are underway. As part of this work, the section will explore criteria for a good new supply project or package of projects.

Supporting Information: Basin Roundtable Project Exploration Committee, No/Low Regrets Action Plan, Letter to the Governors, new supply subcommittee chairs letter, West Slope Caucus, East Slope white paper, existing agreements ~~that may serve as models for potential conceptual agreements to resolve permitting issues, water rights disputes, or other issues in the basin of origin~~ (e.g., Colorado River Cooperative Agreement, Windy Gap Firing Agreement), Basin Roundtable and IBCC discussions.

Staff Support: CWCB Staff

5.11. Water Quality

The contents of this section will be outlined by the State's interagency water quality and quantity group ~~and other diverse stakeholders statewide~~.

6. Alignment of State Resources and Policies

6.1. Funding/Financing

1.1.5. Analysis of the cost to fully implement the CWP

1.1.6. Economic benefit of implementing the plan

1.1.7. Alignment of state funding resources and analysis of other funding opportunities

Objective: Indicate how the CWP can be implemented from a funding perspective and demonstrate that doing so would be beneficial for the vibrancy of the state. If additional funds beyond current resources are needed, it will demonstrate how such funds could be acquired.

Potential Approach: Drawing from SWSI and other resources, this section will briefly discuss the costs and economic benefits of implementing the plan and then discuss in greater detail how the CWP could be funded. This will include existing funding options such as CWCB loan and grant programs, Water and Power Authority loans, water provider / customer oriented funding, as well as private and federal options. If additional funds are needed, it will recommend a funding approach. Section 6.1.3 will indicate how state funding can be aligned with meeting the priorities set forth in the CWP.

Supporting Information: No/Low Regrets Action Plan Appendix B, SWSI 2010. SWSI Update, information from various funders (e.g., Water and Power Authority, Bureau of Reclamation, private funding entities), information from the Water Infrastructure Finance and Innovation Authority (WIFIA) and the Water Infrastructure Network (WIN), CWCB Strategic Framework

Staff Support: CWCB and CPW Staff

6.2. State Water Rights and Alignment

Objective: Indicate how the State of Colorado is utilizing its water rights to the best benefit of the state, in accordance with the CWP water values and goals.

Potential Approach: Section 6.2 will summarize how Colorado's state agencies are aligning their water rights to meet the water values and goals of Colorado's Water Plan. This section will include recommendations on how to move forward any critical water projects and methods that have not been achieved by the time the water plan is published. Specifically, water rights should be aligned to have multiple benefits, for instance to agriculture and the environment. Water sharing agreements could also be explored. Water rights and potential water projects should be reviewed so that they can best meet the nonconsumptive and consumptive measurable objectives in the BIPs. Model examples that, such as the Rio Grande Cooperative Projects, will be described.

Supporting Information: Instream flows, Colorado Parks and Wildlife water rights database, State Land Board water rights documents and recommendations, feedback from various state agencies that have water rights.

Staff Support: CWCB, EDO, and CPW Staff

6.3. Alignment of other State Policies and Resources

Objective: To ensure that state policies and procedures across agencies are aligned.

Potential Approach: This section allows state agencies to examine policies and resources related to water at a high level. The section will summarize how the State of Colorado has aligned its policies and resources to meet the water values and goals of the CWP based off interagency meetings and information. For instance, the instream flows have been used as a way to align CPW interests with CWCB's instream flow program.

Supporting Information: Relevant policies from state agencies, Feedback from state agencies with water related policies.

Staff Support: CWCB Staff, EDO Staff, Attorney General's office, DWR, Colorado Parks and Wildlife, Colorado Department of Health and Environment, etc.

7. Legislative Recommendations to Assist Fully Implementing the CWP

Objective: To showcase recent legislative accomplishments and show grassroots support for any additional legislative action that is needed.

Potential Approach: This section should pull from the No/Low Regrets Action Plan's legislative recommendations and summary. It will discuss recent legislation in support of CWP water values and

goals. In addition, it will highlight the level of support for new legislative concepts and from where the concepts emerged. Every recommendation should come from BRT, IBCC, and stakeholder involvement.

Supporting Information: No/Low Regrets Document, Basin Implementation Plans, BRT agriculture policy document, information from the Interim Water Committee, Colorado Water Congress, and the Colorado Water Bar

Staff Support: CWCB Staff, EDO Staff

8. Process for Plan Update

Objective: Indicate that the CWP is a living document that will need periodic updates.

Potential Approach: Write a brief section describing the process for and timing of future updates.

Supporting Information: Executive Order, CWP presentations

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