

South Platte Basin Roundtable
May 13, 2014
Southwest Weld County Building
4209 Weld County Rd 24½
Longmont, CO

Present: General Manuello (Agricultural Representative); Douglas Rademacher (At-Large Representative); Karen Martinez (Boulder County); Lisa McVicker (Center of Colorado Conservancy District); Frank Eckhardt (Central Colorado WCD); Bert Weaver (Clear Creek County); John Stulp (Director Compact Negotiations/IBCC); Kevin Lusk (El Paso County); Larry Ross (Elbert County); Bob Streeter (Environmental Representative); Connie McLain (Gilpin County); James Ford (Gilpin Muni); Larry Howard (Larimer Muni); John Stencil (Legislative Appt); Jim Hall (Local Domestic Water Provider); Kent Swedlund (Logan County); Joe Frank (Lower South Platte WCD); Allyn Wind (Morgan County); Brent Nation (Morgan Muni); Mike Applegate (Northern WCD); Mike Brazell (Park County); Sean Cronin (St. Vrain and Left Hand WCD); Harold Evans (Weld County Muni); Diane Hoppe (CWCB Member); Eric Wilkinson (Non-Voting At-Large Member); James VanShaar (BOR Liaison); Joel Schneekloth (CSU Ext. Service Liaison)

The meeting began at 4:10PM

- 1. Welcome/introductions**
- 2. Agenda**

No additions or changes

- 3. Basin Implementation Plan**

Blaine Dwyer opened discussion on the Basin Implementation Plan (BIP) and presented his Consumptive Consultant team and agenda item 3

- a. Overview of BIP Development Process**

Blaine Dwyer presented the timeline-infographic highlighting progress in the development of the BIP. The infographic showed the final draft of the BIP due July 2014 and then refinements between July and December. According to wyer, HDR has been finishing the projects and methods sections, has finished updating the gap and identifying IPP's (identified projects and programs). Dwyer added that the Rio Chato and Metro Exec committee reviews of Sections 2, 3, and 4 are set for May 13 through May 27; Sections 5 and 6, May 16-30; and a work session

May 19. Dwyer then stated HDR was looking for comments on what was missing and what wasn't correct so that they could work on those things while the RT was finishing the review. Lastly for 3.a., Dwyer reported the full Basin Roundtable's (BRT) initial draft would be due June 10-27 and the final draft would be due July 11-18. After asking for questions or comments, none were offered.

b. Media Inquiries and Distribution of Draft Work Items

Blaine Dwyer lead into 3.b. from 3.a., stating HDR had worked with Sean Cronin (South Platte BRT Chair) and Mark Koelber (Metro BRT Chair) to develop agenda item 3.b.

Sean Cronin then presented 3.b., discussing public inquiries into the BIP process and work products. According to Cronin, Mark Koelber talked with HDR and members of the South Platte BRT to address approaches to public inquiries. The stated conclusion was that since the South Platte BRT was neither approving nor adopting documents in process, work products would not be distributed to public. Cronin reiterated that public comments have been and will continue to be invited at Roundtable meetings or via the website. Inquiries could be directed to the Chair if there were specific concerns or questions, and then the Chair could follow up with a representative specific the area in question. Cronin stated he wanted to confirm the stated approach with the BRT before moving forward, to which Doug Rademacher openly supported, and HDR conferred.

c. Overview of Sections 2, 3, and 4

i. Section 2: Future Needs and Supply Gap: Municipal & Industrial, Agricultural, Environmental & Recreational

Matt Cook presented on Section 2 of the BIP, addressing Future Needs within the contexts of municipal and industrial, agricultural, environmental and recreational needs. Cook reported there was no new information in Section 2 and furthermore, the Section did not include quantified updates, the Section was pulling information from SWSI 2010. Mapping updates had been included from the Environmental/Recreational work that had been done.

Laurel Stadjuhar followed Cook's opening presentation with a comment, "we needed to do updating to the mapping since the SWSI 2010 data was collected. We took the 2010 focus areas and did QAQC checks to fill in focus areas that had missing or inadequate data. Since then additional layers have been added: Park County layers, Parks CPW layers. The chapter will have a new map to show all the new query areas; the purpose was to remove data constraints." Dianne Hoppe then questioned the images and was curious if those same images shown in the presentation slides would make their way into the final BIP chapter, to which Dwyer said they were only placeholders and would not appear in the final chapter.

ii. Section 3: South Platte Basin Water Availability—Evaluate Constraints and Opportunities

Matt Cook then moved to Section 3: South Platte Basin Water Availability - Evaluate Constraints and Opportunities. Cook stated the introduction to the Section was going to provide details on 16 topics that would affect the projects and methods. Blaine Dwyer added that Section 3 would be useful for explaining the constraints and the background to those constraints. According to

Dwyer, “the Section is not required, but is important for Rio Chato and Metro Exec committee to focus on as means of setting the stage for constraints faced by the South Platte Basin in terms of making water supply problems going away. These sections should be heavily scrutinized because they are extremely important. Lots of the issues in Section 3 are commonplace for those in the South Platte Basin, but are new to the ears of many outside the Basin. This section should capture the constraints on a variety of topics that are problematic to the South Platte Basin.”

Lisa McVicker was curious if it would be appropriate to include a discussion about oil and gas well-water pollution. She spoke to the innumerable concerns brought up in the public regarding oil and gas produced water. John Stulp felt it was appropriate to include in the BIP, or at least to mention, stating the next SWSI (State Water Supply Initiative) would certainly address and quantify that on a Basin by Basin quantification. Stulp also stated that if the BRT felt it was important then it should go in there. Sean Cronin asked if the state quality control commission would be bringing a discussion of produced water out in the next nexus. Stulp said he had not seen it, but would be surprised if that was not included because quantity and quality are tied together. Harold Evans asked what the quality of the produced water was if a high quantity of it was being produced. Doug Rademacher then spoke to the number of water recycling centers popping up across South Platte and spoke to the prevalence and power of recycling plants to return water to potable levels. Rademacher stressed the importance of keeping an eye on changing technology and the future. A conversation then broke out between McVicker and Rademacher and Evans, which addressed the merit of exploring constraints in terms of produced water. All expressed concern regarding the public concern over tracking and water use. Cronin added that Section 3 was important for laying the baseline for regional water context. Mike Brazell spoke to the consumptive-use nature of the water used in fracking. Blaine Dwyer stated that he presented a list of examples of constraints as a way of highlighting significant constraints, to which a discussion between Cronin and Dwyer openly addressed the need to add an additional point to the list.

A member of the public contributed a comment challenging the consultants to think about the issue of quality and quantity as inseparable as the South Platte BRT and BIP look to the future. The audience member made a comparison between Colorado and California.

Matt Cook stated subsections were excerpted from SWSI 2010, however figures and tables were updated with new data. *Section 3.1 Current South Platte Water Operations and Hydrology* highlighted constraints such as unappropriated water, competing water supply projects, and environmental/recreational concerns. Cook also addressed the main points of *Section 3.2. Water Mgmt and Water Admin*. Lisa McVicker asked if any part of the BIP made a connection between land use planning and water quality. Laurel Stadjuhar replied that there was not a specific mention in Section 3, but it was mentioned elsewhere in the BIP. McVicker called out the critical connection between land use planning and water quality, calling attention to a CWCB document addressing that very issue. Bert Weaver concurred and said it was part of the water education initiative, that nexus was missing in the Arkansas and South Platte Basins. Doug Rademacher spoke to the state legislation requiring a new development to be approved only with the identification of a water source, concurred by Diane Hoppe. Kevin Lusk contributed saying that was correct and there was a misconception about that disconnection. Harold Evans concurred and called attention to this as an example of the poor communication and publication of the East Slope regarding their water use. Sean Cronin concurred with Hoppe that the Roundtable would need to be careful about how it words things in order to not run perpendicular

to existing legislation. Eric Wilkinson spoke to the need for communities to be water efficient rather than being vain (with irrigated landscaping such as lawns). Wilkinson argued that a conciliatory statement might not be effective. Larry Ross spoke to the ineffectiveness of a conciliatory statement.

For Section 3.3 Matt Cook spoke to the importance of such material to contribute to a regional Colorado Decision Support System. Cook also addressed Section 3.4, an Environmental/Recreational section. At this point Laurel Stadjuhar stepped in to explain the Section 3.4 plan was to introduce a framework for the ways in which the BIP can be looked at in the future, from consumptive sides and climactic variability, for example. In closing on the topic of Section 3.4, Stadjuhar sated that discussion will overall be brief.

iii. Section 4: Projects and Methods

Section 4, according to Matt Cook who presented on that section of the BIP, would contain the heart of the BIP: projects and methods. Following CWCB BIP guidance, Britta Strother reported that HDR had made the decision to organize Section 4 so “Education, Participation, and Outreach” appeared first. Strother reported that *Section 4.1 Education Participation and Outreach* would involve five public open house meetings which would need to be developed with the Roundtable’s help; other Roundtables are embarking on broad public out reach meetings in the neighborhood of 20 meetings or so. Here Sean Cronin asked Britta regarding suggested activities that the Education Sub-Committee should be contacted by HDR in order to enhance and maximize resources for the benefit of Section 4.1.

Laurel Stadjuhar reported next on *Section 4.2 Watershed Programs*. Stadjuhar reported an appendix would contain watershed plans with a map and 303d listed waterways within the South Platte Basin. As a side note, Sean Cronin added that the Cooperative Basin Watershed Health is an Arkansas initiative and the South Platte BRT would not be taking part in that other than reviewing work products. Matt Cook contributed, stating Jim Hall had recently worked on the conservation strategy for the Metro and South Platte Basins. Stadjuhar added that regarding Chapter 4, for HDR subsections, West Sage had integrated 1-3 paragraphs discussing project impacts on environmental/recreational uses along with brief discussions in each section.

Sean Cronin spoke to the call for a change in language between low/medium/high conservation as a way of getting away from poor public reception. Matt Cook addressed different conservation challenges and Cronin said the Arkansas suggested a good/better/best paradigm. Bert Weaver and Harold Evans entered into a discussion regarding the growth of communities outward versus upward and the growing density of communities and populations. Doug Rademacher added that all conservation impacts the river. Kevin Lusk then added that there is ultimately a limit to what can be done with communities, to which Lisa McVicker noted Greeley has had water restrictions since 1907.

Blaine Dwyer spoke to the RT saying that HDR needs input on *Section 4.4 - New Multipurpose, Cooperative, and Regional Projects and Methods* in order to gain insight and commentary into what comes after IPPs. Presenting on *Section 4.5 - M&I Projects and Methods*, categories are broken down into basics: 40% of respondents represent 60% of the yield. Moving on to *Section 4.6 Agricultural Projects and Methods*, Laurel Stadjuhar argued that alternative transfer methods (ATM’s) and environmental/recreational projects have lots of benefit to the environment. Stadjuhar then presented on *Section 4.7 Environmental and Recreational Projects and*

Methods, which was “temporarily place-holder-esque and examples” since material was still coming in, “examples of areas and details will be presented as projects, and then methodologies and framework will appear in Section 6.” Switching back to Dwyer to present *Section 4.8 Interbasin Projects and Methods*, he reported on the status of statewide processes as the BIP goes to press. Dwyer reported he expected to be addressing the status of the IBCC status after the next meeting (held before the initial draft is submitted). The first section would contain information that most or all Basins could agree to as the status of the conversations that were going on. The reason for including inter-basin agreements, according to Dwyer, was to make use of what had already been carefully crafted between signatories to the agreements: it would be useful to those in and out of the Basin to see the South Platte perspective to Colorado River supplies as an attempt to be consistent with significant agreements already in place.

Blaine Dwyer spoke to building upon the work of Eric Hecox regarding Colorado River water and East Slope water as a way of pointing to how SP supplies would be used in combination with Colorado River supplies. “The conversation has evolved regarding smaller projects,” Dwyer reported, “under the current SWSI work a ‘smaller increment projects’ has been presented, a summary of those will appear in this section in the BIP. A key aspect of the summary will be capturing the subject and the discussion will benefit significantly from the summary.” Harold Evans spoke to enhancements that need to be made to Eric’s memo to make it more widely applicable, “a theme appears again here speaking to the multifaceted nature of the SPB.” Eric Wilkinson spoke to the key provisions of inter-basin agreements as important for the establishment of a baseline, “a floor”. Wilkinson felt it was important to address IBCC concerns, previously identified small scale projects joined with large scale projects, and to look at economies of scale. According to Wilkinson, “there is a big expense tied to looking at or implementing these projects and the existing trans-basin diversions have taken advantage of the headwaters of rivers in the Colorado River Basin. Long-distance conveyances require scaled economics to become feasible. Feasibility needs to be acknowledged, along with relative constraints.” Dwyer agreed that constraints needed to be called out, “economies of scale would need to be presented in concept, but would not be presented with specifics or in detail.” Wilkinson also mentioned that unknowns need to be mentioned—compact compliance, risk management, water availability—as the state addresses those the Roundtable would need to consider additional options looking to the future. Recreational in-channel diversions could eliminate the opportunity for future development.

John Stencel then called attention to the meaning of “sample” and Blaine Dwyer spoke to the significance of the term as something not representative, but indicative of nuances or generalities of the issue, an example. Lisa McVicker then backed up to Section 4.5 and said the Roundtable should emphasize the State’s role in Chatfield as an example of the State “stepping up” and showing the strength of the State to make projects work to a beneficial end across the Basin. Dwyer added that other examples are outside the South Platte Basin that proved the same thing—the strength of the State as a member of infrastructure development, when the work is in the interest of the State.

d. Approach to Sections 5 and 6

i. Section 5 - Implementation Strategies for Projects and Methods

Discussion of Section 5 opened with HDR, Mark Koleber, and Sean Cronin agreeing that a restructuring of the chapter order would assist Jacob Bornstein in pulling info for the State Water

Plan, stating that “broad implementation strategies are useful for facilitating development of widely applicable State methods.”

ii. Section 6: How the Plan Meets the Goals and Measurable Outcomes

Section 6 would no longer be a final-thoughts chapter, it was redesigned to present new information on the gap. The revised section highlighted the updated IPP’s, conservation as a factor, redefinition of the M&I gap, supply shortages, the ag gap, the environmental/recreational gap, and the efficacy of methods in addressing those gaps. Section 2 did not identify the gap, but only the mean. The revised direction of Section 6, it was decided, would be more consistent with the State’s BIP guidelines. Harold Evans then spoke to the last bullet on slide 34 and the inability to discuss a “silver bullet”, which is expected it to show a gap and to show the state that there is a major problem in the South Platte. Blaine Dwyer responded that there would be opportunities to highlight multi-purpose projects that would be able to help the gap, but would be unable to solve the gap. Joe Frank asked what the connection was to slide 19 and Dwyer responded that previous discussions have focused on expanding the conversation beyond only the dry years, but longitudinal studies and views are able to address large-scale gaps better. Evans stated that the South Platte has been over-appropriated since about 1900 yet the language in the BIP did not seem to call out the need for storage. Characterizing Demand Scenarios tied into Sections 5 and 6 regarding how things would move forward and how variable hydrology would affect supply and demand in the future. The purpose was to consider how scenarios would be applied qualitatively to the South Platte Basin.

Eric Wilkinson spoke up regarding the need for additional storage and the difficulty associated with trans-basin diversions. He asked the Roundtable to state their opinions on State participation, on a State water project, curious if the Basin would advocate that. Wilkinson stated he thought there would be a role for the State to be a project advocate, financier and get paid back over the life of the project and be paid back by the beneficiaries. On that same topic, Wilkinson was also curious if the Roundtable should have any mention of that and wanted to know if anyone would be willing to address ways of handling new supply. Doug Rademacher agreed with Wilkinson, but stated the government is the problem, arguing “if the State can be a proponent that would be great, but attached strings kill it.” Lisa McVicker was also concerned with the State’s unwillingness to step up and participate, making a connection to Australia and their non-response to drought and the fallout. According to McVicker, “in Colorado, the State is experiencing the same thing in the South West.” McVicker spoke to the need for the State to step up and contribute to a solution to a state problem, calling out Australia’s unified response to drought and the lack of similar response in Colorado. McVicker made a call-to-action to rise and demand action from the State to respond to the gap; she called the South Platte Basin to take a bold step and get the State to respond and act on the water gap. Larry Ross called attention the Roundtable **as** the state, “the Roundtable is the State and new supply is a critical and seemingly unattainable resource.”

Harold Evans called out the need for leadership to implement and make a State Water Plan become manifest, arguing “leadership at the highest level is necessary to bring the Plan together and implement proposed and potential changes.” Doug Rademacher and Lisa McVicker conferred. Blaine Dwyer responded by stating it is the consultants’ duty to respond to the South Platte BRT and Denver Metro Roundtable, and draft language that is appropriate to both. Dwyer suggested that both Roundtables should contribute members to a drafting committee to craft language to the degree that they want help. James VanShaar explicated the

separation between South Platte issues and Statewide issues, calling on Jon Stulp who told the Roundtable to act as they felt was appropriate and necessary, and gave examples where the State had participated, totaling between 50-60 million dollars in annual contributions. Stulp warned that if the Roundtable wanted to make a call-to-action it would need to make a persuasive case to get other Basins on board; he also warned that the Roundtable could be divided on some things that seem legislatively simple. John Stencil argued that strong leadership would be key to the development of responsible water at the State and Federal levels. Mike Brazell and McVicker addressed the 1041 status of different counties and their importance and indissolubility. McVicker reaffirmed her position and openly sought the Roundtable's support in asking the consultants to take the conversation to the Metro Roundtable. Sean Cronin spoke to the mirrored status of leadership in Colorado and the importance of members of the Roundtable taking the first step. Diane Hoppe concurred with McVicker and argued the Roundtable would be best served by making a statement. Cronin and Evans discussed the importance of the consultants' addressing the Metro with the stated call-to-action.

The Roundtable broke for dinner - 6:15-45PM

4. Legislative Updates

There were no legislative updates.

5. Committee Updates

a. WSRA Needs Committee

Doug Rademacher stated there would be no application presentation, but saw the revision of the application that looked good. Still, the applicant would wait until June to review. Larry Ross stated that the aquifer study with USGS in Elbert County already had USGS money come in. Rademacher then identified how Elbert County sits in three different basins—the South Platte, the Arkansas, and the Denver Basin. Sean Cronin added that there were preliminary applications from the Republican and one other [unidentified]. Rademacher added that an application from the Republican was brought before the WSRA two-months earlier, although they had not been heard from again. At the time of the report, the Metro had already made the decision to freeze WSRA grant approvals/distributions until after July to ensure sufficient funds would be available to finish funding the BIP; Rademacher recommended the Needs Committee do the same. Furthermore, Rademacher reported there was about \$400,000 in the fund account, stating that “sufficient funds may be there, but the options should be preserved.” Lisa McVicker asked what the BIP consultants would cost and Cronin said it was in the works. Diane Hoppe reminded the Roundtable members in attendance that the IBCC/WSRA Sub-Committee would meet that same week to discuss new guidelines to make sure funds would be available.

6. Committee Updates

a. IBCC

Eric Wilkinson reported on the IBCC meeting held April 29, stating Lake Powell was 41% full, Navajo Reservoir was 57%, Blue Mesa Reservoir was 46% and Flaming Gorge was 76%.

Storage levels in Mead and Powell were of top concern to the IBCC since Powell's drop below minimum power pull levels disallows water releases downriver and has therefore forced the consideration of alternatives such as, augmentation, cloud seeding, and legislation that would make money available in the Colorado River basin to look at demand-management to cut down on consumptive use. Re-regulation of the Crisp Reservoirs has been under review as well; they would release water to keep Powell at power pull levels. Flaming Gorge may offer the best alternative. In-flow into Powell looked like average at the time of the report. The biggest problem at the moment was Mead, contributing to a structural deficit, meaning more water has been coming out than has been going in. At least .5 — 1 million acrefeet of structural deficit existed at the time of the report. Wilkinson stated eight points came out of the recent IBCC meeting regarding trans-mountain diversions.

Following Wilkinson's update, Roundtable discussion addressed water supply and demand, and insurance plans and compact agreements in regards to West Slope development. Issues of conservation, funding, triggers for trans-mountain diversions, goals and measurable outcomes, West Slope needs, municipal drought-reserve uses, and water conservation versus reuse. Wilkinson reported three groups would be meeting via conference calls to prep for the June conference call. Group 1 would handle drought restrictions and reserves regarding trans-mountain diversions, and the intersection of reuse and conservation. Group 2 would handle agreed-upon projects and risk management, wherein the goal would be to produce a plan that avoids a conference call trigger. Group 3 would handle funding strategies to enhance environmental resiliency, and ways of keeping a new trans-basin diversion on an equitable basis for diversions with future water supplies. John Stulp added that the IBCC has been advancing concepts into further refinement. Sean Cronin argued that things are progressing in the IBCC discussions. Lastly, Wilkinson reported that large cities in the Colorado River Basin have been putting up \$3M to match \$8M of a Colorado drought bill to address structural deficiency of greater demand than supply. However, the Upper Basin has been skittish in having the federal government involved. Such actions could be categorized as demand mgmt.

b. New Supply Discussion

Sean Cronin reported on the new supply discussion, stating that after several meetings a document was produced that led to letters identifying the process, not hardline figure creation (within the document). Discussion also surrounded the IBCC progress: the Chairs of Colorado's Roundtables felt the IBCC was making good progress and would monitor that issue. Chairs decided they did not need another meeting in the foreseeable future. Karen Martinez asked what the response to the letters was. Kevin Lusk spoke to the background of the document and the trans-basin diversions that would forego diversions [sic], and stated that the letters were in response to that document and its hypothetical implications.

c. Groundwater Sub-Committee

Joe Frank followed up on HB1278 and HB1332, two topics of ongoing discussion, and reported that Mike Shimmin was planning to put serious work into the response upon his return from vacation. Additional work would involve a draft plan, scope of work, even going as far as attaching dollar amounts to the plan. Shimmin took the plan to the Metro Roundtable and they expressed lots of interest. Frank reported that a lot of work had not yet been done, but Shimmin would work closely with the RT to work the plan into the BIP before July and then work on

getting things rolling by September when the Bill came to vote. Reason for the groundwater committee to meet in the future depend on Shimmin's work.

d. Non-Consumptive Needs Committee

Bob Streeter, presented on the Non-Consumptive Needs Committee for the Metro and South Platte Basin, stating the consultants have spent lots of time interpreting and applying SWSI 2010 data to turn into BIP sections and approaches. Streeter opined that the completion of the BIP in July will not contain every segment and attribute, but the plan will have generalizable approaches depending on attributes, in the interest of time and available resources. According to Streeter, "future funding will need to go to consultants to improve the plan and enhance the non-consumptive needs." Comment from the public described the neanophite bill going through the legislature and addressed the bill as a specific non-consumptive need.

e. Education Sub-Committee

Joel Schneekloth reported he had not yet gone through fact sheet comments, but would be doing so soon.

7. Colorado's Water Plan

No report provided

8. Member and Public Feedback

Caitlin Frantz from the Colorado Spirit Foundation spoke to her group's work in the local area. Dierdra Daly presented on the Little Thompson Watershed and her group's purpose, stating she would like to be on the June or July agenda to become part of the BRT or be part of the discussion on the BIP.

9. Meeting Schedule

Diane Hoppe spoke about the CWCB meeting in Pueblo on May 21-22.
Sean Cronin spoke to the joint meeting as something in the works.
Bob Streeter stated item 9.c. - the Basin Implementation Plan Coordination Meeting #4 may have been canceled.

The meeting adjourned at 8:10PM