

**Interbasin Compact Committee
Gunnison Basin Roundtable Meeting
Holiday Inn Express
Montrose, Colorado
February 2, 2015**

Voting Members Present:

Thomas Alvey	North Fork WCD
Rick Brinkman	Mesa Municipalities
Cary Denison	Environmental
Allen Distel	Bostwick Park WCD
Joanne Fagan	Ouray Municipalities
Steve Fletcher	At-Large Member
David Harold	Montrose Municipalities
John Justman	Mesa County
Austin Keiser	Grand Mesa WCD
Wendell Koontz	Delta Municipalities
Frank Kugel	At-Large Member
Henry LeValley	Crawford WCD
Dixie Luke	At-Large Member
John McClow	House and Senate Ag Committees, CWCB Liaison
Chuck Mitisek	Ute WCD
Bill Nesbitt	Gunnison Municipalities
Michelle Pierce	Hinsdale Municipalities
Mark Roeber	Delta County
Hugh Sanburg	Industrial
Neal Schwieterman	Recreational
Steve Shea	Agricultural
George Sibley	At-Large Member
Ken Spann	Upper Gunnison River WCD
Bill Trampe	Colorado River Water Conservation District
Adam Turner	Local Domestic Water Supplier
Stan Whinnery	Hinsdale County
Martha Whitmore	Ouray County
Rufus Wilderson	Gunnison County

Voting Members Absent:

Mike Berry	Tri-County WCD
Jay Jutten	Montrose County
Ron Shaver	At-Large Member
Steve Snyder	Saguache County

Liaisons and Non-Voting Members Present:

Sharon Dunning (Assistant Recorder), David Graf (CPW Liaison), Bob Hurford (DWR Liaison), David Kanzer (Non-Voting Liaison), Tim Stroope (USFS Liaison).

Public: Louis Meyer and Ken Ransford (Colorado Basin Roundtable); Michael Dale (NPS); Brent Gardner-Smith (Aspen Journalism); Bruce Smith (Western Water and Land); Brent Newman, Meg Dickey-Griffith, Craig Godbout (CWCB); Hannah Holm (Water Center at CMU); Jim Pokrandt (Colorado River District); Richard VanGytenbeek and Jesse Kruthaupt (Trout Unlimited); Steve Schechter (UGRWCD); Julia Nania (HCCA); Ben Nelson and Vernon Nutter (N.D.I.); Collin Robinson (CPW); Jason Ullmann (DWR); Bob Nicholson (City of Montrose); Gail Schwartz and Eritz Raish (public).

Welcome

The meeting was called to order at 4:00 p.m. by Chairperson Michelle Pierce.

Roll Call/Introductions

Following roll call a quorum was declared to be present.

Michelle Pierce announced that Jay Jutten has been appointed to replace Tim Decker for the Montrose County seat. Michelle asked all visitors to introduce themselves.

Approve Agenda

Michelle Pierce said she would like to add a discussion to the agenda regarding reappointing John McClow to the Colorado Water Conservation Board.

Tom Alvey moved to approve the agenda as amended. Bill Nesbitt seconded and the motion carried unanimously.

Approve January 5, 2015 Meeting Minutes

Frank Kugel moved to accept the January 5, 2015 minutes as circulated. Neal Schwieterman seconded, and the motion carried unanimously.

Report from the IBCC Representatives

Bill Trampe stated the IBCC had a meeting on Wednesday afternoon. Prior to the meeting he was given a heads-up that he should be prepared to brief the IBCC and answer questions the Colorado Roundtable presented regarding the Conceptual Agreement. The Gunnison Basin Roundtable was next to last to make their report. Major issues mentioned were the east slope is concerned the west slope is still having discussion about no transmountain diversion, which the east slope thought was “put to bed.” The east slope wants to proceed with a potential TMD project. The other issue is regarding the Conceptual Agreement and that “it’s not an agreement”. The IBCC decided to call it the “Conceptual Framework.”

Four committees were created and the IBCC members will be appointed to a committee by staff. The four committees are:

- Conceptual Framework
- Conservation Issues
- Agricultural Issues within the State Water Plan
- Legislation

Bill said there will also be future discussions about forest health issues, land use water and relationships, and groundwater use related to agriculture and how it is affected by the aquifer going down.

Rick Brinkman discussed a report from the conservation subcommittee regarding where we're heading this year. He also mentioned it is felt by most of the agricultural members of the IBCC that the state water plan is weak on how to keep water in agriculture.

Rick said they also discussed the state-wide basin roundtable summit meeting scheduled for March 12, 2015. There is a draft agenda out, and the meeting will take place in Westminster. Everyone is encouraged to attend. The Concept Framework document will be much of the focus of the meeting.

Neal Schwieterman moved to ratify the IBCC representatives' report. Bill Nesbitt seconded and the motion passed unanimously.

Report from the Educational Committee

George Sibley said they are gearing up to do public meetings again. These meetings are planned for a late February through March timeframe. He is working on getting these organized as locally based as possible, and will be contacting people to get the meetings together. He has prepared a couple of documents to help with the meetings. The documents are a Summary of the Basin Implementation Plan, and a Guide to Key Points in the Draft Colorado Water Plan. He asked for feedback on these documents.

Hannah Holm stated that the Water Center at CMU is having their annual three evening water course on February 11, 18, and 25. The course is focused on water for agriculture. There will also be live streaming available.

Report from the CWCB Representative

John McCloy said the Board met Monday and Tuesday of last week. It was largely a routine meeting. The Board declared its intent to appropriate instream water rights on 16 segments and also spent time on renegotiating a significant loan for a reservoir project in southwestern Colorado. The Board laid out a timeline for completing the water plan in 2015 and suggested February 27 as a deadline for comments on the Basin Implementation Plan. The deadline to submit the final BIP to CWCB is April 17. Also the CWCB will be trying to reach some statewide consensus on the Conceptual Framework, and some executive summaries of the water plans were available at the meeting.

Michelle Pierce stated that John McClow is up for re-appointment to the Colorado Water Conservation Board. The Governor's former Chief of Staff had a policy to limit those terms to two, and the new Chief of Staff has only just started in the position. Since John has served two terms, there is some question as to whether he will be reappointed. It was felt that it would be useful if the Gunnison Basin Roundtable would endorse John McClow. Bill Nesbitt drafted a letter and the members read and discussed the letter.

Hugh Sanburg moved that the Gunnison Basin Roundtable approve the letter recommending reappointment of John McClow to the Colorado Water Conservation Board, and to forward the letter to the Boards and Commissions Department of the Governor's office. Neal Schwieterman seconded and the motion carried unanimously.

Report from the BIP Committee

Frank Kugel stated that the BIP Committee met in Gunnison on January 14, 2015. The topics covered will be discussed later in the agenda items.

1. WSRA Project Update – Trout Unlimited, Relief Ditch Diversion Modification Project.

Cary Denison, the Gunnison Basin Project Coordinator for Trout Unlimited, gave an update to the roundtable members regarding this project. Cary stated that the project objectives have been met but there is still more work to be done.

2. WSRA Project Proposal – Trout Unlimited, \$250,000 in Statewide Account Funds and \$60,000 in Basin Account Funds for the Elk Home Ditch Improvement, Steuben Creek Flow Restoration Project.

Tom Alvey introduced this project proposal for the Elk Home Ditch. There are several stakeholders. They intend to pipe the existing Elk Home ditch making it possible to relinquish the Elk Home 2 diversion and leave that water in the stream. They plan to dedicate that diversion through the CWCB instream flow program. The section of stream that would benefit from the water is home to a genetically pure strain of Colorado Cutthroat Trout. Both water rights are pre-compact (1906) water rights. The Committee recommends approval of the requested grant; however the committee has asked the applicant to review the size of the pipe with an engineer.

There was some concern over the size of the pipe the applicants are planning to use and the possible legal issues involved with potentially taking more water than their share during large runoff. It was suggested the applicant be prepared in some way to manipulate water in these instances. Bill Trampe added his concern over the amount of money being asked for versus the amount of human beneficiaries. The real benefit is to the fish. It was suggested that there be a condition on the approval that the CWCB accepts the donated instream flow.

Frank Kugel moved to approve the project proposal by Trout Unlimited for \$250,000 in Statewide Account Funds and \$60,000 in Basin Account Funds for the Elk Home Ditch Improvement Project. Neal Schwieterman seconded. Tom Alvey asked to amend the motion limiting it to the case that this is a donation of the water right to the CWCB. Both

Frank Kugel and Neal Schwieterman were okay with this amendment to the motion. The motion carried unanimously.

Ken Spann requested a report on the project in 12 months.

Bill Trampe stated that an issue that bothers him is that we are trying to protect pre-compact water rights, but now are donating it to fish. If this water were to be used for agriculture then it could be used to protect against a compact. This is a bigger bite out of agriculture.

3. **IBCC Conceptual Agreement** – Draft Concept Memo.

The Roundtable members reviewed and discussed the draft concept memo that was circulated to the membership on January 13, 2015. A meeting was held prior to the roundtable meeting with representatives from the other west slope roundtables. The purpose was to try to refine and supplement this document. The first objective is to try to develop a consensus among the west slope roundtables making sure this document accurately represents all positions and determine whether the definitions are adequate. Triggers were discussed, and insurance policy is of the greatest concern. It was suggested to try to offer a formula to test whether a TMD is even possible.

Generally the roundtable members felt everyone has a better understanding, and a lot of progress has been made. It is a good start towards working on these issues.

4. **Gunnison Basin Water Plan Summary** – Review and discussion of Gunnison Basin Water Plan Summary.

The Roundtable members reviewed and discussed the draft of the Gunnison Basin Water Plan Summary for January 2015 prepared by George Sibley. George stated he wants to use this document next month at the meetings. The map will be upgraded, and he would like to know if anything is missing. George also requested everyone provide him a list of projects which he will put together in a readable list to be used at the meetings. He asked everyone to send any concerns or suggestions to him this week. There were no other comments from the Roundtable.

5. **Gunnison Basin Implementation Plan** – Proposed Changes to July 31, 2014 Draft.

Frank Kugel discussed a list of changes being considered to the July 31, 2014 draft of the Basin Implementation Plan, which were proposed and developed by the BIP sub-committee at the January 14 BIP meeting. Frank asked that any additional changes be sent to him and he will forward them to the committee. There is no meeting planned at this time as they are hoping to do much of the exchange of the comments by email. They plan to get out an updated draft in the next few weeks, and hopefully will have a final draft by the March Roundtable meeting.

Frank said there was a question brought up at the last meeting about what exactly do we mean by existing uses. The thought was it was anything, whether consumptive or non-consumptive, decreed or non-decreed, we want to protect the existing uses in our basin against any new depletions or impacts of climate change. It was left fairly broad, but if there are any other thoughts on how to better define the term existing uses, please let him know.

Next Meeting

The next regular meeting of the Gunnison Basin Roundtable will be at 4:00 p.m. on Monday, March 2, 2015, at the Holiday Inn Express in Montrose.

Adjourn

There being no further business to come before the Roundtable, the meeting adjourned at 6:18 p.m.

A handwritten signature in black ink, appearing to be 'MB', written over a horizontal line.

Mike Berry, Recorder

Action Items

Michelle Pierce will forward the letter recommending reappointment of John McClow to the Colorado Water Conservation Board to the Boards and Commissions Department of the Governor's office