

IBCC Colorado River Basin

1. **July 28, 2014 – Wild and Scenic River status proposed for the Crystal River; Eagle River Watershed Council report on study of the Upper Colorado River; Discussion of Ag sustainability in the Basin Implementation Plan**
1. **July 28, 2014 CBRT Minutes –**
2. **Next Meeting: August 25, 2014, Glenwood Springs Community Ctr, 12:00 – 4:00. Xcel vice president will discuss the Shoshone outage protocol.**
 - a. IBCC February 18, Denver.
 - b. Aug 21 – Colorado Legislative Water Interim Committee is meeting 5-7 at Glenwood Springs Public Library.
 - c. August 20-22 – Colorado Water Congress is meeting in Snowmass.
3. **Reporter: These minutes were prepared by Ken Ransford, Esq., CPA, 970-927-1200, kenransford@comcast.net.**
4. **Upcoming Meetings:**
5. **CBRT Members Present:** Kim Albertson, Art Bowles, Stan Cazier, Gary Baumgardner, Kimberly Bullen, Rifle, Steve Child, Kathy Chandler-Henry-Eagle County Commissioner, Lurline Underbrink Curran, Fred Eggleston, Xcel, Mark Fuller, David Graf, Karl Hanlon, Bruce Hutchins, Diane Johnson, Wes Mauz, Mike McDill, Louis Meyer, Ken Neubecker, Chuck Ogilby, Jim Pokrandt, Ken Ransford, Rachel Richards, Karn Stiegelmeier, Mike Wageck, Lane Wyatt, Bob Zanella,
6. **Guests:** Brian Bledsoe, CSU, Linn Brooks-ERWSD, Paul Bruchez, Reeder Creek Ranch, Martha Cochran, Don Chaplin-Director/DARCA, Aaron Citron, EDF, Rob Covington, City of Aspen, Dennis Davidson, Angie Fowler-SGM, Brent Gardner Smith, Andrew Gilmore-Bureau of Reclamation, Laura Glendenning, Colorado Mt. News Media, Dick Hart, Morgan Hill, Hannah Holm-CMU, Torie Jarvis, NWCOG, Eric Kuhn, Brendon Langerhoizen-SGM, Heather Lewin, RFC, Merrit Linke, Grand County, David Merritt, Peter Mueller-TNC, Brent Newman, CWCB, Jeff Nieslanik, Jim Pearce, consultant with Shell Oil, Representative Bob Rankin, Laurie Rink, Josh Rice, City of Aspen, John Sikora and Chris Romeyn, URS, Doug Sewell, Bill Hoblitzell, Kate Burcheral, and Holly Loff of the ERWC, Conrad Scarilk, Suzanne M. Stewart, SGM, John Stroud, GWS Post Independent, Bill and Wendy Thompson, Riverside Ranch, Sarah Tory, High Country News, Richard Van Gytenbeek, CTU, Mely Whiting, CTU, Kirby Wynn, Rep. Millie Hammer, Justin Patrick, CMC Student
7. **River Flow:** 5,200 cfs at Utah, 2,000 cfs in Palisade, down from 3,500 on July 21.
 - a. Granby released water down the Colorado River; this is unusual.

- b. Blue Mesa Reservoir did not fill because they released water for endangered fish in the Gunnison River near Whitewater.
8. **The Colorado Basin Roundtable was asked to support Wild and Scenic River status for the upper Crystal River** above the agricultural diversions. The Roundtable will vote on whether to support this at a later meeting. Pitkin County Healthy Streams Board member Bill Jochems and former Pitkin County Commissioner Dorothea Farris presented on behalf of the Committee for a Wild and Scenic Crystal River; CBRT member Chuck Ogilby is a member of this committee. Most of the river is in Pitkin and Garfield Counties; a small part runs through Gunnison County. The area above the Sweet Jessup Canal is to be designated as WSR; there are no significant agricultural diversions above the Sweet Jessup Canal.
- a. Congress can designate a stream as WSR once it determines it has **Outstanding Remarkable Values, or ORVs**. The US Forest Service determined **the Crystal** was **eligible in the 1980s**.
 - b. The Poudre is the only designated WSR River in Colorado.
 - c. The committee is looking for a stripped down version of WSR. It would permit the **Counties to keep all land use controls**. It's trying to keep the mainstream of the Crystal free of dams. The people who live on the Crystal universally favor this, and no downstream users have voiced any objections. The stream is already over-appropriated. There are no significant water rights in the Upper Crystal.
 - d. If the Upper Crystal is not suitable, then probably no rivers in Western Colorado are.
 - e. There **cannot be a federally-funded dam in the Upper Crystal if WSR status** is approved. However, there are no conditional water rights on the river for this now since the Colorado River District agreed to relinquish its conditional water right for Placita Reservoir.
 - f. 39 miles of the river are eligible. In 2013, American Rivers identified the Crystal River as one of the 10 most threatened in the United States.
 - i. Above the historic mining town of Marble, 7 miles are free of impoundments and only accessible by trail.
 - ii. The next 12 miles from Marble to Sweet Jessup are free of impoundment. The river banks are undeveloped but accessible by road. The next 20 miles are identified as suitable for fishing and boating recreation.
 - g. The Mid-Continent Coal mine and the marble quarry have closed. Carbondale's community is based on recreation and tourism, different from 25-40 years ago.

Coal Basin properties are being restored. Osgood's mansion is identified as Historical Sites. The West Elk Scenic Byway follows the Crystal River.

- h. **NWCOG, Roaring Fork Conservancy, Colorado DPW, local ranchers, Avalanche Ranch, the Mt. Sopris Historical Society, Rotary Club, Scenic Byway all support the proposal.**
- i. Mark Fuller said the **Pitkin County Commissioners support this.**
- j. The US Forest Service manages this river as though it is WSR. How would this designation change things? The management plan permits specific statements to be put in to protect the river.
- k. Kim Albertson asked if this could affect the water rights below Sweet Jessup Canal. The WSR act clearly says that **state water right laws cannot be affected** by WSR status. The irrigators' rights are secure.
- l. **Redstone and Marble** communities both support this. There's little irrigation above the Sweet Jessup. **Carbondale supports this.** Could Redstone or Marble do anything to obtain more water rights for their communities? Yes, WSR status can be subordinate to any later domestic water rights. This can be written into the legislation.
- m. **This would restrict the State of Colorado from building a reservoir in the future.**
- n. Avalanche, Thompson, and East Creeks are all left out, so projects could be done on those creeks.
- o. David Graf – Colorado Parks and Wildlife has a diversion structure that they might want to enhance in the future. It operates Beaver Lake, a small off-channel reservoir. CPW is concerned about how it could maintain or upgrade this; Dorothea Farris recommended that CPW draft language to protect this continuing use.
- p. Ken Ransford asked if any parties oppose this. Members of **the Colorado River District Board expressed opposition** to the very idea of WSR status for any rivers in the Colorado River Basin without limiting it to the Crystal. This is the one audience that has opposed the recommendation. Dave Merritt said the concern is that this is an overlay of federal authority that would preclude the right for any further storage projects in this area. The Colorado River District is also concerned that local control would not survive Congress because national environmental organizations would require federal control. This has occurred in the past.

- q. The Salmon River got WSR status which prevents any dams from being built. The Salmon flows for 425 miles through Idaho and is one of the largest rivers in the US without a dam. The Salmon River flows into the Snake River, and the Snake has 15 dams that are controversial because they have devastated salmon runs.
 - r. **The Pitkin County land use code controls the land adjoining the river**, so they already impose strict land use controls.
 - s. Conditional water rights high on the Thompson could benefit Crystal flows by storing water, creating hydro-electric power and release water late in the summer when the river gets very low. Dorothea Farris said that the Crystal WSR Committee supports this. The Thompson Creek is not involved in the designation, so Bill Jochems doesn't see any conflict.
 - t. Colorado River District board member Dave Merritt asked why Pitkin County and the Crystal River Caucus opposed the Placita Reservoir. The West Divide Conservancy District filed a conditional water right in 1958 to build 2 dams on the Crystal River, one of which would flood Redstone, in order to pipe it west to Divide Creek where it could irrigate farms. Brent Gardner Smith wrote about this in a 2011 article titled "Opposition to Placita Dam on the Crystal River grows," available at <http://aspenjournalism.org/2011/08/12/opposition-against-placita-dam-on-crystal-river-grows/>. "Among the reasons given for opposing these structures was destruction of the highest quality riparian, in-stream and wetland habitats in the lower Crystal watershed as determined by a recent watershed wide survey," Crystal River Caucus member and biologist Dee Malone wrote. "Furthermore, members of the caucus were concerned about the interruption of normal stream flow dynamics including the resulting habitat rejuvenation by spring floods."
 - u. Lane Wyatt – WSR designation protects water rights for recreation. The management plan is key – has this completed? Bill Jochems said 80% of the property is in National Forest land, so they will be very involved in drafting the management plan.
9. **Upper Colorado River Riparian Study.** Eagle County Watershed Authority – Holly Loff updated the Roundtable on grant progress. The Colorado Basin Roundtable awarded \$30,000 in 2012, and \$110,000 in 2013; \$70,000 was returned because it was not spent. The grant paid for an inventory and assessment of recreation values on rivers in Eagle County. The Upper Colorado River has been added to the scope of the project; **55 miles of the Colorado River flows through Eagle County.** There isn't a lot of data on the Colorado River. In 2005 CSU was hired to do an assessment of the Eagle River; thus, they went to CSU for an assessment of the Upper Colorado River.

- a. Johannes Beebe and Brian Bledsoe of the CSU Dep't of Civil and Environmental Engineering made a report. The Colorado River in Eagle County Inventory and Assessment is available online at www.erwc.org. **This baseline is Phase 1** of the Colorado River Restoration Project. **Phase 2 will suggest projects to restore** and enhance sections of the river impaired by human activity.
- b. **The main suggestion is that flushing flows are made in the future.**
- c. Did the baseline study consider the CRCA, Moffat FIRMing agreement, and Windy Gap mitigation that Grand County has agreed to? Yes, because 5,412 af is being released from Granby Reservoir as part of 10,825 af that is required to be released for the 15 mile reach upstream of the Gunnison River's confluence with the Colorado River in Grand Junction. No simulation of future conditions was made as part of the analysis.
- d. Baseline Report
 - i. **Baseline data was collected about macro-invertebrates, fish and other vertebrates, water quality, and substrate**, which is the surface on which plants and animals live. GIS **water temperature time series** animations were also done.
 - ii. Human influences on the Colorado River in Eagle County are relatively low. **Pressures are mounting for additional diversions** and maintaining water quality. **The goal is to assess the status of the river corridor today**, conduct synoptic field surveys of riparian condition. Synoptic surveys sample the river **at the same locations at various times of the year to detect the impact of changing flows.**
 - iii. **The Colorado River from Pumphouse to Dotsero** was studied. This section extends 55-60 miles almost entirely through Eagle County. **Flow records are available before 1916 and after 1962**, with a notable gap in between when diversions were made to the river. **Average minimum flows have increased during the winter months** due to irrigation return flow seepage, but not **in the summer months – they've decreased** due to agricultural diversions.
 - iv. Environmental flows – Nine peak flows greater than 11,700 cfs occurred in the 15 years between 1902 and 1916, but only one of this magnitude occurred after 1962. **Post-alteration flows** (that is, flows after water was diverted out of the Colorado and Fraser Rivers) **on average are 51% smaller than pre-alteration flows. In June and July, they're 78% smaller.** Thus, nearly 80% of peak flows have been eliminated.

- e. Pre-alteration flows peaked on average on June 13; post-alteration flows peak on June 2. **Flows above 1,800 cfs occurred for 91 days before 1916, but only for 2 days after 1962.**
- f. Dotsero flows were on average 4° F warmer than at State Bridge. Discharges from upstream reservoirs reduced temperatures during July 2013.
- g. Temperatures went above recommended state standards in late July 2013. The tributaries in this section are small, so the researchers believe the temperatures are a function of releases from upstream reservoirs.
 - i. **The Fraser River contributes more flow than the Colorado River.**
 - ii. Natural warming from Windy Gap to Williams Fork.
 - iii. **When the Williams Fork released 236 cfs on June 6, 2012, the Colorado River temperature dropped from 69°F to 59°F.**
 - iv. A Wolford Mountain Reservoir 102 cfs release on 8-14-12 dropped temperature from 71 to 57 °F.
 - v. When 166 to 776 cfs was released from Green Mountain Reservoir, temperatures were 6° F cooler 60 miles downstream at Dotsero.
 - vi. Turbidity increases as you move downstream. Big Alkali Creek is the most turbid tributary to the river.
 - vii. Below Catamount, sedimentary rock increases from 41% to 57%. (A catamount is a medium-sized or large wild cat, especially a cougar.) Soil erodibility is greater as you move downstream. The Colorado River Road follows the river the whole way, and the County regularly has to clear off debris on the road, so the same is happening to the river.
 - viii. Substrate sampling was done at 5 sites to determine pebble counts, embeddedness, algae, and coarse material. **Fine materials and embeddedness were greater below Catamount.**
 - ix. **Macro-invertebrates were sampled at 26 sites.** Invertebrates are animals without internal skeletons such as insects and snails. Macro-invertebrates are larger members of this class; most animals are invertebrates. Trout and other **fish survive by feeding on these bugs.** Macro-invertebrate density dropped as they went downstream, but it increased in 2013 compared to 2012. Some species are sediment intolerant. **Sediment-intolerant species decreased downstream,** while

tolerant species increased downstream. They were looking at caddis fly, stone fly, and mayfly macro-invertebrates.

- x. **Brown trout biomass**, which is measured by weighing fish temporarily captured by electroshocking them, **was 5-14 times greater than rainbow** in 2010-12. Total fish numbers and biomass decreased downstream from Radium at each site successively. **Suckers and were more prevalent downstream, likely due to increased temp and sedimentation.**
- xi. Riparian analysis – Riprap from road and railroad damage river banks but this is unlikely to change. **Only 6.2% of the banks were considered impacted**, and most of them were due to hay field encroachment.
- xii. Flushing flows – The study looked at only 5 sites in the 2-year study period at Pumphouse, Radium, above Catamount, below Sweetwater, and above Dotsero. **2013 peak flows were 1,750 cfs and remained above 1,500 cfs for 3 days on May 18, 2013.** By Dotsero peak flows reached 3,300 cfs. **They did not mobilize sediment** on the outer parts of the river.
- xiii. **12,000 cfs flushing flows needed to move coarse rocks. To remove** surface veneers of fine sediment, **flushing flows of 4,000 to 8,000 cfs** are needed.
- xiv. The most significant current threats are higher water temperatures and fine sediment loading and lack of flushing flows. Given climate change, keeping temperature down and ensuring flushing flows is the highest priority.
- xv. Red Dirt Creek and Deep Creek have native Colorado River cutthroat trout, and small projects could help protect them.
- xvi. Whatever happens upstream affects the downstream.
- h. Hannah Holm asked how temperature changes affect fish – they can handle temperature changes, but the cooler the better.
- i. Flushing flow – what duration to they recommend? Brian Bledsoe recommends a range of **at least 3-5 days at least every 2 years, and preferably every year.** The magnitude of the flow is more important than the duration. Sheer stress required to move particles on the surface requires at least 3-5 days, and 1-3 days is required to move coarse material. If we want trout recruitment, we need to do this every 3 years. Stone flies, Caddis Flies, and May flies need flushing flows more frequently than this. The salmon fry (young salmon; trout are part of the

salmon family) need stone flies. At the top of the reach, **bugs** are very sensitive to sediment and temperature. They're **dying off as we go downstream**. If the temperatures can be managed upstream and flushing flows can be provided, the stone flies can move downstream. Smaller may flies are more tolerant of fine sediments, but the trout are smaller because it takes more work to catch may flies than the bigger stoneflies.

- j. 2014 flows reached 8,000 cfs. This study presents a good base line for going forward.
 - k. **Hayfield encroachment** – Dennis Davidson asked if this is due to the river bank eroding into the field, or due to harvesting next to the river's edge? What is a good setback? **50' is a good setback** to have a good riparian area. Growing hay to within 5' of the river is causing the problem. It's also more dangerous to harvest that close, due to beaver dams that undermine the banks. The river valley is pretty confined so there's not much bank deletion caused by the river changing course. With the riprap, railroad or road confining it, the river doesn't move much.
 - l. There's **not many hayfields left** – maybe 6%. The study said that only about 8% of the river banks were impacted, and it does not recommend trying to mitigate this since the problem isn't that great. **The most important improvement to the river would be to increase summertime flows to reduce temperatures and particularly to have sustained flushing flows** that remove sediments that is clogging the substrate and interfering with the bug life that fish depend on.
10. **Upper Colorado River grant request to fix irrigation structures** and improve habitat for Kremmling area ranchers, presented by John Sikora, URS engineer.
- a. The grant request is to determine how to design irrigation structures that **promote river habitat and also get irrigation water to fields**. The study will develop a base map and GIS database, consider bank instability, hydraulic controls, environmental opportunities, and recommend design and cost parameters for specific projects.
 - b. With prior WSRA grant funds, **URS installed elevation and temperature gauges and sampled gravel pits to see if local building materials are available**. URS also did emergency repairs to a structure that was deforming – rocks were falling into scour holes that were being created, so the rest of the weir tends to follow suit. The team removed an erosion structure initially put in place by Northern in 2004 and restored the banks. **The ranch owner lost 2' of river bank this year**, and John Sikora showed a picture of where the river is eroding to the farm. Their **goal is to narrow the river channel, stop head-cutting, and restore a riparian bank**.

- c. **1938 US Senate Document 80 required BuRec to install pumps to pump water out of river to irrigate lands.** New pumps are needed ¼ mile away from location of old pumps, **which indicates how much the river has degraded since 1938.**
- d. Recent photos show **only 6” of water over the pump at a flow of 650 cfs.** Typical **low flows of 200 cfs don’t permit any diversions.** The Thompsons are losing the ability to irrigate.
- e. There are no riffles in one photo and the river is continuing to eat away the banks. The riffle at State Bridge is healthy – scour holes downstream of hard rock in the river below the State Bridge takeout are preventing the river from degrading upstream.
- f. **Northern is putting a weir across the river known as a *boulder grout structure*. These provide little habitat diversity, and that is what URS is trying to reverse.** Detailed engineering is needed for drop structures, 2 engineered riffles, and protection for 2 Thompson Ranch pumps. They plan to use locally available material, stabilize the river channel and banks, and restore riparian vegetation. The study will estimate velocity across the river channel with an acoustic Doppler instrument. They want to determine what part of the riffle gets mobilized.
- g. **The grant request is \$183,000. The Thompsons are putting in \$70,000, and the CBRT request is \$110,000.** The Thompsons are also asking for \$2.7 million from NRCS.
- h. All water rights are protected by Green Mountain and they’re senior to Green Mountain flows.
- i. **The grant will benefit the Thompson Ranch, but the design will likely be repeated through the reach at 4 other locations.** This is the test case. The whole project contemplates that similar structures will be placed in a **10-mile reach of the Colorado River above Kremmling.**
- j. CPW controls **mitigation settlement money that Denver Water has committed** to spending if its proposed additional 18,000 af diversion from the Fraser River tributaries through the Moffat Tunnel is approved, and there’s a chance some of it will be spent here. But, **this is not yet eligible for that spending.**
- k. **Mely Whiting of Colorado Trout Unlimited said this project standing alone is beneficial because it will be done with fish-friendly structures.** Some funds may filter downstream from Denver Water mitigation money. This 10-mile

section hasn't gotten as much attention as several other sections on the river have. There will be a large public benefit from this project.

- l. Is Northern contributing money to this project? Senate Document 80 required new irrigation pumps as part of C-BT. When Northern created Windy Gap reservoir, it was required to put in the new pumps. Northern disagreed with ranchers regarding who was responsible to build the pumps. After Northern installed the pumps in 2004 following 2002-03 drought, the structures have affected the river. They have since deformed and are no longer useful. Ranchers believe the structures impact downstream flows. They settled with Northern, but ranchers are not responsible for the river or to upgrade the pumps. **A lot more money is needed than what Northern provided. There's a link between diversions, flood irrigation, and the health of the river.**
 - m. Kim Albertson supports this since it will improve a stretch of the river that has been damaged by TBDs. Now at least 65% of the Colorado River is diverted; with Moffat and Windy Gap, the diversions increase to 80%.
 - n. Wendy Thompson of the Thompson Riverside Ranch thanked the CBRT for considering their case and grant request. She said that everything that's been done in the past has gone in the wrong direction. Bill Thompson, managing partner of Riverside Ranch, said there are **BLM access points above and below the Riverside Ranch so that that the public can access the river.**
 - o. Lurline Underbrink Curran said that the Northern funds were to improve the pumps. The Thompsons are taking some of that money to improve the river, not just the pumps. This **fits the Grand County stream management plan.** Narrowing the river back to where it used to be is what is needed.
 - p. David Graf said that **CPW supports this** in concept, and he agreed to build internal support for it. He said there's a lot of work ahead on this 10-mile stretch of river, which he considers a critical reach.
 - q. The Conservation Fund is helping ranchers apply for grants.
- 11. **The CWCB awarded \$100,000 grant to CBRT to continue work on BIP.**
 - 12. **The Colorado River Basin lost 41 maf of groundwater from 2001-2013, the worst and longest drought in 100 years.¹ NASA satellites can determine how much groundwater has decreased based on the change in gravitational force in different regions of the earth. Less mass equals less gravity. Pumping from underground aquifers is regulated by individual states and is often not well documented. "We don't know exactly how**

¹ See <http://dcdc.asu.edu/satellite-study-reveals-parched-u-s-west-using-underground-water/>.

much groundwater we have left, so we don't know when we're going to run out," said Stephanie Castle, a water resources specialist at the University of California, Irvine, and the study's lead author. "This is a lot of water to lose. We thought that the picture could be pretty bad, but this was shocking."

13. Louis Meyer led **a discussion of Agricultural Provisions in the Basin Implementation Plan**. The Mt. Sopris Conservation District and Paul Bruchez are concerned about language in the BIP regarding ag sustainability.
 - a. Kim Albertson said **the BIP promotes local markets but does not address production agriculture**. Beef production in Colorado is the number one agricultural product and has been for a long time. For a lot of us, that's our livelihood.
 - b. Steve Ryken said agriculture has a target on its back because it owns all the water rights. Farmers in the room said that while agriculture uses 85% of the water, most of it returns to the river as return flows, so the 85% figure is over-stating the case. Dave Merritt, former chief engineer of the Colorado River District, said that **agriculture consumptive use is about 80-85% of total water consumed in Colorado**. Andrew Gilmore of BuRec agreed with Dave's assessment.
 - c. Dennis Davidson said that Page 7 of the BIP is incorrect, because it says agriculture is diverting 85% of the water; this is the amount that agriculture is consuming, not diverting.
 - d. Dennis Davidson said **it takes 24" of water to grow alfalfa, and we can determine consumptive agriculture use with that number**.
 - e. Merritt said that 70% of the water in Western Colorado has to flow into Lake Powell and that while Colorado is entitled to use 30%, it is only using 22%. Colorado uses 2.4 maf of Colorado Basin Water including Lake Powell evaporation that is charged against the Upper Basin. Merritt said that Colorado can use about 3.1 maf, leaving 700,000 of additional water supply available to Colorado.
 - f. **Rachel Richards** said the West Slope needs a critical mass of farmers for farming to survive, and she **recommends that the state put together an agriculture sustainability task force**. Rachel doesn't think there's a bias against farming in the BIP, but that **agricultural water rights did not receive the attention that non-consumptive flows received because ag rights are senior, well-defined, and secure**. Non-consumptive and ISF rights are not secure.
 - g. Conrad Scarilk said he is concerned about buy a dry. **After an adjacent ranch sold, the water dried up on Conrad's property, and hay production dropped**

by 2/3, so there are no cuttings. The neighbor downstream is also affected because he doesn't get any sub-irrigation flows. He said **we need to eliminate buy and dry**.

- h. Dennis Davidson – If we put a sprinkler system in, downstream farmer will not get sub-irrigation flows. Water flows down to the next person diverting it. **Delayed return flows support later season irrigation**. He said that without return flows, the Crystal River would peak for 5 days and then be gone. A lot of landowners say flood irrigation is the best technique. Flood irrigation return flows are cooler. We should study where these are important.
- i. Paul Bruchez said his comments were incorporated into the BIP well.
- j. Kirby Winn – Sustain agriculture is not in the table on page 106 in the Roaring Fork Section.
- k. Lane Wyatt said he did not know what projects could sustain agriculture in Summit County.
- l. **Martha Cochran** – we need to look at this economically – **we need to discuss how much it will cost to protect agriculture**, noting that it also produces wildlife benefits. Ken Ransford said that Fort Collins and Boulder have open space tax funds available to **purchase conservation easements** on farms on the outskirts of their towns, and that preserves agriculture. **The water bank** is the only funding being discussed in Colorado water planning that will affect farmers, and that **will take ranch land out of production**. The South Platte Roundtable is exploring ag-water conservation easements to keep water on the land or to protect the land.
- m. Conservation easements tie water to the land, but this doesn't necessarily provide value to the ranch owner. **No tax credits are available for donations of water in conservation easements**, in part because water isn't valued separately from the land on the West Slope.
- n. David Graf – The **CPW Habitat Partnership Program** solicits conservation easements and tries to protect water rights. **CPW has \$9-10 million in budget for purchasing conservation easements**, but it receives \$55 million in requests every year.
- o. Heather Tattersall – we need to back up every number with research.
- p. Mike McDill – when we say we want to sustain ag, does that mean no net loss of ag land, or does it mean we have enough to sustain the infrastructure to sustain agriculture?

- q. **Lurline said it is ok to sell water if it's used within the basin**, and that should be permitted and distinguished from selling water outside the Basin like Denver.
- r. Louis Meyer said the Gunnison Roundtable BIP emphasizes sustaining ag; they are concerned about stepping on private property rights. He counted **94 Identified Projects and Processes in the Colorado BIP that benefit agriculture**:
 - i. 14 of 16 IPPs in BIP were ag in Grand valley
 - ii. 32 of 44 in Middle Colo
 - iii. 14 of 48 in RF Valley
 - iv. 0 in Summit and 0 in Eagle sub-basins.
 - v. 34 of 121 in Grand County
- s. 85-90% of these projects involve new reservoirs to hold back water for ag.
- t. Eagle has a contract with all ranchers in Brush Creek to curtail water in times of drought.
- u. Dennis – we need to address that the NRCS shares 50% of the project cost for agricultural improvements, and that isn't making it into the plan. Congress secured this funding for 5 more years in the Farm Bill that just passed.

14. **Other comments on the BIP**

- a. The **11 x 17 format is hard to print and read** on the computer.
- b. Brent Newman, the CWCB representative to the Colorado River Basin, said the CWP will refer to the Colorado BIP, and call out differences between different Basin BIPs, but **the CWP will not digest each Basin plan**.
- c. Jeff Nieslanik asked how will the plan be used?
- d. Louis Meyer thinks **we should review the 7 points of the IBCC about acceptable TBDs**. We need to review these and bring them back to the IBCC. These will be discussed in the state water plan. Louis recommends we hire an attorney to review these; Rachel recommended that Jim Pokrandt request Peter Fleming, Esq., to that.