

South Platte Basin Roundtable Meeting Agenda

**Tuesday, May 12, 2015
4209 Weld County Road 24 1/2
Longmont, Colorado 80501
4:00PM-7:05PM**

South Platte Basin Roundtable Business Meeting

1. Welcome/Introductions

Greg Kernohan started the meeting at 4:10, announcing Joe Frank would be absent.

2. Agenda – additions or changes

Kernohna announced there were several schedule changes, relative to time.

3. Committee Updates

a. WSRA Needs Committee (Boring – 10 min)

Greg Kernohan announced four applications had come in before the May 4 deadline, and the Needs Committee would be meeting them on 4/18 to review and discuss the applications in preparation for the June Roundtable meeting. Per a question from Mike Shimmin, Doug Rademacher announced there wasn't a clear definition of how much money was sought via the applications. Kernohan felt the new guidelines were working well. Jeff Boring announced the new guidelines were implemented and the new deadline worked well: Boulder County Parks and Open Space, Ducks Unlimited, South Metro Water Supply Authority, and Upper Platte and Beaver Canal Authority had all submitted applications. Boring announced the asks were significantly below the amount of money available. The next Needs Committee meeting would evaluate the applications, including presentations from those applicants, and then a letter will be drafted to the Roundtable for final review and approval of the recommended monies. The applicants had requested roughly \$1M from the statewide fund.

b. Groundwater Subcommittee (Hall – 10 min)

Jim Hall announced the Groundwater Committee met on the 7th of May. Hall reported Hal Barryman discussed a project in the Wiggins area, at the meeting. The project was something that appeared in the Basin Implementation Plan (BIP) regarding storage, and there was interest in the presentation. Discussion also focused on the dewatering bill (HB1176) and HB1178 (dewatering of the Gilcrest, Sterling area). HB 1013 was approved, regarding pilot projects in the Gilcrest/Lasalle area, and the impact on the technical committee was not yet clear. Hall reported on the rapid rising levels of groundwater in the Gilcrest area, stating it was worrying. Hall also reported the Sternhower Well was operating for a short time and the hope was that well would be operating on a continuous basis. Hall stated there was significant discussion on where that water went and how it was ported out of the area. There was also a push to start-up wells on the west side of the ditch.

c. Environmental-Recreational Needs/Phreatophyte Update (Kernohan – 10 min) (see attachment for additional update information)

Greg Kernohan gave the Rio Chato & Metro Executive Committee Update, announcing he was heading the committee in interim. Kernohan reported the committee showed diverse interests regarding how the gap was being addressed. There was a vision statement developed by the committee and discussion focused on how far the BIP had come as well as on the development that had occurred there. There was general confusion regarding the overlap of the State Water Supply Index (SWSI) and how the

environmental-recreational (env-rec) gap was going to be addressed. Per Kernohan, it didn't sound like the Colorado Water Conservation Board (CWCB) was able to shed much light on that discussion. Per Streeter, Kernohan announced there was money coming in to the Roundtable for stream-management plans. The value of those funds would be to put some of the water and stream management plans to work. Jeff Boring asked if the committee had any funding to give out and Kernohan clarified phreatophyte funding was separate. Bob Streeter announced there was renewed interest in the phreatophyte committee and at its last meeting there were several presentations. One was from the Tamarisk Coalition. Streeter felt the Coalition had some value and would provide benefit to Roundtable projects. Streeter also announced there was a presentation from an academic interest on a reading-list arguing there was no strong research showing phreatophyte mitigation, specifically of Russian Olive and Tamarisk, had any strong benefit to water levels. Joel Schneekloth also reported there was a project presented regarding the impact of the 2013 flood on phreatophyte levels and community sizes. The deliverable from the study would include remote sensing and considerable on-the-ground work.

Bob Streeter reported there was a desire to ask for a letter from the Roundtable. The Upper South Platte Watershed or member water conservancy districts were recommended to take the lead in proposing statewide phreatophyte mitigation via weed or conservancy districts. The basic takeaway, though, was a glaring need for someone to take the lead and spearhead the proposal process. Streeter discussed several key points regarding the implementation of certain aspects of the proposal. Finally, Streeter handed the floor over to Steve Miller and he reported the request for money could come from a local entity. Miller went on to discuss issues beyond phreatophytes, even going as far as addressing cottonwoods. Miller reported there was a basic plan developed in 2010 and needed updating to extend it beyond phreatophytes. The new bill was focused on tamarisk and Russian Olive and there was no requirement that there be additional planning. HB195 looked at getting a comprehensive cost estimate for the entire Basin that led to the capture of \$2M for the next two years. There was a risk, Miller reported, of the full \$2M never becoming manifest since it was based on a volatile tax. Streeter asked if the Roundtable would need to ask the Tamarisk Coalition for help and Miller reported that was likely the case, and should involve asking the Tamarisk coalition to submit an application. The Tamarisk Coalition had some money available, some of which was currently going to Colorado State University. Streeter asked Miller to clarify whether money was available and whether it could be used by the Roundtable or by Roundtable projects. Miller clarified a request needed to be made by the Roundtable to garner some of those funds.

d. Education Subcommittee (Schneekloth – 10 min)

Joel Schneekloth reported the Committee met after the joint Basin Roundtable meeting and it was discussed the Colorado Foundation for Water Education would not be overseeing the education committees after 2015. Previously \$18K was distributed between the roundtables and this year it would be more directly allocated. Schneekloth argued developing and maintaining an online presence was key. Schneekloth also reported a grant-funded position for an education committee consultant was in the works to devote a lot of time and energy to the Education Committee's pursuits of effective education for the Roundtable. Schneekloth reported other roundtables had supported such committees. Greg Kernohan reported that was an important issue.

e. At-large Nominating Committee (Cronin – 20 min)

Sean Cronin referred to two documents that were distributed regarding the At-large Nominating Committees. The two documents outlined opportunities for Roundtable engagement as well as the selection process for filling at-large positions. Cronin reported the Roundtable was providing two options for the selection process: 1) the nominating committee vet the candidates and select appropriate candidates, and make recommendations to the Roundtable, and 2) the Roundtable maintain authority to see and discuss everything. Option 1 would be the most streamlined and Option 2 would be the most involved, but would preserve the Roundtable's authority to review things, per

tradition. The selection process outlined how the Roundtable's at-large positions are designed and where they came from. Several of the at-large positions are dubbed "water rights" positions given their specific roles and representation.

It was discussed the at-large notices would be distributed to the Roundtable and then the CWCB would distribute the vacancies far and wide. Prospective applicants would submit applications to Joe Frank and then depending on which option was selected at the present Roundtable meeting, the applications would go to the committee or to the Roundtable. Per a question from Kernohan, Sean Cronin clarified the process was meant to be iterative and would live on a rolling basis. Cronin also referenced the process by which full RT members renew their terms. Mike Shimmin presented a hybrid model where the committee takes applicants to the Roundtable if there was enough time, but in the interest of efficiency, the committee could vet the applicants on their own and make recommendations. Shimmin recommended taking fewer than two applicants, inclusive, to the Roundtable for discussion and evaluation, but more would be handled by the Committee. Shimmin provided the caveat that the committee would screen applicants in all cases. Greg Kernohan asked where the description of the positions was and Shimmin clarified the positions were clarified in the statutes, Cronin was not sure that specificity was clearly provided because it simply didn't exist.

Jeff Boring offered it would be fairly awkward for applicants to attend the Roundtable meeting to interview for the position, but a more natural and feasible design would be having the committee do the review. Boring suggested applicants attend a Roundtable meeting in advance of a decision in order to familiarize themselves with the Roundtable and vice-versa. Mike Shimmin suggested "interview" was probably not the right word, especially given the original structure of the Roundtable and the competition and interest to occupy an at-large position, early on. Shimmin suggested the original structure was effective. Bob Streeter added he felt the committee was an effective method and two final applicants should come to the Roundtable and make a presentation as to their background, interest, and potential contribution to the Roundtable. Mike Brazell and Rich Belt clarified what qualified an at-large member and it was clear the applicant had to live in the South Platte Basin, rather than in the Metro Basin, and needed to represent water rights in some way. Shimmin added there were several specific requirements for five at-large positions and five who needed to be at least real water users.

Bruce Gerk added the process was effective and worked well when it was originally applied. Lynda James and Mike Shimmin argued on using three as the new number, rather than two. Harold Evans suggested there was likely to be less interest than more. Doug Rademacher echoed those sentiments saying there would likely be fewer applicants, than more. Rich Belt added there were six or seven potentially interested—one potential environmental and the rest could likely fit local-domestic or at-large. Greg Kernohan asked if there was a process by which applicants would just fill open positions or whether the committee could turn down any or all applicants. Sean Cronin argued the committee would vet the applicants, give the Roundtable a summary ahead of time, and depending on their qualifications, three applicants or less would be brought directly to the Roundtable. Cronin asked that all applicants will be reviewed by the committee and screened to determine if they qualify for any one of the vacant seats if the chair receives four or more applications for any of the vacant seats, the committee will pick the top three to come before the Roundtable and if there are three or less they will all come before the Roundtable. Shimmin made the motion to adopt and Rademacher seconded.

Jeff Boring asked that the regulation be changed to seek at least three applicants for each position. Sean Cronin clarified, given the potential for low interest it would be more productive to move forward with applicants, rather than holding out for three, as long as all applicants are qualified. Bob Streeter added if only one applicant applied and the Roundtable didn't feel they were adequate, that applicant would not be selected. The burden, Bob Streeter argued, was on the Roundtable to push the vacancy. Rich Belt clarified the interest in at-large positions was never an issue, the problem was more specific to certain

counties and municipalities. The motion passed without contest.

4. IBCC Update (Yahn – 10 min)

Jim Yahn was absent and Eric Wilkinson was unable to attend, pointing instead to John Stulp and Dianne Hoppe. Stulp reported the Interbasin Compact Committee (IBCC) meeting was productive, focused on conservation, etc. Stulp reported the IBCC Agriculture Committee's work on a stretch-goal of identifying acre-feet that could go to the gap. Ag. Committee discussion also touched briefly on the conceptual framework and how there would likely be more work; the next meeting would be heavily focused on the better definition of certain phrases on the seven points of the framework. There was also discussion on the path forward and the role of the IBCC and the basin roundtables going forward after 2015 when the water plans were adopted. The IBCC wanted the roundtables to make some determinations and suggestions regarding that issue. Brent Newman added a detailed meeting summary would be coming to the roundtables soon outlining what was discussed at the meeting.

5. Legislative Update (Hoppe – 10 min)

Greg Kernohan referenced the document that was distributed regarding the Colorado Water Congress update. Representative Sein joined the Roundtable, Addressing the passing of HB1178, she thanked the Senate for their work. HB1176 passed and in her opinion, those bills dovetailed together, since LaSalle/Gilcrest needed funds to dewater. Jim Hall added those bills were important since money was required to do anything productive. Bill Laungenbaugh asked for clarification on HB1013 and Sein responded the bill was not something she could really comment on, but the bill was a longer-term solution and since the current version was in contention, it would be difficult to comment on. Eric Wilkinson commented Section 2 of HB1013 was the same as in the 2013 Summary, regarding augmentation. Wilkinson and Kernohan clarified the result was the Division Engineer would have an extra step to go through in working on recharge projects.

Dinner 5:20-6:00

6. Colorado Water Plan (60 min)

Brent Newman took the floor to discuss how the BIPs would feed into the Colorado Water Plan (CWP) and SWSI. Newman showed the Roundtable the 2015 timeline, highlighting the fact that the South Platte was on time, as were all the other roundtables. Newman reported roughly 24K comments had been provided and would be incorporated into the next BIP. Newman reported the next CWCB meeting would include presentations from every roundtable Chair regarding their basin's specific BIP. Newman clarified the timeline, identifying key milestones of the next year or so in which the CWCB would be addressing the BIPs.

Brent Newman reported on SWSI 2016, calling out how the initiative was currently being bid on. SWSI was currently being updated to correspond to the CWP. Per a question from Sean Cronin, Newman reported the SWSI timeline would likely be approved in January of 2017. Julio Iturreria asked if the SWSI would be an update or would incorporate fresh data and approaches. Bob Streeter asked what the contractor status was and Newman clarified a new contractor would hopefully be on-board within a month or so. Cronin then asked what the Board and Governor's plan was for an ultimate update to Colorado's Water Plan. Newman called attention to the mass of information that had been gained since SWSI 2010, pointing to the inclusion of scenario planning, climate change, hydrologic variability, agricultural gap, non-consumptive gap, basin implementation plans, and economics/funding. These items were significant updates to SWSI 2010's focus on demand, supply, gaps, and solutions. Cronin called attention to data gaps on the South Platte BIP, specifically regarding the env-rec gap, and

Newman responded that data gap was widespread across the state. According to Newman, the CWCB would be focusing specifically on filling that data gap. Cronin and Newman discussed the division of teams on developing SWSI 2016, addressing how each team would be specifically suited to the work they had been ascribed.

Brent Newman discussed how SWSI was an integral part of implementing the BIPs and the CWP. In turn, the BIPs would direct the focus and attention of SWSI 2016 work and data gathering. Newman called attention to the proposed structure of SWSI 2016, pointing to the structure of the current SWSI as a starting point for the next initiative. Newman discussed the IBCC/BRT near-term roadmap, essentially, a plan for going forward. Newman argued the two groups would be key stepping stones for implementation catalysts, education and outreach, BRT outreach and review, per SWSI 2016, and WSRA policy forum. Newman addressed how the next IBCC meeting would be focused on the roadmap fairly extensively. John Stencel asked if the roadmap would include legislative options and Newman responded legislation was viewed as a last-resort. Diane Hoppe asked Newman if his suggestion that SWSI consultants would be selected within a month was accurate and Newman responded it was roughly accurate as he knew. Boring asked what the lifespan of the plan's accuracy was and Newman responded the SWSI, CWP, and BIPs were all living documents and would continue to be updated and adjusted as required. Newman and Hoppe discussed the update would come at some point, but couldn't ascribe specific dates to such work.

Sean Cronin asked if the IBCC would develop a sense of urgency given the CWP didn't put heavy pressure on trans-mountain diversions and whether or not the climate would return to business-as-usual. Eric Wilkinson stated he shared Cronin's concern because the front range basins would have to push the trans-basin issue to determine if it was a viable alternative. Wilkinson stated he felt it was up to the State of Colorado to determine if there was a compact entitlement to develop. Wilkinson also stated if the issue wasn't pursued, the buy-and-dry road would be difficult to get off of, once embarked upon. Wilkinson felt the three east slope Roundtables would have the most to lose by not pushing the topic and the State would have a lot to lose as well. He also suggested there was no promise of a return and identification of a viable and developable alternative. Cronin asked if that topic was going to be a part of SWSI 2016. Wilkinson felt if it wasn't yet it would need to be because Colorado does not exist in a vacuum, it must deliver water to other states downstream while preserving its own water interests. There were also concerns about water storage on rivers, namely the Colorado River, which would affect downstream users, even if those storage issues were downstream themselves. Wilkinson felt those issues should be attended to at the highest levels because they were State issues and worthy of the highest level of attention. He went on to address the urgency of developing entitlement because if it did not other states downstream would happily develop that water.

John Stulp argued that Eric Wilkinson was correct and the conceptual framework was important to include in the plan and SWSI because of the way they addressed the issues Wilkinson brought up, or at least put pressure on attending to those issues. Stulp went on to discuss how trans-mountain diversions should continue to be discussed, especially because they are key potential water sources for the Front Range basins, as well as the basins that would provide the water to those basins. The discussion of those topics, TMD's and the seven points, was, in Stulp's opinion, advancing productively and in a manner that showed it had a lasting impact and would continue to remain relevant as a state-wide issue. Wilkinson argued any future TMD will require a significant state roll to facilitate and stabilize the project given the contention that will definitely surround that project. Stulp called attention to the complexity of the Colorado River Compact and the larger inter and intra state impacts that Compact has. In Stulp's eyes, a significant State role is necessary given their unique ability to authorize and enforce, or even facilitate or participate in such issues. Attention was called to James Ecklund's recent appointment to the Upper Colorado River Commission and made a call to action by RT members to better understand how that Commission works.

John Stulp pointed out the lower river states are currently going through a crisis and were not in a strong position to negotiate. Kernohan reported the Colorado River submitted a letter to the IBCC asking for continued interest in the topic and discussion ensued as to whether or not submission of a letter would be productive. The issue was a difficult one and Cronin cautioned against backing anyone into a corner with a letter, but made it clear the RT should make their interests clear. Harold Evans responded the letter might be a good idea, but the main thrust should be to make the Roundtable's interests clear. Mike Shimmin stated he felt Jim Yahn and Wilkinson should have already received clear direction from the RT as to what to focus on and argue. Shimmin asked instead to see a copy of the Colorado River's letter, arguing perhaps a letter would not be the most productive use of available resources. Shimmin strongly clarified the need for new supply was critical to avoiding buy-and-dry. Kernohan asked Newman if there was a timeline to take action in response to the CWP. Newman stated September 17 was the final day to submit public comment on the upcoming July draft. Newman agreed to provide the RT with the new Colorado River BIP letter. All of the recent BIPs are available per an email from the CWCB and Matt Betz agreed to submit the email to all RT members.

- a. Discussion of Timeline and Comment Period
- b. Update on SWSI
- c. Discussion of Interrelationship between SWSI, BIP, CWP

7. Basin Implementation Plan

- a. Next Steps (Frank – 15 mins)

Matt Cook took the floor to discuss the final draft of the Final SP BIP, addressing a handout outlining discussion at the recent Rio Chato meeting. Discussion at that meeting focused on conservation, a need for storage and effective messaging of that need, the importance of garnering future funding, and the prioritization of future work. Cook argued the SPBRT and the Metro RT would need to collectively determine solutions to the problems posed in the BIP. Cook outlined the funds that have not yet been expended and did so to stimulate thought on how those funds would be expended. Cook also presented a prioritized list of SP BIP recommendations, and pointed out how those priorities should be lead. Cook then brought an executive summary reader. The executive summary was roughly 22 pages, and was too long to easily digest. In response to the need for a shorter document, a four-page document was developed for quick and easy discussion of the BRT.

Matt Cook asked for volunteers from the SPBRT to review the four-pager; Sean Cronin suggested the Rio Chato might all want to participate in the review of the four-pager and members of the RT, as well as Cook, seemed amenable to the idea. Greg Kernohan asked Cook to send something to the Rio Chato. Discussion ensued as to the importance of an infographic focused on storage. Kernohan and Cook discussed HDR's contract extension until the end of the 2015 calendar year, to expend an unspent \$59K. Cook said there would be limitations on the expenditure of those funds, but they could at least get certain priorities moving forward. Kernohan addressed two camps of thought of those on the Rio Chato—one to maintain inertia and keep things moving forward and the other camp focused on taking a break to review the options and pathways available in the BIP. Buce Gerk argued a break would be ill-timed at this point. Cook, Newman, and Kernohan addressed the topic of WSRA application review and whether or not a break would be appropriate at this time. Mike Shimmin called attention to the \$25K of remaining funds that was earmarked, by the technical committee, for groundwater issues. Shimmin asked for a recommendation from the technical committee as to whether or not the money should be spent on groundwater issues or on projects with HDR. Kernohan asked RT members to think on the issue until next week.

Kernohan reiterated all were invited to the CWCB meeting out in Sterling on May 20, 21.

Kernohan thanked Harold Evans and Bob Streeter for their service on the Roundtable and wished them luck on their future endeavors.

The meeting adjourned at 7:50.

8. Meeting Schedule

- a. Next Roundtable Meeting - June 9, 2015 - Weld County Service Center
- b. CWCB Meeting: Final SPBIP Presentation - May 20-21, Sterling, CO