

South Platte Basin Roundtable Meeting Agenda

**Tuesday, March 10, 2015
32003 Buchanan Recreation Center
Ellingwood Trail
Evergreen, CO 80439
4:00 PM – 7:40 PM**

Attendance: Gene Manuello (Agricultural Representative), Julio Iturreria (Arapahoe County), Mike Shimmin (At-large Rep.), Ken Huson (Boulder Muni), Stephen Larson (Broomfield Rep), Lisa McVicker (Center of Colorado Conservancy District), Frank Eckhardt (Central Colorado WCD), Bert Weaver (Clear Creek/South Platte Liaison), Larry Ross (Elbert County), Bob Streeter (Environmental Rep), James Ford (Gilpin Muni), Rich Belt (Industrial Rep), Kent Swedlund (Logan County), Joe Frank (Lower South Platte WCD), Allyn Wind (Morgan County), Mike Applegate (Northern Colorado WCD), Mike Brazell (Park County), Greg Kernohan (Recreational Rep), Bruce Gerk (Sedgwick Muni), Sean Cronin (St. Vrain & Left Hand WCD), Lynda James (Upper South Platte WCD), Sean Conway (Weld County), Harold Evans (Weld Muni), Diane Hoppe (CWCB), Eric Wilkinson (Non-voting At-large), James VanShaar (BOR Liaison), Joel Schneekloth (CSU Extension), Matt Betz (Deputy Recorder)

Public Outreach Pre-meeting Event

1. HDR & West Sage Presentation on South Platte BIP (20 min)

2. Member and Public Feedback/Q&A (40 min)

Dinner (30 mins) 5 - 5:30

Official Roundtable Meeting

The meeting began at 6PM

1. Welcome/Introductions

Roundtable members made introductions.

2. Agenda – additions or changes

Joe Frank moved agenda item 5.e.- *At-large Nominating Committee* to the beginning of agenda section 5. – *Committee Updates*.

3. Basin Implementation Plan

a. Public Outreach Update (HDR)

Matt Cook (HDR) took the floor to update the Roundtable on Public Outreach initiatives HDR and West Sage had undertaken in the month between the February and March Roundtable meetings. Cook touched on the success of the Roving Basin Roundtable (BRT) meetings, reporting presentations focused on different topics given the location. In Loveland discussion focused on groundwater, water planning/land use planning; in Sterling on procedural questions; in Westminster on environmental and recreational needs, multi-purpose projects. In Aurora, however, there was nothing new or of note—the crowd consisted largely of individuals who had attended previous BRT meetings.

Sean Cronin asked where outreach emails were distributed to and Karla Brown (Environmental-Recreational Consultant Team) reported those emails went out to lists created by interested individuals and those who had signed up at Roundtable and outreach meetings.

Matt Cook stated the Water availability Technical Analysis for Surface Water was going to be added to the Basin Implementation Plan (BIP) as appendix G, and portions of the results and recommendations were

then incorporated directly into the Pre-final BIP, primarily section three on South Platte Water Availability. Cook argued the South Platte Water Availability Technical Analysis was intended to feed into the Colorado Decision Support System

b. Projects and Methods for Future Water Supply Update (HDR)

Matt Cook reported on the Projects and Methods Workgroup, and focused on 3 key concepts—(Concept #1) maximizing the use of in-basin supplies, (Concept #2) the conjunctive use of Denver Basin with trans-mountain diversions, and (Concept #3) groundwater recharge and augmentation for agriculture. Concept #1 focused on unappropriated water, reuse, and alternative transfer methods, concept #2 was a SMWSA concept presented within Appendix F and concept #3 was a South Wiggins Project highlighting potential benefits to well users. Cook also reported the Workgroup discussion addressed conceptual projects to be incorporated into Section 4 of the BIP – Projects and Methods. The Northeast Colorado Water Cooperative was included as part of the consideration of Concept #3 as a way of taking advantage of existing infrastructure. Each of the three concepts discussed and presented in the pre-final BIP focused primarily on high-level structure rather than detail. Gene Manuello raised concern over the lack of discussion on storage in the BIP, arguing he had been advocating for increased discussion on storage and it hadn't been fruitful. Cook responded that storage was not specifically spelled out because it was an integral component of each concept. According to Cook, storage was a central item, but the philosophy spanned both surface water and groundwater storage considerations. Joe Frank added that highlighting the exact language—that storage is an integral component of the plan, IPPs, and so on—needed to be better highlighted in the BIP.

c. Development of Pre-final BIP (HDR)

Matt Cook stated that later during the same week of March as the Roundtable meeting, a Dropbox file would go out to the Rio Chato and Metro Exec Committees with a pre-final BIP for review. Per a question from Mike Shimmin, Cook stated a reader's guide would be accompanying the BIP so readers would be able to easily identify what sections and subsections had changed since the last draft. According to Cook, comments submitted during the two-week comment period would be immediately considered and incorporated into the pre-final BIP. Cook also clarified the next Rio Chato & Metro Executive (RC&E) meeting would be held on April 9th, and was scheduled to occur in the regular South Platte Basin Roundtable (SPBRT) meeting space. The purpose of the meeting would be to secure comments and changes on the pre-final BIP. The plan was to deliver the final BIP to the Colorado Water Conservation Board (CWCB) on April 17th.

Matt Cook spoke about two tasks that would go un-executed due to timeline constraints, per the original scope of work. Cook reported some monies, about \$50,000.00, would go unspent and could therefore be appropriated to other activities. HDR had already signed an extended contract, per Eric Hecox, to extend the use of those funds through the end of 2015. Joe Frank suggested the RC&E Committees brainstorm on how to move forward on the next-steps for HDR and West Sage. Cook anticipated something in the May timeframe to get together and discuss possibilities. Sean Cronin asked Laurel Stadjuhar (West Sage) if that same possibility extended to West Sage and Stadjuhar reported there would be little to no budget remaining after the submittal of the BIP with which to extend a contract; there would be no unappropriated or unspent funds for the Environmental-Recreational budget. Nevertheless, Stadjuhar reported West Sage would be readdressing the topic again in the same mid-May timeframe as HDR.

d. Env-Rec Update (West Sage)

Laurel Stadjuhar took the floor to address changes to the Environmental-Recreational (Env-Rec) portion of the BIP. Stadjuhar addressed the combination of some areas, such as the Stream Mile Representations of the River and the enhancement of those stream reaches. Stadjuhar also stated the projects list was updated, as was the Goals and Measurable Outcomes (GMOs) section, by adding additional GMOs and developing the necessary tools and methodologies to adequately address those issues. Stadjuhar went on to state the example area analyses had been enhanced, focusing more on the St. Vrain, Chatfield, Elevenmile, and Balzac areas, but that those areas had been moved to the appendices rather than leaving them in the main BIP text as a way to reduce the size of those internal sections. Stadjuhar then presented several key graphics showing examples of the information that would be presented in the BIP. Also presented by Stadjuhar was a Raster plot designed to handle the sheer breadth of information that was

being incorporated by the Env-Rec study. The Raster plots Stadjuhar showed highlighted trends throughout the data, apparent through visualizations [of the data].

The Raster plots were specific to the example areas and would appear in the BIP as such. Sean Cronin asked if the graphs represented in the BIP were using raw data from specific points, stressing different recreational sports have different needs, especially when juxtaposed to environmental needs. Laurel Stadjuhar, responded that the conversation about how environmental and recreational needs were prioritized had not yet occurred, but would grow out of the information that would be presented in the BIP.

4. Legislative Updates

Joe Frank reported an amendment was recently requested for HB15-1247 and that was the only bill on which action had been taken during the State Affairs Committee on Monday, March 9th. Diane Hoppe asked for additional comment on HB1222 and Frank reported HB1222 was passed by a 7:6 vote out of the House Agriculture Committee. Frank reported HB1222 was the bill on efficiency savings as part of a 25-year pilot project focusing on in-stream flow on the West Slope. Frank reported there was a lot of discussion and debate on the bill. According to Frank, the Colorado Water Congress (CWC) needed a two-third vote to take a position one way or the other. Frank was asked for information on the flex-bill and he reported the bill was defeated in the Senate Agriculture Committee on a vote of 5:4. Public comment reported HB1222 became a party-line vote because the Governor's office really wanted the bill and the flex-bill became an East Slope vs. West Slope bill, to the surprise of many. Bob Laungenbaugh asked if Frank was going to report on HB1178 and Frank reported he was planning to discuss that specific bill during the Groundwater Technical Committee Update. Eric Wilkinson asked if the flex-bill was opposed by the West Slope and discussion ensued as to the party-line bifurcation of legislators on the bill. Greg Kernohan reported that whether or not legislation came through, pushing alternative transfer methods through to implementation was something lots of people wanted and should ultimately force a re-examination of the Roundtable and Legislature's goals. Sean Conway expressed sincere concern about the lack of pre-meeting attention legislators generally devote to bills, asking if there was any outreach conducted in advance of the meeting. Kernohan responded the party-line response to the bill made the most sense given there was no opposition and the only testimony was in support of the bill. Discussion ensued as to what could have caused the vote outcome to occur as it did.

5. Committee Updates

a. At-large Nominating Committee (Cronin)

Joe Frank reached out to the Roundtable asking for members to participate on the At-large Nominating Committee ("the Committee"), stating he had already reached out to Sean Cronin who would be chairing the Committee. Frank reported Bob Streeter and Gary Herman would be stepping down from their At-large positions, and each of whom had nominated a successor. Frank stated he wanted to push the Committee to take on the role of soliciting recommendations. Mike Applegate announced he would be stepping down from his position as the Northern Colorado WCD representative and Mike Hall would be filling his position. Frank thanked those who would be stepping down for their service to the Roundtable. Frank then pointed to Sean Cronin, Rich Belt, and Jeffrey Boring as members on the At-large Nominating Committee. Frank also opened up membership on the Committee to the members of the Roundtable. Gene Manuello asked what the procedure was for filling At-large positions to which Frank responded there were likely procedures, but nothing had been specifically identified yet. Bruce Gerk and Harold Evans asked for clarification on the philosophy of the Committee and Frank iterated the Committee was designed to identify or create procedures for selecting At-large members and ratifying their nominations via a Roundtable vote. Sean Cronin addressed the high level of interest in the Roundtable during the development of the BIP and Cronin asked the Roundtable to consider how vacancies are filled, suggesting control ultimately be in the hands of voting Roundtable members. Cronin expressed a strong desire to have vacancies filled by June of 2015. Frank stated his agreement with what Cronin had stated and silent affirmation amongst Roundtable members was given. Bruce Gerk and Sean Conway offered to be on the Committee. Gerk asked about the significance of the May meeting and Frank responded the process would come forward at the May meeting and nominations would then be made in June.

b. WSRA Needs Committee (Kernohan – 10 min)

i. Funding Guidelines

Greg Kernohan reported to the Roundtable on the Water Supply Reserve Account (WSRA) Funding Guidelines, ultimately reporting that the Guidelines, as they were presented, were in the final draft, pointing to the most contentious portion of the document—the twice-a-year funding review. Kernohan discussed the issues the CWCB took with the twice-a-year funding review, but stated two annual reviews were ultimately the most effective process and would therefore be pushed through. Kernohan reported Sean Cronin had argued for bonus points to go to projects with multiple benefits. Kernohan clarified that the current scoring criteria would allow for multi-benefit projects to score higher than single-benefit projects. Mike Shimmin asked for clarification on non-multi-benefit projects, asking if single-purpose projects would score 0/20 for the multiple-benefit sections. Cronin added he felt the proposed process was solid, but wanted to stress the importance of incentivizing multi-benefit projects. Kernohan added he felt the WSRA Committee would be taking care of the incentivization process internally. Bruce Gerk warned against funding poor multi-benefit projects over strong single-benefit projects. Frank proposed the Roundtable adopt the proposed Guidelines and revise on an as-needed basis. Shimmin expressed his support for the proposed Guidelines, stating the possibility of future revision was a good one. Shimmin moved to adopt the WSRA Funding Guidelines and Rich Belt seconded the motion. Lynda James asked if there was a minimum threshold for projects, so weak projects wouldn't get funded if no strong projects were proposed. Kernohan argued there was no threshold, but the WSRA Committee was tasked with selecting strong projects; Shimmin reiterated Kernohan's comments. After clarifying there was no stipulation arguing any projects needed to be funded at any given point, the motion passed without opposition.

c. Groundwater Subcommittee (Frank)

Joe Frank moved to appoint Jim Hall as the future Chair of the Groundwater Subcommittee and keep him as the SPBRT Representative on the Groundwater Technical Committee. Frank reported the last Groundwater Technical Committee was held on Thursday, March 5 and the recent goal was to solidify a recommendation on what was needed in Sterling and Lasalle/Gilcrest. Frank summarized the Subcommittee's recommendation, asking the Roundtable to support funding of dewatering projects with costs between \$450,000.00 and \$500,000.00 to dewater Gilcrest, with the opportunity to support an increase of funds as needed. At the time of the Roundtable meeting, Gilcrest had already procured \$30,000.00 to begin using a well for dewatering and up to \$5,000.00 would be used for monitoring that well. Frank reiterated dewatering would only be a short-term solution. Frank reported The Technical Committee had an expectation for participation from local entities and authorities. Frank reported the \$30,000.00 already raised was an immediate-cost fund and the \$450,000.00-500,000.00 was a long-term cost. The \$80,000.00 would go only to infrastructure. For the projects proposed, Sterling would be a long-term solution while Gilcrest was a short-term solution.

Sean Cronin asked where the funding numbers came from and Joe Frank reported they came from various proposals and clarified there were additional potential funding sources that may be used to fund the projects. Frank reported the sources of full-funding would be up to local entities and authorities. Bob Laungenbaugh reported the Colorado Division of Water Resources (DWR) had identified the Gilcrest area as a high groundwater area and an area where groundwater was continuing to rise. According to Laungenbaugh, the high and rising groundwater levels in and around Gilcrest were causing severe financial repercussions to residents. Representative Saine had been pushing a dewatering Bill, according to Laungenbaugh, which would be a useful way of solving the issue in Gilcrest. Mike Shimmin asked if there was a written statement for what the proposed monies would be used for and Frank responded there was a line-item list showing all the proposed funding items. That list included the laying of pipe, the rehabilitation of wells, the monitoring of wells, and the movement of water into and out of well-draws. Shimmin asked for a reference to that document to be included in the recommendation currently in discussion, and for that document to be readily available to Roundtable members and the public. Harold Evans added there was really no money available to allocate and wanted to clarify the Roundtable was being asked for support of the dewatering solution. Evans asked that the Roundtable go on record as supporting the immediate dewatering of the area and remove any mention of specific dollars from the recommendation.

Mike Shimmin argued he wanted the recommendation to appear as a tangible plan rather than an idea and he wanted money to be tied into the plan to make it a more legitimate plan. Joe Frank asked if attaching the cost estimates would be appropriate and Evans asked for further clarification on what the next steps of the

recommendation would be. Frank argued the recommendation would be available to whoever was seeking funding for immediate dewatering. Sean Cronin reiterated the purpose of the Technical Committee was to provide recommendations to the Roundtable without concern for politics. Cronin reiterated those recommendations would be delivered to the Roundtable and those recommendations would be looked for by legislators. Frank argued the recommendation was purely for identifying a short-term solution for the area in discussion and for gaining Roundtable support for that recommendation. Bob Laungenbaugh identified several prioritized actions relating to the immediate dewatering of Gilcrest as well as several Bills would be useful for funding such actions. Laungenbaugh argued that failure to begin pumping by April 1 of 2015 would spell disaster for Gilcrest, namely by allowing the groundwater levels to continue to rise. Frank voiced his agreement that quickly drawing down groundwater levels in Gilcrest were imperative. Discussion ensued as to whether the dewatering water could be sold or if it had to be returned to the prior-appropriation system. The takeaway from discussion on how to use the dewatering effluent was that it had to be returned to the prior appropriation system and could not be sold.

Harold Evans asked for clarification on the actionable item and Joe Frank responded the Roundtable only need issue a recommendation for the funding of immediate dewatering. Mike Shimmin agreed that the recommendation from the Technical Committee as it was written was effective, and the Committee needed to supply a more detailed plan to be added to the minutes [attached]. Shimmin made a motion to endorse the recommendation of the Groundwater Technical Committee to implement the dewatering plans that it had outlined for the Sterling and Gilcrest/Lasalle areas over the next two years and Lisa McVicker seconded. Sean Conway thanked the members of the Groundwater Technical Committee for their hard work. He reiterated there was a collaborative effort to further define and clarify the process, and that effort included the work of John Stulp. Conway strongly endorsed the resolution. Ken Huson asked for clarification that the Roundtable was only endorsing the funding of dewatering projects in the area and not the use of or implications to the associated water rights. Shimmin clarified his motion was carefully worded to leave the motion vague. The motion passed without contest. Laungenbaugh asked that Representative Saine be informed of the Roundtable endorsement.

c. Environmental-Recreational Needs Committee / Phreatophyte Update (Streeter)

Bob Streeter took the floor to report on the recent Phreatophyte Committee meeting. Streeter advised the Roundtable that if it wanted to continue to maintain a Phreatophyte Committee it would need to devote stronger interest. Streeter stressed there would need to be greater interest and action in order for the Committee to continue to be effective. Joe Frank thanked Streeter for his time and efforts, and stressed the need for Roundtable participation in the Phreatophyte Committee. Frank and Streeter discussed the importance of reaching beyond the Roundtable membership to get interest and participants. Lisa McVicker suggested reaching out to the Upper South Platte Watershed Committee and finding partners with money. Sean Cronin asked Streeter to construct a list of potentially interested parties before stepping down from the Roundtable. Bob Laungenbaugh stressed the consumptive use of phreatophytes had increased 10% over the past 10 years. Frank pointed out the potential for that increase may have been the densification of phreatophytes. Sean Cronin asked for clarification of who the new Env-Rec Committee Chair would be and there was no consensus as to who that new chair would be.

d. Education Subcommittee (Schneekloth)

Joel Schneekloth reported the Education Subcommittee was still looking for members. Lisa McVicker argued that even though the Committee was statutorily required and funded, it needed the help and ideas of participants to be strong and effective. McVicker pointed out there would be a meeting of all the educators before the Roundtable Summit on March 12 and the meeting would generate lots of good ideas. Joe Frank argued the use of Roundtable funds to support the Education Subcommittee was not only an appropriate use of funds, but one that had been proven effective by other Roundtables. Schneekloth reiterated the importance of bringing many minds together to generate strong and effective ideas. Schneekloth stressed his desire to include HDR and West Sage in Education Subcommittee projects.

6. Colorado's Water Plan

a. Statewide Water Plan Update (CWCB Staff)

Joe Frank reported he was asked to be on a Summit panel where he would report what the Roundtable thought of the Inter Basin Compact Committee (IBCC) Conceptual Framework, what if anything needed to

be done to get to “yes”, and what the IBCC should focus on over the next few years to clarify/change/implement. Per Eric Wilkinson, Frank argued a straw-man plan should come together and work simultaneously on a new trans-mountain diversion concept parallel to the other legs of the stool; the other concepts and projects listed in the South Platte BIP. Frank mentioned in talking with the West Slope Roundtables he had learned they were looking for clarification on what an insurance policy looked like and what those would involve. Eric Wilkinson added a deeper nuance to the discussion, which were interstate matters between Colorado and other upper-basin states. Wilkinson argued the interstate compact issue on the Colorado River was a State issue, superseding the Colorado River Basin and the IBCC. Wilkinson argued the State of Colorado had to take charge of the discussion at a high level in order to protect the State’s interests. Frank mentioned prior to the panel there would be a discussion by IBCC members addressing what the Conceptual Framework did and did not include. Wilkinson reported he would not be on that IBCC panel.

Brent Newman (CWCB) pointed out several key items that warranted attention—funding, permitting, and agricultural viability—that would be specifically attended to at the Summit. He also added the CWCB Board would be meeting in Broomfield, first addressing updates on how public feedback had been going and then addressing updates to the Board on what other Roundtables had been doing, in addition to numerous WSRA grants that would be reviewed.

Dianne Hoppe reported she was reappointed for another term and would be taking over as CWCB Chairwoman. John Stencel asked if anyone on the Roundtable or in the CWCB was familiar with the Kansas Canal and if anyone knew what Kansas was doing with that canal. Stencel stated how the canal was developed in the 30’s between Kansas and Missouri to bring water from Kansas to Missouri. Stencel stressed the importance of joining with Kansas at a state level in order to gain additional water resources and potentially recharge the Ogallala. Joe Frank responded there was an article in a recent edition of Water Leaders addressing a pump-back program. Frank also stated he was hoping to pursue additional education and outreach initiatives after the BIP was submitted. Bruce Gerk stressed the importance of prioritizing storage in the Basin, especially considering the Governor’s position against storage development. Gerk stressed the Roundtable consider its position on agricultural dry-up. Frank argued for stronger language in the BIP relating to the development of storage in the Basin. Discussion ensued as to the importance of storage and the position the Roundtable would take on the topic. Gerk added care should be taken in discussing the prior-appropriate system, since it is a boon system and not a bust.

7. Meeting Schedule

- a. JOINT Basin Roundtable Meeting – April 15, 2015 (Plaza Event Center in Longmont)
- b. Joint Rio Chio and Metro Executive Meeting – April 9, 2015 (SW Weld County Admin Bldg)
- c. Statewide Basin Roundtable Summit – March 12, 2015 (Westin Hotel in Westminster)

The meeting adjourned at 8:15