



COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM

Today's Date: January 27, 2016

Valley Floor River Restoration Reach One

Name of Water Activity/Project

Co-Applicants:
Town of Telluride & Valley Floor Preservation Partners (VFPP)

Name of Applicant

Southwest

Amount from Statewide Account:

399,021

Amount from Basin Account(s):

45,000

Total WSRA Funds Requested:

444,021

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

FEIN: VFPP 20-4889403, Town 84-6000624

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Required Exhibits

- A. Statement of Work, Budget, and Schedule
- B. Project Map
- C. As Needed (i.e. letters of support, photos, maps, etc.)

Appendices – Reference Material

1. Program Information
2. Insurance Requirements
3. WSRA Standard Contract Information (Required for Projects Over \$100,000)
4. W-9 Form (Required for All Projects Prior to Contracting)

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Instructions

To receive funding from the Water Supply Reserve Account (WSRA), a proposed water activity must be approved by the local Basin Roundtable **AND** the Colorado Water Conservation Board (CWCB). The process for Basin Roundtable consideration and approval is outlined in materials in Appendix 1.

Once approved by the local Basin Roundtable, the applicant should submit this application **with a detailed statement of work including budget and schedule as Exhibit A** to CWCB staff by the application deadline.

WSRA applications are due with the roundtable letter of support 60 calendar days prior to the bi-monthly Board meeting at which it will be considered. Board meetings are held in January, March, May, July, September, and November. Meeting details, including scheduled dates, agendas, etc. are posted on the CWCB website at: <http://cwcb.state.co.us> Applications to the WSRA Basin Account are considered at every board meeting, while applications to the WSRA Statewide Account are only considered at the March and September board meetings.

When completing this application, the applicant should refer to the WSRA Criteria and Guidelines available at: <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Documents/WSRACriteriaGuidelines.pdf>. In addition, the applicant should also refer to the [Supplemental Scoring Matrix](#) applied to Evaluation Criteria Tiers 1-3 for Statewide Account requests .

The application, statement of work, budget, and schedule **must be submitted in electronic format** (Microsoft Word or text-enabled PDF are preferred) and can be emailed or mailed on a disk to:

Craig Godbout - WSRA Application
Colorado Water Conservation Board
1313 Sherman St., Room 721
Denver, CO 80203
Craig.godbout@state.co.us

If you have questions or need additional assistance, please contact Craig Godbout at: 303-866-3441 x3210 or craig.godbout@state.co.us.

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Part I. - Description of the Applicant (Project Sponsor or Owner);

1. Applicant Name(s):	Town of Telluride & The Valley Floor Preservation Partners (VFPP)		
Mailing address:	Town: PO Box 397, Telluride, CO 81435 VFPP: PO Box 202, Telluride, CO 81435		
FEIN #:	See above (does not fit)		
Primary Contact:	Hilary Cooper	Position/Title:	Program Director, VFPP
Email:	Hilary@mountainfreak.com		
Phone Numbers:	Cell: 970-729-2321	Office:	
Alternate Contact:	Lance McDonald	Position/Title:	Program Director, Town
Email:	lmcdonald@telluride-co.gov		
Phone Numbers:	Cell: 970-708-7952	Office:	970-728-2167

2. Eligible entities for WSRA funds include the following. What type of entity is the Applicant?

- ☒ Public (Government) – municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities and the local entity should be the grant recipient. Federal agencies are eligible, but only if they can make a compelling case for why a local partner cannot be the grant recipient.
- ☐ Public (Districts) – authorities, Title 32/special districts, (conservancy, conservation, and irrigation districts), and water activity enterprises.
- ☐ Private Incorporated – mutual ditch companies, homeowners associations, corporations.
- ☐ Private individuals, partnerships, and sole proprietors are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
- ☒ Non-governmental organizations – broadly defined as any organization that is not part of the government.

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3. Provide a brief description of your organization

The Town of Telluride, owner of The Valley Floor is a home rule municipality in Colorado.

Valley Floor Preservation Partners, a 501c3, was formed as a partnership of the Town of Telluride, Sheep Mountain Alliance, National Trust for Historic Preservation and The Telluride Institute. VFPP was established in March 2006 to support the Valley Floor acquisition and preservation efforts of the Town of Telluride and to launch a final fundraising and education campaign. After successfully completing the fundraising campaign and securing the Valley Floor as Open Space, VFPP now seeks to foster stewardship and ecological restoration projects for the Valley Floor property.

4. If the Contracting Entity is different then the Applicant (Project Sponsor or Owner) please describe the Contracting Entity here.

VFPP will be the fiscal agent for this grant. The Town of Telluride, who will contract with Environmental Resource Consultants for implementation of Reach One will be the Contracting Entity for this grant.

5. Successful applicants will have to execute a contract with the CWCB prior to beginning work on the portion of the project funded by the WSRA grant. In order to expedite the contracting process the CWCB has established a standard contract with provisions the applicant must adhere to. A link to this standard contract is included in Appendix 3. Please review this contract and check the appropriate box.

☒

The Applicant will be able to contract with the CWCB using the Standard Contract

☐

The Applicant has reviewed the standard contract and has some questions/issues/concerns. Please be aware that any deviation from the standard contract could result in a significant delay between grant approval and the funds being available.

6. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.

None

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Part II. - Description of the Water Activity/Project

1. What is the primary purpose of this grant application? (Please check only one)

☒ Nonconsumptive (Environmental or Recreational)

☐ Agricultural

☐ Municipal/Industrial

☐ Needs Assessment

☐ Education

☐ Other

Explain:

2. If you feel this project addresses multiple purposes please explain.

3. Is this project primarily a study or implementation of a water activity/project? (Please check only one)

☐ Study

☒ Implementation

4. To catalog measurable results achieved with WSRA funds can you provide any of the following numbers?

New Storage Created (acre-feet)

New Annual Water Supplies Developed, Consumptive or Nonconsumptive (acre-feet)

Existing Storage Preserved or Enhanced (acre-feet)

Length of Stream Restored or Protected (linear feet)

Length of Pipe/Canal Built or Improved (linear feet)

Efficiency Savings (acre-feet/year OR dollars/year – **circle one**)

Area of Restored or Preserved Habitat (acres)

Other -- Explain:

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4. To help us map WSRA projects please include a map (Exhibit B) and provide the general coordinates below:

Latitude:

37.939237 degrees N

Longitude:

-107.824902 degrees W

5. Please provide an overview/summary of the proposed water activity (no more than one page). Include a description of the overall water activity and specifically what the WSRA funding will be used for. A full **Statement of Work** with a detailed budget and schedule is required as **Exhibit A** of this application.

The 566-acre Valley Floor is located immediately west of the developed boundary of the Town of Telluride along the San Miguel River. The property, owned and managed by the Town of Telluride, is protected as public open space in perpetuity with a Conservation Easement. The San Miguel River flows through the entire length of the Valley Floor, and is joined by surface and ground water flows from four headwater tributaries within the Valley Floor. The river within the project area is a heavily impacted, manmade linear channel with ‘severely degraded’ habitat according to the U.S. Fish & Wildlife Service’s Habitat Suitability Index.

The intent of Reach One of The Valley Floor River Restoration is to create a naturally functioning river system, natural and sustainable in appearance and function and mitigate past impacts to the San Miguel River within this 4,250 linear foot reach and downstream through hydrology, channel morphology and water quality improvements. Subsequent river restoration and tailings remediation projects are planned for the downstream sections of the San Miguel River within The Valley Floor. This is a non-consumptive, environmental restoration project. The main components of the \$1.7M project are the creation of a new meandering river channel, connection of the new channel to its historic floodplain, restoration and revegetation of the current linear channel, removal and remediation of mine tailings and construction of two sewer line crossings.

The \$444,021 funding request from the SW Basin and Statewide WSRA accounts will be applied directly towards new channel construction and revegetation.

Partners on this project include The Town of Telluride, Telluride Open Space Commission, Valley Floor Preservation Partners, San Miguel Watershed Coalition, Trout Unlimited and the contractor, Environmental Resource Consultants. The U.S Forest Service, managing public lands immediately adjacent and downstream of this project has been working in consultation and have initiated the public process for a downstream restoration and remediation project.

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Part III. – Threshold and Evaluation Criteria

1. Describe how the water activity meets these **Threshold Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines.)
 - a) The water activity is consistent with Section 37-75-102 Colorado Revised Statutes.¹

The water activity proposed in the project will not supersede, repeal, amend or otherwise impair any water rights in the State of Colorado. This project will not require any water rights to implement.

- b) The water activity underwent an evaluation and approval process and was approved by the Basin Roundtable (BRT) and the application includes a description of the results of the BRT's evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it. Note- If this information is included in the letter from the roundtable chair simply reference that letter.

See SW Basin Approval Letter

¹ 37-75-102. Water rights - protections. (1) It is the policy of the General Assembly that the current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this article. Nothing in this article shall be interpreted to repeal or in any manner amend the existing water rights adjudication system. The General Assembly affirms the state constitution's recognition of water rights as a private usufructuary property right, and this article is not intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law. (2) The General Assembly affirms the protections for contractual and property rights recognized by the contract and takings protections under the state constitution and related statutes. This article shall not be implemented in any way that would diminish, impair, or cause injury to any property or contractual right created by intergovernmental agreements, contracts, stipulations among parties to water cases, terms and conditions in water decrees, or any other similar document related to the allocation or use of water. This article shall not be construed to supersede, abrogate, or cause injury to vested water rights or decreed conditional water rights. The General Assembly affirms that this article does not impair, limit, or otherwise affect the rights of persons or entities to enter into agreements, contracts, or memoranda of understanding with other persons or entities relating to the appropriation, movement, or use of water under other provisions of law.

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- c) The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.² The Basin Roundtable Chairs shall include in their approval letters for particular WSRA grant applications a description of how the water activity will assist in meeting the water supply needs identified in the basin roundtable's consumptive and/or non-consumptive needs assessments.

See SW Basin Approval Letter

- d) Matching Requirement: For requests from the **Statewide Fund**, the applicants will be required to demonstrate a **25 percent** (or greater) match of the total grant request from the other sources, including but not limited to Basin Funds. A minimum match of 5% of the total grant amount shall be from Basin funds. A minimum match of 5% of the total grant amount must come from the applicant or 3rd party sources. Sources of matching funds include but are not limited to Basin Funds, in-kind services, funding from other sources, and/or direct cash match. Past expenditures directly related to the project may be considered as matching funds if the expenditures occurred within 9 months of the date the contract or purchase order between the applicant and the State of Colorado is executed. Please describe the source(s) of matching funds. (NOTE: These matching funds should also be reflected in your Detailed Budget in **Exhibit A** of this application)

This Application requests \$45,000 from the Southwest Basin Roundtable WSRA Account and \$399,021 from the Statewide WSRA Account. A total of \$1,291,782 has been committed in other cash contributions, which equates to a 75% match for the total WSRA request of \$444,021. Funding sources listed below:

Total Project Budget	\$1,735, 803		
Funding Sources:	Amount/Percentage/Status		
Town of Telluride Open Space Fund	\$990,932	57.09%	Approved
Town of Telluride Water & Sewer Fund	\$50,850	2.93%	Approved
San Miguel Watershed Coalition	\$140,000	8.07%	Pledged
Valley Floor Preservation Partners	\$100,000	5.76%	Pledged
Trout Unlimited	\$10,000	.58%	Pledged
Total Approved/Pledged Funding	\$1,291,782	74.42%	
WSRA Funding Request:	\$444,021	25.58%	
SW Basin Roundtable	\$45,000		
CWCB	\$399,021		

² 37-75-104 (2)(c). Using data and information from the Statewide Water Supply Initiative and other appropriate sources and in cooperation with the on-going Statewide Water Supply Initiative, develop a basin-wide consumptive and nonconsumptive water supply needs assessment, conduct an analysis of available unappropriated waters within the basin, and propose projects or methods, both structural and nonstructural, for meeting those needs and utilizing those unappropriated waters where appropriate. Basin Roundtables shall actively seek the input and advice of affected local governments, water providers, and other interested stakeholders and persons in establishing its needs assessment, and shall propose projects or methods for meeting those needs. Recommendations from this assessment shall be forwarded to the Interbasin Compact Committee and other basin roundtables for analysis and consideration after the General Assembly has approved the Interbasin Compact Charter.

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2. For Applications that include a request for funds from the **Statewide Account**, describe how the water activity/project meets all applicable **Evaluation Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines and repeated below.) Projects will be assessed on how well they meet the Evaluation Criteria. **Please attach additional pages as necessary.**

Evaluation Criteria – the following criteria will be utilized to further evaluate the merits of the water activity proposed for funding from the Statewide Account. In evaluation of proposed water activities, preference will be given to projects that meet one or more criteria from each of the three “tiers” or categories. Each “tier” is grouped in level of importance. For instance, projects that meet Tier 1 criteria will outweigh projects that only meet Tier 3 criteria. The applicant should also refer to the Supplemental Scoring Matrix applied to Evaluation Criteria Tiers 1-3 for Statewide Account requests. WSRA grant requests for projects that may qualify for loans through the CWCB loan program will receive preference in the Statewide Evaluation Criteria if the grant request is part of a CWCB loan/WSRA grant package. For these CWCB loan/WSRA grant packages, the applicant must have a CWCB loan/WSRA grant ratio of 1:1 or higher. Preference will be given to those with a higher loan/grant ratio.

Tier 1: Promoting Collaboration/Cooperation and Meeting Water Management Goals and Identified Water Needs

- a. Reach One of the Valley Floor River Restoration project will restore a natural stream function including improved wetlands, floodplain access and riparian habitat. In addition, it will remove tailings from the immediate banks of the new channel, remediate remaining tailings promoting healthy vegetation in currently disturbed areas. The project will address environmental, economic and educational needs. The project, is located within the headwaters of the San Miguel River, will improve the natural hydrology and water quality of the river for all downstream users.
- b. The acquisition of The Valley Floor as protected Open Space was achieved through a collaborative public/private partnership. In addition to the Town of Telluride and the local, regional and national non-profits who formed the Valley Floor Preservation Partners, this project is supported financially by the San Miguel Watershed Coalition and Trout Unlimited. The U.S. Forest Service, managing immediately adjacent and downstream land has collaborated on this project and initiated the public process for downstream restoration and remediation. These ongoing partnerships represent both consumptive and non-consumptive water interests. See support letters for additional statements of support.
- c. The Project is listed on the SW Basin Non-Consumptive Project and Processes list.

Tier 2: Facilitating Water Activity Implementation

- d. The requested WSRA funding will secure the remaining funding needed for the implementation of this project. Construction documents, engineering plans and a final budget has been completed. Permit approvals have been initiated. A May 2016 – October 2016 construction schedule is planned. Although other funding sources may be available, the amount of time it would involve to secure multiple grants would most likely delay the

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project and increase the budget.

- e. The Telluride Open Space Fund was approved by voters in 1993, dedicating 20% of unencumbered town revenues to a fund for open space acquisition, management and restoration. \$1,041,782 of the total project budget has been approved from the Town's Open Space and Sewer & Water funds by the Telluride Town Council. The San Miguel Watershed Coalition will contribute \$140,000. The Valley Floor Preservation Partners has pledged \$100,000 and in-kind grant coordination services for this application and future phases of Valley Floor river restoration. The local chapter of Trout Unlimited held a series of fundraisers over the last two years to secure \$10,000 for this project. Direct funding and in-kind contributions for this project represent significant and broad based support.

Tier 3: The Water Activity Addresses Other Issues of Statewide Value and Maximizes Benefits

- f. The project will enhance the open space qualities and recreation opportunities on the entire Valley Floor property and in the headwaters of the San Miguel River. It will improve natural hydrology and water quality downstream of the project improving agricultural conditions.
- g. n/a
- h. This project will improve the cold-water habitat for native species including the Colorado cutthroat trout, known to occur within headwater tributaries of the San Miguel River. It will also improve the riparian habitat within the Valley Floor of the Southwest Willow Flycatcher.
- i. The Telluride Region is one of the top tourist destinations in Colorado. The amount of state funds requested, 25% of the total project budget, will provide a high level of benefit to Colorado.
- j. We believe this project and future restoration projects on the Valley Floor will be complimentary and enhance all existing and future watershed restoration, hydrology and water quality projects on the San Miguel River and further downstream in the Dolores River. This project will also include baseline and ongoing monitoring, which will provide data for future studies on the San Miguel River.

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Part IV. – Required Supporting Material

1. **Water Rights, Availability, and Sustainability** – This information is needed to assess the viability of the water project or activity. Please provide a description of the water supply source to be utilized, or the water body to be affected by, the water activity. This should include a description of applicable water rights, and water rights issues, and the name/location of water bodies affected by the water activity.

The project activity is located within the SW Basin Roundtable's San Miguel sub basin. The project will not require any water rights and is intended to enhance the floodplain within the project area.

2. Please provide a brief narrative of any related studies or permitting issues.

The permit approval process has been initiated with FEMA and the U.S Army Corp. After initial consultation no major issues are expected.

3. Statement of Work, Detailed Budget, and Project Schedule

The statement of work will form the basis for the contract between the Applicant and the State of Colorado. In short, the Applicant is agreeing to undertake the work for the compensation outlined in the statement of work and budget, and in return, the State of Colorado is receiving the deliverables/products specified. **Please note that costs incurred prior to execution of a contract or purchase order are not subject to reimbursement.** All WSRA funds are disbursed on a reimbursement basis after review invoices and appropriate backup material.

Please see the following attachments; Attachment A – Statement of Work, Project Budget and Project Schedule.

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REPORTING AND FINAL DELIVERABLE

Reporting: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion of the tasks identified in the statement of work including a description of any major issues that have occurred and any corrective action taken to address these issues.

Final Deliverable: At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

PAYMENT

Payment will be made based on actual expenditures and invoicing by the applicant. Invoices from any other entity (i.e. subcontractors) cannot be processed by the State. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for individual tasks and the entire water activity in relation to the percentage of budget spent, identification of any major issues and proposed or implemented corrective actions. The last 10 percent of the entire water activity budget will be withheld until final project/water activity documentation is completed. All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to Basin Roundtables and the general public and help promote the development of a common technical platform.

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The above statements are true to the best of my knowledge:

Signature of Applicant:



Print Applicant's Name: Hilary Cooper

Project Title: Vallev Floor River Restoration – Reach One

Return an electronic version (hardcopy may also be submitted) of this application to:

Craig Godbout – WSRA Application
Colorado Water Conservation Board
1313 Sherman St., Room 721
Denver, CO 80203
303-866-3441, ext. 3210 (office)
303-547-8061 (cell)
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