

Water Supply Reserve Account – Grant and Loan Program
Water Activity Summary Sheet
March 16-17, 2016
Agenda Item 14(v)

Applicant & Fiscal Agent: Mountain Studies Institute
Water Activity Name: Animas River Community Forum
Water Activity Purpose: Education & Outreach
County: La Plata & San Juan
Drainage Basin: Southwest
Water Source: Animas River
Amount Requested/Source of Funds: \$37,850 Southwest Basin Account
Matching Funds: Applicant & 3rd Party Match = \$42,920 (\$17,000 cash; \$25,920 in-kind) of total project costs (\$80,770)
(refer to *Funding Summary/Matching Funds* section)

Staff Recommendation:

Staff recommends approval of up to \$37,850 from the Southwest Basin Account to help fund the project titled: Animas River Community Forum.

Water Activity Summary: WSRA funds, if approved, will be expended to fund the efforts of the Animas River Community Forum. These one year efforts include: sharing and disseminating information related to the Gold King Mine spill and recovery; provide venues for the community and stakeholders both within the basin and statewide to learn from the spill and benefit from the opportunity to learn about watershed risk, response, and recovery; conduct 1-2 conferences, develop a communications plan, conduct 2-3 educational talks/outreach events to share lessons from the spill and recovery process; inventory baseline information both historical and current, and identify priorities for new monitoring focusing on monitoring questions related to public health, public concerns, and ecosystem resilience; and hire a part time Coordinator to guide the group in achieving its goals and activities listed above, and to manage funds and track in-kind contributions, draft reports and evaluate impacts.

Discussion: This project aligns well with many of the Southwest Basin Implementation Plan's Basin Goals, such as: Goal A2: Support specific and unique new IPPs important to maintaining the quality of life in this region, and to address multiple purposes including municipal, industrial, environmental, recreational, agricultural, risk management, and compact compliance needs; Goal A4: Promote dialogue, foster cooperation and resolve conflict among water interests in every basin and between basins for the purpose of implementing solutions to Southwest Colorado's and Colorado's water supply challenges; Goal C2: Provide safe drinking water to Southwest Colorado's citizens and visitors; Goal D1: Maintain, protect and enhance recreational values and economic values to local and statewide economies derived from recreational water uses, such as fishing, boating, hunting, wildlife watching, camping, and hiking; Goal E2: Protect, maintain, monitor and improve the condition and natural function of streams, lakes, wetlands, and riparian areas to promote self-

sustaining fisheries, and to support native species and functional habitat in the long term, and adapt to changing conditions; Goal F1: Monitor, protect and improve water quality for all classified uses (SWBIP, Section 1: Basin Goals and Measurable Outcomes, Table 1: Goals and Measurable Outcomes for the Southwest Basin Implementation Plan, pages 12-17).

In addition this effort advances the Environmental and Recreational goals of Colorado's Water Plan by: protecting and enhancing economic values to local and statewide economies that rely on environmental and recreational water uses, such as fishing, boating, waterfowl hunting, wildlife watching, camping, and hiking; understand, protect, maintain, and improve conditions of streams, lakes, wetlands, and riparian areas to promote self-sustaining fisheries and functional riparian and wetland habitat to promote long-term sustainability and resiliency; maintain watershed health by protecting or restoring watersheds that could affect critical infrastructure and/or environmental and recreational areas (CWP, Chapter 6.6, page 6-157).

Issues/Additional Needs: No issues or additional needs have been identified.

Threshold and Evaluation Criteria: The application meets all four Threshold Criteria.

Tier 1-3 Evaluation Criteria: n/a

Funding Summary/Matching Funds:

	<u>Cash</u>	<u>In-kind</u>	<u>Total</u>
ARCF Partners ⁽¹⁾	\$17,000	\$25,920	\$42,920
WSRA Southwest Basin Account	\$37,850	n/a	\$37,850
Total Project Costs	\$54,850	\$25,920	\$80,770

(1) DOLA, tribes, Animas Watershed Partnership, San Juan Basin Health, Trout Unlimited, City of Durango, federal land management agencies, CPW, and the Mountain Studies Institute.

CWCB Project Manager: Craig Godbout

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 will help promote the development of a common technical platform. In accordance with the revised WSRA Criteria and Guidelines, staff would like to highlight additional reporting and final deliverable requirements. The specific requirements are provided below.

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 scope 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.

Engineering: All engineering work (as defined in the Engineers Practice Act (§12-25-102(10) C.R.S.)) performed under this grant shall be performed by or under the responsible charge of professional engineer licensed by the State of Colorado to practice Engineering.

SOUTHWEST BASINS ROUNDTABLE

Michael Preston, Chair

c/o Dolores Water Conservancy District

P.O. Box 1150

Cortez, Colorado 81321

970-565-7562

January 15, 2016

Mr. Craig Godbout

Water Supply Management Section

Colorado Water Conservation Board

1580 Logan Street, Suite 600

Denver, Colorado 80203

SUBJECT: Animas River Community Forum, \$37,850 from Southwest Basin Account

Dear Mr. Godbout:

The Southwest Basin Roundtable approved funding of \$37,850 from the Basin Account for Animas River Community Forum. The application was considered in detail and approved at the January 13, 2016 meeting of the Southwest Basin Roundtable. There was a quorum of Roundtable members present.

The Animas is the largest river in the Southwest Basin. The Southwest Basin Implementation Plan includes a number of IPPs involving water quality, watershed health and efforts to deal with mineralization and abandoned mine drainage in the Silverton area.

The proposed project supports the involvement of all Animas River communities affected by the mine spill in the summer of 2015; and promotes information sharing and cooperation by citizens interacting with local, state and federal agencies. The Animas Community Forum is aimed at a full understanding of the ramifications of the mine spill as well as a community based evaluation of preparedness and response issues.

The Forum will generate lessons learned that can be of use to the many other communities in Southwest Colorado and throughout the State that live below abandoned mines. Accordingly, the Roundtable views this project as a Matter of State Interest eligible for funding from the State account. The Roundtable decided to cover this phase of the work from the Basin account to avoid any uncertainty in funding this project given the timely need to continue this important process. The Roundtable would like to hold the door open for a request from the Statewide account at some point in the future to the extent that the Forum continues beyond the scope of the proposed project.

The completed Grant Application will be forwarded directly to you by the applicant. Please contact the applicant directly or me at 970-565-7562, mpreston@frontier.net, if you have questions or wish to discuss this application in more detail.

Sincerely,



Michael Preston

Southwest Basin Roundtable Chair



COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM

Today's Date: January 4, 2016

Animas River Community Forum (ARC forum)

Name of Water Activity/Project

On behalf of ARC Forum Partners: Mountain Studies Institute

Name of Applicant

Southwest Basin
Roundtable

Amount from Statewide Account:

Amount from Basin Account(s):

Total WSRA Funds Requested:

\$ 37,850.00

\$ 37,850.00

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

FEIN: 73-1644103

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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)

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.

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

1.	Applicant Name(s):	Animas River Community Forum, via Mountain Studies Institute		
	Mailing address:	1309 E. Third Avenue, Suite #106 Durango, CO 81301		
	FEIN #:	73-1644103		
	Primary Contact:	Marcie Bidwell	Position/Title:	Executive Director
	Email:	marcie@mountainstudies.org		
	Phone Numbers:	Cell: 970-426-8863	Office:	970-387-5161
	Alternate Contact:	Senator Ellen Roberts	Position/Title:	Colorado Senator, D3
	Email:	ellen.roberts.senate@state.co.us		
	Phone Numbers:	Cell: 970-749-4729	Office:	303- 866-4884

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.

3. Provide a brief description of your organization

The Animas River Community Forum (ARCF) is a community group that formed in response to the Gold King Mine blow out in August to address concerns regarding response, recovery, and cohesive solutions for water quality in the Animas River. State Senator Ellen Roberts convened the group as she saw a need for the community(ies), including nonprofits, governments, citizens and business groups, to get involved in the issue working together; to learn from the experience; and to play a role in defining future actions including educating stakeholders from across Colorado and other audiences about the lessons learned. There are over 100 government entities, nonprofits, businesses, public health departments, emergency response teams, scientists, economic development collaboratives, and individuals on the roster. Approximately 40 people have attended each meeting. ARCF's purpose is to: promote communication, coordination and collaborative action; foster public confidence; support resiliency in our communities; and enhance planning, improved public safety, and health for the future all while honoring the institutional authorities and decision making of governmental and community organizations. While the Gold King Mine incident was the reason this group formed, there became an apparent need for an over-arching forum that could be a "table" for all sectors to communicate and collaborate. Since the incident in August, the group has held monthly meetings to share information and form action plans; organized Nov 1st River Day, published a website and booklet of community resources, and produced a monitoring document, and established its structure. The Forum has made a decision to be active for one year leading up to the anniversary of the Gold King spill and will, at that time, assess its utility and function.

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

Mountain Studies Institute (MSI) is a 501(c)(3) non-advocacy, not-for-profit mountain research and education institution established in 2002 in Silverton, Colorado. MSI has been nominated to serve as the initial fiscal agent, as part of our contribution to the partnership. The Institute's mission is to enhance understanding and sustainable use of the San Juan Mountains through research and education to benefit environments and communities in the San Juan Mountains. MSI was created to increase knowledge, understand our unique mountain environments and issues that affect them, and develop solutions for the benefit of our vibrant mountain communities. To accomplish these goals, we build partnerships to steward natural and cultural values by engaging citizens, scientists, community leaders, and resource managers in collaborative efforts to put science into action. We work to utilize scientific knowledge to innovate solutions that address legacy issues like acid mine drainage and nutrient pollution to increase our communities' resilience and quality of life.

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. *Mountain Studies Institute is not subject to TABOR.*

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: All Animas water uses and users will be benefit from ARCF

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

When the Animas River turned techno-color orange on August 5th, the connections and implications of all water issues to legacy mining issues were visibly illustrated for all water uses. Agricultural, non-consumptive, and municipal water users will all equally benefit from coordinated efforts to respond and recover from the Gold King spill. Education will be a key strategy for recovery. We will also complete a Data Needs Assessment to inform future actions.

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: 6 ARCF meetings, 2-3 events, 2 conferences

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

Our project involves the Animas River watershed originating at the Gold King Mine to the border with New Mexico

Latitude:

Longitude:

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 Animas River Community Forum (ARCF) is a community group that formed in response to the Gold King Mine blow out in August to address concerns regarding response, recovery, and cohesive solutions for water quality in the Animas River. ARCF's overall objective is to facilitate recovery by: promoting communication, coordination and collaborative action; fostering public confidence; supporting resiliency in our communities; and enhance planning, improved public safety, and health for the future all while honoring the institutional authorities and decision making of governmental and community organizations. The group's goal is to be forward thinking, to promote learning from this incident at regional and state-wide networks, to not place blame, and to work on initiatives that have wide agreement and consensus to benefit watershed health. While the Gold King Mine incident was the reason this group formed, there became an apparent need for an over-arching forum that could be a "table" for all sectors to communicate and collaborate. The Forum has made a decision to be active for one year leading up to the one-year anniversary of the Gold King Mine spill and will, at that milestone, assess its utility and function. Specifically, the ARCF will execute four main tasks:

Task 1 – Gold King Mine Spill Long-term Solutions, will facilitate dialog with ARCF participants, elected officials and stakeholders to evaluate lessons learned, share information, inform members of the recovery and opportunities, and facilitate important discussion regarding potential actions and legislation.

Task 2 – Community and Stakeholder Education, provide venues for the community and stakeholders both within the basin and statewide to learn from the Gold King spill and benefit from the opportunities to learn about watershed risk, response, and recovery.

Task 3 – Monitoring and Data Gaps Assessment, identify data and information needs for assessing the current state of the river and prioritize the need for additional monitoring and assessment

Task 4 – Project and Coalition Management and Reporting, will hire a coordinator to guide the group, manage actions and goals, and monitor funding, reporting, impact, and in-kind contributions.

Please refer to our proposal for complete descriptions of the methods, tasks, and deliverables to be accomplished.

Many partners have collaborated to this effort including: Animas Watershed Partnership, Animas Stakeholders Group, San Juan Basin Health, Colorado Department of Parks and Wildlife, Mountain Studies Institute, local and regional elected officials from San Juan and La Plata Counties, Durango, and Silverton, Trout Unlimited, Colorado Departments of: Mining, Reclamation and Safety; Emergency Response, Parks and Wildlife, State Forest Service, and Public Health and Environment.

The WSRA funding requested will be used to: fund hiring a coordinator, purchase materials and supplies, project management, hosting 2-3 events/conferences, supporting speaker travel, and fiscal administration services.

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 proposed ARCF activities to be funded by this grant are consistent with Section 37-75-102 C.R.S. because the activities support the existing Colorado water law rights and responsibilities. The activities will support the maximum use and benefit of Colorado water within the state's boundaries for all currently recognized uses. No direct use of water rights will be involved.

- 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.

This proposal will be presented to the Southwest Basin Roundtable on January 13, 2016. Upon approval, Mike Preston, Southwest Roundtable Chair, will provide a letter with a description of the evaluation and the approval process.

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.

- 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.

The Animas River Community Forum will assist in meeting the water supply needs identified in the Southwest Basin Roundtable's needs assessments by supporting the critical and necessary network of water quality and water supply stakeholders for the sharing of timely and accurate information and communication among themselves and the general public, with respect to short and long term impacts of the Gold King mine spill into the Animas River watershed. The information shared is and will continue to be aimed at avoiding duplication of expenditures and efforts as well as contributing to local decision-making based on data on the Animas River's water quality.

- 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)

The grant's matching requirement will be met by considering the in-kind services provided by numerous participants in ARCF activities to date, including the contributions of meeting space including by the City of Durango, the federal San Juan Public Lands office, the Colorado Division of Parks and Wildlife and the San Juan Basin Health Department, the donation of food for meetings and events, the donation of resources for the compilation and publication of the "Community Partner Inventory", (attached as Appendix B), costs associated with the preparation and establishment of the ARCF website (www.animasrivercommunity.org), the donation of space for the Nov. 2015 "River Day" public educational event held for the local communities, and copy costs and exhibit preparation costs incurred by many various ARCF participants in the River Day event. Future expenses to be considered in the grant requirement include continued contribution of many agencies and organizations' staff time in meeting and participating in ARCF activities, including, but not limited to support of a "lessons learned" conference to be held locally, near the anniversary of the Gold King mine spill. The conference may be held in conjunction with Mountain Studies Institute's conference, funded by MSI, a participating partner in ARCF.

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.

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. The water activity addresses multiple needs or issues, including consumptive and/or non-consumptive needs, or the needs and issues of multiple interests or multiple basins. This can be demonstrated by obtaining letters of support from other basin roundtables (in addition to an approval letter from the sponsoring basin).
- b. The number and types of entities represented in the application and the degree to which the activity will promote cooperation and collaboration among traditional consumptive water interests and/or non-consumptive interests, and if applicable, the degree to which the water activity is effective in addressing intrabasin or interbasin needs or issues.
- c. The water activity helps implement projects and processes identified as helping meet Colorado’s future water needs, and/or addresses the gap areas between available water supply and future need as identified in SWSI or a roundtable’s basin-wide water needs assessment.

The number and types of entities represented in the application (attached as Appendix A) reflect the degree to which the activity already has and will continue to promote cooperation and collaboration among traditional consumptive water interests and/or non-consumptive interests, and reflect the degree to which the water activity is effective in addressing the intra-basin needs and issues that exist from the Gold King mine spill among the following: La Plata and San Juan Counties, the municipalities of Silverton and Durango, the Southern Ute Indian tribe, multi-county agencies such as San Juan Basin Health, numerous state agencies such as the Colorado Division of Parks and Wildlife, Department of Public Health and Environment, Division of Reclamation, Mining and Safety, and the Division of Homeland Security and Emergency Management, federal partners such as the U.S. Forest Service, the Animas La Plata Operation, Maintenance and Replacement Association, and many local organizations, non-profits and Animas River-related businesses, such as the Animas River Stakeholder Group, the Animas Watershed Partnership, Five Rivers Trout Unlimited, San Juan Clean Water Coalition, 4 Corners Riversports, and Mild to Wild rafting company.

Tier 2: Facilitating Water Activity Implementation

- d. Funding from this Account will reduce the uncertainty that the water activity will be implemented. For this criterion the applicant should discuss how receiving funding from the Account will make a significant difference in the implementation of the water activity (i.e., how will receiving funding enable the water activity to move forward or the inability obtaining funding elsewhere).
- e. The amount of matching funds provided by the applicant via direct contributions, demonstrable in-kind contributions, and/or other sources demonstrates a significant & appropriate commitment to the project.

ARCF is seeking matching funds through a combination of direct contributions (DOLA, Southwest Conservation District, Municipal partners, and business sponsorships) and significant in-kind services. The in-kind services provided by numerous participants in ARCF activities to date, including the contributions of meeting space including by the City of Durango, the federal San Juan Public Lands office, the Colorado Division of Parks and Wildlife, and the San Juan Basin Health Department, the donation of food for meetings and events, the donation of resources for the compilation and publication of the “Community Partner Inventory”, (attached as Appendix B), costs associated with the preparation and establishment of the ARCF website (www.animasrivercommunity.org), the donation of space for the Nov. 2015 “River Day” public educational event held for the local communities, and copy costs and exhibit preparation costs incurred by many various ARCF participants in the River Day event. We have commitments for continued contribution by many agencies and organizations’ staff time in meeting and participating in ARCF activities, including, but not limited to support of a “lessons learned” conference to be held locally, near the anniversary of the Gold King mine spill.

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

- f. The water activity helps sustain agriculture & open space, or meets environmental or recreational needs.
- g. The water activity assists in the administration of compact-entitled waters or addresses problems related to compact entitled waters and compact compliance and the degree to which the activity promotes maximum utilization of state waters.
- h. The water activity assists in the recovery of threatened and endangered wildlife species or Colorado State species of concern.
- i. The water activity provides a high level of benefit to Colorado in relationship to the amount of funds requested.
- j. The water activity is complimentary to or assists in the implementation of other CWCB programs.

Continued: Explanation of how the water activity/project meets all applicable **Evaluation Criteria**.

Please attach additional pages as necessary.

With grant funding, ARCF will further the statewide priorities listed in the state’s water plan in the areas of watershed health, environment and recreation. Specifically, the Colorado Water Plan sets a measureable objective to cover 80% of the locally prioritized lists of rivers with stream management plans and watershed protection plans. These plans will address a variety of concerns including water quality impairments and potential impacts of legacy mines. The continuation of ARCF’s work into 2016 will allow ARCF to assist in the development and refinement of precisely these concerns affecting the Animas River watershed, particularly since the Gold King mine spill.

The water activity has environmental and recreational benefits as evidenced by the involvement of ARCF

stakeholders, who are representative of those interests. There is also a high level of benefit to Colorado as a whole to make use of the “lessons learned” from the Gold King mine spill. Many communities in Colorado on the Western Slope and the Front Range also have legacy mines in their watersheds and have voiced their concerns on how to mitigate and respond to inevitable future mine spills in their areas of the state. In addition to statewide citizens’ concerns, since the Gold King mine spill in August, this topic of mine spill impacts on watersheds and communities has also received considerable attention from the 2015 Water Resources Review Committee, legislative committee focused on water issues and policy in Colorado.

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 Animas River that was affected by the Gold King Mine spill includes the main stem of the Animas River from Cement Creek above Silverton to the New Mexico border. Water users with water rights or water use from the Animas River will benefit from the collaborative efforts of this group to share information, lessons learned, and develop short- and long-term strategies for improving water quality in the Animas River.

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

No permits are required for this project.

Animas Watershed Plan and the Upper Animas Use Attainability Assessment has provided significant detail to support the need for mine-related clean up and reclamation. While there is an incredible wealth of information provided into these plans, the implementation of them require constant and emergent information sharing as new data become available in light of the increasing water quality concerns in Cement Creek and the Gold King incident. The ARCF has identified a need for more active stakeholder engagement in the lower Animas watershed in order to fully accomplish either of these plans.

Southwest Basin Round Table, Basin Implementation Plan, 2015. Challenges related to historic mining and natural mineralization in the upper Animas River are listed as an on-going priority including improving water quality and aquatic habitats through collaborative processes (IPP 22-A, 23-A, 33-A). There is a significant need identified mine remediation and improving water quality and reducing sedimentation laden with heavy metals.

Southwest State-wide Water Supply Initiative 2010 Basin Report, by Southwest Basin Round Table. This project supports multiple goals for the Animas River watershed and Animas River Stakeholder Group goals, including (1) reducing sediment and metal loading, and (2) improving surface water quality and instream flows impacted by historic mining activities.

Southwest Water District Regional Five Basins Initiative, River Protection Working Groups. The River Protection Workgroup or “RPW” is a community-driven project in Southwest Colorado that covers five river and stream segments. The purpose of this multi-year project is to bring diverse stakeholders together in a collaborative process to determine values needing protection – ecological, economic and social; to recommend the types of tools necessary, either existing or newly-developed, to protect the values; and to make

recommendations and take action in the context of striking a balance between the protection of natural values and water development including the balance of legacy and future mining opportunities and impacts.

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 provide a detailed statement of work using the template in Exhibit A. Additional sections or modifications may be included as necessary. Please define all acronyms and include page numbers.

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.

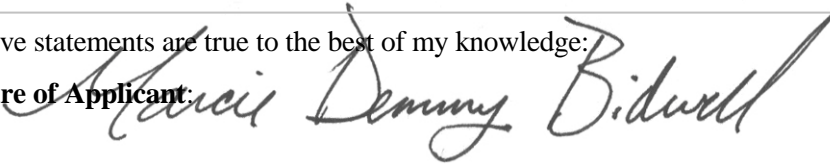
Final Deliverable: At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

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.

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

Signature of Applicant:



Print Applicant's Name: Marcie Bidwell, Mountain Studies Institute,

Project Title: Animas River Community Forum

Date: January 5, 2016

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)
craig.godbout@state.co.us

Appendix A- Scope of Work

WATER ACTIVITY NAME – Animas River Community Forum

GRANTEE and FISCAL AGENT (if different): Mountain Studies Institute

PRIMARY CONTACT: Marcie Bidwell, Executive Director

ADDRESS: 1309 E. Third Avenue, Durango CO, 81301

PHONE: Office: 970-387-5161; Direct Line: 970-426-8863

PROJECT NAME Animas River Community Forum

GRANT AMOUNT \$37,850

INTRODUCTION AND BACKGROUND

The **Animas River Community Forum (ARCF)** is a community group that formed in response to the Gold King Mine blow out in August to address concerns regarding response, recovery, and cohesive solutions for water quality in the Animas River. State Senator Ellen Roberts convened the group as she saw a need for the community(ies), including nonprofits, governments, citizens and business groups, to get involved in the issue working together; to learn from the experience; and to play a role in defining future actions including educating stakeholders from across Colorado and other audiences about the lessons learned.

OBJECTIVES

ARCF's overall objective is to: promote communication, coordination and collaborative action; foster public confidence; support resiliency in our communities; and enhance planning, improved public safety, and health for the future all while honoring the institutional authorities and decision making of governmental and community organizations. Specifically, we will:

1. Providing a bi-monthly forum for the communities of the Colorado Animas River to discuss issues, learn lessons, and build relationships necessary to recover from the Gold King Mine spill.
2. Organizing educational events and activities.
3. Working together to develop and maintain a Web site and other tools to share information.
4. Sharing with other parts of Colorado and the Rocky Mountain West.
5. Measuring and documenting success.

TASKS

The Animas River Community Forum will execute four main tasks: **Task 1 – Gold King Mine Spill Long-term Solutions**, **Task 2 – Community and Stakeholder Education**, **Task 3 – Monitoring and Data Gaps Assessment**, **Task 4 – Project and Coalition Management and Reporting**. Please refer to our

proposal for complete descriptions of the methods, techniques, and sequencing to be used. Tasks 1-3 will be managed by the Part-time coordinator (Task 4).

TASK 1 – Gold King Mine Spill Long-term Solutions- capture lessons, facilitate dialog

The ARCF will play a role in sharing and disseminating information related to the spill and its recovery.

Description of Task: The ARCF will share and disseminate information related to the spill and the recovery actions to a broad and diverse set of stakeholders to enable community dialog and coordinated action related to key issues: (1) working with elected officials across the watershed to explore long-term solutions to protect water quality in the Animas River watershed, especially related to legacy mining issues and mine waste; (2) understand the potential recovery actions including tools such as Superfund designation; (3) pursue the development of an all hazards update to integrate watershed and emergency response plans; and (4) provide information on “Good Samaritan” legislation and other larger, national actions.

Method/Procedure:

1. Work with Elected Officials to support a long-term solution to address the protection of the Animas River watershed by appropriately treating the mine waste. Included in this will be serving as a forum for understanding the Superfund process; a potential designation; and any follow up actions that will be taken by all local governments and relevant stakeholders. (Note: The Forum has not taken a position on Superfund one way or another, rather it supports dialog regarding multiple positions and sides represented within the group.)
2. Provide information to develop the concept of creating an all-hazards watershed plan. As local and state governments including public health and emergency response entities see fit, the group has discussed the utility and value of producing an all-hazards watershed plan. The specific framework, goals, etc. are to be determined but the plan, if it is produced, would address future spills or other threats to the watershed health. The concept would be to produce an integrated document that takes into account many disciplines and uses a model of community resiliency in watershed planning.
3. Support dialog regarding federal “Good Samaritan” legislation and the potential designation of sites in the Upper Animas basin on the National Priorities List. Educate forum members about any ways to get involved in the issue of mining remediation and water quality improvements. The ARCF will not take a position on Good Samaritan legislation or NPL designation, although its members may choose to do so individually.

Deliverables: Convene bi-monthly meetings, update website, promote events, maintain ARCF network and list serve

TASK 2 – Community and Stakeholder Education- inner basin and state-wide

Description of Task: The ARCF will provide venues for the community and stakeholders both within the basin and statewide to learn from the Gold King spill and benefit from the opportunities to learn about watershed risk, response, and recovery.

Method/Procedure:

1. Host a spring and August (anniversary) conferences/events: to learn about the Animas River’s current status; to share lessons learned; and to look to the future. Specifics about the conference date, audiences,

etc. are to be determined by the ARCF. The goal is to share information with other basins and stakeholders including anyone interested from across Colorado and/or the Rocky Mountain West.

2. Provide targeted information to specific user groups before the rafting, recreation and irrigation season related to accurate facts and information re: water quality.
3. Develop a communications plan to define key messages and meet public information needs
4. Form a speaker's bureau of key ARCF individuals and agencies who would be available to present to other communities/groups who are interested in learning from this event.

Deliverables: 1-2 conferences; communication plan, 2-3 educational talks/outreach series to share lessons from the spill and recovery process

TASK 3 – Monitoring and Data Gaps Assessment

A subgroup of the ARCF has formed to lead an analysis of gaps in data useful for assessing change in river system characteristics related to public health, public concerns, and ecosystem resilience in the Animas Watershed to the Colorado/New Mexico state-line. This group is being led by staff from the Animas Watershed Partnership and Colorado Parks and Wildlife. The geographic location is the Animas River Watershed (including tributaries) to New Mexico.

Description of Task: The analysis will inventory baseline information both historical (legacy) and current, and will identify priorities for new monitoring (i.e. parameters, locations, timing, etc.). The focus is on monitoring questions (yet to be defined) related to public health, public concerns, and ecosystem resilience.

Method/Procedure:

1. Determine management questions that would be used to guide data needs
2. Inventory existing baseline data including historical and current monitoring efforts
3. Identify priorities for new monitoring, including parameters, locations, frequency

Deliverables: Data inventory, report on data gap assessment, criteria for data evaluation, plan for data needs

TASK 4 – Project and Coalition Management and Reporting

Description of Task: The Forum has made a commitment to meeting for a year up to the one-year anniversary and then making an assessment if it is needed beyond this date. In order to accomplish what the group wishes to do, it is clear that a coordinator is needed to move beyond what the Forum has already accomplished. The Coordinator will be responsible for tracking expenses and income, managing funds, and reporting to funders on goals, accomplishments, and impact of the ARCF activities.

Method/Procedure:

1. Hire part-time Coordinator to guide the group in achieving its goals and activities in Tasks 1-3 (scope of

work will be upon funding to December 2016)

2. Manage funds and track in-kind contributions
3. Complete reports and evaluate impact

Deliverables: part-time coordinator, bi-monthly meetings, monthly communication, news briefings via website and enews, current events, evaluations, biannual reports to CWCB, final report

REPORTING AND FINAL DELIVERABLE

Reporting: ARCF 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, ARCF shall provide the CWCB a final report that summarizes the project and documents how the project was completed.

BUDGET

ARCF respectfully requests \$34,850 from WSRA to complement \$ 17,000 in matching cash and \$25,920 in-kind funding from our partners and volunteers (total budget \$80,770, 53% match). To secure a cash match, we will pursue matching funds from Department of Local Affairs, municipal partners, tribes, federal partners, and business sponsorships. Sources of in-kind contributions are from ARCF participants and partners, including MSI, Animas Watershed Partnership, San Juan Basin Health, Trout Unlimited, and 20 others. In-kind is valued at \$24/hr, independent sector rate, based upon 25 participants volunteering an average of 2 hrs/month for 1 year.

		CWCB Funds		Match	In-kind	Totals
Task	Description	Labor*	Materials, Travel, Expenses	Match Cash Funds	Volunteers, Entities, Etc	
1	Gold King Mine Spill Long Term Solutions	\$ 7,250	\$ 500	\$ 3,000	\$ 7,200	\$ 17,950
2	Community and Stakeholder Education	\$ 7,250	\$ 1,500	\$ 8,000	\$ 5,760	\$ 22,510
3	Monitoring and Data Gaps Assessment	\$ 7,250		\$ 3,000	\$ 7,200	\$ 17,450
4	Project and Coalition Management	\$ 13,100	\$ 1,000	\$ 3,000	\$ 5,760	\$ 22,860
	TOTALS	\$ 34,850	\$ 3,000	\$ 17,000	\$ 25,920	\$ 80,770
	TOTAL REQUEST		\$ 37,850			

SCHEDULE

Task	Description	Target Start Date	Target Completion Date
1	Gold King Mine Spill Long Term Solutions	NTP	12/31/2016
2	Community and Stakeholder Education	NTP	12/31/2016
3	Monitoring and Data Gaps Assessment	NTP	10/31/2016
4	Project and Coalition Management	NTP	12/31/2016

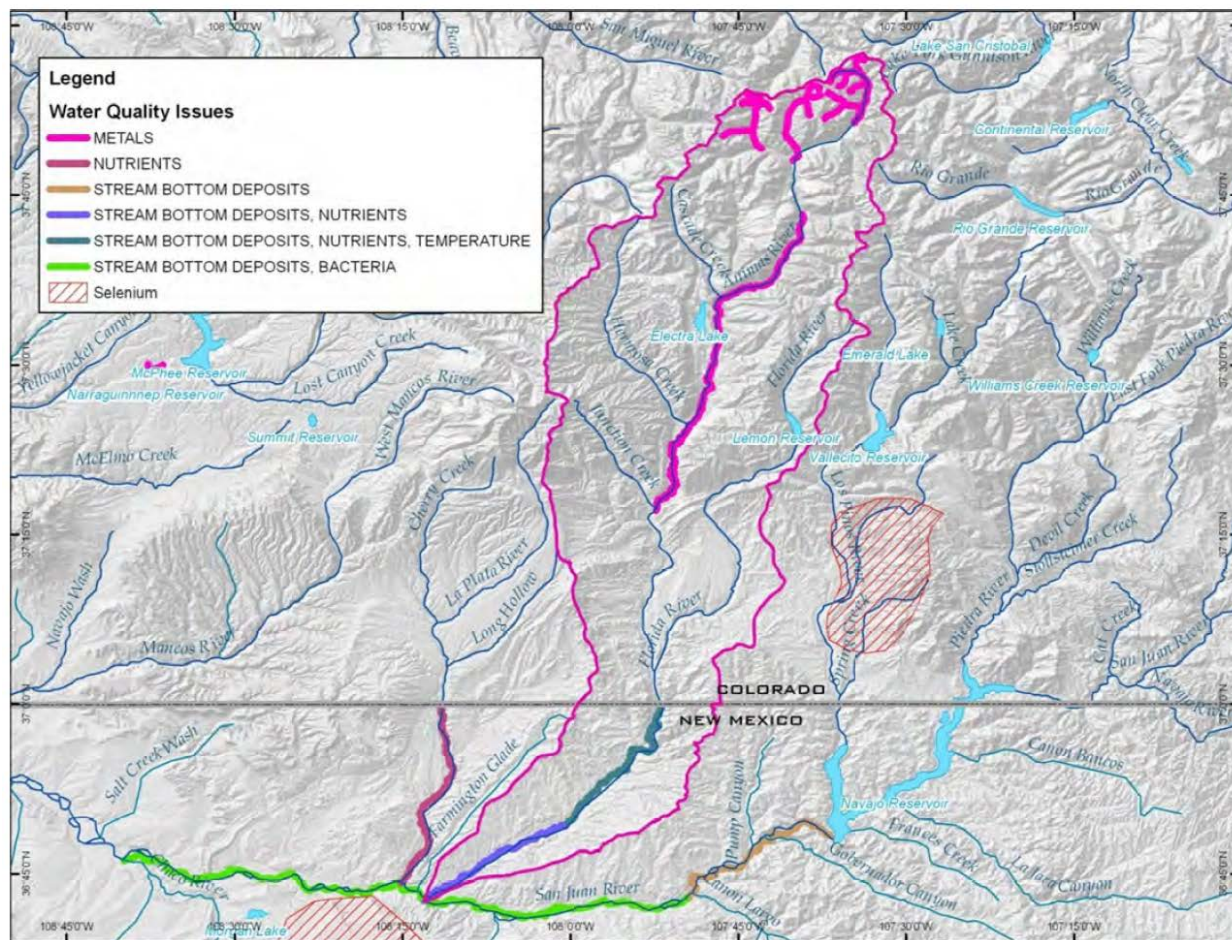
Appendix B- Map of Project Area

Figure 1: Map of the Animas Watershed from Upper Animas Mining District to San Juan Confluence

Appendix C- Community Partner Document
Can be found on the project website