



COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM

Today's Date: June 29, 2016

Arkansas Basin Roundtable BIP Coordinator (year 2)

Name of Water Activity/Project

Huerfano County Water Conservancy District

Name of Applicant

Arkansas Basin

Amount from Statewide Account:

\$40,533

Amount from Basin Account(s):

20,267 [1/3]

Total WSRA Funds Requested:

\$60,800

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

FEIN: 84-0935026

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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)
- 5. Synopsis of BIP Coordinator Activities, October 2015 through April 2016.
- 6. Emails commending BIP work

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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 (CWCBC). 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 CWCBC 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 CWCBC 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):	Huerfano County Water Conservancy District (HCWCD)		
	Mailing address:	P.O. Box 442 La Veta, CO 81055		
	FEIN #:	84-0935026		
	Primary Contact:	Michael D. (Sandy) White	Position/Title:	President
	Email:	sandy@white-jankowski.com		
	Phone Numbers:	Cell: 720-635-9403	Office:	719-742-6164
	Alternate Contact:	Carol Dunn	Position/Title:	District Administrator
	Email:	cdunn@cad-1.com or hcwcdistrict@gmail.com		
	Phone Numbers:	Cell: 719-989-7259	Office:	719-742-3597

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 Huerfano County Water Conservancy District (HCWCD or District), formed by court decree in 1971, responds to local and regional needs by protecting and stabilizing the county's water resources, including the Huerfano and Cucharas Rivers, tributary streams and groundwater. The District actively participates in the Arkansas Basin Roundtable (ABRT) and is pleased to be able to act as the applicant and fiscal agent for this grant to fund the ABRT's BIP Coordinator. While other Roundtable members may be of much wider influence, the HCWCD has the good fortune to have been de-Bruced, making it an ideal fiscal agent, i.e. one without TABOR limitations.

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

There are no relevant TABOR issues affecting the applicant.

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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.

Now in its second year, this project will continue to implement solutions to basin needs as identified in the 2015 Arkansas Basin Implementation Plan, to educate basin citizens on the Ark BIP and to expand the potential for funding of projects.

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: 38.2544° N

Longitude: 104.6091° 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.

With modifications born of experience, this activity continues the ABRT's BIP Coordinator's position for a second year. Engaged and supervised by the roundtable's Executive Committee, that part-time position carries out the 2015 Arkansas BIP by facilitating Identified Projects and Processes contained in the BIP Master Needs List established and updated by the Roundtable. Special emphasis is given to assisting disadvantaged communities, typically small, rural, and poor communities which have a significant need but lack the institutional capacity to define and manage projects and, frequently, do not have the financial ability to retain grant writers and project managers.

During the position's initial year, the Coordinator's charge was to move 3-6 subregional projects forward to funding and implementation together with outreach functions. In doing so, as shown more specifically in **Appendix 5**, the Coordinator participated in the preparation of the following projects, *inter alia*: Fort Lyons Tail Water Study, Upper Ark Multi-Use Project, East Otero County Phreatophyte Control Project; North La Junta Flood Mitigation Project, McClave Water Line Repair, Purgatoire Ditch Infrastructure Repair, and Fountain Creek Transit Loss Software Update. In addition, the Coordinator updated the ABRT's data base and provided support to the AWRC Coordinator, the CWCB Finance Committee regarding funding options, the PEPO working group, and the Arkansas River Basin Water Forum. Notes of commendation are included in **Appendix 6**.

During the second year, BIP Coordinator will support the Roundtable and manage projects in moving an additional 3-6 projects to funding and implementation. As during the first year, the Coordinator will be supervised by the ABRT's Executive Committee. This year, however, one committee member will be designated as the Coordinator's "Point of Contact" (POC) and will be charged with addressing issues raised by the Coordinator that must be taken care of between monthly committee meetings.

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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 project will not supersede, abrogate, or otherwise impair the State's current system of allocating water within Colorado nor does it in any manner repeal or amend the existing water rights adjudication system. The project does not affect the State Constitution's recognition of water rights as a private usufructuary property right nor is it 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.

- 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.

Chairman's letter under separate cover.

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.
- 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 by 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)

Matching requirements are met by the 33-1/3% requested from Basin Funds and the \$4,500 of in-kind match represented by the ABRT's Executive Committee's engagement and supervision of the Coordinator.

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. 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).

In its second year, this activity will continue to foster greater cooperation by and between the Arkansas Basin Roundtable and other public bodies (especially local governments including municipalities and districts), non-governmental organizations, and state and federal agencies in implementing projects to meet the needs of the 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.

This activity will continue to move multi-benefit projects forward from the Concept or Planning stage to project implementation. By convening and educating Arkansas basin stakeholders about the 2015 Arkansas Basin Implementation Plan, traditional and non-traditional water interests will meet in person to collaborate on addressing existing basin needs.

- 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.

This activity will continue existing processes which result in project identification and implementation: (1) to maintain and update the Arkansas Basin Projects Database, and (2) to coordinate this water activity with the process underway by the Arkansas River Watershed Collaborative, the ABRT PEPO Working Group, and the Arkansas River Basin Water Foundation. All projects will originate from the Preliminary Needs List as developed in the 2015 Ark BIP, as it may be from time-to-time revised by the Roundtable.

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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).

This water activity is focused exclusively on moving projects into an implementation phase. Absent an Implementation Coordinator, the volunteer cadre of Arkansas Basin Roundtable members is unable to drive projects forward in a regional or collaborative model particularly when disadvantaged communities are involved.

- 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.

From the basin account, the Roundtable will provide one-third of the cash funding for this position. Because the BIP is a portion of the Colorado Water Plan, it is appropriate that two-thirds of the cash funding will come from the state-wide account. In addition, an in-kind match of \$4,500 will come from the members of the ABRT Executive Committee, particularly its point of contact, in the supervision of the Coordinator.

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.

This water activity targets agricultural, environmental and recreational needs via multi-purpose projects implemented on a regional basis – all as described in the 2015 Arkansas BIP.

- 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.

This water activity will bring regional approaches to regional challenges like restoration and preservation of storage. Many historic water storage vessels that pre-date the Arkansas River Compact are in jeopardy of losing decreed storage capacity. Regional collaboration in developing cost effective solutions that preserve pre-compact water rights is fundamental to promoting 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.

This water activity is specifically targeted at inclusive problem solving and implementation of multi-purpose solutions that encompass threatened or endangered species like the Greenback Cutthroat Trout or the Arkansas Darter on Fountain Creek.

- i. The water activity provides a high level of benefit to Colorado in relationship to the amount of funds requested.

The targeted activity is focused on small entities which are unable to develop and execute strategies to address local water resource issues without assistance. Addressing local and

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regional challenges prior to potential catastrophic consequences provides a substantial benefit well in excess of the funds requests. This water activity also sustains and increase momentum for meeting the needs of the Arkansas Basin through the Roundtable by supporting roundtable activities, like keeping the Needs Data Base current on the Roundtable's website.

- j. The water activity is complimentary to or assists in the implementation of other CWCB programs.

The Educate and Convene task is intended to meet the Roundtable's statutory charge to: "Serve as a forum for education and debate regarding methods for meeting water supply needs," hence supporting the CWCB Public Education and Public Outreach program. The project management component is intended to further the goals and objectives of the Environmental Section of CWCB. The roundtable-to-roundtable outreach is intended to support the roll-out of Colorado's Water Plan by making the Needs Data Base and Report Generator methodology available to other roundtables at their discretion.

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

Please attach additional pages as necessary.

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.

This water activity is a basin-wide approach to meeting local or regional challenges. Individual project activities will identify specific water bodies and permitting issues.

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

2015 Arkansas Basin Implementation Plan

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.

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

Signature of Applicant:


Michael D. (Sandy) White, President

Print Applicant's Name: Huerfano County Water Conservation District
Project Title: ABRT BIP Coordinator Position

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)
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