



# COLORADO

## Colorado Water Conservation Board

Department of Natural Resources

John W. Hickenlooper  
Governor

Robert Randall  
DNR Executive Director

James Eklund  
CWCB Director

### November 16 -17, 2016 Board Meeting Agenda

A meeting of the CWCB will be held on Wednesday, November 16, 2016 commencing at 8:30 AM and continuing through Thursday, November 17, 2016. The meeting will be held at the Denver Metro Chamber of Commerce, located at 1445 Market St, Denver, CO 80202.

The CWCB posts notice 30 days in advance of each regularly scheduled meeting. Notices for special meetings are posted on the website typically within five business days and not less than 24 hours of such a meeting. Notices of regular and special meetings may also be received by email. To receive notices by email please visit: <http://cwcb.state.co.us/Pages/CWCBIBCCInsider.aspx>.

Although dates and times are indicated in this notice and in the following agenda, the CWCB may address and take action on noticed items in any order. Any known changes to the agenda will be announced at the beginning of the meeting. This notice, any late notice(s) of additional items, and briefing memos prepared for the CWCB will be posted at 1313 Sherman Street, Suite 721, Denver, CO 80203, and on our website at [www.cwcb.state.co.us](http://www.cwcb.state.co.us).

The CWCB's meetings are made available through live audio streaming, although Board workshops are not. To listen to the proceedings, click the "Listen to the meeting LIVE!" link on the CWCB website homepage. The link will be posted just prior to the start of the meeting. Listeners must have a program on their computer or mobile device that handles streaming media (such as Windows Media Player, RealPlayer or similar) in order to hear the audio broadcast.

PowerPoint presentations are also being made available to the public. To watch presentations that accompany agenda items, click the "Watch Presentations" link on the CWCB website homepage. You will encounter a few dialogue boxes: 1) click Run for the See-and-Share loader, 2) click Run, to run the software, and 3) enter your name to join the conference and click ok.

The CWCB encourages citizens to express their views and provide feedback to the Board on the agenda items. This can be done by sending an email to [allison.franz@state.co.us](mailto:allison.franz@state.co.us), by sending a letter to a Board member or to the Chair of the Board, or by attending the meeting. If you attend a meeting, simply fill out a comment sheet and give it to the Board Coordinator at the recording station. The Board will appreciate hearing your views when it reaches that agenda item. If you have any questions, need special accommodations as a result of a disability, or require further information on any CWCB activity, please contact Allison Franz at 303-866-3441, ext. 3249. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).



## **Wednesday, November 16, 2016**

- 8:30 - 8:32                      **CWCB Call to Order and Pledge of Allegiance**
- 8:32 - 8:34                      **1. Review and Approve Agenda**
- 8:34 - 8:36                      **2. Review and Approve September 20 - 22, 2016 Board Meeting Minutes**
- 8:36 - 8:38                      **3. Approve and/or Remove Consent Agenda Items**
- 8:38 - 8:40                      **4. Proposed Board Meeting Dates in 2017**
- a. January 23 & 24              Denver Tech Center
  - b. March 22 & 23               South Platte Basin
  - c. May 17 & 18                  Southwest Basin
  - d. July 19 & 20                  Gunnison Basin
  - e. September 19 - 21          North Platte Basin
  - f. November 15 & 16          Denver Metro Area
- 8:40 - 9:15                      **5. Directors' Reports**
- a. DNR Executive Director
  - b. IBCC Director
  - c. Agriculture Commissioner
  - d. CWCB Director
  - e. State Engineer
  - f. Division of Parks and Wildlife Director
  - g. Water Resource and Power Development Authority
- 9:15 - 10:15                      **6. Colorado's Water Plan Update**  
*Water Supply Planning Section*
- 10:15 - 10:30                      **BREAK**
- 10:30 - 11:30                      **7. Financial Matters - Construction Fund and Severance Tax Perpetual Base Fund**  
*Finance Section*
- a. Annual Financial Statements
  - b. Severance Tax Funds - Restrictions Update
  - c. Financial Projections and Cash Management Report
  - d. Financial Policy #11 Change
  - e. Financial Policy #17 Change
- 11:30 - 12:00                      **8. S. Platte Phreatophyte Study Update (SB195)**  
*Interstate, Federal & Water Information Section*

12:00 - 1:00

**LUNCH**

1:00 - 2:50

**9. 2017 Projects Bill**

*Finance Section*

- a. Colorado Water Plan Funding
  - 1. Water Supply Reserve Fund - Supplemental Funding
  - 2. Colorado Watershed Restoration Program Funding
  - 3. Water Plan Implementation Funding
  - 4. Creation of a Loan Guarantee Fund
- b. Non-Reimbursable Project Investments “En-Bloc” Approval
  - 1. Flood & Drought Response Fund - Refresh
  - 2. Colorado Floodplain Map Modernization Program
  - 3. Satellite Monitoring/Maintenance Program
  - 4. Litigation Fund Budget - Refresh
  - 5. CDSS Operation and Maintenance
  - 6. Feasibility Study Small Grant Fund - Refresh
  - 7. Colorado Mesonet Project
  - 8. Water Forecasting Partnerships Project
  - 9. Fish & Wildlife Resources Fund (37-60-122.2) - Refresh
  - 10. Alternative Agricultural Transfer Methods (ATMs) Grant Program
- c. Non-Reimbursable Project Investments - Presentations
  - 1. Weather Modification Permitting Program
  - 2. Tech Assist. for Federal Irrigation Improvement Cost-sharing
  - 3. Colorado Water Loss Control Initiative
  - 4. Non - Potable Water Reuse Regulation Funding
- d. Large Water Project Financing Authorization
  - 1. Northern Colorado Water Conservancy - Municipal Sub District - Windy Gap FIRMing Project
  - 2. Rio Grande Cooperative Project - Funding Increase

2:50 - 3:20

**10. Success Stories - Colorado Hazard Mapping Program in Colorado Watersheds**

*Watershed and Flood Protection Section*

3:20 - 3:35

**11. Water Efficiency Grant Application, Town of Frisco**

*Water Supply Planning Section*

3:35 - 4:05

**12. Statewide Water Supply Initiative (SWSI) Update**

*Water Supply Planning Section*

4:05 - 4:20

**BREAK**

4:20 - 4:30

**13. Water Supply Reserve Fund (WSRF) Grants**  
*Water Supply Planning Section*

WSRF Application for Consideration at the CWCB November 2016 Board Meeting				
Basin		Applicant		Name of Water Activity
a.	Yampa/White/Green	Maybell Irrigation District		Maybell Ditch Improvement Project
WSRF Change of Fiscal Agent for Consideration at the CWCB November 2016 Board Meeting				
Basin		Original Fiscal Agent	Proposed Fiscal Agent	Name of Water Activity
b.	Gunnison	Trout Unlimited	Upper Gunnison River Water Conservancy District	Elk Home Ditch Improvement & Steuben Creek Flow Restoration

4:30 - 5:00

**14. Water Project Loans**  
*Finance Section*

- a. Town of Firestone - Storage Development and Water Rights Purchase
- b. Orchard Mesa Irrigation District - Grand Valley Power Plant Rehabilitation
- c. Grand Valley Water Users Association - Grand Valley Power Plant Rehabilitation

5:00 - 5:15

**15. Proposed Revisions to the 1921 Irrigation District Act**  
*Finance Section*

**RECESS**

**Thursday, November 17, 2016**

8:30 - 9:30

**16. Basin Directors' Report**

- a. Colorado River (Mainstem) Basin Director's Report
- b. San Juan/San Miguel-Dolores River Basin Director's Report
- c. Gunnison River Basin Director's Report
- d. North Platte River Basin Director's Report
- e. South Platte River Basin Director's Report
- f. Arkansas River Basin Director's Report
- g. City and County of Denver Director's Report
- h. Rio Grande River Basin Director's Report
- i. Yampa-White River Basin Director's Report

9:30 - 9:35	<b>17. Attorney General's Report, Legal Briefing, and Executive Session</b>
9:35 - 9:50	<b>BREAK</b>
9:50 - 11:00	<b>18. Executive Session</b> <ul style="list-style-type: none"> <li>a. Windy Gap Connectivity Channel Water Rights Application</li> <li>b. Bear Creek Lake Reallocation Water Rights Application</li> <li>c. Case No. 14CW3127 (Bear Creek Lake Diligence Application)</li> <li>d. Poudre River Instream Flow Augmentation Plan Proposal</li> <li>e. Colorado River Matters <ul style="list-style-type: none"> <li>• Negotiations with Mexico on Minute 32x</li> <li>• Drought Contingency Planning</li> </ul> </li> <li>f. Proposed "St. Jude's" Legislation - Potential Legal Implications and Impact on CWCB's Authority</li> <li>g. Sale of Chatfield Environmental Pool Shares</li> </ul>
11:00 - 11:02	<b>19. Report from Executive Session</b>
11:02 - 11:12	<b>20. Notice of 2017 Instream Flow Recommendation Appropriations in Water Divisions 2, 4, 5, 6 and 7</b> <i>Stream &amp; Lake Protection Section</i>
11:12 - 11:35	<b>21. Presentation by the Nature Conservancy District Regarding Revenue Generation Study</b> <i>Finance Section</i>
11:35 - 11:50	<b>22. CWCB Reservoir Dredging Program - Grant Program Guidance</b> <i>Finance Section</i>
11:50 - 12:10	<b>23. Chatfield Reservoir Storage Project New Member Buy-In Fee</b>
	<b>ADJOURN</b>

## **CWCB Consent Agenda November 16 - 17, 2016**

Matters may be placed on the Consent Agenda when the recommended action follows established policy or precedent, there has been a negotiated settlement, or the matter is uncontested and non-controversial. Staff provides memos to CWCB members explaining the matters on the Consent Agenda. Matters on the Consent Agenda are noticed for hearing in the same manner as other agenda items. If a member of the CWCB requests further consideration of an item on the Consent Agenda, the item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without reading or discussing individual items. Any CWCB member may request clarification about any matter on the Consent Agenda.

### **1. Statements of Opposition**

#### *Stream & Lake Protection Section*

The Board will be asked to ratify Statements of Opposition that have been filed by staff to protect instream flow and natural lake level water rights in the following water court cases:

- a. Case No. 16CW3056 (Water Division 2) : Application of Colorado Springs, Acting Through Colorado Springs Utilities
- b. Case No. 16CW3063 (Water Division 5) : Application of Maroon Creek Limited Liability Company

### **2. Change to Existing Loan**

#### *Finance Section*

- a. West Reservoir and Ditch Company - Repair of West Reservoir No.1 Outlet Works