

IBCC Colorado River Basin

1. January 22, 2018 CBRT Minutes.

1. **January 22, 2018 CBRT Minutes** – Integrated Water Management Plan grant requests by Middle Colorado River Watershed Council and Eagle River Watershed Council; Clifton Water Treatment Plant tour; Orchard Mesa Irrigation District tour.
2. **Next Meeting: Mar. 22, 2018, Glenwood Springs Community Center, 12:00 – 4:00.**
3. Upcoming Meetings
 - a. February 20, IBCC Meeting, Denver Marriott West.
 - b. February 26, 2018, Next Steps Committee, Colorado River District
 - c. March 26, 2018, Roundtable meeting Glenwood Springs Community Center
 - d. April 24, 2018, 4-basin joint West slope roundtable meeting
4. Reporter: These minutes were prepared by Ken Ransford, Esq., CPA, 970-927-1200, ken@kenransford.com.
5. **CBRT Members Present:** Kim Albertson, Art Bowles, Paul Bruchez, Stan Cazier, Kathy Chandler-Henry, Carlyle Currier, Angie Fowler, Mark Fuller, Karl Hanlon, Dan Harrison West Divide Water Conservancy District, Diane Johnson, Merritt Linke, Ed Moyer, Ken Neubecker, Chuck Ogilby, Jim Pokrandt, Ken Ransford, David Reinertson Clifton Water, Rachel Richards, Karn Stiegelmeier, Mike Wageck, Lane Wyatt
6. **Guests:** Jeff Bandy Denver Water, Nathan Bell of Bell Consulting LLC, Don Chaplin Roseman Ditch, Liz Chandler, Matt Currey of Mays Construction, Peter Dodd Southside Irrigation District, Scot Doderio SWCD, Sara Dunn Esq. Balcomb and Green, John Eklund City of Grand Junction, Garrett and Jerry Eller, ranchers, Gary Erpestal Holy Cross Cattlemen, Gary Galloway Holy Cross Cattlemen, Brent Gardner Smith, David Graf, Amy Hadden Marsh KDNK, Paige Haderlie Holy Cross Cattlemen, Hannah Holm CMU, Tara Hosick Climax Molybdenum Mine, Donna Gray, Mid Colo Watershed Council, Nate Higginson Middle Colo Watershed Council, Megan Holcomb CWCB, Jonathan Kelly Wright Water Engineers, Randi Kim, City of Grand Junction, Eric Kuhn, Heather Lewin Roaring Fork Conservancy, Brendon Langenuizen SGM, Holly Loff Eagle River Watershed Council, Dave Merritt, Dick Morgan and Terry Porter of the Southside Irrigation District, Laurie Rink Middle Colorado Watershed Council, Wendy Ryan Colorado River Engineer, Charles & Angela Ryden Bookcliff Conservation District, Scott Schlosser Haymeadow real estate development, Max Schmidt Orchard Mesa Irrigation District, Scott Schreiber Wright Water engineers, Jordan Soldano Denver Water, Kent Whitmer, Middle Park Water Conservancy District,
7. **River Forecast.** The Colorado River at Dotsero is covered in ice so no reading was available; the median flow is 900 cfs on this date. The Colorado River is flowing 1,500 cfs at Cameo, lower than the median flow of 1,530 cfs on this date.

8. **Snowpack.** The **upper Colorado river basin is 78%, the So. Platte basin is 90%, and the Southwest is only 50% of normal.** Jim Pokrandt presented a graph indicating the Colorado River Basin snowpack is tracking the 2012 drought year. Storms have been heading north, and the Wind River Range has high snowpack. The runoff into Lake Powell is predicted to be 54% of normal. A high-pressure ridge is sending the storms north, resulting in cold temperatures in the Midwest and more snow in the East.
 - a. **The Vail SNOTEL** site just registered 50%, the lowest on record.
9. **WSRA Balance.** The CBRT WSRA Basin Account balance is \$556,520, including reserves set-aside for \$20,000 for an educational project, and \$150,000 for a basin wide project, leaving \$386,520 available to distribute as grants. The statewide fund has \$240,957; it received \$1.9 million more in January, and the CBRT WSRA received \$133,000. Upcoming grant requests include:

\$103,800	Middle Colorado stream management plan
\$75,000	Eagle River stream management plan
\$20,000	Carbondale river restoration project on the Weaver Ditch
\$85,000	Agricultural grant request from 3 Conservation Districts to fund agricultural consumptive use analysis in the Middle Colorado River
\$37,500	Roaring Fork Conservancy for RF Watershed Interactive Information System
<u>\$30,000</u>	Eller Family Request
\$351,300	Total pending grants
10. **Megan Holcomb, CWCB, update on state funding.** WSRF is a Tier 2 program, funded by severance tax, which fluctuates with oil and gas production. The Colorado Supreme Court ruled that BP Petroleum overpaid severance tax, so Tier 2 programs will receive less funding. The disbursement scheduled for April 1, 2018, may be withheld. The forecast for the next 3 years is not good. The CWCB is hoping for replacement funding from the General Fund in the Projects Bill.
 - a. **Rachel Richards** said that legislators at the statehouse are recommending that all extra money in the General Fund be earmarked for transportation.
 - b. **Jim Pokrandt said that** annual funding is \$10m per year for all roundtable and IBCC activities. He said the work is important and should receive permanent funding.
 - c. **Megan Holcomb said** that a working group has formed to try to find permanent funding for this process.
11. **Six themes in Colorado River basin roundtable's basin implementation plan:**
 - a. Ecosystem health – protect and restore streams and riparian areas.
 - b. Agriculture – sustain, protect and promote agriculture.
 - c. Safe drinking water – secure and protect safe drinking water.
 - d. Conservation – ensure a high level of basin-wide conservation.

- e. Land use – develop local water conscious land use strategies.
- f. Basin administration – assure dependable basin administration of Shoshone and Cameo calls to keep water in the Colorado mainstem.

12. **History of the Eagle River MOU, John Currier and Diane Johnson.**

- a. The MOU addresses the upper Eagle River watershed including Eagle River and Homestake creek. The original plan was to bring capture additional water in Homestake Reservoir to send it through the **5.3-mile tunnel from Homestake Reservoir to Turquoise Reservoir**. Initially, a ditch was going to capture all water in the drainage below Eagle Park Reservoir drainage and shunt it to Tennessee Pass and the East Slope. None of this was ever built.
- b. The **Homestake II Project proposed in 1980 would have captured all water draining off the north side of Homestake creek as well as in the East Fork of the Eagle River**. Together, it would have **yielded 75,000 acre-feet** per year. Most was never built, and only about 25% of the contemplated yield was developed.
- c. Homestake II would have tunneled under the wilderness area, with little surface impact. The cities of Aurora and Colorado Springs obtained a statutory exemption to build Homestake II reservoir including RODs (Records of Decision) from the US Forest Service and Army corps of engineers. **But in 1988 Eagle County denied the 1041 permit**, and in 1994 the Colorado court of Appeals upheld the county's denial. The **U.S. Supreme Court refused to hear the case in 1995**, and that ended the court appeals.
- d. In 1993 the Eagle River Assembly was formed; Dick Gustafson, an Eagle County Commissioner and Colorado River District board member, asked the River District to broker a deal. The Eagle River Assembly included **towns in the Eagle River basin, water suppliers, Vail, Climax, and Aurora, Colorado Springs, Denver, and Pueblo**. One of the outcomes **was a goal to enhance stream flows to the Eagle River**, including 5,000 to 10,000 af for municipal consumption and environmental base flows.
- e. John Currier considers **the current stream management plan** that Holly Loff is requesting that the CBRT fund as the **"Eagle River Assembly, Phase 2."**
- f. The MOU is a contractual obligation between the parties to develop a joint use water project in the Upper Eagle River that minimizes environmental impacts, is cost effective, and meets the anticipated yield. The reservoir company would get 10,000 af in a dry year, for West slope uses, while the **Front Range cities would get average yield of 20,000 af** (meaning they take **more than 20,000 in wet years** to make up for shortages during dry years). The source of this water is 65,000 af from Homestake, and 10,000 acre-feet from the Eagle Arc (the upper headwaters of the East Fork of the Eagle River dropping down from a reservoir just west of the Climax tailings ponds).

- g. **Eagle Park Reservoir will be enlarged** from 3,148 af to 7,000-8,000 af; the reservoir is wholly located on the Climax Mine site, which is private property—the enlarged reservoir would cover land that has already been impacted. The reservoir is at the top of the divide, above the East Fork of the Eagle River. Water will be pumped up from the Eagle River to the Eagle Park Reservoir.
 - h. The Eagle River Water and Sanitation District (**ERWSD**) **has spent over \$300,000 to create a CDSS model for Upper Eagle River water rights**. Diane Johnson said this enables the ERWSD to coordinate Eagle River diversions in low water years to the river doesn't fluctuate too erratically.
 - i. **Aurora, Colorado Springs, and the ERWSD**, all members of the Eagle River MOU group, all **strongly support Holly Loff's grant application** for a stream management plan.
 - j. A more detailed presentation by John Currier is available on the Colorado River District website.
 - k. J.P. Elliot was an engineer from Cedaredge who dreamed up these projects in 1952 as an alternative to Denver Water's Blue River Project.
13. Holly Loff, Executive Director of the **Eagle River Watershed Council**, presented a **CBRT WSRA Basin Account request for \$75,000 for an Integrated Water Management Plan** covering the upper Colorado River and the Eagle River. The Next Steps committee has recommended approval.
- a. Diane Johnson made a motion to approve, Kathy Chandler Henry seconded it, and **the grant request was approved unanimously**.
14. Laurie Rink, **Middle Colorado River Watershed Council**, **\$103,800 grant request** for a stream management plan for the Middle Colorado River.
- a. **Paul Bruchez asked whether the** Middle Colorado, Mount Sopris, and West Divide **Conservation Districts would provide a letter of support** for the stream management plan.
 - b. Sara Dunn, attorney with Balcomb & Green, said that they have been **unable to meet** to decide whether to issue letters of support, **blaming the federal government shutdown** in part for this. She said they would do their own consumptive use analysis, and create a parallel report. Scott Doderro said that he was concerned the conservation districts would not sign this letter.
 - c. **Karl Hanlon**, CBRT roundtable member and candidate for Representative Scott Tipton's house seat in Congressional District 3, asked if these 2 reports, the Middle Colorado **stream management plan and the agricultural consumptive use analysis, would be coordinated**, and whether the consumptive use report would be affect the non-consumptive use report that Laurie Rink is managing. Laurie shad that this has made the project larger.

- d. Laurie said **the stream management plan is focusing on the tributaries** because that is where the agricultural use and the consumptive needs are.
 - e. **Merritt Linke recommended tabling the grant vote** until Laurie has had a chance to work out the agricultural community's concerns. Jim Pokrandt said they have reached out to the agricultural community, but there is not complete accord. A participant representing the agricultural community recommended that they table this grant request until the Conservation Districts have made their grant decisions; Karl Hanlon agreed with this recommendation. Therefore, the grant vote was tabled until after the Conservation Districts have met and decided whether to fund the consumptive use studies.
 - f. The CWCB staff has recommended to fully fund this request, which is for 50% of the total grant; it approved it on January 23, 2018. The CBRT Roundtable is being asked to fund 25% of the total grant.
15. **Weaver Ditch diversion improvement project in Carbondale.** Ken Neubecker and Heather Lewin of the Roaring Fork Conservancy discussed the Town of Carbondale's grant request for **Crystal River restoration**. This proposal is a scaled down version from an earlier project to improve the riparian corridor through the River Valley Ranch subdivision in Carbondale.
- a. The purpose of the grant is to **improve the headgate and diversion structure, and to develop an educational center for local Carbondale schools** to see how an efficient diversion structure can improve stream flows and the riparian corridor. They have received preliminary approval from the CWCB for a Stream Management Grant (after the roundtable meeting, the CWCB voted on Jan 23, 2018, to approve it), Carbondale is contributing \$20,000, and the Aspen Skiing Company environment foundation recommended \$9,300. GOCO is being asked for \$50,000.
 - b. Mark Fuller recommended approval, Lane Wyatt seconded it, and it was **approved unanimously**.
16. **Conservation District grant request discussion for consumptive use grant, Nathan Bell.** Conservation Districts were formed in 1937 to provide help to local farming groups from the federal government during the Depression. They want to provide a platform that the agricultural community is comfortable with so there are no unknowns.
- a. **There are 3 boards, with 5 members each, all serving as volunteers.** They decided to hire a consultant to convene meetings, and shepherd the planning process. They plan to hire a consultant in the spring, and get it funded in April-May. They will make grant applications to the CBRT, Garfield County, the Colorado Cattlemen's Association, ditch companies, and industry.
 - b. **They have put together a grant application** for the Middle Colorado region, which irrigates **50,000 acres of hay between Eagle and De Beque**. Hay is grown today, but historically, more corn and sugar beets were grown.

- c. **9 goals of the agriculture consumptive use study.**
- i. **Determine irrigated acreage** in study area, and what crops are being grown.
 - ii. Determine the **number and location of diversion structures.**
 - iii. **Catalog structures with** groupings based on a range of **CFS diverted.**
 - iv. Determine the **total length of ditches** in the planning area.
 - v. **Determine needed** treatment, **upgrades**, repairs and potential hazards.
 - vi. **Prioritize projects** including urgency, quantity, size, costs, and identify funding sources for the agriculture producers.
 - vii. **Examine water needs for** future new **crops** or reintroduction of historic crops.
 - viii. **Ascertain water quality** for agriculture and in receiving waters to determine the **sources of any contaminants.**
 - ix. Develop a plan to help **preserve** agricultural water, **agricultural production**, and to protect or improve **stream health.**
- d. Sara Dunn said much of **this work will take place on the tributaries**, since this is where most agricultural production now occurs in the region. This study will **take 2 years to accomplish.**
- e. The **grant request is for \$85,000.** Matching grants are coming from:

Organization	Cash	In kind
Bookcliff Conservation District	20,000	10,000
Mt. Sopris Conservation District	20,000	10,000
Southside Conservation District	20,000	10,000
Garfield County Farm Bureau	5,000	
Grand River Ditch	2,000	
Garfield County Commissioners	25,000	
Ditch Owners		55,000
NRCS		10,000
Total budget	92,000	95,000

- f. Angie Fowler said she believes this is the correct model, having a parallel water plan being done by the agricultural community.

- g. Carlyle and Stan Cazier recommended earmarking funds for the agricultural consumptive use grant application. The CBRT roundtable approved the \$103,800 grant application for the Middle Colorado Watershed Council, and also reserved \$100,000 to support the Conservation District consumptive use study, to be voted upon at the March roundtable meeting. Ken Neubecker seconded the motion, and it passed unanimously.
 - h. Brent Gardner Smith asked **whether the information determined by the consumptive use study would be made public**. Sara Dunn said her concern is that we make someone's abandonment case for them. Carlyle said that raw data will be available, but **not individual ditch structures**.
17. April Long, \$37,500 grant request for Roaring Fork Watershed Plan interactive watershed planning map. In 2012, RWAPA and the RF Conservancy wrote the **Roaring Fork Watershed Plan**. There are **200 action items, and it is very difficult to navigate**. This **grant request will make the plan more public-friendly**.
- a. The deliverable will be an interactive map, so action items can be seen on the map, rather than being buried in a spreadsheet.
 - b. The **project cost is \$50,000, and it will pay a consultant to create the map**. This project can be replicated. Mark Fuller said this project would **help implement the BIP**.
18. **Eller Ranch Antelope Reservoir rehabilitation project**. Garrett Eller made a grant presentation for a **\$60,000 irrigation improvement project**. 350 acre-feet is held back to irrigate 200 acres of hay, they grow 200 cow-calf pairs.¹ The ranch holds back the creek, holds it in a reservoir, and then irrigates a field. It is upstream of Wolford Reservoir. The **runoff then goes into Muddy Creek and into Wolford Reservoir**.
- a. The **dam was constructed in 1915**, and expanded in 1944, using corrugated metal pipe with a lifetime of 50 years. A November 2014 dam inspection plan called for these repairs; they aren't under a fill restriction yet.
 - b. The improvement will repair the discharge pipe, and to replace the head gate stem casing, and some earthwork. This will help protect agriculture, and the reservoir recharges river flows with return flows.
 - c. The total project cost is \$60,000 and the grant request is for \$30,000; they hope to start the work in late August and complete it by November. They are also planning to apply for a Colorado River District grant of \$15,000.
 - d. Without the reservoir, irrigation would be less efficient, and **hay production could drop 50%**. The **\$60,000 repair cost exceeds the annual ranch profit** for

¹ Assuming each slaughtered calf yields 750 pounds of beef, 760 gallons of water is consumed to produce each pound of beef at this rate.

a typical year. If they don't fix the discharge pipe, the State Engineer could require that dam fillings be discontinued. They draw down the reservoir by August, and then refill it during the fall and primarily the following spring. **If it fails, it would flood an open basin** and not cause a catastrophic loss.

- e. Engineering budget is \$7,000, the **pipe repair is \$45,400, to insert a cure in place pipe (CIPP) that involves putting resin into the pipe to seal cracks**, \$5,000 will repair the steel casing, and earth work and willow removal will cost \$2,600. The pipe is 170' long and 24" in diameter.
 - f. Megan Holcomb reminded the group that **a grant request cannot request funds for funds that have already been spent**. That means grant recipients should not begin spending money until they get a "Notice to Proceed" from the CWCBC. The Colorado River District will fund already-completed work.
 - g. The **reservoir is on BLM land**, and there is access to people to camp there. There's also an ammonite fossil site nearby.
19. **Eric Kuhn, Colorado River Risk Study Phase 3. This water year will likely exacerbate** the problem. John Currier is the CBRT's technical representative on this. They plan to make a detailed report to SWSI as well as a joint West slope roundtable meeting in April. **Phase 1 studied how often and how deep cutbacks to water rights would be in Colorado** to meet a Compact Call (also known as "demand management")? **Phase 2** interfaced BuRec's CRSS (Colorado Rivers Support System, the database of water inflows by state into Lake Powell and outflows from Lake Mead) with CDSS (Colorado Decision Support System, the database of water rights on rivers in Colorado) to **determine which water rights in Colorado were at risk if there was a Compact Call**. **Phase 3** will further investigate how and **when to cut back particular water rights to meet a Compact Call**. To fund Phase 3, the Roundtables to put up to \$10,000 each, and the Colorado River District and Southwest River District will likely provide up to 50%.
- a. They will ask the Front Range roundtables to participate and help fund this.
 - b. The **Yampa roundtable is asking for more water**, the **Gunnison** roundtable responds, **"absolutely not,"** and the Southwest roundtable basin is also likely to ask for another project.
20. IBCC update, Stan Cazier. At the last **IBCC meeting** there was an extended discussion of the **Compact Call, indicating the Front Range is more concerned than ever about this**. There was agreement that a new water project is needed, but there's no money, and there is no agreement between the East and West slopes on a new project.
21. **Drought preparedness**. Rachel Richards said that she attended the RF Watershed Assembly, and a CPW hatchery worker said they are looking at a serious **reduction in their efforts to raise and stock fish because there will be less water available**. Rachel recommends that we talk of drought preparedness for the summer. Jim Pokrandt said the pending drought is a good opportunity to talk to people about their water supply.

22. **Water banking** – should a concerted program be developed to forestall a Colorado River compact call, by rotational fallowing—**water would become a crop**, and be sent to Lake Powell, **and the user would be compensated**. This will be discussed at the April joint roundtable meeting.
23. **Hiring a person to work for the CBRT**. Jim Pokrandt said we may lack funding for this position with anticipated cutbacks to WSRA funding; Ken Neubecker recommended using money that we have reserved, and take advantage of lower-priced interns. They could go out into the community to promote the roundtable basin implementation plan, but Jim Pokrandt said that the problem is that this could lead to grant requests that we can't fund.
- a. BGS said the **Arkansas Roundtable hired Gary Barber**, the former roundtable chair, as a consultant to try to **move forward projects** they've identified.
 - b. South Platte-Metro roundtables have hired a **communications person to promote their projects to the public**. Barbara Biggs was their chair and she's now running Roxborough.
 - c. When questioned what the person would do, Jim Pokrandt said that's to be determined.
 - d. Holly Loff said there's a group promoting healthy streams from stormwater runoff, and that group could potentially serve this role. Jim recommended people bring forward a recommendation.
24. The **Colorado Water Quality Control Commission has 2 openings**; it sets water quality regulations develops policies, determines what entities get regulated. It's a 9-member board, 2 are term-limited, one filled by agriculture. It is open to anyone to apply.