

## IBCC call Colorado River Basin

### 1. February 25, 2019, CBRT Next Steps Committee Minutes.

#### 1. Upcoming Meetings

- a. Mon, March 25, CBRT Roundtable Meeting, 12-4 Glenwood Springs Community Center.
  - b. Feb 20-22 snow school in Silverton, a 2 ½ day professional development workshop, Center for Snow and Avalanche Studies, Silverton.
  - c. Cloud seeding presentation on Feb 28, 5:30-7:30, in Basalt at the Roaring Fork Conservancy
  - d. IBCC meeting, Thursday, February 28. Governor Polis has not yet appointed IBCC representatives; it's being held at the Hyatt Regency at the Aurora Conference Center.
  - e. March 14 Pitco discussion of cloud seeding from 1-4 in the Pitco BOCC meeting room in Aspen.
  - f. May 2, 2019, 4-basin West slope roundtable meeting.
  - g. Sep 25-26 2-day roundtable
2. Reporter: These minutes were prepared by Ken Ransford, Esq., CPA, 970-927-1200, [ken@kenransford.com](mailto:ken@kenransford.com).
  3. **CBRT Members Present:** Don Boyer, Paul Bruchez, Stan Cazier, Carlyle Currier, Angie Fowler, David Graf, Kirsten Kurath, Heather Lewin, April Long, Ken Neubecker, Jim Pokrandt, Gail Schwartz, Karn Stieglemeier, Richard Vangytenbeek, Lane Wyatt,
  4. **WSRA grant fund.** There is \$162,416 remaining in the CBRT WSRA Fund after the CWCB's likely approval of the \$10,000 grant for Las Colonias Park in Grand Junction. On January 1, 2019, the CBRT received \$45,000, and the CWCB statewide WSRF received \$645,000.
  5. **Stone Creek Master Plan grant request.** The grant request is to improve Stone Creek which has been **heavily modified as it courses through Eagle Vail**. The **grant request is for \$25,000, and the Next Steps committee unanimously recommends that it be fully approved.**
  6. **Blue River Integrated Water Management Plan grant request,** Richard Vangytenbeek, Colorado Trout Unlimited, and the Blue River Watershed Group.
    - a. The grant request is to determine why the trout habitat is declining, as the Blue River Gold Medal Trout status is now in jeopardy. They hope to do river studies this summer; several groups are involved and doing studies; the role is to assimilate the studies to get a comprehensive look at Dillon to Green Mountain Reservoir; also above Lake Dillon, and below Green Mountain Reservoir.
      - i. The Frying pan and Taylor rivers are both similar to the Blue River, but they are doing better. **On the Blue River, the trout are starving to**

**death**—they get skinnier as they age, and research indicates it may stem from the **lack of phosphorous and free nitrogen in the river below Dillon Reservoir**. The water is too sterile; there's nothing for the algae to eat, and the bugs that feed off the algae. There aren't enough nutrients entering the river. They're thinking of adding phosphorous or nitrogen to the river to reverse this.

- ii. This project should not affect water rights.
- b. How to catalog the existing research papers written on the Blue River.
- c. Stakeholders have requested each of these. **The cost of this phase is \$253,000.** \$32,000 is coming as cash from the community; they want to reach out in Phase 2 for more funding from community stakeholders. \$31,000 in-kind funding from Blue River Watershed Council and Colorado Trout Unlimited; the Blue River Water Shed Council will administer this project and be responsible for long term monitoring.
- d. **\$17,110 is being requested from the roundtable WSRF.** \$153,000 has been raised; two Colorado Water Plan grants are being requested.
- e. Jim Pokrandt pointed out this is **the 5th integrated water management plan supported by the CBRT**: The Grand County SMP, Roaring Fork SMP, Middle Colorado SMP, the Eagle River SMP, and now the Blue River SMP. Everyone **recommended full funding**.
- f. If funded, we have \$75,000 left, rising to \$115,000 after April 1, 2019.
- g. Ken Neubecker commented that after the 2002 drought, Denver Water released 50 cfs down the Blue River for 3 years, and it is about to reduce flows to a similar level again in 2019.
- h. **Heather Lewin said that anchor ice captures sediment and moves as much sediment downstream as the river does during high water channel maintenance flows.**
- 7. **Cabin Creek**, a tributary to Ranch Creek in Grand County, **has Colorado native cutthroat trout**; there's a **likely grant request coming to remove a culvert** that interferes with fish passage.
- 8. There's also **another likely grant request coming to remove a fish passage barrier on the Fraser river.**
- 9. Paul Bruchez described "**Learning by Doing**," a phrase that was preferred over the term "adaptive management." **Stakeholders** include Colorado Trout Unlimited, Colorado Parks & Wildlife, Colorado River District, Northern Colorado Water Conservancy District ("Northern"), Denver Water are all part of this. They've done projects on the Upper Colorado river down to the confluence with the Blue River. They have employed a

river manager, Executive Director Kiki Saylor, and Mely Whiting of Colorado Trout Unlimited is also involved.

10. **Demand Management:** There are 3 parts to enhancing Colorado River flows: (1) Phreatophyte removal and cloud seeding; (2) release water from CRSP reservoirs in the Upper Basin; and (3) Demand Management, referring to cutting back irrigation consumption. Each West slope roundtable has formed a Demand Management work group.
  - a. **Kirsten Kurath is the chair of the Colorado basin roundtable; she said 4 work groups have been formed.**
    - i. **Municipal** group, chaired by Angie Fowler.
    - ii. **Agricultural** irrigator group, chaired by Paul Bruchez; they hope to pull together research on deficit irrigation.
    - iii. **Environmental** work group—Ken Neubecker is the chairperson.
    - iv. **Industrial** user group, chaired by Angie Fowler. She spoke with Justin from Shale Tech, and he is interested in joining an industrial work group. The Industrial Work Group would like a presentation in May.
  - b. **Kirsten Kurath requested that Mark Harris and Luke Gingerich, P.E., make a presentation about the GVVUA System Conservation Pilot Program, either to the DM subcommittee or to the entire CBRT. Phase 3 of the Colorado River Risk Study will be introduced at the March 25, 2019, roundtable meeting, so there may not be sufficient time for the GVVUA presentation at that meeting.**
    - i. Jim Pokrandt pointed out that **the GVVUA created a proof of concept; they did not create a market for water.**
  - c. David Graf commented that **there are a lot of river reaches that could benefit from conserved consumptive use being left in the river.**
11. April Long recommends that the CBRT tour the Grand Valley to learn how the river is administered below the Cameo Call.
12. Ken Ransford recommended that the CBRT discuss how it should prepare for the upcoming 4 Basin Roundtable Meeting on May 2. At the 4 Basin Roundtable Meeting in 2018, we learned that **we don't know how a Compact Call would be administered between the 4 river basins on the West slope. Risk Study Phase 3 will show what happens if the 4 West slope basins develop 342,000 af, as they are projected to do in the future.**
  - a. Then, how much water do we want to develop in a water bank in Lake Powell.

- b. Then, **how much can we produce based on water right seniority**—are the water rights being curtailed **post-1955, post-1937, post-1929, or post-1922 water rights**.
  - c. **Water rights that did not adjudicate their rights until after 1922** are in a limbo state—it is not clear whether they are exempt from a **1922 Colorado River Compact call**.
  - d. The goal of the 4 Basin Roundtable Meeting is to focus on the Colorado River Risk Study phase 3.
  - e. The **Tribes in the southwest have indicated a need for 115,000 af of additional development**. When coupled with the water rights that the 4 West slope basins wish to develop, that means there are **proposals to develop 457,000 additional acre feet on the West slope**.
  - f. How unified a position can the West slope present?
  - g. Ken Ransford commented that **Front Range agriculture can participate in demand management** because much of the water diverted to Estes Park by the Northern Colorado Water Conservancy District (Northern) is used for agriculture. Carlyle Currier said **we don't want to pick winners and losers, and pit West slope agriculture vs. East slope agriculture**.
13. **Kevin Rein**, the State Engineer, mentioned at the October 23, 2019, meeting at Colorado Mesa University, that the state likely needs to **initiate rulemaking about how to administer a compact call between the 4 West slope basins**. This could be a topic for the May 2 4-Basin Roundtable Meeting.
  14. Jackie Brown is putting together a meeting of West slope roundtables – that is a good chance to address what the 4 RTs could contribute to Demand Management.
  15. **Have East slope contribute to Demand Management by cutting back agricultural water use on the Front Range. Jim Lochhead has stated a willingness to do that, although Gail says he does not speak for Front Range agriculture.**
  16. Stan Cazier attended Northern's fall water meeting in October 2018, and they discussed for the first time **how a Compact Call would be administered. The West slope is likely ahead of the East slope on this issue.**
  17. Cloud seeding. Dave Kanzer, who runs the Central Colorado cloud seeding operation, will discuss cloud seeding on Feb 28 from 5:30-7:30 in Basalt at the Roaring Fork Conservancy's new offices on Two Rivers Road just west of Basalt.
  18. March 14, Pitkin County will discuss cloud seeding from 1-4 in the Pitco BOCC meeting room in Aspen.

19. **Russell George is resigning as the West slope representative to the CWCB due to term limits, and Gail Schwartz is replacing him.**
20. IBCC meeting is this Thursday February 28 The Governor has not yet appointed IBCC representatives; the meeting is being held at the Hyatt Regency at the Aurora Conference Center 8:30-3:30.
21. Ken Neubecker announced **the CBRT web site will be launched in mid-March.** We still have money left from the annual PEPO grant. Sarah Johnson has requested \$1,000 for an area water summit for youth.
22. Jim Pokrandt gave the **power point presentation that the Colorado River District has developed.** Highlights include:
  - a. **Only 4 years of the last 19 water years have been above average.**
  - b. **Green Mountain and Blue Mesa reservoirs are both post-1922 reservoirs, so critical storage for both Grand Junction and Gunnison ranchers is at risk.**
  - c. **Lake Powell is not a water provider—it protects Upper Basin uses, while Lake Mead is a water provider for the Lower Basin.**
  - d. Definition: **Mandatory curtailment—if you get called out, you don’t get paid.**
  - e. In 2019, the snow water equivalent already exceeds the 2018 peak. But, soil moisture is way below average; on the Front Range, soil moisture is only 50-70% of average. **The most probable inflow into Lake Powell this year is 7.7 maf due to the low soil moisture levels. The long-term average is 10.8 maf.** In 2018, the inflow was only 4.4. maf.
  - f. **Early US Supreme Court decision in early 1900s said all that mattered was the priority of water rights, not state rights.** When Imperial Valley flooded in 1906, they perceived a need for flood control and storage. The only way to fund this with federal spending, so **the 7 states had to agree to a compact in order to get federal funding.**
  - g. **Upper basin depletions are 4 to 4.5 maf a year, and Colorado’s share of this is about 2.5 maf,** significantly higher than its 51.75% share under the Upper Colorado River Compact.
  - h. Lower Basin reservoir evaporation is 1 to 1.5 maf from all their dams. **Uses are 10.5 to 11.5 maf a year, but Lake Mead only receives 8.23 maf a year from Lake Powell.** This is causing a “**structural deficit.**” The numbers below represent theoretical river flows as if the Upper Basin states had not consumed any Colorado River water
    - i. 2000-2014, 12.3 maf a year was measured t Lee Ferry
    - ii. **1988-2014, only 13.2 maf flowed past Lee Ferry**

- iii. 1120-1172 only 12.7 maf flowed past Lee Ferry
- i. The federal government will not allow Lake Powell power to be eliminated. **When Lake Powell's water level drops to 3,525' elevation, the federal government will tell the Upper Basin states to cut back** their water consumption. Pokrandt termed this water cutback as “**categorical**” or **mandatory**.
- j. The UVWUA, the **Uncompahgre Valley Water Users Association**, receives **\$6.9m each year in federal funds**, and the Grand Valley receives several million as well.
- k. **Of 2.0 maf Colorado River consumption**, the breakdowns is .36 West slope M&I, West slope M&I .077, East slope ag .18 maf, and **West slope ag 1.355 maf**.
- l. The **Lower Basin hasn't had to take any shortages yet**.