

## IBCC call Colorado River Basin

### 1. September 23, 2019, CBRT Minutes.

1. **September 23, 2019 CBRT Minutes** – Grant request for ditch improvement in Missouri Heights near Carbondale, and for a stream improvement plan on the North Fork of Colorado River; Colorado drought mitigation plan; West slope rancher plans to develop a response to a Compact Call; projected April hole in 15-mile reach.
2. **Next Meeting: November , 2019, Glenwood Springs Community Center, 12:00 – 4:00.**
3. **Upcoming Meetings**
  - a. September 25-26, C-9 Roundtable Summit in Winter Park
  - b. October 28, Next Steps Committee Meeting, Colorado River District Office
  - c. November 25, CBRT Roundtable Meeting, Glenwood Springs Community Center
4. Reporter: These minutes were prepared by Ken Ransford, Esq., CPA, 970-927-1200, [ken@kenransford.com](mailto:ken@kenransford.com).
5. **CBRT Members Present:** Kim Albertson, Nathan Bell, Paul Bruchez, Dan Harrison, Diane Johnson, Randi Kim City of Grand Junction, April Long, Ken Neubecker, Jim Pokrandt, Ken Ransford, Karn Stiegelmeier, Lane Wyatt
6. **Guests:** Doug Button Multi Trina Ditch Co, Dennis Davidson Mt. Sopris Conservation District, Dawn Jewell City of Aurora, Paul Kehmeier Colo. Dep't of Ag, Kathy Kitzmann Aurora Water, Kirsten Kurath, Brendon Langenhuizen SGM, Heather Lewin, David Merritt, John Martinez Grand Valley School District, Mickey O'Hara Colo. Water Trust, Maria Pastore Colorado Springs Utilities, Wendy Ryan Colo River Engineering, Heather Sackett Aspen Journalism, Scott Schreiber, Harry Teff Kendall Reservoir, Richard Vangytenbeek Colo Trout Unlimited, Kent Whitmer Middle Park Water Conservancy District
7. **River Forecast.** Granby is spilling, Green Mt. and Ruedi Reservoirs are full, and even Blue mesa is 99% full, surprising people since it was so low. The Colorado River is flowing 1,600 cfs at Dotsero, above the 78-year median flow of 1,300 cfs on this date.<sup>1</sup> The Colorado River is flowing 2,480 cfs; the median is 2,200 cfs at Cameo on this date.<sup>2</sup>
8. **Weather update.** Jeff Lucas, Western Water Assessment, presented **Snowcopalypse**. 2018 Water Year ending Sep. 30, **2018, was one of the lowest snow packs since 1905**, and 2019 was one of the best, but it did not materialize in as much runoff as expected. **2019 is only the fifth year since 2000 that the snowpack has been above average.** There was very low soil moisture, which must be saturated before there is runoff in the

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<sup>1</sup> Dotsero forecast: [https://waterdata.usgs.gov/usa/nwis/uv?site\\_no=09070500](https://waterdata.usgs.gov/usa/nwis/uv?site_no=09070500).

<sup>2</sup> Cameo forecast: [https://waterdata.usgs.gov/co/nwis/uv/?site\\_no=09095500&PARAMeter\\_cd=00065.00060](https://waterdata.usgs.gov/co/nwis/uv/?site_no=09095500&PARAMeter_cd=00065.00060)

streams. **Inflow into Powell** reservoir was **10.4 maf in 2019, lower than expected**. The Feb-March **precipitation was the second highest since 1905**, which is the year that the Gila River flooded and caused the Colorado River to pour into the Salton Sea. The Oct-May precipitation was the second highest since 1905, after 1983-84. **Upper Basin temperatures were the coolest since 2010**.

- a. **The snowpack peaked at 130% SWE, almost double the SWE in the 2018 water year.** By July 2019, only a small part of the southeastern Colorado was still in drought.
  - b. **Snowpack, spring precipitation, and monsoons** determine runoff. We had high snowpack and spring precipitation, but **July-August temperatures were the sixth warmest since 1900**. Water year 2019 native flow is estimated at 17.5 maf, 118% of average; in the big water year 1983, inflows into Lake Powell were 25 maf.
  - c. **Upper Basin inter-annual** variability has increased by 10% since 1980, as predicted by climate models. Warmer air holds more moisture, so the storms can be greater, but they also dry out the land more. June and October are the 2 driest months in Colorado.
  - d. **The snowpack and runoff forecast can turn around in a month.** Extreme seasonal conditions are too hard to forecast, and there can be too much snow. Near record precipitation doesn't necessarily translate into near-record runoff. We should expect more variability.
  - e. **Colorado River Basin Climate and Hydrology**, 2019 update, due by the Western Water Assessment shortly.
9. **Canyon Creek Fish Passage grant request.** This is similar to the Elk Creek stream habitat project. Rainbows try to navigate from the Colorado River up the drainage in the spring, with perhaps 10-20% making it, and in the fall Brown trout try to navigate, but few succeed because flows are only about 1" and the 3° grade up the culvert is steep.
- a. **The river drainage culverts** were built under I-70 in 1978, but wood baffles placed on the floor to create fish passage have disintegrated. The river will all be shunted into a single tube in the fall to double its flow.
  - b. **Scott Schreiber, PE, Wright Water engineers, said that CDOT approves this project.** They did a similar project in Fish Creek, and this design is a modification of that. The cross-vanes will be anchored in a herringbone pattern up the culvert. The tractors will be able to work without touching the creek bottom in order to avoid an Army Corps of Engineers Section 404 permit.
  - c. **The design cost is \$85,000, and the construction cost is \$95,000**, for a total cost of \$180,000. The CWCB Stream Restoration grant request is \$58,500, the CWCB Environmental grant request is \$58,500 (each of these grant programs were created by Colorado's Water Plan, and Richard Vangytenbeek said they are

very interested in receiving grant requests), and the CBRT WSRA funding request is \$18,000 10%. The in-kind professional time contribution is \$22,500 from Colorado Trout Unlimited and Wright Water Engineers.

- d. Stream restoration is an inexact science, and each project is unique.
  - e. Today, the applicant is requesting a letter of recommendation from the CBRT. In January, they'll **request a grant of \$18,000. Ken Neubecker made a motion to draft a letter of support for the project**, Paul Bruchez seconded it, and the motion **passed unanimously**.
10. We'll have **\$452,816 in the WSRA Water Supply Reserve Account by April 2020** if we don't make any more grant distributions. The CBRT **now has \$172,816**; we'll receive \$140,000 in each of January and April, for a total of \$452,816.
- a. The **Next Steps committee recommended a flexible cap of \$25,000 per applicant**, meaning that a grant request greater than \$25,000 would be entertained.
  - b. The Next Steps Committee **recommended the applicant match the CBRT grant** with a cash contribution (\$62,300 is being offered by the Missouri Heights ditch company to improve its ditch, and \$20,000 is being offered by the Multa Trina Ditch Company).
  - c. Paul Bruchez supported the flexible cap, but Kim Albertson asked whether a flexible cap was a cap. Kirsten Kurath echoed this concern.
  - d. The Multa Trina Ditch Company asked if it could come back for another round of funding, and Jim Pokrandt said that we do entertain multiple grant requests for the same project.
  - e. **Karl Hanlon suggested** that the CBRT state that its policy is to **limit grants to \$25,000**, to entertain higher grants if we believe the larger grant is warranted, **and request matching funds**. He suggested that **all grant requests be made according to a strict timetable, such as January and July**. Diane Johnson agreed that having 2 grant application deadlines would be an improvement. Heather Lewin of the Roaring Fork Conservancy said that she is not aware of any grantmaking organization that doesn't have a set schedule for making grants, although the Pitkin County Healthy Rivers Board will entertain small \$5,000 grants at any time.
    - i. Karn Stieglemeier suggested a grant cycle every 4 months, rather than every 6 months. Kathy Chandler Henry liked the 6-month grant cycle. The CWCB has a twice a year cycle.
  - f. **Doug Button of the Multa Trina Ditch Co. said there are 62 shareholders on the ditch**, not 2, and that it is incorporated. He said they would be **willing to increase their cash contribution if the CBRT is willing to match it**.

- g. The ditch co requested \$104,000, and the Missouri Heights request was \$140,000, and the CBRT can not afford these as existing funds are only \$172,816. The Next Steps committee said that it was important that applicants match the grant request.
  - h. Kim Albertson believes the full roundtable should decide on the grant request, not the Next Steps Committee.
  - i. Paul Bruchez asked what for the first year of an EQIP contract, you have to get something done, some physical work, in order to meet the grant requirements.
  - j. Ken Neubecker **recommended that the CBRT award \$20,000 cash to the Multa Trina Ditch Company**, and Ken Ransford seconded it. Dennis Davidson said we have changed the rules of the game. Jim Pokrandt asked what the change was; he said that the recommended grant approval by the CBRT was always subjective.
    - i. The motion **passed unanimously**.
  - k. The CWCB grant application deadline is February 1 each year; they approve the grant by May. Richard Vangytenbeek said that the money typically is not released until August. They have 2 grant cycles per year. But they approve basin account grants at every meeting.
11. The **Missouri Heights ditch company has assessed \$62,300 cash from its members**. Karl Hanlon recommends **limiting the CBRT Basin WSRA grant to \$40,000** because of the limited funds in our account (following this request, \$112,816 will remain in the Basin WSRA account). He thinks this should be cap for every application due to limited funds in the account.
- a. The motion **passed unanimously**.
  - b. Dennis Davidson recommended that we make a cap and keep it for all applicants.
12. Dave Merritt mentioned **amendment DD** which will be on the November ballot; this is the last CBRT meeting before the election. It **would authorize sports betting** at Blackhawk and other places where gambling is legal, and is **projected to raise \$6m in the first year, and up to \$29m in later years for Colorado Water Plan grants**. The Colorado River District board voted to support this. Jim Pokrandt mentioned that we don't want this to cut off the severance tax grants.
- a. **This revenue is under the state's TABOR cap**, which means it **must result in a reduction in tax spending elsewhere**. This will not create "new money" in Colorado.
13. **The Colorado basin roundtable has \$172,816 in its basin reserve account, the lowest of any roundtable** the Yampa White has \$768,806 in its Basin WSRA account; North Platte has \$747,610; South Platte has \$607,450, Denver-Metro has \$679,594.

14. **Grand Valley Audubon Society GVAS \$75,000 Grant Request**, Meredith Walker, **Wetland Improvement Project** at the Audubon Nature Preserve. The Grand Valley Audubon Society is wholly run by volunteers; they do not get funding from National Audubon. The Audubon Nature Preserve is near Connected Lake State Park southwest of downtown Grand Junction. It was an **old gravel pit** that Mesa County gave to the Audubon chapter. The City of Grand Junction leased water rights out of its canal to flood it in 2019; Ducks Unlimited is collaborating on the project to help restore the wetlands.
- a. **Grand Junction is on the edge of the Western Flyway**; migrating birds come through in the spring and fall, and need to stop for rest and feed for their continued migration. The ponds now do not provide much feed. When the Colorado River used to flood, it would create wetlands, but that does not happen anymore.
  - b. There is a lot of development now in Grand Junction (400 houses have been approved in Fruita where Meredith lives), so fill dirt is only available at a premium. This has driven up the cost of the project.
  - c. They want to **fill in the wetlands to make them shallower**, so they will **fill with water in the spring, but then dry up and grow plants in the summer**; when they flood **again in the fall, the seeds float to the surface and the birds have food to eat**. They have funding for adjacent gravel pit ponds including Osprey Pond, but lack funding to purchase fill dirt to fill in the upper part of Traylor Pond. They have irrigation to fill the ponds in the spring and fall, but are lacking fill dirt.
  - d. The CBRT WSRA **grant request is \$75,000**, and the Audubon Society is providing a **match of \$126,159**. Science magazine published an article last week stating that **birds have declined 30% since the 1970s**. Water fowl have fared best because a lot of conservation dollars have gone to wetlands preservation. Meredith said that there hasn't been a lot of money put into wetlands restoration along the Colorado River. **The property is open to the public, it is very heavily used** because it is along a river front trail and adjacent to Connected Lakes.
  - e. **Colorado Parks and Wildlife cannot fund this project because they are limited by charter to promoting fishing or hunting.**
  - f. Kirsten **Kurath asked if they can be funded by corporations** trying to offset wetlands they plan to fill in. Patagonia has contributed a grant, and the Western Colorado Community Foundation just gave a small grant to provide wetlands signage.
  - g. They need 25,000 cubic yards of fill. Dave Merritt asked if they were managing for selenium. Meredith Walker said she has learned that this is not as much an issue in the migration corridor compared to breeding.
  - h. The Grand Junction area doesn't have a lot of wetlands. They applied for a wetlands restoration grant from the NRCS, but failed because they are not

considered to be natural wetlands. They applied for a grant from the CWCP grant program administered by Chris Sturm, but he declined to fund it because it allegedly did not mitigate storm water runoff.

- i. Paul Kehmeier of the Colorado Dep't of Ag commented that BuRec funds may be available; many of the ditches in the Grand Valley receiving BuRec funds need to mitigate wetlands, so Paul encouraged Meredith to talk with him about this funding source.
15. John Martinez, Diamond Ditch Piping Project, Barco School District 16. **Parachute Creek** runs through Parachute. The **ditch is starting to collapse**; the entity now maintaining it does not want to continue maintaining due to mounting hazard. They replaced the headgate, but are now losing 20% of the water, and no one is willing to maintain it, fearing that the ditch will collapse onto heavy equipment. The school district is contributing \$80,000, and **is requesting \$50,000 from the CBRT WSRA account**; \$100,000 is for piping.
  - a. Puckett Land Company and the City of Parachute are fellow ditch owners. **Brendon Langenhuizen said that many ditch company owners have dried up their fields and moved their irrigation water elsewhere. The School District is one of the last irrigators on the ditch.**
  - b. Dennis Davidson said the Bookcliff Conservation District voted to award some funds, under \$5,000. John Currier recommended that they request funds from the Bluestone Water Conservancy District.
16. **Crystal River Augmentation Needs grant request**, Sam Potter, West Divide Water Conservancy District, described the **need for a water augmentation plan on the Crystal River**. West Divide project's former plans included building large reservoirs at Osgood and Placita upstream of Carbondale on the Crystal River. This is not an attempt to resurrect these reservoirs. In their last 6-year due diligence review in 2014, West Divide abandoned all large storage rights on the Crystal River.
  - a. John Currier said that augmentation issues are not a new concern on the Crystal River; several entities in the Crystal River are technically short of legal water supplies (they lack water augmentation supplies) including **Carbondale and Marble, 5 subdivisions**, and several small users who **were out of priority to an Ella Ditch call**. The State Engineer has not yet strictly administered the river (that is, cut off out-of-priority diverters), but they are threatening to.
  - b. **Division 5 is requiring structures** to develop a functional augmentation supply. West Divide will request a grant in November to:
    - i. Quantify existing demands
    - ii. Evaluate the potential to exchange water at key locations
    - iii. Evaluate basin-wide augmentation strategies
    - iv. Evaluate new small storage/recharge alternatives
    - v. Develop a basin-wide augmentation strategy

- vi. Public outreach and education with various Crystal River stakeholder groups
  - vii. Evaluate financing for the structures and a decreed augmentation plan for the Crystal.
- c. John Currier, chief engineer with the Colorado River District, said a lot of the augmentation work has been done previously, and they want to fine tune the earlier studies. The focus is on finding a legal water supply. He estimates that it **will cost \$100,000 to do the study; the Colorado River District has cost-shared, and will ask Carbondale and Marble to participate** as well.
  - d. **They need 50 to 100 additional acre-feet to resolve this.** The subdivisions are on wells or springs, but they don't have legal water supplies. Marble needs 10 acre-feet to cover their out of priority depletion. Beaver Lake upstream of Marble, a CPW facility, is a gravel sieve, and is cost prohibitive to use as an augmentation structure for Marble.
  - e. **Carbondale's water supply on Nettle Creek is junior to the Ella Call,** so the Division of Water Resources managed by Alan Martellaro in Glenwood Springs has arranged a short-term lease of East Mesa ditch water; the ditch agreed to leave 1 cfs in Nettle Creek that Carbondale could use.
  - f. **West Divide has run an augmentation program in 4 Mile Creek for years without any storage facilities** by purchasing and leasing water supplies from certain owners and transferring them to others in need.
17. Kirsten Kurath, Esq., gave an update of the Demand Management Work Group. These are unanswered questions:
- a. **How can a DM program be voluntary, but equitable across the basins?**
  - b. **The CBRT committed to discuss this with Front Range providers.** Kurath joined a tour by the Northern Colorado Water Conservancy District; Water Resources Manager Kyle Whitaker and Brad Wind, Northern's general manager, were quite receptive to discussing DM. **Kurath has invited Northern, Aurora, Denver, Pueblo, and Colorado Springs to join the discussion.** Alex Davis, Esq., who runs Aurora's water rights management program, will visit with Kurath on October 28; Rick Marzak, the Water Resources Planner for Denver Water, will also join. Pueblo and Colorado Springs have indicated they may decline participating.
  - c. Brad Wind called the West Slope roundtables "a machine."
  - d. **Alex Davis asked if Aurora could speak to the CBRT at the Next Steps meeting.** Transmountain diverters are at risk since they account for 57% of post-Compact depletions. They admitted they are not coming after West Slope agriculture.

18. **Gail Schwartz, CWCB Representative** appointed by Governor Polis to represent the mainstem of the Colorado River, and former State Senator, **requested that grant applicants contact her to describe grant requests** before the CWCB (and completed projects as well). [Gail.schwartz@state.co.us](mailto:Gail.schwartz@state.co.us).
- a. Schwartz announced that the Granby Diversion improvement grant request passed, both basin and statewide.
19. Paul Kehmeier is the Salinity Coordinator for the Colorado Dep't of Agriculture for all of western Colorado. His job is to help ditch companies find money to improve their ditch infrastructure to **lower salts and selenium leaching into the water**. When water leaks out of ditches, it picks up salt and puts it in the Colorado River. So, **the Bureau of Reclamation has money to line or pipe ditches**.
- a. Three areas in the Colorado mainstem that have high salinity: Rifle-Silt, Debeque, and the Grand Valley surrounding Grand Junction. The BuRec most recent grant cycle ended Sep 20; they are awarding \$40-50m to the 4 upper Division states, but most of the salinity problem is in western Colorado. Fifteen districts applied in the most recent funding cycle, with several from the Colorado mainstem.
  - b. Jim Pokrandt mentioned that Kehmeier is one of the first farmers to experiment with deficit irrigation of alfalfa.