

**Interbasin Compact Committee (IBCC)**  
**Wednesday, October 23, 2019**  
**History Colorado Center**  
**1200 N Broadway, Denver, CO 80203**  
**Meeting Summary-FINAL**

**IBCC Members Present**

Dave Bennett (alt. Metro), Paul Bruchez, Stan Cazier, Aaron Citron, Sean Cronin, Carlyle Currier, Jeris Danielson, Lisa Darling, Joanne Fagan, Russell George, Tom Gray, Steve Harris, Ed Millard, Andy Mueller, Bob Sakata, Cleave Simpson, Pat Wells, Mely, Whiting, and Jim Yahn

**IBCC Members Absent**

Senator Donovan, Keith Holland, Jim Lochhead, Jeff Myers, Representative Roberts, Terry Scanga, Bill Trampe, representatives from the North Platte Basin (currently vacant)

**Colorado Water Conservation Board (CWCB) Board Members and Basin Roundtable Chairs**

Steve Anderson, Barbara Biggs, Jim Pokrandt, Jim Yahn, and Garrett Varra

**CWCB Staff**

Viola Bralish, Megan Holcomb, Greg Johnson, and Russ Sands

**Facilitation**

Heather Bergman and Samuel Wallace

**Audience**

Approximately ten people observed the meeting.

**IBCC ACTION ITEMS**

Lisa Darling, Melly Whitting, Andy Mueller	Work with CWCB staff to plan the discussion for the next IBCC meeting in March 2020.
Aaron Citron, Stan Cazier, Joanne Fagan, Steve Harris	Work with CWCB staff as a part of a sub-committee to make changes to the Water Supply Reserve Fund (WSRF) grant program Criteria and Guidelines.

**OPENING REMARKS**

Russ George, IBCC Director of Compact Negotiations, welcomed the group to the IBCC's October 2019 meeting. His comments are summarized below.

- Russ George welcomed everyone and provided an overview of the itinerary for the day. The IBCC meeting will last for the first half of the day. During the second half of the day, representatives from the Basin Roundtables and IBCC will give updates on each Basin to the Water Resources Review Committee of the Colorado State Legislature.
- As the IBCC continues to move forward, it is important to make sure that the group is asking the right questions. The goal of today's IBCC meeting is to have a final discussion about what questions the group should be asking and then have a preliminary conversation on what the potential answers are.
- The purpose of the IBCC is to gather ideas from across the state about water resource management. Once the IBCC has identified the questions they would like to ask, IBCC

members can return to their constituents and have the same conversations that the IBCC is having at a community level.

- Another agenda item for the day is for IBCC members to suggest what topics they would like to discuss for the 2020 meetings.

### **PRESENTATION ON DEMAND MANAGEMENT**

Amy Ostdiek, Deputy Chief of the Federal, Interstate, and Water Information Section at CWCB, shared updates on the ongoing efforts to develop a demand management program. Her presentation is summarized below.

- There are eight workgroups that are investigating the feasibility of a potential Demand Management program in Colorado. Most of the demand management workgroups (funding, economics and local government, environmental considerations, agricultural impacts, law and policy, monitoring and verification, water rights and administration, and education and outreach) have held their first meeting. Each workgroup is writing a report that provides information on what the workgroup discussed during the meeting.
- There is an IBCC member on all of the workgroups.
- There were several common themes from the workgroups. One theme was not to reinvent the wheel. There is a considerable amount of already existing information that can inform demand management strategies. For example, the Colorado Water Bank Workgroup has a study on the secondary impacts of water banking. For each of the demand management workgroups, there needs to be a literature review to identify the information and data that already exists.
- There is a need to define the terms that people are using, such as curtailment and demand management. There is confusion about the distinctions between demand management and curtailment.
- A key difference between demand management and curtailment is that a demand management program is voluntary, and curtailment is not. Developing a demand management program would involve a negotiated process to create a program that works for the residents of Colorado. One goal of a demand management program would be to avoid curtailment.
- It is unclear how the curtailment issue would be initiated. The lower basin states of the Colorado River Basin could claim that the upper basin states are overusing their allocated amount of water. There would then be an examination of overuse in the upper basin states and a determination of extent of overuse. In Colorado, it would be the job of the State Engineer's Office to administer curtailment.
- The curtailment process would introduce uncertainty. There would likely be litigation within Colorado, among the upper basin states, and among all of the states of the Colorado River Basin. Litigation among the states would likely go to the Supreme Court and a special master.
- A demand management program potentially avoids uncertainty and allows Coloradoans to manage water in the way they think is best. In a demand management program, each upper basin state has veto power. In a curtailment situation, there is not a choice if it is determined that the state needs to use less water.
- Another important aspect of demand management is equity. There are many ways to think of equity, including proportional impact among geographic regions and among sectors, participation in the development of the program, etc.

### ***Clarifying Questions***

IBCC members asked questions about Ostdiek's presentation. Questions are indicated in italics, with responses below in plain text.

*What plans exist to inform workgroups about the discussions that are occurring in other demand management workgroups?*

To better align the discussions across all the workgroups, the second meeting for each workgroup will include an update on the issues that other demand management workgroups are discussing.

### ***Group Discussion of Curtailment***

IBCC members discussed Ostdiek's presentation and what curtailment would mean for Colorado. Their comments are summarized below.

- There is confusion across the state about the differences between curtailment and demand management. Many people think that a voluntary demand management program leads to a curtailment program.
- There was a discussion about what is the best way to discuss curtailment and demand management. Some members suggested that there needs to be a greater effort to separate the two programs from each other. When people are discussing demand management, they should not discuss curtailment at the same time. Others had a different perspective and said that they should be willing to talk more openly and directly about curtailment during demand management conversations. Because curtailment has never occurred on a statewide level, no one knows how it will apply. Not talking about curtailment allows people to make assumptions about what it is and what it means. There may be issues of mistrust that are affecting the conversation.
- Although the implementation of a curtailment program has not occurred on a statewide level, it has occurred in the Rio Grande Basin in the past couple of decades. As a result, there is an understanding of how curtailment works in the regional context. The Rio Grande Basin would be a good place to help create a shared understanding of how curtailment could affect the entire state. Conversations about curtailment have been ongoing in the Colorado River Basin for the past 15 years as well.
- Some participants said that there has to be more certainty on how the State Engineer's Office would administer a curtailment program to inform the conversation around curtailment and demand management. Defining what curtailment would mean for the state by receiving information on how the State Engineer's Office plans to administer a statewide curtailment program would allow groups to participate more effectively in the conversation.
- Over the past 25 years, the State Engineer's Office has become more sophisticated with how it gathers and processes data. As a result, the State Engineer's Office is much more prepared today with a team of attorneys and engineers to implement a curtailment program.
- At the Colorado Water Congress meetings over the past several years, there has been a discussion with the State Engineer's Office about how they are planning for a potential curtailment scenario. The State Engineer's Office cannot determine what a curtailment program that complies with the law looks like unless they know for how much water the lower basin states are calling.
- There was discussion about what would trigger curtailment in the Colorado River Basin, and whether it could be the Compact, water obligation to Mexico, violation of interim guideline requirements, etc. Once the Compact call is initiated, it is not possible to say which of the legal issues ultimately would be implicated in the courts and what the arguments would be.

- There was discussion about the State’s ongoing Compact Compliance Study. They do not want to release that information due to potential impacts on the State’s legal negotiation strategy and position with respect to other basin states.
- Some believe the information in the Compact Compliance Study would be useful for water users to understand what curtailment would mean for the state.
- There was a suggestion that the IBCC consider formally requesting the State Engineer’s Office to engage in a public rule-making process to outline the plans for curtailment.

***Group Discussion of Demand Management***

IBCC members discussed Ostdiek’s presentation and the tradeoffs and process of developing a demand management program. Their comments are summarized below.

- One way to frame the demand management conversation is through the perspective of risk. Water users want to know the likelihood that the state will be in a curtailment scenario and to what degree it will impact water usage in the state.
- Demand management is the strategy in which a small amount of water is conserved every year to prepare for a potential curtailment scenario. From a risk mitigation perspective, a demand management program manages water on a decadal basis instead of on an annual basis.
- One reason that it is important to know the State Engineer’s Office’s plan for a potential curtailment scenario is that it allows water users to understand their risk and act accordingly. For example, if the State Engineer’s Office plans to administer a curtailment program based on prior appropriation, low and high priority water users should understand the risk to their water usage that is associated with that plan.
- One of the benefits of the demand management process is that the conversation can focus on equity. While curtailment is a top-down and reactive management process, demand management is a proactive process that creates the opportunity to engage with communities.
- One of the largest issues is how to build trust in a demand management program. The information in a demand management program would not inform where and when curtailment would occur.
- Workgroups, like the law and policy and water rights administration and account workgroups, will continue to address these issues. IBCC members who are a part of these workgroups can continue to keep the IBCC informed of their discussions.

**DEMAND MANAGEMENT EQUITY EXERCISE**

IBCC members separated into six groups to discuss equity in demand management. Each IBCC member received a worksheet to share their perspective on equity in demand management. After filling out the individual worksheet, IBCC members had a group discussion about equity in demand management and filled out a corresponding group worksheet. Each group reported out the common themes and diverging perspectives of their group to the rest of the IBCC. Blank copies of the worksheets can be found in Appendix A and Appendix B of this summary. Comments from the group worksheets and individual worksheets are summarized below.

***Achievability of Reaching a Common Definition of Equity***

<b><i>Individual Worksheets – Question 1a: Do you think it is possible to agree on a common definition of “equity”?</i></b>	
<ul style="list-style-type: none"> <li>• Before beginning the conversation to define equity, there should be a conversation about whether it is desired or possible to achieve equity. This conversation would need to ask what issues and fears are driving the conversation toward equity?</li> <li>• Whether it is possible to agree on a common definition of equity depends on the process that determines the definition.</li> <li>• It may not necessarily be imperative to define equity.</li> </ul>	
<b><i>Group Worksheets – Question 1a: Did your table agree on whether it is possible to develop a common definition of “equity”?</i></b>	
Group 1	Yes.
Group 2	No, there was a 2-2 split decision. It is more important to have a conversation on defining equity than it is to define it.
Group 3	It is doubtful but not impossible. The disparity between what people think is equity across the basins makes it difficult to develop a common definition.
Group 4	No, because there are many different types of equity (e.g., equity of outcomes, participation, etc.).
Group 5	Yes, but the definition of equity needs to be common and shared. If it is not common and shared, then definition is not equitable.
Group 6	Yes.

***Elements of a Definition of Equity***

<b><i>Individual Worksheets – Question 1b: What elements should a definition of equity include? How would YOU define it?</i></b>
<ul style="list-style-type: none"> <li>• A definition of equity should include the idea that there are no disproportionate impacts on economic activity, quality of life, and values of the region if water users participate in a voluntary or mandatory program.</li> <li>• The question should be reframed in terms of “how do we appropriately balance costs and risks?” and “what are the opportunity costs and tradeoffs associated with potential actions?”</li> <li>• There is a question about whether equity should be defined by volume of water or by social and economic impacts.</li> <li>• The definition of equity is the willingness to “share the pain” of the impacts while ensuring other users have their needs met.</li> <li>• An element of a definition of equity needs to include that a demand management program is voluntary and temporary. There needs to be a discussion about what “voluntary” and “temporary” mean.</li> <li>• A definition of equity needs to include a plan on how equity will be measured.</li> <li>• Equity is possible if there are no net negative impacts on one sector or geographic area, including secondary impacts or consequences.</li> <li>• Needs and demands need to be defined as acute (e.g., cropping patterns) or chronic (e.g., municipal demand management).</li> <li>• There should be an emphasis on geographic proportionality by basin to water consumed. For example, less water is consumed in the Yampa River Basin, and therefore, they already contribute more water to the compact on a percentage basis. As a result, their requirement in a demand management program should be less than other basins.</li> </ul>

- Equity across geographies is difficult if the program is going to be voluntary.
- Equity should be defined by prior appropriation and based on the adjudication date. The definition of equity has to fit within the framework of the Constitution, case law, and the statutes. Equity is not the basis of Colorado water law, which is meant to deal with water shortages. Prior appropriation may not be equitable, but it is fair.
- A demand management program should not impact water rights in any way differently than a compact curtailment would.
- In the Rio Grande River Basin, equity is not a consideration in their curtailment program.
- A definition of equity should include that there needs to be common compensation per acre-foot across Colorado.
- Equity in demand management should consider a single-payer system in which all funds go through the state/CWCB.
- An equitable demand management program could involve a process in which a person/entity applies to evaluate if their water can be used to fulfill Colorado's portion of the compact pool. The evaluation would work like the instream flow program in which the water rights would have to meet certain requirements for CWCB to consider using them. In the case volunteers oversubscribe the program, there can be a limit set on each county on how much water it can dedicate to a demand management program.

**Group Worksheets – Question 1b: What common elements do the definitions from your table share?**

Group 1	<ul style="list-style-type: none"> <li>• The common elements of a shared definition of equity include equity as a function of use by sector, geography between the east and west, and economic activity in each region.</li> <li>• Equity as a function of regional economic activity means that the impact of a demand management program is not only determined by water usage but by how the availability of water impacts the regional economy.</li> </ul>
Group 2	<ul style="list-style-type: none"> <li>• Common elements of a shared definition of equity were economy, geography, community uses and environment, agriculture, and municipal uses.</li> <li>• Equity includes looking at the benefits and impact on communities from both the individual and landscape levels.</li> </ul>
Group 3	<p>Under a demand management program, there would be a shared responsibility among each basin to contribute proportionally based on its water allocations.</p>
Group 4	<ul style="list-style-type: none"> <li>• Common elements of a definition of equity are: <ul style="list-style-type: none"> <li>○ Social</li> <li>○ Economic</li> <li>○ Equity by outcome</li> <li>○ Equity by participation</li> <li>○ Basin of origin</li> <li>○ Sector/water use</li> <li>○ Environmental</li> <li>○ History/culture (especially on the west slope)</li> <li>○ Percent of use appropriated in each region</li> <li>○ Post-compact</li> <li>○ Ability to conserve</li> <li>○ Administration/accounting/ measurement (especially for agriculture)</li> <li>○ Application of prior appropriation</li> <li>○ Recognition/credit for past conservation</li> </ul> </li> <li>• A definition of equity needs to consider how the Front Range municipalities' efficiency/reuse impacts the agriculture of the Lower South Platte River.</li> </ul>

	<ul style="list-style-type: none"> <li>• A definition of equity includes factoring in differences in the pricing and value of water throughout the state. For example, it is cheaper for the Front Range to buy West Slope water than to participate at municipal rates.</li> </ul>
Group 5	<ul style="list-style-type: none"> <li>• Equity has to work for everyone, but each entity has a different perspective on what it means.</li> <li>• The first step to define equity is to ask, "what is the need for each entity?" and then ask, "how do we address that need?"</li> <li>• Ensuring that a demand management program creates proportional benefits and impacts is in tension with the idea that the program should be voluntary. On the other hand, some may not perceive a truly voluntary program to be equitable.</li> <li>• Equity is related to a sense of fairness.</li> <li>• The first attempt at creating an equitable program will likely not succeed. It is important to evaluate a demand management program on whether the impacts are equitable. If the implemented program is not equitable, then they can adjust to address the perceived inequities.</li> </ul>
Group 6	<ul style="list-style-type: none"> <li>• The common elements of an equity definition include using a guided market system, economic impact models, and tools to determine sectoral equity.</li> <li>• Equity should consider proportionality based on compact depletions as well as the economic output by region.</li> </ul>

**Key Differences in a Definition of Equity**

<b>Individual Worksheets – Question 1c was not on the individual worksheets.</b>	
<b>Group Worksheets – Question 1c: What key differences are there in the definitions at your table?</b>	
Group 1	There was a key difference within the group about if equity includes geographically proportioning water based on consumptive use. Some in the group stated that the basins that do not use as much water as a percentage of the water available in their basin should not contribute as much to a demand management program.
Group 2	<ul style="list-style-type: none"> <li>• Key differences included how to establish the equity of benefits and impacts (by sector, by geography, etc.).</li> <li>• There were remaining questions about how the value of equity fits in the context state law and how to manage junior municipal drinking water rights in the event of curtailment.</li> </ul>
Group 3	There were remaining questions on how water right priorities, including senior rights work within a proportional system.
Group 4	<ul style="list-style-type: none"> <li>• There were differences in the group on how depletions will affect basins differently. Equity based on per-basin, post-compact depletions would disproportionately impact the southwest, transmountain diversions, and potentially the Yampa River Basin.</li> <li>• All water rights are at risk, including senior water rights, which are at risk of buy and dry.</li> <li>• The group needs to understand the State Engineer’s Office’s position on pre/post-compact water rights and how they will administer a curtailment program to advance the equity conversation.</li> </ul>
Group 5	None.
Group 6	None.

### ***Workability of Equity with a Voluntary, Temporary, and Compensated Program***

<b><i>Individual Worksheets – Question 2a: Do you think equity can work with a voluntary, temporary, and compensated program?</i></b>	
<ul style="list-style-type: none"> <li>• If users have a choice to participate in the program for as long as they want with compensation, then equity does not apply to the program. In a voluntary, temporary, and compensated program, there cannot be an assurance of equity.</li> <li>• The state needs to further define the meaning of voluntary, temporary, and compensated in an equitable manner. Whether equity is achievable depends on the agreed-upon definition of equity.</li> <li>• It is important to keep in mind that the only purpose of a demand management program is to fill the pool in Lake Powell, not augment stream flows.</li> <li>• There will have to be oversight and limits on basin contributions to maintain equity.</li> <li>• A voluntary, temporary, and compensated program will have to deal with the issue of “selective call.” This issue may require statutory changes.</li> <li>• Equity in a voluntary, temporary, and compensated program is possible if there is a net positive on a holistic/systemic level.</li> </ul>	
<b><i>Group Worksheets – Question 2a: Did your table agree on whether equity can work with a voluntary, temporary, and compensated program?</i></b>	
Group 1	Yes.
Group 2	No. There was a 3-1 split, with three saying yes and one saying no.
Group 3	Yes. If the goal is to achieve proportional impacts, then there has to be careful consideration of where funding is going. There would need to be administrative oversight on a funding mechanism to ensure proportional distribution.
Group 4	<ul style="list-style-type: none"> <li>• No, equity is too subjective.</li> <li>• Some investments and some reductions in water usage may not be temporary.</li> </ul>
Group 5	Yes, but the conversation needs to begin with comparing what a demand management program would like with what the alternative of curtailment would look like.
Group 6	Yes.

### ***Considerations to Minimize the Risk of Inequity***

<b><i>Individual Worksheets – Question 2b: What are the things that would need to be considered to minimize the possibility that a demand management program would create inequity?</i></b>
<ul style="list-style-type: none"> <li>• To minimize the possibility of inequity, a demand management program should consider equal access and the ability to participate (or not) in a program.</li> <li>• There should be consistency in the administration and funding of a program.</li> <li>• Any compensation would need to be consistent and fair.</li> <li>• The process for developing the program should be transparent and limit political influences/decisions. There is a risk that politics and population numbers will influence an equity determination.</li> <li>• A demand management program should not be defined by proportionality between geographies or sectors.</li> <li>• Each basin should contribute based on post-compact depletion.</li> <li>• Equity should only be considered between the West Slope and the Front Range. Front Range cities will shift the burden to Front Range agriculture, which it should not.</li> </ul>

<ul style="list-style-type: none"> <li>• A demand management program should try to maintain a diverse volunteer base by geography, sector, rights, etc.</li> <li>• A demand management program should consider the types of injuries that result from many irrigators not owning the water with which they irrigate. As a result, they cannot “voluntarily” participate. It is not clear how an irrigator would receive compensation.</li> <li>• Accounting, reporting, and monitoring are important to minimize the possibility of inequity. There should be clear metrics to understand any harmful effects on different sectors or regions.</li> <li>• Front Range users need to consider investment in reuse/efficiency infrastructure paired with agreements to reduce transmountain diversions under certain circumstances.</li> <li>• There should be long-term investments in forest health and other factors that contribute to water supply reliability.</li> <li>• Additional technical information will be important to inform strong decision-making.</li> <li>• It is important to understand the cost of curtailment to inform a demand management conversation.</li> </ul>	
<b>Group Worksheets – Question 2b: What common considerations to minimize the risk of inequity did your table identify?</b>	
Group 1	<ul style="list-style-type: none"> <li>• It is important to keep the demand management program voluntary while also setting caps on each sector or region. Once a region or sector reaches a cap, then another sector or region can choose to compensate for any additional water use.</li> <li>• A managed capitalistic system can minimize the risk of inequity. When funding is available, people and entities will come voluntarily regardless of sector or region. There is a challenge of applying equity to a voluntary program.</li> <li>• Another option is to use demand management funding for a Front Range storage/infrastructure program and have transbasin diverters along the Front Range forego some of their water diversions.</li> </ul>
Group 2	<ul style="list-style-type: none"> <li>• A common consideration was to establish a system in which there are equitable participation and water allocations within basins and on a statewide level (east/west slope).</li> <li>• There needs to be a mechanism for delivery so that the east slope can deliver water to the Colorado River, and the west slope can have assurances that the water is going towards the Colorado River.</li> <li>• Trust is a large factor. The question of whether there is enough trust between water users and communities to implement a demand management program is an important one.</li> <li>• Another common consideration was a price-setting mechanism that accounts for local conditions because the value of water varies among the basins.</li> <li>• There needs to be a consideration of secondary impacts. If a farmer sells water for demand management, there are impacts to the community. The farmer or city may receive money, but the overall community may be adversely affected.</li> <li>• There should be a consistent and adequate funding source for demand management projects. Under a funding proposal, there would need to be criteria for the selection of projects.</li> </ul>
Group 3	<ul style="list-style-type: none"> <li>• To minimize the risk of inequity, there need to be proportional impacts between basins.</li> </ul>

	<ul style="list-style-type: none"> <li>• There needs to be consideration of material injury. For example, if an upstream user is engaged in a demand management project, there should be an understanding of how that project will affect downstream users.</li> <li>• There also needs to be a consideration of beneficial use. Colorado law may not consider keeping water in the river as a beneficial use.</li> </ul>
Group 4	<ul style="list-style-type: none"> <li>• There needs to be an assurance of how a long-term plan would function to avoid permanent dry up.</li> <li>• The definition of “equity” needs to be dynamic. An understanding of equity may change over time and as impacts become realized.</li> </ul>
Group 5	<ul style="list-style-type: none"> <li>• There needs to be recognition that a demand management program will not be perfect. It will have failures, so the process needs to be adaptive and iterative.</li> <li>• A demand management program should strive to reach consensus in the conversation. Consensus ties into the idea that no one is being coerced into a demand management program.</li> <li>• The concepts of voluntary, temporary, and compensated tend to provide a sense of fairness, which is important to achieve equity in demand management.</li> </ul>
Group 6	<ul style="list-style-type: none"> <li>• A guided market system could reduce the risk of inequity. A guided market system would need to include paying the market price for water, which may change tremendously over regions.</li> <li>• Rules should be evaluated and adjusted over time to ensure they are reaching stated goals.</li> </ul>

**Key Differences in Workability of Equity in a Demand Management Program**

<b>Individual Worksheets – Question 2c was not on the individual worksheets.</b>	
<b>Group Worksheets – Question 2c: What key differences emerged at your table?</b>	
Group 1	It is difficult to apply principles of equity to a voluntary program.
Group 2	There is distrust about whether a voluntary, temporary, and compensated demand management program can happen or not.
Group 3	A demand management program will need to fit within the framework of Colorado water law. There is uncertainty about if a demand management program could fit into this framework.
Group 4	<ul style="list-style-type: none"> <li>• With enough pressure, Colorado water users may be able to agree on a demand management program.</li> <li>• There are key differences in whether an equity program should focus on post-compact or total depletion.</li> <li>• There is an ongoing question about whether equity is a function of outcome or the amount of water contributed.</li> </ul>
Group 5	None.
Group 6	There are differences in perspective on whether a guided market system would be effective. Different pricing values for water by sector means that some areas with different types of economic outputs may be hurt more than others.

## **BASIN IMPLEMENTATION PLAN (BIP) UPDATES**

Greg Johnson, CWCB Section Chief of Water Supply Planning, provided several updates on the Basin Implementation Plans (BIPs). His comments are summarized below.

- CWCB recently released the final Technical Update to the Colorado Water Plan in September. The Technical Update contains new data sets and tools to analyze water supply and inform projects for each basin.
- CWCB procured \$5.5 million to update the Basin Implementation Plans (planned for 2021) and Colorado Water Plan (planned for 2022). CWCB released a request for proposals and have recently finished the selection process. Through the selection process, Matt Lindberg of Brown and Caldwell, who worked on the Technical Update, has been selected to work on the update along with a team of subcontractors.
- Brown and Caldwell will work with the roundtables to identify local experts to assist in the updates of the BIPs for each roundtable individually. CWCB will be finalizing contracts with Brown and Caldwell in the next couple of months.

### ***Clarifying Questions***

IBCC members asked Greg Johnson questions about the BIPs updates. Questions are indicated in italics, with responses below in plain text.

*Has CWCB developed a pre-determined list of consultants for each basin?*

To streamline the process, CWCB initially created a list of potential sub-contractors for the different basins after receiving feedback from the DNR accounting office that it could make the process of selecting sub-contractors more efficient. The list included all the consultants of which CWCB was aware. However, the DNR accounting office subsequently informed CWCB that the list was not actually helpful for contracting efficiencies. As such, the list was not used. Instead, CWCB will work with each basin roundtable to select the sub-contractors with whom they want to work.

## **WATER SUPPLY RESERVE FUND (WSRF) UPDATES**

Greg Johnson, Section Chief of Water Supply Planning at CWCB, provided several updates on the Water Supply Reserve Fund (WSRF). His comments are summarized below.

- A sub-committee of at least three CWCB board members and three IBCC members will be forming to discuss potential changes to the sub-list of the criteria guidelines for the WSRF application. The sub-committee will meet to develop recommendations, which both the CWCB and IBCC will need to ratify.
- There need to be three at least IBCC members in the sub-committee. There was a request for volunteers from the IBCC to join the committee. Aaron Citron, Stan Cazier, Joanne Fagan, and Steve Harris volunteered to join the sub-committee.
- In September, the CWCB finance committee began to discuss potential changes to the WSRF grant program. For example, a potential change could include requiring a feasibility study for any construction projects with a cost of over \$100,000.
- One large goal of the CWCB is to bring consistency to all of CWCB's grant programs. They are working on a project to develop a grant portal to streamline the grants program. CWCB has just started to develop this portal. They would like to dovetail developing the portal with the discussion of potential revisions to the WSRF Criteria and Guidelines.

## **FINAL REMARKS**

Russ George shared his reflections on the discussion throughout the IBCC meeting. His comments are summarized below.

- Russ George said he is optimistic as he listened to the different groups share their perspectives on equity. There are large and complex problems, but many in the room said that there is a way to move forward to address these problems.
- Fairness is an important concept in the equity discussion. Whenever a decision is made, people will evaluate whether they were treated fairly. Despite the complexity of the problem, the program must be managed fairly.
- The conversation about equity in a demand management program is ongoing. If IBCC members have additional thoughts following the meeting, they should contact CWCB staff to share them.
- Building trust is an important factor in the process of developing a demand management program. Water is a serious topic, which makes it easy for people to be afraid or suspicious. IBCC members should continue to have conversations with their communities to gather community perspectives to assist in developing a demand management program that works for the communities across the state.

## **NEXT STEPS**

- There will be three IBCC meetings in 2020. The next IBCC meeting for the 2020 calendar is scheduled for March 4 in Denver. This meeting aligns with the demand management process meeting, which is scheduled for March 5. The next two meetings are tentatively scheduled for June 17 and October 21, both on Wednesdays.
- IBCC requested volunteers to help plan for the discussion for the March meeting. Lisa Darling, Melly Whitting, and Andy Mueller volunteered.
- There was a request to schedule the IBCC meeting in October 2020 to align with the C-9 statewide summit, if possible. The C-9 summit does not occur on an annual basis, so there will not be a summit in October 2020 as the last C-9 summit was in October 2019.
- There was a request to host the June meeting in Durango and the October meeting in Glenwood Springs.

**Appendix A**

**IBCC Breakout Exercise – Equity in Demand Management (DM)**

**INDIVIDUAL PERSPECTIVE WORKSHEET**

**QUESTION #1**

Do you think it is possible to agree on a common definition of “equity”?

What elements should it include? How would YOU define it?

**QUESTION #2**

Do you think equity can work with a voluntary, temporary, and compensated program?

What are the things that you would need to be considered to minimize the possibility that a DM program would create inequity?

**Appendix B**

**IBCC Breakout Exercise – Equity in Demand Management (DM)**

**TABLE DISCUSSION WORKSHEET**

**QUESTION #1**

Did your table agree on whether it is possible to develop a common definition of “equity”?

What common elements do the definitions from your table share?

What key differences are there in the definitions at your table?

**QUESTION #2**

Did your table agree on whether equity can work with a voluntary, temporary, and compensated program?

What common considerations to minimize the risk of inequity did your table identify?

What key differences emerged at your table?