



**COLORADO**

**Colorado Water  
Conservation Board**

Department of Natural Resources

Jared Polis  
Governor

Dan Gibbs  
DNR Executive Director

Rebecca Mitchell  
CWCB Director

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## September 18 & 19, 2019 Board Meeting Agenda

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A meeting of the CWCB will be held on Wednesday, September 18, 2019 commencing at 9:00 AM and continuing through Thursday, September 19, 2019. The meeting will be held at Rio Grande Water Conservation District Office 8805 Independence Way Alamosa, CO. 81101.

There will be a Finance Meeting held on Tuesday, September 17, 2019, commencing at 11:00a.m. at the San Luis Water Conservancy District Office 623 Fourth St. Alamosa, CO 81101.

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

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

The CWCB's meetings are made available through live audio streaming on YouTube, although Board workshops are not. To listen to the proceedings, click the "Listen to the meeting LIVE!" link on the CWCB website homepage and select the link for the proper day and time. The link will be posted just prior to the start of the meeting.

The CWCB encourages citizens to express their views and provide feedback to the Board on the agenda items. This can be done by sending an email to [viola.bralish@state.co.us](mailto:viola.bralish@state.co.us) by sending a letter to a Board member or to the Chair of the Board, or by attending the meeting. If you attend a meeting, simply fill out a comment sheet and give it to the Board Coordinator at the recording station. The Board will appreciate hearing your views when it reaches that agenda item. If you have any questions, need special accommodations as a result of a disability, or require further information on any CWCB activity, please contact Viola Bralish at 303-866-3441, ext. 3206. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).



## Wednesday, September 18, 2019

9:00 - 9:02	<b>CWCB Call to Order and Pledge of Allegiance</b>
9:02 - 9:05	<b>1. Review and Approve Agenda</b>
9:05 - 9:07	<b>2. Review and Approve July 17 &amp; 18, 2019 Board Meeting Minutes</b>
9:07 - 9:10	<b>3. Approve and/or Remove Consent Agenda Items</b>
9:10	<b>4. Board Meeting Dates in 2019</b> a. November 20 & 21 Denver Metro <b>Board Meeting Dates in 2020</b> a. January 27 & 28 b. March 18 & 19 c. May 20 & 21 d. July 15 & 16 e. September 16 & 17 f. November 18 & 19
9:10 - 10:10	<b>5. Directors' Reports</b> a. DNR Executive Director b. IBCC Director c. Agriculture Commissioner d. CWCB Director e. State Engineer f. Division of Parks and Wildlife Director g. Water Resource and Power Development Authority
10:10 - 10:25	<b>6. Yampa River Fund</b> <i>Interstate, Federal, and Water Information Section</i>
10:25 - 10:55	<b>7. Colorado River Demand Management 2019 Work Plan Update</b> <i>Interstate, Federal, and Water Information Section</i>
10:55 - 11:10	<b>Morning Break</b>
11:10 - 11:20	<b>8. Technical Assistance for Federal Cost-Share Program</b> <i>Interstate, Federal, and Water Information Section</i>
11:20 - 12:05	<b>9. WSRF Grant Applications</b>

### Water Supply Reserve Fund Application Grants September 2019 CWCB Board Meeting

Agenda Item	Basin	Applicant	Name of Water Activity
a.	Gunnison	Crawford Water Conservancy District	Lower Aspen Canal Piping Efficiency Project
b.	Gunnison	Uncompahgre Watershed Partnership	Governor Basin Restoration Project
c.	Gunnison	City of Montrose	Uncompahgre River Improvement Project
d.	South Platte	Fourmile Watershed Group	Boulder Creek Watershed Water Quality Sampling
e.	South Platte	Colorado Master Irrigator	Colorado Master Irrigator Program – Northern High Plains

<b>f.</b>	Yampa/White/Green	Deborah Martin	Martin Springs Irrigation and Storage Improvements
<b>g.</b>	Southwest	Mountain Studies Institute	Upper San Juan Watershed Enhancement Partnership
<b>h.</b>	Southwest	Montezuma County	Noxious Weeds
<b>i.</b>	Colorado	Trout Unlimited	Granby Diversion Structure Improvement
<b>j.</b>	Arkansas	Beaver Park Water Inc.	Phase 3 Upper Canal Lining Removal and Replacement
<b>k.</b>	Arkansas	DeWeese Dye Ditch and Reservoir Company/Upper Arkansas Water Conservancy District	DeWeese Reservoir Feasibility Study
<b>l.</b>	Arkansas	Otero Ditch Company	Otero Ditch Infrastructure Updates
12:05 - 1:05	<b>LUNCH</b>		
1:05 - 1:20	<b>10. Final Action on Contested ISF Appropriations:</b> <i>Stream and Lake Protection Section</i> <ol style="list-style-type: none"> <li>a. Carnero Creek (Water Division 3)</li> <li>b. Disappointment Creek (Upper &amp; Lower Segments) (Water Division 7)</li> </ol>		
1:20 - 1:35	<b>11. Abrams Creek Project Update</b> <i>Stream and Lake Protection Section</i>		
1:35 - 1:45	<b>12. Rainwater Harvesting Pilot Projects: Updates to Criteria &amp; Guidelines for Regional Factors</b> <i>Division of Water Resources</i>		
1:45 - 2:30	<b>13. Colorado River 101</b> <i>Interstate, Federal, and Water Information Section</i>		
2:30 - 2:35	<b>14. Attorney General's Report, Legal Briefing, and Executive Session</b>		
2:35 - 2:50	<b>Afternoon BREAK</b>		
2:50 - 3:50	<b>15. Executive Session</b> <ol style="list-style-type: none"> <li>a. Colorado River Issues <ol style="list-style-type: none"> <li>i. Competing Legal Considerations</li> </ol> </li> <li>b. Rio Grande Litigation</li> <li>c. Open Meetings Law</li> <li>d. Stockwatering Uses Claimed Under Section 37-92-102(3)(b), C.R.S.</li> </ol>		
3:50 - 3:55	<b>16. Report from Executive Session</b>		
3:55 - 4:15	<b>17. Doppler Radar Presentation</b> <i>Ken Howard</i>		
4:15	<b>RECESS</b>		

**Thursday, September 19, 2019**

8:30 - 10:15	<b>18. Basin Directors' Reports</b> <ul style="list-style-type: none"><li>a. Colorado River (Mainstem) Basin Director's Report</li><li>b. San Juan/San Miguel-Dolores River Basin Director's Report</li><li>c. Gunnison River Basin Director's Report</li><li>d. North Platte River Basin Director's Report</li><li>e. South Platte River Basin Director's Report</li><li>f. Arkansas River Basin Director's Report</li><li>g. City and County of Denver Director's Report</li><li>h. Rio Grande River Basin Director's Report</li><li>i. Yampa-White River Basin Director's Report</li></ul>
10:15 - 10:30	<b>Morning BREAK</b>
10:30 - 10:45	<b>19. Financial Matter - Construction Fund and Severance Tax Perpetual Base Fund</b> <i>Finance Section</i> <ul style="list-style-type: none"><li>a. <i>Financial Projections and Cash Management Report</i></li></ul>
10:45 - 11:00	<b>20. Water Project Loans</b> <i>Finance Section</i> <ul style="list-style-type: none"><li>a. <i>Cedar Mesa Ditch Company - Lower Cedar Mesa Ditch Piping</i></li></ul>
11:00 - 11:30	<b>21. Rio Grande Reservoir Rehabilitation Project</b> <i>Finance Section</i>
11:30 - 11:50	<b>22. Water Plan Technical Update</b> <i>Water Supply Planning Section</i>
11:50 - 12:10	<b>23. Updates on Watershed Health</b> <i>Water Supply Planning &amp; Watershed and Flood Protection Section</i>
12:10 - 12:25	<b>24. Alternative Agricultural Transfer Method Grant Program, Palmer Land Trust, Bessemer Project ATM Economic Impact Analysis</b> <i>Interstate, Federal, and Water Information Section</i>
12:25 - 12:45	<b>25. Project Updates in the Rio Grande Basin</b> <i>Emma Reesor and Nathan Coombs</i>
12:45	<b>ADJOURN</b>

## CWCB Consent Agenda September 18 & 19, 2019

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

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

#### *Stream & Lake Protection Section*

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

- a. Case No. 19CW3036 (Water Division 2): Application of Lower Arkansas Water Management Association*
- b. Case No. 19CW3034 (Water Division 4): Application of Dalwhinnie Group LLC*
- c. Case No. 19CW3063 (Water Division 5): Application of M&M Industries Inc.*
- d. Case No. 19CW3070 (Water Division 5): Application of Neal Shear and Jacqueline Shear*

### **2. Authorization to Proceed to Trial**

#### *Stream & Lake Protection Section*

*For the following resolved case, the Board will be asked to authorize staff to proceed to trial if necessary to ensure consistency with the settlement terms included in its stipulation with applicant:*

- a. Case No. 16CW3103 (Water Division 2): Application of Pueblo Board of Water Works.*

### **3. Floodplain Designations**

#### *Watershed and Flood Protection Section*

- a. *“Flood Insurance Study, City and County of Broomfield”, by FEMA, dated August 2019*
- b. *“Flood Insurance Study, Boulder County, Colorado and Incorporated Areas”, by FEMA, dated August 2019*
- c. *“Flood Insurance Study, Pitkin County, Colorado and Incorporated Areas”, by FEMA, dated August 2019*
- d. *“Flood Insurance Study, Pueblo County, Colorado and Incorporated Areas”, by FEMA, dated August 2019*
- e. *“Flood Insurance Study, Las Animas County, Colorado and Incorporated Areas”, by FEMA, dated August 2019*
- f. *“Colorado Hazard Mapping Program, Hydraulic Analysis - Volume 2, Technical Support Data Notebook for the Big Thompson Watershed”, by AECOM, dated March 2018.*