

South Platte Basin Roundtable Meeting
Tuesday, September 8, 2020
Remote GoToMeeting
4:00-7:00 p.m.

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South Platte Basin Roundtable Business Meeting Minutes

1. GoToMeeting Orientation, Questions, and Comments (G. Varra – 10 min)

The meeting started at 4:04 p.m. Garrett Varra thanked everyone for attending the SPBRT's sixth virtual meeting. He reminded attendees of virtual meeting etiquette (e.g., mute yourself when not speaking, enter questions or comments into the chat box, refrain from eating on camera, be concise and follow agenda).

2. Welcome/Introductions (G. Varra – 10 min)

In attendance: Mary Hodge*, Loretta Daniel*, Jim Yahn*, Garrett Varra*, Matt Jones*, Ken Huson*, Lisa Leben*, Kevin Lusk*, Rich Belt*, Daylan Figgs*, Shane Miller*, Joe Frank*, Allyn Wind*, Brent Nation*, Jim Hall*, Dick Elsner*, Deb Daniel*, Bruce Gerk*, Jason Roudebush*, Sean Chambers*, Sean Cronin, Sam Stein, Christy Wiseman, Chip Paulson, Corey DeAngelis, Diane Kielty, Donnie Dustin, Erik Jorgensen, John Kolanz, Kathryn Weismiller, Mary Presecan, Matt Cook, Matt Lindburg, Kayla Ranney, Robert Sakata, Royal Koepsell, Russ Sands, Joel Schneekloth, and multiple members of the public. Larry Howard* was excused from the September meeting. 20 voting SPBRT members were present (* denotes a voting member).

3. Approval of August 2020 SPBRT Meeting Minutes (G. Varra – 5 min action required)

Matt Jones made a motion to approve the August 2020 meeting minutes and Dick Elsner seconded. The motion passed unanimously without discussion or contest.

4. September 2020 Agenda Additions or Changes (G. Varra – 5 min action required)

There were no proposed additions or changes to the September 2020 meeting agenda. Shane Miller made a motion to accept the meeting agenda and Matt Jones seconded. The motion passed unanimously without discussion or contest.

5. Membership Updates (G. Varra – 10 min action required)

a. Local Domestic Water Provider, At-Large Water Rights, At-Large Recreation

Garrett Varra noted that the three open voting seats are all still open for applicants. There is some interest in the at-large water rights and at-large recreation seats, though Varra has not received any formal applications as of yet.

b. Legislative Appointment

Garrett Varra reported that the Interim Water Resources Review Committee gave him guidance on the process for electing a new legislative representative (a voting seat). The SPBRT hasn't had an active legislative appointment seat in the last few years. John Kolanz, an attorney who presented on state assumption at the April SPBRT meeting, expressed interest in the legislative appointment seat. Varra asked the Roundtable members for input on whether to move forward with selecting John Kolanz for the seat.

John Kolanz introduced himself and detailed his professional career and experience as an attorney familiar with water law and policy issues. Notably, Kolanz spent fifteen years working for the City of Greeley. After Kolanz's introduction, Varra shared the language from C.R.S. §37-75-104, which outlines the various voting seat designations for each Roundtable. Several SPBRT members commented that they believe Kolanz would be a good fit. Varra asked for a motion for direction, as SPBRT chair, to write the relevant legislators a letter and formally request John Kolanz's appointment. Jim Hall made the motion and Dick Elsner seconded. The motion passed unanimously.

6. Dave Miller Ditch: Request for Letter of Support for Water Plan Grant (Matt Rooney – 10 min action required)

Matt Rooney presented the Dave Miller Ditch Company's request for support of their Water Plan grant application. Rooney is the Vice President of the Dave Miller Ditch company, which serves an area outside of Lyons. Rooney shared that the 2013 flood destroyed the headgate, diversion, and ditch itself; in addition, numerous drainages perpendicular to the ditch and Apple Valley Road eroded the ditch rendering it non-functional. This grant request is for phase two of the project. Phase two will extend pipe from a new diversion pump to fourteen shareholders.

After his presentation, Rooney answered various questions from SPBRT members. Responding to a question from Sean Cronin, Rooney noted that the CWCB loan application is in conjunction with the Water Plan grant application. Garrett Varra asked about alternatives to refinishing the earthen ditch as well as the need to acquire easements. Joe Frank, Ken Huson, and Corey DeAngelis commented on flow rates and the specifics of the water right. Deb Daniel asked for clarification on the differences between phase one and phase two of the project. Jason Roudebush announced that he will abstain from voting on this item due to close connections with the project. After more brief discussion, Ken Huson made a motion to provide the Dave Miller Ditch Company with the requested

letter of support and Allyn Wind seconded. Jason Roudebush abstained from the vote. The motion passed unanimously. Garrett Varra noted that he will follow up with Matt Rooney.

7. Basin Implementation Plan (BIP) Update (G. Varra and Matt Cook – 60 min)

The Local Expert (LE) team gave a lengthy presentation on the BIP update. The LE team wants input on the Goals & Measurable Outcomes (G&MOs) included the 2015 BIP. SPBRT members discussed the 2015 G&MOs and suggested edits by the LE team. Lynda James strongly urged the LE team to consider adding a goal about migratory bird protection in the environmental and recreation (E&R) G&MOs.

8. Committee Updates

a. South Platte Basin and Statewide Account Balances / Water Supply Reserve Fund (WSRF) (S. Stein and J. Roudebush – 30 min)

Sam Stein reported that there is \$611,865 in the South Platte Basin account. This amount has not yet been updated to include grants that will be heard at next week's CWCB Board meeting. Jason Roudebush reminded everyone that the SPBRT account had \$85,000 in requests from the May 1 WSRF application deadline cycle; those applications will be heard at the CWCB Board meeting on September 16-17. The basin account has approximately \$488,000 for the November 1 WSRF application deadline.

i. Review and Discussion of Proposed Changes to WSRF Guidelines (J. Roudebush – action required)

Jason Roudebush led a review of the WSRF Needs Committee's effort to update the SPBRT's WSRF guidelines. Roudebush recounted the committee's work over the past several months, which was informed by CWCB staff. The intent of the update is to make the application process more clear for applicants. The WSRF Needs Committee also wanted to address a few policies (mainly funding 'buckets' and deferred maintenance) that the Roundtable has been discussing for some time now. The WSRF guidelines were last set in 2015.

Roudebush opened discussion on the topics of deferred maintenance and the separation of basin account funds into categorical buckets. Roudebush referred to his memo (included in the meeting materials) for more detail on these two policy positions. Joe Frank gave historical background on both these policies and explained the reasoning of the Roundtable when the WSRF guidelines were set in 2015. Frank noted that the Roundtable has turned down applications for deferred maintenance in the past. In Roudebush's opinion, this leaves the SPBRT at a disadvantage for tapping statewide account funding compared to other Roundtables. Roudebush thinks there should be sideboards on funding deferred maintenance projects but that the SPBRT should have some help available.

Multiple SPBRT members then discussed the proposal to allow funding for deferred maintenance projects, with stipulations. In general, there was agreement that these projects should be funded up to a certain percentage of project cost or a dollar cap (though members differed on what the cap should be). Members also agreed that the funding buckets, while created with good intent, can confuse applicants.

After discussion, Roudebush expressed that he would like to have the new guidelines in place for the next WSRF application deadline of November 1. Jim Hall made a motion to accept the proposed WSRF guideline changes outlined in Roudebush's memo with the funding amount for deferred maintenance projects capped at 25% of a project's total cost, up to a maximum amount of \$50,000 per project. Dick Elsner seconded the motion. The motion passed unanimously. After the vote, Garrett Varra thanked Roudebush for his work on this item. Roudebush then thanked the WSRF Needs Committee members.

b. Public Education, Participation, and Outreach (PEPO) Workgroup (C. Davenport – 10 min)

Diane Kielty, recorder for the Metro Roundtable and Program Manager at Colorado Watershed Assembly, provided the PEPO update.

Videographer Christi Bode is working on the South Platte Basin video. The focus is on the hydrologic function of the South Platte River, the value of agriculture, and the unique character of our watershed. Thank you to everyone who has assisted with the video. Since last month, Christi has been able to get a few good vantage points of the South Platte below Fort Morgan to Julesburg. She was looking to capture visuals of the river corridor surrounded by agricultural lands and protected wildlife areas. Bruce Gerck and Jim Yahn recommended some sections that visually show the river's return flows and river function. Christi was planning to fly her drone and was hoping for introductions to any landowners that would be receptive to the educational cause. Jim Yahn stepped up and arranged for a plane to take Christi up for a bird's eye view. The Yahn family most graciously hosted Christi at their home for the night. Being from the Rio Grande valley, and not a 'flatlander', Christi was most appreciative. Thank you to Jim and his family.

Keep It Colorado is a statewide organization promoting conservation, protection, and stewardship of rural lands in Colorado. Keep It Colorado's partners include Colorado Cattleman's Agricultural Land Trust, Colorado Open Lands, Douglas Land Conservancy, South Metro Land Conservancy, Ducks Unlimited, The Nature Conservancy, and conservation minded landowners. Keep It Colorado will be making a presentation at the October 13 SPBRT meeting.

The PEPO Committee is making progress on the Live Like You Love It (LLYLI) campaign. The Communications & Social Media Assistant is coordinating graphics and messaging for Twitter, Facebook, and Instagram to allow potential stakeholders to have easier access to

information regarding the South Platte Basin and the collaborations that take place. Not only will information be more accessible, it will be shareable and will allow viewers to easily pass along information. Colorado Watershed Assembly staff will be leveraging LLYLI social media material to post existing, cohesive content on South Platte Basin platforms. The main goal is to a) share the LLYLI toolkit and b) further explain the statistic that 86% of South Platte water is used in agriculture and positively showcase agriculture's role in the community and watershed. The plan will be to post at least three times a week on each social media platform. Curating content and photos, utilizing icons provided by LLYLI, checking with the admin that all posts look accurate and aligned with South Platte Basin goals, and posting are the actions needed to successfully tell the South Platte Basin's story to stakeholders, community members, and voters.

The Sustaining Colorado Watersheds Conference will be held virtually October 6-7. Organizers are in the early and uncertain planning phase of several low attendance tours, including a Greeley Turf Conversion Tour, a Cherry Creek Agricultural Practices Tour at Prairie Canyon Ranch in Douglas County, and a Big Thompson Confluence Mitigation Bank Tour.

There is a Society for Range Management event on October 23 in Ft. Collins.

The Education Action Plan is currently being updated for 2021; Colorado Watershed Assembly was hoping to present a proposal to this Roundtable at the September meeting to request continued funding for the PEPO Working Committee. Casey has not been able to coordinate an Educational Committee meeting and would like to respectfully request another month to complete the 2021 Education Action Plan and budget.

Please visit the South Platte Basin [website](#); give Casey your feedback via the email link on the site.

9. Interbasin Compact Committee (IBCC) Update (J. Yahn and S. Cronin – 10 min)

Jim Yahn reported that there is no noteworthy IBCC update. Sean Cronin had to leave the meeting early due to a family obligation.

10. Colorado Water Conservation Board (CWCB) Update (J. Yahn – 10 min)

Jim Yahn reported that the CWCB Board had a demand management workshop last week. Board members heard from different workgroups and consultants, as well as some public comment. The CWCB Board is not making any decisions on demand management at this time. They are staying up to date as the process moves along. There is a CWCB Board Finance Committee meeting on September 15, with the regular Board meeting running September 16-17.

Sem Stein then gave several CWCB updates. The CWCB is hosting a virtual drought tour to highlight the impact drought has on rural communities and agriculture. The public can submit drought stories for the virtual tour on engagecwcb.org.

Roundtables will not receive additional WSRF funding from severance tax for the next three years; Roundtables need to be judicious with the funds already in their accounts. CWCB staff will try to stretch the statewide account as well. CWCB staff is collecting feedback on the WSRF program via an online survey. Proposed changes to the WSRF program, including deadline changes, language edits, and changes to distribution timelines, will be presented to the CWCB Board at their meeting on September 16-17.

Regarding COVID-19, CWCB is expecting an executive order from Governor Polis that DNR will interpret for guidance on travel, contractors, etc. CWCB will likely not be able to fund Roundtable meetings but may allow for select meetings in person. CWCB staff is scheduled to work from home until January 1, 2021. The next IBCC meeting will be a joint virtual meeting with PEPO on October 21.

11. Public Comment (10 min)

Corey DeAngelis discussed the Decennial Abandonment list. The list was published in July 2020. DWR will send certified mail to the last known owner of each water right on the list. Water rights owners have about a year to file a written statement of objection. In December 2021, DWR will publish a final list, which will go through the water court process. DeAngelis then gave a quick overview of precipitation patterns and flow conditions. The meeting adjourned at 6:51 p.m.