



Arkansas Basin Roundtable

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Executive Committee Meeting Notes Wednesday, October 13, 2021 – Zoom Meeting www.arkansasbasin.com

Executive Committee Present: Mark Shea – Chair; Mike Fink – Secretary; Paul Fanning - PEPO, Sandy White- Past Chair; Bob Hamel – Vice Chair (Recreational and Environmental Committee); Carol Ekarius-ARWC, Amber Shanklin, Chris Wisemen, Tim Canterbury, Greg Felt, Jeris Danielson, Abby Ortega, Sarah Mudge, Will Koger, Russ Sands, Sam Stein, Jonathan Paklaian, Al Tucker

Call to Order:

Chairman Mark Shea called the meeting to order at 10:32 AM. Greetings and introductions were performed.

Minutes:

Consensus approval for September 08, 2021 meeting minutes.

ARWC Board Meeting:

- Executive Director Update- Carol introduced Jonathan in his third week on the job. Carol will hold most of her ARWC business for the Roundtable discussion.

Reoccurring Matters:

- Chair Comments- Mark stated that he does not have anything that will not be covered in the regular Roundtable.
- Other Outstanding Reports- Sandy reported on the recent water day celebration in Huerfano County- over fifty (50) in attendance with a reservoir tour.
- Financial support didn't get finalized for this event and Paul Fanning (PEPO Chair) responded that he and Alli will be attending the State-Wide PEPO meeting next week and Paul wants to bring the financial support topic to the state-wide PEPO group.
- Sam Stein from CWCB was asked whether other Roundtables have access to funding. Sam indicated that several other Roundtables have run events and many were self-funded, but he thought that some of the events accessed WSRF funding.

ABRT BIP Update/ Local Expert:

- BIP Drafts review, Project database updates- Matt Lindburg will be providing an update to the Roundtable at the afternoon meeting.
- The BIP project database will be made available for public release today.



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Roundtable Business:

- Demand Management Discussion- Terry wasn't on the call, so Sandy White reported out on the Demand Management comments that Greg and Sandy authored.
- There were four areas which include:
 - Data
 - Clarity
 - Legality
 - Secondary impacts.
- Greg indicated that current laws may not fully address Demand Management and that the concept may not fit well with current laws. There may be a need for legislation to enable elements of the Demand Management project going forward.
- Mark Shea indicated that he felt the current legal system may not fully support a voluntary Demand Management that's evolving through the CWCB. Mark also indicated that most of the state shares the risk to water supply that any Colorado River Demand Management. Mark has been contacted by leadership from the South Platte Roundtable and the Metro Roundtable and there may be an opportunity to issue a joint statement from the three Front Range Roundtables identifying a proactive and voluntary approach as an alternative to a compact curtailment imposed on the Front Range. This should be a program that protects all of us (not just the Front Range Roundtables).
- Abby indicated that Sandy's paper is a great start. She indicated that we may want to hit hard on the Arkansas Basin's long time policy that all water elements are measured regardless of their volume. This moves into the equity side of the equation; when the Demand Management get finalized, the Arkansas Basin Roundtable is already in compliance and we can prove it by our measurement standards.
- Jeris also congratulated Sandy and indicated that, under the current legal system, the water that is voluntarily not put to use by a water user effectively passes the right to use that water goes to the next in line according to the priority system. This leaves water dedicated satisfying demand management out of the equation. He indicated it may take even more than legislation; it may require a constitutional amendment, to allow this water to be used for satisfying demand management.
- Carol indicated that Division 2 Engineer's current initiative to address the non-decreed ponds aren't being addressed in other Basins. Initiatives such as this demonstrate that the Arkansas Basin has taken Demand Management very seriously.
- Greg spoke to the "equity" element, noting that CWCB has always used the term compensated, so how will the water rights owners get compensated if they pass on using some part of their water right? That has not been addressed. Greg asked if we can count water reserved in a reservoir and is committed to Demand Management, how will this water owner be "Compensated?" If that water isn't used to satisfy Demand Management, can the water be returned to the volunteers who didn't use that water? Can we use this water as a "credit" for the voluntary passing using the water rights?



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- Greg said that monetizing the water saved is tough if we can use water as the currency rather than translating water stored into funding, can we be that flexible? Will water later make up for no water now actually be workable as a policy?
- Jeris questioned the quoted volume save of 500,000 acre-feet- can we generate that amount of water savings and if so how long would it last to actually make a difference in maintaining Lake Powell?
- Sarah brought up the land use development and land management. How can we within the basin quantify the water use- land use nexus? How does conservation fit into the demand management picture?
- Sandy indicated that the Demand Management investigation is all over the place, the comments were drafted after reviewing the CWCB investigations and our comments were addressing the CWCB reports. Now it seems that we have skipped to negotiating what Demand Management will actually look like. He's willing to draft the words, but he needs someone else to quantify the numbers.
- Paul indicated that he agrees with Sandy and Jeris we can't really have a defined target. Until we know what Demand Management really is, until then, we cannot really address the specificities.
- Sandy would like to know if we are going to promote the Arkansas Basin needs and desires or are we going to try to do something helpful and critical to the feasibility analysis. We need to decide- do we provide constructive criticism or take a negotiating position?
- Mark brought it back to what is the risk and how do we manage the risk? Are we proactive or do we just wait for Demand Management to happen and deal with it when it is implemented?
- Jeri's noted that we can either communicate what the Arkansas Basin wants and needs or we can work with the CWCB on what the problems are in defining Demand Management and the problems in implementation of the same thing.
- Sandy indicated maybe two sets of comments be submitted- a separate comment on the importance of Colorado Water in the Arkansas Basin and reviewing/supporting proactively the concept of the actual Demand Management structure as it is forming.
- Greg indicated that we should have a support for the ongoing process, calling out what we like and what we do not like and the second document would be what we have accomplished in the Arkansas Basin, including the sacrifices that the water users in the Ark Basin already manage and will in the future. We should assert our efforts, coupling with the fact that we do use this trans-mountain water and document it very well.
- Mark indicated that we can say we're supportive of the concept "IF" it looks like this and "NOT IF" it looks like that.
- Mark asked the Executive Committee how they feel if he continues his dialog with the Front Range Roundtable and if what we are working on does not work with other Front Range Roundtable's, we should know.
- Greg indicated that the next CWCB Meeting is November 17-18.



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Upcoming Meetings:

- Arkansas Basin Roundtable – November 10, 2021
 - Executive Committee- 10:30am
 - Roundtable- 12:30pm
- Committees
 - Enviro/Rec Comm.- October 25, 2021: 10:00am
 - PEPOW- October 20, 2021 1:30am
- Statewide PEPO- October 20, 2021
- IBCC- October 21, 2021
- CWCB Board Meeting- November 17-18
 - November Demand Management Workshop?

Adjourn:

Mark Shea adjourned the Executive Committee Meeting at 12:05 PM.