



**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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## May 17 - 18, 2022 Board Meeting Agenda

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A meeting of the CWCB will be held on Tuesday, May 17, 2022 commencing at 9:00 AM and continuing through Wednesday, May 18, 2022. The meeting will be held at the DoubleTree Hotel 550 Village Road Breckenridge 80424 and virtually on Zoom.

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://dwr.state.co.us/Portal/Login/>.

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 on our website at <https://cwcb.colorado.gov/>.

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 want to make a public comment during the meeting you must fill out a [comment sheet](#) prior to the meeting date and email it to the [Board Coordinator](#). 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).



**Tuesday, May 17, 2022**

9:00-9:02	<b>CWCB Call to Order and Pledge of Allegiance</b>
9:02-9:05	<b>1. Board Appointments</b>
9:05-9:07	<b>2. Review and Approve Agenda</b>
9:07-9:10	<b>3. Review and Approve March 15 &amp; 16, 2022 Board Meeting Minutes</b>
9:10-9:15	<b>4. Approve and/or Remove Consent Agenda Items</b>
9:15	<b>Board Meeting Dates in 2022</b>  a. July 20 & 21 - Steamboat Springs b. September 20 & 21 - Durango c. November 16 & 17 - Denver
9:15-10:15	<b>5. Directors' Reports</b> a. DNR Executive Director/IBCC Director b. CWCB Director c. Agriculture Commissioner d. State Engineer e. Division of Parks and Wildlife Director f. Water Resource and Power Development Authority
10:15-10:25	<b>6. Financial Matters - Construction Fund and Severance Tax Perpetual Base Fund</b> <i>Finance Section</i>  a. Financial Projections and Cash Management Report
10:25-10:40	<b>Morning BREAK</b>
10:40-10:50	<b>7. New Loan</b> <i>Finance Section</i>  a. City of Grand Junction - Kannah Creek Flowline Replacement
10:50-11:00	<b>8. Change to Existing Loan</b> <i>Finance Section</i>  a. City of Grand Junction - Carson Reservoir Dam Rehabilitation
11:00-11:20	<b>9. Severance Tax Operational Fund Approvals</b> <i>Finance Section</i>

11:20-11:50	<b>10. Severance Tax Operational Fund - Policy 18</b> <i>Finance Section</i>												
11:50-11:55	<b>11. WSRF Grant Applications</b> <b>Water Supply Planning Section</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #cccccc;"> <th colspan="4" style="text-align: center;">Water Supply Reserve Fund Application Grants at the May 2022 CWCB Board Meeting</th> </tr> <tr style="background-color: #cccccc;"> <th style="width: 25%;">Basin</th> <th style="width: 25%;">Applicant</th> <th style="width: 40%;">Name of Water Activity</th> <th style="width: 10%;">Total Request</th> </tr> </thead> <tbody> <tr> <td>North Platte</td> <td>Owl Mountain Partnership</td> <td>Jackson County Structures for Water Control</td> <td style="text-align: right;">\$203,718</td> </tr> </tbody> </table>	Water Supply Reserve Fund Application Grants at the May 2022 CWCB Board Meeting				Basin	Applicant	Name of Water Activity	Total Request	North Platte	Owl Mountain Partnership	Jackson County Structures for Water Control	\$203,718
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North Platte	Owl Mountain Partnership	Jackson County Structures for Water Control	\$203,718										
11:55-12:15	<b>12. Water Plan Grant, Environmental and Recreation Category - Criteria Update</b> <i>Watershed and Flood Protection Section</i>												
12:15-1:15	<b>LUNCH</b>												
1:15-1:30	<b>13. South Platte River - South Metro Fire District Easement</b> <i>Watershed and Flood Protection Section</i>												
1:30-2:00	<b>14. FY 22-23 Funding for Water Plan Grant Categories</b> <i>Operations Section</i>												
2:00-2:15	<b>15. 2022 ISF Appropriations</b> <i>Stream and Lake Protection Section</i>  a. Final Action on Uncontested 2022 Instream Flow Appropriations: Italian Creek and Lottis Creek (Water Division 4), Kinney Creek (Water Division 5, and Watson Creek (Water Division 6)  b. Final Action on Uncontested 2022 Instream Flow Appropriations: Spruce Creek (Water Division 5)  c. Spring Creek (Water Division 4)												
2:15-2:30	<b>16. Proposed Renewal of Ute Water Conservancy District Lease of Ruedi Water for Instream Flow Use in the 15-Mile Reach (Water Divisions 5)</b> <i>Stream and Lake Protection Section</i>												
2:30-2:50	<b>17. Water Education Colorado's Work Plan - Annual Allocation</b> <i>Water Supply Planning Section</i>												
2:50-3:05	<b>Afternoon BREAK</b>												

3:05-3:10	<b>18. Attorney General’s Report, Legal Briefing, and Executive Session</b>
3:10-4:10	<b>19. Executive Session</b> <ul style="list-style-type: none"> <li>a. Litigation Fund Request</li> <li>b. Colorado River Interstate Matters</li> <li>c. Conflicts of Interest</li> <li>d. South Platte River Matters</li> </ul>
4:10-4:15	<b>20. Report from Executive Session</b>
4:15-4:25	<b>21. FY 23 Litigation Fund Request</b>
4:25-4:55	<b>22. Colorado River Updates</b> <i>Interstate, Federal, and Water Information Section</i>
4:55-5:10	<b>23. Public Comment</b>
5:10	<b>RECESS</b>

**Wednesday, May 18, 2022**

8:30 - 10:00	<b>24. 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>
10:00- 10:10	<b>Presentation by 5<sup>th</sup> Grade Students from Louisville Elementary</b> <i>A group of 5th graders researched challenges with demand and supply as it relates to the CO River Basin. Students were assigned a stakeholder (farmer, recreationist, resident, business owner, etc) and asked to research and present on their stakeholder's water challenges and proposed solutions.</i>
10:10 - 10:25	<b>Morning BREAK</b>
10:25- 10:40	<b>25. Water Plan Update</b> <i>Water Supply Planning Section</i>
10:40- 4:55	<b>26. Colorado Water Plan and Water Resiliency Workshop</b>  <i>Working Lunch during workshop</i>
4:55	<b>ADJOURN</b>

## **CWCB Consent Agenda May 17 - 18, 2022**

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 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*

*Staff recommends the Board ratify CWCB's filing of the following Statements of Opposition:*

- a. Case No. 22CW3014 (Water Division 5): Application of The Town of Eagle
- b. Case No. 22CW3017 (Water Division 5): Application of MC McLain Flats LLC

### **2. Change to Existing Grant**

*Stream & Lake Protection Section*

- a. Water Plan Grant Revision to Scope of Work - Upper Rio Grande Environmental Restoration and Recreation Infrastructure Improvements by the Rio Grande Watershed Emergency Action Coordination Team (RWEACT)

### **3. HB1051 Reporting Guidelines**

*Water Supply Planning Section*

### **4. Diane Hoppe Memorial Scholarship**

*Administration & Operation Section*

### **5. Floodplain Designation**

*Watershed and Flood Protection Section*

- a. "Flood Insurance Study, Gilpin County, Colorado, and Incorporated Areas", by FEMA, dated April 6, 2022