



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

Jared Polis
Governor

Dan Gibbs
DNR Executive Director

Rebecca Mitchell
CWCB Director

May 17 - 18, 2023 Board Meeting Agenda

A meeting of the CWCB will be held on Wednesday, May 17, 2023 commencing at 9:00 AM and continuing through Thursday, May 18, 2023. The meeting will be held at Northern Water Facility 220 Water Ave. Berthoud and virtually on Zoom. The Board will be attending a tour of Northern Water's Chimney Hollow and Glade Reservoir's at 1p.m. on Tuesday, May 16, 2023.

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 item scheduled for the regular agenda may be discussed in executive session if legal questions arise as authorized under § 24-6-402, C.R.S. 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 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 a public comment that does apply to one of the agenda items there is time on the agenda at the end of the second day of the meeting. 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, May 17, 2023

9:00-9:02	CWCB Call to Order and Pledge of Allegiance
9:02-9:05	1. Election of Officers
9:05-9:07	2. Review and Approve Agenda
9:07-9:10	3. Review and Approve March 15 & 16, 2023 Board Meeting Minutes
9:10-9:15	4. Approve and/or Remove Consent Agenda Items
	CWCB Board Meeting Dates in 2023 <ul style="list-style-type: none"> a. July 19 & 20 - Gunnison Basin b. September 20 & 21 - Arkansas Basin c. November 15 & 16 - Denver Metro Area
9:15-10:15	5. Directors' Reports <ul style="list-style-type: none"> 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
10:15-10:30	Morning Break
10:30-11:00	6. Operational Planning Discussion <i>Lauren Ris</i>
11:00-11:15	7. Chatfield Reallocation Project Environmental Pool Agreement <i>Lauren Ris</i>
11:15-11:45	8. Fish and Wildlife Resources Fund-Criteria Update <i>Watershed and Flood Protection Section</i>
11:45-11:50	9. Attorney General's Report, Legal Briefing, and Executive Session
11:50-12:50	LUNCH
12:50-1:50	10. Executive Session <ul style="list-style-type: none"> a. System Conservation Pilot Program <i>This item has been removed</i>

	<ul style="list-style-type: none"> b. Colorado River - Draft Supplemental EIS c. Litigation Fund FY 24
1:50-1:55	11. Report from Executive Session
1:55-2:00	12. Approval of Litigation Fund FY 2024 <i>Interstate, Federal, and Water Information Section</i>
2:00-2:20	13. Colorado Weather Modification Program <i>Interstate, Federal, and Water Information Section</i>
2:20-2:30	14. Colorado Snow Survey <i>Interstate, Federal, and Water Information Section</i>
2:30-3:00	15. Colorado River Hydrology and Other Updates <i>Interstate, Federal, and Water Information Section</i>
3:00-3:15	16. Colorado River Draft Supplemental Environmental Impact <i>Interstate, Federal, and Water Information Section</i>
3:15-3:30	Afternoon Break
3:30-3:45	17. Financial Matters - Construction Fund and Severance Tax Perpetual Base Fund <i>Finance Section</i> <ul style="list-style-type: none"> a. Financial Projections and Cash Management Report b. 2024 Projects Bill Funding Projections
3:45-3:55	18. Water Project Loans <i>Finance Section</i> <ul style="list-style-type: none"> a. Crawford Clipper Ditch Company - Crawford Clipper Ditch Improvements
3:55-4:25	19. Prequalification of Water Project Loan <i>Finance Section</i> <ul style="list-style-type: none"> a. Northern Integrated Supply Project
4:25-4:30	20. Severance Tax Perpetual Base Fund Transfer to Water Supply Reserve Fund <i>Finance Section</i>
4:30	RECESS

Thursday, May 18, 2023

8:30 - 10:00	<p>21. Basin Directors' Reports</p> <ul style="list-style-type: none"> a. South Platte River Basin Director's Report b. Arkansas River Basin Director's Report c. City and County of Denver Director's Report d. Rio Grande River Basin Director's Report e. Yampa-White River Basin Director's Report f. Colorado River (Mainstem) Basin Director's Report g. San Juan/San Miguel-Dolores River Basin Director's Report h. Gunnison River Basin Director's Report i. North Platte River Basin Director's Report 								
10:00- 10:15	<p>Morning BREAK</p>								
10:15- 10:45	<p>22. 2023 Instream Flow (ISF) and Natural Lake Level (NLL) Appropriations</p> <p><i>Stream and Lake Protection Section</i></p> <ul style="list-style-type: none"> a. Request for Final Action on Uncontested ISF and NLL Water Rights in Water Divisions 1, 4, 5, and 6 b. Public Comment and Conditional Approval of Terms and Conditions for ISF Water Rights in Water Division 4 on Cottonwood Creek, Monitor Creek, and Potter Creek (Montrose & Delta Counties) 								
10:45- 10:50	<p>23. Request for Authorization to Proceed to Trial in Stipulated Opposition Case:</p> <p><i>Stream and Lake Protection Section</i></p> <ul style="list-style-type: none"> a. Case No. 21CW3026 (Water Division 3): Application of Sustainable Water Augmentation Group, Inc. 								
10:50- 11:05	<p>24. Proposed Acquisitions for Instream Flow Use</p> <p><i>Stream and Lake Protection Section</i></p> <p>Proposed Water Use Agreements with the Ute Water Conservancy District and Garfield County to lease Ruedi Reservoir Water for Instream Flow Use in the 15-Mile Reach (Water Divsions 5) (2nd Meeting)</p>								
11:05- 11:35	<p>25. Water Supply Reserve Fund Applications May 2023</p> <p><i>Water Supply Planning Section</i></p> <table border="1" data-bbox="398 1769 1547 1883"> <thead> <tr> <th></th> <th>Basin</th> <th>Applicant</th> <th>Name of Water Activity</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td>Arkansas</td> <td>Upper Arkansas Water Conservancy District</td> <td>Data Collection Network Upgrade and Expansion</td> </tr> </tbody> </table>		Basin	Applicant	Name of Water Activity	a.	Arkansas	Upper Arkansas Water Conservancy District	Data Collection Network Upgrade and Expansion
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a.	Arkansas	Upper Arkansas Water Conservancy District	Data Collection Network Upgrade and Expansion						

	b.	Colorado	Colorado River District	Airborne Snow Observatory Snow Mapping in the Colorado River System – Water Years 2023 & 2024			
	c.	Colorado	Grand Valley Irrigation Company	ML 260 Piping Project			
	d.	Gunnison	Trout Unlimited – Denver	Stewart Mesa Canal Diversion Modification			
	e.	Southwest	Dolores Water Conservancy District	Increased Application Efficiency for Center Pivot Irrigation			
	f.	Yampa/White/Green	City of Craig	Yampa River Corridor Project			
	g.	Yampa/White/Green	The Nature Conservancy	Maybell Diversion & Headgate Construction			
	11:35- 12:20	LUNCH					
12:20- 12:30	26. FY 2023-24 Water Plan Grant Funding by Category <i>Administration & Operations Section</i>						
12:30- 12:45	27. Diane Hoppe Memorial Scholarship <i>Administration & Operations Section</i>						
12:45- 1:05	28. WEco Annual Allocation Scope						
1:05-1:15	Public Comment						
1:15	ADJOURN						

CWCB Consent Agenda May 17 - 18, 2023

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. 23CW3000 (Water Division 3): Application of Forbes Park Land Owners Association

2. Water Supply Reserve Fund Grants

	Basin	Applicant	Name of Water Activity
a.	Arkansas	Rocky Ford Highline Canal	Diversion Structure Feasibility Study
b.	Colorado	Middle Colorado Watershed Council	Roan Creek Fish Barrier & Diversion Infrastructure Upgrade
c.	North Platte	Owl Mountain Partnership	Structures for Water Control – Gibbs Ditch

3. Floodplain Designation, “Flood Insurance Study, San Juan County, Colorado, and Incorporated Areas”, by FEMA, dated May 9, 2023

Watershed and Flood Protection Section