

Interbasin Compact Committee
Southwest Basins Roundtable Meeting-DRAFT
Hybrid Meeting from LaPlata County Fairgrounds & Event Center, Durango, CO
October 24, 2024

Members Present:

Brandon Johnson	At-Large-Ag	Charlie Smith*	San Juan County
Ken Beegles	At Large -Industrial	Larry Dozier	At-Large
Ken Curtis	At-Large	Ed Tolen	At-Large Domestic Water
Danny Margoles	At-Large	Aimee Tooker*	Montrose
Steve Harris	Legislative Appointment	Steve Wolff	SWCD
Stephen Mead*	San Juan Muni	Peter Butler	LaPlata County
Gary Kennedy*	MWCD	Bruce Whitehead	Animas La Plata WCD
Geoff Burbey	LaPlata WCD	Kevin Kissler	Montezuma Muni
Ryan Gray	DWCD	Kenny Heldman*	Montrose Muni
Candace Jones*	SJWC	Jim Wells*	San Miguel WCD
Pete Nylander	Southern Ute Indian Tribe	Adrian Bergere	At-Large
Candy Meehan*	At-Large	Dave Kanzer*	Co River WCD
Caroline Dunmire*	At-Large- Recreational		

Public:

Laura Spann (CWCB), Jeff Rodriguez (CWCB), Wendy Weygandt (Recorder), Elaine Chick* (PEPO), Mo Rock (SWCD), Russ Sands* (CWCB), Ty Koppenhafer* (Jones & De Mille Engineering), Letisha Yazzie (UMUT), George Gavrieldes (S. Ute), Robert Sakata* (Co Dept. of Ag), Mike Preston* (UMUT), Linnea Spears-Lebrun*(Public), Cheryl Cwelich* (River Network), Lisa Pool (Senator Hickenlooper), Tom Meehan (LoneCone Ditch & Reservoir Co.), Greg Peterson (CAWA), Kathleen Curry (Gunnison Roundtable), Steve Bowman (Montezuma Water), Skylar Zilliox* (Brown & Caldwell), Payeton Childers (WQCC), Deanna Sheriff (Farmers Water Development Co.), Elizabeth Schodder (Public), Wes Coleman (Public), Clyde Church (LPC Commissioner), Annette Quill (CDPHE), Amorina Lee Martinez* (Public), Emerson Kennedy* (Public), Danyelle Leetjes (Upper San Juan WEP)*

*Indicates Zoom Participant

1. Introductions & Review Agenda

- Roundtable Chair Ed Tolen called the meeting to order at 3:00 p.m.

2. Public Comments.

- Senator Hickenlooper Office updates (Lisa Pool):
 - Senators Hickenlooper and Bennet; and Governor Polis sent a letter to the Bureau of Reclamation requesting tribal access to Bucket2W funding strategies.
 - Water Project Navigators Act bill to help local, state, tribal communities and rural areas that lack necessary capacities to access Bureau of Reclamation grants. These navigators will help connect communities to resources in drought stricken areas.
 - Authorizing Colorado River endangered fish program passed by Congress: currently supports a one year reauthorization passed by Congress through September 2025. Senator Hickenlooper is offering a bipartisan long-term goal to extend it seven years.
 - Senator Hickenlooper convened the Colorado River caucus in the Senate to support passage of the Water Resources Development Act to authorize projects that address water management, flood control, ecosystem restoration, and long-term priorities.

3. At-Large Position Vacancies

- Steve Wolff made a motion to approve Danny Margoles and Ken Curtis for the two At-Large position vacancies; Bruce Whitehead seconded; all in favor.

4. Administrative Reports

- **Review and approve minutes from the July 25, 2024 meeting**
 - Ken Curtis made a motion to approve the July 25 minutes; Peter Butler seconded the motion; Elaine Chick provided a correction to the PEPO Liaison Report noting that the Children's Water Festival was moved to the second week-May 15-to accommodate school scheduling needs. Due to the later date, less schools were able to participate. All in favor to accept the amended minutes.
- **Officer Reports**
 - Adrian Bergere, Ed Tolen, Ken Curtis, Elaine Chick, Candace Jones attended the C-9 Conference in Crested Butte. It was reported that the venue was beautiful, but required a long drive and few businesses were open. There were productive brainstorming sessions. It was noted that there were good panel discussions from other Roundtables. CWCB conducted a poll looking for topics. It reiterated that IBCC is effectively a "think tank" with not a lot of statutory authority. The side conversations with other roundtables proved productive. There is value in SWBRT channeling local needs to the Metro area and distributing funding.
- **WSRF Basin Roundtable Fund Balance \$750,000 (\$26,250 approved for Aspen Trails Metro District, \$22,667 approved for Conservation Legacy and \$10,730 approved for the Town of Sawpit at July meeting)**
- **CWCB Update-Jeff Rodriguez**
 - C-9 sessions were recorded and will be available for viewing on the CWCB's Engaged page.
 - CWCB Guide is still in its draft mode. It will be finalized after November 1st. Comments/feedback are still coming in.
 - Deadline: December 13-Grants for Innovative Approaches on drought resistance for ag producers. Greg Vlaming continues to track basin projects.
 - The question from the Roundtable was once again asked. What is the Roundtable here for? Is its main purpose to distribute WSRF Funding to local projects? Further discussion identified:
 - WSRF Funding supports local discussions and needs
 - Assist CWCB to create a Water Plan
 - BIP Technical Updates
 - 10 year planning cycle to produce the Co Water Plan
 - Drought resilience action plans
 - Low regrets document
 - Build relations and local camaraderie with what is happening in various watersheds/projects and also among groups/nonprofits that have local interests in the southwest region

5. IBCC Update-Ken Curtis

- What message will be sent to the rest of the state? The January IBCC meeting will prep for Jeff's February meeting.
- Low regrets documents sent out quite a while ago. Will be reviewed
- CASM ASO: Ken will work with Steve Wolff on adding this to the agenda
- The survey came out after the C-9
- Jeff Rodriguez will provide a link that summarizes the survey topics from C-9.

6. PEPO Subcommittee Meeting

- Candy Meehan, Ed Tolen, Steve Wolff, Mo Rock, Kevin Kissler, Ken Beegles, Aimee Tooker and Candace Jones volunteered to be on the PEPO education subcommittee.
- CWCB awarded a \$25,000 grant to PEPO to focus on an education action subcommittee to address the mission and projects of PEPO.
- Elaine Chick asked for funding to extend the 2024 grant to finish the video on agriculture.

7. CDPHE-Proposed Fill & Dredge Regulations (House Bill 21-1379)-Annette Quill

- Enact policies to protect the unprotected waters. Bill created to authorize rule making on Colorado's permanent bodies of water. It is noted that 50% of these waters are out of Federal protection. A separate entity was created that borrows heavily from the Federal program. This entity does not replace the Army Corp of Engineers. The intent of the legislation is to ensure that "state waters" are protected from the impacts of dredge and fill activity after the U.S. Supreme Court limited the historic scope of federal protection under the Clean Water Act through its decision in Sackett v. EPA.
- Monthly stakeholder meetings will be scheduled
- The draft framework will be available in December 2024
- HB24-1379 Implementation-Overview of Requirements
 - Until January 1, 2025: Use of Clean Water Policy 17 continues. (Projects not requiring compensatory mitigation continue to operate under Clean Water Policy 17 until January 1, 2025.)
 - January 1, 2025: Nationwide/regional permits become effective. (Temporary authorizations will be required for all projects requiring preconstruction notification. Temporary authorizations will be required when "impact" thresholds are triggered to require compensatory mitigation.)
 - February 2026: Regulation No. 87 becomes effective. (Projects requiring compensatory mitigation will be covered under Regulation No. 87)
- Two governing entities:
 - Water Quality Control Commission
 - enacts rules/adopts regulation
 - Comprised of nine volunteers appointed by the Governor, confirmed by Senate; three year rolling term
 - Water Quality Control Division
 - Administer the program; permit issuance and enforcement
 - Implements dredge & fill.
 - It will kick in January 2025
 - Serve as staff to the Commission

8. Water Plan Grants

- The Dolores Water Conservation District wants to modernize a water accounting program that would help with scenario planning of the trans-river basin waters that pass through McPhee Reservoir. It would be an inhouse model built on a commercial scale with a license subscription. The goal is to have it operational by Spring of 2026.
 - Steve Harris made a motion to write a letter of support for this model; Steve Wolff seconded it; all in favor.
- The Ute Mountain Utes note a portion of water rights remain undeveloped and undefined. There is an existing BIP. They are proposing a federal reserve options rights study. The statement of work would permit filing on:
 - inventory of existing wells on the reservation on Ute Reservation in Colorado
 - hydraulic reservoir sites in the Mancos River Basin
 - Design diversion and pipeline to deliver San Juan water rights near Four Corners
 - Look at options for Federal Reserve Water rights in the McElmo
 - Investigate opportunities to deliver Dolores River allocation water for M&I in the Four Corners

–Notes: A statement of work has not been reviewed by CWCB and the Division of Water Resources has not been contacted.

- Ken Beegles made a motion to approve writing a letter of support; Peter Butler seconded the motion; all in favor

9.WSRF Grant Requests

- Farmers Water-Gurley Dam above Norwood
 - Repair 2023 slip from dam to canyon wall.The intent is to be proactive and avoid future issues before fill restrictions are initiated.

- Steve Harris made a motion to approve repairs; Brandon Johnson seconded the motion; all in favor.
- Lone Cone Ditch & Reservoir Company
 - Update aging infrastructure with HDPE pipe and replace crumbling concrete & pipe outlet structure.
 - Adrian Bergere made a motion to approve; Steve Harris seconded the motion; all in favor.

9. Upcoming Events

- WSRF grant applications are due December 23, 2024 for the January meeting
- January 23, 2025-Cortez
- January 29-31, 2025 Colorado Water Congress
- April 24, 2025-Durango
- July 24, 2025-Cortez
- October 23, 2025-Durango
- Other Announcements

9. Wrap Up and Adjournment (At or Before 6:00 PM)

Chair Ed Tolen adjourned the meeting at 5:15 p.m.