

SPBRT Roundtable Meeting Summary Tuesday, April 8, 2025 Time: 4:00 pm – 7:00 pm

Roundtable Voting Members in Attendance: Adam Gates, Brent Schantz, Daylan Figgs, Donnie Dustin, Garrett Varra, Jim Hall, Jim Yahn, Joe Frank, Julia Gallucci, Kevin Ross, Kirk Vincent, Larry Rogstad, Lisa Leben, Lynda James, Scott Griebling, Sean Chambers, Stephen Larson

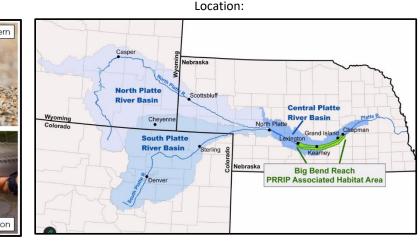
Roundtable Non-voting Members in Attendance: Casey Davenhill, Donald Baggus, Joel Schneekloth, Matthew Shultz, Sean Cronin

Guests: Alessandra Desiderio, Amanda Hoff, Amanda Monk, Cory Channell, Courtney Massey, Daniel Gallen, Kara Sobieski, Karen Schlatter, Kathi LaPoint, Kerry Major, Krystle Morey, Kyle Whitaker, Leah Hubbard, Matt Lindburg, Jake Nemmers, Joe Pitti, Lynette Peppler, Micaela Vondy, Noelle Fillo, Patrick Wells, Quint Redmond, Richard Belt, Robert Sakata, Sarah Gerenday, Tewodros Tilahun

CWCB: Amy Ostdiek, Brad Wind, Esther Malers, Jackie Daoust, Jeff Rodriguez

- 1. Welcome/Introductions (Sean Chambers 5 min.) The meeting was called to order by Chair Sean Chambers at 4:09pm
- Approval of Agenda (Sean Chambers 5 min.)
 It was moved by Garrett Varra to approve the agenda and seconded by Scott Griebling. The motion carried.
- Approval of <u>SPBRT Meeting Summary March 11, 2025</u> (Sean Chambers 2 min.) It was moved by Julia Gallucci to approve SPBRT Meeting Summary March 11, 2025. It was seconded by Garrett Varra and the motion carried.
- 4. Public Comment (3 min.)
 - **1.** No public comments.
- 5. Platte River Recovery Implementation Program (Richard Belt, Kyle Whitaker, Amy Ostdiek 40 min.) The <u>Platte River Recovery Implementation Program</u> (PRRIP) seeks to protect the habitat of four target species in the Big Bend Reach (Nebraska) with cooperation between Colorado, Nebraska, and Wyoming.





Target Species:

The program seeks to assist in the recovery of the four target species and streamlines Endangered Species Act (ESA) compliance to allow for continued water development. Under ESA, federal agencies must ensure that water projects do not harm the continued existence of any threatened or endangered species or adversely modify critical habitat. Colorado has greatly benefited from the streamlined ESA compliance PRRIP offers in cooperation with the <u>South Platte Water Related Activities Program</u> (SPWRAP).

As evidence of the program's success, habitat and population sizes for the interior least tern, whooping cranes, and piping plover are increasing. At the moment, PRRIP efforts have been guided by "target management" rather than a specific "target flow," meaning that controlled releases and observation of what is necessary for the species have informed management rather than a specific target flow.

SPWRAP is a non-profit, formed by water user participants to assist CO meet its accounting and reporting obligations for PRRIP by obtaining interests in facilities, water rights and/or recharge credits, and contributing funding. SPWRAP collects funds from members, primarily municipalities, and uses a variety of approaches to secure water to meet current and future depletions such as reuse or transbasin diversion. For example, <u>Tamarack I</u> involves the use of existing and future wells and other facilities to re-regulate flows and address a 10,000 acre-foot depletion. Other plans will allow for 98,000 acre-feet per year on new development.

SPWRAP Overview

- Water user organization formed in 2007 to meet CO's water obligation under the Program (and backstop the financial obligation)
 - 9-member Board representing 5 principal water user sectors
- · SPWRAP operates two dedicated managed groundwater recharge projects
 - Tamarack 16 wells & 14 recharge ponds
 - Heyborne 1 surface diversion & 5 recharge ponds
 - Petersen Ditch 3 augmentation wells
 - Partnership with CPW, Lower South Platte WCD, & Sedgwick County Well Users
- SPWRAP partners with ~20 lower river augmentation plans
 - Generate additional recharge credits to meet CO obligations
- SPWRAP PRRIP and member support
 - Serve on PRRIP committees and work groups
 - · Assist members in securing streamlined Section 7 consultations on projects with a federal nexus
 - Plan & operate existing and future projects to meet CO obligations
 - Coordinated effort of members, consultants, CWCB staff, etc.

PRRIP operates in increments of 13 years (first increment 2007, extension 2020, second increment will begin in 2032). The second increment was expected to be a straightforward renewal, however, Nebraska's announcement to advance the Perkins Canal project has introduced concerns and may lead to formal negotiations if drastic changes and an Environmental Impact Statement (EIS) are needed. If the Perkins Canal were to be built, its call would affect Tamarack's junior water rights. If PRRIP is not renewed, there may be depletions which the state of CO will be answerable for. CO would face many challenges trying to shift mitigation efforts from the state line upstream.

The SPBRT thanks the presenters for educating its members about PRRIP, SWRAP, and the challenges they face.

6. 2025 Legislative session (Jim Yahn – 15 min.)

- **1.** Bills of interest:
 - <u>HB25-1009</u> Vegetative Fuel Mitigation: Allows a fire protection district to mitigate dead or dry plant materials on privately owned property within a district.
 - <u>HB25-1010</u> Prohibiting Price Gouging in Sales of Necessities: Prohibits the price of a necessity

from increasing more than 10%. The question of concern is whether water is included as a "necessity." New criteria have been added to this bill.

- <u>HB25-1014</u> Increasing Efficiency Division of Water Resources: Modifies procedures and fees for permitting groundwater use, and the timing of a decennial report on abandoned water rights by the Division of Water Resources in the Department of Natural Resources. The bill aims to increase the efficiency of water resource administration.
- <u>HB25-1029</u> Municipal Authority over Certain Lands: Grants a municipality full authority over land acquired outside its limits for use whether open to the public or not.
- <u>HB25-1053</u> Landowner Immunity for Emergency Access to Property: Grants limited immunity from civil liability during emergencies (relevant for wildfires).
- <u>HB25-1090</u> Protections Against Deceptive Pricing Practices: Requires prices of goods, services, and property to be disclosed according to established conditions.
- <u>HB25-1099</u> Water Quality Data Standards: Requires the water quality control commission to issue guidance for the daily maximum amount of pollutant from all sources that is allowed to enter state waters so that an applicable water quality standard is met.
- <u>HB25-1106</u> Remove Precipitation Collection Limitations: Removes 100-gallon limitation on the amount of rooftop precipitation that may be collected from a small residence and removes all limitations on how collected precipitation may be used.
- <u>HB25-1113</u> Limit Turf in New Residential Development: Limits use of certain landscaping practices in new residential development. Considering amendments and it is getting laid over daily.
- <u>HB25-1115</u> Water Supply Measurement & Forecasting Program: Authorizes the CWCB to administer a water supply measurement and forecasting program to collect and disseminate data (relates to ASO).
- <u>HB25-1120</u> Septic-System Replacement Enterprise: Creates enterprise to manage loan program for failing septic systems.
- <u>HB25-1165</u> Geologic Storage Enterprise & Geothermal Resources: Creates the geologic storage stewardship enterprise in the department of natural resources for the management of underground energy resources.
- <u>HB25-1211</u> Tap Fees Imposed by Special Districts: Outlines requirements for water services within water districts. Bill has been amended to account for water rights and boundaries.
- <u>HB25-1215</u> Redistribution of Lottery Fund: Modifying distributions to multiple environmentfocused funds (wildlife, parks and outdoor recreation, outdoor equity fund, outdoor recreation industry office, and a new outdoor recreation management and infrastructure cash fund.
- <u>HB25-1286</u> Protecting Workers from Extreme Temperatures: Outlines requirements to care for workers exposed to extreme hot or cold temperatures at the worksite.
- <u>HB25-1292</u> Transmission Lines in State Highway Rights-of-Way: Allows a transmission developer to locate high voltage transmission lines within a state highway right-of-way, subject to a process developed by the department of transportation.
- <u>HB25-1318</u> Species Conservation Trust Fund Projects: Appropriates \$5,000,000 from species conservation trust fund for various wildlife conservation programs.
- **HB25-1379** Dredge and Fill Activities in State Waters: Builds from <u>HB24-1379</u> which authorized regulation. Under Regulation 87, section 6, projects which run long will require a permit renewal obligation. The RT expressed concerns about the resources required to renew permits and problematic leveraging resulting in material injury to water rights. See Mark Shea's presentation to the IBCC for more information (YouTube <u>27:38</u>). Join CDPHE's Rule making process or make comments <u>here</u>. Email Jeff Rodriguez with questions.
- <u>HB25-1323</u> Division of Parks & Wildlife Outdoor Recreation: Concerning their authority to enhance outdoor recreation opportunities and the development of a river recreation program. There were some concerns on how this relates to water management and language within the bill. However, *it mentions the roundtable as a resource for stakeholder conversations.*
- <u>HJR25-1004</u> Water Project Eligibility Lists: Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources power development authority.
- <u>SB25-040</u> Future of Severance Taxes & Water Funding Task Force: Establishes a Water Resources and Agriculture Review Committee; a task force responsible for recommending ways to continue funding water needs as severance tax revenue is decreasing.
- <u>SB25-081</u> Treasurer's Office: Allows the State Treasurer, Dave Young, to finance eligible projects,

including water projects.

- <u>SB25-137</u> Greenhouse Gas Credits for Water Quality Projects: Authorizes owners to sell or trade greenhouse gas credits.
- <u>SB25-140</u> Irrigation Districts Inflation Adjustments: Adjusts limitations on administration costs set in 1905 to account for inflation.
- <u>SB25-172</u> Uncontested Special Director District Election Cancellation: Clarifies conditions under which an uncontested election may be canceled.
- <u>SB25-199</u> Suspend Legislative Interim Activities: Concerning reduction of an appropriation. It was clarified that the Water Committee would continue even if the bill is passed.
- <u>SB25-283</u> Funding Water Conservation Board Projects: Concerning CWCB's operations and funding projects with appropriation. Bill includes funding requests for BIPs and a technical update.

7. WSRF (Garrett Varra – 10 min.)

- 1. WSRF Update and SPBRT Funds Status CWCB Basin Account Funds: \$248,415 remains in the basin fund account. The account will be refreshed with \$300,000 in July at the start of the new fiscal year.
- 2. WSRF 2025 Cycle 1 Applications: Grants- South Platte Basin

The Needs Committee will meet 04/09/25 to review the applications. Four of the applications would have been suitable for the statewide aging infrastructure fund which is no longer available. The total requested by all applicants is \$210,490. RT members will hear more about the applications in May:

1. Youth Development, Water Education, and the Colorado Water Plan (Year One) – Funding to complete 15 program reviews and to train and compensate youth participants.

2. Plumb and Dailey Return Structure – Funding to update old infrastructure.

3. Larimer County Canal Headgate & Flow Monitoring Improvements – Funding to build a new structure with automated readings since the current system is aged, silts up, and is poorly designed.

4. Lake Water Intake – Funding to construct a well spring.

5. Glacier Summer City Reservoir Dam – Funding to replace valves, design is in progress.

6. CMWC Evapotranspiration Study & Floatovoltaic Design – Funding to study evapotranspiration on four reservoirs and the effectiveness of floatovoltaics to decrease ET.

Application Steps	Cycle 1 Deadlines	Cycle 2 Deadlines
Online summary proposal via www.southplattebasin.com/grants	March 1	September 1
Draft Full Application Submittal on CWCB Portal	3rd Friday in April	3rd Friday in October
RT Award Decision	May RT meeting	November RT meeting
Final Application submittal on CWCB Portal	June 1	December 1
CWCB Approval Meeting	September	March

8. Committee Updates (25 min.) <u>Roundtable Meeting Records — The South Platte Basin</u> Link to Announce a Meeting Form - <u>Add a meeting — The South Platte Basin</u>

- PEPO Committee (Casey Davenhill 10 min.) (<u>04/03/25 summary</u>) PEPO convened South Platte and Metro members for a "Work Plan Review." Some of PEPO's efforts to educate and engage include:
 - Developing and advancing both RT's Education Action Plans (EAPs).
 - Maintaining a presence at events and activities.
 - Monitoring media and communications including emails to basin email address, social media accounts, and website activity.
 - Organizing youth development activities and educating them on workforce opportunities. As an example, June 11th and 12th, the Poudre Learning Center will host youth focusing on the topic "how old will you be in 2050?"
 - Providing financial support; the <u>PEPO grant</u> application cycle will open 05/01/25.
 - Developing guidance on how to educate youth in a way that is equitable (not just focused on urban youth). The "Water Exemplar Program" is intended to evaluate programs using a standard matrix or report card.

RT members complimented PEPO and Casey for progressing education goals. For anyone interested in joining the 05/01/25 PEPO meeting, email <u>casey@cowater.org</u>.

2. ER&W Committee (Larry Rogstad – 10 min.) (03/26/25 summary)

The Committee continues to discuss its structure and direction. The group explored what "Environment, Recreation, and Watershed Health" means and how to incorporate the agricultural perspective. In the past, updating the BIP and Water Plan were big priorities and the group hopes to identify new challenges and goals. Until a leader or chair is found, the members operate under a rotating system of duties. Larry Rogstad and Kirk Vincent will co-chair the April 30th meeting (anyone interested in joining can reach out to them). Meetings are the last Wednesday of the month, 3-4pm. The April meeting will explore several ideas and questions introduced during the March meeting by a domestic ditch constituent (non-RT member) regarding his properties and their potential. If the meeting agendas are prepared and shared with the Metro and South Platte Basin Recorders, invitations to both RTs are encouraged.

3. M&I Committee (Jim Hall – 5 min.) (03/28/2025 summary) The M&I committee discussed what process should happen when looking for potential projects that the committee or RT could support. The committee will review the BIPs, the RT's "No & Low Regrets" document and the IBCC's 2013 "No & Low Regrets" document. The goal is to ensure that WSRF funds go towards RT goals. Next meeting will be 04/25/25 at 9:30am.

9. IBCC Update (Jim Yahn & Sean Cronin – 20 min.) (Link to IBCC Webpage)

1. "No & Low Regrets" IBCC Subcommittee Update: The "No & Low Regrets" or Drought Resiliency Action Plan concept is currently being developed by two different committees with two different processes; the RT has a committee dedicated to identifying basin priorities (2025 <u>SPBRT Draft</u>) and the IBCC members have formed a committee to review priorities developed by the IBCC in 2013 (<u>2013 IBCC Draft</u>). The IBCC committee is trying to determine the best way to integrate the two documents, considering the nuanced differences in language and environmental priorities of the times (e.g. wildfires were not prioritized in 2013). The IBCC committee met before the April SPBRT meeting and again 04/11/25. Sections of the 2013 document which align with goals of the current "Drought Resiliency Action Plan" are of particular interest. Additionally, the ideas developed may be able to inform BIPs, technical updates, and other projects. There will likely be an item on the next IBCC meeting agenda to discuss the committee's progress. The next IBCC meeting will be 06/25/25. RT members and the public are welcome to listen and learn.

10. CWCB Update (20 min.)

Link to CWCB Calendar

CWCB Staff Report (Jeff Rodriguez – 10 min.): During Jeff's absence, Jenna Battson is the RT's CWCB contact.

General:

- <u>Climate & Water Workshops</u>: The workshops have convened many partners and fostered discussion on how climate change is impacting Colorado communities in preparation for a Climate Impact Report.
- <u>One Water Day and Watershed Summit</u>: 06/20/25 at the Denver Botanic Gardens. The theme is managing water for thriving communities.
- <u>Water Conditions Monitoring Committee</u> Meeting: 04/22/25 on Zoom. The meeting will include a wildfire forecast and a discussion of snowpack around the state.
- <u>AWWA M36 water law audit</u>: This is a CWCB program to train and provide technical assistance for water providers to use the AWWA Water Audit Software which quantifies water loss and non-revenue water. Non-covered entities can input data, but the audit is only for covered entities. CWCB's Sam Stein can assist.

Financial:

- Deadline 06/01/25: <u>PEPO Grants</u>.
- Deadline 07/01/25: Water Plan Grants
- Reports & Resources:
- <u>CWCB Events</u>.
- <u>CWCB Guide</u>.

- Colorado Water Plan Progress Report.
- <u>10 Strategies to Protect Irrigated Agriculture</u>.
- <u>Colorado River</u> Issues: information on the CWCB website.
- <u>Floatovoltaics Feasibility Report</u> in response to <u>SB23-092</u>.
- Collaborative Water Sharing Agreements (CWSAs) Report.
- There will be an update to turf replacement studies (2024) and a DIY Turf Replacement Guide.
- 2. Director Wind Update (10 min.)

CWCB board members met in Greeley March 19th and 20th. The CWCB welcomed three new members: Greg Johnson, Taylor Hawes, and Mike Camblin and thanked their predecessors. The next board meeting will be May 21st and 22nd in Steamboat. One of the topics that will be discussed is the Shoshone powerplant since it is not clear if \$40 million in federal support is certain anymore.

11. Member Updates (15 min.)

- 1. Members were asked to bring developed suggestions for 2025 basin tour(s). Ideally, the tour would take place between August and November and incorporate time for a regular meeting. There is interest in traveling up to the headwaters or downriver.
 - Chimney Hollow is an exciting, large-scale project with an estimated completion in June. The manager of Chimney Hollow is open to the RT touring the infrastructure.
 - Henderson Mine (organize with Colorado Watershed Assembly).
 - Upper South Platte infrastructure: removal of Lake George Dam, wildfire mitigation efforts, ranching, Wild Horse Reservoir progress.
 - Sterling to gain insight for the Lower South Platte, Tamarack State Wildlife Area, and Perkins Canal. Ducks Unlimited has offered to let the RT tour their projects both near Sterling and at Tamarack (reach out to Courtney Massey).
 - Julesburg Reservoir- needs dam rehabilitation.
 - Quail Ridge Dairy tour in Morgan County.
 - CWCB managed properties, including state properties and wildlife areas around the South Platte.
 - Halligan Reservoir, Larimer County.
 - Tour of East Troublesome Fire and Cameron Peak Fire area to see recovery success.
- ASO flights: the Poudre Basin's ASO flight happened 04/07/25 and the next flights are scheduled for the coming days. Reports are available at <u>www.coloradosnow.org</u> (scroll down to table with PDF links).
- 3. The Colorado Water Center Director should be selected soon.

12. Upcoming Public Meetings Schedule – See CWCB's Online Calendar and EngageCWCB.org

- 1. Alternate location or date for November 11th meeting (Veterans Day)- TBD
 - The Southwest Weld County Building will be closed.

MEETING ADJOURNED AT 6:43pm