



COLORADO

Colorado Water
Conservation Board

Department of Natural Resources

Jared Polis, Governor

Dan Gibbs, DNR Executive Director

Lauren Ris, CWCB Director

TO: Colorado Water Conservation Board Members

FROM: Kat Weismiller, Section Chief - Water Supply Planning
Jeff Rodriguez, Staff, Water Supply Planning Section

DATE: September 17-18, 2025

ITEM: Consent Agenda #5: Annual CWCB Guide Update

This is an informational item to inform the Board of the annual updates to the Colorado Water Conservation Board (CWCB) Guide. No Board action requested.

Overview

In 2024 the CWCB Guide was created to create alignment and clarify the ways the CWCB (Board and Staff) interact with the Department of Natural Resources (DNR) and key stakeholder groups, chiefly the Basin Roundtables and the Interbasin Compact Committee (IBCC). The CWCB Guide provides a one-stop-shop for understanding the rules that pertain to each group, helping to serve as both an onboarding document and an ongoing reference document. The CWCB's goal is to maintain this document, reviewing it annually and updating it as needed. The CWCB Guide is reviewed prior to the September Board meeting and CWCB Staff identify any edits that are needed, then seek board feedback on those edits ahead of any reprints the following January.

Background

The Colorado Water Plan (Water Plan) Agency Action 4.2 called for a "universal handbook" to help onboard the CWCB Board, Basin Roundtable and Interbasin Compact Committee (IBCC) members and provide answers to common questions. The CWCB Guide recognizes that these groups often have similar questions, especially about how the groups interact, open meeting laws, how the Water Supply Reserve Fund (WSRF) works, as well as other funding and process questions. Providing one reference document for all interested parties helps create greater alignment and consolidates legislation, legal opinions, agency policies, procurement rules and other inputs that collectively serve as de facto rules of operation for CWCB. The CWCB Guide creates one universal reference document for the Board, stakeholders, and staff. The CWCB Guide is designed to be complementary to the Department of Natural Resources' (DNR) Policy Handbook, and IBCC and roundtable bylaws, offering guidance where needed, while recognizing that legislation and DNR policy supersede CWCB-specific guidance.

CWCB Guide 2025 Edits

CWCB is suggesting the below edits to the CWCB Board based on input or questions it has received from stakeholders and the board.

Main Guide Document

- Page 5: Add additional information related to C.R.S. § 33-9-101.
 - "Pursuant to Colorado Revised Statutes 33-9-101(8) members of Colorado Boards and Commissions appointed by the governor should participate in at least two public meetings per year to engage with their constituents."
- Change language on page 19 regarding BRTs taking a position on legislation

- Original: Additionally, neither the roundtable nor a roundtable representative can take an official position on legislation.
- Edit: Rewrite for clarity, "Additionally, a basin roundtable cannot take an official position on proposed legislation. Roundtables are encouraged to have open discussion about proposed legislation during meetings focusing on impacts to water users in the basin. If necessary, basin roundtable members can take positions as individuals or as members of their organizations, but not as members of the basin roundtable (e.g. John from X Conservancy District. Not John from X Basin Roundtable)."
- Page 13: Add Colorado Parks and Wildlife to collaborating agencies list in callout box.
 - Same callout box; correct typo in title (3 L's in collaborating)

Frequently Asked Questions (FAQ) (linked document)

CWCB Board Questions

- Question: How are CWCB Board members appointed?
 - Edit: Add link to application site

Funding Questions

- Question: Does CWCB fund projects that focus on river/water recreation?
 - Edit: Add "Their eligibility depends on the type of project and alignment with respective grant program guidelines."
- Question: Can I apply for a Water Plan & Water Supply Reserve Fund grant for the same project?
 - Edit: Rewrite for clarity, "When initially applying for funding, applicants should seek funds for their project from a single program, either WSRF or Water Plan Grant, not both. If a project is awarded funds through one of these programs, but grantees are seeking additional funding for the same project (e.g. for another phase of the project, or for increased costs due to unforeseen construction issues), applicants are encouraged to seek funding from the same grant program if possible. CWCB grant funds cannot be used as a match for another CWCB grant."
- Question: Is my project a better fit for CWCB 's WSRF or CWCB's WPG?
 - Edit: Remove "(e.g. CWCB staff has been consulted to ensure the project eligibility and quality)". From the answer.
 - Edit: Add "Applicants are encouraged to reach out to CWCB staff ahead of submitting an application."
- Question: Can I use an approved CWCB grant as a cash match for a different CWCB grant?
 - Edit: Rewrite for clarity, "No. This is not allowed. According to CWCB policy, you cannot leverage one CWCB grant as a match for another CWCB grant. This rule applies even if the funds are awarded and managed by a different organization, as the CWCB still considers them its own grant funds. However, CWCB grants can be used in conjunction with a CWCB loan. CWCB loans can be counted as cash match for a CWCB grant. When pairing a CWCB grant with a CWCB loan for the same project, it is recommended that the grant and loan are presented to the CWCB Board for consideration at the same CWCB Board meeting."
- Question: My grant was approved, but I'd like to change the grantee from one organization to another. Can I do that, and how do I get it approved?
 - Edit: Remove, "and send an adjusted budget and scope of work."
- Question: Does CWCB have a maximum indirect cost rate allowed for Grantees?
 - Edit: Rewrite for clarity, "Yes. The CWCB's Policy 26 caps indirect costs at 15%. Please reach out to CWCB Staff in advance of application submissions for more details if needed. Any indirect rate must be included in the application and approved in the budget. The 15% maximum is intended to be the total indirect cost rate for which the CWCB can reimburse a grantee. Indirect cost rates should be calculated off the grant award, not the total project cost. Furthermore, the CWCB cannot reimburse for

compounding indirect rates that would bring the amount above 15%. For example, if a grantee is charging 15% indirect to the CWCB, and then a subcontractor is also billing indirect rates to the grantee, the grantee may not pass through the subcontractor indirect rate to the CWCB if the combined total would exceed the maximum rate approved in the budget. See CWCB Board Policy #26 on page 11 of the Guide. Unrecovered indirect costs may be allowed to be used as match if approved in the budget."

- Question: Can grant funds pay for ongoing software, subscriptions, etc.?
 - Edit: Remove question