

Frequently Asked Questions – November 2013

This document was created by the Colorado Water Conservation Board to help to answer questions regarding Colorado's Water Plan. This is a living document that will be updated with new FAQs on a regular basis. If you would like to suggest additions to this list, email cowaterplan@state.co.us.

1. Why Colorado's Water Plan now?

We have learned through the work of the Statewide Water Supply Initiative (SWSI), the Interbasin Compact Committee (IBCC), and the Basin Roundtables (BRTs) that our current statewide water trajectory is neither desirable nor sustainable. We know that the state must take a hard look at Colorado's future water needs as a whole and plan for how they will be addressed. With eight years of grass-roots civic engagement, Colorado has a unique opportunity to make this assessment.

2. What was the Governor's Executive Order all about?

The Governor is concerned about the water challenges facing the state and believes it is imperative that a plan be developed if Colorado is going to have a more secure water future. The Colorado Water Conservation Board (CWCB), the organization created by the state legislature and charged with creating and implementing state water policy, was the right entity to develop this plan in conjunction with other state water agencies (e.g. State Engineer's Office, Water Quality Control Commission, Water Quality Control Division, Division of Parks & Wildlife).

3. Will Colorado's Water Plan interfere with local control and authority?

No. Colorado water allocation and governance has always been guided by local users meeting local needs and Colorado's Water Plan will not change that. Rather than diminishing local control or authority over water, Colorado's Water Plan seeks to strengthen local decision-makers' ability to achieve regional and statewide water solutions.

4. Will Colorado's Water Plan include plans for a state water project?

Colorado's Water Plan will be built from the bottom up through each Basin Roundtable's Basin Implementation Plan and the work of the IBCC. It is premature to say whether a state water project constitutes a viable option in Colorado. Colorado's Water Plan will align the state's water efforts (e.g. funding, studies) with our water values.

5. What is the role of the Basin Roundtables in the development of Colorado's Water Plan and how will the Basin Implementation Plans fit into the plan?

The Basin Roundtables will play a critical role in the development of Colorado's Water Plan. Each Basin Roundtable has been tasked with developing its own Basin Implementation Plan. These are plans that will offer solutions for how each basin's future water needs will be addressed at the local level. These Basin Implementation Plans will then be incorporated into Colorado's Water Plan so that we can understand at both the basin and statewide level how Colorado's water needs will be addressed.

6. What is the role of the Statewide Water Supply Initiative in Colorado's Water Plan?

The Statewide Water Supply Initiative (SWSI) provides the technical foundation that describes Colorado's water challenges. Because of SWSI, we know more about Colorado's current and future water demand and supply than ever before. That analysis, which will be updated continually, will form the technical foundation for both the Basin Implementation Plans and Colorado's Water Plan.

7. How will the legislature be involved? How will the state engineer be involved?

The Colorado General Assembly and the State Engineer (Colorado Division of Water Resources) are critical to ensuring a secure water future for the state. The CWCB is consulting with both entities and soliciting their input and guidance in the development of Colorado's Water Plan.

Learn more about the Water Resources Review Committee at:
<http://www.colorado.gov/cs/Satellite/CGA-LegislativeCouncil/CLC/1242218502184>.

And research the Colorado Division of Water Resources at:
<http://water.state.co.us/Home/Pages/default.aspx>.

8. If a Basin Implementation Plan includes a project, does that mean it will receive state support?

The Basin Implementation Plans will reflect a Basin Roundtable's assessment of its consumptive and non-consumptive water needs. The Basin Roundtables are expected to prioritize basin needs and describe preferred methods to meet those needs. State support will hinge on whether or not a project meets criteria set forth in Colorado's Water Plan. Basin support is likely a good indicator of a project that will meet the water plan's criteria, but does not necessarily guarantee that the project will ultimately receive state support. Colorado's Water Plan will incorporate an iterative planning process related to this issue.

9. What are the consequences if a currently-contemplated project is not included in a basin's plan?

If a currently-contemplated project were not included in the basin's plan, state support would be unlikely. However, a project may proceed as it has done so in the past.

10. How will Colorado's Water Plan work with counties and incorporate their input and concerns? More specifically, how will the plan ensure that a project that meets state criteria does not interfere with a county's ability to regulate that project through its 1041 powers?

Colorado is a local control state and Colorado's Water Plan will not interfere with municipal autonomy. Although the plan will strive for more efficiency and effectiveness in water permitting, these efforts do not circumvent or diminish existing 1041 powers.

11. How will Colorado's Water Plan address the quality of the state's rivers and streams?

The Governor's Executive Order spelled out fundamental values, including an environment that includes healthy watersheds, rivers and streams, and wildlife. Colorado's Water Plan will incentivize water development that honors Colorado's commitment to its wildlife and environment. The CWCB maintains tools that are helpful in protecting and improving the health of our rivers and streams.

12. How will Colorado's Water Plan address the long-standing differences between the Western Slope and the Front Range in terms of developing new water supply?

The IBCC and BRT process has led to a productive and thoughtful dialogue between the Western Slope and the Front Range in recent years. Colorado's Water Plan will acknowledge and substantiate any agreements or points of consensus reached by the IBCC or BRTs across the Continental Divide. The objective of the plan is to increase certainty on both the Western Slope and the Front Range. The plan won't add to existing uncertainty by mandating transmountain water transfers.

13. Will Colorado's Water Plan do away with the Prior Appropriation Doctrine or the status of water as a private property right?

No. These principles are fundamental to Colorado water administration and law and Colorado's Water Plan requires them to succeed.

14. The Executive Order stipulates that it will incorporate effective and efficient water infrastructure that promotes smart land use. Does that mean the state will be mandating land use policies for local government and planning agencies?

Land use is governed at the local level and Colorado's Water Plan will not change that. There may be opportunities, however, where the state can provide incentives or benefits to encourage development to occur in a way that maximizes water efficiency and conservation. Research has shown that a 20 percent increase in density yields a 10 percent per capita water savings. Incentivizing development that is more water-sustainable is one of our tools that can help ensure that Colorado enjoys a secure water future.

15. Will the 2013 floods change Colorado's water planning process?

Within a single year, we have experienced severe drought followed by severe flooding. This climatic variability in our water supply emphasizes that, now more than ever, we need to strategically plan for the future. Colorado's Water Plan will use the work of the Basin Roundtables (BRTs) to prepare for climatic variability by examining both wetter and drier scenarios. Colorado will be one of the first states in the country to incorporate grassroots scenario planning and adaptive management into water planning efforts.

16. How will the ad-hoc panels mentioned in the Executive Order work?

Ad-hoc panels are an extension of the expert groups that the CWCB has continued to rely on over the years. When the CWCB has specific questions with regard to elements of Colorado's Water Plan, the agency will continue to seek the expert advice of relevant existing groups. For instance, the Colorado Agriculture Water Alliance (CAWA) is a group that has been in existence for several years and the CWCB plans to seek CAWA's input on matters of agricultural water conservation. If you have additional questions regarding ad-hoc panels, please email cowaterplan@state.co.us.

17. Will Colorado's Water Plan address the permanent 'buy and dry' of irrigated agricultural water rights?

Currently, allowing irrigated agricultural lands to permanently dry up is the only option for agricultural producers who are not able to continue their agricultural practices. Colorado's Water Plan will seek to develop additional options for agricultural producers and municipalities so that they may better share agricultural water and make these transactions at least as easy, if not easier, than the traditional form of changing an agricultural water right to a municipal one. Each Basin Roundtable is establishing goals for how much permanent agricultural dry up should occur in their basin based on projects that are already planned and the predicted urbanization of agricultural lands. While the solutions to discourage additional permanent agricultural dry up are not fully known at this time it is expected that most of the solutions, if not all, will be incentive based.

18. Will future transfers between water sectors take place?

It will continue to be legal to transfer water between sectors in Colorado.

19. How can I be involved in the development of Colorado's Water Plan?

As the Governor made clear in his Executive Order, Colorado's Water Plan must reflect the values and priorities of Coloradans. It is therefore critical that the public be involved in the development of the plan, and the best way to do that is to get engaged in your local Basin Roundtable. Attend the statewide Basin Roundtable meetings. Provide your input. To find out more about when your Basin Roundtable meets or who the members of your Basin Roundtable are, visit the Basin Roundtable Webpage on the CWCB website at:
<http://cwcb.state.co.us/water-management/basin-roundtables/Pages/main.aspx>.

You can also attend in person or listen live online to the CWCB Board meetings. All meeting dates, agendas, and related information are posted on the CWCB website at www.cwcb.state.co.us.

The CWCB continues to formalize the process for providing public input and as a result, many people have submitted input through designated formal channels including the new website at www.coloradowaterplan.com. Public input will be considered at each CWCB Board meeting, and is already being worked into plan elements such as the Colorado's Water Plan Annotated Framework. While CWCB still encourages stakeholders to primarily work through the Basin Roundtables since the BIPs will comprise a significant portion of Colorado's Water Plan, the public can submit general input by emailing cowaterplan@state.co.us or via the new website at www.coloradowaterplan.com.

It is planned that the public input process will be further enhanced through the development of input guidance documents tailored for each stakeholder community identified in the Colorado's Water Plan Outreach Plan. These guidance documents will seek to educate on what information each group could provide to most effectively contribute to specific sections within the Annotated Framework. Once finalized, these documents will be available online at www.coloradowaterplan.com.

20. Is there an alternative to providing grassroots input through the Basin Roundtable process?

Because the Basin Roundtables are creating Basin Implementation Plans (BIPs) that will ultimately comprise a significant portion of Colorado's Water Plan, it will be most effective for input to be considered by the Basin Roundtables during development of the BIPs. If you need assistance in engaging with your Roundtable, you are welcome to contact the CWCB at cowaterplan@state.co.us. Several Basin Roundtables have considered adding a public comment period to each of their Roundtable meeting agendas, and are working closely with the CWCB to create a plan for how the Roundtable will consider the increase in public input and involvement at Roundtable meetings.

So that the general public can be as informed as possible, the CWCB is also planning to share the Basin Roundtable consultant scopes of work as they are finalized, and other documents produced by the basins and IBCC as a result of their planning processes. CWCB staff members are working closely with the Basin Roundtable chairs, the Public Education, Participation, and Outreach (PEPO) Education Liaisons, the selected consultants, and other Basin Roundtable members to coordinate this work and post all of the related documentation online at www.coloradowaterplan.com.

As noted above, while CWCB still encourages stakeholders to primarily work through the Basin Roundtables since the BIPs will comprise a significant portion of Colorado's Water Plan, the public can however submit general input by emailing cowaterplan@state.co.us or via the new website at www.coloradowaterplan.com.

21. What if I have questions or comments about Colorado's Water Plan?

You can find more information on the new Colorado's Water Plan webpage at www.coloradowaterplan.com. A calendar of events related to Colorado's Water Plan is posted on the website. If you have additional questions, feel free to send us an email at cowaterplan@state.co.us. You can also find Colorado's Water Plan on Facebook and follow @COWaterPlan on Twitter for current updates and information.