

IBCC New Supply Work Plan December 2013 thru August 2014 Revised 12/5/13

Process Summary

Goal

Our goal is to get IBCC consensus on language based on or similar to the items in the polling exercise from the October 2013 IBCC meeting. We anticipate getting “preliminary consensus” on discrete issues at each IBCC meeting, with an eye toward integrating the individual agreements into a broader conceptual agreement at the July and August 2014 IBCC meetings.

Approach

Appreciative Inquiry and Language Revision in Pairs

- IBCC members will work in pairs to discuss one or more polling items (depending on the meeting) *prior to the IBCC meeting*. Each pair will discuss two things. First, they will explore with each other any concerns each may have about the polling item. Second, they will work to revise the polling language to create a statement (however long or short it needs to be) that addresses their respective concerns. Staff will assign pairs to ensure diversity and robust discussions.
- Each pair will report the following to staff ten days before the IBCC meeting: 1) what concerns they discussed, and 2) the revised language they developed to address those concerns.
- Staff will prepare a document that clusters all of the ideas on each polling item together, as well as the concerns they seek to address. Staff will send the document to the IBCC members prior to the meeting; IBCC members will look at each proposal and come to the IBCC meeting prepared to discuss which work(s) for them, which need(s) additional changes to get their support, etc.
- We will project the document at the IBCC meeting and work through each polling item until we find language all members of the IBCC can live with.
- Any agreement on these items will be preliminary, as IBCC members may need to revisit any or all items in July and/or August as we begin to integrate the individual items in a broader agreement.
- Note: Any Board members who plan to attend an IBCC meeting will be invited to participate in these advance dialogues with IBCC members.

Roundtable-Based Preliminary Discussions on Preserving the Option for New Supply

There is a summary discussion schedule on Page 1 of this document. Pages 4 through 7 provide additional detail on the topics to be explored at the next several IBCC meetings. Preserving the option for new supply comes toward the end of this discussion arc. Past experience suggests that all of the other topics must be addressed first to give people sufficient comfort to engage in a discussion on which actions must be taken to preserve the option for new supply. However, there is substantial work that must be done to flesh out the specific actions that could be taken, and we do not want those discussions to wait until July. Given the energy that currently exists on this issue at the roundtable level, we suggest that the IBCC request that the East Slope roundtables initiate a discussion with West Slope roundtables on this issue, perhaps as part of the scope(s) of work for the South Platte/Metro and/or Arkansas Basin Implementation Plans (BIPs). The IBCC could request that the roundtables prepare and forward specific ideas for preserving the option to the IBCC by May 30, 2014.

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The IBCC could then integrate those ideas into the discussions on the related polling items and on the broader integrated agreement on new supply at their June and August meetings.

Statewide Summit to Vet Early Work and Inform Subsequent Discussions

We have already committed to holding a statewide summit in March of 2014. If our proposed schedule holds, the summit would occur in the middle of the IBCC's discussion of the various new supply polling items. We propose using some of the time at the summit to engage the statewide, roundtable-level audience in the new supply discussion by:

- Presenting the preliminary agreements on topics discussed at the December and February IBCC meetings and inviting feedback for the IBCC to consider during their integrative conversations in June and August
- Sharing the remaining polling items from the October 2013 IBCC meeting and getting feedback to inform IBCC discussions at the April and June IBCC meetings
- Note: We presume that the summit will also include some kind of report and discussion of any agreements or other outcomes of the December IBCC discussion on risk management.

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December 2013

1. Risk Management (Plenary Discussion; No Advance Dialogues)

Presentations on Risk Management

- Presentation(s) from staff on existing/underway efforts (Basin Study, CRWAS II, etc.)
- Presentation from John McClow on Upper Basin status
- *Desired Outcome: Conceptual agreements on risk (per McClow)*

Outcome

IBCC viewed favorably the following language on risk management and seeks roundtable and constituent feedback by February 7, 2014.

Statement of Principle

Future supply of Colorado River water is highly variable and uncertain; therefore, any proponent of a "New Supply" project from the Colorado River Basin must accept the risk of a shortage of supply, however the shortage occurs, including compact compliance; strictly adhere to the prior appropriation doctrine, and protect existing water uses and communities from adverse impacts resulting from the New Supply project.

Moving Forward

By "New Supply," we mean any new transmountain diversion beyond those already contemplated under the Colorado Cooperative Agreement, Windy Gap Firming Project IGA, and Eagle River MOU. Because "New Supply," risk management and compact curtailment are inextricably intertwined and involve complex issues that cannot be resolved in time to be fully addressed in the 2015 Colorado Water Plan, the Plan should move the "New Supply" discussion forward by defining a process to resolve those issues and refrain from either endorsing or precluding any "New Supply" project.

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2. Sequencing of Strategies

Foundational Concept (Original Language from October Polling Exercise)

- The gap, and therefore the amount of water that may be needed from new supply, should be minimized as much as possible by implementing the IPPs, conservation, and other portfolio elements defined in the No/Low Regrets Action Plan. (October Polling Results: 75/39/4)

Outcome

IBCC viewed favorably the following language on risk management and seeks roundtable and constituent feedback by February 7, 2014.

Sequencing of Strategies

The M&I gaps¹ should be reduced as much as possible (thereby reducing the amount of water that will be needed from agriculture and new supply from the Colorado River Basin²) by implementing the IPPs that are not “new supply,” municipal conservation and reuse, and other portfolio elements defined in the no/low regrets action plan. At the same time, discussion, evaluation, and possible implementation of the new supply component should continue in coordination with the other portfolio elements.

3. Relationship between Agricultural Transfers and New Supply

Foundational Concept (Original Language from October Polling Exercise)

Both West and East Slope agriculture should be preserved. Development of new supply should not be made more difficult than the transfer of agricultural water to municipal uses. (October Polling Results: 46/43/11)

Outcome

IBCC viewed favorably the following language on risk management and seeks roundtable and constituent feedback by February 7, 2014.

Relationship between Agricultural Transfers and New Supply

Colorado should promote viable and productive agriculture across the state, and agriculture should have the opportunity to exist statewide. Development of new supply should be evaluated on an equitable basis with the transfer of agricultural water to municipal uses, to the extent that the additional water supplies are available and those supplies can be developed³ without jeopardizing the certainty, reliability, and yield of already developed water supplies and environmental values. The IBCC should continue the dialogue about how to accomplish this.

¹ The M&I gaps are primarily on the Front Range and vary by time, location, and amount.

² “New supply” is defined as any new transmountain diversion beyond those already contemplated under the Colorado Cooperative Agreement, Windy Gap Firing Project IGA, and Eagle River MOU.

³ See Risk Management language above

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February 18, 2014

- 1. December 2014 Discussion Topics – Review Roundtable Feedback and Revise December Language as Needed to Achieve Preliminary Agreement**
- 2. Agricultural Gap - Review Proposed New Language from IBCC Task Group (Forthcoming from IBCC Task Group)**
- 3. Water Availability**

Foundational Concepts (Original Language from October Polling Exercise)

- Future water supplies are uncertain on both the East and West Slopes; reliability and flexibility must be incorporated into any future new supply project. (October Polling Results: 82/14/4)
- In some years there will be water available for an additional transbasin diversion, and in some years there will not. (October Polling Results: 82/14/4)
- There is not likely additional water from the headwaters of the Colorado River mainstem beyond existing IPPs and the Colorado River Cooperative Agreement. (October Polling Results: 68/25/7)

Desired Outcome: Revised, consensus statement(s) related to these issues

4. Preserving the Ability to Meet West Slope Needs

Foundational Concept (Original Language from October Polling Exercise)

Future water demands are uncertain for both the West and East Slopes, and the ability for each to develop at its own pace must be protected. The ability to meet future West Slope needs, which may develop at a slower pace than East Slope needs, should be protected. (October Polling Results: 71/18/11)

Desired Outcome: Revised, consensus statement(s) related to these issues

5. Environmental Protection and Recovery

Foundational Concept (Original Language from October Polling Exercise)

Implementing projects that protect the environment and help recover imperiled species now will help create future conditions under which a new supply project might be possible. These nonconsumptive projects and methods should be pursued. (October Polling Results: 64/25/11)

Multi-Purpose Concepts (Original Language from October Polling Exercise)

- In addition to meeting East Slope needs, a new supply project should include benefits and/or mitigation for native species and other nonconsumptive values (October Polling Results: 86/4/11)
- In addition to meeting East Slope needs, a new supply project should include headwater enhancements (i.e., exchanges with current transbasin diverters to allow for system flexibility if the headwaters were water-short) (Result: 61/29/11)

Desired Outcome: Revised, consensus statement(s) related to these issues

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April 2014

1. Multi-Purpose Components (Original Language from October Polling Exercise)

- In addition to meeting East Slope needs, a new supply project should be developed as a cooperative project so that all parties are better off with the project than without it (October Polling Results: 82/14/4)
- In addition to meeting East Slope needs, a new supply project should include compensatory projects for the West Slope (October Polling Results: 61/29/11)
- In addition to meeting East Slope needs, a new supply project should have significant operational flexibility (such as the ability to be used conjunctively with alternative agricultural transfers and nontributary groundwater when water supply is not available) (October Polling Results: 86/14/0)

Desired Outcome: Revised, consensus statement(s) related to these issues

2. Project Structure Components (Original Language from October Polling Exercise)

- The partnership structure, participants, financing, and operational and structural rules under which a new supply project would operate, including the role of the State, will need to be determined prior to implementation. (October Polling Results: 50/46/4)
- Proof of need will need to be determined prior to implementation (participants would be required to show proof of the need for a new supply project across likely scenarios, as defined in future SWSI and Colorado Water Plan efforts). (October Polling Results: 56/33/11)
- Project feasibility will need to be determined prior to implementation. (October Polling Results: 71/11/18)
- New supply conceptual configuration should be developed in the near term. (October Polling Results: 54/36/11)

Desired Outcome: Revised, consensus statement(s) related to these issues

3. Demand Management (Original Language from October Polling Exercise)

- Conservation, reuse, and land use actions defined in the No/Low Regrets Action Plan should be substantively completed prior to implementation of a new supply project. (October Polling Results: 52/44/4)
- Active conservation plans and activities approved by the CWCB for all participating water providers should be in place prior to implementation of a new supply project. (October Polling Results:67/26/7)
- Participating water providers who utilize other fully consumable water supplies should have a full-scale reuse program to recycle as much water as is technically and economically possible. (October Polling Results: 67/30/4)
- A commitment should be made by participating East Slope communities to work toward high conservation levels by 2050. (October Polling Results: 74/26/0)

Desired Outcome: Revised, consensus statement(s) related to these issues

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June 2014

1. Preserving the Option for New Supply

Foundational Concepts (Original Language from October Polling Exercise)

- Some of the five IBCC scenarios indicate that additional new supply development is needed beyond the IPPs, and some do not. Therefore, the *low regret action* is to preserve the option to build a new supply project in the future, not to build a project now or foreclose the opportunity to build it later. (October Polling Results: 43/57/0)
- Some type of substantive action to preserve the new supply option is needed in the near term. (October Polling Results: 54/39/7)
- Once the option to develop new supply has been preserved, the need for and feasibility of building a new supply project should be periodically reassessed. (October Polling Results: 61/25/14)

Other Topics (Original Language from October Polling Exercise)

- The CWCB should work with basin roundtables to determine how and where a new supply project could be built, including research on potential nonconsumptive impacts, downstream economic impacts, fiscal and partnership structures, and other items needed to develop a strategy and further detail for potential projects. This work may narrow the locations of the potentially viable locations of a future water supply project. (October Polling Results: 37/48/15)
- Determine how one or more new supply options could be preserved and identify some substantive action(s) that can be taken to preserve the new supply option in the near term. (October Polling Results: 36/50/14)

Desired Outcome: Revised, consensus statement(s) related to these issues

2. Integrative Discussion; If/Then Statements (BEGIN)

August 2014

Integrative Discussion, If/Then Statements (FINALIZE)

[We should say more here, but what?]

Desired Outcome: Consensus agreement on new supply issues for Colorado Water Plan