



COLORADO

Colorado Water Conservation Board

Department of Natural Resources

Jared Polis
Governor

Dan Gibbs
DNR Executive Director

Rebecca Mitchell
CWCB Director

FINAL

Summary Minutes and Record of Decisions

March 20-21, 2019 Board Meeting

A regular meeting of the Colorado Water Conservation Board (CWCB) convened at the Marriott Fort Collins, located at 350 East Horsetooth Road Fort Collins, CO 80525.

The meeting was called to order by Chair Jim Yahn. Six voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present were: Jim Yahn, Jack Goble, Heather Dutton, Celene Hawkins, Steven Anderson, and Curran Trick; (sworn in as new board members) Jaclyn Brown, Gail Schwartz, and Jessica Brody. Ex-officio voting member Dan Gibbs, Executive Director of the Department of Natural Resources.

Non-voting ex officio members present or represented were; Deputy Attorney General Amy Beatie, Colorado Department of Law, Natural Resources and Environment Section; Jackie Corday, Colorado Parks and Wildlife; Kevin Rein, State Engineer; Russell George, Director of Compact Negotiations; and Rebecca Mitchell, Colorado Water Conservation Board Director.

On the second day, the meeting was called to order by Chair Heather Dutton. Ten voting members were present at the call to order, so a quorum was present (at least 6 required). The voting members present were: Jaclyn Brown, Gail Schwartz, Jessica Brody, Steven Anderson, Curran Trick, Jim Yahn, Jack Goble, Heather Dutton, Celene Hawkins, and ex-officio voting member Dan Gibbs, Executive Director of the Department of Natural Resources. Non-voting ex officio members present or represented were: Attorney General Phil Weiser; Deputy Attorney General Amy Beatie, Colorado Department of Law, Natural Resources and Environment Section; Kate Greenberg, Department of Agriculture; Kevin Rein, State Engineer; Jackie Corday, Colorado Parks and Wildlife; Russell George, Director of Compact Negotiations; and Rebecca Mitchell, Colorado Water Conservation Board Director.



Wednesday, March 20, 2019

1. Board Appointments and Election of Officers

a. Review and Approve Agenda

Action: A motion to approve the March 2019 agenda as amended (agenda item 27 Himes Creek was moved to 10:25a.m., agenda item 22 Colorado River Basin Fund MOA was moved to 1:50p.m., and agenda item 23 Technical Assistance for Federal Cost Share program was moved to 2:10p.m.) made by Celene Hawkins, which was seconded by Jack Goble. The motion was approved unanimously (7-0).

Steve Anderson nominated Heather Dutton as Chair and Celene Hawkins as Vice Chair; this was seconded by Jack Goble. The motion was approved unanimously (7-0).

2. Review and Approve January 28 - 29, 2019 Board Meeting Minutes

Action: A motion to approve the January 2019 minutes was made by Jim Yahn, which was seconded by Celene Hawkins. The motion was approved unanimously (7-0).

3. Approve and/or Remove Consent Agenda Items

Action: A motion to approve the Consent Agenda items (with the removal of 1a, b., d., e, & f to be discussed during executive session) was made by Jim Yahn, which was seconded by Steve Anderson. The motion was approved unanimously (7-0).

5. Directors' Reports

a. DNR Executive Director

Action: Report by Dan Gibbs. This was an informational item only. No Board action was required.

b. IBCC Director

Action: Report by Russell George. This was an informational item only. No Board action was required.

c. Agriculture Commissioner

Action: Report by Kate Greenberg on Thursday, March 21. This was an informational item only. No Board action was required.

d. CWCB Director

Action: Report by Rebecca Mitchell. This was an informational item only. No Board action was required.

e. State Engineer

Action: Report by Kevin Rein. This was an informational item only. No Board action was required.

f. Division of Parks and Wildlife Director

Action: Report by Jackie Corday. This was an informational item only. No Board action was required.

g. Water Resource and Power Development Authority

Action: No Report was given. This was an informational item only. No Board action was required. The report was provided in the board packet

New Board Members; Gail Schwartz representing the Colorado River Mainstem, Jessica Brody representing City & County of Denver, and Jaclyn Brown representing Yampa/White Rivers were sworn in at 9:55a.m. by Deputy Director Attorney General Amy Beatie, Colorado Department of Law, Natural Resources and Environment Section.

6. City of Boulder Water Delivery Agreement from Gross Reservoir for Instream Flow Use in South Boulder Creek (Water Div. 1)

Stream and Lake Protection Section

Action: Report by CWCB staff member Kaylea White; Joanna Blume with the City of Boulder addressed the board. This is not an action item

Staff recommendation: Pursuant to Rule 6b of the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program (“ISF Rules”), the Board’s consideration of this proposal at this meeting will initiate the 120-day period for Board review. No formal action is required at this time. The initial presentation of this proposal provides an opportunity for the Board and the public to identify questions or concerns that Staff will address at this or a subsequent meeting.

7. Request for Approval of Water Conservation Program on San Miguel River

Stream and Lake Protection Section

Action: Report by CWCB staff member Linda Bassi; Aaron Citron with The Nature Conservancy and Glazer Rancher addressed the board. A motion to approve staff recommendation was made by Steve Anderson, which was seconded by Jim Yahn. The motion was approved unanimously (8-0); Celene Hawkins recused herself from the vote.

Staff recommendation: That the Board approve the Silverhawk Ranch proposal as a water conservation program subject to sections 37-92-103(2) and 37-92-305(3) (c), C.R.S. (2018)

8. Legislation Amending Section 37-83-105, C.R.S. (Temporary Loans of Water for Instream Flow Use)

Stream and Lake Protection Section

Action: Report by CWCB staff member Linda Bassi. Kathleen Curry representing Ute Water Conservancy District addressed the board under public comment, asking for a delay on this item; concerns are notification process, notion of 5 years out of 10 years does not sound temporary but is starting to sound more permanent, and the expansion of the program to creeks that don’t have an existing ISF decree.

This is an informational item with no Board action required

9. Financial Matter - Construction Fund and Severance Tax Perpetual Base Fund

Finance Section

a. Financial Projections and Cash Management Report

Action: Report by CWCB staff member Kirk Russell. This is an informational item with no Board action required.

b. Sale of Chatfield Storage Space to Dominion Water and Sanitation District

Action: Report by CWCB staff member Lauren Ris. A motion to approve the staff recommendation was made by Jim Yahn, which was seconded by Gail Schwartz. The motion was approved unanimously (9-0).

Staff recommendation: That the Board approve the sale of 500 units in the Chatfield Storage Reallocation Project to Dominion Water and Sanitation District.

10. Water Project Loans-Finance

Finance Section

a. Groundwater Management Subdistrict of Central Colorado Water Conservancy District - Pioneer Reservoir

Action: Report by CWCB staff member Jonathan Hernandez and Randy Ray with Central Colorado Water Conservancy District addressed the board. A motion to approve the staff recommendation was made by Jim Yahn, which was seconded by Jackie Brown. The motion was approved unanimously (9-0); Curran Trick recused herself from voting.

Staff recommendation: Staff recommends that the Board approve a loan not to exceed \$8,697,110 (\$8,611,000 for Project costs and \$86,110 for the 1% loan service fee) to the Groundwater Management Subdistrict of Central Colorado Water Conservancy District for the Pioneer Reservoir Project, from the Severance Tax Perpetual Base Fund. The loan terms shall be 10 years at the reduced agricultural rate of 1.20% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

b. The Tunnel Water Company - West Half Laramie-Poudre Tunnel Rehabilitation Project

Action: Report by CWCB staff member Rachel Pittinger and Dennis Harmon with the Tunnel Water Company and the Jackson Ditch Company addressed the Board. A motion to approve the staff recommendation was made by Jim Yahn, which was seconded by Celene Hawkins. The motion was approved unanimously (10-0).

Staff recommendation: Staff recommends that the Board approve a loan not to exceed \$9,090,000 (\$9,000,000 for Project costs and \$90,000 for the 1% loan service fee) to The Tunnel Water Company for costs related to the West Half of the Laramie-Poudre Tunnel Rehabilitation Project, from the Construction Fund. The loan terms shall be 30 years at the blended interest rate of 2.85% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

c. Dominion Water & Sanitation District - Chatfield Reallocation Project

Action: Report by CWCB staff member Jonathan Hernandez and Sarah Stone with Dominion Water & Sanitation District addressed the board. A motion to approve the staff recommendation was made by Jim Yahn, which was seconded by Jessica Brody. The motion was approved unanimously (10-0).

Staff recommendation: Staff recommends that the Board approve a loan not to exceed \$4,191,989.85 (\$4,150,485 for Project costs and \$41,504.85 for the 1% loan service fee) to the Dominion Water & Sanitation District, acting by and through its water activity enterprise, for its

participation in the Chatfield Reallocation Project, from the Severance Tax Perpetual Base Fund. The loan terms shall be 30 years at the high-income municipal of 3.3% per annum. Security for the loan shall be the storage space in Chatfield Reservoir purchased with the loan proceeds.

Additionally, staff recommends the following contract condition:

1. Loan funds will not be disbursed until the District successfully enters into a Water Provider Agreement with the Colorado Department of Natural Resources for the use of storage space at Chatfield Reservoir.

11. Severance Tax Operational Fund Grants

Finance Section

Action: Report by CWCB staff member Lauren Miremont. A motion to approve the staff recommendation was made by Jack Goble, which was seconded by Jessica Brody; The motion was approved unanimously (9-0); Curran Trick recused herself from the vote.

Staff recommendation: Staff recommends that the Board approve the proposed funding for each of the projects from the Severance Tax Operational Fund as summarized as Table 1 to this memo. Recommended projects are numbered 1 - 27 and projects not recommended are numbered 28 - 32.

12. 2019 Projects Bill Update

Finance Section

Action: Report by CWCB staff member Kirk Russell. This is an informational item and no board action is requested.

13. Lease of Water to Benefit Endangered Fish Recovery Program

Interstate, Federal, and Water Information Section

Action: Report by CWCB staff member Jojo La. This is an informational item and no board action is requested.

14. Spring Drought and Flood Climate Report

Watershed and Flood Protection Section

Action: Report by CWCB staff members Taryn Finnessey and Kevin Houck. This is an informational item and no board action is requested.

15. Colorado Water Plan Update

Water Supply Planning Section

Action: Report by CWCB staff member Greg Johnson and Russ Sands. This is an informational item and no board action is requested.

16. Tap-In/Innovation Item

Water Supply Planning Section

Action: Report by CWCB staff member Megan Holcomb and Tom Higley & Jeffrey Nathanson with 10-10-10 addressed the board. This is an informational item and no board action is requested.

17. Request for Authorization to Proceed to Trial in Case No. 17CW3037, Water Division 2 (Application of Upper Arkansas Water Conservancy District)

Stream and Lake Protection Section

Action: Report by CWCB staff member Kaylea White. Amending to defer the vote until after the executive session (moving the vote after agenda item 31 on Thursday, March 21), A motion to move to executive session for further discussion was made by Jack Goble, which was seconded by Jim Yahn. The motion was approved unanimously (10-0).

This item was brought before the board for vote on March 21 after agenda item 31. A motion to approve staff recommendation was made by Jim Yahn, which was seconded by Gail Schwartz. The motion was approved unanimously (7-0).

Staff recommendation: Pursuant to ISF Rule 8j., Staff recommends that the Board authorize Staff to proceed to trial to protect its instream flow water rights in the event that Staff and the Attorney General's Office are unable to reach a settlement with the Applicant before trial.

18. Attorney General's Report, Legal Briefing, and Executive Session

Action: Report by Attorney General Phil Weiser and Deputy AG Amy Beatie. A motion to go into Executive Session was made by Jim Yahn, which was seconded by Jackie Brown. The motion was approved unanimously (10-0). Disclosures: Steve Anderson is an employee of the Uncompahgre Valley Water Users Association and his company has received MOA funds. Curran Trick will recuse herself from the 19i discussions.

20. Report from Executive Session

Action: Report by Attorney General Phil Weiser and Deputy AG Amy Beatie. A motion to go into Executive Session was made by Jim Yahn, which was seconded by Jackie Brown. The motion was approved unanimously (10-0). Disclosures: Steve Anderson is an employee of the Uncompahgre Valley Water Users Association and his company has received MOA funds. Curran Trick recused herself from the 19i discussions.

Consent Agenda items;

1a. Case No. 18CW3193 (Water Division 1): Application of City of Loveland

Action: Report by CWCB staff member Linda Bassi. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Gail Schwartz. Curran Trick commented that it doesn't appear compelling enough to support ratifying the statement of opposition. The motion was approved (9-1).

Staff recommendation: Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in January 2019 to protect CWCB's instream flow water rights.

1b. Case No. 18CW3195 (Water Division 1): Application of The City of Brighton

Action: Report by CWCB staff member Linda Bassi. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Jaclyn Brown. Curran Trick commented that it doesn't appear compelling enough to me that there is enough injury potential for me to be able to support ratifying the statement of opposition. The motion was approved (9-1).

Staff recommendation: Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in January 2019 to protect CWCB's instream flow water rights.

1d. Case No. 18CW3218 (Water Division 1): Application of The City of Aurora

Action: Report by CWCB staff member Linda Bassi. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Gail Schwartz. Curran Trick commented that it doesn't appear compelling enough to me that there is enough injury potential for me to be able to support ratifying the statement of opposition. The motion was approved (9-1).

Staff recommendation: Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in January 2019 to protect CWCB's instream flow water rights.

1e. Case No. 18CW3219 (Water Division 1): Application of The City of Aurora

Action: Report by CWCB staff member Linda Bassi. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Gail Schwartz. Curran Trick commented that it doesn't appear compelling enough to me that there is enough injury potential for me to be able to support ratifying the statement of opposition. The motion was approved (9-1).

Staff recommendation: Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in January 2019 to protect CWCB's instream flow water rights.

1f. Case No. 18CW3220 (Water Division 1): Application of The City of Aurora

Action: Report by CWCB staff member Linda Bassi. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Gail Schwartz. Curran Trick commented that it doesn't appear compelling enough to me that there is enough injury potential for me to be able to support ratifying the statement of opposition. The motion was approved (9-1).

Staff recommendation: Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in January 2019 to protect CWCB's instream flow water rights.

27. Himes Creek ISF Appropriation

Stream and Lake Protection Section

Action: Report by CWCB staff member Rob Viehl and Kara Chadwick and Kelly Palmer with the US Forest Service; Katie Birch, Kevin Rogers, and Jim White with Colorado Parks and Wildlife; Ellen Wohl with Colorado State University; addressed the board. There were several people who provided public comment; Mike Preston with Dolores Water Conservancy District, Frank Skillen private citizen, Beth Van Vurst Counsel for Southwest Water Conservation District, Robert Harris with Western Resource Advocates, and Wayne Foreman, Counsel for Boot Jack Ranch (the water rights owner of the creek). A motion to approve the amended (include non-precedent language) staff recommendation was made by Celene Hawkins, which was seconded by Jessica Brody. The motion was approved unanimously (10-0).

Executive Director DNR Dan Gibbs left after this vote and was not present for the rest of the meeting.

Staff recommendation: Staff recommends that the Board:

1. Pursuant to ISF Rule 5d., declare its intent to appropriate an ISF water right on the stream segment of Himes Creek listed on the attached Tabulation of Instream Flow Recommendation, in the amount of all of the unappropriated flow.

2. Establish the following initial schedule for the notice and comment procedure pursuant to ISF Rule 5c.:

Date	Action
March 21, 2019	Board declares its intent to appropriate and hears public comment
May 15-16, 2019	Public comment at CWCB Meeting
May 31, 2019	Notice to Contest due
June 10, 2019	Deadline for notification to the ISF Subscription Mailing List of Notices to Contest (no notification if none received)
July 1, 2019	Notices of Party Status and Contested Hearing Participant Status due At the July 17-18, 2019 Board meeting, if necessary, Staff informs Board of Parties and Participants; Board sets hearing date
November 2019	ISF Contested Hearing conducted in conjunction with CWCB Meeting

24. WSRF Grant Applications

Water Supply Planning Section

Water Supply Reserve Fund Application Grants at the March 2019 CWCB Board Meeting			
Agenda Item	Basin	Applicant	Name of Water Activity
a	South Platte	Trout Unlimited	South Boulder Creek Stream Management Plan, Phase I
	Metro		
<p>Action: Report by CWCB staff member Craig Godbout, David Nickum and Steven Brant with Trout Unlimited addressed the board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Jim Yahn. The motion was approved unanimously (9-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$13,500 from the South Platte Basin Account, and \$13,500 from the Metro Account to help fund the project titled: South Boulder Creek Stream Management Plan, Phase I.</p>			
b	South Platte	Colorado Corn	Historical Analysis of South Platte River Salinity to Identify Severity, Trends, and Potential Sources
<p>Action: Report by CWCB staff member Craig Godbout, Mark Sponsler with Colorado Corn and Grady O'Brien Hydrologist addressed the board. A motion to approve the staff recommendation was made by Jim Yahn, which was seconded by Celene Hawkins. The motion was approved unanimously (9-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$39,000 from the South Platte Basin Account to help fund the project titled: Historical Analysis of South Platte River Salinity to Identify Severity, Trends, and Potential Sources.</p>			

c	South Platte	Big Thompson Watershed Coalition	Big Thompson River Envisioning Project
<p>Action: Report by CWCB staff member Craig Godbout. A motion to approve the staff recommendation was made by Jim Yahn, which was seconded by Steve Anderson. The motion was approved unanimously (9-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$20,000 from the South Platte Basin Account, and \$20,000 from the Statewide Account to help fund the project titled: Big Thompson River Envisioning Project.</p>			
d	Gunnison	Delta Brick & Climate Company	Chemical Water Production via Methane Mitigation
<p>Action: Report by CWCB staff member Craig Godbout, Chris Caskey with Delta Brick & Climate Company addressed the board. A motion to table the grant approval until the May 2019 board meeting in order for the State Controller to investigate giving grants to a for profit entity was made by Steve Anderson, which was seconded by Gail Schwartz. The motion was approved unanimously (9-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$18,000 from the Gunnison Basin Account to help fund the project titled: Chemical Water Production via Methane Mitigation. – Vote is delayed until May 2019 board meeting.</p>			
e	Gunnison	Western Slope Conservation Center	Integrated Water Management in the North Fork Gunnison River Phase 2
<p>Action: Report by CWCB staff member Craig Godbout, Chris Caskey with Western Slope Conservation Center addressed the board. A motion to approve the staff recommendation was made by Steve Anderson, which was seconded by Jessica Brody. The motion was approved unanimously (9-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$18,547 from the Gunnison Basin Account, and \$10,000 from the Statewide Account to help fund the project titled: Integrated Water Management in the North Fork Gunnison River: Phase 2.</p>			
f	Gunnison	Trout Unlimited/Gunnison Angling Society	Cottonwood Pass Day Use Area Vault Toilet Project
<p>Action: Report by CWCB staff member Craig Godbout, Cary Denison with Trout Unlimited addressed the board. A motion to approve the staff recommendation was made by Steve Anderson, which was seconded by Curran Trick. The motion was approved unanimously (9-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$10,000 from the Gunnison Basin Account to help fund the project titled: Cottonwood Pass Day Use Area Vault Toilet Project.</p>			
g	Gunnison	Overland Ditch and Reservoir Company	Overland Reservoir, Construct Reservoir Level Gauge
<p>Action: Report by CWCB staff member Craig Godbout, Bruce Martin with Western Engineers addressed the board. A motion to approve the staff recommendation was made by Steve Anderson, which was seconded by Jim Yahn. The motion was approved unanimously (9-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$19,000 from the Gunnison Basin Account, and \$19,238 from the Statewide Account to help fund the project titled: Overland Reservoir, Construct Reservoir Level Gauge.</p>			
h	Gunnison	Trout Unlimited	Wilbur Ditch Diversion Improvement Project
<p>Action: Report by CWCB staff member Craig Godbout, Cary Denison with Trout Unlimited addressed the board. A motion to approve the staff recommendation was made by Steve Anderson, which was seconded by Celene Hawkins. The motion was approved unanimously (9-0). Director Brody had to leave after this vote and was not present for the rest of the day.</p> <p>Staff recommendation: Staff recommends approval of up to \$10,500 from the Gunnison Basin Account, and \$10,000 from the Statewide Account to help fund the project titled: Wilbur Ditch Diversion Improvement</p>			

Project.			
i	Gunnison	Leroux Creek Water Users Association	Leroux Creek Reservoir System, Dam Outlet Rehabilitation
<p>Action: Report by CWCB staff member Craig Godbout, Bruce Martin with Western Engineers addressed the board. A motion to approve the staff recommendation was made by Steve Anderson, which was seconded by Jim Yahn. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$50,000 from the Gunnison Basin Account, and \$150,000 from the Statewide Account to help fund the project titled: Leroux Creek Reservoir System, Dam Outlet Rehabilitation.</p>			
j	Gunnison	Turner Ditch Company	Turner Lone Cabin Ditch Combination Salinity Reduction Project
<p>Action: Report by CWCB staff member Craig Godbout, Paul Maudlin and Steve Gosler addressed the board. A motion to approve the staff recommendation was made by Steve Anderson, which was seconded by Celene Hawkins. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$50,000 from the Gunnison Basin Account, and \$125,000 from the Statewide Account to help fund the project titled: Turner Lone Cabin Ditch Combination Salinity Reduction Project.</p>			
k	North Platte	Ducks Unlimited	North Park Irrigated Meadows Conservation Program – Phase 2
<p>Action: Report by CWCB staff member Craig Godbout, Matt Reidy with Ducks Unlimited addressed the board. A motion to approve the staff recommendation was made by Curran Trick, which was seconded by Jack Goble. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$148,698 from the North Platte Basin Account, and \$301, 902 from the Statewide Account to help fund the project titled: North Park Irrigate Meadows Conservation Program – Phase 2.</p>			
l	Yampa/White/Green	Yampa-White-Green Basin Roundtable/Colorado River Water Conservation District	Yampa River Basin Integrated Water Management Project
<p>Action: Report by CWCB staff member Craig Godbout. A motion to approve the staff recommendation was made by Jaclyn Brown, which was seconded by Jim Yahn. Director Hawkins disclosed that her employer The Nature Conservancy is providing matching funds for this grant. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$154,524 from the Yampa/White/Green Basin Account to help fund the project titled: Yampa River Basin Integrated Water Management Project.</p>			
m	Colorado	Pitkin County Board of County Commissioners	Robinson Ditch Diversion Modification
<p>Action: Report by CWCB staff member Megan Holcomb, Quinn Donnelly with River Restoration addressed the board. A motion to approve the staff recommendation was made by Gail Schwartz, which was seconded by Steve Anderson. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$45,000 from the Colorado Basin Account to help fund the project titled: Robinson Ditch Diversion Modification.</p>			
n	Southwest	Animas Consolidated Ditch Company	Water Supply/Watershed Restoration
<p>Action: Report by CWCB staff member Megan Holcomb. A motion to approve the staff recommendation was made by Celene Hawkins, which was seconded by Curran Trick. The motion was approved unanimously (8-0).</p>			

Staff recommendation: Staff recommends approval of up to \$25,000 from the Southwest Basin Account and \$125,000 from the Statewide Account to help fund the project titled: Water Supply/Watershed Restoration.			
o	Southwest	Valley Floor Preservation Partners	Telluride Valley Floor River Restoration Phase Two
<p>Action: Report by CWCB staff member Megan Holcomb. A motion to approve the staff recommendation was made by Celene Hawkins, which was seconded by Steve Anderson. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$25,000 from the Southwest Basin Account and \$250,000 from the Statewide Account to fund the project titled: Telluride Valley Floor River Restoration Phase Two.</p>			
p	Southwest	Southwest Basin Roundtable/San Juan Resource Conservation and Development Council	San Miguel Stream Management Plan: Stakeholder Engagement Process
<p>Action: Report by CWCB staff member Megan Holcomb. A motion to approve the staff recommendation was made by Celene Hawkins, which was seconded by Jim Yahn. Director Hawkins disclosed that her employer The Nature Conservancy is providing matching funds for this grant. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$12,530 from the Southwest Basin Account to help fund the project titled: San Miguel Stream Management Plan: Stakeholder Engagement Process.</p>			
q	Southwest	416-Fire Aquatic Monitoring Research Group/Mountain Studies Institute	416-Fire Aquatic Monitoring
<p>Action: Report by CWCB staff member Megan Holcomb. A motion to approve the staff recommendation was made by Celene Hawkins, which was seconded by Curran Trick. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$18,000 from the Southwest Basin Account to help fund the project titled: 416-Fire Aquatic Monitoring.</p>			
r	Southwest	Town of Silverton	Town of Silverton Water Supply/Storage Investigation
<p>Action: Report by CWCB staff member Megan Holcomb. A motion to approve the staff recommendation was made by Celene Hawkins, which was seconded by Jim Yahn. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$25,000 from the Southwest Basin Account to help fund the project titled: Town of Silverton Water Supply/Storage Investigation.</p>			
s	Southwest	Forests to Faucets/Mountain Studies Institute	Forests to Faucets (F2F): My Water Comes from the San Juan
<p>Action: Report by CWCB staff member Megan Holcomb. A motion to approve the staff recommendation was made by Celene Hawkins, which was seconded by Jim Yahn. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to %17,500 from the Southwest Basin Account to help fund the project titled: Forests to Faucets (F2F): My Water Comes from the San Juan Mountains Teacher Training Workshop Series.</p>			
t	Arkansas	Catlin Canal Company	Water Delivery & Accounting Feasibility Study

<p>Action: Report by CWCB staff member Ben Wade, Amber Weber with Catlin Canal Company and Phillip Chavez Board Member Catlin Canal Company addressed the board. A motion to approve the staff recommendation was made by Jack Goble, which was seconded by Jaclyn Brown. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$3,000 from the Arkansas Basin Account and \$30,000 from the Statewide Account to help fund the project/study titled: Water Delivery and Accounting Feasibility Study.</p>			
u	Arkansas	Huerfano County Water Conservancy District	Cucharas Collaborative Storage Phase 3
<p>Action: Report by CWCB staff member Ben Wade. A motion to approve the staff recommendation was made by Jack Goble, which was seconded by Jaclyn Brown. The motion was approved unanimously (8-0).</p> <p>Staff recommendation: Staff recommends approval of up to \$4,000 from the Arkansas Basin Account and \$40,000 from the Statewide account to help fund the project/study titled: Cucharas Collaborative Storage Phase 3.</p>			

22. Colorado River Basin Fund MOA

Interstate, Federal, and Water Information Section

Action: Report by CWCB staff member Alex Funk; Mike Preston with the Dolores Water Conservancy District addressed the board under public comment. A motion to approve the staff recommendation was made by Celene Hawkins, which was seconded by Steve Anderson. The motion was approved unanimously (8-0).

Staff recommendation: Staff recommends that the Board approve the proposed CRSP MOA Project Budget Adjustment Guidance and MOA Annual Prioritization Process documents.

23. Technical Assistance for Federal Cost-Share (TAFC) Program

Interstate, Federal, & Water Information Section

Action: Report by CWCB staff member Brent Newman. A motion to approve the staff recommendation was made by Jim Yahn, which was seconded by Celene Hawkins. The motion was approved unanimously (8-0).

Staff recommendation: Staff recommends that the Board approve purchase orders to be executed in the amounts as follows:

- 1) \$99,000 to Delta Conservation District for Salinity Control Program feasibility studies and program capacity building;
- These funds shall be utilized to provide technical assistance for applicants seeking competitive federal grant funds, consistent with the 2017 and 2018 Projects Bill (HB17-1248, SB18-218).

25. Public Comment on 2019 Instream Flow Appropriation in Water Divisions 2, 3, 4, 6, & 7

Stream and Lake Protection Section

Action: Report by CWCB staff member Rob Viehl; Public Comment from Beth Van Vurst with Southwest Water Conservancy District addressed the board. This is an informational item with no Board action

required.

26. Notice of Instream Flow Recommendations for 2020

Stream and Lake Protection Section

Action: Report by CWCB staff member Rob Viehl. This is an informational item with no Board action required. Director Hawkins left after this agenda item and was not present for the rest of the meeting.

28. Colorado River Drought Contingency Planning and Demand Management

Interstate, Federal, and Water Information Section

Action: Report by CWCB staff member Brent Newman. A motion to approve the staff recommendation was made by Jim Yahn, which was seconded by Steve Anderson. The motion was approved unanimously (7-0).

Staff recommendation: Staff recommends that the Board approve the 2019 Work Plan and direct staff to begin the action items identified immediately.

29. Glenwood Springs RICD

Interstate, Federal, and Water Information Section

Action: Report by CWCB staff member Erik Skeie, Mark Hamilton and Chris Thorne with Holland and Hart on behalf of the City of Glenwood Springs addressed the board. A motion to approve the staff recommendation was made by Gail Schwartz, which was seconded by Jaclyn Brown. The motion was approved unanimously (7-0).

Staff recommendation: Staff recommends adoption of the Amended Findings of Fact dated March 8th, 2019 for the Glenwood Springs Recreational In Channel Diversion (Attachment 1).

30. Colorado Springs Utilities Fallowing-Leasing Pilot Project Proposal

Interstate, Federal, and Water Information Section

Action: Report by CWCB staff member Alex Funk; Gerry Knapp representing Super Ditch addressed the board. Abby Ortega with Colorado Springs Utilities addressed the board under public comment. A motion to approve the staff recommendation was made by Jack Goble, which was seconded by Steve Anderson. Director Brown disclosed that her employer Tri-State submitted comments on the proposal and Director Goble disclosed that his employer is coordinating with applicants on the development of the pilot project. The motion was approved unanimously (7-0).

Staff recommendation: At this time, CWCB Staff recommends that the Board approve the CSU Pilot Project Proposal for formal selection as an eligible pilot project within the Arkansas River Basin. Given the need to modify the proposal, staff further recommends that the Board extend the ninety (90) day application submission deadline by up to sixty (60) days.

31. Request for Authorization to Proceed to Trial in Case No. 15CW3148 (Water Division 1) (Application of Central Colorado Water Conservancy District, the Groundwater Management

**Subdistrict of the Central Colorado Water Conservancy District, and the Well Augmentation
Subdistrict of the Central Colorado Water Conservancy District)**

Stream and Lake Protection Section

Action: Report by CWCB staff member Linda Bassi. A motion to approve the staff recommendation was made by Jim Yahn, which was seconded by Jaclyn Brown. The motion was approved (6-0); Director Trick recused herself from the vote.

Staff recommendation: Pursuant to ISF Rule 8j., Staff recommends that upon the Board authorize Staff to proceed to trial to protect its instream flow water rights in the event that Staff and the Attorney General's Office are unable to reach a settlement with Applicant and all other parties before the trial.

Meeting Adjourned

A motion to adjourn the March 2019 Board meeting was made by Jim Yahn, which was seconded by Jaclyn Brown. The motion was approved unanimously (7-0).