



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

Jared Polis
Governor

Dan Gibbs
DNR Executive Director

Rebecca Mitchell
CWCB Director

November 20 & 21, 2019 Board Meeting Agenda

A meeting of the CWCB will be held on Wednesday, November 20, 2019 commencing at 9:00 AM and continuing through Thursday, November 21, 2019. The meeting will be held at The DoubleTree Hotel 3203 Quebec St. Denver 80207.

The CWCB posts notice 30 days in advance of each regularly scheduled meeting. Notices for special meetings are posted on the website typically within five business days and not less than 24 hours of such a meeting. Notices of regular and special meetings may also be received by email. To receive notices by email please visit: <https://dnrweb.state.co.us/DNR/DNRPortal/Login.aspx>.

Although dates and times are indicated in this notice and in the following agenda, the CWCB may address and take action on noticed items in any order. Any known changes to the agenda will be announced at the beginning of the meeting. This notice, any late notice(s) of additional items, and briefing memos prepared for the CWCB will be posted at 1313 Sherman Street, Suite 721, Denver, CO 80203, and on our website at www.cwcb.state.co.us.

The CWCB's meetings are made available through live audio streaming on YouTube, although Board workshops are not. To listen to the proceedings, click the "Listen to the meeting LIVE!" link on the CWCB website homepage and select the link for the proper day and time. The link will be posted just prior to the start of the meeting.

The CWCB encourages citizens to express their views and provide feedback to the Board on the agenda items. This can be done by sending an email to viola.bralish@state.co.us by sending a letter to a Board member or to the Chair of the Board, or by attending the meeting. If you attend a meeting, simply fill out a comment sheet and give it to the Board Coordinator at the recording station. The Board will appreciate hearing your views when it reaches that agenda item. If you have any questions, need special accommodations as a result of a disability, or require further information on any CWCB activity, please contact Viola Bralish at 303-866-3441, ext. 3206. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).



Wednesday, November 20, 2019

9:00 - 9:02	CWCB Call to Order and Pledge of Allegiance
9:02 - 9:05	1. Review and Approve Agenda
9:05 - 9:07	2. Review and Approve September 18 & 19, 2019 Board Meeting Minutes
9:07 - 9:10	3. Approve and/or Remove Consent Agenda Items
9:10 - 9:15	<p>Board Meeting Dates in 2020 <i>Discussion on changing the dates for the March 2020 Meeting</i></p> <p>a. January 27 & 28 Westminster b. March 18 & 19 TBD c. May 20 & 21 Colorado Basin d. July 15 & 16 North Platte Basin e. September 16 & 17 South Platte Basin f. November 18 & 19 Denver Metro</p>
9:15 - 10:15	<p>4. Directors' Reports</p> <p>a. DNR Executive Director b. IBCC Director c. Agriculture Commissioner d. CWCB Director e. State Engineer f. Division of Parks and Wildlife Director g. Water Resource and Power Development Authority</p>
10:15 - 10:45	<p>5. Potential Effects of Climate Change on Rainfall-Induced Floods <i>Watershed and Flood Protection Section</i></p>
10:45 - 11:00	<p>6. Colorado Water Plan Updates <i>Water Supply Planning Section</i></p>
11:00 - 11:10	<p>7. Statewide Water Education Action Plan (SWEAP) <i>WEco</i></p>
11:10 - 11:25	Morning Break
11:25 - 12:55	8. Water Plan Grants Overview

Water Plan Grants

Agenda Item	Category	Applicant	Name of Water Activity
8 a-g Agriculture			
a	Agriculture	Bookcliff, South Side and Mount Sopris Conservation Districts	Integrated Watershed Management Planning in the Middle Colorado River
b	Agriculture	Colorado Cattlemen's Association	Agriculture Watershed and Stream Management Planning Outreach & Technical Assistance
c	Agriculture	Colorado Master Irrigator	Colorado Master Irrigator Program – Republican River Basin
d	Agriculture	Colorado State University	Food Asset Mapping to Understand Agricultural Economic Development Opportunities that

			Reduce Water Consumption
e	Agriculture	Crawford Water Conservancy District	Lower Aspen Canal Piping Efficiency Project
f	Agriculture	Trout Unlimited, Inc.	Irrigation Efficiency and its Effects in Northwest Colorado
g	Agriculture	Webber Ditch Company	Webber Ditch Diversion and Piping Project
8 h - s Engagement and Innovation Activities			
h	Engagement & Innovation	10.10.10, a Project of Colorado Nonprofit Development Center	Tackling Wicked Problems in Water and Climate
i	Engagement & Innovation	Coalition for the Poudre River Watershed	Engaging Stakeholders & Communities in the Poudre Through Citizen Science, Collaboration, & Outreach
j	Engagement & Innovation	Colorado Ag Water Alliance	Outreach and Capacity Building for Ag Water Projects
k	Engagement & Innovation	Colorado Mesa University	CMU Water Education Needs and Capacity Assessment
l	Engagement & Innovation	Colorado Open Lands	Sandhill Crane Water Education and Engagement
m	Engagement & Innovation	Dr. Terri Hogue, Colorado School of Mines	Water Engineering Education for the Next Generation (WE2NG), Research Experience for Teachers Program
n	Engagement & Innovation	For the Love of Colorado Coalition, a Program of the Keystone Policy Center	For the Love of Colorado Public Education Initiative
o	Engagement & Innovation	Lincoln Hills Cares	Replicable Youth-Driven Innovation Engine to Help Make the South Platte River Swimmable and Fishable
p	Engagement & Innovation	National Young Farmers Coalition	Young Farmers and Ranchers Water Leadership Pilot Program
q	Engagement & Innovation	Poudre Heritage Alliance (with CSU Water Resources Archive)	Water Legacy: Documenting Knowledge for Future Generations
r	Engagement & Innovation	Rio Grande Watershed Conservation & Education Initiative	Water in the Real World: Youth Education in the Rio Grande Watershed
s	Engagement & Innovation	Water Education Colorado	Statewide Water Education Action Plan Launch, Phase I Implementation and Essential Groundwork Actions
8 t – v. Environmental and Recreation			
t	Environmental and Recreation	Adams County Parks, Open Space & Cultural Resources	Clear Creek Whitewater Park
u	Environmental and Recreation	Center for Snow and Avalanche Studies	Colorado Dust on Snow Project
v	Environmental and Recreation	White River and Douglas Creek Conservation	White River Algae Study

		Districts	
8 w –aa. Water Conservation and Land Use Planning			
w	Water Conservation and Land Use Planning	Colorado Springs Utilities, an Enterprise of the City of Colorado Springs, a Colorado Home Rule City and Municipal Corporation	Direct Potable Reuse (DPR) Demonstration
x	Water Conservation and Land Use Planning	Cottonwood Metropolitan District	New Irrigation System Construction
y	Water Conservation and Land Use Planning	One Water Solutions Institute – Colorado State University	System and Process for Assessing Water Use of Land Use Decisions
z	Water Conservation and Land Use Planning	Uponor & Phyn & Greyter Water Systems	Sustainable Water Solution (SWS)
aa	Water Conservation and Land Use Planning	Western Resource Advocates	Integrated Water & Land Use Planning in Colorado Communities: Direct Community Assistance
8 bb – ee. Water Storage and Supply			
bb	Water Storage and Supply	Laramie Energy, LLC	Hawxhurst Reservoir Rehabilitation
cc	Water Storage and Supply	Redlands Water and Power Company	Pumpline Replacement
dd	Water Storage and Supply	Town of Erie	Horizontal Well Pilot Project
ee	Water Storage and Supply	Water Horse Resources , LLC	Flaming Gorge Green River Project – Pre-Permitting Phase
12:55 - 1:55	LUNCH		
1:55 - 2:20	9. Financial Matters <i>Finance Section</i> a. Financial Projections and Cash Management Report b. New Policy - Distribution of CWCB Funds		
2:20 - 2:55	10. Water Project Loans <i>Finance Section</i> a. Republican River Water Conservation District - Surface Water Rights Purchase b. Springdale Ditch Company - Diversion Structure Replacement Project c. Groundwater Management Subdistrict of Central Colorado Water Conservancy District - Hokestra Reservoir Purchase and Improvements Project		

2:55 - 3:15	<p>11. Changes to Existing Water Project Loans - Finance <i>Finance Section</i></p> <ul style="list-style-type: none"> a. Pueblo Conservancy District - Arkansas River and Wildhorse Creek Levees b. The Tunnel Water Company - West Half Laramie-Poudre Tunnel Rehabilitation
3:15 - 3:30	Afternoon BREAK
3:30 - 4:55	<p>12. 2020 Projects Bill</p> <ul style="list-style-type: none"> a. Non-Reimbursable Project Investments "En-Bloc" Approval <ul style="list-style-type: none"> 1. Satellite Monitoring - Continuation 2. Colorado Floodplain Map Modernization Program - Continuation 3. Weather Modification Permitting Program - Continuation 4. Colorado Mesonet Project - Continuation 5. Lidar Acquisition - Continuation 6. Litigation Fund - Refresh (up to \$2M) 7. Arkansas River DSS - Continuation 8. CDSS Operations & Maintenance - Continuation 9. Watershed Forecasting Partnership Program - Continuation b. Non-Reimbursable Project Investments - Presentations <ul style="list-style-type: none"> 1. Fish & Wildlife Resource Fund - Refresh 2. Water Loss Control Initiative PH II - Continuation 3. ATM Grant Program - Continuation c. Non-Reimbursable Project Investments - Water Plan Implementation Funding d. Southeast Colorado Water Conservancy District - Arkansas Valley Conduit Project - Funding Package
4:55	RECESS
<u>Thursday, November 21, 2019</u>	
8:30 - 10:00	<p>13. Basin Directors' Reports</p> <ul style="list-style-type: none"> a. Colorado River (Mainstem) Basin Director's Report b. San Juan/San Miguel-Dolores River Basin Director's Report c. Gunnison River Basin Director's Report d. North Platte River Basin Director's Report e. South Platte River Basin Director's Report f. Arkansas River Basin Director's Report g. City and County of Denver Director's Report h. Rio Grande River Basin Director's Report i. Yampa-White River Basin Director's Report

10:00 - 10:10	14. Attorney General's Report, Legal Briefing, Update from Hearing Officer on Contested Trout Creek Instream Flow Appropriation, and Executive Session		
10:10 - 10:25	Morning BREAK		
10:25 - 12:10	15. Executive Session <ul style="list-style-type: none"> a. Colorado River Compact Compliance Study b. Colorado River LTEMP Litigation c. Rio Grande - Texas v. New Mexico and Colorado Update d. Stockwatering Uses Claimed Under Section 37-92-102(3)(b), C.R.S. e. Case No. 16CW3193 (Water Division 1) - Application of United States of America 		
12:10 - 12:15	16. Report from Executive Session		
12:15 - 1:15	Lunch		
1:15 - 1:30	17. WSRF Grant Applications		
Water Supply Reserve Fund Application Grants at the November 2019 CWCB Board Meeting			
Agenda Item	Basin	Applicant	Name of Water Activity
a.	Yampa/White/Green	Yampatika Outdoor Awareness Association	Yampa White Green Rivers K-12 Curriculum
b.	Colorado	Roy and Shawna Fazzi	Fazzi Washout Pipeline
c.	Colorado	Missouri Heights Mountain Meadow Ditch Company	Irrigation Pipeline Final Phase B2
1:30 - 1:45	18. Water Efficiency Grant Fund - Application from Western Resource Advocates <i>Water Supply Planning Section</i>		
1:45 - 2:15	19. Weather Modification Update <i>Interstate, Federal, and Water Section</i>		
2:15 - 2:20	20. Bureau of Reclamation WaterSMART Applied Science Grant (seeking resolution) <i>Interstate, Federal, and Water Section</i>		
2:20 - 2:35	21. Alternative Transfer Method Program Development and Planning Project <i>Interstate, Federal, and Water Section</i>		
2:35 - 2:55	22. Alternative Agricultural Transfer Method Grant Program, Lower Arkansas Valley Water Conservancy District <i>Interstate, Federal, and Water Section</i> <ul style="list-style-type: none"> a. Super Ditch Operations and Administrative Program b. Ag-Municipal Conservation Easement Demonstration 		
2:55-3:10	Afternoon Break		

3:10 - 4:10	<p>23. Stockwatering Uses Claimed Under Section 37-92-102(3)(b), C.R.S. <i>Stream and Lake Protection Section</i></p>
4:10 - 4:20	<p>24. Request for Authorization to Proceed to Trial, Case No. 16CW3193, (Water Division 1) - Application of United States of America <i>Stream and Lake Protection Section</i></p>
4:20 - 4:35	<p>25. Proposed Lease of Water for Use in the 15-Mile Reach of the Colorado River, Water Division 5 <i>Stream and Lake Protection Section</i></p>
4:35 - 4:45	<p>26. Notice of Recommended 2020 Instream Flow Appropriations in Water Divisions 1, 2, 4, and 6 <i>Stream and Lake Protection Section</i></p>
4:45 - 4:55	<p>27. Proposed Revision to Appropriation Dates of Disappointment Creek Instream Flow Appropriations, Water Division 7 <i>Stream and Lake Protection Section</i></p>
4:55	ADJOURN

CWCB Consent Agenda November 20 & 21, 2019

Matters may be placed on the Consent Agenda when the recommended action follows established policy or precedent, there has been a negotiated settlement, or the matter is uncontested and non-controversial. Staff provides memos to CWCB members explaining the matters on the Consent Agenda. Matters on the Consent Agenda are noticed for hearing in the same manner as other agenda items. If a member of the CWCB requests further consideration of an item on the Consent Agenda, the item will be withdrawn from the Consent Agenda and discussed during the meeting or at the next meeting, with action taken after discussion of the item. If a member of the CWCB requests further consideration of an item on the Consent Agenda that pertains to a pending or imminent court action, the matter will be withdrawn from the Consent Agenda and may be discussed during executive session of the same meeting, and any action on that item will be taken in public session. The Consent Agenda may be voted on without reading or discussing individual items. Any CWCB member may request clarification about any matter on the Consent Agenda.

1. Statements of Opposition

Stream & Lake Protection Section

The Board will be asked to ratify Statements of Opposition that have been filed by staff to protect instream flow and natural lake level water rights and to protect CWCB's exclusive authority to hold instream flow water rights in the following water court cases:

- a. Case No. 19CW3154 (Water Division 1): Application of Mountain Mutual Reservoir Company
- b. Case No. 19CW3045 (Water Division 4): Application of Rehoboth Land Partners, LLC
- c. Case No. 19CW3112 (Water Division 5): Application of Highland Investment Co., LLC
- d. Case No. 19CW3017 (Water Division 6): Application of Yellow Jacket Water Conservancy District

2. Floodplain Designations

Watershed and Flood Protection Section

- a. "Flood Insurance Study, Adams County, Colorado and Incorporated Communities", by FEMA, dated September 2018.
- b. "Flood Insurance Study, Arapahoe County, Colorado and Incorporated Communities", by FEMA, dated September 2018.
- c. "Flood Insurance Study, Summit County, Colorado and Incorporated Communities", by FEMA, dated November 2018.
- d. "Flood Insurance Study, Morgan County, Colorado and Incorporated Communities", by FEMA, dated April 2018.
- e. "Flood Insurance Study, El Paso County, Colorado and Incorporated Communities", by FEMA, dated December 2018.

- f. "Flood Insurance Study, City and County of Denver, Colorado", by FEMA, dated September 2018.
- g. "Flood Insurance Study, Chaffee County, Colorado and Incorporated Communities", December 2017.

3. Changes to Water Plan Grants

- a. *Change in Fiscal Agent - TAP-IN*
- b. *Change in Budget - North Fork Water Conservation District - Paonia Reservoir Sediment Removal*

4. Changes to Loan

- a. *Huerfano County Water Conservancy District - Regional Augmentation Project*