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TO:	Colorado Water Conservation Board Members
FROM:	Alexander Funk, Program Manager Alternative Agricultural Water Transfer Methods Grant Program (ATM) Interstate, Federal, and Water Information Section
DATE:	January 17 th , 2020
AGENDA ITEM:	6. Alternative Agricultural Water Transfer Method Grant Program

Staff Recommendation/Action Items: ATM Grant Request

Applicant: WaterNow Alliance Project Name: Alternative Transfer Methods Outreach Initiative for Local Municipal Decision Makers in Colorado Amount Requested: \$75,311

The Colorado Water Plan encourages alternatives to permanent dry-up of irrigated agriculture and to utilize alternative transfer methods (ATMs) to support a sustainable agricultural industry while addressing other water resource challenges. The CWCB's Alternative Water Transfer Methods Grant Program, established in 2007, provides resources to help develop and implement ATM projects, including research. The ATM grant program also provides resources for the "life cycle" costs of ATM projects, including project operations and infrastructure. The current focus of the ATM grant program is on implementing projects that will result in or facilitate actual wet-water transfers to support multiple uses, including municipal, industrial, agricultural, environmental, and recreational needs. ATM grants can also be utilized to explore alternative approaches to mandatory curtailment resulting from groundwater administration or compact compliance.

If this request is approved, it will constitute the 36th ATM Grant approved by the CWCB. Of the previous 35 projects, eleven are in-progress, and 24 have been completed or closed-out.

The current ATM balance is \$968,058. If this grant request is approved and comes under contract, the remaining balance will be \$892,747.

Staff's review of ATM applications involves the following steps:

- 1) Applications are reviewed for completeness based on the information requirements, which are primarily outlined in the ATM Grant Criteria and Guidelines (C&G).
- 2) Applications are reviewed to verify that the water activity meets the eligibility requirements in the C&G.
- 3) Staff then prepares the Water Activity Summary Sheet, which documents the outcome of the review process and contains staff's recommendations.

Staff concludes these ATM Grant applications are complete, and the proposed activity meets the eligibility requirements in the C&G. The Water Activity Summary Sheet, ATM Grant Application, Statement of Work, and Budget and Schedule are attached.

Staff recommendation:

Staff recommends approval of up to \$75,311 from the Alternative Agricultural Water Transfer Methods Grant Program to help fund the "Alternative Transfer Methods Outreach Initiative" project.

Alternative Agricultural Water Transfer Methods – Competitive Grant Program Water Activity Summary Sheet January 27, 2020 Agenda Item 6

Applicant & Grantee: Water Activity Name:	WaterNow Alliance Alternative Transfer Methods Outreach Initiative for Local Municipal Decision Makers in Colorado
Water Activity Purpose:	Development of an ATM training program geared towards municipal decision makers and utility staff among other stakeholders
Drainage Basin:	Statewide
Water Source:	Statewide
Amount Requested:	\$75,311
Matching Funds:	\$8,500 total cash match (provided by the applicant)

Staff Recommendation

Staff recommends approval of up to \$75,311 from the Alternative Agricultural Water Transfer Methods Program to help fund the "Alternative Transfer Methods Outreach Initiative for Local Municipal Decision Makers in Colorado."

Water Activity Summary: WaterNow Alliance is a network of municipal water leaders working to expand sustainable, affordable, climate-resilient solutions. Founded in 2015, WaterNow Alliance has been working in Colorado since its inception and currently has 75 Colorado members statewide.

WaterNow Alliance has been working on the development of an "Alternative Outreach Initiative for Local Decision Makers in Colorado" to educate local water decision makers and utility staff about the potential for alternative transfer methods (ATM) to be viable options for increasing Colorado communities' water supply resilience while sustaining local agriculture. As part of this Outreach Initiative, WaterNow Alliance is seeking financial assistance to develop a training curriculum and program to build awareness of ATMs with decision makers in regards to how ATMs can work, considerations for buyers and sellers, how ATMs can provide meaningful local benefits, and ultimately encourage active exploration of new ATM agreements. The project will also utilize a survey to gather information about local municipal leaders' perspectives on ATMs to inform CWCB efforts to conduct a status assessment of current ATM actions and inform conversations around the update to the Colorado Water Plan.

Discussion: Staff supports WaterNow Alliance's application based on the following considerations. Previous ATM studies and reports have found that a lack of information on ATMs presents a barrier to further adoption of projects. The Colorado Water Plan calls for the development of educational materials to allow different water resource stakeholders to better under the complexities and benefits of ATM transactions. Subsequent reports funded by CWCB have cited a lack of understanding of ATM mechanics and negotiations as a barrier for utility managers more familiar with traditional water transfers. Other reports have called for education efforts targeted at elected officials, urban planners,

and other decision-makers as to the benefits and tradeoffs of ATMs and to share information regarding successful ATM pilot projects with utility managers considering such approaches.

CWCB staff is further encouraged that WaterNow Alliance will work with a broad range of stakeholders familiar with ATM issues, including the Colorado Agricultural Water Alliance and Colorado State University Water Center, in developing the program curriculum and coordinating outreach. Altogether, CWCB staff believes this project will result in increased awareness of ATM issues among a broader range of stakeholders, encourage the development of more ATM projects in Colorado, and inform CWCB efforts to achieve Colorado Water Plan objectives.

Issues/Additional Needs: Project applicants have agreed to coordinate with CWCB staff to incorporate information gathered through this project to inform CWCB's ATM Program Development and Planning Process. In developing the project curriculum, the applicants with consult with a diverse range of water resource stakeholders familiar with Colorado water issues and alternative transfer methods.

CWCB Project Manager: Alexander Funk



COLORADO WATER CONSERVATION BOARD

ALERNATIVE AGRICULTURAL WATER TRANSFER METHODS COMPETITIVE GRANT PROGRAM



GRANT APPLICATION FORM

Alternative Transfer Methods Outreach Initiative for Local Municipal Decision Makers in Colorado

Program/Project Name

River Basin Name

\$75,311

\$8,500

Amount of Funds Requested

Amount of Matching Funds

<u>Instructions</u>: This application form must be submitted in electronic format (Microsoft Word or Original PDF). The application can be emailed or a disc can be mailed to the address at the end of the application form. The Alternative Agricultural Water Transfer Methods Competitive Grant Program, Criteria and Guidelines can be found at <u>http://cwcb.state.co.us/LoansGrants/alternative-agricultural-water-transfer-methods-grants/Pages/main.aspx</u>. The criteria and guidelines must be reviewed and followed when completing this application. You may attach additional sheets as necessary to fully answer any question, or to provide additional information that you feel would be helpful in evaluating this application. Include with your application a cover letter summarizing your request for a grant. If you have difficulty with any part of the application, contact Craig Godbout of the Water Supply Planning Section (Colorado Water Conservation Board) for assistance, at (303) 866-3441 x3210 or email at <u>craig.godbout@state.co.us</u>.

Generally, the applicant is also the prospective owner and sponsor of the proposed program/project. If this is not the case, contact Craig before completing this application.

Part A. - Description of the Applicant(s) (Program/Project Sponsor);

1.	Applicant Name(s			,	irector, WaterNow Alliance, a ation Innovation DBA Multiplier				
	Mailing address:		ynkoop Street, Suite 914 CO 80202						
	Taxpayer ID#:	91-2166435		Email address:	ck@waternow.org				
	Phone Numbers: Business:			5-360-2999					
		Home: Fax:	415	5-259-7978					

2. Person to contact regarding this application if different from above:

Name:	Lindsay Rogers, ler@waternow.org, 415-259-7978
Position/Title	Colorado Basin Program Manager

3. If the Contracting Entity is different then the Applicant, please describe the Contracting Entity here.

Contracting Entity will be the Trust for Conservation Innovation, fiscal sponsor of WaterNow Alliance.

4. Provide a brief description of your organization. The applicant may be a public or private entity. Given the diverse range of potential applicants, not all of the following information may be relevant. Where applicable and relevant the description should include the following:

- a) Type of organization, official name, the year formed, and the statutes under which the entity was formed, a contact person and that person's position or title, address and phone number. For private entities, a copy of the Articles of Incorporation and By-laws should be appended to the application.
 - **Type of organization**: WaterNow Alliance (WaterNow or WNA) is a project of the non-profit fiscal sponsor, the Trust for Conservation Innovation DBA Multiplier, which is a 501(c)(3) organization. Multiplier provides administrative services for WaterNow including recruiting, contract administration, payroll, etc.
 - **Year formed**: WaterNow Alliance was founded in 2015, Multiplier was founded in 2001.
 - **Contact person**: Lindsay Rogers
 - Title: Colorado Basin Program Manager
 - Address: 1536 Wynkoop St., Suite 914, Denver, CO 80202
 - **Phone number**: 415-259-7978
- b) For waters suppliers, information regarding the number of customers, taps, service area, and current water usage, and future growth plans, water related facilities owned or used, funding/revenue sources (existing service charges, tap fees, share assessments, etc.), the number of members or shareholders and shares of stock outstanding or a description of other means of ownership.
- c) For other entities, background, organizational size, staffing and budget, and funding related to water that is relevant in determining whether the applicant has the ability to accomplish the program/project for which funding is sought.
- Background: WaterNow Alliance is a network of, and voice for, municipal water leaders working to expand sustainable, affordable, climate-resilient solutions. Founded in 2015, by veterans in water policy, law, business, and government who saw that insufficient attention was being paid to the local decision making institutions with significant responsibility to address our water problems, WaterNow was designed to engage directly with the local elected and appointed leaders responsible for upwards of 90% of spending on drinking water, stormwater, and wastewater to support the transition to a sustainable and climate resilient water future. WaterNow connects these local water leaders to new ideas, resources, and one another; identifies and eliminates policy barriers; and engages directly with communities to implement and showcase replicable and scalable community-based water solutions. WaterNow has grown from an initial brain-trust of ten local water leaders and partner organizations, three of whom were Colorado municipal decisionmakers, to a membership of nearly 500 councilmembers, mayors, water district board members, county commissioners, and utility management in 33 states. WaterNow Alliance has been working on Colorado water since its inception and currently has 75 Colorado members statewide. Colorado has figured centrally in our strategic initiatives. WaterNow held our 2nd Annual Z:\Section Folders\SECD\AltAgTransferGrantProgram\2020_ATM Requests\WaterNow Alliance\WaterNow Alliance CWCB ATM

Summit in Boulder in 2017 featuring Colorado initiatives and leaders. The 2-day event attracted 120 participants including councilmembers, mayors, utility management and industry thought-leaders and addressed pressing Colorado water challenges and opportunities including: Alternative Transfer Methods, affordability and rate setting, stormwater management, financing opportunities, etc. We also partnered with Denver Water to develop a half-day workshop on water communications entitled "Communicating with Ratepayers: Getting Past Paying More for Less," which was attended by 50 Colorado water decision-makers and staff. Headquartered in San Francisco, WaterNow opened a satellite office in Denver in June 2018 in order to expand our Colorado initiatives, membership, and partnerships and to provide even more hands-on support to our members. Since then we've had the opportunity to work on numerous programs and projects in Colorado including: providing input from our members on the Colorado Water Plan funding initiative, providing direct, technical project support to Colorado communities through WaterNow's Project Accelerator program and our partnership with Western Resource Advocates to help communities integrate their water and land use planning, , engaging with the Colorado Water & Land Use Planning Alliance, participating in Colorado WaterWise board meetings and events, helping to fill vacant seats on the Basin roundtables, and, as described below, publishing our Alternative Transfer Methods Guide for Municipal Water Leaders in Colorado.

- Organizational Size: WaterNow has six full-time and three part-time staff members.
- Staffing: Lindsay Rogers, WaterNow Alliance's Colorado Basin Program Manager, is the project manager for this initiative and manages all outreach, logistics, and content development. Cynthia Koehler, WaterNow's Executive Director, provides oversight and strategic planning to ensure the initiative meets or exceeds all objectives and deliverables. Caroline Koch, WaterNow's Policy Director, informs curriculum development, specifically synthesizing technical transaction and water law information for our audience. Chiara Olmes-Leiva, WaterNow's Communications Associate, supports outreach to WaterNow's network and curriculum design. Jesse Birsinger, WaterNow's Database Manager, is expanding our database of Colorado municipal and water agency decision makers, management, and staff for outreach and polling purposes. Grant funding for this initiative will enable WaterNow to expand staff capacity to support the ATM Outreach Initiative.
- **Budget**: WaterNow's FY2019 organizational budget was \$1,276,000. All funding is related to water.
- d) A brief history of the Applicant(s).

Lindsay Rogers, WaterNow's Colorado Basin Program Manager, is based in Denver and manages hands-on projects in collaboration with utility partners, state and local policy initiatives, and member engagement and outreach in Colorado. Lindsay played a key role in researching and writing WaterNow's Alternative Transfer Methods Guide for Local Leaders in Colorado. Lindsay is a Qualified Water Efficient Landscaper (QWEL) and manages WaterNow's QWEL training program. Prior to joining WaterNow in 2015, Lindsay's background included non-profit development, client services, and operations. She holds a BS in

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Environmental Studies and International Relations from Tufts University. She was recently selected to serve on the Colorado WaterWise Board of Directors.

Cynthia Koehler, WaterNow's Executive Director, is a water lawyer and advocate with 30+ years of experience in sustainable water policy. Prior to co-founding WaterNow she was the California water lawyer for the Environmental Defense Fund and Legal Director for Save the Bay. She has also served as an elected member of her local public drinking water utility continuously since 2005. She was an appointed member of US EPA's Local Government Advisory Committee (2016-18) and served on California's Urban Advisory Group addressing drinking water efficiency issues (2016-17). She serves on a number of nonprofit advisory councils and boards and is the recipient of various recognitions including The Bay Institute's Hero of the Bay Award. She holds a BA from Pomona College and JD and environmental law certificate from the University of Oregon School of Law.

Caroline Koch, WaterNow's Policy Director, is an environmental and water policy attorney with more than 10 years of experience advocating for the protection of Western water and public trust resources. She develops and manages WaterNow's portfolio of sustainable water focused policy initiatives at local, state, and federal levels related to urban water use. Caroline played a key role in researching and writing WaterNow's Alternative Transfer Methods Guide for Local Leaders in Colorado. She was previously a partner at Lawyers for Clean Water Inc. Caroline holds a BA from Duke University and a JD from the Golden Gate University School of Law, where she received the Excellence in Environmental Law Award.

Chiara Olmes-Leiva, WaterNow's Communications Associate, develops outreach and communications materials for WaterNow and manages updates to the organizations' websites. She is currently studying sustainable environmental design and professional writing at University of California, Davis.

Jesse Birsinger, WaterNow's Database Manager, develops and manages WaterNow's database of municipal and water agency, decision makers, management, staff, and other partners nationwide. Jesse graduated from California Polytechnic State University, San Luis Obispo with a B.S. in Agricultural Systems Management and a minor in Geographic Information Systems (GIS) with an Environmental Information Emphasis.

- e) Please include any relevant Tabor issues relating to the funding request that may affect the Contracting Entity.
 - Not applicable.

Part B. - Description of the Alternative Water Transfer Program/Project -

1. Purpose of the Program/Project

Please provide a summary of the proposed program/project, including a statement of what the program/project is intended to accomplish, the need for the program/project, the problems and opportunities to be addressed, the expectations of the applicant(s), and why the program/project is important to the applicant(s). The summary must include a description of the technical, institutional (i.e., how the program/project will be organized and operated), and legal elements that will and/or have been addressed by the applicant and proposed program/project. The summary should also discuss relevant project history, if applicable, and any other relevant issues.

SUMMARY OF PROPOSED PROGRAM & GOALS

The Colorado Water Plan (Water Plan) identifies Alternative Transfer Methods (ATMs) as a vital tool for securing Colorado's water future.¹ Specifically, the Water Plan calls for 50,000 acre-feet (AF) of urban water to be provided via ATMs by 2030. ATMs represent a range of impermanent water transfers intended specifically to support urban and/or environmental needs without harming agriculture in the way that permanent "buy-and-dry" water transfers have been perceived to do. However, these transactions are complex and are often not well understood in the municipal space. To facilitate the goal established by the Water Plan, for the last two years, WaterNow has been working on an "ATM Outreach Initiative for Local Decision Makers in Colorado (ATM Outreach Initiative)" to educate local water decision makers and utility staff about the potential for ATMs to be viable options for increasing Colorado communities' water supply resilience while protecting local agriculture. This initiative has produced a detailed educational guide designed specifically for urban water decision makers, entitled Alternative Transfer Methods Guide for Local Leaders in Colorado (waternow.org/project/colorado-atms)("ATM Guide").

This proposal will enable WaterNow to implement the next phase of its ATM Outreach Initiative and engage directly with local water decision makers around WaterNow's ATM Guide. The initiative is intended to educate local decision makers who would be most directly involved in making decisions to pursue ATMs for their communities, to catalyze interest in those decision makers and their management teams in exploring specific ATM opportunities, to address concerns and misperceptions encountered, and to support Colorado Water Conservation Board's (CWCB) ATM objectives.

WaterNow's ATM Outreach Initiative is designed to accomplish four key objectives:

- (1) familiarizing decision makers with ATMs generally;
- (2) providing guidance on how they work in practice;
- (3) exploring how these strategies can provide meaningful local benefits; and
- (4) ultimately encouraging active exploration of new ATM agreements.

As part of these efforts, WaterNow will also gather information about local municipal leaders'

¹ Colorado Water Conservation Board, Colorado State Water Plan p. 1-9, 2015 (Water Plan), available at: <u>https://www.colorado.gov/pacific/sites/default/files/CWP2016.pdf</u>.

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perspectives on ATMs to inform CWCB's larger ATM Program Development & Planning process.

PROBLEMS AND OPPORTUNITIES TO BE ADDRESSED

Colorado, like other states across the West, is challenged by water scarcity coupled with high population growth. The Water Plan, published in 2015, projects that by midcentury, statewide demand for water will exceed available supplies by about 500,000 acre-feet annually. This figure is more nuanced but still significant under the scenario planning completed in the 2019 CO Water Plan Analysis & Technical Update.² One of the Water Plan's central strategies for improving urban water supply reliability without negatively impacting the State's other water users is to share 50,000 acre-feet of agricultural water with growing cities by 2030 using ATMs. CWCB's Alternative Agricultural Water Transfer Methods Grant Program has supported this goal by funding over \$4 million in ATM studies and pilot programs since 2008. Through CWCB's ATM Program Development & Planning process this year, this successful grant program will likely be expanded to support ATM adoption in other ways, including through outreach and education.

As indicated above, WaterNow developed our ATM Initiative to educate municipal water leaders about the potential for ATMs to provide a reliable and environmentally sustainable source of water for their communities. We planned this initiative in coordination with other Colorado organizations working on ATMs and our research indicated that WaterNow's Colorado members and other local leaders statewide had limited familiarity with ATMs. For this Initiative, we began exploring the potential for ATM transactions with ~120 local decision makers, city and utility manager, staff, and other partners at WNA's 2017 Annual Summit in Boulder.

One of the primary takeaways from that session—and from our conversations and surveying of WaterNow members since—is that, while cautiously positive about ATMs as a water supply option, many local decision makers indicate that they do not believe that they have the knowledge or information necessary to make an informed decision about whether or not to explore ATM projects in their communities. Additionally, there is concern among some municipal providers that ATM agreements may be less secure than more conventional sources of supply. This barrier is also recognized in CWCB's 2012 *Technical Memorandum on Alternative Transfer Methods Grant Program Summary Status Update* which notes that municipal water users value supply certainty, "and permanent buy-and-dry water right changes are used to provide such certainty." ³

In a limited internal survey of WaterNow's Colorado members in 2019, 60% of respondents felt that ATMs could be useful in supplementing permanent municipal supplies, while 35% weren't sure and felt they would need to see more ATMs being implemented to respond (sample size of 20). These sentiments echo WaterNow's one-on-one conversations with members and other stakeholders in

² Colorado Water Conservation Board. Analysis & Technical Update to the Colorado Water Plan. Denver, Colo: Colorado Water Conservation Board, 2019, available at: https://www.colorado.gov/pacific/cowaterplan/analysis-andtechnical-update.

³ CDM Smith and Colorado Water Conservation Board. Alternative Agricultural Water Transfer Methods Grant Program Summary and Status Update: Technical Memorandum. Denver, Colo: Colorado Water Conservation Board, 2012, available at:

https://www.colorado.gov/pacific/sites/default/files/14WaterResources0807CWCBATMGrantSummary.pdf. Z:\Section Folders\SECD\AltAgTransferGrantProgram\2020_ATM Requests\WaterNow Alliance\WaterNow Alliance CWCB ATM

Colorado and point towards the benefit of additional outreach and education around the feasibility of ATMs, their many benefits compared to other water supply options, and case studies of executed ATM agreements in Colorado.

Therefore, this Outreach Initiative is timely as it will address the lack of knowledge and understanding about ATMs among urban water providers and open new possibilities for these cities and utilities to expand their water supply security through ATM agreements. Based on the feedback and information gathered through this initiative, WaterNow will provide recommendations for next steps in expanding the use of ATMs by Colorado urban water users.

NEED FOR THE PROGRAM

Achieving Colorado's ambitious ATM goal will require the support of municipal decision makers who are currently skeptical or uninformed about water transfers generally and ATMs in particular. While various organizations are engaged in these discussions in the agricultural space, there are few reaching out directly to the municipal water leaders critical to ATM implementation.

A large number of commentators, including CWCB itself, have identified the need for education and outreach geared specifically toward local decision makers regarding ATMs – what they are, how they work, and their potential community benefits. To that end, in May 2019 WaterNow published its ATM Guide, described above, to provide local water decision makers with a jumping off point for gaining new insight into ATMs. The Guide provides accessible and clear information about complex subjects including water rights, water transfer methods, and successful ATM case studies. It also covers questions and considerations local decision makers should take into account when developing an ATM, and summarizes available financial and technical resources. WaterNow's Guide aims to address local leaders' concerns about securing long-term permanent supplies by exploring the merits of and uses for flexible water supplies and the opportunity for intermittent but perpetual ATMs⁴. Throughout this process, WaterNow spoke with ~40 ATM experts, WaterNow members, and other partners who provided their insight and recommendations to inform the Guide's substance and organization as well as the broader urban water leader outreach initiative.

While the Guide is a key foundation to this Initiative, galvanizing municipal water decision makers to seriously consider using ATM transactions in their communities will require direct engagement with them. The next phase of WaterNow's ATM Outreach Initiative will ensure that the information in this Guide, along with other ATM resources, is made available to, and is clearly understood by, the Guide's intended audience of urban water providers. Interactive workshops and presentations, as outlined in the Scope of Work below, will provide participants with the opportunity to engage with the material and explore the concept of water transfers and how they can provide local water security; and also acquaint them with legal and technical mechanics associated with ATMs. Given our strong network of municipal water leaders in Colorado and our experience in developing and executing on outreach initiatives dealing with complex water topics to this audience, WaterNow is uniquely positioned to conduct this Outreach Initiative.

⁴ This barrier is also identified in Exhibit A SOW ATM Program Planning & Development Project, Colorado Water Conservation Board, 2019.

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TECHNICAL, INSTITUTIONAL, AND LEGAL ELEMENTS TO BE ADDRESSED BY THE PROPOSED PROGRAM

This program does not involve implementation of a specific ATM agreement and therefore does not entail any specific technical, institutional or legal elements in its implementation. WaterNow ATM Outreach initiative will include four key tasks (described in more detail in the Scope of Work). WaterNow will: (1) design and execute a poll of local water leaders in Colorado on their perspectives on ATMs; (2) coordinate and conduct a series of ATM workshops, webcasts, and other presentations at partner organizations' meetings and events; (3) develop comprehensive ATM curriculum designed to engage and educate our audience of WNA members and other local water decision makers, utility managers, and staff through hands-on exercises together with presentation of background materials; and (4) gather feedback from event and polling participants to inform next steps in CWCB's broader development of its ATM Program. WaterNow staff will be fully responsible for executing all tasks and will subcontract with other experts in ATM execution to support this initiative through polling, curriculum development, and presentations.

EXPECTATIONS OF THE APPLICANT

WaterNow expects that this initiative will increase familiarity about ATMs among urban decision makers and catalyze interest in exploring the viability of ATMs among several Colorado communities. It will also improve CWCB's understanding of perceptions about, and potential barriers to, ATMs in the urban space at a more granular level. Specifically, we expect to achieve the following outcomes over the course of this Initiative:

- To reach between 200 and 300 urban water providers with polling on their perspectives on ATMs
- To host 2 workshops and 2 webcasts and to present the ATM curriculum in at least 3 partner-led meetings or events
- To have 200 participants (cumulatively) attend these events
- To encourage at least 7 participants/communities to take a "next step"; i.e. apply for CWCB funding to complete a project, or connect with ATM practitioners to learn more

WHY THIS PROGRAM IS IMPORTANT TO WATERNOW ALLIANCE

As indicated in the CO Water Plan, ATMs have the potential to play a key role in helping urban centers meet the growing needs of their consumers while avoiding the permanent removal of agricultural land from production. WaterNow's fundamental mission is to support environmentally sustainable water management in urban areas by working with and supporting key urban water decision makers. Facilitating their understanding of ATMs, and taking steps toward successful implementation of these agreements, fits squarely into the set of solutions that we are working to expand in Colorado and across the American West. We have heard consistently from our members that one of the most important things they need to move in more innovative directions is solid evidence of other communities that have successfully experimented with these new approaches.

Colorado has taken important steps in recent years to remove legal, financial, and technical barriers to ATMs in order to support their practicality among water users. While there are a number of excellent Z:\Section Folders\SECD\AltAgTransferGrantProgram\2020_ATM Requests\WaterNow Alliance\WaterNow Alliance CWCB ATM

reports and resources available on ATMs in Colorado, outreach and education to ensure that local water decision makers are aware of the opportunities to implement ATM projects in their communities is crucial to catalyze more widespread adoption of these mechanisms. WaterNow has the experience, the network, and the tools necessary to effectively lead this outreach effort. Feedback gathered from urban water providers about their perspectives on ATMs will lead to important recommendations to support increased adoption of ATMs in Colorado.

PREVIOUS STUDIES

To the maximum extent possible, the results of any previous studies and investigation should be utilized and incorporated into the proposed program/project. The application for funding should include a brief summary of the results of previous studies and how they will be utilized.

There have been a large number of studies and reports exploring ATMs, both conceptually and specific transactions. Many of these studies were used in the development of WaterNow's ATM Guide and their results and recommendations will be incorporated into the ATM Outreach Initiative. A comprehensive list is included below. Three studies in particular have called out the need for additional education and outreach to local decision makers.

CWCB's 2012 Alternative Water Transfer Methods Grant Program Summary & Status Update Technical Memorandum⁵ identified high transaction costs and risk/uncertainty as a "barrier" (among others) related to the Colorado Corn Growers Association ATM project, and recommends "Education and Decision-making Support" as one of several potential solutions. In particular, the report recommends that educational materials be created to assist a lay person in understanding water transfers. Many ATM resources are more detailed and technically-oriented than what's best-suited for local municipal leaders.

CWCB's 2018 *Little Thompson Farm ATM Grant Completion Report*⁶ details the first perpetual agricultural-to-municipal ATM agreement reached in Colorado and the project teams' recommendations for supporting additional transactions. Like the 2012 Technical Memorandum, this report calls for continued education around existing ATM case studies in Colorado.

A 2017 report by Western Water Partnerships, Colorado Open Lands, and the Open Water Foundation titled *Agricultural Land and Water Buffer Feasibility Analysis*⁷ explores the potential for municipal water providers and the land conservation community to work together to execute ATM agreements. This report also concluded that there is a real need for education at the municipal level. Among other points, this report states, "in addition to water managers, elected officials, planners, and other decision-makers should be educated on ATMs and how they can help protect agriculture in their region."

⁵ CDM Smith and Colorado Water Conservation Board. Alternative Agricultural Water Transfer Methods Grant Program Summary and Status Update: Technical Memorandum. Denver, Colo: Colorado Water Conservation Board, 2012, available at:

https://www.colorado.gov/pacific/sites/default/files/14WaterResources0807CWCBATMGrantSummary.pdf. ⁶ Larimer County, Little Thompson Farm ATM Grant Completion Report, p. 1-2, 2018 (Larimer), available at: http://www.larimer.org/sites/default/files/uploads/2018/larimer county atm final report.pdf.

⁷ Doherty, Todd et al. Agricultural Land and Water Buffer Feasibility Analysis. Western Water Partnerships, Colorado Open Lands, Open Water Foundation, 2017.

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STUDIES & REPORTS INCLUDED IN WATERNOW'S ATM GUIDE:

Alternative Water Transfers in Colorado: A Review of Alternative Transfer Mechanisms for Front Range

Municipalities. Environmental Defense Fund and WestWater Research, 2016 (Alternative Water Transfers), available at: <u>https://www.edf.org/sites/default/files/alternative-water-transfers-colorado.pdf</u>.

Best, Allen. Flex Time For Colorado Water, Water Education Colorado, Nov. 2017, available at: <u>https://www.watereducationcolorado.org/publications-and-radio/headwaters-magazine/fall-2017-can-colorado-save-its-farms/flex-time-for-colorado-water/</u>.

Campbell, Scott. The Super Ditch: Can Water Become a Cash Crop in the West?, Lincoln Institute of Land

Policy, p. 13-15, Oct. 2015 (The Super Ditch), available at: https://www.lincolninst.edu/publications/articles/super-ditch.

Castle, A., et al. Where now with Alternative Transfer Methods -ATMs- in Colorado?. Colorado Water Institute, Colorado State University, 2017, available at: <u>http://www.cwi.colostate.edu/publications/SR/31.pdf</u>.

Castle, A. and Lawrence J. MacDonnell. An Enhanced Water Bank for Colorado, Getches-Wilkinson Center for Natural Resources, Energy, and the Environment, University of Colorado Law School, 2016, available at:

https://www.colorado.edu/law/sites/default/files/An%20Enhanced%20Water%20Bank%20for%20 Colorado.pdf.

CDM Smith and Colorado Water Conservation Board. Alternative Agricultural Water Transfer Methods

Grant Program Summary and Status Update: Technical Memorandum. Denver, Colo: Colorado Water Conservation Board, 2012, available at:

https://www.colorado.gov/pacific/sites/default/files/14WaterResources0807CWCBATMGrantSummary.pdf.

Colorado's South Platte Basin Water Rights Market. Water Market Insider, WestWater Research LLC, Q1

2016, available at: <u>http://www.waterexchange.com/wp-content/uploads/2016/02/16-0217-Q1-</u>2016-WWInsider-LOsingles.pdf.

Colorado State University. (2016). Case Studies for Those Considering Agricultural Water Conservation

in the Colorado River Basin [Power Point Slides], available at: http://crbagwater.colostate.edu/files/Case%20Studies%20for%20Website%202%2024%2016.pdf.

Colorado Water Conservation Board, Colorado State Water Plan sec. 6.4, 2015 (Water Plan), available Z:\Section Folders\SECD\AltAgTransferGrantProgram\2020_ATM Requests\WaterNow Alliance\WaterNow Alliance CWCB ATM

at: https://www.colorado.gov/pacific/sites/default/files/CWP2016.pdf.

DiNatale, K., et al. Meeting Colorado's Future Water Supply Needs: Opportunities and Challenges Associated

With Potential Agricultural Water Conservation Measures. Colorado Water Institute, Colorado State University, 2008, available at:

http://cwi.colostate.edu/media/files/watersharing/CAWA_Ag_Water_Conservation.pdf.

Fort Collins Water Supply and Demand Management Policy Revision Report, City of Fort Collins, p. 7-9,

April 2014 (Fort Collins), available at:

https://www.fcgov.com/utilities/img/site_specific/uploads/Final_Fort_Collins_Policy_Report_April _2014_w_Appendices.pdf.

H.B. 13-1248 Catlin Canal Company Rotational Land Fallowing-Municipal Leasing Pilot Project 2017 Annual Report, Lower Arkansas Valley Water Conservancy District and Lower Arkansas Valley Super Ditch Company, p. 4, Jan. 2018 (Catlin Canal), available at: <u>http://www.lavwcd.com/uploads/2/4/3/4/24349268/18_01_11_2017_annual_report_-</u> <u>_catlin_pilot_project_4823-9203-3882_v.2-1.pdf</u>.

Parmer, S., et al. Sharing Water to Save the Farm: A Guide to Agricultural-Municipal Water Sharing for Colorado's Land Conservation Community. Colorado Open Lands, 2018, available at: <u>https://coloradoopenlands.org/wp-content/uploads/2018/07/SHARING-WATER-TO-SAVE-THE-FARM-digital.pdf</u>.

Udall, B. and Greg Peterson. Agricultural Water Conservation in the Colorado River Basin: Alternatives

to Permanent Fallowing Research Synthesis and Outreach Workshops. Colorado Water Institute, Colorado State University, 2017, available at: <u>http://www.cwi.colostate.edu/media/publications/CR/232.pdf</u>.

What We Lose When We Buy and Dry. Colorado Open Lands, 2018, available at: <u>http://coloradoopenlands.org/wp-content/uploads/2018/07/What-We-Lose-When-We-Buy-and-Dry.pdf</u>.

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2. Study Area/Service Area Description

The study area/service area is generally the geographic area that is the subject of the proposed program/project (include both the source of supply and location and type of new use). The description should include the following items:

- a) A narrative description of the study area/service area including: the county, the location of towns or cities, topography, and locations of major surface and ground water features.
- b) An area map showing each of the items above, as well as the locations of existing facilities, proposed project facilities and boundaries of lands involved in the proposed program/project.
- c) Information regarding the irrigated lands that are involved in the program/project. This must include a tabulation of total irrigated acreage, description of cropping types, crop yields, and total average annual water diversions for existing agricultural lands.
- d) Information regarding the location of the new water use(s) that will be served by transferred water including the estimated number of users/taps and/or uses served.
- e) Socio-economic characteristics of the area such as population, employment and land use.

DESCRIPTION OF THE ATM OUTREACH INITIATIVE'S STUDY/SERVICE AREA:

This program does not involve implementation of a specific ATM agreement and thus many of the geographic area specifications above do not apply.

WaterNow's ATM Initiative is designed to engage with local decision makers and other key stakeholders throughout Colorado. Workshops and other meetings will primarily be held in the Front Range and will target decision makers in Front Range communities since the majority of the state's population growth, water supply challenges, and agricultural stressors are occurring in the Front Range. The South Platte Basin and Arkansas Basin in particular have been identified by CWCB as facing the largest threats of agricultural buy-and-dry in the state as municipalities in the Basin are vulnerable to dry year supply shortages. More specifically, WaterNow will connect directly with WNA members, and other local leaders, in the 35 Front Range municipal water providers identified as priorities for ATM outreach, based on water sources and demand size criteria, in Environmental Defense Fund's Report, *Alternative Water Transfers in Colorado*.⁸

In addition to in-person workshops held in the Front Range, webcasts will be available more broadly to participants throughout Colorado. WaterNow will also take advantage of partner organizations' meetings to reach local decision makers on the West Slope where ATMs can be used to address Colorado River compact curtailment, along with municipal supply, such as Water Education Colorado's Water Leaders program and Hutchins Water Center's Annual Upper Basin Water Forum in Grand Junction.

⁸ Alternative Water Transfers in Colorado: A Review of Alternative Transfer Mechanisms for Front Range Municipalities. Environmental Defense Fund & WestWater Research, p. 17, 2016 (Alternative Water Transfers), available

at: https://www.edf.org/sites/default/files/alternative-water-transfers-colorado.pdf.

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3. Description of the Alternative Water Transfer Method

Please describe the type(s) of water transfers that will be examined/utilized (i.e., conceived transfer methods include, but are not limited to: 1) interruptible water supply agreements; 2) long-term agricultural land fallowing; 3) water banks; 4) reduced consumptive use through efficiency or cropping changes while maintaining historic return flows; and 5) purchase by end users with leaseback under defined conditions). In addition, please describe how the transferable consumptive use will be calculated and quantified, and how return flow patterns will be addressed/maintained.

DESCRIPTION OF THE ATM

All of the transfer structures and sources of water for transfer listed above are included in WaterNow's Guide and other resources that will be included in the curriculum developed for the ATM Initiative. This includes case studies of where these different types of transfers have been utilized to the maximum extent possible. Case studies may include: Catlin Canal Pilot Program, Aurora Water & Rocky Ford Highline Canal, and Larimer County & Broomfield Little Thompson Farm.⁹

Given the educational purpose of WaterNow's ATM Outreach Initiative, the proposed program will not directly result in the transfer of consumptive use that can be calculated and quantified. However, the ultimate objective of this Initiative is to galvanize action among urban water providers to implement ATM agreements in their communities.

4. Program/Project Eligibility

Please <u>describe how</u> the proposed program/project meets each of the following eligibility requirements (please see Criteria and Guidelines for additional information regarding the alternative water transfer methods/strategies that qualify for funding). Note: If these requirements are addressed in other parts of the application you may simply reference the applicable section(s).

a) A description of how, if implemented, the proposed program/project will protect property and water rights.

Not applicable. As described above, the proposed outreach initiative does not include specific water transfers. However, WaterNow's ATM Initiative curriculum will thoroughly cover water law, water rights and related property rights involved in water transfers generally and ATMs in particular as well as mechanisms available for protecting the legal rights and interests of all parties.

b) Identified group(s) of agricultural users that are or may be willing to transfer a portion of their water and identified entity(s), group(s) or area(s) where the transferred water could or would be put to the new use and a description of the new use.

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⁹ Alternative Transfer Methods Flexible and Innovative Water Supply Alternatives: A Guide for Local Leaders in Colorado. WaterNow Alliance, 2019, available at: https://waternow.org/wp-content/uploads/2019/07/Alternative-Transfer-Methods-A-Guide-for-Local-Leaders-in-Colorado-WNA.pdf.

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As described in Question 2 above, this Initiative will target a broad group of local urban water decision makers and other key municipal stakeholders in the Front Range where ATM agreements could be used to improve municipal water supply security for immediate drought response, as long-term supplemental supplies, or as bridge supply.¹⁰ WaterNow's ATM Initiative curriculum will cover issues related to identifying agricultural water available for new uses.

c) The program/project must at a minimum conceptually describe the technical, institutional, and legal elements of the water transfer. Grant monies may be used to address one or more of these elements. If grant monies are not requested for all three elements, the grant applicant must describe how the applicant has or intends to address the elements, which are not included in the grant request, through other efforts.

The ATM Initiative will educate local decision makers on the technical, institutional and legal elements of water transfers generally and specific types of ATM agreements specifically. This training will include – but not be limited to – (1) the basic components of an ATM, (2) necessary technical, institutional, and legal conditions for successful ATMs, (3) legal transfer structures, (4) sources of water available for transfer, (5) using ATMs to address various water supply challenges, and (6) case studies that examine these elements in practice. Participants will be asked to explore and consider these elements further through small group table exercises described below.

d) If grant monies are proposed for use for legal assistance then the use of those funds shall be oriented toward advancing the knowledge of alternative agricultural water transfer methods and techniques; not for preparation of a specific water court case. The total requested funds for legal assistance shall not exceed 40 percent of the total grant request. In addition, grant monies proposed for use for legal assistance must be used to collaboratively address issues and concerns related to agricultural water transfer. Funds shall not be used to solely advance the cause of the project proponents.

Grant funding will not be used for legal assistance. While the workshops and other presentations will cover legal issues as described above, they will clearly outline that WaterNow and its consultants are not providing legal assistance or advice.

e) A minimum of a 10 percent cash match of total project cost (past expenditures and "in kind" can not be counted toward the 10 percent match).

As shown in the budget below, the proposed program has secured the 10% match requirement.

5. Program/Project Evaluation Criteria

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¹⁰ Alternative Transfer Methods Flexible and Innovative Water Supply Alternatives: A Guide for Local Leaders in Colorado. WaterNow Alliance, 2019, available at: https://waternow.org/wp-content/uploads/2019/07/Alternative-Transfer-Methods-A-Guide-for-Local-Leaders-in-Colorado-WNA.pdf.

The following grant evaluation criteria will be used by the CWCB to evaluate and make recommendations to fund, partially fund or not fund a grant application. The criteria are aimed at advancing alternative transfer methods from the literature and studies to actual on the ground projects/programs that provide reliable water supply and sustain key elements of the agricultural area from which the water is transferred. The applicant should fully address and explain in detail in the application how, and the extent to which, the proposed project/program meets each of the criteria. However, it should be noted that the project does not have to meet all of the criteria to be eligible to receive funding and the criteria below are not listed in any order of important or priority.

a. The proposed project/program builds upon the work of former alternative water transfer methods efforts and addresses key areas that have been identified. For more detailed information on this work, please refer to the draft report: *Alternative Agricultural Water Transfer Methods Grant Program Summary and Status Update*, November 2012.

The proposed program meets this criterion. WaterNow's ATM Initiative builds upon the work of other ATM reports and efforts and was developed in collaboration with entities working on advancing ATMs in Colorado in at least three ways.

First, WaterNow's Guide details and synthesizes information from four case studies of successful ATMs—Catlin Canal Pilot Program, Aurora Water & Rocky Ford Highline Canal, and Larimer County & Broomfield Little Thompson Farm¹¹—to highlight how these transfers were executed, how case specific barriers were resolved, and the resulting water transfers to date. The material in the ATM Guide is thus grounded in large part on the experiences and lessons learned in connection with executed ATMs. As WaterNow's ATM Initiative will incorporate the Guide along with other relevant ATM case studies, the program will advance the work of former ATM agreements. The numerous organizations and individuals who played a key role in the ATM case studies included in the Guide, and produced reports on them,¹² will be included in this ATM outreach initiative as curriculum reviewers, speakers, and discussion leaders further advancing these existing efforts.

Second, as described in response to Question 1 above, WaterNow's ATM Initiative will address the key areas and recommendations regarding outreach and education needs articulated in Western Water Partnership, Colorado Open Lands, and the Open Water Foundation's *Agricultural Land and Water Buffer Feasibility Analysis*¹³ report and CWCB's *Little Thompson Farm ATM Grant Completion Report*.¹⁴

¹¹ Alternative Transfer Methods Flexible and Innovative Water Supply Alternatives: A Guide for Local Leaders in Colorado. WaterNow Alliance, 2019, available at: https://waternow.org/wp-content/uploads/2019/07/Alternative-Transfer-Methods-A-Guide-for-Local-Leaders-in-Colorado-WNA.pdf.

¹² Alternative Transfer Methods Flexible and Innovative Water Supply Alternatives: A Guide for Local Leaders in Colorado, p. 43-44. WaterNow Alliance, 2019, available at: https://waternow.org/wp-

content/uploads/2019/07/Alternative-Transfer-Methods-A-Guide-for-Local-Leaders-in-Colorado-WNA.pdf. ¹³ Doherty, Todd et al. Agricultural Land and Water Buffer Feasibility Analysis. Western Water Partnerships, Colorado Open Lands, Open Water Foundation, 2017.

¹⁴ Larimer County, Little Thompson Farm ATM Grant Completion Report, March 2018 (Larimer), available at: http://www.larimer.org/sites/default/files/uploads/2018/larimer_county_atm_final_report.pdf.

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Finally, WaterNow's research has revealed concern among municipal providers that ATM agreements may be perceived as less secure than other permanent sources of supply. This is a concern that's also raised in CWCB's 2012 *Technical Memorandum on Alternative Transfer Methods Grant Program Summary Status Update*¹⁵ which notes that municipal water users want supply certainty and buy-and-dry transactions are used to guarantee this certainty.

b. The proposed project addresses one or more key recommendation(s) in the report: Alternative Agricultural Water Transfer Methods Grant Program Summary and Status Update, November 2012.

The proposed program meets this criterion. CWCB's 2012 *Technical Memorandum*¹⁶ expressly recommends additional outreach and education around ATMs and that educational materials be created to assist a lay person in understanding water transfers. WaterNow's proposed program will do exactly this. WaterNow's Guide and ATM Initiative are designed to make the complex legal and technical elements of ATM transactions as clear and concise as possible to an audience of municipal decision makers and managers.

c. Preference will be given to projects that provide additional matching resources in the form of cash, past expenditures and in-kind contributions that are in addition to the required 10% cash match.

The proposed project meets this criterion. As shown in the attached budget, the proposed program has secured 10% in matching funds.

d. The proposed project/program has the ability/potential to produce a reliable water supply that can be administered by the State of Colorado, Division of Water Resources.

The proposed program supports this criterion. Colorado has established several legal avenues for ATMs, and has funded several transfers in the past. Relatively few ATMs have been completed, however. As recognized in the existing ATM literature cited above, this makes education and outreach to local decision makers a key step to unlocking ATMs as a reliable source of water supply. Accordingly, the ultimate objective of the proposed ATM Initiative—to encourage active exploration of new ATM agreements in Colorado that are designed to provide reliable municipal supplies while protecting local agriculture and the environment—is a key step forward in helping the State to move closer to its goal of securing 50,000 acre-feet of water through ATMs.

¹⁵ CDM Smith and Colorado Water Conservation Board. Alternative Agricultural Water Transfer Methods Grant Program Summary and Status Update: Technical Memorandum. Denver, Colo: Colorado Water Conservation Board, 2012, available at:

https://www.colorado.gov/pacific/sites/default/files/14WaterResources0807CWCBATMGrantSummary.pdf. ¹⁶ CDM Smith and Colorado Water Conservation Board. Alternative Agricultural Water Transfer Methods Grant Program Summary and Status Update: Technical Memorandum. Denver, Colo: Colorado Water Conservation Board, 2012, available at:

https://www.colorado.gov/pacific/sites/default/files/14WaterResources0807CWCBATMGrantSummary.pdf. Z:\Section Folders\SECD\AltAgTransferGrantProgram\2020_ATM Requests\WaterNow Alliance\WaterNow Alliance CWCB ATM

e. The proposed project/program produces information that is transferable and transparent to other users and other areas of the state (i.e., would provide an example "template" or roadmap to others wishing to explore alternate transfer methods).

The proposed program meets this criterion. The ATM Guide specifically includes a template for decisionmakers, and others, to consider in exploring ATMs.¹⁷ All materials developed in relation to WaterNow's ATM Initiative are, or will be, made available publicly on WaterNow's website and through our partners' channels. The ATM Initiative will be designed to reach the largest municipal water decision maker audience in Colorado as possible. These materials may include (but are not limited to): WaterNow's Guide, which includes a framework for local leaders to help them determine whether an ATM is right for their community, ATM presentation powerpoint slides, ATM webcast recordings, interactive discussion templates, synthesized results from large-scale polling of municipal decision makers and staff on ATM perspectives, and a set of recommendations for accelerated ATM adoption based on polling and feedback gathered during workshops.

f. The proposed project/program addresses key water needs identified in SWSI 2010 or as identified in a basin's needs assessment.

The proposed program meets this criterion. WaterNow's ATM Initiative directly addresses key water needs identified in SWSI 2010. This program will educate municipal water decision makers about the opportunity and resources that exist to address their water supply challenges through ATMs. SWSI 2010 identifies both continued water "shortages associated with agricultural demands," as well as the intensifying municipal demands to keep pace with Colorado's water growth. The potential for ATMs to address the growing water supply and demand gap is specifically addressed in the Water Plan¹⁸. One of the Water Plan's central strategies for improving urban water supply reliability without negatively impacting the State's other water users is to share 50,000 acre-feet of agricultural water with growing cities by 2030 using ATMs.

g. The proposed project/program advances the preservation of high value agricultural lands. Value can be viewed as: the value of crops produced, the value the agriculture provides to the local community, and the value the agricultural area provides for open space and wildlife habitat.

The proposed program supports this criterion. A key objective of this outreach initiative is to advance ATMs for the express purpose of providing additional resilience and water supply security for Colorado communities, while maintaining a strong and vibrant agricultural economy, as compared to buy-and-dry transactions. Associated benefits of protecting local agriculture will be explored, including preserving Colorado's open landscapes and wildlife habitats from

¹⁷ Alternative Transfer Methods Flexible and Innovative Water Supply Alternatives: A Guide for Local Leaders in Colorado, p. 42. WaterNow Alliance, 2019, available at: https://waternow.org/wp-

content/uploads/2019/07/Alternative-Transfer-Methods-A-Guide-for-Local-Leaders-in-Colorado-WNA.pdf.

¹⁸ Colorado Water Conservation Board, Colorado State Water Plan p. 1-9, 2015 (Water Plan), available at: https://www.colorado.gov/pacific/sites/default/files/CWP2016.pdf.

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development, maintaining regional economies that depend on agricultural industry, providing access to local crops for consumption, and preventing adverse environmental impacts from buyand-dry such as erosion.

h. The proposed project/program addresses water quality, or provides other environmental benefits to rivers, streams and wetlands.

The proposed program supports this criterion. This outreach initiative will address the opportunity that ATMs provide to urban water providers to avoid adverse environmental impacts often associated with traditional water supply projects. Moreover, overall implementation of ATMs may negate, or minimize, the need for municipal water providers to seek alternative water supply options with adverse impacts to rivers, streams and wetlands.

i. The proposed project/program increases our understanding of and quantifies program/project costs. This could include: institutional, legal, technical costs, and third party impacts.

Not applicable.

j. The proposed project/program does not adversely affect access to other sources of water (not subject to/participating in the program) where owners of these water rights may wish to pursue traditional transfer of their rights to other users.

The proposed program meets this criterion. The ATM Initiative will in no way adversely affect water rights holders access to other sources of water.

k. The proposed project/program provides a perpetual water supply for the new and/or alternate use and preserves agricultural production and/or helps sustain the area's economy from which the transfer is occurring.

The proposed program supports this criterion. WaterNow's Guide and ATM Initiative aim to catalyze new ATMs in Colorado by educating urban water decision makers about ATM options and the ability to provide long-term water supplies while preserving agriculture and agricultural economies. The Initiative is also designed specifically to address local leaders' perceptions about the ability of ATMs to provide secure water supplies by exploring the merits of and uses for flexible water supplies and the opportunities for intermittent but perpetual ATMs.¹⁹ A key focus of the outreach initiative is to explain how ATMs can not only meet short-term municipal water supply needs, but can also be implemented as a perpetual, intermittent source of supply to meet future drought, dry-year, or intermittent supply needs in the long-term.

1. The quantity of water produced by the proposed project/program. Preference will be given to programs that can address larger water supply needs.

¹⁹ This barrier is identified in Exhibit A SOW ATM Program Planning & Development Project.

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Not applicable. The proposed initiative will not directly results in a quantifiable amount of water, although it will lay the foundation for potentially large water transfers in the future.

m. Applicants are encouraged to develop projects demonstrating participation and/or support from a diverse set of stakeholders and interests.

The proposed program meets this criterion. WaterNow has enlisted the support of a broad group of stakeholders with expertise in ATM agreements to support the development of our ATM Guide and the broader outreach initiative. A full list of our ATM Guide reviewers and available public financial resources, agencies and organizations supporting ATMs, and key ATM reports is available on Pgs. 43 & 44 of the Guide.²⁰ These organizations and individuals, among others, will also support the larger outreach initiative as curriculum reviewers, speakers, discussion leaders, or through outreach support. Organizations may include – but would not be limited to: CWCB, ATM Steering Committee Members, Colorado Municipal League, CSU Water Center, Water Education Colorado, Western Water Partnership, Colorado Water Trust, The Nature Conservancy, Metro Mayors Caucus, Colorado Ag Water Alliance, and potential case studies from the City of Broomfield & Larimer County, City of Aurora, City of Fort Collins, and City of Colorado Springs, among others.

6. Statement of Work

Provide the proposed statement of work. On the following page there is an example format for the statement of work. You can use the example format or your own format, provided that comparable information is included. The statement of work should outline by task how the proposed program/project will be accomplished. It is important that the statement of work detail the specific steps, activities/procedures that will be followed to accomplish each individual task and the overall program/project and the specific products/deliverables that will be accomplished. The statement of work must include but not be limited to: task description, key personnel, budget, schedule and deliverables and the final report/project documentation upon completion of the water activity.

The statement of work will form the basis for the contract between the Applicant and the State of Colorado. In short, the Applicant is agreeing to undertake the work for the compensation outlined in the statement of work and budget, and in return, the State of Colorado is receiving the deliverables/products specified. Please note that costs incurred prior to execution of a contract or purchase order are not subject to reimbursement.

Please provide a detailed statement of work using the following template. Additional sections or modifications may be included as necessary. Please define all acronyms. If a grant is awarded an

²⁰ Alternative Transfer Methods Flexible and Innovative Water Supply Alternatives: A Guide for Local Leaders in Colorado. WaterNow Alliance, 2019, available at: https://waternow.org/wp-content/uploads/2019/07/Alternative-Transfer-Methods-A-Guide-for-Local-Leaders-in-Colorado-WNA.pdf.

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independent statement of work document will be required with correct page numbers.

Statement of Work

WATER ACTIVITY NAME - Alternative Transfer Methods Outreach Initiative for Local Municipal Decision Makers in Colorado

GRANT RECIPIENT – WaterNow Alliance, a program of the Trust for Conservation Innovation DBA Multiplier DBA

FUNDING SOURCE - Alternative Agricultural Water Transfer Methods Grant

INTRODUCTION AND BACKGROUND

Provide a brief description of the project. (Please limit to no more than 200 words; this will be used to inform reviewers and the public about your proposal)

The Colorado Water Plan calls for ATMs to provide 50,000 acre-feet of urban water supply by 2030. Reaching this goal will require strong support from municipal water leaders, but many indicate uncertainty about ATMs compared with other options. WaterNow Alliance has produced a detailed outreach and educational resources, *Alternative Transfer Methods Guide for Local Leaders in Colorado* (waternow.org/project/colorado-atms), to address this need. Our ATM Outreach Initiative for Colorado Decision Makers is focused on engaging directly with local water leaders and utility staff, primarily in the Front Range, to demystify these transfer mechanisms, highlight ATM successes, and inform about the potential for ATMs to increase water supply resilience while protecting local agriculture.

This program has four key elements: (1) polling to ascertain municipal perspectives about ATMs; (2) a comprehensive curriculum based on the our ATM Guide and the polling designed to engage and educate local leaders and utility managers; (3) a series of ATM workshops, webcasts, and other presentations that are the heart of the initiative; and (4) supporting CWCB's ATM Program development by providing feedback from these interactions. WaterNow anticipates this program will significantly enhance understanding about and interest in ATMs among municipal water leaders.

OBJECTIVES

List the objectives of the project

- **Primary Objective**: To familiarize decision makers with ATMs generally, how they can work, and how these strategies can provide meaningful local benefits, and ultimately encourage active exploration of new ATM agreements.
- Secondary Objective: To gather information about local municipal leaders' perspectives on ATMs to inform CWCB's larger ATM Program Development & Planning process.

TASKS

Provide a detailed description of each task using the following format

TASK 1 – Poll Colorado Municipal Water Leaders' Perspectives on ATMs

Description of Task

WaterNow, in collaboration with our partner, FM3 Research (FM3), a public policy-oriented opinion research firm, will conduct a survey of up to 300 city and utility leader respondents about their perspectives on ATM agreements. This survey will inform the engagement tasks described below as well as CWCB's ATM Program Development. The polling data will provide valuable new information about urban water providers' familiarity with ATMs, municipal barriers to ATM adoption (perceived and/or documented), and additional information and resources that water providers indicate they need to seriously explore ATM agreements for their communities. The poll will also explore urban providers' perceptions and understanding of the term "ATMs" (e.g. do they see ATMs as overly transactional), a topic that has been identified as important to CWCB's ATM Program Development.

Method/Procedure

WaterNow's Colorado database of approximately 800 municipal and water agency decision makers, executive managers, and staff will be expanded by at least 300 individuals to provide a greater base of polling respondents. Database expansion will focus on Front Range municipalities and water agencies – based on identified municipal water supply needs in the Front Range - that provide water services to a population of greater than 10,000 to ensure they have the potential to participate in an ATM agreement of a reasonable scale.

A polling questionnaire will be developed by WaterNow and FM3 with input from the CWCB's ATM Steering Committee, CSU Water Center, and WestWater Research. WaterNow will work closely with CSU Water Center in particular to ensure that the polling questionnaire is fully coordinated with the Water Center's informational interview questionnaire for past ATM participants. The results of both of these efforts will be reviewed and used to draw larger conclusions on ATM program development moving forward. Respondents will be invited to participate in the survey via a branded email sent on behalf of WaterNow. Follow-up calls and surveying will be conducted if this email survey is not able to garner at least 200 responses.

Research specifications follow:

Sample	200 to 300 respondents from a list of approximately 1,100 provided by WaterNow
Margin of Sampling Error	± 6.9 percent in 95 out of 100 cases for a sample of 200 interviews ± 5.7 percent in 95 out of 100 cases for a sample of 300 interviews
Questionnaire	15 minutes

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Key Personnel: Cynthia Koehler, Executive Director; Lindsay Rogers, CO Basin Program Manager, Jesse Birsinger, Database Manager, FM3 Research personnel

Deliverable

- 1) A questionnaire with the topline results of the survey for easy reference
- 2) A complete set of crosstabs in an easy-to-read, comprehensive format
- 3) Verbatim responses to any open-ended questions
- 4) A complete analysis of survey results in PowerPoint

TASK 2 – Curriculum Development

Description of Task

Based on WaterNow's ATM Guide, and in coordination with CWCB and other ATM partners, WaterNow will develop curriculum that explores the potential to develop local ATM projects for an audience of WNA members, other councilmembers and water district board members, utility managers, utility staff, and other important stakeholders. The curriculum will cover:

- a) An introduction and overview of water rights, transactions, and ATM structures;
- b) Drivers and motivations for ATM transactions;
- c) Case studies of ATM transactions in Colorado;
- d) Considerations for determining if an ATM is right for your community; and
- e) Resources available to support ATM implementation.

WaterNow will also develop interactive table exercises for in-person meetings, which we have found to be very effective in other settings in engaging with utility leaders, management and staff. These activities may include:

- *Everytown, CO*: Participants imagine their table is convening as the City Council for the fictitious Everytown, CO to decide whether to direct staff to include ATMs in its identification of water supply options for analysis. Participants will be provided with key "facts" including, for example, projected population growth, supply needs and management options, as the basis for working with the ATM Eligibility Checklist in WNA's guide.
- *Mock ATM Negotiation*: Participants are assigned to take the perspective of different stakeholders involved in an ATM agreement negotiation and are asked to explain and defend their positions while trying to determine whether and how to structure an ATM deal. Stakeholder roles might include councilmembers, city manager, city attorney, farmers, and ditch company staff. Participants would explore what it would mean for Everytown to implement an ATM agreement and discuss the potential water sources, transfer structures, and resources needed to carry out the agreement.

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• *Guided Table Discussions*: Table leads will encourage attendees to discuss existing water supply challenges and/or open space or agriculture preservation values in their own communities and the potential for ATMs of one kind or another to address these challenges. Questions may include: What are the potential benefits of adopting an ATM in your community compared to buy-and-dry or other supply alternatives? What barriers may exist to ATM implementation? What additional information or resources would you/your community need to consider ATMs?

WaterNow will invite active participation in curriculum development and review from a wide range of ATM experts and partners. These organizations may include – but would not be limited to: CWCB, ATM Steering Committee Members, Colorado Municipal League, CSU Water Center, Water Education Colorado, Western Water Partnership, Colorado Water Trust, The Nature Conservancy, Metro Mayors Caucus, Colorado Ag Water Alliance, and potential case studies from the City of Broomfield & Larimer County, City of Aurora, City of Fort Collins, and City of Colorado Springs, among others.

Method/Procedure

The ATM presentation curriculum will be designed as a core Powerpoint with supporting notes for each slide that will be adapted based on the length of the presentation, audience members, and guest speakers include in the presentation. WaterNow will also develop supporting materials such as templates for interactive table exercises and real-time polling questions to encourage audience engagement.

WaterNow staff will take the lead on developing and designing the curriculum and will request and incorporate feedback from the organizations listed above, particularly CWCB, CSU Water Center, and entities involved in case studies included in the curriculum.

<u>Key Personnel</u>: Cynthia Koehler, Executive Director; Lindsay Rogers, CO Basin Program Manager; Caroline Koch, Policy Director; Chiara Olmes-Leiva, Communications Associate

Deliverable

- 1) A PowerPoint deck to be used in ATM presentations
- 2) Supporting materials for interactive exercises

TASK 3 – Workshops, Webcasts, and Presentation Execution

Description of Task

WaterNow will coordinate a series of events that reach at least 200 local water decision makers, primarily in the Front Range but also with some emphasis on West Slope leaders. This outreach effort will focus on WaterNow members and other city councilmembers, mayors, water district board members, and utility managers. WaterNow also recognizes the important role that water utility and planning staff will play in these projects and will encourage decision makers to attend workshops with

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relevant staff members to encourage real-time dialogue about the potential for these strategies in their communities.

Cumulatively, WaterNow will aim to reach at least 200 urban water providers with our ATM curriculum. WaterNow will host two in-person, highly interactive workshops which will be half-day events with 25 to 45 attendees that allow for detailed information about ATM agreements, several specific case studies of successful ATMs, and table exercises as described above. WaterNow will also conduct two webcasts over the course of the grant period. Webcasts will be 1-1.5 hours and the curriculum will be adapted to cover key information about ATMs and then focus on one or two guest speakers to discuss successful ATM case studies in their communities. Webcasts will also be an opportunity to recruit attendees to participate in more in-depth workshops.

Additionally, WaterNow will identify and participate in other opportunities to educate decision makers about ATM agreements through partner organizations' and agencies' meetings, events, and programs. WaterNow will participate in at least three of these presentation opportunities. Presentation opportunities may include but are not limited to: Water Education Colorado's Water Fluency program, CSU Water Center's Northern Water Literate Leaders Program, Colorado Municipal League's Annual Conference, Metro Mayors Caucus Meetings, and others. This may also include shorter presentations directly to a City Council or Board of Directors during scheduled Council/Board meetings, as requested.

Method/Procedure

At the outset of the grant period, WaterNow will develop an educational training calendar for the year with our partners which will include WaterNow hosted workshops and webcasts and other partner-led presentation opportunities. WaterNow will connect with all relevant partners to discuss ATM presentation opportunities at their events and/or meetings. WaterNow will submit abstracts as requested for partner-led events.

WaterNow will facilitate all logistics for ATM presentations including the location, date & time, guest speaker coordination, meals, registration system, correspondence with attendees, feedback forms and other printed materials, and webcast technology (when applicable). When possible, WaterNow will utilize free or discounted meeting rooms for these presentation. WaterNow will modify the curriculum and interactive exercises used in each presentation based on time available, audience, and guest speaker participation.

WaterNow will develop and execute on an outreach plan to encourage participation in ATM presentations. Outreach materials will include email campaigns, social media posts, direct phone calls, and inclusion in partner organizations' newsletters, calendars of events, and social media. Outreach will be conducted using WaterNow's current database of 70 Colorado members and 750 other local decisionmakers, utility managers, and staff. WaterNow will also connect directly with WNA members located in the 35 cities identified as priorities for ATM outreach in EDF's Report, *Alternative Water Transfers in Colorado*.²¹

²¹ Alternative Water Transfers in Colorado: A Review of Alternative Transfer Mechanisms for Front Range Municipalities, Environmental Defense Fund & WestWater Research, 2016 (Alternative Water Transfers), available Z:\Section Folders\SECD\AltAgTransferGrantProgram\2020_ATM Requests\WaterNow Alliance\WaterNow Alliance CWCB ATM

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WNA staff will be present during each workshop or presentation to sign-in participants, provide an introduction and overview of ATMs and available resources, to facilitate the interactive, table exercises, to provide all relevant materials to participants, to facilitate the meeting's agenda, to take notes based on participant discussions, and to gather attendee feedback.

Key Personnel

Cynthia Koehler, Executive Director; Lindsay Rogers, CO Basin Program Manager; Caroline Koch, Policy Director; Chiara Leiva, Communications Associate

Deliverable

1) A written summary of the events, attendees, and lessons learned, along with adapted Powerpoint curriculum and webcast recordings will be submitted by February 28, 2021.

TASK 4 – Recommendations to Inform Next Steps

Description of Task

WaterNow will gather and synthesize feedback on ATMs in Colorado from municipal water decision makers, management and staff that participate in polling on local municipal water leaders' perspectives on ATMs and/or ATM presentations, described in Tasks 1 & 3. This feedback will be an opportunity to connect municipal leaders with available ATM resources and expertise, and to learn more about potential barriers to ATMs and what additional information or resources urban water providers would need to explore this strategy. The resulting set of recommendations will be made available to inform CWCB's ATM Program Development.

Method/Procedure

As described above, WaterNow, in coordination with FM3 Research will survey up to 300 city and utility leader respondents about their perspectives on ATM agreements including their familiarity with ATMs, barriers to adoption, and additional resources they need to explore ATM agreements in their communities.

WaterNow will also gather feedback from event participants during and following our webcasts and meetings through polling technology (i.e. PollEverywhere), small group table exercises and discussion, and follow-up surveys and calls. WNA will work with CWCB and partners to develop questions valuable to broader ATM Program development. Questions may include:

- Has your city/utility implemented or considered implementing an ATM agreement? If not, why not?
- What barriers exist to implementing an ATM agreement in your community?
- What information presented today did you find most valuable?

at: https://www.edf.org/sites/default/files/alternative-water-transfers-colorado.pdf. Z:\Section Folders\SECD\AltAgTransferGrantProgram\2020_ATM Requests\WaterNow Alliance\WaterNow Alliance CWCB ATM

- What additional information or resources would your community need to consider adopting an ATM?
- Would you like to be connected with a legal or technical expert on ATM agreements to discuss your community's needs further?

Additionally, in coordination with CWCB and other partners, WaterNow will compile a list of ATM experts who can address specific questions and may be able to provide additional technical assistance and/or training.

Key Personnel

Cynthia Koehler, Executive Director; Lindsay Rogers, CO Basin Program Manager

Deliverable

- 1) A report synthesizing the findings from the ATM perspectives polling and presentation feedback gathering, with key recommendations on ATM implementation and expansion in Colorado.
- 2) A presentation based on this report to CWCB's ATM Steering Committee and others, if requested by CWCB.
- 3) List of ATM experts in Colorado available to address specific questions and who may be able to provide additional technical assistance and/or training.

REPORTING AND FINAL DELIVERABLE

Reporting: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion of the tasks identified in the statement of work including a description of any major issues that have occurred and any corrective action taken to address these issues.

Final Deliverable: At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

BUDGET

Provide a detailed budget by task including number of hours and rates for labor and unit costs for other direct costs (i.e. mileage, \$/unit of material for construction, etc.). A detailed and perfectly balanced budget that shows all costs is required for the State's contracting and purchase order processes. Sample budget tables are provided below. Please note that these budget tables are examples and will need to be adapted to fit each individual application. Tasks should correspond to the tasks described above.

		Total Cost	ts		
	Labor	Other Direct Costs	Indirect Cost	Matching Funds (If Applicable)	Total Project Costs
Task 1 – Poll of Local Municipal Water Leaders' Perspectives on ATMs	\$4,313	\$25,000	\$2,931		\$32,244
Task 2 – Curriculum Development	\$5,729	\$1,500	\$723		\$7,952
Task 3 – Workshops, Webcasts, and Presentation Execution	\$16,442	\$7,200	\$2,364	\$8,500	\$34,506
Task 4 – Feedback to Inform Next Steps	\$3,781	\$4,500	\$828		\$9,109
In-Kind Contributions					
Total Costs:	\$30,265	\$38,200	\$6,846	\$8,500	\$83,811

	WNA Labor Detail								
Project Personnel:	CO Basin	Policy	Communications	Executive	Database	Total Costs			
	Program Manager	Director	Associate	Director	Manager				
Hourly Rate:	\$40.25	\$56.3	\$20.00	\$100.60	\$34.5				
Task 1 - Poll of Local Municipal Water Leaders' Perspectives on ATMs	30	10	N/A	15	30	\$4,313			
Task 2 – Curriculum Development	30	25	30	25	N/A	\$5,729			
Task 3 - Workshops, Webcasts, and Presentation Execution	200	60	50	40	N/A	\$16,442			
Task 4 - Feedback to Inform Next Steps	30	10	N/A	20	N/A	\$3,781			
Total Hours:	290	105	80	100	30	605			
Cost:	\$11,658	\$5,912	\$1,600	\$10,600	\$1,035	\$30,265			

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		Other Direct	t Costs			
Item:	Consultants	Travel (mileage \$350, flights \$800, travel to/from airport \$250, accommodation \$1,200)	Room Rental	Printed Materials	Catering	Total
Task 1 - Poll of Local Municipal Water Leaders' Perspectives on ATMs	\$25,000					\$25,000
Task 2 – Curriculum Development	\$1,500					\$1,500
Task 3 - Workshops, Webcasts, and Presentation Execution	\$4,500	\$2,600	\$800	\$2,000	\$1,800	\$7,200
Task 4 - Feedback to Inform Next Steps						\$4,500
Total Cost:	\$31,000					\$38,200

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SCHEDULE

Provide a project schedule including key milestones for each task and the completion dates or time period from the Notice to Proceed (NTP). This dating method allows flexibility in the event of potential delays from the procurement process. Sample schedules are provided below. Please note that these schedules are examples and will need to be adapted to fit each individual application.

Task	First 6 Months						Second 6 Months					
1 dok	3/1/20 – 5/31/20		6/1/20 – 8/31/20		9/1/20 – 11/30/20		12/1/20 - 2/28/21					
Task 1 - Poll of Local Municipal Water Leaders' Perspectives on ATMs												
Task 2 – Curriculum Development												
Task 3 - Workshops, Webcasts, and Presentation Execution												
Interim Report												
Task 4 - Feedback to Inform Next Steps												
Final Report												

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PAYMENT

Payment will be made based on actual expenditures and invoicing by the applicant. Invoices from any other entity (i.e. subcontractors) cannot be processed by the State. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for individual tasks and the entire water activity in relation to the percentage of budget spent, identification of any major issues and proposed or implemented corrective actions. The last 5 percent of the entire water activity budget will be withheld until final project/water activity documentation is completed. All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to the public and help promote the development of alternative agricultural transfer methods.

Additional Information – If you would like to add any additional pertinent information please feel free to do so here.

The above statements are true to the best of my knowledge:

Cynthia Keehler

Signature of Applicant:

Print Applicant's Name: Cynthia Koehler

Project Title: Alternative Transfer Methods Outreach Initiative for Local Municipal Decision Makers in Colorado

Return this application to:

Mr. Craig Godbout Colorado Water Conservation Board Water Supply Planning Section 1313 Sherman St., Room 721 Denver, CO 80203 <u>craig.godbout@state.co.us</u>

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ATM Grant - Exhibit B Budget and Schedule

Date: 12/1/2019

Name of Applicant: Multiplier/WaterNow Alliance

Name of Water Project: Alternative Transfer Methods Outreach Initiative for Local Municipal Deci Project Start Date: 3/1/2020

Project End Date: 2/28/2021

Task No.	Task Description	Task Start Date	Task End Date
	Poll of Local Municipal Water Leaders' Perspectives on ATMs	3/1/2020	5/31/2020
)	Curriculum Development	4/1/2020	6/30/2020
}	Workshops, Webcasts, and Presentation Execution	6/1/20020	1/31/2021
ŀ	Feedback to Inform Next Steps	12/1/2021	2/28/2021
	Other Direct Costs		
	Indirect Costs		
			Total
		Da	and 1 of 2

Page 1 of 2

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Resources

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Match Funding	Total
	\$29,313
	\$7,229
\$8,500	\$29,442
	\$3,781
	\$7,200
	\$6,846
\$8,500	\$83,811

Multiplier/WNA Budegt Proposal

Alternative Transfer Methods Outreach Initiative for Local Municipal Decision Makers in Colorado

	TOTAL BUDGET
Staff time	30,265
Polling Consultant	25,000
Curriculum development	6,000
Printing and Materials	2,000
Travel/mileage	350
Travel/flights	800
Travel/to and from airport	250
Accomodation	1,200
Catering during half-day meeting	1,800
Room Rental	800
Subtotal	68,465
Admin Fee	6,846
Total Request	75,311
Match	8,500
TOTAL PROJECT	83,811
Match	10.14%

BUDGET BY TASK						
STAFF TIME						
	Lindsay Rogers	Caroline Koch	Chiara Olmes-Leiva	Cynthia Koehler	Jesse Birsinger	Total
Hourly rate	40.20	56.30	20.00	100.60	34.50	
hours	290.00	105.00	80.00	100.00	30.00	605.00
cost	11,658.00	5,911.50	1,600.00	10,060.00	1,035.00	30,264.50
Tack 1	1 206 00	563.00		1 500 00	1 025 00	4 212 00
Task 1 Task 2	1,206.00		600.00	1,509.00	1,035.00	4,313.00
	1,206.00	1,407.50		2,515.00		5,728.50
Task 3	8,040.00	3,378.00	1,000.00	4,024.00		16,442.00
Task 4 Total staff	1,206.00 11,658.00	563.00 5,911.50	1,600.00	2,012.00 10,060.00	1,035.00	3,781.00 30,264.50
	11,058.00	5,911.50	1,000.00	10,000.00	1,055.00	30,204.30
CONSULTANTS						
	Consultants	Total				
Task 1	25,000	25,000				
Task 2	1,500	1,500				
Task 3	4,500	4,500				
Task 4		-				
Total Consultants	31,000	31,000				
OTHER COSTS						
	Travel	Room Rental	Printed Materials	Catering	Total	
Task 1				0	-	
Task 2					-	
Task 3	2,600	800	2,000	1,800	7,200	
Task 4					-	
Total OTHER	2,600	800	2,000	1,800	7,200	
INDIRECT	6,846					
TOTAL	75,311					

BUDGET BY TASK

29,313 7,229 20,942 3,781 61,265

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