

DRAFT

Summary Minutes and Record of Decisions

March 15 & 16, 2022 Board Meeting

A regular meeting of the Colorado Water Conservation Board (CWCB) convened at the Denver West Marriott and virtually on zoom. The meeting was called to order by Chair Jessica Brody. 8 voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present were: Robert Sakata, Greg Felt, Celene Hawkins, Steven Anderson, Jaclyn Brown, Jessica Brody, Heather Dutton, and Curran Trick, and ex-officio voting member Dan Gibbs, Executive Director of the Department of Natural Resources. Non-voting ex officio members present or represented were: Robert Harris, Colorado Parks and Wildlife; Kate Greenberg, Department of Agriculture; Kevin Rein, State Engineer, and Rebecca Mitchell, Colorado Water Conservation Board Director. Counsel to the Board, Jen Mele, was also in attendance.

On the second day, the meeting was called to order by Chair Jaclyn Brown. 8 voting members were present at the call to order, so a quorum was present (at least 6 required). The voting members present were: Jessica Brody, Steven Anderson, Curran Trick, Robert Sakata, Greg Felt, Celene Hawkins, Jaclyn Brown, Heather Dutton, and Ex-officio voting member Dan Gibbs, Executive Director of the Department of Natural Resources. Non-voting ex officio members present or represented were: Phil Weiser Attorney General, Robert Harris, Colorado Parks and Wildlife; Kevin Rein, State Engineer; and Rebecca Mitchell, Colorado Water Conservation Board Director. Counsel to the Board, Jen Mele, was also in attendance.

Tuesday, March 15, 2022

1 Election of Officers

Jessica Brody made a motion to nominate Jaclyn Brown for Chair, which was seconded by Heather Dutton. The motion was approved unanimously (8-0)
Jessica Brody made a motion to nominate Greg Felt for Vice Chair, which was seconded by Dan Gibbs. The motion was approved unanimously (8-0).

2 Review /Approve Agenda

A motion to approve the agenda with a change of moving agenda item 10 to the end of day 1 after agenda item 19 was made by Dan Gibbs, which was seconded by Heather Dutton. The motion was approved unanimously (8-0).

3 Review and Approve January 24 & 25, 2021 Board Meeting Minutes

A motion to approve the January 2022 Board minutes with the change to agenda item 18d (it was not an action item and no vote was executed, it was an informational item), was made by Robert Sakata, which was seconded by Steve Anderson. The motion was approved unanimously (8-0).

3 Approve and/or Remove Consent Agenda Items

Consent agenda items 1f, 3, and 4c were removed from the list for separate votes. Director Jackie Brown recused herself from consent agenda item 1f. Director Robert Sakata recused himself from consent agenda item 4c.

A motion to approve the Consent Agenda Items 1a-e, g-n, 4a-b, d-t was made by Heather Dutton, which was seconded by Robert Sakata. The motion was approved unanimously (8-0).

A motion to approve the Consent Agenda Item 1f was made by Heather Dutton, which was seconded by Jessica Brody. The motion was approved unanimously (7-0).

A motion to approve the Consent Agenda Item 3 was made by Robert Sakata, which was seconded by Heather Dutton. The motion was approved unanimously (8-0).

A motion to approve the Consent Agenda Item 4c was made by Greg Felt, which was seconded by Heather Dutton. The motion was approved unanimously (7-0).

1. Statements of Opposition

Stream & Lake Protection Section

Staff recommends the Board ratify CWCB's filing of the following Statements of Opposition:

- a. Case No. 21CW3236 (Water Division 1): Application of City of Boulder, Colorado
- b. Case No. 21CW3081 (Water Division 2): Application of Heath Mills
- c. Case No. 21CW3086 (Water Division 2): Application of Town of Poncha Springs
- d. Case No. 21CW3026 (Water Division 3): Application of Sustainable Water Augmentation Group, Inc.
- e. Case No. 21CW3075 (Water Division 4): Application of Aegis Ranch Ventures, LLC, a Delaware limited liability company
- f. Case No. 21CW3076 (Water Division 4): Application of Elk Ridge Mining and Reclamation, LLC
- g. Case No. 21CW3166 (Water Division 5): Application of Peter M. McGrath and Janet E. Fox
- h. Case No. 21CW3171 (Water Division 5): Application of Eric A. Rudd
- i. Case No. 21CW3175 (Water Division 5): Application of Snowmass Club LLC, Snowmass Club Investors LLC, ABA Investors, LLC, and Woodmont Properties at Bridgewater, LLC
- j. Case No. 21CW3176 (Water Division 5): Application of Bar A Ranch
- k. Case No. 21CW3180 (Water Division 5): Application of Town of Minturn
- l. Case No. 21CW3182 (Water Division 5): Application of The Crystal River Ranch Co., LLC
- m. Case No. 21CW3052 (Water Division 6): Application of Remnant Investors, LLLP, a limited liability limited partnership
- n. Case No. 21CW3058 (Water Division 6): Application of David Y. Cogswell

2. ~~HB1051 Reporting Guidelines~~—This item was removed from the agenda by staff
Water Supply Planning Section

3. **PEPO Grants Program**
Water Supply Planning Section

4. **Water Plan Grants**

Agenda Item	Water Plan Grant Category	Applicant	Project Title	Funding Recommendation
a.	Agricultural Projects	Dave Miller Mutual Ditch Company	Dave Miller Ditch Piping Project	\$84,325
b.	Agricultural Projects	Drylands Agro ecology	Dryland Research	Not Recommended

		Research	Expansion Phase II	
c.	Agricultural Projects	Brighton Ditch Company	South Platte River Bank Stabilization Project	Not Recommended
d.	Agricultural Projects	Brink, Inc.	Modeling the Effects of Conservation Practices on Salinity Discharges from Irrigated Fields*	\$66,850.00
e.	Agricultural Projects	Fort Collins Conservation District	Cache La Poudre Basin Nutrient Trading Pilot Project	\$38,645.00
f.	Conservation & Land Use Planning	Town of Olathe	Water Meter Upgrade and Water Conservation Outreach	Not Recommended
g.	Conservation & Land Use Planning	Western Resource Advocates	Pursuing a Statewide Model Water Efficient Landscape Ordinance	Not Recommended
h.	Conservation & Land Use Planning	Dominion Water & Sanitation District	Sterling Ranch Rainwater Harvesting Project Feasibility Study and Operational Plan	\$57,500.00
i.	Conservation & Land Use Planning	High Country Conservation Center	Advancing Irrigation Efficiency Across	\$99,413.00

			Summit County	
j.	Engagement & Innovation Activities	Coalition for the Poudre River Watershed	Phase 2- Engaging Stakeholders & Communities in the Poudre Through Citizen Science, Collaboration, & Outreach	Not Recommended
k.	Engagement & Innovation Activities	Boulder Watershed Collective	Forested Watershed Community Education	Not Recommended
l.	Engagement & Innovation Activities	Water Education Colorado	Advancing a Coordinated and Collaborative Approach to Water Education and Outreach via the Water Educator Network through 2025	\$55,000.00
m.	Engagement & Innovation Activities	Lincoln Hills Cares	Replicable Youth-Driven Innovation Engine to Help Make the South Platte River Swimmable and Fishable	\$84,480.00
n.	Engagement & Innovation Activities	One World One Water Center/ MSU Denver	Your Water, Your Life Contest	\$87,000.00
o.	Engagement & Innovation Activities	Colorado State University	Expanding Residential Rain	\$90,300.00

			Garden Installations in Front Range Communities	
p.	Engagement & Innovation Activities	Ditch and Reservoir Company Alliance	Ditch and Reservoir Outreach, Education, and Advocacy Programming	\$98,375.00
q.	Water Storage & Supply	Cross Creek Metropolitan District	Hale Reservoir Restoration, Cross Creek Park	Not Recommended
r.	Water Storage & Supply	Grand Mesa Water Users Association	Grand Mesa Water Users' Efficiency Project	Not Recommended
s.	Watershed Restoration & Recreation	Headwaters Alliance	Lower Willow Creek Stream and Floodplain Restoration	Not Recommended
t.	Watershed Restoration & Recreation	Trout Unlimited Denver	Portland Uncompahgre Restoration Project	Not Recommended

5 Directors' Reports

5a. DNR Executive Director/IBCC Director - Dan Gibbs

5b. CWCB Director - Rebecca Mitchell

5c. Agriculture Commissioner – Kate Greenberg

5d. State Engineer - Kevin Rein

5e. Colorado Parks and Wildlife Director – Robert Harris

5f. Water Resource and Power Development Authority – Keith McLaughlin

6	Financial Matters – Construction Fund and Severance Tax Perpetual Base Fund <i>Finance Section</i>
6a.	Financial Projections and Cash Management Report Action: Report by CWCB staff member Kirk Russell. <i>This is an informational item with no Board action required.</i>
7	Change to Existing Loan <i>Finance Section</i>
7a.	South Platte Ditch Company – Diversion Structure Rehabilitation Action: Report by CWCB staff member Cole Bedford. A motion to approve the staff recommendation was made by Robert Sakata, which was seconded by Heather Dutton. The motion was approved unanimously (7-0). Staff Recommendation: Staff recommends the Board approve a loan increase not to exceed a total loan amount of \$1,454,400 (\$1,440,000 for the Project costs and \$14,400 for the 1% service fee) to the South Platte Ditch Company for costs related to the Diversion Structure Rehabilitation, from the Severance Tax Perpetual Base Fund. This is an increase of \$378,750 (\$375,000 for Project costs and \$3,750 for the 1% service fee). The loan terms shall remain 30 years at an interest rate of 1.10% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.
8	Severance Tax Trust Fund – Policy 18 Review <i>Finance Section</i> Action: Report by CWCB staff member Kirk Russell. A motion to table this item until the May 2022 board meeting was made by Dan Gibbs, which was seconded by Heather Dutton. The motion was approved unanimously (7-0). Staff Recommendation: Staff recommends approval of the revised Policy 18 - Approval and Prioritization of Funding From The Severance Tax Trust Fund Operational Fund
9	Request for Authorization to Proceed to Trials in Stipulated Opposition Cases: <i>Stream and Lake Protection Section</i>
9a	Case No. 18CW3121 (Water Division 1): Application of the City of Aurora, Colorado, acting by and through its Utility Enterprise
9b	Case No. 18CW3077 (Water Division 2): Application of Colorado Division of Parks and Wildlife (Note: Mueller Park)

9c Case No. 19CW3112 (Water Division 5): Application of Highland Investment Co., LLC

Action: Report by CWCB staff member Colin Watson. A motion to approve the staff recommendation was made by Robert Sakata, which was seconded by Steve Anderson. The motion was approved unanimously (7-0).

Staff Recommendation: Pursuant to ISF Rule 8j., Staff recommends that the Board authorize Staff to participate at trial, as necessary, to defend CWCB’s stipulation in each of the cases identified in Table 1.

Div.	Case No.	Applicant	Trial Date (No. of Days)	CWCB Stipulation Date	CWCB Statement of Opposition Date
1	18CW3121	City of Aurora, Colorado, acting by and through its Utility Enterprise	April 4, 2022 (10 days)	November 20, 2019	September 28, 2018
2	18CW3077	Colorado Division of Parks and Wildlife (Note: Mueller Park)	April 25, 2022 (5 days)	January 6, 2021	February 27, 2019
5	19CW3112	Highland Investment Co., LLC	May 2, 2022 (4 days)	April 11, 2021	October 31, 2019

10 Proposed Renewable Temporary Lease of Stagecoach Reservoir Water for Instream Flow Use on the Upper Yampa River, Water Division 6 (2nd Meeting)
Stream and Lake Protection Section

Action: Report by CWCB staff member Pete Conovitz. A motion to approve the staff recommendation was made by Heather Dutton, which was seconded by Steve Anderson. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends that the Board: A. Direct Staff to move forward with the lease proposal to: (1) authorize Staff to execute a water delivery agreement with the Colorado Water Trust; and (2) take any administrative action necessary to put the leased water to instream flow use, provided that the State Engineer determines that no injury will result from the proposed lease. B. Determine that use of this leased water is appropriate to help bring streamflow: (1) up to the previously decreed instream flow rates to preserve the natural environment to a reasonable degree; and (2) up to the flow rates recommended by CPW of 250 cfs (4/1-7/15), 150 cfs (7/16-8/31), and 100 cfs (9/1-3/31) to improve the natural environment to a reasonable degree. Both the preserve and improve rates apply to the instream flow reach of the Yampa River, previously decreed in Case No. 01CW106. Pursuant to 37-83-105(2), C.R.S. and ISF Rule 6k(2), this meeting is the second of a two-Board meeting process to review, consider any public comment, and approve or reject a proposal for a temporary renewable lease of water. No requests for additional hearings were received following the

initial presentation of this lease proposal at the January 2022 Board meeting. Therefore, during this meeting, the Board may direct Staff to move forward with the loan proposal pursuant to 37-83- 105(2), after which staff will work with the Applicant to file a request for approval of the loan with the Division of Water Resources (“DWR”), and to provide the appropriate public notices. Filing the notices and request for approval will initiate a 60-day public comment period for DWR’s review.

11 Cache la Poudre Instream Flow Augmentation Plan, Case No. 21CW3056 (Water Division 1)

Stream and Lake Protection Section

Action: Report by CWCB staff member Kaylea White. A motion to approve the staff recommendation was made by Steve Anderson, which was seconded by Robert Sakata. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends that the Board: A. Correct a clerical error in the Board’s determination during the January 25-26, 2021 Board meeting. The correction is to the maximum winter instream flow improve rate for Segment D from 35 cfs to 40 cfs for the Poudre Stream Flow Augmentation Plan, as shown on Table 2 below, and

Table 2 CPW Flow Quantification Seasonal Recommendations

Segment	Winter (Nov-March) Preserve (cfs)	Winter (Nov-March) Improve (cfs)	Summer (Apr-Oct) Preserve (cfs)	Summer (Apr-Oct) Improve (cfs)
A	Up to 80	80-150	Up to 114	114 – 260
B	Up to 80	80-150	Up to 114	114 – 260
C	Up to 30	30-54	Up to 40	40 – 54
D	Up to 10	10-40 35	Up to 10	10 – 40
E	Up to 15	15-30	Up to 15	15 – 30
F	Up to 15	15-30	Up to 15	15 - 30

Table 2 in the board memos had the incorrect number (35 cfs), however the attachments to the memos and the Board presentations had the correct number (40 cfs). The related board agenda items include: items 23, 23a, 23b, and 23c from November 2020; and items 18, 18a, 18b, and 18c from January 2021. The January Board meeting minutes for agenda item 18 refer to the table in general.

B. Direct Staff to correct the flow rate as necessary on documents related to the acquired water to be used in the plan, court documents, and any other related documents that might require correction.

12 Public Comment on 2022 ISF Appropriations in Water Divisions 4, 5, and 6

Stream and Lake Protection Section

Action: Report by CWCB staff member Rob Viehl.

This is an informational item with no Board action required.

13 Public Notice of 2023 ISF Recommendations

Stream and Lake Protection Section

Action: Report by CWCB staff member Rob Viehl.

This is an informational item with no Board action required.

14 Update on Federal Funding

Action: Report by DNR staff member Nate Pearson.

This is an informational item with no Board action required.

15 Legislative Update

Action: Report by CWCB staff member Lauren Ris.

This is an informational item with no Board action required.

16 Water Plan Grant, Environment and Recreation Category – Criteria Update

Watershed and Flood Protection Section

Action: Report by CWCB staff member Chris Sturm.

This is an informational item with no Board action required.

17 South Platte River – DISH Easement Discussion

Watershed and Flood Protection Section

Action: Report by CWCB staff member Andrea Harbin Monahan.

This is an informational item with no Board action required.

18 Spring Drought and Flood Climate Report

Water Supply Planning Section & Watershed and Flood Protection Section

Action: Report by CWCB staff members Megan Holcomb & Kevin Houck.

This is an informational item with no Board action required.

19 Water Plan Update

Water Supply Planning Section

Action: Report by CWCB staff member Russ Sands.

This is an informational item with no Board action required.

Wednesday, March 16, 2022

20 Basin Directors' Reports

20a. San Juan/San Miguel-Dolores River Basin Director's Report – *Celene Hawkins*

20b. Gunnison River Basin Director's Report – *Steve Anderson*

20c. North Platte River Basin Director's Report – *Absent*

20d. South Platte River Basin Director's Report – *Robert Sakata*

20e. Arkansas River Basin Director's Report – *Greg Felt*

20f. City and County of Denver Director's Report – *Jessica Brody*

20g. Rio Grande River Basin Director's Report – *Heather Dutton*

20h. Yampa-White River Basin Director's Report – *Jackie Brown*

20i. Colorado River (Mainstem) Basin Director's Report – *Paul Bruchez*

21 Attorney General's Report, Legal Briefing, and Executive Session

Action: Report by Attorney General Phil Weiser and Counsel to the Board, Jen Mele. A motion to go into Executive Session was made by Jessica Brody, which was seconded by Steve Anderson. The motion was approved unanimously (7-0).

22 Executive Session

22a. Case No. 3:19 – CV – 08285-MTL (District of Arizona): Save the Colorado, et al., v. U.S. Dept. of the Interior, et al.

22b. Colorado River Interstate Matters

22c. Two Rivers Water Company Loan

Report from Executive Session

23

Action: Report by Counsel to the Board, Jen Mele. A motion to go out of Executive Session was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (6-0)

Colorado River Updates

Interstate, Federal, and Water Information Section

24

Action: Report by CWCB staff members Amy Ostdiek and Michelle Garrison.

This is an informational item with no Board action required.

WSRF Grant Applications

Water Supply Planning Section

25

**Water Supply Reserve Fund Application Grants
at the March 2022 CWCB Board Meeting**

Agenda Item	Basin	Applicant	Name of Water Activity	Total Request
a.	Arkansas	Arkansas Groundwater & Reservoir Association	West Pueblo Reservoir Project (WPRP)	\$841,104
<p>Action: Report by CWCB staff member Ben Wade. Heather Dutton disclosed that she is an unpaid Board Member of the Arkansas Groundwater & Reservoir Association. Dan Tucker with the Arkansas Groundwater & Reservoir Association addressed the Board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (7-0).</p> <p>Staff Recommendation: Staff recommends approval of up to \$84,110 from the Arkansas Basin Account and up to \$756,994 from the Statewide Account to help fund the project: West Pueblo Reservoir Project (WPRP)</p>				
b.	Arkansas	Upper Arkansas Conservation District	Sunnyside Irrigation Ditch Rehabilitation	\$127,300

Action: Report by CWCB staff member Ben Wade. Natalie Allio the Agriculture Programs Manager addressed the Board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends approval of up to \$12,730 from the Arkansas Basin Account and up to \$114,570 from the Statewide Account to help fund the project: Sunnyside Irrigation Ditch Rehabilitation.

c.	Arkansas	Center for Snow & Avalanche Studies	Colorado Dust on Snow	\$240,000
	Colorado			
	Gunnison			
	Metro			
	Rio Grande			
	South Platte			
	Southwest			
	Yampa/White/Green			

Action: Report by CWCB staff member Ben Wade. Jeff Derry with the Center for Snow & Avalanche Studies addressed the Board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends approval of up to \$15,000 from the Arkansas Basin Account, up to \$15,000 from the Colorado Basin Account, up to \$15,000 from the Gunnison Basin Account, up to \$15,000 from the Metro Basin Account, up to \$15,000 from the Rio Grande Basin Account, up to \$15,000 from the South Platte Basin Account, up to \$15,000 from the Southwest Basin Account, up to \$15,000 from the Yampa/White/Green Basin Account and \$120,000 from the Statewide Account to help fund the project: Colorado Dust on Snow Project

d.	Gunnison	Orchard City Irrigation District	Fruitgrowers Dam Outlet Gates Improvement Project	\$150,000
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Action: Report by CWCB staff member Ben Wade. Suzie Bilberry with the Delta Conservation District addressed the Board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends approval of up to \$50,000 from the Gunnison Basin Account and up to \$100,000 from the Statewide Account to help fund the project: Fruitgrowers Dam Outlet Gates Improvement Project

e.	Gunnison	Town of Olathe	Water Meters & Water Conservation	\$182,399
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Action: Report by CWCB staff member Ben Wade. Rob Smith with Town of Olathe addressed the Board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends approval of up to \$25,000 from the Gunnison Basin Account and up to \$157,403 from the Statewide Account to help fund the project: Water Meter & Water Conservation

f.	Gunnison	Trout Unlimited	Stewart Ditch Diversion Improvement Project	\$140,000
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Action: Report by CWCB staff member Ben Wade. Cary Denison with Trout Unlimited addressed the Board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends approval of up to \$40,000 from the Gunnison Basin Account and up to \$100,000 from the Statewide Account to help fund the project: Stewart Ditch Diversion Improvement Project

g.	Metro	Arapahoe County	Arapahoe County Water Supply Study	\$125,000
	South Platte			

Action: Report by CWCB staff member Ben Wade. Loretta Daniel and Larry Mugler with Arapahoe County addressed the Board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends approval of up to 25,000 from the Metro Basin Account, up to \$50,000 from the South Platte Basin Account and up to \$50,000 from the Statewide Account to help fund the project: Arapahoe County Water Supply Study

h.	Metro	Trout Unlimited	Lower South Boulder Creek – WSR Ditch Structure Automation Demonstration Project	\$167,000
	South Platte			

Action: Report by CWCB staff member Ben Wade. Stephen Brant with Trout Unlimited addressed the Board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends approval of up to \$22,000 from the Metro Basin Account, up to \$22,000 from the South Platte Basin Account and up to \$123,000 from the Statewide Account to help fund the project: Lower South Boulder Creek – WSR Ditch Structure Automation Demonstration Project

i.	Rio Grande	Colorado Rio Grande Restoration Foundation	Conejos River Partnership Project 1B	\$330,000
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Action: Report by CWCB staff member Ben Wade. Emma Reesor with the CO Rio Grande Restoration Foundation addressed the Board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends approval of up to \$33,000 from the Rio Grande Basin Account, and up to \$297,000 from the Statewide Account to help fund the project: Conejos River Partnership Project – Phase 1b

j.	Rio Grande	San Luis Valley Water Conservancy District	Shaw Reservoir Rehabilitation Project	\$342,600
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Action: Report by CWCB staff member Ben Wade. Matt Hildner with the San Luis Valley Water Conservancy District addressed the Board. A motion to approve the staff recommendation was made by Greg Felt, which was seconded by Robert Sakata. Heather Dutton stepped out of the room and recused herself from the vote. The motion was approved unanimously (6-0).

Staff Recommendation: Staff recommends approval of up to \$40,000 from the Rio Grande Basin Account, and up to \$302,600 from the Statewide Account to help fund the project: Shaw Reservoir Rehabilitation Project

k.	Southwest	Pagosa Area Water & Sanitation District	Treatment Plant Project	\$186,800
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Action: Report by CWCB staff member Ben Wade. Justin Ramsey with the Pagosa Area Water & Sanitation District addressed the Board. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Greg Felt. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends approval of up to \$18,680 from the Southwest Basin Account and \$168,120 from the Statewide Account to help fund the project: Snowball Water Treatment Plant Replacement

l.	Southwest	Town of Pagosa Springs	Recreational & Ecological Enhancement Project – Yamaguchi South	\$166,180
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Action: Report by CWCB staff member Ben Wade. James Dickhoff with the Town of Pagosa Springs addressed the Board. A motion to approve the staff recommendation contingent upon Colorado Parks and Wildlife funding was made by Jessica Brody, which was seconded by Robert Sakata. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends approval of up to \$16,618 from the Southwest Basin Account and \$149,562 from the Statewide Account to help fund the project: Recreational & Ecological Enhancement of the San Juan River – Yamaguchi South

26

Water Plan Grants

Action: Report by CWCB staff member Anna Mauss.

26a-d

Agricultural Projects

Action: Report by CWCB staff member Cole Bedford. A motion to approve the staff recommendation 26a-b, & d was made by Heather Dutton, which was seconded by Jessica Brody. The motion was approved unanimously (7-0). Celene recused herself from the vote on 26c. A motion to approve staff recommendation on 26 c was made by Heather Dutton, which was seconded by Jessica Brody. The motion was approved unanimously (6-0).

Staff Recommendation: Staff recommends the following Board action for activities listed in the following table regarding Colorado’s Water Plan Grant Program funding.

Applicant	Project Name	Grant Request Amount	Staff Recommendation
a. Trout Unlimited	Gunnison River Drought Resilience and Restoration Project	\$275,194	\$275,194
b. Rio Grande Headwaters Land Trust	San Luis Creek Conservation Partnership	\$450,000	\$450,000
c. The Nature Conservancy	Maybell Diversion Construction on the Yampa River	\$750,000	\$750,000
d. Boulder County Parks and Open Space	Howell Ditch Diversion Reconstruction and Boulder Creek Restoration Project	\$800,000	\$250,000
Total Recommended for Approval			\$1,725,194

26a

Applicant: Trout Unlimited

Name of Water Activity: Gunnison River Drought Resilience and Restoration Project

Grant Request Amount: \$275,194

Staff Recommendation: Staff recommends Board approval of \$275,194 to Trout Unlimited for the Gunnison River Drought Resiliency and Restoration Project.

26b

Applicant: Rio Grande Headwaters Land Trust

Name of Water Activity: San Luis Creek Conservation Partnership

Grant Request Amount: \$450,000

Staff Recommendation:

26c

Applicant: The Nature Conservancy

Name of Water Activity: Maybell Diversion Construction on the Yampa River

Grant Request Amount: \$750,000

Staff Recommendation:

26d

Applicant: Boulder County Parks and Open Space

Name of Water Activity: Howell Ditch Diversion Reconstruction and Boulder Creek Restoration Project

Grant Request Amount: \$800,000

Staff Recommendation:

26e-k

Conservation and Land Use Planning

Action: Report by CWCB staff member Kevin Reidy. A motion to approve the staff recommendation was made by Robert Sakata, which was seconded by Heather Dutton. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends the following Board action for activities listed in the following table regarding Colorado’s Water Plan Grant Program funding.

Applicant	Project Name	Grant Request Amount	Staff Recommendation
e. Mile High Flood District	Denver One Water Plan Implementation	\$100,000	\$100,000
f. Arapahoe County	Admin I Turf Conversion & Conservation Planning for Additional Existing Sites	\$138,203	\$138,203
g. Multiplier	Advancing High Impact Water Efficiency Solutions in Colorado Communities	\$139,235	\$139,235
h. Year One, Inc. DBA Mile High Youth Corps	Single Family Energy & Water Audits and Installs	\$146,809	\$146,809
i. Colorado Water Wise	Guidebook Update	\$150,192	\$150,192
j. Denver Dept. of Public Health and Environment	Graywater Education and Outreach Program	\$290,713	\$290,713
k. Sonoran Institute	Colorado Growing Water Smart	\$360,466	\$360,466
Total Recommended for Approval			\$1,325,618

26e	<p>Applicant: Mile High Flood District Name of Water Activity: Denver One Water Plan Implementation Grant Request Amount: \$100,000 Staff Recommendation: \$100,000</p>
26f	<p>Applicant: Arapahoe County Name of Water Activity: Admin I Turf Conversion & Conservation Planning for Additional Existing Sites Grant Request Amount: \$138,203 Staff Recommendation: \$138,203</p>
26g	<p>Applicant: Multiplier Name of Water Activity: Advancing High Impact Water Efficiency Solutions in Colorado Communities Grant Request Amount: \$139,235 Staff Recommendation: \$139,235</p>
26h	<p>Applicant: Year One, Inc. DBA Mile High Youth Corps Name of Water Activity: Single Family Energy & Water Audits and Installs Grant Request Amount: \$146,809 Staff Recommendation: \$146,809</p>
26i	<p>Applicant: Colorado Water Wise Name of Water Activity: Guidebook Update Grant Request Amount: \$150,192 Staff Recommendation: \$150,192</p>
26j	<p>Applicant: Denver Dept. of Public Health and Environment Name of Water Activity: Graywater Education and Outreach Program Grant Request Amount: \$290,713 Staff Recommendation: \$290,713</p>
26k	<p>Applicant: Sonoran Institute Name of Water Activity: Colorado Growing Water Smart Grant Request Amount: \$360,466 Staff Recommendation: \$360,466</p>
26l-m	<p>Engagement and Innovation Activities</p> <p>Action: Report by CWCB staff member Ben Wade. Hayley K with The Park People addressed the board. A motion to approve the staff recommendation on 26 l. was made by Jessica Brody, which was seconded by Greg Felt; Celene Hawkins disclosed that her employer TNC is providing funding for this grant. The motion was approved (5-2). James Rosenblum with Colorado School of Mines addressed the board. A motion to approve the staff recommendation on 26m. was made by Robert Sakata, which was seconded by Jessica Brody. The motion was approved unanimously (7-0).</p>

Staff Recommendation: Staff recommends the following Board action for activities listed in the following table regarding Colorado’s Water Plan Grant Program funding.

Applicant	Project Name	Grant Request Amount	Staff Recommendation
I. The Park People	WATERED: Water Advocacy via Trees and Engagement to Relieve Efforts of Drought	\$261,000	\$104,000
m. Colorado School of Mines	Direct Potable Reuse (DPR) Demonstration – Phase 2	\$297,715	\$150,000
Total Recommended for Approval			\$254,000

26l **Applicant:** The Park People
Name of Water Activity: WATERED: Water Advocacy via Trees and Engagement to Relieve Efforts of Drought
Grant Request Amount: \$261,000
Staff Recommendation: \$104,000

26m **Applicant:** Colorado School of Mines
Name of Water Activity: Direct Potable Reuse (DPR) Demonstration – Phase 2
Grant Request Amount: \$297,715
Staff Recommendation: \$150,000

26n-q **Water Storage and Supply**

Action: Report by CWCB staff member Matthew Stearns. A motion to approve the staff recommendation was made by Greg Felt, which was seconded by Heather Dutton. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends the following Board action for activities listed in the following table regarding Colorado's Water Plan Grant Program funding. Project approval is contingent on awardees implementing the project consistent with any public health orders and executive orders in effect at the time of implementation.

Applicant	Project Name	Grant Request Amount	Staff Recommendation
n. West End Economic Development Corporation	Wright's Mesa Water Supply Planning	\$110,590	\$110,590
o. Palmer Land Conservancy	Climate Resilient Agricultural Futures and Transformations (CRAFT)	\$664,987	\$664,987
p. Town of Buena Vista	Infiltration Gallery Expansion	\$1,107,750	\$1,107,750
q. Northern Water	Phase I: CO Aerial Snowpack Measurement	\$1,877,400	\$1,877,400
Total Recommended for Approval			\$3,760,727

26n **Applicant:** West End Economic Development Corporation
Name of Water Activity: Wright's Mesa Water Supply Planning
Grant Request Amount: \$110,590
Staff Recommendation: \$110,590

26o **Applicant:** Palmer Land Conservancy
Name of Water Activity: Climate Resilient Agricultural Futures and Transformations (CRAFT)
Grant Request Amount: \$664,987
Staff Recommendation: \$664,987

26p **Applicant:** Town of Buena Vista
Name of Water Activity: Infiltration Gallery Expansion
Grant Request Amount: \$1,107,750
Staff Recommendation: \$1,107,750

26q **Applicant:** Northern Water
Name of Water Activity: Phase I: CO Aerial Snowpack Measurement
Grant Request Amount: \$1,877,400
Staff Recommendation: \$1,877,400

26r-
bb

Environment and Recreation

Action: Report by CWCB staff members Andrea Harbin Monahan and Steven Reeves. Heather Dutton disclosed that she is an unpaid Board member of Colorado Rio Grande Restoration Foundation. Celene Hawkins disclosed that her employer TNC is providing funding for 26y project. A motion to approve the staff recommendation was made by Heather Dutton, which was seconded by Jessica Brody. The motion was approved unanimously (7-0).

Staff Recommendation: Staff recommends the following Board actions for activities regarding the Colorado Water Plan Grant Program funding for the Environment & Recreation category. Project approval is contingent upon the applicants' abilities to resolve issues and additional needs discussed below.

Applicant	Project Name	Grant Request Amount	Staff Recommendation
r. National Forest Foundation	Trail Creek Wetland Restoration Project – Phase 2	\$133,400	\$133,400
s. Trout Unlimited – Denver	Upper Gunnison Stream Restoration	\$137,170	\$137,170
t. Colorado Rio Grande Restoration Foundation	Rio Grande Canal Boater Safety and Accessibility Project	\$148,000	\$148,000
u. Town of Meeker	Meeker River Park	\$150,000	\$150,000
v. Blue River Watershed Group	Blue River Integrated Water Management Plan	\$150,000	\$150,000
w. Trout Unlimited – Denver	Stewart Ditch Diversion Improvement Project	\$170,000	\$169,736
x. Conservation Legacy – Southwest Conservation Corps	Animas River Removal and Replacement of Invasive Phreatophytes, Phase II	\$138,514	\$138,514
y. Town of Pagosa Springs	Recreational and Ecological Enhancement of the San Juan River – Yamaguchi South	\$332,360	\$195,000
z. Colorado Trout Unlimited	Lower South Boulder Creek – Watershed Restoration Phase II	\$250,000	\$250,000
aa. Eagle Vail Metropolitan District	Stone Creek Restoration Phase II	\$413,915	\$413,915

bb. Roaring Fork Conservancy	Crystal River at Riverfront Park Restoration and Efficiency Project	\$798,574	\$798,574
Total Recommended for Approval			\$2,684,309

26r

Applicant: National Forest Foundation
Name of Water Activity: Trail Creek Wetland Restoration Project - Phase 2
Grant Request Amount: \$133,400.00
Staff Recommendation: \$133,400.00

26s

Applicant: Trout Unlimited Denver
Name of Water Activity: Upper Gunnison Stream Restoration Package
Grant Request Amount: \$137,170.00
Staff Recommendation: \$137,170.00

26t

Applicant: Colorado Rio Grande Restoration Foundation
Name of Water Activity: Rio Grande Canal Boater Safety and Accessibility Project
Grant Request Amount: \$148,000
Staff Recommendation: \$148,000

26u

Applicant: Town of Meeker
Name of Water Activity: Meeker River Park
Grant Request Amount: \$150,000
Staff Recommendation: \$150,000

26v

Applicant: Blue River Watershed Group
Name of Water Activity: Blue River Integrated Water Management Plan
Grant Request Amount: \$150,000
Staff Recommendation: \$150,000

26w

Applicant: Trout Unlimited – Denver
Name of Water Activity: Stewart Ditch Diversion Improvement Project
Grant Request Amount: \$170,000
Staff Recommendation: \$169,736

26x

Applicant: Conservation Legacy – Southwest Conservation Corps
Name of Water Activity: Animas River Removal and Replacement of Invasive Phreatophytes, Phase II
Grant Request Amount: \$138,514
Staff Recommendation: \$138,514

26y

Applicant: Town of Pagosa Springs
Name of Water Activity: Recreational and Ecological Enhancement of the San Juan River – Yamaguchi South

Grant Request Amount: \$332,360
Staff Recommendation: \$195,000

26z **Applicant:** Colorado Trout Unlimited
Name of Water Activity: Lower South Boulder Creek – Watershed Restoration Phase II
Grant Request Amount: \$250,000
Staff Recommendation: \$250,000

26aa **Applicant:** Eagle Vail Metropolitan District
Name of Water Activity: Stone Creek Restoration Phase II
Grant Request Amount: \$413,915
Staff Recommendation: \$413,915

26bb **Applicant:** Roaring Fork Conservancy
Name of Water Activity: Crystal River at Riverfront Park Restoration and Efficiency Project
Grant Request Amount: \$798,574
Staff Recommendation: \$798,574

27 **Loan Delinquency Action**
Two Rivers Water & Farming Company, and Two Rivers Farms F-2, Inc.
Finance Section

Action: Presentation by CWCB staff member Kirk Russell. A motion to approve the staff recommendation was made by Steve Anderson, which was seconded by Heather Dutton. The motion was approved unanimously (7-0).

Staff Recommendation: The Board direct staff that in the event that borrower Two Rivers Water & Farming Company (f/n/a Two Rivers Water Company) and Two Rivers Farms F-2, Inc. (f/n/a Two Rivers Farms F-2 LLC) does not pay the delinquent loan payment for Loan Contract #C150328A (CT2015-164) by May 2, 2022, staff issue a Notice of Default, informing the borrower that failure to pay during the thirty day cure period will result in the entire loan becoming due and foreclosure action if the loan is not paid in full. This recommendation is inconsistent with Policy #3 regarding the passing of the 180 day ‘past due’ period and the ‘one year past due’ period before staff takes action to cure a loan delinquency.

ADJOURN

A motion to adjourn the March 2022 Board meeting was made by Jessica Brody, which was seconded by Steve Anderson. The motion was approved unanimously (7-0).