

January 12, 2023

MEMORANDUM

TO: CWCB Directors

FROM: Jennifer Mele
First Assistant Attorney General
Natural Resources & Environment Section

RE: Agenda Item 20
Appointment of CWCB Representative to
Closed Basin Project Operating Committee

This is an action item to appoint a representative from the Colorado Water Conservation Board ("CWCB") to the Closed Basin Project operating committee.

The Closed Basin Project ("CBP") was established pursuant to Public Law 92-514, 86 Stat. 964, known as the Reclamation Project Authorization Act of 1972 ("Act"). Water delivered to the Rio Grande under the CBP assists in meeting delivery requirements under the Rio Grande Compact of 1939 and the Rio Grande Convention of 1906.

Under section 103 of the Act, an operating committee was established, "which is authorized to determine from time to time whether the requirements of section 102 of this Act are being complied with." The committee is required to inform the Secretary if the operation of the CBP fails to meet the requirements of the Act or "adversely affects the beneficial use of water in the Rio Grande Basin in Colorado as defined in article I(c) of the Rio Grande compact (53 Stat. 785)." The committee consists of one member appointed by the Secretary of the Interior, one member appointed by the CWCB, and one member appointed by the Rio Grande Water Conservation District.

Former CWCB board member and engineer with Davis Engineering, Allen Davey, board member from 1996 – 1999, served on the CBP operating committee while he was on the Board. Mr. Davey has stayed on as the CWCB representative through the tenures of subsequent directors from the Rio Grande Basin.

Mr. Davey has retired and is no longer able to serve on the operating committee. Clinton Phillips replaced Mr. Davey at Davis Engineering and is willing to replace Mr. Davey on the committee. Director Dutton recommends that Mr. Phillips be appointed as the CWCB representative to the CBP operating committee.

At the January meeting Director Dutton and others from the San Luis Basin will provide background on the Closed Basin Project and address the role of the operating committee.

Attachment: Public Law 92-514