



COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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TO: Colorado Water Conservation Board Members

FROM: Lauren Ris, Deputy Director

DATE: May 17-18, 2023

AGENDA ITEM: 7. Chatfield Reallocation Project Environmental Pool Agreement

Staff Recommendation:

Staff recommends the Board approve entering into an agreement with the Greenway Foundation and Denver Water, to be signed by the CWCB Director, to secure 500 acre-feet of storage space in the Chatfield Reallocation Project for the Environmental Pool.

Background:

Chatfield Reservoir is an on-stream, multi-purpose reservoir built between 1967 to 1975 and is located at the confluence of the South Platte River and Plum Creek. The dam and reservoir are owned and operated by the U.S. Army Corps of Engineers (USACE). Chatfield's primary purpose is flood control but some of its storage space is used as a multipurpose pool for water supply.

In the mid-1990s, DNR, acting through CWCB and on behalf of numerous local water providers, requested the USACE to reallocate a portion of Chatfield's flood control storage for water supply storage. The USACE ultimately determined Chatfield can accommodate a reallocation of 20,600 AF from the flood control pool to a multipurpose pool for water supply without compromising Chatfield's primary flood control function.

The Fish, Wildlife, Recreation Mitigation Plan approved for the Project under section 37-60-122.2, C.R.S. ("122.2 Mitigation Plan"), contemplates environmental storage space ("Environmental Pool") for the primary purpose of timed releases to alleviate low flow conditions downstream of Chatfield Reservoir. The 122.2 Mitigation Plan proposed a 1,600 AF Environmental Pool, and for that purpose CPW owns 1,000 AF of storage space and CWCB owns 600 AF of storage space. A subsequent agreement with the project participants provided that the Environmental Pool could be as large as 2,100 AF.

CWCB staff has been working with the Greenway Foundation and Denver Water on an agreement for the reservation of additional storage space in the Project to be used in the



Environmental Pool. Under the agreement, the Greenway Foundation and Denver Water would each donate funds to be used towards the purchase of all or a portion of the additional 500 AF of space to be used in the Environmental Pool.

Under the terms of the agreement, Greenway Foundation and Denver water would not receive any ownership interest in the 500 AF of storage space, but the donation would result in a requirement that the storage space be dedicated for the Environmental Pool. The CWCB could not sell or allow the use of these shares in a way that is inconsistent with use in the Environmental Pool. Greenway Foundation would also not have any responsibility for payment of O&M and yearly costs associated with the storage space nor would Greenway Foundation and Denver Water have any ability to direct operations of the Environmental Pool.

CWCB staff is working with CPW staff to secure water rights to be stored in the Environmental Pool.

The CWCB currently owns 4,305 AF of storage space in the project. The cost per AF of space is \$8,388.61. The total value of 500 AF is \$4,194,305. The Greenway Foundation and Denver Water are contributing a combined total of \$3,050,000 to dedicate this space to the Environmental Pool.

