



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

Jared Polis
Governor

Dan Gibbs
DNR Executive Director

Rebecca Mitchell
CWCB Director

November 18 & 19, 2020 Board Meeting Agenda

A meeting of the CWCB will be held on Wednesday, November 18, 2020 commencing at 9:00AM and continuing through Thursday, November 19, 2020. The meeting will be held virtually.

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

<https://dwr.state.co.us/Portal/Login/>.

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

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

The CWCB encourages citizens to express their views and provide feedback to the Board on the agenda items. This can be done by sending an email to viola.bralish@state.co.us, by sending a letter to a Board member or to the Chair of the Board, or by attending the meeting. If you want to make a public comment during the meeting you must fill out a [comment sheet](#) 5 days prior to the meeting date and email it to the [Board Coordinator](#). The Board will appreciate hearing your views when it reaches that agenda item. If you have any questions, need special accommodations as a result of a disability, or require further information on any CWCB activity, please contact Viola Bralish at 303-866-3441, ext. 3206. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).



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| Wednesday, November 18, 2020 | |
| 9:00 - 9:02 | CWCB Call to Order and Pledge of Allegiance |
| 9:02 – 9:05 | 1. Review and Approve Agenda |
| 9:05 – 9:07 | 2. Review and Approve September 2020 Board Meeting Minutes |
| 9:07 – 9:10 | 3. Approve and/or Remove Consent Agenda Items |
| 9:10 | <p>Board Meeting Dates in 2021</p> <ul style="list-style-type: none"> a. January 25 & 26 – Virtual b. March 10 & 11 – TBD (<i>note that the date has been changed to the 2nd week of March</i>) c. May 19 & 20 – TBD d. July 21 & 22 – TBD e. September 15 & 16 – TBD f. November 17 & 18 – TBD |
| 9:10 -10:10 | <p>4. Directors' Reports</p> <ul style="list-style-type: none"> a. DNR Executive Director b. CWCB Director c. IBCC Director d. Agriculture Commissioner e. State Engineer f. Division of Parks and Wildlife Director g. Water Resource and Power Development Authority |
| 10:10–10:25 | <p>5. Financial Matters – Construction Fund and Severance Tax Perpetual Base Fund – Finance</p> <p><i>Finance Section</i></p> <ul style="list-style-type: none"> a. Financial Projections and Cash Management Report |
| 10:25-10:40 | Morning Break |
| 10:40-11:30 | <p>6. Water Project Loans</p> <p><i>Finance Section</i></p> <ul style="list-style-type: none"> a. City of Glenwood Springs, System Redundancy and Pre-Treatment Improvements (Wildfire Impact Emergency) b. City of Grand Junction, Carson Reservoir Dam Rehabilitation c. Lookout Mountain Water District, Upper and Lower Beaver Brook Dam Rehabilitation d. Orphan Wells of Wiggins – Kiowa Creek Dam Rehabilitation |

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| 11:30-11:45 | <p>7. Loan Delinquency Action <i>Finance Section</i></p> <p>a. Two Rivers Water & Farming Company, and Two Rivers Farms F-2, Inc.</p> |
| 11:45-12:05 | <p>8. 2021 Projects Bill <i>Finance Section</i></p> <p>a. Non-Reimbursable Project Investments “En-Bloc” approval</p> <ol style="list-style-type: none"> 1. Satellite Monitoring – Continuation 2. Colorado Floodplain Map Modernization Program – Continuation 3. Litigation Fund (Budget for AG’s) – Refresh 4. Technical Assistance for Federal Cost Share – Continuation 5. Weather Modification Permitting Program - Continuation <p>b. Non-Reimbursable Project Investments – Presentations</p> <ol style="list-style-type: none"> 1. San Luis Valley – Confined Aquifer Recovery Project |
| 12:05-12:50 | LUNCH |
| 12:50-1:00 | <p>9. Colorado River Updates <i>Interstate, Federal, and Water Information Section</i></p> |
| 1:00-2:00 | <p>10. Demand Management Feasibility Investigation Update <i>Interstate, Federal, and Water Information Section</i></p> |
| 2:00-2:30 | <p>11. Draft CWCB Conservation Easement Grant Policy <i>Interstate, Federal, and Water Information Section</i></p> |
| 2:30-2:45 | 12. Grant Evaluation Review |
| 2:45-2:50 | 13. Attorney General’s Report, Legal Briefing, and Executive Session |
| 2:50-3:05 | Break to Transition to Executive Session |
| 3:05-4:20 | <p>14. Executive Session</p> <ol style="list-style-type: none"> a. Case No. 1-17CW3212 (Water Division 1): Application of City of Lafayette, City of Boulder, and the Colorado Water Conservation Board b. Draft Report of the Review of the 2007 Interim Guidelines (7.D. Review) c. Lake Powell Pipeline d. Demand Management Feasibility Investigation e. Hearing Officer Update on ISF Rulemaking |

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| 4:20-4:25 | 15. Report from Executive Session |
| 4:25 – 4:40 | 16. South Platte River Easement – City of Englewood <i>Watershed and Flood Protection Section</i> |
| 4:40 | RECESS |

Thursday, November 19, 2020

| 8:30 – 10:00 | <p>17. Basin Directors' Reports</p> <ul style="list-style-type: none"> a. South Platte River Basin Director's Report b. Arkansas River Basin Director's Report c. City and County of Denver Director's Report d. Rio Grande River Basin Director's Report e. Yampa-White River Basin Director's Report f. Colorado River (Mainstem) Basin Director's Report g. San Juan/San Miguel-Dolores River Basin Director's Report h. Gunnison River Basin Director's Report i. North Platte River Basin Director's Report | | | | | | | | | | | | | | | | |
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| 10:00-10:15 | Morning Break | | | | | | | | | | | | | | | | |
| 10:15-10:50 | <p>18. Colorado Water Plan 5-Year Anniversary <i>Water Supply Planning Section</i></p> | | | | | | | | | | | | | | | | |
| 11:00-11:10 | <p>19. WSRF Grant Applications <i>Water Supply Planning Section</i></p> | | | | | | | | | | | | | | | | |
| | <table border="1"> <thead> <tr> <th colspan="4" style="text-align: center;">Water Supply Reserve Fund Application Grants at the November 2020 CWCB Board Meeting</th> </tr> <tr> <th style="text-align: center;">Agenda Item</th> <th style="text-align: center;">Basin</th> <th style="text-align: center;">Applicant</th> <th style="text-align: center;">Name of Water Activity</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">a.</td> <td>North Platte</td> <td>Michigan River Water Conservancy District</td> <td>Meadow Creek Reservoir Capacity Study</td> </tr> <tr> <td style="text-align: center;">b.</td> <td>Colorado</td> <td>Lateral Ditch ML47 Inc.</td> <td>Lateral Ditch ML47 Lateral Ditch Improvement Project</td> </tr> </tbody> </table> | Water Supply Reserve Fund Application Grants at the November 2020 CWCB Board Meeting | | | | Agenda Item | Basin | Applicant | Name of Water Activity | a. | North Platte | Michigan River Water Conservancy District | Meadow Creek Reservoir Capacity Study | b. | Colorado | Lateral Ditch ML47 Inc. | Lateral Ditch ML47 Lateral Ditch Improvement Project |
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| b. | Colorado | Lateral Ditch ML47 Inc. | Lateral Ditch ML47 Lateral Ditch Improvement Project | | | | | | | | | | | | | | |
| 11:10-11:20 | <p>20. Notice of Recommended 2021 Instream Flow Appropriations in Water Divisions 1, 2, 4, 6, and 7 <i>Stream and Lake Protection Section</i></p> | | | | | | | | | | | | | | | | |
| 11:20-11:35 | <p>21. Final Action on Contested Trout Creek Instream Flow Appropriation (Water Division 6) <i>Stream and Lake Protection Section</i></p> | | | | | | | | | | | | | | | | |
| 11:35-11:50 | <p>22. Lease of Ruedi Reservoir Water for Instream Flow Use on the Fryingpan River and 15-Mile Reach of the Colorado River (Water Division 5) <i>Stream and Lake Protection Section</i></p> | | | | | | | | | | | | | | | | |
| 11:50-12:35 | LUNCH | | | | | | | | | | | | | | | | |

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| 12:35-2:00 | <p>23. Plan for Augmentation to Augment Stream Flows on the Cache la Poudre River (Water Division 1)</p> <p><i>Stream and Lake Protection Section</i></p> <ul style="list-style-type: none"> a. Proposed Acquisition of Contractual Interest in City of Fort Collins “Seed Water Rights” for Use in Plan for Augmentation to Augment Stream Flows on the Cache la Poudre River b. Proposed Acquisition of Contractual Interest in City of Greeley “Seed Water Rights” for Use in Plan for Augmentation to Augment Stream Flows on the Cache la Poudre River c. Proposed Acquisition of Contractual Interest in City of Thornton “Seed Water Rights” for Use in Plan for Augmentation to Augment Stream Flows on the Cache la Poudre River |
| 2:00 | ADJOURN |
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CWCB Consent Agenda November 18, 2020

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

1. Statements of Opposition

Stream & Lake Protection Section

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

- a. Case No. 20CW3031 (Water Division 6): Application of The Yellow Jacket Water Conservancy District

2. Floodplain Designations

Watershed and Flood Protection Section

- a. "Flood Insurance Study, Arapahoe County and Incorporated Areas", by FEMA, dated September 2020
- b. "Flood Insurance Study, City and County of Denver", by FEMA, dated September 2020
- c. "Flood Insurance Study, Douglas County and Incorporated Areas", by FEMA, dated September 2020

3. Loan Deauthorizations

Finance Section

- a. Water Project Loan Deauthorizations