



COLORADO

Colorado Water Conservation Board

Department of Natural Resources

John W. Hickenlooper
Governor

Robert Randall
DNR Executive Director

Rebecca Mitchell
CWCB Director

January 22 - 23, 2018 Board Meeting Agenda

A meeting of the CWCB will be held on Monday, January 22, 2018 commencing at 8:30 AM and continuing through Tuesday, January 23, 2018. The meeting will be held at the Hyatt Regency Denver Tech Center, located at 7800 E Tufts Ave, Denver, CO 80237.

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://dnrweb.state.co.us/DNR/DNRPortal/Login.aspx>.

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 www.cwcb.state.co.us.

The CWCB's meetings are 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 andrew.rickert@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 attend a meeting, simply fill out a comment sheet and give it to the Board Coordinator at the recording station. 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 Andrew Rickert at 303-866-3441, ext. 3249. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).



Monday, January 22, 2018

- 8:30 - 8:32 **CWCB Call to Order and Pledge of Allegiance**
- 8:32 - 8:35 **1. Review and Approve Agenda**
- 8:35 - 8:37 **2. Review and Approve November 15 - 16, 2017 Board Meeting Minutes**
- 8:37 - 8:40 **3. Approve and/or Remove Consent Agenda Items**
- 8:40 - 8:43 **4. Board Meeting Dates in 2018**
- a. March 21 & 22 Broomfield
 - b. May 23 & 24 Salida
 - c. July 18 & 19 Palisade
 - d. September 18 - 20 Steamboat
 - e. November 14 & 15 South Platte Basin
- 8:43 - 9:30 **5. Directors' Reports**
- a. DNR Executive Director
 - b. IBCC Director
 - c. Agriculture Commissioner
 - d. CWCB Director
 - e. State Engineer
 - f. Division of Parks and Wildlife Director
 - g. Water Resource and Power Development Authority
- 9:30 - 10:00 **6. Financial Matters - Construction Fund and Severance Tax Perpetual Base Fund**
- Finance Section*
- a. Severance Tax Presentation
 - b. Financial Projections and Cash Management Report
- 10:00 - 10:10 **BREAK**
- 10:10 - 10:40 **7. 2018 Projects Bill**
- Finance Section*
- a. Damaging High Groundwater Response Grants in the South Platte Basin - Continuation
 - b. Chatfield Reservoir Reallocation Funding
 - c. Loan Guarantee Fund Transfer
 - d. Projects Bill Outline
- 10:40 - 11:00 **8. Species Conservation Trust Fund**

Interstate, Federal & Water Information Section

11:00 - 11:30

9. Water Project Loans

Finance Section

- a. Well Augmentation Subdistrict of Central Colorado Water Conservancy District - Shores Lakes Pond C Infrastructure Improvement
- b. Bessemer Irrigating Ditch Company - Landslide Stabilization and Ditch Lining
- c. Lupton Bottom Ditch Company - Diversion Structure Repair

11:30 - 11:55

10. Changes to Existing Loans

Finance Section

- a. Central Colorado Water Conservancy District - Chatfield Reallocation Project
- b. Castle Pines North Metropolitan District - Chatfield Reallocation Project
- c. Centennial Water and Sanitation District - Chatfield Reallocation Project
- d. Colorado Parks and Wildlife - Chatfield Reallocation Project

11:55 - 12:05

11. Statewide Water Supply Initiative

Water Supply and Planning Section

12:05 - 1:05

LUNCH

1:05 - 1:35

12. 2018 Instream Flow Appropriations in Water Divisions 3, 4, 5, and 6

Stream and Lake Protection Section

Div	Stream	Recommending Entity	County	Length (miles)
3	Miners Creek (Headwaters to confl. Prong Creek)	CPW	Saguache	4.35
3	Prong Creek (Headwaters to confl. South Carnero Creek)	CPW	Saguache	3.71
4	Coyote Wash (Colorado/Utah Stateline to confl. Dolores River)	BLM	Montrose	10.48
4	Dutchman Creek (Headwaters to confl. Owens Creek)	HCCA & WRA	Saguache	6.78
5	Abrams Creek (Increase) (Headwaters to Mrs. Paye Ditch hdgt.)	BLM	Eagle	3.95
6	Douglas Creek (Confl. East & West Douglas Creeks to confl. White River)	BLM	Rio Blanco	26.29
6	Hahn Creek (Headwaters to confl. Lost Creek)	CPW	Rio Blanco	4.71

6	Lost Creek (Confl. Hahn Creek to confl. Long Park Creek)	CPW	Rio Blanco	3.64
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BLM = Bureau of Land Management; CPW = Colorado Parks and Wildlife; HCCA = High Country Conservation Advocates; WRA = Western Resource Advocates

- 1:35 - 1:45 **13. Colorado Water Plan Implementation Update**
Water Supply and Planning Section
- 1:45 - 2:05 **14. Silver Iodide in the Environment**
Watershed and Flood Protection Section
- 2:05 - 2:25 **15. National Flood Insurance Program Community Compliance Status**
Watershed and Flood Protection Section
- 2:25 - 2:30 **16. Attorney General’s Report, Legal Briefing, and Executive Session**
- 2:30 - 2:40 **BREAK**
- 2:40 - 4:15 **17. Executive Session**
- a. Colorado River Issues
 - 1. Drought Contingency Planning
 - 2. Lake Powell Pipeline
 - b. Rio Grande (TX v. NM/CO)
 - c. Republican River - Interstate Discussions
 - d. Bear Creek Lake Water Rights Case
 - e. Case No. 15CW3111, Water Division 4 (Application of Colorado Water Conservation Board on Dolores River)
 - f. Case No. 14CV02749, Audubon Society of Greater Denver v. U.S. Army Corps of Engineers
 - g. T&G Enterprises v. Big Elk Meadows Assn, et. al. Case No. 17CV31281 in Boulder County District Court and Case No. 17CV31102 in Larimer County District Court
- 4:15 - 4:20 **18. Report from Executive Session**
- 4:20 - 4:30 **19. Litigation Fund**
Interstate, Federal & Water Information Section
- 4:30 **RECESS**

Tuesday, January 23, 2018

8:45 - 10:00

20. Basin Directors' Reports

- a. Colorado River (Mainstem) Basin Director's Report
- b. San Juan/San Miguel-Dolores River Basin Director's Report
- c. Gunnison River Basin Director's Report
- d. North Platte River Basin Director's Report
- e. South Platte River Basin Director's Report
- f. Arkansas River Basin Director's Report
- g. City and County of Denver Director's Report
- h. Rio Grande River Basin Director's Report
- i. Yampa-White River Basin Director's Report

10:00 - 10:20

21. Colorado Watershed Restoration Program Grant Funding Recommendations

Watershed and Flood Protection Section

10:20 - 10:40

22. Floodplain Designation: "Flood Hazard Area Delineation, Harvard Gulch and Dry Gulch," by Matrix Design Group, Inc, dated Febuary 2017

Watershed and Flood Protection Section

10:40 - 10:50

BREAK

10:50 - 11:05

23. Water Supply Reserve Fund (WSRF)

Water Supply and Planning Section

Water Supply Reserve Fund Applications for Consideration at the Jan. 2018 CWCB Board Meeting			
Agenda Item	Basin	Applicant	Name of Water Activity
a	Colorado	Eagle County Cons District	CoAgMet Station #2
b	Rio Grande	Rio Grande Watershed Conservation & Education Initiative	Rio Grande Basin Roundtable Communication & Media Plan
c	Colorado	Highland Meadow Estates at Castle Peak Ranch Homeowners' Association, Inc.	Olesen Ditch Pipeline Project

11:05 - 11:15

24. Alternative Transfer Method Grant Request

Water Supply and Planning Section

- a. Sylvan Dale Ranch Agricultural Water Conservation & ATM Project - Heart J Center for Experiential Learning at Sylvan Dale Ranch

11:15 - 11:25

25. Alternative Transfer Method Grant Update

Water Supply and Planning Section

- a. Larimer County: Open Space ATM Pilot Project

11:25 - 11:35

- 26. Colorado River Weather Modification Programmatic Agreement**
Watershed and Flood Protection Section & Interstate, Federal & Water Information Section

11:35 - 11:50

- 27. Lease Following Pilot Program (HB 13-1248)**
Water Supply and Planning Section & Interstate, Federal & Water Information Section

11:50 - 1:00

LUNCH

1:00 - 1:20

- 28. South Platte Storage Study (House Bill 16-1256)**
Interstate, Federal & Water Information Section

1:20 - 1:30

- 29. Water Plan Grants - Overview**

1:30 - 1:40

- 30. Water Plan Grants - Agriculture (Final)**
 - a. Colorado River Water Conservation District - Silt Water Conservancy District Agricultural Infrastructure Improvement Project
 - b. Turner Ditch Company - Turner and Lone Cabin Ditch - Combination Salinity Reduction Project
 - c. Ducks Unlimited, Inc. - North Park Irrigated Meadows Infrastructure Improvements
 - d. Colorado River Water Conservation District - Fire Mountain Canal Regulating Reservoir

1:40 - 1:45

- 31. Water Plan Grants - Storage (Final)**
 - a. City of Brighton - Erger's Augmentation Station

1:45 - 1:55

- 32. Water Plan Grants - Supply Demand/Gap (Final)**
 - a. Town of Firestone Water Activity Enterprise - Modeling Reservoir Operations for Direct Reuse
 - b. Colorado Springs Utilities - Homestake Arkansas River Diversion Improvements
 - c. St. Charles Mesa Water District - Long-Term Potable Water Supply to the Zinno Subdivision

1:55 - 2:05

- 33. Water Plan Grants - Environmental & Recreation (Final)**
 - a. Colorado Springs Utilities - Homestake Arkansas River Diversion Improvements
 - b. Colorado Water Trust - McKinley Ditch Project

- c. Trout Unlimited - Lower Tomichi Water Conservation Project

2:05 - 2:15

34. Water Plan Grants - Water Conservation and Land Use (Final)

- a. Northwest Colorado Council of Governments: Water Quality/ Quantity Committee- Water Savings Measures in Land Use Codes in the Headwaters
- b. WaterReuse Colorado- Development of Colorado Guidelines for Direct Potable Reuse
- c. Colorado Springs Utilities - Homebuyer Landscape Outreach Program

2:15 - 2:30

35. Water Plan Grants - Engagement & Innovation (Final)

- a. Colorado State University - Investigation of Barriers to Policy for Low Impact Development
- b. Mancos Conservation District - Mancos Watershed Outreach and Data (MWOD) and School-Based Outdoor Learning Labs (SOLL) Projects
- c. Middle Colorado Watershed Council - Colorado River Interpretive Center
- d. National Young Farmers Coalition - Training Young Farmers as Water Leaders Through Colorado Water Law & Policy Bootcamps
- e. One World One Water Center at MSU Denver - Activating Colorado's Water Plan with Student Driven Innovation
- f. Roaring Fork Conservancy - River Center Education Programs

2:30 - 2:40

36. Wild and Scenic Rivers: Issues Update

Stream and Lake Protection Section & Interstate, Federal & Water Information Section

2:40

ADJOURN



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CWCB Consent Agenda January 22 - 23, 2018

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 at the end of the meeting or at the next meeting. 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 Nos. 17CW3152 (Water Division 1) and 17CW3057 (Water Division 2): In the Matter of the Rules Governing the Review of a Substitute Water Supply Plan for the Lease, Loan or Trade of a Decreed Agricultural Water Protection Right (CWCB filed a Protest and Pleading in Support of Rules Filed by The State Engineer)*
- b. *Case No. 17CW3160 (Water Division 1): Application of Fort Collins - Loveland Water District, The North Weld County Water District, and The East Larimer County Water District*
- c. *Case No. 17CW3168 (Water Division 1): Application of Mountain Water and Sanitation District*
- d. *Case No. 17CW0006 (Water Division 3): Application of Adalberto Herrera*
- e. *Case No. 17CW3176 (Water Division 5): Application of Municipal Subdistrict, Northern Colorado Water Conservancy District, and Colorado River Water Conservation District*
- f. *Case No. 17CW3036 (Water Division 7): Application of Pine River Irrigation District*

2. New Prequalification Loans:

Finance Section

- a. *Fire Mountain Canal & Reservoir Company - Fire Mountain Canal Phase II Salinity*
- b. *Webber Ditch Company - Webber Ditch Pipeline Project*



3. Update on Water Plan Grant - Storage:

Finance Section

a. City of Walsenburg - City Lake Dam Enlargement Update