

ARKANSAS BASIN ROUNDTABLE

Website: www.arkansasbsin.com

Email: arkbasinrt@gmail.com

Wednesday February 9, 2022

Start Time: 12:30 pm

The meeting will again be virtual.

Zoom Meeting link:

<https://us02web.zoom.us/j/83339826655?pwd=YzY0eWhmb3Bsc1VFNDhjYWWhOT1JHZz09>

- 12:30-12:35** **WELCOME AND INTRODUCTIONS – Mark Shea [5 min]**
Establish quorum
Approval of agenda
Approval of minutes – January 2022
Public Comment
- 12:35 – 1:05** **Reports – First Section [30 min]**
Executive Committee – Mark Shea (5 min)
CWCB Report – Russ Sands, Sam Stein, Greg Felt (10 min)
IBCC Report – Jeris Danielson and Terry Scanga (15 min)
- 1:05 – 1:35** **Program – Colorado River Basin Update – Heather Patno, Acting Chief -
Water Management Group, Bureau of Reclamation [30 min]**
- 1:35 – 1:45** **Break [10 min]**
- 1:45 – 2:15** **Reports – Second Section [30 min]**
Needs Assessment Committee – Abby Ortega (5 min)
Ag/Muni Committee – Matt Heimerich (5 min)
Enviro/Rec – Bob Hamel, Amber Shanklin, and Rena Griggs (5 min)
Arkansas River Watershed Collaborative – Jonathan Paklaian (5 min)
PEPO – Paul Fanning, Alli Schuch (10 min)
- 2:15 – 2:40** **Basin Implementation Plans Acceptance of Volume 1 and Finalize Volume 2
[25 min]**

ADJOURN

Upcoming Meetings

Arkansas Basin Roundtable – March 9, 2022

- **Exec. Committee – 10:30am**
- **Roundtable – 12:30pm**

ABRT Committees

- PEPOW – February 16, 1:30 – 3:00 pm
- Enviro/Rec Comm. – February 28, 10:00am
- Ag/Muni Comm. – March 8, 11:00 am – 1:00 pm

ARWC 1st Quarter Meeting – February 17, 2022 (virtual)

IBCC Meeting – February 23

CWCB Board Meeting – March 15-16

Additional Zoom Meeting Information:

Join Zoom Meeting

<https://us02web.zoom.us/j/83339826655?pwd=YzY0eWhmb3Bsc1VFNDhjYWWhOT1JHZz09>

Meeting ID: 833 3982 6655 Passcode: 971863

One tap mobile

+16699009128,,83339826655#,,,,*971863# US (San Jose)

+12532158782,,83339826655#,,,,*971863# US (Tacoma)

Dial by your location

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

833 548 0282 US Toll-free

877 853 5257 US Toll-free

888 475 4499 US Toll-free

833 548 0276 US Toll-free

Meeting ID: 833 3982 6655

Passcode: 971863

Find your local number: <https://us02web.zoom.us/j/kcMxMhy1Pp>

ARKANSAS BASIN ROUNDTABLE

EXECUTIVE COMMITTEE

Agenda

Wednesday February 9, 2022

Start Time: 10:30 am

The meeting will be virtual

Zoom Meeting Link:

<https://us02web.zoom.us/j/83339826655?pwd=YzY0eWhmb3Bsc1VFNDhjYWwh0T1JHZz09>

1. Greetings and necessary introductions
2. Minutes/Notes of the previous meeting
3. Reoccurring Matters
 - Chair Comments – Mark Shea
 - Outstanding Reports – Executive Committee Members
4. Roundtable Business
 - ABRT BIP Acceptance of Volume 1 and Finalize Volume 2

Upcoming Meetings

- Arkansas Basin Roundtable – March 9, 2022
 - Executive Committee – 10:30am
 - Roundtable – 12:30pm
- Committees
 - PEPOW – February 16, 1:30 – 3:00 pm
 - Environmental/Recreation Committee – February 28, 2022
 - Agriculture/Municipal Committee – March 8, 11:00 am – 1:00 pm
- ARWC – February 17, 2022 – First Quarter Meeting (virtual)
- IBCC – February 23, 2022
- CWCB Board Meeting – March 15-16

Adjourn

Committee membership: Mark Shea (Ch), Bob Hamel (VCh-NonC), Steve Kastner (VCh-Cons), Al Tucker (Rec), Sandy White (Past-Ch), Greg Felt (CWCB), Jeris Danielson (IBCC), Terry Scanga (IBCC), Tim Canterbury (IBCC Alternate), Abby Ortega (Needs Assessment), Paul Fanning (Legislative Rep), Amber Shanklin (ARWC Board Member), Sara Mudge (ARWC Board Member)

Additional distribution: Sam Stein (CWCB Staff), Elise Bergsten (Secretary), Jonathan Palkaian (ARWC Director)

Additional Zoom Meeting Information:

Join Zoom Meeting

<https://us02web.zoom.us/j/83339826655?pwd=YzY0eWhmb3Bsc1VFNDhjYWwh0T1JHZz09>

Meeting ID: 833 3982 6655

Passcode: 971863

One tap mobile

+16699009128,,83339826655#,,,,*971863# US (San Jose)

+12532158782,,83339826655#,,,,*971863# US (Tacoma)

Dial by your location

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

833 548 0282 US Toll-free

877 853 5257 US Toll-free

888 475 4499 US Toll-free

833 548 0276 US Toll-free

Meeting ID: 833 3982 6655

Passcode: 971863

Find your local number: <https://us02web.zoom.us/u/kcMxMhy1Pp>

Committee membership: Mark Shea (Ch), Bob Hamel (VCh-NonC), Steve Kastner (VCh-Cons), Al Tucker (Rec), Sandy White (Past-Ch), Greg Felt (CWCB), Jeris Danielson (IBCC), Terry Scanga (IBCC), Tim Canterbury (IBCC Alternate), Abby Ortega (Needs Assessment), Paul Fanning (Legislative Rep), Amber Shanklin (ARWC Board Member), Sara Mudge (ARWC Board Member)

Additional distribution: Sam Stein (CWCB Staff), Elise Bergsten (Secretary), Jonathan Palkaian (ARWC Director)



Arkansas Basin Roundtable

PLANNING OUR
WATER FUTURE

ARKANSAS BASIN ROUNDTABLE MEETING SUMMARY MINUTES AND RECORD OF DECISIONS

February 9, 2022

Zoom link: <https://us02web.zoom.us/j/83339826655?pwd=YzY0eWhmb3Bsc1VFNDhjYWWh0T1JHZz09>

More information and presentations may be found at: www.arkansasbasin.com

Approval of Agenda

The agenda was approved by consensus.

Approval of Prior Meeting Notes

January meeting notes were approved by consensus.

Public Comment - none

Richard Elsner spoke about Senate Bill 114. This is a bill working to protect small ponds that are used for firefighting. Richard Elsner can be reached at delsner@parkco.us

<https://leg.colorado.gov/bills/sb22-114>

<https://dwr.colorado.gov/services/water-administration/pond-management>

REPORTS:

Executive Committee – Mark Shea

The Executive Committee reviewed and discussed Roundtable membership. There is a new member from Park County, Commissioner Amy Mitchell. Welcome Amy!

The Roundtable still has vacant seats to fill. The draft of the 2022 Roundtable Roster was distributed with meeting materials for this meeting. Please look over the draft and send in any necessary corrections.

There have been discussions in our Sister Roundtables about their interest in adding Watershed Health Seats as a part of their Roundtable Membership. There is great value in having connections with people involved in watershed health, particularly considering wildfire risks.

The EC discussed the final draft of the Basin Implementation Plan (BIP), and the projects database.

CWCB Report – Sam Stein – engagecwcb.org

Sam spoke about the last Water Equity Taskforce meeting which was on February second. A meeting recording is on the [engagecwcb](http://engagecwcb.org) website.

Roundtables who would like to meet in person are now able to do so. Mark suggested quarterly in person meetings, starting in March.

Director Gibbs will be the new IBCC chair.

Nora Flynn is moving into the role of Senior Agricultural Specialist. This position has been moved into the Water Supply Planning Section. Welcome Nora!

Current water plan grant applications can be viewed here:

<https://cwcb.colorado.gov/december-2021-water-plan-grant-applications>

Greg Felt noted several issues of discussion at CWCB including the Colorado River situation, issues surrounding the Platte River, Nebraska, and the Rio Grande River.

Greg also noted the growing focus on forest health, the shift to thinking of our forests as part of water infrastructure, and the ongoing conversation about agriculture and how CWCB can interact with the agricultural community.



Arkansas Basin Roundtable

PLANNING OUR
WATER FUTURE

The Roundtable's comments on Demand Management were well received and aligned with comments from other basins.

IBCC- Jeris Danielson

Jeris will forward an agenda for the next IBCC meeting to Roundtable Members.

Program – Heather Patno

Heather presented on the Colorado River situation, history, and explained several graphs.

The Colorado River supplies water to seven basin states and Mexico, and is managed by the "[Law of the River](#)," a collection of compacts, laws and documents that regulate use of the river. 16.5 million acre feet (maf) are allocated every year, 7.5 maf each to Upper and Lower Basin States, and 1.5 maf to Mexico. There is 60 maf of storage.

The Colorado River is facing a severe drought. Water year 2021 marked the second lowest Lake Powell inflow since 1964 and is part of the driest 22 year and 10 year period, indicating a drying trend. Lake Mead and Lake Powell both marked a historical low in 2021.

Soil moisture conditions are very dry as well, which will impact runoff producing areas.

This dryness prompted the [Drought Response Operations Agreement](#) (DROA) as part of the 2019 Colorado River Drought Contingency Plan. DROA releases began in July 2021.

Regarding projections, the National Weather Service and the National Oceanic and Atmospheric Administration (NOAA) implemented its 30-year average shift, so in 2021 we were using the 1981-2010 averages. In October 2021 this switched to using 1991 to 2020 averages. This removed the significant wet hydrology from the 1980's from current forecast possibilities, and incorporated the last decade of record dryness that has occurred with climate change, resulting in a more accurate forecast.

Snow water equivalent (the amount of water that will be released from snowpack) is also lower than average in water year 2022.

Currently the Drought Response Operations Plan is circulating for review and is scheduled to be finalized in April. Lake Powell's required monthly release is 7.48 maf. Part of the plan is to hold that water back in the winter/spring months to be released in the summer, which will help keep Powell full, however, the minimum projections for September still show the possibility of levels dropping below the minimum power pool line. Lake Mead's likely conditions put it at a Level 2 shortage condition.

Heather answered a question about what happens if water drops below the power pool level in Lake Powell. Glen Canyon Dam would no longer be able to provide hydroelectric power.

Heather also explained that the reservoirs in the Upper Basin like Blue Mesa, Flaming Gorge and Navajo, could provide significant increases to Lake Powell; in particular Flaming Gorge Reservoir.

Heather explained that Navajo not releasing the additional 20 thousand acre feet was based on conditions at the beginning of December. Under the minimum probable projections it was determined that Navajo would not be able to meet its minimum contractual obligations and thus could not release more water. Those kinds of considerations would be applied to all the Upper Basin areas, fulfilling contractual obligations before releasing additional water to Lake Powell.

Terry asked if there were years in which the lower basin states took more than the 7.5 maf. And if there was a record of that. Heather explained that there is record of lower basin states taking more in the early 2000's.

Rick Kienitz observed that lower basins have received more water than agreed while Upper Basins are experiencing shortages. The lower basins have come up to compliance, but will they stay in compliance even in surplus years? Heather noted that we have seen compact compliance since 2005, and since we have released more in the past, we are able to send less.



Arkansas Basin Roundtable

PLANNING OUR
WATER FUTURE

Mallory Hiss asked who would be involved in the post 2026 negotiations; setting up operational strategies for Powell, Mead and the upper and lower basins. Heather explained that all seven basin states will be part of those negotiations. Becky Mitchell would be involved in those negotiations, as well as environmental groups, hydropower interests, federal agencies, national parks service, and additional interest groups.

Bob Hamel asked if the 7.4 maf for the lower basins includes the tribal water allocation. Heather said she would follow up on that question.

Mark noted after the presentation that water in the presentation was measured by the Million Acre Feet. Mark remarked on how little the Arkansas Basin imports from the Colorado River, about 150,000 acre feet, yet how valuable that water is to the Basin. There is only 500,000 acre feet that is imported to the entire front range which is about equal to the yearly evaporative loss off of Lake Powell.

Heather Patno can be reached at hpatno@usbr.gov.

Needs Assessment Committee – Mark Shea

No updates. There are upcoming grant cycles that Abby will make everyone aware of.

Ag/Muni Committee – Mark Shea

No updates.

Enviro/Rec Committee – Bob Hamel, Amber Shanklin, Rena Griggs

There will be a February 28 meeting, and there is some new interest in the committee.

The Arkansas River Basin Water Forum will occur Apr 28-29, in Salida (Steamplant). Registration is now open.

<https://www.arbwf.org/>

ARWC – Jonathan Paklaian

ARWC is planning for the upcoming year.

Colorado Strategic Wildfire Action Program (COSWAP) money is available to be requested through the grant process. The first round is on February 14th, and ARWC has a proposal.

The Lead Forester Andy has gone to Lake County to meet with people in anticipation of this year's projects.

ARWC will also be perusing the Natural Resources grant.

The ARWC Board meeting will occur February 10th and there will be discussions involving ARWC's relation to the Roundtable and the work they are doing.

PEPOW – Alli Schuch, Paul Fanning (meets on the 3rd Wednesday each month, at 1:30 pm)

The statewide PEPO meeting is February 22.

There was an unscheduled meeting which focused on the new funding plan, and more clarification will be provided.

PEPOW has been working with Water Education Colorado (WECO) for a mini tour, August 26. This is a WECO program, but WECO touches base with the Roundtable for resources. WECO will be conducting a mini tour in every basin. The people selected for the tour will be new people, not necessarily involved with the water world. The Workgroup meeting next week will be focused on developing a focus on activities that relate to the BIP, and improving communication between the roundtable and CWCB, and improving communication between roundtable members.

Alli has reached out to Jonathan, about how PEPOW and ARWC can strengthen each other and share project stories. Alli also chatted with Dylan O'Hare, from Palmer Land Conservancy.



Arkansas Basin Roundtable

PLANNING OUR
WATER FUTURE

The first network meeting has occurred with over twenty people involved. These will continue to take place on a bi-monthly schedule.

Colorado Rural Water Association's Children's Water Festival etc. Web Page:

<https://www.crwa.net/childrenswaterfestival>

BIP Update – Lindsey Griffith

Lindsey reviewed where to find the Basin Implementation Plan on engagewcb.org, and reviewed Volume One of the BIP.

Special focus was drawn to the section which contained the revised statement on transfer of water rights from irrigated agriculture. The statement now reads, “Agriculture Producers are the largest owners of water resources in the state. As new or growing users, particularly municipalities, require additional water resources, they often purchase it from agricultural users. The Arkansas BRT is concerned that additional transfer of water rights from irrigated agriculture to other uses that results in the permanent dry-up of irrigated land is undesirable and should be avoided if at all possible and further recommends mitigation efforts to protect local economies and land health if permanent transfers occur. This multi-base constituency is reflected in the goals outlined for agricultural water in the Arkansas Basin.”

Lindsey also addressed concerns from the last meeting over projects being included in the BIP that the Roundtable did not necessarily endorse. Lindsey went over the tiering system, which is included in the BIP which explains the difference between projects that have been proposed and are being considered, and projects that have already moved into later stages.

Sandy pointed out that there was discussion in the Executive Committee about having indication on the projects database that would signify whether or not the Roundtable had reviewed the project.

The final draft of Volume 1 of the Basin Implementation Plan was approved by consensus.

The final draft of Volume 2 of the Basin Implementation Plan was approved by consensus.

The meeting was adjourned at 3:02 pm.

Admin Email: ARKBASINRT@GMAIL.COM

MEETINGS/LINKS:

- Arkansas Basin Roundtable Annual Meeting: February 9, 12:30 pm www.arkansasbasin.com
- PEPOW: www.pepoarkbasin.com
- Enviro/Rec: January 31
- CWCB: January 24-25 <http://cwcb.state.co.us/Pages/CWCBHome.aspx>
- PEPO Statewide: TBD
- Arkansas River Basin Water Forum: <http://www.arbwf.org/>
- Colorado Water Plan: <http://coloradowaterplan.com/>
- Colorado Flood Threat Bulletin: www.coloradofloodthreat.com
- Stream Management Plan Resource Library: <https://coloradosmp.org/>
- In-Stream Flow Rule Revisions: <https://cwcb.colorado.gov/instream-flow-rules-revisions-hb-20-1157>
- DARCA - <https://www.darca.org/>



ARKANSAS BASIN ROUNDTABLE EXECUTIVE COMMITTEE ZOOM MEETING NOTES Wednesday February 9, 2022

Executive Committee/Guests Present:

- | | |
|--------------------------------|-------------------------------|
| Mark Shea – Chair | Terry Scanga |
| Al Tucker - Rec | Lindsey Griffith |
| Paul Fanning – PEPO | Jonathan Paklaian – ARWC |
| Sandy White – Past Chair | Amber Shanklin - ARWC |
| Bob Hamel – Vch Env/Rec | Chris Wisemen - |
| Sara Mudge – Lake County | Avid Ahmed – Aurora Water |
| Abby Ortega – Needs Assessment | Greg Felt – Chaffee Cnty Comm |
| Steve Kastner – Vch Cons. | Sam Stein - CWCB |
| Tim Canterbury | Russ Sands – CWCB |
| Kat Weismiller | Matt Heimrich |

Greetings and necessary introductions:

Mark called the meeting to order @ 10:31 noting a quorum present.

Minutes/Notes of Previous meeting:

Mark called for comments or corrections to the January 12, 2022 Executive Committee Minutes hearing none the approved by consensus.

Reoccurring matters:

- **Chair Comments –**
 - Mark Shea announced our newest member from Park County, Amy Mitchell she has recently been appointed by the Park County Commissioners. Another interested person is Bob Partsman(s) from Canyon City.
 - Mark also mentioned that we’re looking to finalize our 2022 roster and would like it to be reviewed for any updates or corrections and get it back to Elise. We’re still looking to fill some of our vacant seats.
 - We’re looking to begin hybrid/ in person meetings as soon as March and will be sending confirmations for in person meeting list and who will still be attending via Zoom. Steve Kastner mentioned that the virtual meetings do make it possible for presenters not able to commute in person can still participate. An option Mark is looking at would be quarterly in person, as well. We’ll follow up with this discussion at our next upcoming up meetings.
- **Outstanding Reports – Executive Committee Members**
 - Mark opened up discussion for Executive Committee membership we’ll follow-up at next month’s meeting, as well. This is also interrelated to the ARWC board and its makeup. This was resolved when Amber and Sara became a member of the Executive



Arkansas Basin Roundtable

PLANNING OUR
WATER FUTURE

Committee to be ARWC board members. We're now amending these Bylaws to permanently resolve this issue. It was felt that the current makeup of the Executive Committee is important, but we need to consider that some of these members are stretched for time and how to best utilize everybody's time fittingly. Mark pointed out that reviewing our Bylaws and the makeup of the Executive Committee is something we need to address.

- **Outstanding Reports – Watershed Health**

- Mark acknowledged that many of our sister Roundtables have taken a real focused interest in watershed health and wildfire risk as it relates to protection of water resource's health. Mark has been contacted and participated in conversations with other Roundtables, including staff members of CWCB opening the prospect of creating a Watershed Health seat on the Roundtables. This proposed additional Roundtable seat has been brought to the attention of our Attorney General's office regarding an additional seat and was informed the Roundtable's do not have the authority add seats voting or non-voting.

This decision may have ripple effects on other member seats which Mark wishes to further dialogue on specifically Mark's seat. Mark proposed this question to Sandy as our Past Chair when this occurred. Sandy advised that we should continue as we have in serving our Basin's needs. Sam Stein added that the issue of additional seats as viewed by the AG's office is balance within the basins regarding the original intent. Russ felt forest health is too important not to somehow focus more on. Russ indicated these rules overall support our Roundtable's intent. Paul Fanning indicated we may look to revisions in the process of the Statute in providing seats. Al Tucker pointed to the issue of many unforeseen water issues that have arisen that need addressing. An example was our support and creation of ARWC. Sandy pointed to the provision in section 104(a) I specifying an opt-out provision as an alternative. Mark indicated our ten At Large seats that are specifically designated. One issue is opening the door and several seats that or focused not on Basin. Russ clarified the opt out may refer to the IBCC section only. Mark still strongly feels watershed health is too important not to continue pursuing this area and Mark will bring this up at the All Chairs meeting March 1st.

- **Outstanding Reports – Members**

Mark ask if anyone else had any reports to share. Hearing none went to Roundtable Business.

Roundtable Business:

- Demand Management Discussion
- ABRT BIP Acceptance of Volume 1 and Finalize Volume 2
 - Mark opened the discussion for the final versions of Vol's 1 & 2. Sandy asked for further discussions regarding the list of projects in Vol 2. Lindsey stated the projects are in Appendix B Vol 2. There is also an online data base list that was also used to populate Appendix B. Bob Hamel asked for clarification of the issue of proponents outside the Roundtable project approval process. Mark said this still needs to be addressed in a way



Arkansas Basin Roundtable

PLANNING OUR
WATER FUTURE

that is satisfactory to both Roundtable and proponents who want their proposals listed. We need to identify who are the point people for the projects. Sam Stein pointed out the issue of confidentiality and being listed on an online data base. Bob suggested and-opt out of being listed if concerns of confidentiality arise.

Sandy pointed to three Huerfano County projects listed in the BIP that are speculator projects that intend to move water out of the county that have access to other funds other than state funding. This is why he'd previously understood these would be 100% Roundtable proposed projects and now we have projects not approved by our county officials appearing to be legitimate county projects.

Furthermore, this may cause issues with Water Court cases where these projects now listed in our BIP document falsely emerge as being ours. Sam indicated language throughout the BIP may point to these particular projects as not being following the Roundtable process for approval. Which further point to the need for calling on CWCB staff or our legal counsel for depositions during Water Court Hearings?

Al Tucker pointed to the need for emphasizing our process laid out in our governing documents regarding approval process for BIP listed projects. These would then be listed identifying them vs projects listed by organizations that have their own external funding and haven't gone through our vetting procedures. This still allows these projects to be listed but in a different category from our assessments that preserves adjudicated water rights and prior appropriation's procedures. Our processes ensure our approvals follow Colorado's water rights protections under Colorado statutes.

Lisa responded that there have been postings in BIP volumes one and two that should address some of these concerns. Mark pointed out the need to ensure the language we've been discussing regarding AG transfers is included and clearly stated. Terry Scanga that there is language that points to projects we've approved but there's vagueness in determining these projects from others being listed.

Abby Ortega pointed to the increased demand from scrutinizing projects that get listed but don't require the funding and support from the Roundtable and these may be fully responsible projects being listed as an example a public utilities' project that is necessary but doesn't require funding from our sources.

Sandy stated that it's always been assumed that project sponsors have sought a letter of support from the Roundtables but that isn't necessary so how do we address this? Russ Sands agreed this needs further discussions perhaps at CWCB or the coming All Chairs meeting. Mark agreed the need for keeping the Roundtables somehow in the loop. Sam Stein agreed there needs to establish these communication links with PEPO and CWCB proposed projects.

Lindsey brought up the projects listing in BIP Vol 2 Appendix B and it was pointed out the Tier's wording of "supported and ready" would best be changed since some projects may show in Tier 1-4 and not be Roundtable projects. It was agreed to reword this.

Upcoming Meetings:



Arkansas Basin Roundtable

PLANNING OUR
WATER FUTURE

- Arkansas Basing Roundtable – March 9, 2022
 - Executive Committee – 10:30 AM
 - Roundtable – 12:30 PM
- Committees –
 - PEPOW – February 16th, 1:30 – 3:00 pm
 - Enviro/Rec Comm. – February 28, 2022
 - Ag/Municipal Comm. – March 8th, 11:00 am – 1:00 pm
- IBCC –
- CWCB –
- ARWC –

Adjourn