

**ARKANSAS BASIN ROUNDTABLE  
EXECUTIVE COMMITTEE**

**Committee Meeting Minutes**

**April 23, 2019  
10:38 AM**

A regular meeting of the Executive Committee was held Wednesday, March 23, 2019, at the Pueblo Convention Center, 320 Central Main St, Pueblo, CO 81003.

**COMMITTEE MEMBERS PRESENT**

Mark Shea–Chair	Jeris Danielson - IBCC	Sandy White – Past Chair
Mike Weber–Vice-Chair	Chelsey Nutter – NAC	Amber Weber - PEPO
Bob Hamel-Env/Rec	Jack Goble - CWCB	

**COMMITTEE MEMBERS ABSENT**

Jean Van Pelt- PEPO	Amber Shanklin- Env/R
Al Tucker- Recorder	Tim Canterbury - IBCC
Terry Scanga- IBCC	

**GUESTS PRESENT**

Ben Wade- CWCB  
Nick Koch  
Scott Lorenz- Colorado Springs Utilities  
Bill Grasmick- LAWMA Board President

**OPENING REMARKS- Chairman Mark Shea & Vice-Chair Mike Weber**

Chairman Shea opened the meeting at 10:38 am with general comments about the meeting, logistics, and the Arkansas Basin Water Forum to follow. He called for additions to the agenda.

**MINUTES OF THE MEETING OF April 23, 2019**

Upon motion by Committee Member White and second by Committee Member Hamel, the Committee approved the minutes by consensus.

**COMMITTEE REPORTS**

**IBCC- Terry Scanga & Jeris Danielson**

Jeris reported that the representatives from the Rio Grande discussed a project proposal to export water out of the Rio Grande and pipe it to the Front Range. The group is proposing the project offered 50 million to Saguache County, 40,000 acre-feet of augmentation and additional funds to the Conservancy District in the Rio Grande. Jeris reported that all parties quickly rejected the offer. Jeris also said that the CWCB is making available 5.5 million dollars to help with BIP updates. Deadlines discussed were Nov. 2020 for the BIP to be finalized and November 2022 for the Colorado Water Plan update to be finished. Don't forget the C-9 Summit in September. Colorado

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river activities- Congress has passed federal legislation and moving ahead. The group is going to establish work groups to work on the demand management issue which Jeris has offered to be a part of. As for the funding discussion, there is nothing new. There was a general discussion about how to engage IBCC.

### **SWSI- Ben Wade**

The initial SWSI draft for the tiered projects list is complete and was passed around for review. There was a technical webinar today and will be about agricultural methodologies. All meetings, roughly an hour in length, are recorded and should be up today on both the website and YouTube. Ben will disburse via Elise so that the roundtable has access to them. Mark had an opportunity to read through it and he feels it is complete and raises some questions, but it is a good draft.

The role of the general contractor and future role of the said contractor was discussed regarding the roundtable's input, questions, and general feelings thus far such as will we as a roundtable be able to choose our sub-contractor for our basin? We need to know what we want our local expert to be aware of when working with the overall contractor. The flexibility of topics and issues to focus on is a concern for our roundtable and it was expressed that as a whole, the executive committee wishes that the basins will have input and control on what to focus efforts and resources towards.

There is a disconnect between historic irrigation demand and irrigated acres is an additional issue that was raised and discussed. They are counting irrigated acres and using that to analyze the supply gap for agriculture. The future of the Basin Implementation Plan (BIP) was discussed at length with questions about "where we go from here" and the management of the BIP once updated.

Ben commented to the executive committee whose concerns were raised that the Arkansas Basin has done more work than the other basins and the state has acknowledged that so the sub-contractors will allow flexibility which Mike agreed to. Jack stated that the first BIPs are not on the same level and may not be using the same language, so they are trying to make it a direct comparison. Some flexibility is still there. To Mark's comment regarding a sub-contractor who knows the basin and can be effective in making sure our needs are met, Mike stated that they are looking at the BIP update, not the management of it and that this is separate from SWSI. Sandy inquired as to whether we can anticipate funding for management for BIP, to which Mike replied that funding is solely to implement SWSI. Mark hopes that we may use some of the funds for the update, and the rest for management. "Hopefully the money will be equitable for needs". Jack reminded the executive committee that "our BIP is further along, but our basin is large." The discussion will continue at future meetings.

### **CWCB Report**

Jack Goble talked to staff to learn more about the sports betting bill supported by the Walton family foundation, Cattlemen's, etc. This bill is geared more towards demand management projects on the Colorado River, not in-stream flows. There are a couple of bills that extend the time periods that people can loan water to in-stream flows. This particular bill is not the case. This may be how to fund state water plan as well as legalizing of sports gambling by using the money to go to things like gambling addiction, health and human services, etc. Basically, after all of those, it will be transferred to the water plan implementation cash fund to implement the Water Plan. Some of this

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will be in the form of grants to implement the water plan and some for the Colorado river demand management project. There was unanimous support for this legislation. Jack commented that this solution is much better than what we have now which is nothing, just relying on severance tax. There were a lot of questions about this like administering of funds, programs, etc. Denver Water is testifying in support as well as CEC. Sandy mentioned a concern about 123.3 and how the funding is to be used, mentioning inter-state compact compliance problems and for payment to water users for dry up. The word storage doesn't appear in there which is an issue for the Arkansas basin. The use is either for inter-state problems or to allow alternative dry up opportunities to maintain in-stream flows or to facilitate municipal use of ag water. The real problems that this basin has are not addressed. Jeris also commented that this bill was given late bill status which is not a good way to make legislation and then asked about how do we get the issues we are concerned about? Mark stated that we have the opportunity to provide formal input through our own institutions and we can use CWCB board members. We have Jim Broderick and others who are active in the Colorado Water Congress and should share our perspective with them. Sandy mentioned that the state affairs committee received preferential speaking opportunities and that maybe they could use that this time. Jack will continue to ask the questions and to get it more clearly defined as far as water plan goals. Sandy mentioned to Jack to also ask about 2A as mentioned in the bill that doesn't actually exist so talk to them about that too.

### **PEPO- Amber Weber**

Will provide at the roundtable meeting.

### **Needs Assessment- Chelsey Nutter**

Mike began the discussion that at the last CWCB meeting in Fort Collins, the Arkansas Basin grants were approved. With Chelsey taking over ARWC, Mark has made the decision that it is not a good idea to have Chelsey continue as the chair of Needs Assessment. We'd like to keep her on for support but have a different chair. Mike suggested to bring the news to the roundtable and ask for nominations and have the whole roundtable support. Chelsey could still help out in the upper basin and Mike in the lower basin, with the chair overseeing everything. Ben commented that as focused and attentive to detail as she is, this needs to continue, for example, the detailed budget prior to Needs Assessment and going to CWCB makes a huge difference. Mark reiterated that she has been helpful in putting all of that together and we need to maintain that. Ben also stated that a "huge kudos" goes to her because Chelsey makes it so easy for Ben. Sandy disagreed with Mike's recommendation to give it to the roundtable and stated that it should be the Chairman's appointment. The real vitality of the roundtable and the funding for the BIP is dependent upon a "good" chair of Needs Assessment. Discussion about how the Needs Assessment Chair performs was emphasized. We shouldn't put that up to the roundtable, it's up to the chairman. Sandy suggested that Mike would make a great chair and that the roundtable needs a solid performer. Mike followed that Chelsey did a really good job, but Mark brought to attention that she is not a voting member. The by-laws don't specifically say that, but Mark had brought it to his attention. Mark went through by-laws and it isn't explicit, but this is why we are having the discussion and with the history of employees of the roundtable, it is best that we change it. Mark stated that Abby Ortega is the only one he knows of that would be willing and effective. Jeris offered to Mark that he makes the appointment. Mike asked about whether to take it to the roundtable or not. Mark agreed to take it to the roundtable and ask for interest and that he would continue through the selection process if more people were to come forward.

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### **Environment & Recreation- Bob Hamel**

The Environment and Recreation committee met and the big thing that they are seeing is that they are moving towards incorporating the projects in Enviro-Rec and Chelsey is running with so that the committee can support her and will be more organized in that fashion. Chelsey, Rena, and Bob have talked about getting people together that have been stalled and re-energize the projects, and their leads, and figure out how to move forward. They are still dealing with fire restoration and updates and there is quite a bit of overlap between ARWC and enviro/rec. Mike informed that the next meeting is April 29, 2019, at the Canyon City BLM office and that there is no May meeting. Chelsey offered more information on how the enviro/rec can support Chelsey and the group. She doesn't want to do a report out every meeting; there needs to be a purpose. Chelsey needs support and to take a project that ARWC has and to use the committee to help with the projects, stakeholder meetings, grants, etc. Mark asked that the committee and Chelsey think on what that support looks like.

Bob inquired about the contract exchange change. There was a discussion with water providers and AG's office and then it was brought to enviro/rec that the VFMP would be jeopardized. Enviro/rec needs to be a part of the discussion and they need to know just how they are affected. Bob stated that there will be great impact on the entire outdoor industry. This concerns them and they need more information. Mark reiterated what the concern is and what the full ramifications are for the change for operations in the Ark basin for the contract exchanges. The concern that Bob is voicing is what does this mean for all of the flow programs? Is there potential for negative impacts on how parks and wildlife administers in-stream flows?

Sandy wondered who is saying this and why this might be in jeopardy. The Division II Engineer does not have the authority to approve contract exchanges. Mark commented that Peter Nichols expressed concern about Ark basin exchanges. There could be other stakeholders who may be injured or hurt by the exchanges. Sandy asked to have Mr. Tyner to come present to the roundtable. Mike mentioned that nothing will be done in 2019. The picture is the state doesn't have the authority to approve the contract exchanges because there is no policy for contract exchanges, the only authority for actual exchanges. Jack mirrored the comments by Mike and also added that they are looking to water users for help. They are committed to not implement or change anything during this water year. Sandy mentioned that paper exchanges are incredibly important. Mark state that it would be good to request Mr. Tyner or someone else to discuss ramifications of change to the practice. Jay Winner discussed the contract exchanges in regards to quality and that it won't hurt recreation. Jay and Sandy discussed the legislation and the "needs of the recipient" and water quality issues.

### **Watershed Health- Chelsey Nutter & Mark Shea**

Provide update at RT meeting.

### **ARKANSAS RIVER WATERSHED COLLABORATIVE MEETING**

No April meeting, the next meeting is May 6<sup>th</sup> at 10 am via conference call.

### **OLD BUSINESS/ NEW BUSINESS /ANNOUNCEMENTS- Mark Shea & Mike Weber**

Mark brought up that there have been some communication issues with Elise and that we need to set up a more structured schedule for communications and roles in the roundtable. He would like

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to get a breakdown for her role and a layout of duties so that we may define her role as an executive committee. Amber will work with Elise for the communications plan through PEPO.

Mike mentioned that the LAWMA application, which went for a CWP grant, will come to the roundtable later on and expressed that they did not go through the needs assessment process and that we will not be writing a letter of support for the project. Mike mentioned that he was contacted by Ben and Anna Mauss from CWCB for knowledge of the project when it arrived at CWCB. Richard Mahren asked to present information and Mike obliged so that the roundtable would be aware of the project. Mike mentioned that the application was given to Elise to send out and it came out Friday prior to the meeting. They do not want a letter of support, just to present for informational purposes for a water plan grant. Kirk, Anna, and Rachel will be in attendance to hear it.

### **NOTICES & MEETINGS**

- Env/Rec Committee Meeting – April 29, 2019 (Location: BLM office in Canyon City)
- ARWC, Monday, May 6<sup>th</sup>
- Basin Roundtable Summit – September 2019

### **ADJOURN**

There being no further business to come before the Committee, Chairman Shea adjourned the meeting at 12:16 pm.

Submitted by:  
Chelsey Nutter  
Amber Weber