



# Arkansas Basin Roundtable

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## ARKANSAS BASIN ROUNDTABLE MEETING NOTES

April 25, 2017 Hotel Elegante, Colorado Springs  
(See [www.arkansasbasin.com](http://www.arkansasbasin.com) for presentations)

### Roundtable Business

Sandy White called the meeting to order at 12:30 pm. Members and visitors introduced themselves. Twenty seven (27) members were present.

### Approval of Minutes of March

*A motion to approve the minutes of March 2017 was made, seconded, and passed unanimously.*

### Public Comment - none

### REPORTS

#### Executive Committee

- CWCB is organizing a Joint East Slope Roundtable meeting. June 14<sup>th</sup> tentative date, from 12 – 3 pm. The meeting will discuss the Colorado River Study, as well as other issues.
- We still need to hold our own meeting, and are proposing to meet a week earlier, on June 7<sup>th</sup>, location to be determined.
- The Ark Basin At-Large Recreation Rep, Drew Peternell, has resigned. He has nominated Bob Hamel as his replacement. Nominations will be taken during the next month, by emailing Sandy and Elise. An election will be held at our next meeting.
- ARWC Governance – The Watershed Health Collaborative has lost the opportunity to apply for many grants available only to non-profit organizations. The CWCB does not object, and the Executive Committee has agreed to ARWC forming as a non-profit, with the Exec Committee acting as the board of directors during formation. At the board's discretion, the board make-up may be changed after formation.

### IBCC – Terry Scanga

The IBCC met last week, and discussed the following:

- Colorado Risk Study. (more on this below) Terry recommends asking Eric Kuhn or another west slope rep to make a presentation to the roundtable. East slope roundtables are still welcome to participate on the technical committee.
- Ag Water Summit and ATM next steps.
- There is new legislation proposed for ATMS; HB16-1228. CWCB is creating criteria and guidelines, with contributions from the State Engineer's Office.
- HB1233 addresses the protection of water rights in a conservation program
- HB1219 extends the pilot lease-fallowing projects, increasing the number possible per basin and extending the end date.
- SWSI should be complete by the end of 2017. They are in the process of forming Technical Advisory Groups. SWSI will look more at a hydrologic gap than a supply/demand gap.
- **Projects Bill-CWCB (highlights)**
  - \$10,000,000 for the implementation of the Colorado Water Plan
    - \$2mil for BIP and multi-benefit projects



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- \$1mil for conservation, land use, drought planning
- \$3mil for storage, aquifers, dredging existing reservoirs
- \$1 mil for education, outreach
- \$1 mil for Ag technical assistance and project grants
- \$1 mil for watershed health, environment, recreation
- \$1 mil for SWSI update
- \$5,000,000 for watershed restoration program
- \$10,000,000 to supplement the Water Supply Reserve Fund
- \$1,000,000 for ATM Grant Program
- \$30,000,000 for Loan Guarantee Fund
- There was a presentation regarding possible funding solutions. There will be a \$2-3 Billion gap in funding of the State Water Plan. Summit Economics studied different funding possibilities, grouped by qualities including funding potential and political viability.
- Next meeting will be in August or September.

## Colorado Risk Study – Brett Gracely

- There is still a lot of concern statewide. In the end, they removed the term “risk study.”
- The study is moving forward as a West Slope roundtable project, funded with west slope basin funds.
- Resolution that went with funding included an explicit provision stating it is the work of the roundtables, not an official report or position of the state of Colorado.
- Brett agreed that it would be good to have a west slope representative come make a presentation.
- And it would be good to designate someone to be a representative from our RT.

Alan- the Colorado River Study was a hot discussion at the last CWCB meeting. The scope of work was modified. It now includes that CWCB staff will be involved in the study and looking at state-level issues. The application was approved unanimously after a lot of discussion. It allows us to move forward rather than backward with regard to relationships between west and east slope entities. The CWCB looks to each roundtable’s approval for basin funding. That principle was maintained. No statewide funds were dedicated to the project. Alan thought it was a good outcome.

## CWCB – Alan Hamel

- Alan is still the Arkansas Basin’s representative to CWCB. Three seats are open. The Governor has not yet made new appointments. He has been asked to attend the May meeting, but probably not the July meeting. There are five applicants from our basin.
- James Eklund, CWCB director, has resigned effective at the end of March. Lauren Risk is the interim director. Multiple applicants are being screened.
- Our two grants were approved in March.
- The May CWCB meeting will be held in Pagosa Springs.
- The Projects Bill has passed the House Ag Committee and is scheduled this week for a second reading and approval, before it goes to the governor’s office.

## Ben Wade

- SWSI process includes forming statewide Technical Advisory Groups. Arkansas RT members are involved, tentatively (and not complete) as follows:
  - Ag: Terry Scanga, Jack Goble



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- M&I
- Recreation/Environment: Drew Peternell (SeEtta Moss?)
- Planning Scenario: Jim Broderick
- Ben asked for BIP project successes. CWCB would like to broadcast our successes to the public.

## **Non-Consumptive Committee – SeEtta Moss**

- The committee met on March 10th.
- Grape Creek is a stream that flows into the Arkansas River. It has long had problems with low flows during irrigation season. They have been working with the ditch company to improve flows.
- The BLM is working with Kansas on new storage arrangements for John Martin Reservoir. Kansas has agreed for one year, pending Corp of Engineers approval
- Roundtable members were emailed the draft BLM Eastern Colorado Resource Cooperative Management Plan. May 5 deadline for comments.
- Talked about upcoming SWSI work. We used HUCs in order to prioritize non-consumptive values. Turned it over to GB for presentation.

## **Basin Implementation Plan – Gary Barber (see website for presentation)**

Gary gave a presentation on the History of Nonconsumptive Needs assessment and recommendations for the SWSI Update

- Our initial assessment was based on combining attributes and ranking them. The map was organized by Hydraulic Unit Codes (HUC).
- In SWSI 2010, our methodology was adopted by the Rio Grande Basin, but West Slope roundtables adopted a stream-reach methodology. SWSI now is asking for stream reach methodology, which doesn't work as well for our area.
- SWSI Update Phase 1 is methodology review and development.
- HUCS are useful for Muni and Ag as well: reservoirs, delivery infrastructure, forest health, watershed yield
- Gary recommends that we advise CWCB staff and the SWSI team that we would like to keep using the HUC attribute as our preferred methodology for updating Recreational and Environmental Needs in our basin.

*A motion was made for the Arkansas Basin Roundtable to recommend that CWCB staff and SWSI consultants use the HUC methodology for updating Arkansas Basin Recreational and Environmental Needs. The motion was seconded and approved unanimously.*

*A motion was made that we recommend SeEtta Moss as a representative to the SWSI Environmental TAG. The motion was seconded and approved unanimously.*

## **PEPO – Chelsey Nutter**

- Funding Series presentations continue
- Chelsey presented a draft brochure for the Voluntary Flow Mgmt Program – please get comments back to her so she can finalize the document.
- Upper Ark Multi-Use Project Tour – May 24<sup>th</sup>
- A new trailer for the documentary will be shown at the Forum, and was shown at the Wild and Scenic Film Festival in the Upper Arkansas Valley



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- \$26,000 in PEPO funding from CWCB was approved for year 2.
- Chelsey thanked the Forum for providing AV for the roundtable meeting.

## **Needs Assessment – Chelsey Nutter**

- Basin Fund balance = \$9,000
- Statewide Fund balance = \$35,000
- 88 projects have been funded in our basin. 67 have been completed.
- [www.arkansasbasin.com](http://www.arkansasbasin.com) : Go to our website for information on the application process.

## **ARWC: Watershed Health – Mark Shea, Carol Ekarius**

- A meeting will be held in Salida Tuesday, May 23<sup>rd</sup>, to discuss the next installment of Wildfire Decision Support System. They will be working on including local critical water infrastructure. During fire suppression efforts, federal folks in charge will know about critical infrastructure.
- A work program has been developed for post-fire work on the 2016 fires. Some work has already begun using funding from LAVWCD. Expecting Purchase Orders from CWCB for grant funding very soon.

## **PROGRAM**

### **Colorado Foundation for Water Education – Jayla Poppleton**

- CFWE is in its 15<sup>th</sup> year. It was established in 2002 by the state legislature, and is a membership-driven organization.
- Citizen's Guide Series now has 10 resource documents. Water Law, Water Quality, Interstate Compacts, Water Conservation, Climate Change, etc.
- Headwaters Magazine comes out three times per year, distributed to the membership and offered for sale. The fall issue will highlight Alternative Transfer Methods
- The Annual Basin tour will be in the Southwest Basin this year, exploring the San Miguel and Delores Watersheds. June 14 and 15. They also have a series of one-day tours.
- Climate workshop on June 1<sup>st</sup> at CU Boulder.
- Radio program, blog, guest bloggers are welcome.
- Leadership Program: Water Fluency for non-water professionals. 4-day session. Next year this will be in Pueblo. 35 people per class. Partner with CSU and their learning platform. The target elected officials and board members of water districts and ditch companies.
- Water Leaders for water professionals, 10 at a time.

### **Presentation: Lower Arkansas TMDL Development – Kenan Diker (see website for presentation)**

Colorado Department of Public Health and Environment, Water Quality Control Division, Restoration and Protection Unit

- Intro to TMDLs (Total Maximum Daily Load)
- Specific TMDL work in the area
- Next steps

A TMDL establishes the maximum amount of a pollutant allowed in a waterbody and serves as the starting point or planning tool for restoring water quality.

### **Presentation: Lower Arkansas Watershed Plan – Blake Osborn**

Watershed Planning

- 319 Watershed Plans



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- Lower Arkansas River Watershed Plan: John Martin to Stateline
- Watershed planning gathers stakeholders to:
  - Identify resource concern
  - Identify causes of concern
  - Identify data sources, gaps, and research needs
  - Identify projects or programs to address concerns
- Section 319: Non-Point Source Management Program
  - Managed by CDPHE
  - Focused on addressing 303(d) listed lakes and streams
  - Focused on improving water quality using a 9-element framework
- 9 Elements of a Watershed Plan
  - Focus on water quality, specifically non-point sources
  - Voluntary - are not regulatory
  - Provide a priority framework for BMP projects
- Why address Water Quality?
  - Irrigating farmers: yields, human health, potential regulations, long-term accumulation
  - Municipalities: human health, regulations, water treatment \$\$
  - Environmental interests: ecosystem integrity, wildlife habitat, ecosystem services
  - The State of Colorado: human health, ecosystems, agricultural economy, regulations, interstate compacts
- Lower Arkansas River Watershed Plan: John Martin to Stateline
  - Iterative Process
  - How can we improve stakeholder returns?
  - Should be usable, accountable, fundable
  - Here today to let you know we're doing this – will be having a lot of stakeholder meetings
  - Website: [www.LowerArkPlanJM.com](http://www.LowerArkPlanJM.com)
- Next Steps for the Lower Arkansas River Watershed Plan: John Martin to Stateline
  - Convene Stakeholders and gather input – 2017
  - Analyze water quality data – 2017/18
  - Develop actual watershed plan – 2017/2018
  - Distribute plan and provide outreach events – 2018
- Blake Osborn, [blake.osborn@colostate.edu](mailto:blake.osborn@colostate.edu), 719-545-1845

## **Funding Series: Water & Power Authority Watershed Planning Grants & 319 Non-Point Source Grants – Kenan**

### **Diker**

- Colorado NPS Program was established in 1988: [npscolorado.com](http://npscolorado.com)
- Following the enactment of the 1987 Clean Water Act (CWA) amendments
  - Created Section 319, Nonpoint source management program

### Objectives

- Restore waterbodies not meeting water quality standards by addressing nonpoint source water quality impact (303d list)
- Protect existing water quality from future nonpoint source pollution
- Voluntary program

### Nonpoint Sources



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- Nonpoint source pollution generally results from land runoff, precipitation, atmospheric deposition, drainage, seepage and hydrologic modification
  - Excess fertilizer, herbicides and insecticides
  - Oil and toxic chemicals
  - Sediment
  - Salt

Funding Sources (both competitive processes)

US EPA

- Watershed-based management plans
- Implementation projects for watersheds with impaired waters and WBMP

CWR PDA

- Watershed-based management plans (doesn't need to meet 9 points)
- Implementation projects (not as limited as above)

Arkansas Basin Projects

- Lower Arkansas watershed-based management plan (Blake)
- Modeling of selenium loading (CSU)
- Uranium monitoring and assessment Project (Mines)
- Subsurface drainage and its relationship to selenium loading (Otero)
- Grape creek watershed monitoring (NRCS)
- Impact of irrigation method change on the selenium and nutrient loading (Lower Ark Project) (CDA)

Lower Ark Project Description

- Suggest BMPs
  - Reduce volume of water applied
  - Sealing of earthen canals
  - Reduce fertilizer loading
  - Fallowing of land
  - Enhance riparian buffer
- Project
  - Working with LAVWCD on over 2000 acres of producer's land
  - Collect water quality and quantity samples at 16 locations
    - To establish baseline data
    - Assess the magnitude of the problem, if any
  - Implement BMP
  - Assess the change in pollution concentration at farm/watershed level
    - Will lead to better understanding of the issues
    - Will allow development/refining of solutions
    - May allow us to extrapolate the solution over the state

## Eastern Colorado Resource Management Plan: Wild and Scenic Rivers – Preliminary Alternatives – John Smeins

**What is a Resource Management Plan?**

- Is the primary tool guiding BLM management activities in support of the dual mandate of multiple use and sustained yield.
- Establishes goals and objectives for resource management and the measures needed to achieve them
- Identifies lands that are open and available for certain uses, including any restrictions, and lands that are closed to certain uses.



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- Provides comprehensive management direction for and/or allocates use of all resources.

## Eastern Colorado Planning Area

- 658,200 acres of BLM surface
- Covers 38 counties

### Step 1: Eligibility and Tentative Classification

To be eligible, a stream must meet the following criteria:

1. Generally free flowing and no major impoundments in the segment (can be below dams and have altered hydrology)
2. Have at least one “Outstandingly Remarkable Value”

### Step 2: Suitability

- Would this stream be a worthy addition to the National Wild & Scenic Rivers System?
- What land use prescriptions on federal lands are needed to maintain/protect the ORVs?
- Until Congress acts upon a stream, suitability remains primarily a land use decision on federal lands.

### BLM Perspective

- BLM understands that there could be conflicts between water projects and designation of a stream into the national system.
- There is huge difference between “suitable” and designation.
- Given concerns about “suitable” determinations or designation, BLM is very open to stakeholder input and alternatives.
- An “eligible” or “suitable” determination does not necessarily eliminate multiple uses from a stream corridor; new uses can fit in with good planning/design.
- BLM has seen no evidence that an “eligible” or “suitable” determination with a “recreational” or “scenic” classification prevents new water development.

### Next Steps

- Gather public input on Preliminary Suitability Report and Preliminary Alternatives.
- Publish Draft Suitability Report as part of Draft Land Use Plan. Plan includes W&SR alternatives and analysis of W&SR impacts.
- Review public comment on W&SR alternatives and suitability report.
- Publish Proposed Plan and Final Suitability Report.

(see website for full presentation and timeline)

### Funding Series: CWCB Wild & Scenic Stakeholder Process – Suzanne Sellers

New/Expanded Water Projects

Bureau of Land Management (BLM) Approval

- On/adjacent to BLM Land
- Birdseye Gulch Reservoir
- Box Creek Reservoir
- Otero Pump Station?

Federal Nexus (404 permit, Fed \$\$)

- Many Basin Implementation Plan projects

### The State of Colorado Recommends...Stakeholder Groups

CWCB's Wild & Scenic Rivers Act Alternatives Fund

- Support collaborative processes aimed at:
  - Protecting ORVs
  - Protecting Colorado's ability to use its compact & decree entitlements



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- Finding alternatives to wild and scenic river designation
- \$400,000, annually
- Statute and Terms & Conditions for these funds:  
<http://cwcb.state.co.us/environment/Pages/WildScenic.aspx>

## Fund Terms and Conditions Highlights

- Must identify sponsor (prefer governmental/quasi-governmental entity)
- 20 percent (or greater) funding match
- ORVs or potential ORVs are protected
- Enable full use of compact & decree entitlements
- Number & types of entities represented is important -
  - Traditional consumptive water interests
  - Non-consumptive water interests
  - Other interests

## Other Tools for Protection of ORVs

Source: BLM, December, 2010

- Endangered Species Act
- National Historic Preservation Act
- Paleontologic Resources Preservation Act
- Native American Graves Protection and Repatriation Act
- Areas of Critical Environmental Concern (ACEC)
- Special Recreation Management Areas
- Stipulations on fluid and mineral development
- Closure to specific uses, such as right-of-ways, forestry harvest, and grazing
- Visual Resource Management Classification (VRM)
- BLM Sensitive Species List
- Wilderness designation
- National Conservation Areas (NCA)
- State Instream Flow (ISFs) water rights
- Local land use zoning and ordinances
- Conservation easements

## Wild & Scenic River Stakeholder Groups - using CWCB funds

- Southwest Colorado River Protection Workgroup (RPW), 2006 to present
- Upper Colorado River Wild & Scenic Stakeholder Group, 2007 to present
- Lower Dolores Plan Working Group of the Dolores River Dialogue, 2008 to present
- Lower Colorado River Wild & Scenic Stakeholder Collaborative, completed 2010
- Gunnison Basin Wild & Scenic Rivers Stakeholder Group, completed 2011

The remainder of the presentation described specific examples of existing Stakeholder Groups and their stories.

Alan – commented that CWCB will be commenting on the Resource Management Plan.

## Old Business

## New Business

It looks like there will be a joint East Slope roundtable meeting in June. Stay tuned for more info regarding date and location, as well as a possible date change for the Arkansas Basin RT meeting.





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## NEXT STEPS/LINKS

- Next Meeting – March , 12:30 pm, Pueblo Community College, Ballroom
- Arkansas Basin Roundtable: [www.arkansasbasin.com](http://www.arkansasbasin.com)
- PEPO: [www.pepoarkbasin.com](http://www.pepoarkbasin.com)
- Arkansas River Basin Water Forum: <http://www.arbwf.org/>
- CWCB: <http://cwcb.state.co.us/Pages/CWCBHome.aspx>
- Colorado Water Plan: <http://coloradowaterplan.com/>