



# Arkansas Basin Roundtable

PLANNING OUR WATER FUTURE

## ARKANSAS BASIN ROUNDTABLE MEETING SUMMARY MINUTES AND RECORD OF DECISIONS

April 13, 2022

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

More information and presentations may be found at: [www.arkansasbasin.com](http://www.arkansasbasin.com)

### **Voting Members In Attendance: 27**

Tim Canterbury	Seth Clayton	Mannie Colon	Jeris Danielson
Jeffrey DeHerrera	Paul Fanning	Greg Felt	Mike Fink
Jack Goble	Gracy Goodwin	Tom Grasmick	Bob Hamel
Matt Heimerich	Steve Kastner	Scott King	Dwayne McFall
Amy Mitchell	Sarah Mudge	Abby Ortega	Kent Ricken
Terry Scanga	Tom Seaba	Amber Shanklin	Mark Shea
Greg Teter	Tom Verquer	Sandy White	

### **Non-Voting Members:**

Rick Kienitz

### **Roundtable Business - none**

### **Approval of Agenda**

The April agenda has been circulated for review. *Agenda was approved by consensus.*

### **Approval of Prior Meeting Notes**

The March meeting notes have been circulated for review. *Meeting notes were approved by consensus.*

### **Public Comment – none**

### **REPORTS:**

#### **Executive Committee – Mark Shea**

The main discussion at the executive committee surrounded the Colorado River Basin, conversations with the Department of Interior and states within the basin, and proposed releases from Lake Powell.

#### **CWCB Report – Sam Stein, Russ Sands, Greg Felt – [engagecwcb.org](http://engagecwcb.org)**

The Colorado Water Plan will be available for the 90-day public comment period on June 30<sup>th</sup>.

Reporting access for the Municipal Water Use and Conservation Database (The HB1051 Database) will be delayed until June 1<sup>st</sup>, so the reporting deadline will be extended until September 1<sup>st</sup>.

Next submittal date for The Public Education Public Outreach Grant is June 1. For Water Supply Reserve Fund is June 1, to be heard in September. The Colorado Water Plan grant, July 1, to be heard in September.

June 30 is the next IBCC meeting.

Colorado Water Conservation Board meeting took place March 15 & 16. The drought or water resiliency toolkit was discussed.

The next CWCB meeting will be May 17 & 18 in Breckenridge.



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The July meeting plan is to celebrate the roundtables with roundtable members and IBCC in attendance. This is after the Colorado Water Plan is released so will be a good meeting to attend. The meeting will be in Steamboat, date TBD.

Greg: There is a refocusing within CWCB on resiliency for drought.

Directors received new info yesterday from Becky Mitchell. The Secretary of the Interior's office is stepping in to the annual discussions and negotiations that are driven by Bureau of Reclamation in conjunction with the basin states. There had been reductions in the amount of water delivered to the lower basin proposed. The Assistant Secretary of the Interior sent out a letter proposing to reduce outflows to 7,000,000 acre feet, a 480,000 reduction.

It speaks most directly to the situation in Lake Powell, addressing the need to avoid the lake level dropping below the power pool. Conversations centered on hydrology and deliveries and the differences in how upper and lower basins view their water supply. In CWCB the concern is shifting from deliveries and demand management to building resiliency in the State of Colorado.

Greg will ask about funding from The Bureau of Reclamation's Water Smart Grant and Drought Resiliency Grant, and whether that funding will be affected by this shift.

There is interest in improvements that will take care of Colorado in the future, rather than just appease the Lower Basin.

Mark asked for examples of what this re-focus may look like. Greg used the example of the drought resiliency toolkit that is being developed and shining light on existing solutions across the basins to cross-pollinate ideas.

Mark suggested increased efficiency with measuring.

Greg pointed out some turnover within the CWCB board. Jessica Brody finished her term as chair. Jackie Brown is the new chair from the Yampa basin.

There is an opportunity to look at how our systems are structured and influence big-picture thinking. This begins with recognizing what has not been going well. The lower basin has used deficit spending on the volume of water in Powell and Mead, whereas the upper basin states has been conserving and curtailing water rights due to the prior appropriation system. Finding a way to catalog the deprivation that Colorado has been through will strengthen the statewide case.

## **IBCC- Jeris Danielson**

The IBCC met February 23<sup>rd</sup>. At that meeting a sub-committee was appointed to review the direction IBCC is going in and work on new projects.

There is an effort to evaluate proposed transmountain diversions, applying the conceptual framework. Mark pointed out that a lot of the conversation around transmountain diversions centers on new projects, but the conceptual framework could be applied to existing projects.

There are new communications efforts, involving local entities, non IBCC speakers and improving intra-state communications.

Issues like wildfire mitigation and watershed health were brought up as great subjects to be shared between basins.

Mark brought up the importance of implementing consistency in measurement and administration of water rights across the state.

## **Needs Assessment Committee – Abby Ortega**

May 5 is the next meeting at 1:30 pm. The meeting will be virtual. Grant applications are due April 27<sup>th</sup>.

A total of \$584,000 is available in Water Supply Reserve Funds.



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There is \$427,000 available in the native balance, and \$167,500 available in stimulus fund that must be allocated by May 2023.

There is no longer a statewide WSRF fund, that went into refilling the basin accounts each year.

Mark asked about how the roundtables participate in the administration of the Colorado Water Plan Grant program. CWCB is waiting for approval of the regional coordinators that would help push applications forward and take pressure off WSRF.

## **Ag/Muni Committee – Matt Heimerich**

The committee had their last meeting before farming season begins. Several ditch representatives have participated in the group including the Arkansas Valley Ditch Association (AVDA), Arkansas Groundwater and Reservoir Association (AGRA), Pueblo Water, and more. Storage issues were discussed, including how to use it better, account for it, and expand it. There was a strategic change in thinking from a short-term future vision to a longer-term vision and financing. There was interest in looking at stream restoration and the eradication of phreatophytes. A group was formed to examine environmentally sound approaches to stream improvements. As irrigators, we understand what we need to do to grow the crop. The question now is the evaluation of HOW we do that, how to have better leverage and control. Some tasks have been assigned to committee groups, and they will reconvene in the fall.

Matt will connect with Jonathan, who may be able to assist with funding the exploration of native and non-native phreatophytes.

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

The Zephyr Mine, in the Grape Creek Drainage, have withdrawn their application for the next couple of years. There have been monthly Voluntary Flow Management Plan meetings. The Bureau projected import waters at 42,000 acre-feet, less than the average 56,000, but more than the 36,000 from last year. The next VFMP meeting is May 3rd.

The Water Forum will be April 28-29<sup>th</sup> in Salida. Paul Fanning encouraged attendance to learn and talk about Colorado River impacts.

Rena is looking for grants to help fund the removal of the Salida Low Head Dam near Mt. Shavano Fish Hatchery. Total cost is \$2 million. \$800,000 has been received. Looking for \$1.2 million. Rena has applied for congressional directed funding, a GOCO grant for \$25k, and will apply for a Colorado Water Plan Grant. The Goal is to remove the dam by 2023.

## **ARWC – Jonathan Paklaian**

Met with natural resources damages trustees regarding our proposal in Lake County, and were awarded nearly \$4,000,000 in funding for a 5-year project that includes wildfire mitigation fuels reduction, mines and habitat, and culvert removal.

Lead Forester Andy is working on a housing development that will be doing some fuels work.

Lake County fuels mitigation projects are also happening, and they may begin to look at some lower Ark Basin work.

ARWC is growing and may hire new people for fuels work, and outreach.

Mark spoke about the need to fund ARWC, and the need for sustaining members from across the basin. It would be great to grow the funding base, in order to help ARWC be sustainable.



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## **PEPOW – Alli Schuch, Paul Fanning (meets on the 3<sup>rd</sup> Wednesday each month, at 1:30 pm)**

The new PEPO funding regimen is coming from the state, but the PEPO application portal is not yet ready.

PEPO is developing a one-page document that describes the roundtable. They are also coming up with a method for folks that are doing events to request assistance from PEPO. Will be requesting a letter of support from the roundtable for a grant.

Alli noted a lot of events are happening for Earth Month. The Water 2022 page has listings. Fountain Creek Watershed District is hosting April 30<sup>th</sup> cleanups, and would love to see more cleanups across the basin. Alli has bags and gloves and can bring them to the forum. Let her know if you want to host a clean-up.

The network met with Water Education Colorado, and Water 2022.

PEPO is working on ideas to get high school and college kids informed and recruited for water jobs, and looking into video production. Canon City is having water events where the Live Like You Love It materials will be handed out. If you're doing an event and would like resources, please let Alli know.

## **BREAK**

## **PROGRAM**

### **Colorado Water Trust – Tony LaGreca, Project Manager (01:44:20)**

Steve Kastner introduced Tony LaGreca, project manager for Colorado Water Trust, and working out of Buena Vista. CWT is a non-profit organization that works statewide to restore flows to Colorado rivers in need.

It was formed in 2001 to partner with Colorado's Instream Flow Program and amplify its work.

CWT works with water users to put together voluntary transactions to benefit the environment.

Transactions are flexible and tailored for each water right and each water system.

They work within the prior appropriations system and compensate water rights owners at fair market value.

They have successfully completed 28 projects, adding over 42,000 acre-feet of water to over 588 miles of natural stream in Colorado.

Request for Water-2022 is our way of doing outreach.

- Timeline for application

What we look for in a water right:

- Have to be a decent size
  - Decreed diversion rate >0.5 cfs
  -
- Good history of use
- Willing and able to dry-up associated acreage during ISF use
- Cannot accept
  - Conditional
  - Groundwater
  - Springs
  - Abandonment list

Evaluation Process

- Look at the stream – is there a need in the river
- Evaluate hydrology to determine if it is "in need" in 1) time or 2) place
- Figure out the best tool



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- If the water right at issue can help the stream in time/place, figure out if there is a legal tool that will work.
- 5/10 temporary loans and water conservation programs
- Reservoir releases
- In-streamflow augmentation plan

## Process: Transaction & Project Development

- Confidential review to start
- Staff works with the water right owner and CWCB staff to complete approval process for ISF use
- Fair market value determined
- Lease or contract negotiated and executed between water right owner and CWCB
- Fundraising
- Engineering, if needed, paid by Colorado Water Trust

## Benefits to Water Rights Owners

- Compensation
- Accounting safeguards against abandonment or reduction in HCU
- Water sharing opportunities (e.g. split-season use)
- Flexible and voluntary
- Enhance streamflow in your local stream

<https://coloradowatertrust.org/request-for-water>

Tony LaGreca, (720) 570-2897

There has never been a project in the Arkansas Basin, but CWT is working on some possibilities. CWCB holds the water right during IFS term, or lease. CWCB is the only entity that can use it for instream flow.

The meeting was adjourned at 2:55 pm.

**Admin Email: ARKBASINRT@GMAIL.COM**

## MEETINGS/LINKS:

- Arkansas Basin Roundtable, May 11, 12:30 pm [www.arkansasbasin.com](http://www.arkansasbasin.com)
- Needs Assessment: May 5, 1:30 pm, virtual
- PEPOW: April 20, 1:30 pm (3<sup>rd</sup> Wednesday monthly) [www.pepoarkbasin.com](http://www.pepoarkbasin.com)
- Enviro/Rec: April 25, 10:00 am
- Ag/Muni: TBD
- CWCB: May 18-19 <http://cwcb.state.co.us/Pages/CWCBHome.aspx>
- PEPO Statewide:
- Arkansas River Basin Water Forum: April 27-28, Salida <http://www.arbwf.org/>
- Colorado Water Plan: <http://coloradowaterplan.com/>
- Colorado Flood Threat Bulletin: [www.coloradofloodthreat.com](http://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/>



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## ARKANSAS BASIN ROUNDTABLE EXECUTIVE COMMITTEE MEETING NOTES COMBINED ZOOM & Pueblo Community Center Wednesday April 13, 2022

### Executive Committee/Guests Present:

Mark Shea – Chair	Gracy Goodwin
Al Tucker – Rec - Excused	Russ Sands - CWCB
Paul Fanning – Leg Rep, PEPO	Jeris Danielson - IBCC
Sandy White – Past Chair	Terry Scanga - UAWCD
Bob Hamel – Vch Env/Rec	Jonathan Paklaian – ARWC Director
Steve Kastner – Vch Cons.	Greg Felt – CWCB
Tim Canterbury	Sam Stein - CWCB
Amy Ostdiek - State Engineer	Matt Heimrich
Avid Ahmed - Aurora Water	

### Greetings and necessary introductions:

Mark called the meeting to order @ 10:30 noting a quorum present.

### Minutes/Notes of Previous meeting:

Mark called for comments or corrections to the March 9, 2022 Executive Committee Minutes hearing none minutes approved by consensus.

### Reoccurring matters:

- **Chair Comments –**
  - Mark asked if Greg Felt or Sam Stein, CWCB reps had any comments regarding a letter to the State of Colorado from the Bureau of Reclamation concerning operations on the Colorado River that may generate some challenges involving interstate water concerns.
- **Outstanding Reports – Executive Committee Members**
  - Greg briefed the Executive Committee about hearing from Becky Mitchell earlier regarding a letter from the Assistant Secretary of Interior Tanya Trujillo, Water & Science, to the seven Basin states holding the Interstate Compacts and the concerns with Lake Powell water levels resulting from the latest droughts. The letter described a proposed reduction in water to be released from the Reservoir. A reduction of 480K acre ft of water. [Link to Reclamation Letter on Lake Powell - https://www.congress.gov/event/117th-congress/house-event/LC67937/text?s=1&r=32](https://www.congress.gov/event/117th-congress/house-event/LC67937/text?s=1&r=32)
    - Sam added a resource contact from UCRC directory for those wishing more detailed information.



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- **Outstanding Reports con't**
  - **Letter from Secretary on Lake Powell**
    - Terry Scanga inquired if the letter from the Bureau gave any explanation of why they're changing policy. Greg replied he didn't see any explanation for this proposed change but felt it didn't alter the
    - Compacts all that much. But an interesting point is the .48 acre feet reduction stays within the Demand Management criteria. Terry's concern regarding over allocations with the lower Compact states. This letter didn't address any of these issues.
    - Sam stated this letter appeared to concern dam levels and hydroelectric production as to a safety issue.
    - Mark asked if this may have an effect of our ten year obligations to meeting the demands.
    - Amy Ostdick added the Sec of Interior is focused on the levels of Lake Powell getting below 3490 and resulting damage this could cause to the hydroelectric power apparatus. This is a lower level than the original 3525 elevation that was earlier felt as critical.
    - Jeris asked if this reduction of 6.5% (480,000 acre ft) will affect our agreements with Mexico. Amy responded that our obligation with Mexico comes from surplus water and probably will not impact our agreements with them. Sandy wanted clarification on the Compact's emphasis of consumptive reduction vs delivery demands. The Compact's intention is still being scrutinized as to the effects to the downstate.
    - Jeris inquired if this will reduce water to the Native American tribes as they are the senior water rights holders if this reduction is going to be equal across all users or through the priority system. Amy responded that it will most likely affect the lower basin states in the Tier 2 category which may affect some tribal holders.
    - Amy clarified the difference between Demand Management and the letter from Secretary Trujillo. Where Demand Management is the volunteering of holding back water from the upper basin states to assist in the water levels of Lake Powell vs the Secretary's letter to hold water back in Lake Powell from being released. 110:45

## Adjourn

### **Upcoming Meetings:**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Arkansas Basing Roundtable – 5/11/22           <ul style="list-style-type: none"> <li>○ Executive Committee – 10:30 AM</li> <li>○ Roundtable – 12:30 PM</li> </ul> </li> <li>• Arkansas River Basin Water Forum –</li> <li>• IBCC – October 2022</li> </ul> | <ul style="list-style-type: none"> <li>• Committees –           <ul style="list-style-type: none"> <li>○ PEPOW –</li> <li>○ Enviro/Rec Comm. –</li> <li>○ Ag/Municipal Comm. –</li> </ul> </li> <li>• CWCB – May 17, 2022</li> <li>• ARWC –</li> </ul> |
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