



Arkansas Basin Roundtable

PLANNING OUR WATER FUTURE

ARKANSAS BASIN ROUNDTABLE MEETING SUMMARY MINUTES AND RECORD OF DECISIONS

August 10, 2022

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

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

Voting Members In Attendance: 24

Jeris Danielson	Jeffrey DeHerrera	Greg Felt	Shiloh Freed
Jack Goble	Gracy Goodwin	Bob Hamel	Matt Heimerich
Steve Kastner	Rick Kidd	Scott King	Dwayne McFall
Amy Mitchell	Sarah Mudge	Abby Ortega	Kent Ricken
Terry Scanga	Tom Seaba	Amber Shanklin	Mark Shea
Greg Teter	Al Tucker	Tom Verquer	Sandy White

Non-Voting Members:

Approval of Agenda

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

Approval of Prior Meeting Notes

The July meeting notes have been circulated for review. *Meeting notes were approved by consensus after correcting attendance record.*

Public Comment – none

REPORTS:

Executive Committee – Mark Shea

Elise Bergsten resigned her position as administrative assistant to the roundtable after 15 years. Mark and others recognized me with kind words, flowers, and a plaque. Thank you for allowing me to be of service to the roundtable all these years. Your recognition meant so much to me. Thank you for taking on the hard work of planning for and ensuring our water future.

During transition, Al Tucker will take notes for both meetings and Mark Shea will send out emails to the roundtable as needed.

Mark mentioned changes at CWCB in the grant process, funds available, and new tools available, such as the project database. The Executive Committee also discussed the Colorado River issue.

CWCB Report – Jeff Rodriguez, Russ Sands, Greg Felt – engagecwcb.org

- The application period closed last night for the regional coordinator positions. The Arkansas Basin will have its own dedicated regional coordinator.
- The Colorado Water Plan is still available for public comment through September 30th.
- There are three more virtual listening sessions with distinct topics, each from 4:00 – 6:00 pm

Tonight	Resilient Planning
September 1	Vibrant Communities
September 28	Robust Agriculture



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- There is some recorder turnover across the basins, not just the Arkansas Basin. CWCB sees this as a good opportunity to get face time with the chairs and recorders to go over BRT protocols, so that there is consistency between them. Meeting Owls will be provided for each roundtable, which will improve the hybrid meeting space.
- The updated project database is live. Contact Sam Stein with any questions.
- The Grants and Loans portal is also live. The contact for that is Ben Wade.
- There is a new WSRF grant deadline of October 1st to CWCB (after roundtable approval process).
- The 1051 Municipal Water Use & Conservation Database is also live. The contact for that is Sam Stein. The deadline has been postponed until September 1.
- We have a new contact for roundtable invoices – Vivian Pinelli. Reminded everyone of 30-day notice for event planning.
- The CWCB approved a \$17 million infusion into the WSRF fund in July. Those funds will be used to bring each roundtable's basin account up to \$1 million and provide a revised statewide matching fund that is designed to support key issues like aging infrastructure and drought resilience. We are currently working on criteria and guidelines for those funds, slated to go in front of the board in September. Excited to bring back the statewide match.

Greg: Regarding the Colorado River situation, August 16 is the deadline for the basin states to propose measures to reduce consumption. Colorado, as leader of the upper basin states, has taken a firm stand, stating don't look at us. We're doing all we can.

Greg will go down to the Lower Arkansas valley next month and meet with two different groups. He'll attend Lower's board meeting with Nora Flynn, who will be talking about the Water Plan. Also will meet with Matt and some agricultural stakeholders.

Greg will be attending Water Congress. On Tuesday morning, there will be a whole session on forest health and wildfire mitigation.

The federal funding bill Inflation Reduction Act will bring federal funds to water projects, drought resiliency, etc. Greg Felt contact info: Greg Felt gfelt@chaffeeconomy.org 719-530-1118

IBCC- Jeris Danielson

The IBCC met June 30th. Scheduled to meet again in October.

Ag/Muni Committee – Matt Heimerich

Matt reiterated what Greg reported, that he would be visiting LAVWCD and meeting with ag interests on August 17th at 12:30 pm. Their issue is the Fry-Ark transmountain diversion and how that might be affected by the developing Colorado River situation. Matt is working with Dan Tucker to try to put together a grant project.

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

The committee didn't meet in July. Bob gave an update on the Voluntary Flow Management Program (VFMP). Looks like we're going to make it on the 10,000 pretty much until the end. Will drop down into the 400s after releases have finished.

CPW has withdrawn the grant app for the Salida Lowhead Dam in order to secure matching funds from CPW. At the end of August, Rena will be submitting a new application to the US Fish and Wildlife Service, for fish passage dollars.



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ARWC – Jonathan Paklaian

- Last week ARWC staff met in Lake County, touring project sites
- Had some great meetings with DRMS, Division of Reclamation, Mining and Safety
- Our newest partner is Central Colorado Conservancy, and they are working with us on some projects.
- Will have a board meeting early next month and are looking forward to building capacity.
- Have applied for an America the Beautiful grant, through Fish and Wildlife Foundation.
- SWIFT crews have just begun work in Lake County.
- Hosted a slash site in the Wet Mountains, the second of three.

PEPOW – Jonathan Paklaian, Maria Brandt (meets on the 3rd Wednesday each month, at 1:30 pm)

- We are still working on transition of the current PEPO contract. Maria is the outreach coordinator for COCO and is helping with PEPO tasks.
- Board meetings are scheduled to be bi-monthly.
- There is an Arkansas Basin mini-tour happening next month on August 26th, hosted by WECO, and will be in the Upper Arkansas Valley.
- Steep Slope Project – members talked about next steps.

Needs Assessment Committee – Abby Ortega

WSRF grant applications next deadline to Abby is October 15, in order to be approved at the November roundtable meeting. Abby has access to the grant portal training.

BREAK

NOMINATION – At-Large Seat – Mark Shea

Mark originally became a roundtable member after a lengthy workgroup process that led to the formation of the Arkansas River Watershed Collaborative, and the creation of the Watershed Health seat. Mark was selected to fill that seat. Other roundtables decided to follow our lead, which brought the conversation to the CWCB level. Staff talked that through with the attorney general's office and determined that the roundtables did not have authority to create this seat. The roundtable can, however, designate one of the at-large water rights owner seats as the watershed health seat. We have an at-large seat currently open.

Abby Ortega nominated Mark Shea to the At-Large Water Rights Owner vacant seat. Matt Heimerich seconded the motion. Roundtable members were in consensus with this appointment.

PROGRAM

John Martin Reservoir Water Storage Account – Jack Goble, Lower Arkansas Valley Water Conservancy District

Back in July, a new storage account for John Martin Reservoir was approved by ARCA (Arkansas River Compact Administration).

John Martin Reservoir Multi-Purpose Account

- Pilot Project authorized by ARCA on July 1st.
- Resolution establishes a 20,000 AF storage account through March 31, 2028.
- Operating Plan will automatically renew annually unless suspended by either state.
- Four sources were approved for 2022:



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- Catlin Augmentation Association (via Catlin Canal)
- Super Ditch, Security & Fountain lease-fallow project (via Catlin Canal)
- Super Ditch & Colorado Springs lease fallow (via Catlin Canal)
- CS LAWMA shares (via Fort Lyon Canal transfer)

These sources are “clean”, very measurable.

- Opportunity to add additional participants and sources annually with both State Engineers’ approval.
- If the account is suspended or terminated, participants have 1 year to move water out of the account
- 12.5% water storage charge to Kansas. There isn’t a long-term cost to store water in this reservoir.
- Water in this MPA account will spill first, prior to all other water in JMR

How we got here:

- 2014 – CWPDA & others interested in pursuing a new JMR account.
- 2015 – CWCB asked the LAVWCD to lead an effort to pursue a new storage account in JMR for Colorado water users
- 2016 – CWCB approved a 50k grant for Phase I of the study
- 2017 – interested participants held several meetings
 - Participants provided desired sources and storage volumes
 - Initial proposal developed and presented to KS
- Participants – 11 Colorado water user groups identified an interest:
 - 4 Well Augmentation Groups
 - 3 Municipalities
 - 3 Water Conservancy Districts
 - 1 Energy Company
- 2018 – CWCB approved a 25k grant for Phase II of the study with matching funds from LAVWCD
 - Kansas expressed concern about river water quality and that they may consider allowing storage of sources that would facilitate improved water quality
 - Participants provided estimates on expected operations
 - Inflows/outflows per month for each source
 - How they will occur (direct or by exchange)
 - Uses of water (Rule 10, Rule 14, lease/fallow, M&I, etc)
 - CO & KS developed a model to determine how the new account would affect evaporation and frequency of spills.
- 2019-2020 – Kansas wanted to focus on the new Permanent Pool agreement, so discussions were delayed
- CWCB approved a \$38,500 grant to pay for half of Phase III, LAVWCD covered the other half.
- Phase III scope of work was developed with Kansas and focused on providing additional info that they requested.
- 21-22: Negotiations resumed with meetings every two weeks

Kansas’ Concerns & Colorado’s Response

- More Colorado storage in JMR = water lost for Kansas
 - Without this new account, many of the water sources would end up as native water diverted by CO water users and not KS
 - Off-river private storage vessels are being and will be developed.
- Water quality concerns
 - CSU’s and other’s research has shown certain irrigation improvements (sprinklers, pond/ditch linings, etc) and lease-fallowing improve water quality. Both need storage to be feasible on a large scale.



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- Additional storage would lessen need for recharge ponds to maintain return flows.
- Kansas storage charge water could be used for winter river releases
- Other long-standing issues (JMR spill issues, winter return flows, etc.)
 - Both states have committed to work to resolve these issues.

Colorado & Kansas Water Quality Summit

- Showed Colorado water quality measures that have been made.
- Monitoring surface water and groundwater quality before and after

Benefits to Kansas

- Reduced chance of un-replaced depletions and return flows
- Less evap from Kansas' and other CO users' water in JMR
- 12.5% storage charge water
- Anticipated water quality benefits generated from:
 - Increased implementation of irrigation BMPs
 - Increased efficiency of lease-fallow projects
 - Less need for recharge ponds
 - Reduced selenium load

Benefits to Colorado

- Added storage for agriculture, municipal, and industrial water users without any new construction or construction costs
- More water for recreation and wildlife habitat
- More efficient use of water
- Reduced risk to water users interested in large projects needing storage (canal linings, pond linings, lease-fallowing)
- Reduced chance of un-replaced depletions and return flows
- Less evap for other Colorado water stored in JMR
- Anticipated water quality benefits

Jack answered questions. Kansas will store their 12.5% storage charge in JMR.

No trans-mountain water in this account. We can't knowingly let any trans-mountain water end up in Kansas.

There is a long-standing dispute about what happens to water that spills. This is one of the unresolved issues that we will continue to work on.

There is less friction between the two states now than in the past.

Abby thanked Jack and Bill Tyner.

The operating plan is an annual thing, so nothing is set in stone.

The meeting was adjourned at 2:45 pm.

MEETINGS/LINKS:

- **Admin Email: ARKBASINRT@GMAIL.COM**
- Arkansas Basin Roundtable, September 14, 12:30 pm www.arkansasbasin.com
- Needs Assessment:
- PEPOW: 3rd Wednesday monthly, 1:30 pm www.pepoarkbasin.com
- Enviro/Rec: August 29, 10:00 am, virtual
- Ag/Muni: November 2022
- CWCB: September 20-21, Durango <http://cwcb.state.co.us/Pages/CWCBHome.aspx>



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- PEPO Statewide: TBD
- IBCC: October TBD
- Arkansas River Basin Water Forum: April 2023, Colorado Springs <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://cwc.colorado.gov/instream-flow-rules-revisions-hb-20-1157>
- DARCA - <https://www.darca.org/>



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ROUNDTABLE EXECUTIVE COMMITTEE MEETING NOTES

Wednesday 10, 2022 10:30 am
Pueblo Community College
900 W Orman Ave, Pueblo, CO 81004

Executive Committee/ Guests Present

Mark Shea – Chair

Bob Hamel – Vice Chair Env/Rec

Jeris Danielson – IBCC

Al Tucker – Recorder

Sandy White – Past Chair

Jeff Rodriguis – CWCB

Greg Felt - CWCB

Gracy Goodwin – Upper Ark

Kat Weismiller – CWCB

Sara Mudge - ARWC

Terry Scanga – IBCC

Steve Kastner – Vice Chair Cons

Jonathan Palkaian - ARWC

• **Greetings and Introductions;**

- Mark called the meeting to order at 10:45 am following introductions and a Quorum present.

• **Minutes/Notes of Previous Meeting;**

- Mark asked for approval of the meeting’s agenda. Hearing none agenda approved. Minutes approved by consensus after hearing no corrections or comments.

• **Reoccurring Matters:**

- Chair Comments - Mark Shea discussed the need for some of us to temporarily step up and share some of the duties that have been performed by Elise Bergsten due to her letter of resignation.
- Outstanding Reports – Executive Committee Members - Mark called on Greg Felt to report on the deadline coming up on Consumptive Use from the Bureau of Reclamation. Greg reported that currently there seems to be a lot dependent on the lower basins restrictive uses. Greg also reported on the Severance Tax funds available are at \$17M for water projects. Mark asked if there has been any letter from the lower basin states on water restrictions to the Bureau. Greg said he is not aware of a proposal from the lower basin states, but there could be one. Mark asked about division six coming up with better measurement rules and moving into divisions four and five for consistency going forward. Jeris pointed out that he had raised that matter at the IBCC meeting and it was not well received. Terry stated his concern that there seems to be the idea of money solving our drought and water consumptive issues. The question arose from Bob Hamel of the date that the lower basin states are supposed to reply to the Bureau of Reclamation. Mark stated he thought is August 15th or near that date.

Jeris raised the question of with the availability of additional funding shouldn’t we as Roundtable members be promoting projects in our Basin. The matter is having our entities being aware of the processes for advocating their projects. Sandy pointed out the projects being listed on our project data base of not being kept current. The question of the project data base being kept current and its updates was turned over to Kat and this is something that needs addressing, but also it was never intended to be real time current, but it is still at the discretion of CWCB. The question is still how and who can login to do updates. Sandy questioned when did the BIP Data Base go from real time to annually? It’s still not clear. Al pointed out that when we did have a BIP Coordinator, it was kept up in real time and that that the current usage is unreliable. Mark suggested to Kat that the new position of Grant Coordinator be the ones to work with CWCB on keeping the project

data base updated in a more real time prospective. Another option Jeris would reestablish a BIP Coordinator position. Terry suggested there is a way to get access to the data base and do some updates it involves eight steps but can be doable.

- **Roundtable Business;**

- Mark Shea – Nomination for an At Large Seat – Mark discussed moving to an At Large seat on the Roundtable and having his position become a sitting member. This will be done during the regular session.
- Roundtable Letters of Support Criteria – Mark asked Steve Kastner to open the discussion on Letters of Support. Steve brought up the Needs Assessment Committee’s regarding what conditions are required to support projects being submitted. Do we have are specific gauges for letters of support. Steve referenced some water rights issues where some projects that may be submitted moving water from local jurisdictions that might fall into projects we don’t wish to provide a letter of support for. Should we develop a document that defines what type of projects we may support vs projects we don’t necessarily want to support. Jeris suggested that developing sideboards to what we will or won’t support may not be in our best interest. Al suggested we develop a list of project types indicating varying levels with some being higher than others. Sandy suggested this should fall into the Chair’s jurisdiction and if there is concern with any project it could come before the Executive Committee for a final decision. Mark suggested we hold off until the Grant Coordinator position comes on board then see how this situation develops. Terry pointed that we need to understand these projects being submitted for support if they conflict with other projects being done. It’s important that the Roundtable be in the loop of these projects. Sandy pointed out the Needs Assessment Committee’s purpose is not to be a filter but to assist in the process of obtaining funding.
- Transition of duties – Mark directed the EC members to give thought to our transition with Elise departing and how we will fulfill our obligations in the interim. These include mailing, website and continuing the records. Sandy suggested we get a job description? Mark will provide the list of duties Elise has performed with times and duties.

- **Upcoming Meetings**

- Arkansas Basin Roundtable – September 14, 2022
 - Executive Committee – 10:30 AM
 - Roundtable – 12:30 PM
- Committees
 - PEPO – TBD
 - Environmental/Recreation August 29, 10:00AM
 - Agriculture/Municipal Committee – TBD Likely in November
 - ARWC – September TBD
 - IBCC – TBD
 - CWCB Board Meeting – September 20-21, Durango

- **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)