

IBCC Colorado River Basin

March 25, 2024 CBRT Roundtable Minutes. Inaugural meeting with April Long as chair; PEPO grant request; Dave Kanzer report on Colorado River flow forecast; Becky Mitchell report on Upper Division States Modeling Alternative to rebuild storage and respond to current hydrology for Lake Powell releases; Thompson Glen Ditch grant request

1. Upcoming Meetings & Deadlines.

- a. IBCC meeting June 9 in Durango.
- b. Sep 20 Annual Water Seminar CMU.
- c. Oct 1-2 C9 Summit in Crested butte.

2. Recorder: These minutes were prepared by Ken Ransford, Esq., CPA, 970-927-1200, ken@kenransford.com.

3. Today's March 25, 2024, meeting was **conducted by Zoom and held in person at the Colorado River District Office**. A Zoom recording of this meeting is available at this link: https://us02web.zoom.us/rec/share/F0oLNYAJNqvkWyNifzVDGq6qsdtRh0Yd73OmgkaXBFk_BIAKI_SOxN49eDg1LSTd.qj2QAH4FfDRfF0QF?startTime=1711389078000
Passcode: [.cs@8!ej](#)

4. **CBRT Roundtable Members Present:** Peggy Bailey Summit County Rep & Blue River Watershed Group, Stan Cazier IBCC rep, Kathy Chandler-Henry, Carlyle Currier Colbran Conservancy District, Bobbie Daniel Mesa County, Diane Johnson ERWSD, Ty Jones Clifton Water District, Randi Kim Grand County Utilities Director represents Mesa County, Kristen Kurath, April Long, Merrit Linke Grand County BOCC, April Long, Kelly McNicholas Kury Pitkin County BOCC, Ed Moyer Grand County representative, Ken Ransford, Scott Schreiber Wright Water Engin, Charlie Spickert Basalt Water Cons. Group, Greg Williams Ute Water Conservancy, Richard Vangytenbeek Colorado Trout Unltd Env't Rep,

5. **Guests:** Beth Albrecht Brown & Caldwell PE, Patrick Bachmann CPW, Mark Baldo BuRec Loveland CO, Caroline Bradford, Paul Bruchez CWCB Board liaison, Abby Burke Audubon, Andrea Datz Mesa County Conservation District, Jackie Daoust, South Platte Coordinator for Colorado Water Plan grants, Jackie Fisher Orchard Mesa Irrigation District, Angie Fowler SGM, Brent Gardner-Smith, Ashley Garrison CWCB grant coordinator Breckinridge, Kate Hudson Pitco Healthy Rivers and Streams, Glenn Jammaron Thompson Glen Ditch, Nancy Johnston Colo Trout Unlimited, Dave Kanzer Colorado River District, Paul Kehmeier NRCS Salinity Control Program, Kathy Kitzmann Aurora Water, Ben Krause CPW, Eric Kuhn, Lain Leoniak Colorado AG, Bailey Leppak SGM, Rita Marsh, John McAnally HDR, Dave Merritt PE AECOM, PJ Murray Clean River Program Manager City of Aspen, Maria Pastore Colo Spg. Utilities, David Payne, Greg Peterson, Katie Randall Mid Park Cons Dist, Amy Phillips Avon Mayor, Jeff Rodriguez CWCB, Robert Sakata CWCB rep,, Heather Sackett Aspen Journalism, Robert Sakata Colo Dep't of Agric, Sara Smith Hymes Eagle County BOCC candidate, Paula Stepp Middle Colorado Watershed Council, Lisa Tasker Pitkin County Healthy Rivers and Streams, Mike Tilko Mott McDonald Engineering, Emily Zmak CWCB,

6. Summary of decisions made at the meeting; more detail below on the discussion.

- a. Thompson Glen Ditch WSRF Application for \$44,472 was unanimously approved.

7. **River Forecast.** The Colorado River flows at the **Dotsero gage on March 25, 2024**, is **1,120 CFS.**¹ The Colorado River is flowing **1,980 cfs at Cameo.**²
8. **April Long chaired the meeting in her inaugural meeting as CBRT Board chair.** Each meeting will feature a BIP update from a sub-basin. We are a **consensus-based organization** and April will often **only ask if people object rather than calling for a vote.** She recounted the purpose of the roundtables:
 - a. The purpose of Roundtable Water for the 21st Century Act is to **negotiate inter-basin compacts for equitable distribution of Colorado waters.** This act does not supersede prior appropriation. It creates the Director of Compact Negotiations.
 - b. The Basin Roundtables and the IBCC were established at the same time, they bring issues forward to the IBCC, a larger statewide group. The roundtables **take direction from SWSI**, which is now called the Analysis and Technical Update to the Water Plan, or “**Technical Update.**” The Colorado Water Plan and BIPs are based on the Technical Update.
 - c. The purpose is to **develop a consumptive and non-consumptive water needs assessment, and to identify unappropriated waters and needs.** The roundtables serve as a forum for education and debate to meet water needs in our basin and throughout the state. We have vacant seats on the RT.
9. April handed out a sheet of CBRT members, which showed vacancies, and she **encouraged people attending today’s meeting to apply for vacant seats.**
10. **January 22, 2024 minutes were approved** with one correction—The PEPO grant allocated \$6,500 for meeting minutes, but ken Ransford only charges \$200 per set of minutes, leaving \$4,500 to \$5,500 available for other uses.
11. **Anna Drexler Dries, PEPO Report.** In addition to managing PEPO, Anna **manages the Learning By Doing program** and the **Upper Colorado Wild and Scenic River** study group on the Upper Colorado River in Grand County. Anna has declined to serve another term, so the **PEPO Coordinator position will be vacant after 9-30-2024.**
 - a. **\$9,000 still remains to be spent from the \$25,000 grant that was awarded** to the CBRT By the CWCB on 6-1-23 **and runs through 9-30-24.** The grant pays for 6 tasks:
 - i. **PEPO coordinator.** This funds Anna’s work.
 - ii. **Website update.** Website was updated, but needs additional content. \$1,000 remains in this part of the grant.
 - iii. **Print Materials.** Provide funds to the Middle Colorado Watershed Council to print 100 copies of its Middle Colorado River Access guide, as well as funding

¹ Dotsero forecast: https://waterdata.usgs.gov/usa/nwis/uv?site_no=09070500.

² Cameo forecast: https://waterdata.usgs.gov/co/nwis/uv/?site_no=09095500&PARAMeter_cd=00065.00060

the printing of 165 copies of a guide to the lower Roaring Fork River. PEPO also set a goal to publish 1 newspaper article per month. Anna welcomes recommendations for articles from CBRT members. At a later PEPO meeting, Ken Ransford volunteered to write an article about the Roundtable process and the 20-year history of the CBRT roundtable.

- iv. **Event support.** Provided **\$2,000 for water festivals in CBRT area.** PEPO has currently received 3 requests for grants for festivals in the Blue River Watershed, Middle Colorado River film festival, and _____.
 - v. **Middle Colorado Watershed Council water table.** This task has been concluded.
 - vi. **Grand County Learning by Doing stakeholder outreach program.** Money is supporting public engagement in updating this plan.
- b. **PEPO is intended to provide education about the CBRT.** April Long met with Anna to discuss how to get more exposure for meetings and agendas.
 - c. **April called for creating a PEPO Website Committee.** Highlight the projects we have funded and provide examples and direction to other grant seekers. April recommends more funding be dedicated to this task. Members include Abby Burk, Hannah Holm, Melanie Smith, Rick Lofaro, Ken Neubecker and Ken Ransford.
 - d. Facebook page. April encouraged members to like the **Facebook page and to send personal photos to Anna.**
 - e. Kirsten asked how more people could get access to PEPO funds. Anna said they know most recipients of PEPO funds before they submitted the grant on June 1, 2023.
12. **2024 Hydrology Update, Dave Kanzer,** Colorado River District, described the **2023-24 winter as “early dryness, late moisture.”** Just because we have a big snowpack does not mean we’ll have a big runoff. It has been warm. The forecasts are not terrible nor great. We’re **moving sideways over the next 12 months** and Lake Powell’s elevation will stay in the same spot. The forecast between now and the **water-year end of September 30 2024, is for 80% of average inflow into Lake Powell.**
- a. **Lake Powell will release 7.5 maf for next 2 years, lower than normal over the past 20 years.** It normally releases more than that (8,230,000 acre-feet including 750,000 af for Mexico, less 20,000 af expected Paria River inflow).
 - b. **Lake Mead is still in Tier 1 Shortage.** Lake Mead will go sideways with a little decline.
 - c. **Most local reservoirs will fill and some will spill.** El Nino is starting to decline. **Colorado Headwaters** snowpack is about **105% of the past 30 year average.** The 30 year average is **1991 to 2020.** The **more conservative** approach is to **look at the last 10 years.** Lisa Tasker asked why limit the average calculation to the 30-year period 1991-2020? The World Meteorological Organization sets this comparison period.

- d. **We are significantly below last year, but above 2012.** We are a week from peak SWE (snow water equivalent). **This is one of the warmest winters on record over the past 130 years.**
 - e. **Soil moisture is better to the east, but worse in lower elevations.** We are in the green range, which is between the 25th and 75th percentiles.
 - f. **A recent dust layer will cause significant loss to the snowpack.**
 - g. The Fraser River Valley, Willow Creek and Wolford Mountain Reservoirs are the only areas with above-average snowpack in the Upper Colorado River basin. Granby will spill this year. **The snowpack is great but projected runoff is so-so.**
 - h. **Lake Powell and Lake Mead are 1/3 full.** Lake Powell is in the 10% percentile, and inflow is well below the long term average. Projection over the next 2 years is for Lake Powell's elevation to be the same level 12 months from now. Lake Mead, which is now in tier 1 shortage, is likely to go sideways and then fall next year.
 - i. 3-month forecast shows **below-average precipitation as El Nino wanes.** Richard Vangytenbeek asked about historical trend that precipitation drops when El Nino wanes, but Dave says **this prediction is losing credibility as there is more and more variability.**
 - j. Carlyle's personal observation is there is good precipitation up above 9,000' but pretty sparse at 7,000.' Yesterday's storm brought rain, and that is not typical.
 - k. April said this is why we need more ASO flights.
13. **Becky Mitchell, Upper Colorado River Commission Representative, and Director of the IBCC.**
- a. On March 6, 2024, the Upper Division States submitted the **Upper Division State Modeling Alternative, its preferred alternative to Colorado River operations;** the Lower Basin states submitted their alternative on March 7. The Upper Division Alternative goal is to help **rebuild storage and respond to current hydrologic conditions,** rather than to adhere to past agreements or interpretations of the Law of the River.
 - b. We should respond to *observed* conditions rather than *forecast* conditions. The Upper Basin alternative is not new; it recognizes climate variability and that Upper Basin users are just as important as Lower Basin users.
 - c. Upper Division's 3 main points: **(1) Respond to hydrology; (2) Live within the means of the river; and (3) Rebuild storage.** If there is 1.5 maf less water, **how will this affect releases from Lake Mead?**
 - d. **The Lower Basin wants to consider both Powell and Mead; the Upper Division wants to focus on Lake Powell.**

- e. **Mass Balance Problem: Far more water is leaving Lake Mead than is going in.** The Upper Basin wants higher Powell levels to result in higher releases, and **lower Powell levels to result in lower releases.**
- f. **Problem with 2007 guidelines—a small elevation difference of 1’ could result in 1 maf more being released,** based on a proposal offered by the Lower Basin.
- g. In the past, only the Upper Division had to respond to changing reservoir levels; Colorado wants **both the Upper and Lower Divisions to respond to changing reservoir levels.**
- h. October 1 date is a date certain, and not a projection. **Under the 2007 guidelines, BuRec projects Lake Mead and Powell elevations 6 months out,** and the projection determined releases from each reservoir. Those **projections have proved unreliable and resulted in higher releases out of Lake Powell** that could put the system at risk. The Upper Division states believe that **actual elevation levels on October 1 should be used instead.** It is at the end of the water year and the end of runoff, so it is a better date to use for dam release decisions.
- i. To get more certainty increase more water in storage. Because we are relying on snowpack, it is more variable. Every year, **Upper Division states use 3-4 maf less than 7.5 maf, and 1-2 maf less than they would use if water was available.**
- j. Colorado also wants a plan for recovery of the upper CRSP reservoirs.
- k. The 2019 Drought Contingency Plan expires in 2026.
- l. At the current rate, in 5 years, the Upper Basin will be suffering and there will be no additional water available. **Cuts automatically occur in the Upper Division** with lower hydrology—**they are not dependent on tier targets.**
- m. **The Lower Basin wants a 2.4 maf cut from the Upper Basin. Equity means both the Upper and Lower Basins absorb the loss,** like the **Upper Colorado River Compact of 1946-48 which causes all 4 states to absorb the loss** in available water according to their percentage share of available supplies.
- n. Lane Leoniak represents Becky and DNR on interstate water matters. Brian McPherson works for technical Colorado River issues. April asked how **threshold volumes** were determined—it is **the reservoir level we don’t want to fall below.**
- o. **Lower Basin’s response: They will accept a 1.5 maf cut but not all the time,** even though it largely reflects evaporation and transit losses, aka the ‘structural deficit.’ **In extreme hydrology, their proposal can’t be modeled.** In extreme cases, 2.4 maf additional cuts can be made. They want all of this to come from the Upper Basin, but they have agreed to 1.2 maf. At that point, the Upper Division states have already taken their cuts. The Lower Basin does not like the Upper Basin proposal to respond to actual hydrology.
- p. Kate Hudson asked, **“What is the risk that the federal government takes over** if Upper Basin and Lower Basin states cannot come to agreement?” Mitchell replied, “I don’t have

an answer for this. This is **too hard to predict**, especially with elections coming up. It's best that the Upper Basin stays together and adopts a consistent position."

- q. Kathy Chandler Henry talked about tribal water rights. Also, there are **400,000 af of Native American water rights that are not being fulfilled**. Mitchell said first their rights must be acknowledged. These are promises that water is available to develop when you need it. We have developed relationships with tribes so they are aware of Colorado's position. **The 6 tribes in the Upper Basin states signed a MOU recently, and that is a first step.**
 - r. Bailey Leppak asked about Powell releases contingent on Lake mead levels. **Release curves should be continuous, and not set on trigger levels**; the Lower Basin has not responded to this.
14. **CWCB Update. Paul Bruchez**, CWCB Board Rep, and Jeff Rodriguez.
- a. Feb IBCC meeting.
 - b. **1051 deadline for reporting water losses is due 6-30-24**; submit an AWWA American Water Works Association M36 Water Loss Audit with the report, it will be required, but there is a **1-year grace period until June 2025**. CWCB provides training on the M-36 methodology. **Contact Kevin Reidy or Sam Stein** of the CWCB, or to request a 1-year grace period on submitting the M-36 Water Loss Audit.
 - c. The water availability task force meets monthly, and next on April 23, 2023, to discuss water and snowpack forecasts.
 - d. **April 1 is the WSRF deadline and the Colorado Water Plan CWP grant deadline is July 1; contact Ashley Garrison for CWP grant questions.**
 - e. **Wildfire readiness grant applications** are being accepted through the remainder of 2024.
 - f. **CWCB approved 70 SCPP applications to fallow fields and reduce irrigation consumptive use, seeking \$25.6m**. 52 were approved for \$17.2m, **the largest application pool to date**. 18 projects have Colorado River mainstem implications, 8 in the Colorado Basin, and 10 in tributaries including the Gunnison.
15. **IBCC Update, Carlyle Currier**. Colorado for 21st Century Act says the primary purpose is to facilitate negotiations between roundtables. This has never occurred in the past 18 years, but the state water plan did come out of this as well as the Conceptual Agreement regarding what would have to happen before another transbasin diversion could occur.
- a. IBCC stalled during Covid. They are submitting a survey now to roundtable members asking them what the IBCC purpose should be.
 - b. System Conservation Pilot Project **SCPP proposals to voluntarily reduce irrigation have not been well received**; there's a lot of discussion whether the state should be involved in this.

- c. Some IBCC members, particularly from the **Arkansas Basin, objected to the CWCB supporting the Shoshone purchase.**
 - d. IBCC meets 3 times a year, the last meeting will be at the C9 summit, which will occur annually in the fall; the **next IBCC meeting is June 18 in Durango**, with online participation available.
16. **Colorado River District Report, Dave Kanzer**
- i. Lindsay DeFrates, Interim Director of Public Relations at the Colorado River District, said the Annual Water Seminar CMU will be held September 20, 2024.
 - b. Shoshone Call Purchase.
 - i. Colorado Legislature needs to approve the funding.
 - ii. Negotiate a conversion of the non-consumptive water right to produce power to a non-consumptive ISF Instream Flow right.
 - iii. The Colorado River District has secured about \$43m, and is looking to the federal government for most of the remaining funds. The closing is scheduled for 2027.
 - iv. Many water conservancy districts including Ute Water relies on the Shoshone flow right being maintained.
 - v. The Endangered Fish Recovery Program is predicated on these flows; without the Shoshone call, a lot of these agreements would be at risk; known as “section 7 consultations.”
 - c. SCPP System Conservation Pilot Project has been ongoing since 2017 with BuRec funding to compensate irrigators for temporary, voluntary cutbacks. The Upper Colorado River Commission contracted with BuRec to manage this program; Wilson Water Group is their main consultant. 50 grants were approved for **\$8.8m in funding in Colorado covering 16,750 af** of conserved consumptive use in 50 projects covering 12,000 acres, and **\$31m the entire Upper Basin for 70,000 af of conserved consumptive use.**
 - i. There is **no shepherding of this water, so a junior appropriator can take it.** Colorado has objected to this.
 - ii. There are pockets of interest in Upper Green River in Wyoming. \$508/acre foot is flat rate.
 - iii. It’s not just about fallowing, it also involves partial fallowing, deficit irrigation, storage releases. 2023 was much smaller participation than 2024.
17. Mike Goscha and Glenn Jammaron discussed the **WSRF Grant request of \$128,944, \$44,472 from each of the Basin and CWCB Statewide WSRF accounts, and \$40,000 matching funds to improve the Thompson Glen Ditch.** The project improves irrigation diversions from the Roaring Fork River and Cattle Creek in Glenwood Springs.

- a. The ditch has a new fish friendly headgate. The current project is to **replace 100' of culvert with 100' of HDPE plastic pipe**. CDOT drains stormwater around the culvert, causing the ground to heave underneath the pipe, and leading to **transit losses of 50%**. The pipe heaved upward a foot, which is backing up water and affecting flow. Their water right is for 50 cfs, but only 20 cfs is available until the ditch is repaired. The CDOT culverts are off-grade. The water is diverted from the Roaring Fork River just above the Crystal River confluence; **they are diverting some water down Cattle Creek to help restore a wetland**. The diversion from the Roaring Fork River will not be reduced.
 - b. This **preserves irrigated agriculture**, facilitates water deliveries, and significantly **reduces waste while making irrigation more efficient**. They **received loans for two headgates at Cattle Creek**, and have earlier piped some of the diversion. The **irrigation ditch is 139 years old.**, dating back to 1885.
 - c. Lisa Tasker asked about the new owner of Sanders Ranch, the property where the ditch is located and the site for a large, proposed subdivision. The Roaring Fork Conservancy has an agreement to deliver water in Cattle Creek, but it can be canceled by the water right holder. **If Sanders Ranch is developed and says it needs the water, less water will be released down Cattle Creek**. The property according to Lisa Tasker is quite dry; she said that 20 years ago a culvert through the Sanders Ranch property was constructed, so there's no transit loss there.
 - d. There are **100 users on the ditch**. Spring assessment for the loan is about \$10 per share, raising \$15,000 twice a year.
 - e. **Randi Kim motioned to approve, James Dilzell seconded**, Carlyle Currier abstained because he is on the CAWA board. **April noted this is not a project listed in the IPP list of the BIP, but it meets CBRT guidelines in the BIP**. The motion **passed with no opposition**.
18. For future grant applications, April Long asked for more information to be delivered:
- i. **How many shares**
 - ii. **What is this costing ditch share owners.**
 - iii. **What are the water savings.**