

## IBCC Colorado River Basin

**May 20, 2024 CBRT Roundtable Minutes. Post 2026 Colorado River Operation EIS Alternatives** proposed by the Upper Basin, Lower Basin, Tribes, Environmental Groups, and the Schmidt-Kuhn Fleck Proposal were discussed. PEPO grant request will allocate funds for CBRT administrative support. Open meetings Law applies to the CBRT, a “local public body.” Jones Pond request for letter of support.

### 1. **Upcoming Meetings & Deadlines.**

- a. CWCB meeting July 17-18 in Walden in the North Platte Basin.
- b. Sep 20 CRD Annual State of the River 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](mailto:ken@kenransford.com).

3. Today’s May 20, 2024, meeting was **conducted by Zoom and held in person at the Colorado River District Office.**

4. **CBRT Roundtable Members Present:** Peggy Bailey Summit County Rep & Blue River Watershed Group, Stan Cazier IBCC rep, Carlyle Currier Colbran Conservancy District, James Dilzell Eagle River Coalition, Diane Johnson ERWSD, Ty Jones Clifton Water District, Randi Kim Grand County Utilities Director represents Mesa County, April Long, Eric Mamula Summit County BOCC, Merrit Linke Grand 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, Tom Wood GVVUA

5. **Guests:** Corrinne Anderson CWCB, Jeff Bandy Denver Water, Caroline Bradford, Clay Culbreath Esq. representing the Middle Park Water Conservancy District, Ashley Garrison CWCB grant coordinator Breckinridge, Hannah Holm American Rivers, Dave Kanzer Colorado River District, Eric Kuhn, Bailey Leppak SGM, Heather Lewin Roaring Fork Conservancy, Vanessa Logsdon Blue River Watershed Council, Dave Merritt PE AECOM, Rebecca Mitchell Colo Rep to Upper Colorado River Commission, Ken Neubecker American Rivers, Amy Ostdiek CWCB, Maria Pastore Colo Spg. Utilities, Jeff Rodriguez CWCB, Robert Sakata CWCB rep, Wendy Ryan PE West Side Water Conservancy, Heather Sackett Aspen Journalism, Robert Sakata Colo Dep’t of Agric, Russ Sands CWDB, \_\_\_\_\_ Stanley, Paula Stepp Middle Colorado Watershed Council, Joe Sholtes Colorado Mesa Univ, Emily Zmak CWCB,

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

- a. The CBRT agreed to provide a letter of support for CWC B and BuRec grant proposals to build the Jones Pond, holding 20-50 acre-feet, along the Fraser River near Tabernash.

7. **River Forecast.** The Colorado River flows at the **Dotsero gage on May 20, 2024**, is **6,000 cfs**, compared to its median of 4,950 cfs on this date.<sup>1</sup> The Colorado River is flowing **9,000 cfs at Cameo** compared to its median flow of 9,230 on this date..<sup>2</sup>
8. **March 25, 2024 minutes were approved.**
9. **IBCC meeting.** Next meeting is in June in Durango. Becky Mitchell recommended having monthly meetings of roundtable chairs.
10. **New CBRT board members**
  - a. **Tom Wood is replacing Kim Albertson as an at large member representing agricultural interests.** He is on the Board of Directors for Grand Valley Water User's Association and lives on a farm north of Fruita where they grow corn, wheat, , alfalfa, and grass hay, and have a cow-calf operation and feed lot.
  - b. County Commissioner **Eric Mamula representing Summit County.**
  - c. **Chris Treese will represent the West Divide Water Conservancy District.** He was formerly the Governmental Affairs liaison for the Colorado River District.
11. **Chair April Long encouraged members to join the following committees.**
  - a. Grants committee
    - i. Richard Vangytenbeek has volunteered to join this committee
  - b. Website Committee
    - i. This could be a short-term one-year commitment
    - ii. Ken Ransford has volunteered to join this committee
  - c. Committee of Ambassadors to other roundtables
  - d. Membership committee to fill vacant seats: approximately 25% are unfilled.
  - e. Big River Committee that follows Colorado River politics. April thinks the Colorado River District takes care of this for the CBRT roundtable.
12. **CWCB Update, Jeff Rodriguez; Russ Sands**, Water Supply Planning Section Chief for CWCB, **Corrinne Anderson, and Ashley Garrison** CWCB WSRF Grant coordinator also attended the meeting. July 1 is the next grant deadline.
  - a. **General Assembly passed the Projects Bill, including \$23.3m for Water Plan Grants** administered in 2 cycles, July 1, and December 1, and \$20m for the purchase of the Shoshone water right. \$2m is also appropriated to turf replacement.

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<sup>1</sup> Dotsero forecast: [https://waterdata.usgs.gov/usa/nwis/uv?site\\_no=09070500](https://waterdata.usgs.gov/usa/nwis/uv?site_no=09070500).

<sup>2</sup> Cameo forecast: [https://waterdata.usgs.gov/co/nwis/uv/?site\\_no=09095500&PARAMETER\\_cd=00065.00060](https://waterdata.usgs.gov/co/nwis/uv/?site_no=09095500&PARAMETER_cd=00065.00060)

- b. **Transformative Landscape Challenge** is being renewed; deadline is June 1. This is a partnership with Resource Central; see its website. Water utilities can apply to have up to 2,000 sq ft replaced with xeriscaping; 15 awards will be made.
  - c. **Water Conditions Monitoring Committee**—focus on water forecasting and precipitation, the next meeting is May 21.
  - d. **Colorado River Webinar** series is ongoing. Ed Moyer asked about the Colorado Webinars; they address varying issues; today’s meeting relates to Tribal water concerns.
  - e. **Water utility “1051 data”** reporting water consumption and conservation data by providers delivering at least 2,000 acre-feet is due June 30, 2024, along with water loss audit report; the audit deadline can be extended 1 year, contact Kevin Reidy or Sam Stein for a time extension.
  - f. **Grant funds for Technical Assistance to help applicants obtain federal funds and Local Capacity** grants, to help hire local contractors for WSRF projects, and **Wildfire Readiness Plan** funds are still available; applications need to be delivered to the CWCB by mid-October. Chair April Long asked if CBRT members have obtained technical assistance; the West Divide Water Conservancy received a Technical Assistance grant for reservoir feasibility and Randi Kim reported that Grand Junction received a Technical Assistance grant to investigate piping a ditch.
  - g. **The CWCB met in Granby on May 13-14; it is available for review on the CWCB website.**
13. The **CWCB Guide** is being released in June, with an eye toward promoting and informing the roundtables and IBCC. The Guide describes how the roundtables work and answers common questions. It does not replace the Basin bylaws or IBCC bylaws, or WSRF grant procedures adopted by roundtables. **The Guide explains the CWCB** and its employees, how the Roundtables are funded, how to **choose between a Water Plan Grant and WSRF grant**, how the **projects database** is maintained and updated, and a template for meeting minutes.
  14. **The Roundtable does not have a federal EIN**, so the CWCB administers grants. WSRF funds cannot be used by the Roundtable to hire program support. The only way the roundtable could raise funds for a program administrator is to raise funds from roundtable members or other funding sources.
  15. **Chairperson Long asked if roundtables are an independent local public body, or whether they are a subset of the CWCB.** Jeff confirmed that they are a **local public body**, and subject to the open meetings law. Jeff Rodriguez reported that **if 3 or more members of a local public body meet, they need to comply with the open meetings law** and provide notice and follow the Open Meetings Law.
    - i. Local Public Body—CRS 26-4-402(1)(a)(i) **defines a “local public body”** as “any board, committee, commission, authority, or other advisory, policy-making, rule-making, or formally constituted body of any public subdivision of the state [that has been] **delegated a governmental decision-making function.**”

- ii. Meetings. “All meetings of a quorum or **three or more members of any local public body**, whichever is fewer, at which any public business is discussed or at which any formal action may be taken **are declared to be public meetings** open to the public at all times.” CRS 26-4-402(2)(b)
- iii. Notice. “Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which **a majority or quorum of the body is in attendance**, or is expected to be in attendance, shall be held only after full and timely notice to the public.” CRS 26-4-402(c)(i). **Notice must be given at least 24 hours in advance and can be posted on the website.** CRS 26-4-402(c)(ii)(A).
- iv. 2021 Accessibility law—Governments need to make websites accessible to disabled individuals. This does not apply to local public bodies, so the roundtables do not have to comply with this.

16. **Hydrology Update, Dave Kanzer, Colorado River District.** They expect local reservoirs to fill and spill; construction on transmountain diversions at Chimney Hollow and Gross Reservoir is proceeding. Lakes Powell and Mead will likely have the same water levels a year from now compared to today, which Kanzer likens to “moving sideways.” The water year (Oct 1 to Sep 20, 2024) should have 81% of average unregulated inflow, and the Water Supply Season (April through July) will be 80% of average.
- a. **There is a big change in ocean conditions from El Nino to La Nina;** El Nino has been very warm and is **causing more extreme weather conditions**—flooding and droughts—**around the world.** There will be a potentially weaker monsoonal season in Colorado.
  - b. Weather forecast for tonight: dark, continued dark overnight, with widely scattered light by morning.
  - c. We’ve had **11 straight record-breaking months of hot temperatures around the world.**
  - d. There is still plenty of variability—record dry in Delta County, and record wet in the northeastern part of Colorado.
  - e. **Soil moisture is good on the whole.** Snowpack evolution. Peak SWE was close to average, but the last few cool weeks have kept the SWE at or above normal.
  - f. **Taylor Park and Deerlodge** on the Yampa are the **only gages above normal** in Colo.
  - g. At Lake **Powell, inflows are greater than releases, which means we are storing water.**
  - h. **Lake Powell is now at the 10% percentile.** Forecast is for below average since 1991 so there won’t be much change in Lake Powell. The next decision point is in December. We’re in the mid elevation release tier, which means the BuRec will release 7.5 maf from Lake Powell. Mead and Powell reservoirs are projected to be 44% full in December.
  - i. **Cameo will peak around 12-13,000 cfs in 2 weeks.** Lake Granby is near full and will be spilling soon; it is above average. Ruedi is also full and will spill.

- j. **Airborne Snow Observatory 2024 program is the largest yet funded.** We have had 3 surveys on March 21-22, April 14, and another is scheduled for late May. ASO indicates the snow depth.
17. **Rebecca Mitchell**, Colorado Representative to the Upper Division States, and **Amy Ostdiek**, Section Chief of Interstate, Federal, and Water Information Section at Colorado, discussed the **Upper Division Colorado River States Proposed Alternative for Sustainable Operations of Post-2026 Operations of Lake Powell and Lake Mead submitted to Bureau of Reclamation.**
- a. **Call for EIS.** The Bureau of Reclamation has called on the seven Basin States to submit alternative operating guidelines to operate Lake Powell and Lake Mead after the 2007 Interim Guidelines expire in 2026. On June 16, 2023, it issued a Notice of Intent to Prepare an Environmental Impact Statement, soliciting alternatives from the Upper Basin, Lower Basin, Native American Tribes, and environmental organizations. Below is a brief summary of the alternatives.
  - b. **Upper Basin States Alternative.** The Upper Division States submitted their alternative on March 5, 2024, with the following recommended changes. The full text is at the Colorado River District web site in the April 16-17 meeting minutes at pdf pages 155-168.
    - i. **Operate Lake Powell and Lake Mead based on actual reservoir levels on October 1, the beginning of each water year**, rather than on predicted lake levels estimated 6 or 24 months in advance. This will schedule releases based on actual lake levels and actual hydrology and account for hydrologic shortages in the Upper Basin.
    - ii. They recommend a Combined Storage Trigger, a **linear rule curve** that increases or **reduces releases ratably rather than in staircase fashion** (i.e., from 8.23 to 9.0 maf as the 2007 Interim Guidelines require), based on the following formula. This avoids sharp changes in Powell releases, thereby removing the incentive to manipulate the tiers.
 
$$\frac{\text{Current live storage in Lake Powell} - 4.2 \text{ MAF}}{\text{Total live storage in both Lake Powell \& Mead} - 8.7 \text{ MAF}} \times 100$$

Based on this formula, there will be a **reduction in Lower Basin usage, typically 1.5 maf per year.**
    - iii. The Upper Division States will **continue to pursue voluntary**, temporary, and compensated **reductions of consumptive use**—i.e., by paying irrigators to reduce or forego irrigation.
    - iv. The Upper Division States will schedule releases from **the upper Colorado River Storage Project Act CRSPA reservoirs** (Flaming Gorge, Aspinall Unit, and Navajo) to meet Compact deliveries, but these **releases will take place outside the NEPA process**, and be subject to separate criteria.
    - v. **Parallel Activities:** these should remain **outside the scope of the post-2026 operating framework**. These include **voluntary conservation** in the Upper Basin **and releases from CRSP reservoirs**. Any agreements for these parallel activities will be new agreements. Parallel Activities should protect Upper Basin interests.
18. Discussion of the Upper Division State alternative.

- a. **The Colorado River Compact put the Upper Basin on an equal footing with the Lower Basin.**
- b. Hydrologic shortage: **The Upper Basin is already suffering cuts averaging 1.2 maf per year** due to strict administration of water rights. We are using far less than our Compact apportionment.
- c. Lower Basin alternative considers the upper CRSP reservoirs together with Lake Powell and Lake Mead; **Colorado does not believe the upper CRSP reservoirs are designed or were intended to deliver water to the Lower Division;** they have other uses.
- d. **The Lower Basin proposal includes mandatory reductions to Upper Basin water use;** Commissioner Mitchell believes the **Upper Division has no legal requirement to comply** with this.
- e. Amy requested CBRT members to report water shortages they have experienced to [michal.sakas@state.co.us](mailto:michal.sakas@state.co.us), or at <https://cwcb.colorado.gov/coloradoriver>.
- f. Ed Moyer how much the **Lower Basin** is asking the Upper Basin to reduce use. The Lower Basin **asking for a reduction of 2.7 maf in the Upper Basin**, the first 1.5 maf and 50% of the next 2.4 maf. Becky commented that since the Upper Basin does not get the same amount of water as the Lower Basin, it should not be responsible to suffer the same shortage as the Lower Basin suffers.
- g. **The Lower Basin alternative is similar to the status quo which has not worked.** It reference Intentionally Created Surplus and augmentation, but it is not clear how these will work in practice.
- h. Dave Kanzer said s **recent Record of Decision mandates cuts of 3 maf** in the Lower Basin, and asked ow does this dovetails with the 2026 decision. The ROD relates to the Supplemental EIS from the 2007 Interim Guidelines, and it **expires in 2026**. The 3 maf reduction will be absorbed in the next 2 years.
- i. Austin Corona with Aspen Daily News asked how the Compact obligation interplays with this. Chair Mitchell responded, **“The Upper Division states have an obligation to not deplete the Colorado River beyond 7.5 maf per year;** Colorado has no delivery obligation at the state line. We try to avoid using the word “call” because it implies there is a priority of use between basins. **California has a senior priority only with respect to the Lower Basin states** of Arizona and Nevada; **neither Basin has a priority over the other Basin.**”
- j. **“We need to define hydrologic shortage. We self-manage through the prior appropriation system more strictly in Colorado than any other state.** We have pre-Compact water rights that are called out in dry years, but we are not using our full Compact apportionment.”
- k. **“We have never failed to meet a Compact obligation at Lees Ferry** because we have released more water from Powell Reservoir than is coming into the reservoir.”
- l. Dave Kanzer asked about Minute 330 bringing Mexico into the current paradigm. This is a minute dealing with shortage in the Lower Basin. **Mexico agrees to take a shortage of 250,000 af; they can store up to 400,000 in Lake Mead.** It is likely to come to play sooner than later, and will result in a higher Lake Mead elevation. The US will invest in conservation in Mexico, and it will benefit both countries.

19. **Lower Basin States Alternative.** The Lower Division States have proposed to reduce use by 1.5 maf when combined storage in Lakes Mead and Powell ranges from 69% to 38% full. Once combined storage declines below 38%, further cuts in deliveries to the Lower Basin States will be shared equally between the Lower and Upper Basins, up to a maximum cut of 3.9 maf.

i. Annual releases from Lake Powell should be based on live storage in **all Colorado River Storage Project (CRSP) Initial Units: Flaming Gorge Reservoir, Blue Mesa Reservoir, Navajo Reservoir, and Lake Powell** (described in this Alternative as “Total UB System Contents”). Live storage refers to water storage above the tubes that generate hydroelectric power.

ii. Lake Powell releases will be based on **4 release tiers depending** on volume in the total CRSP units including Powell and the upper reservoirs at Flaming Gorge, Blue Mesa, and Navajo, as follows:

<b>Volume in Powell &amp; CRSP Reservoirs</b>	<b>Total volume in Powell and Mead</b>	<b>Lake Powell release in million acre feet</b>
80% to 100%	23.61 to 29.51 maf	8.5 to 11.0
30% to 80%	8.85 to 23.61 maf	7.0 to 8.5
20% to 30%	5.9 to 8.85 maf	6.0 to 7.0
Less than 20%	Below 5.9 maf	6.0

iii. When Powell and the Upper CRSP reservoir **storage is above 30%, Lake Powell releases to the Lower Basin will depend on how much the Upper Basin has used in the prior 3 years.** Evaporation will be counted as part of Upper Basin use.

<b>Prior 3-year Upper Basin average depletion</b>	<b>Lake Powell release in maf</b>
Less than 3.8 maf	7.0
3.81 to 4.3	7.5
4.31 to 4.8	8.0
Above 4.8	8.5

iv. **In 2023 the Lower Basin reduced its consumptive use to 5.8 maf,** leaving 1.7 maf in the system.

20. **Tribal concerns.** On March 25, 2024, 17 Native American tribes with water rights in the Colorado River basin (Basin Tribes) outlined key principles that BuRec should incorporate into the 2026 agreement.

a. **Do not impose involuntary and uncompensated out-of-priority cuts** on the five tribes whose rights were finally decreed in *Arizona v. California*, 547 US 150 (2006).

b. **For CAP Tribes** with water rights specified in the Central Arizona Project find alternative supplies that **replace water rights lost in the post-2026 guidelines.**

c. **Reject any development caps on Basin Tribes.**

d. **Obtain federal funds to compensate Basin Tribes for any water lost,** and to **pay for infrastructure** to develop their reserved water rights.

- e. **Preserve Basin Tribes’ right to lease water off their Reservations, including for environmental and in-stream flow purposes.**
  - f. Provide a **permanent role for Basin Tribes to participate** in post-2026 Colorado River management decisions.
21. **Environmental concerns.** Seven environmental organizations outlined their concerns in the **Cooperative Conservation Alternative** to manage the **Grand Canyon corridor, endangered fish recovery efforts, and restoring the Colorado River delta below Moreles Dam.**
- a. Annual Lake Powell and Lake Mead releases should take a **whole-system approach** where Powell releases take into account total reservoir volumes in Powell and the upstream CRSP reservoirs. Lake Mead releases should likewise take into account storage in Havasu and Mojave reservoirs.
  - b. Lake Powell releases into **Grand Canyon** should take into account minimum flows and temperatures. The **minimum flow should never be below 5,000 cfs**, and the preferred minimum flow is 6,000 cfs.
  - c. If Lake **Powell dips below 3,525’ elevation, the water temperature of the release will be too high** for fish recovery efforts.
  - d. The **Imperial Irrigation District** should work with environmental consultants to **mitigate impacts to public health and wildlife.**
22. Recommendation titled **“Managing the Powell/Grand Canyon/Mead Ecosystem after 2026,”** provided by John Schmidt, Eric Kuhn, and John Fleck. They recommend **adaptively managing releases** from Lake Powell rather than adhering to a fixed set of release rules that depend on numerical targets.
- a. Eric Kuhn was the General Manager of the Colorado River District from 2001 to 2018.
  - b. This is not a proposal; it recognizes we are about to negotiate a multi-decade protocol for operating the Colorado River. **There is far more we don’t know about future conditions than we know today.** Our concerns next year will be different than they are today. For instance, small mouth bass is currently the ”fish concern of the day.” They have made it through the turbines in Glen Canyon and entered the Grand Canyon. The Walleye Pike will be the next problem.
  - c. Let’s do the obvious: Once the final proposal comes out of BuRec, the likely **compromise is to schedule annual releases based on water supply. Fixed annual releases can cause problems;** such as the high 9 maf release in 2011 that, when coupled with a weak monsoon that deposited less sand in the Grand Canyon tributaries that year, resulted in scouring the beaches in the Grand Canyon. The Secretary of the Interior can adjust the release by **setting up 2 accounts in Lake Mead and Lake Powell.** Suppose 9 maf is called for, but 8 maf is released, the Lower Basin gets 1 maf debited to its account. This is already occurring. Kuhn recommends **giving the Secretary authority to vary releases** based on varying conditions.
  - d. Let’s add **adaptive management**, but keep both Basins whole. This is the **only way to produce a protocol that is likely to survive for 40-60 years.** There is **no legal requirement to have a fixed annual release**—it is not called for in any legal compact. Stay within 75 maf over 10 years, but what if there is a hydrologic change? **There is zero agreement about how much water should be released under Article III(c) or (d) of the Compact.**



- e. Stan Cazier asked if **not having fixed release targets will precipitate a lawsuit?** Eric said a lawsuit is likely to occur anyway. In most years, there is likely not going to be a reason to change the water supply. **Changing the water supply will be a rare event.**
  - f. **Sediment for beaches is a big issue for recreationists.** A lot of the sediment depends on monsoons and we are bad at predicting these. The USGS has determined **if there is a bad monsoon, flows above 8 maf cause problems with the beaches.** Really high flows as in 2011 and 2012 really scoured out the system. But, in most years, the releases will not change.
  - g. We did this in 2022 when we dropped releases, and then increased them in 2023.
  - h. **In 2004 states asked the Secty of Interior Norton to change the annual release in 2005;** she said, no, but **affirmed she had the legal authority to do so** including non-water supply.
  - i. Have a **supergroup of adaptive management experts advise the Secretary** of the Interior. This group already exists, but stakeholders said they could not trust this group. There would need to be a **formal process to select the members** of this group. Eric recognizes this is fraught with peril, but it can be overcome. April Long asked, “This will come down to the Secretary of Interior, so it will be political, and we are likely to lose.” Kuhn does not agree, he believes the **public will not allow serious damage to the Grand Canyon** if there is an alternative.
  - j. There’s not enough water to do what everyone wants. Having less water in the canyon is not a bad thing, since high flows are causing the sediment problems.
  - k. Diane Johnson asked about the **Upper Division proposal;** Kuhn said it **bases releases on Lake Powell’s elevation;** once the elevation is set the release is set.
  - l. Ken Ransford asked if we can **get by with one reservoir,** and drain either Powell or Mead. Kuhn said **no, we need more storage** because we will have some **big years and the extra runoff cannot be captured in just one reservoir.** For example, the 2017 inflow over 2 weeks into Lake Oroville in California was more than the 1984 inflow into Lake Powell.
  - m. **Kuhn’s proposal ensures that recreational and environmental concerns are addressed** alongside the competing claims of the Upper and Lower Basins, Mexico, and the Tribes.
  - n. Therefore, Schmidt, Kuhn and Fleck advocate not adhering to rigid rules, but to employ “learning by doing” which has been practiced on the Colorado River in the Grand Canyon since the 1990s and more in the upper Colorado River above Dotsero.
23. Colorado River District analysis of the alternatives. David Kanzer of the Colorado River District discussed the Lower Basin alternative. The Colorado River District is **concerned about avoiding involuntary curtailment.** It is concerned that **if money is offered to reduce irrigation,** which will incentivize speculation and **put agriculture out of business.**
- a. Section 602(a) in 1968 agreement says that water will be used to get us through a critical drought period, which we just lived through (and emptied our system in the process).
  - b. **Water deliveries to the Lower Basin should be based on observed conditions, not forecasts.**

- c. The CRD is concerned about reducing irrigation: Are we **headed toward a permanent system of foregone irrigation?**
  - d. CRD is concerned about depleting CRSP reservoirs without additional protections.
  - e. The **Lower Basin proposal shifts undue burden to the Upper Basin** when combined storage is under 38%.
  - f. We have always delivered 82.3 maf in every 10-year period, but are getting close to missing the target. **In the current 10-year period, there are five 9 maf releases** that are pulling up the 10-year total release; **when these release years drop out** of the calculation, we are **more likely to be below 82.3 maf.**
  - g. Conservation agreements have been signed in the Lower Basin, and we are 75% of the way toward 3 maf annual savings by 2026.
  - h. Shortage conditions have been codified, and **7.2 maf will be delivered in this water year reflecting the Lower Basin's recognition of looming shortages.**
  - i. The environmental approach is a hybrid of the Upper and Lower Basin proposal. It reserves the right for a further adjustment downward if there are lower releases.
  - j. **Tribal principles. Give them a permanent seat** at the table in future river operations; this is a **fair proposal.** There are a lot of vested unused pre-Compact water rights that the Tribes control.
  - k. David Merritt said it is **specious for the Lower Basin to include Parker and Davis Dams because they never fluctuate.** Parker Dam is a **forebay for pumping CAP water** up to Phoenix and Tucson.
  - l. **Blue Mesa Reservoir was built** because BuRec engineers predicted in 1959 that the **Upper Basin could not meet Lower Basin demands without it.** A modeled release of 250,000 at the end of the water year pushed the benefit: cost ratio above 1 and enabled the calculations to work.
  - m. What is **the CRSP reservoirs** obligation in the 1922 compact? How much water did the Upper Basin need based on a 1930-1940 drought (avg flow of 12.5 maf); we've just had similar flows since 2001. They said they **needed 30 maf to meet Compact Obligations.** They assumed there would be some Mexico Treaty deliveries. This was how the CRSP reservoirs came about. They would meet that through Glen Canyon and Echo Park Dam reservoirs; Echo Park was replaced by Navajo, Flaming Gorge, and the Aspinall Unit. They were **built for the purpose of the Upper Basin to meet its compact obligations** at Lee Ferry, and also for local use, such as Navajo Reservoir. They were built to give the Upper Basin the ability to meet its obligations to the Lower Basin. **They just were used for that purpose, but they would not have worked if we had another low year in 2023.** They have worked as advertised. These reservoirs are not nearly large enough to permit the Upper Basin to meet their obligations in multiple drought years.
24. PEPO update, Anna Drexler Dries
- a. We have 2 tasks remaining, with \$4,000 to pay Anna, and \$625 for updates to the website. The rest of the current \$25,000 grant has been spent.
  - b. The next \$25,000 grant is due 6/1/24. The grant proposal allocates \$5,760 for program support to April Long as CBRT Chair.

- c. \$2,000 to update the website recommended by Brian Ramsey
  - d. Print materials
  - e. Event funding
  - f. **\$2,500 for the Confluence Center**, a new building adjacent to the Colorado and Gunnison Rivers in Grand Junction. This is for the Land and Water resource Hub which will have educational and **interpretative resources for the public**.
  - g. Anna is not re-applying to be the PEPO coordinator; Chair Long asked the Roundtable to send suggestions of potential people to assume this role. Other small nonprofit organizations in the Roaring Fork Valley may also be able to contribute funding for a person to split time between organizations. RWAPA and the Roaring Fork Conservancy need administrative assistants from time to time.
  - h. RWAPA pays for April's time to be the CBRT chair, and the CRD funded the CBRT chair previously.
  - i. Ken Ransford says **the CBRT bylaws permit the CBRT to hire an administrative assistant**.
  - j. Russ Sands said **the CWCB's position is that the Roundtable is not an entity that has the means to hire an administrative assistant**. He said the PEPO funds and the money dedicated to the Recorder (\$6,500, of which Ken Ransford has been charging \$1,500 to \$2,000 per year, leaving \$4,000 to \$5,000 available for an administrative assistant).
  - k. Sands said, **the CWCB doesn't see the benefit from extensive minutes**; The CWCB thinks they potentially impose a legal liability.
  - l. The CWCB is also concerned about bringing in people to fill open positions in the roundtables.
  - m. **Diane Johnson mentioned that most of the people at the roundtable meetings** are there because it is part of their work, and they **are paid to attend**. She said she appreciated the Colorado River District providing the support it has provided in the past.
  - n. Randi Kim said the CMU Hutchins Center is looking for a coordinator, and perhaps we can combine that position with the CRD coordinator. Kim said **the Gunnison Roundtable could also use some additional support**.
25. The Middle Park Water Conservancy District is requesting **letters of support for separate WSRF and BuRec Planning and Design Grants for the Jones Pond Project**. Clayton Culbreath, attorney with the Whitmer Law Firm, represented the Water Conservancy District.
- a. The Conservancy District provides augmentation water for irrigators in Grant and Summit Counties, and have storage in Windy Gap and Wolford Reservoir. Water providers in the Upper Fraser River Valley are **vulnerable to extended droughts and a lack of upstream reservoir storage**. The project is high on the Fraser River near Tabernash and will provide augmentation water that can be purchased from the Middle Park Water Conservancy District. The Jones Ponds are along the Fraser River near Tabernash; they are conditional water rights appropriated in Dec 1996 for 170 acre feet of which 14.9 acre feet have been appropriated. The ponds are adjacent to the Fraser River and will be deepened and lined to prevent connectivity with the Fraser River. **The total storage is 20 to 50 acre feet**.

- b. **Merrit Linke** supports the project and made a **motion to support** the project. Chair Long asked if the CBRT has provided letters of support for organizations other than WSRF or Colorado Water Plan grants. **Carlyle Currier seconded the motion**, and said we have provided letters of support for other organizations. Caroline Bradford said we have provided letters of support for other organizations in the past. Stan Cazier said they are hiring an engineer, and have a Request for Proposals out for engineering bids.
  - c. Ashley Garrison said that the Conservancy District has to apply for either a Colorado Water Plan grant or a WSRF grant.
  - d. **The likely cost is \$50,000 to \$150,000. Randi Kim said this sounds like a lot for a small project.** She abstained from voting. 14 voting members were attending the meeting, and 9 voted in favor of the letter, so Chair Long **agreed to provide the letter of support.** She said a quorum is not necessary to provide a letter of support.
26. **Joel Sholtes, a professor at Colorado Mesa University, updated** the CBRT on the **Grand Valley River Coordinator Initiative.** It is a collaborative effort to manage the Colorado and Gunnison River in the Grand Valley. They are working with local governments to coordinate a **master plan for the river, including a flow analysis and floodplain habitat study to inform conservation projects on the river corridor**, and will present this in June to local councils. All local governments are on board at this point. They received a **Water Plan Grant for \$200,000** to support the studies; no CBRT Roundtable funding was applied for.
27. Dave Kanzer Colorado River District CRD Report
- a. The CRD Board met April 16-17 and approved **\$1.6m in Community Funding Partnership CFP grants.** The Middle Park Water Conservancy grant request for the **Jones Ponds is appropriate** for these grants.
  - b. The River District has held 8 State of the River Meetings with nearly 600 total attendees.
  - c. **2024 SCPP System Conservation Pilon Project.** Within the CRD, irrigators produced **12,200 acre-feet conserved consumptive use on 9,400 acres.** 2024 is final year; there is **no funding unless it is renewed for 2025 and later years. Irrigators received \$509 per acre for 50 projects**, a doubling over 2023; this does impact agriculture partners, and the Upper River District is **concerned that Colorado law does not guarantee that conserved water makes its way to Lake Powell**, fearing that upstream junior water right holders are utilizing the water. The River District would like the Division Engineer to address how to administer consumptive use that is freed up in SCPP projects.
  - d. There were originally 51 projects as **Pueblo Water attempted to do the first trans-mountain diversion to the West slope**, but Pueblo Water **requested over \$509 per acre foot, and its bid was therefore rejected.** The River District desires that this price insensitivity be changed, since otherwise all conserved consumptive use will come from the West slope.
  - e. Shoshone hydroelectric right purchase: The River District is more than 50% toward its fundraising goal. Glenwood Springs recently earmarked \$2m.
28. Is the CBRT meeting date the last Monday or the fourth Monday of the month? The CBRT Leadership Committee will respond to this.
29. Upcoming meeting topic recommendations included:

- a. Water quality: Chair Long commented that we are a reactive state, not a forward thinking state in terms of water quality.
- b. SCPP conservation program.
- c. Discussion of watershed plans supported by the Roundtable.