

RECORD OF PROCEEDING

**SOUTHEASTERN COLORADO WATER
CONSERVANCY DISTRICT**

MINUTES

July 18, 2019

A regular meeting of the Board of Directors of the Southeastern Colorado Water Conservancy District (District) was held on Thursday, July 18, 2019 at 9:39 a.m. at the District office, 31717 United Avenue, Pueblo, Colorado.

President Long announced a quorum was present.

DIRECTORS PRESENT:

Bill Long	Curtis Mitchell	Ann Nichols
Seth Clayton	Kevin Karney	Tom Goodwin
Alan Hamel	Howard "Bub" Miller	Andy Colosimo
Patrick Garcia	Dallas May	Greg Felt
Mark Pifher		

DIRECTOR(S) ABSENT AND EXCUSED:

Carl McClure

DISTRICT OFFICIALS PRESENT:

Executive Director James Broderick; General Counsel Lee Miller; Administrative Manager Toni Gonzales; Senior Policy and Issues Manager Chris Woodka; Finance Manager Leann Noga; Margie Medina, Administrative Support Specialist; and Federal Lobbyist Christine Arbogast

VISITORS PRESENT:

Doug Fitzgerald, U.S. Congressman Scott Tipton's office; Cathy Garcia and John Orona, U.S. Senator Cory Gardner's office; Dwight Gardner, U.S. Senator Michael F. Bennet's office; Roy Vaughan, U.S. Bureau of Reclamation; Judy Leonard and Kim Swearingen, Pueblo West Metropolitan District; Bill Tyner, Colorado Division of Water Resources; Andy Klakulak, Suzanne Paschke, and Krystal Brown, U.S. Geological Survey; Jenny Bishop and Earl Wilkinson, Colorado Springs Utilities; Brett Gracely, Matrix Design Group; Kevin Niles, Arkansas Groundwater Users Association; and Bob Hamilton, citizen

INTRODUCTION OF VISITORS:

President Long welcomed the visitors to the meeting, and asked them to introduce themselves and identify the organization they represented.

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APPROVAL OF MINUTES:

President Long said the minutes of the June 20, 2019 Board meeting were posted to the Board website for review, and asked if there were any corrections or additions. Hearing none, Mr. Howard “Bub” Miller moved, seconded by Mr. Colosimo, to approve the minutes. Motion unanimously carried.

FINANCE COMMITTEE REPORT:

Treasurer Nichols reported the financial statements for June 2019 were posted to the Board website for review. Treasurer Nichols moved, seconded by Mr. Clayton, for acceptance of the June 2019 financial statements and payment of the July 2019 bills. Motion unanimously carried.

CONSENT ITEMS:

None

PRESENTATIONS:

FINANCIAL STRATEGY AND SUSTAINABILITY STUDY

Leann Noga presented a PowerPoint reviewing the following:

- Executive Committee Meeting – Workshop 2 and 3
- Establishing Appropriate Reserves
- Allocating Cost of Services
- Where to Find Information on District Website
 - <https://secwcd.org/content/finance-strategy-and-sustainability-study>

The next Executive Committee meeting will be held July 25, 2019.

President Long said a confidential memorandum has been prepared and was posted to the Board website.

Mr. Woodka is in the process of preparing policy documents.

STATEMENTS OF OPPOSITION IN WATER COURT: STANDARD LANGUAGE FOR DIVISION

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Lee Miller presented a PowerPoint reviewing the following:

- Purpose
- Standard Language
- Where Did It Come From?
- How Is It Used?
- Distribution

Lee Miller reviewed a memorandum that was prepared by Special Water Counsel, which describes standard language to include in Water Division 2 Decrees to address certain common issues. The Board was encouraged to share this document.

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ACTION ITEMS:

STATEMENT OF OPPOSITION, CASE NO. 2019CW3032, APPLICATION OF SALIDA

Lee Miller reported this case seeks to modify an existing augmentation plan adjudicated by the City of Salida (City). The modification is being made to add two wells located in Fremont County to the structures augmented by the plan. The augmentation plan provides for delivery of augmentation water at Pueblo Reservoir and an exchange from Pueblo Reservoir. The amount of water is small – 25 af/yr; 0.11 cfs – and Project water expressly will not be used in the augmentation of the additional structures.

The District and the Bureau of Reclamation (Reclamation) share three issues of concern with the City's proposed operations: (i) potential impact on the VFMP; (ii) potential impact on the Winter Water Storage Program; and (iii) the City's use of Pueblo Reservoir as a storage facility. The District and Reclamation have begun conversations with the City's water attorney and are working on resolutions for the issues. The Bureau of Reclamation is unlikely to file a Statement of Opposition, instead is working with the District to address mutual concerns.

Mr. Goodwin moved, seconded by Mr. Hamel, that the District Board authorize the filing of a Statement of Opposition by Special Water Counsel in Case No. 19CW3032 – City of Salida. Motion unanimously carried.

MONTHLY/QUARTERLY REPORTS:

U.S. BUREAU OF RECLAMATION REPORT

Roy Vaughan presented a PowerPoint presentation reviewing the following:

- As of July 15, 2019 there were 241,354 acre-feet stored in Pueblo Reservoir; 163,612 acre-feet of Project water; 41,410 acre-feet of Excess Capacity water; 24,291 acre-feet of Winter water
- There is currently 81,761 acre-feet of Project space in Pueblo Reservoir and 24,626 acre-feet of space in Turquoise and Twin Lakes Reservoirs
- Project Reservoirs: Turquoise 95%; Twin Lakes 106%; Pueblo 129%
- Total M&I Project water in the System
- Colorado SNOTEL Snow Water Equivalent (SWE) Update Map with Site Data Current as of June 18, 2019
- Colorado River Basin Time Series Snowpack Summary-July. 16, 2019
- Arkansas River Basin Time Series Snowpack Summary-July 16, 2019
- Forecast: February 1 70,600 af; March 1 67,900 af; April 1 91,500 af; May 1 84,000 af
- Boustead Tunnel 79,755 Chart
- Arkansas at Wellsville Chart
- Arkansas above Pueblo Chart
- One Month Outlook Precipitation Probability-May 31, 2019
- Three Month Outlook Precipitation Probability-June 20, 2019
- U.S. Drought Monitor Colorado – July 9, 2019
- U.S. Drought Monitor WEST – July 9, 2019

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Mr. Vaughan reported Mt. Elbert Conduit is currently off. Reclamation is currently not releasing any Project water from Twin Lakes Reservoir, and does not plan on moving any additional Project water from the upper reservoirs to Pueblo. Movement of water will be adjusted according to the forecast and customer needs.

Mr. Vaughan showed pictures of the joint repairs at Pueblo Reservoir.

DIVISION ENGINEER'S REPORT

Bill Tyner presented a PowerPoint reviewing the following:

- Compact Rules Governing Improvements to Surface Irrigation Systems in the Arkansas Basin, Colorado (Effective January 1, 2011) "Irrigation Improvement Rules"
- Background for Irrigation Improvement Rules
- Historical Progression of Improvements
- Currently Active Plans
- Article IB D Arkansas River Compact CRS 37-69-101
- Irrigation Improvement Rules for Surface Water Systems
- What Types of Irrigation Improvements are Subject?
- What Types of Irrigation Improvements are NOT Subject?
- General Permits A-1 and A-2
- Improvement Acres by Year
- Total Return Flows Generated from Fort Lyon Project Water

U.S. GEOLOGICAL SURVEY REPORT

Krystal Brown presented a PowerPoint titled, *USGS Update: Wildfire Effects on Watersheds*, reviewing the following:

- Potential Effects within a Watershed
- USGS Postfire Debris-Flow Hazards 2016 Hayden Pass Fire (Fremont County)
- Hayden Pass Burn Scar Big Cottonwood Creek; August 23, 2016 917 Cubic Feet Per Second
- USGS Postfire Debris-Flow Hazards 2018 Spring Creek Fire (Huerfano County)
- USGS Early Flood Warning Radar Gage Installation 2018 Spring Creek Fire (Huerfano County)
- Sediment Transport
- Water Quality Changes
- Potential Changes to Watershed Ecosystems

Mr. Garcia left the meeting at 11:46 a.m.

STATE LEGISLATION UPDATE

Lee Miller reported the first meeting of the Water Resources Review Committee (WRRC) will be on August 21, 2019, at the Colorado Water Congress summer meeting in Steamboat Springs. Topics for this meeting will be:

- Overview of Colorado's Instream Flow Program

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- Instream Flow Barriers and Opportunities
- Other Perspectives on Instream Flows
- Augmentation Water for Instream Flows

The WRRC meeting on September 11, 2019, will be on Colorado River Issues. On September 12, 2019, the WRRC will start the process for drafting potential legislation. The Board will be updated on more plans of the WRRC as they become known.

COLORADO RIVER ISSUES STATUS

Lee Miller reported both the State of Colorado and the Upper Colorado River Commission (UCRC) have begun steps necessary to implement the Demand Management Program (DMP).

The UCRC held a Demand Management Stakeholder Workshop in Salt Lake City on June 21, 2019. The Workshop included breakout sessions where participants discussed what was important to make a DMP work. The midyear UCRC workshop and regular meetings were held on Thursday, June 27 and Friday, June 28, 2019, respectively, at the Keystone Resort and Conference Center. Lee Miller was present at all of the meetings. Information on each of those meetings was attached to June 2019 report.

The Colorado Water Conservation Board (CWCB) hosted an Orientation Webinar Monday, July 15, 2019, for workgroup membership to provide an overview of the Drought Contingency Plan (DCP) process, and how demand management feasibility aligns with other efforts under the Upper Basin DCP. The Webinar also discussed the kickoff of the Workgroup process, and provided information to Workgroup membership about process and procedures. The Webinar was co-hosted in partnership with Colorado Water Congress, and was open to the public.

The first regional CWCB workshop has been scheduled for Thursday, August 22, 2019. This workshop will be held in conjunction with the summer conference of Colorado Water Congress, at the Steamboat Grand Hotel.

FRY-ARK IMPORTS UPDATE

Mr. Woodka reported Reclamation's May 1, 2019, projection for Project water was 84,000 acre-feet, and the latest estimate is 90,000-92,000 acre-feet. There is adequate storage in Turquoise Lake for the remaining imports and Reclamation does not plan on moving any additional Project water to Pueblo Reservoir.

As of July 16, 2019, about 76,000 acre-feet of Project water had been imported, and the Boustead Tunnel was still running above 700 cfs. Given those numbers, the target of 84,000 acre-feet should be reached before July 26, 2019 (the end of next week).

This means the District will release all Project water allocated this year. All entities requesting Project water have paid. As of July 16, only 1,227.30 acre-feet of Project water had been requested and released.

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Water above the 84,000 acre-feet for allocations will be stored for allocation in 2020, unless conditions in the Arkansas River basin drastically change during the next few months.

It was suggested that the entities be notified that they will receive their full requests.

INFORMATIONAL ITEMS:

The Board was provided written material on the following topics, which were posted to the Board website:

- Water Court Resume
- NWRA Western Water Seminar
- Colorado Water Congress Summer Conference

President Long asked if there were any other matters to come before the meeting, and hearing none, adjourned the meeting at 12:03 p.m.

Respectfully submitted,

Toni Gonzales
Administrative Manager

Secretary

