

RECORD OF PROCEEDING

**SOUTHEASTERN COLORADO WATER
CONSERVANCY DISTRICT
MINUTES**

August 19, 2021

A meeting of the Board of Directors of the Southeastern Colorado Water Conservancy District (District) was held on Thursday, August 19, 2021, at 9:32 a.m., at the District office, 31717 United Avenue, Pueblo, Colorado. The ZOOM platform was also made available for Board members and visitors. Mr. Long asked Patty Rivas for a roll call of individuals connected remotely.

President Long established that a Quorum was present.

DIRECTORS PRESENT:

Alan Hamel	Dallas May (remote)	Pat Edelmann
Ann Nichols	Greg Felt (remote)	Patrick Garcia
Bill Long	Howard "Bub" Miller (remote)	Seth Clayton
Carl McClure	Mark Pifher (remote)	Tom Goodwin
Curtis Mitchell		

DIRECTOR(S) ABSENT AND EXCUSED:

Kevin Karney , and Andy Colosimo

DISTRICT OFFICIALS PRESENT:

Executive Director James Broderick; General Counsel Lee Miller; Senior Policy and Issues Manager Chris Woodka; Water Resource Engineer Garrett Markus; Administrator of Finance and Administration Leann Noga; Administrative Support Specialist Margie Medina; Accountant Stephanie Shipley; Accounting Specialist Support Lynette Holt; Administrative Support Associate Patty Rivas; and Kogovsek and Associates Christine Arbogast.

VISITORS PRESENT:

Barbara Crockett (remote) Jacobs Engineering; Bill Tyner (remote) Colorado Division of Water Resources; Brett Graceley (remote) LRE Water; Jeffery Deherrera Pueblo West Metro; Jenny Bishop Colorado Springs Utilities; Jerry Pena (remote) Kennedy Jenks; Kevin Salter and Rachel Duran (remote) Kansas Department of Agriculture; Rick Kienitz (remote) Aurora Water; Ryan Banta USGS; Terry Dawson (remote) USBR; Toni Gonzales (remote); Ralph Williams, Marlene Breeger, Jerry Pacheco, and Cherish Deeg Pueblo Urban Renewal Authority.

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 July 15, 2021, Board meeting were posted to the Board website for review and asked if there were any corrections or additions. Mr. Edelmann moved, seconded by Mr. Hamel to approve the minutes. Motion unanimously carried.

TREASURER REPORT:

Treasurer Nichols reported the financial statements for July 2021, were posted to the Board website for review. Ms. Nichols moved, seconded by Mr. Clayton for acceptance of the July 2021 financial statements and payment of the August 2021 bills. Motion unanimously carried.

PRESENTATION ITEMS:

PUEBLO URBAN RENEWAL AUTHORITY

The Pueblo Urban Renewal Authority (PURA) began their presentation with an introduction to PURA. The presentation included:

1. PURA Creation of Urban Renewal Plan Process
 - a. Step 1 – Direction from City Council to study an area
 - b. Step 2 – Notice of conditions survey to property owners
 - c. Step 3 – 120 day notice of public hearing in paper and to taxing bodies
 - d. Step 4 – Planning commissioner review of UR plan for conformance
 - e. Step 5 – PURA Board approves
 - f. Step 6 – 30 day notice of public hearing in paper to property owners and to taxing bodies
 - g. Step 7 – City Council public hearing finding of blight and approvals
 - h. Step 8 – 7 day notice to property owners of blighted area
2. PURA Process
 - a. In depth explanation of the above steps
3. Other items
 - a. Evraz Project
 - Bond Issuance
 - \$88, 095,000 tax increment revenue bonds
 - \$3,965,033 tax increment revenue capital appreciation bond
 - Purpose
 - a. Finance eligible TIF cost, Fund capitalized interest on bonds thru 12/1/2023
 - b. Fund the reserve fund requirements
 - c. Fund administrative fees thru 2023
 - d. Pay cost of issuance
 - e. Between premarketing and final pricing PURA was able to reduce yields by 37.5 basis points for series 2021A and 50 basis points for series 2021B
 - f. 101 individuals from 65 investor accounts viewed and of them 25 placed orders on sale day

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- a. PURA is working with Mike Wakefield and the Healy Fellows (CSU Pueblo) to complete impact studies with St. Charles (Vestas) to be the first area of study
- b. City Council directed PURA to study an area referred to as Mitchell Park South on 7/26/2021 they are currently studying the area, more information to come.

ONBOARD HIGHLIGHTS

Mrs. Leann Noga provided a discussion regarding the OnBoard Platform:

- Tour
 - a. House Icon
 - b. Calendar Icon: meetings thru December 31, 2021
- Folder Icon: depository for information
 - a. Area News
 - b. Publications
 - c. Conference and Workshops
 - d. Boustead import reports
 - e. Snowpack reports
- Board
 - a. Board was directed to the calendar item for the District Board Meeting
 - b. Zoom connection
 - c. Tabs on meeting material from left to right
 1. Open Book
 2. Attendance feature
 3. RSVP to meeting
 4. Agenda and reports
- New features of the OnBoard
 - a. Survey
 - b. Goes out Friday
- Future Meetings (Tablets)
 - a. Grant from DOLA
 - b. Over next month, individual call for tablet set up
 - c. Replace paper in the Board meeting

President Long did mention the issue of “too many emails being generated from OnBoard” Mrs. Noga advised the staff would be addressing the issue internally.

MONTHLY/QUARTERLY REPORTS:

U.S. BUREAU OF RECLAMATION REPORT

Mrs. Terry Dawson provided a written report reviewing the following, as of August 15, 2021:

- There were 195,333 acre-feet stored in Pueblo Reservoir; 132,468 acre-feet of Project water; 51,091 acre-feet of Excess Capacity water; 11,129 acre-feet of Winter water.
- There is currently 112,905 acre-feet of Project space in Pueblo Reservoir and 32,276 acre-feet of space in Turquoise and Twin Lakes Reservoirs

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- Charts illustrating storage amounts in Turquoise, Twin Lakes, and Pueblo Reservoir
- Project Reservoirs: Turquoise 85%, Twin Lakes 90%, Pueblo 110% as of August 15, 2021
- Busted Stored Cumulative Imports

U.S. GEOLOGICAL SURVEY REPORT

Mr. Ryan Banta presented a report on *Updates of USGS fire activities for Southeastern Colorado Water Conservancy* which included:

1. Active USGS monitoring stations
2. Post-fire effects – July 4 weekend event
 - a. Mudslides at 5 locations – 10 miles from Glenwood Springs
3. Holistic watershed approach
 - a. Precipitation
 - b. Streamflow/debris flow
 - c. Water Quality
 - Synoptic and continuous
 - d. Realtime data and Water alerts
 - <http://waterdata.usgs.gov/wateralert>
 - USGS National Water Dashboard
4. East Troublesome Fire
5. North Inlet, Rocky Mountain National Park
6. Grizzly Creek Fire
7. USGS Grizzly Creek water quality monitoring locations
8. USGS Grizzly Creek precipitation network
9. Pine Gulch fire
10. USGS streamflow and water quality gaging

STATE LEGISLATION UPDATE

Mr. Lee Miller provided an update to the Board by reporting,

The first of three meetings of the 2021 Water Resources Review Committee (WRRC) is set for August 25, 2021, in conjunction with the Colorado Water Congress Summer Meeting. No agenda for the meeting has been provided at this time. Senator Kerry Donovan will serve as WRRC chair and Representative Barbara McLachlan as vice chair. WRRC Senators will include Jeff Bridges, Don Coram, Sonya Jaquez Lewis, and Jerry Sonnenberg. Representatives on the WRRC will be Marc Catlin, Karen McCormick, Hugh McKean, and Dylan Roberts. The dates of the future meetings have not yet been announced. The agenda for the meeting includes a report from the Department of Natural Resources' Anti-Speculation Work Group and on current Colorado River Issues.

There have been few updates on the dredge and fill legislative efforts over the past couple of weeks. In mid-June, in the pending district court litigation, the parties (including the State of Colorado, the Environmental Protection Agency, and the Army Corps of Engineers) filed a joint motion to hold the case in abeyance until January 14, 2022. The requested abeyance will allow the agencies additional time to proceed with their new Waters of the United States (WOTUS) rulemaking and will allow the parties the opportunity to reassess how

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and whether the litigation should proceed. The Court granted that motion and stayed all proceedings on July 14. This order does not change the fact that the Navigable Waters Protection Rule remains in effect in Colorado.

The Water Quality Control Division (WQCD) has not yet resumed its stakeholder meetings since the last one was held in June, and they do not appear to have any immediate plans to do so. The Colorado Water Congress subcommittee met in late July

April Hendricks from Burns Figa and Will continues to represent the District on the CWC subcommittee.

COLORADO RIVER ISSUES STATUS

Mr. Lee Miller reported Following nearly two years of stakeholder discussions and input from Coloradans across the state and from various sectors, the Colorado Water Conservation Board (CWCB) released a draft Demand Management Framework. The Framework captures threshold issues; implementation options; and proportionality, fairness, and equity considerations. A copy of the framework was attached to the May 20, 2021, Colorado River Issues Status Report.

During May and June 2021, the CWCB scheduled several virtual events to ask questions and provide input on the Framework, culminating in a Demand Management Public Listening Session on June 29, 2021. CWCB staff tracked the input received and presented findings to the Board during the July 21, 2021, CWCB meeting. CWCB Staff's memo and summary findings are attached. CWCB staff has scheduled a CWCB Member workshop for August 18, 2021, as follow up to this presentation.

Discussions in the Colorado Water Congress Colorado River Project Executive Committee have focused principally on funding for the recovery program in the post-2023 time frame. The 2000 original authorizing legislation included capital funding by the four states of \$17 million and \$17 million by the power customers. The states propose to re-examine their monetary capital contributions in 10 years. Reclamation has not commented on the states' proposal to date.

The states have proposed to deal with each proposed capital project to determine if sources of nonfederal funding can be identified for the project that would reduce the amount needed from congressional appropriations. This has occurred over the last 20 years, wherein the states of Colorado and Utah have contributed funds beyond their commitment in the authorizing legislation and nongovernmental organizations have also contributed funds to at least one project. Other contributions that will be considered and brought to the attention Congress are the very substantial non-monetary contributions to the recovery programs by the nonfederal partners, including, for example, the substantial contributions water by water users to the 15-mile reach. There are many other non-monetary contributions by states, water users and NGOs.

Regarding annual funding, the recovery programs' staffs propose an increase in annual funding of \$3.8 million per year over above current levels. The states have proposed all annual funding, except for continuing approximately \$450,000 per year from Colorado, Utah, and Wyoming, be provided by congressional appropriations to Reclamation, given the unreliability of hydropower funding in the future. There has not been a federal response to the states' proposal. Given concerns regarding the success of this proposal, the Executive Committee has indicated an interest in further discussions of proposals to make

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voluntary contributions. Tom Pitts, who manages the CWC Colorado River Project, said that contributions by the Executive Committee or other water users could not make up the lost funding from hydropower revenues but believe that it would be looked upon very favorably by Congress and the federal participants as nonfederal cost sharing contributions. District staff is participating in these discussions, and at an appropriate time will provide information to the Finance Committee and the Colorado River and Water Supply Committee on these discussions.

The Colorado River and Water Supply Committee has set a schedule to meet following the Board meeting every three months. The next meeting is scheduled for October and appears on the District's master calendar.

A Memo to Colorado Water Conservation Board Members from Amy Ostdiek dated July 21, 2021, regarding Demand Management Feasibility Investigation Update was posted for the Board to view, and Mr. Miller advised a hard copy would be provided to anyone upon request.

Jackie Gould, who previously held the position of Area Manager for the Eastern Colorado Area, has now been appointed Lower Colorado River Regional Director.

INFORMATIONAL ITEMS:

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

- Water Court Resume
- Phase 2 SECWCD Feature Condition Assessment Update
- Recovery of Storage Update
- Colorado Water Congress Conference August 24-26, Steamboat
- Club20 Fall Meeting, September 10-11 Grand Junction (TBD)
- Special District Association – September 14-16, Keystone

President Long asked if there were any other matters to come before the District Board. Hearing none, Mr. Long adjourned the District Meeting at 11:08 a.m.

SECWCD
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Respectfully submitted,

Patty Rivas
Administrative Support Associate

Secretary

