

RECORD OF PROCEEDING

**SOUTHEASTERN COLORADO WATER
CONSERVANCY DISTRICT
MINUTES
September 15, 2022**

A meeting of the Board of Directors of the Southeastern Colorado Water Conservancy District (District) was held on Thursday, September 15, 2022, at 9:31 a.m., at the District office, 31717 United Avenue, Pueblo, Colorado. The ZOOM platform was also made available for Board members and visitors.

DIRECTORS PRESENT:

Alan Hamel	Dallas May(remote)	Pat Edelmann
Andy Colosimo	Greg Felt	Patrick Garcia
Ann Nichols	Kevin Karney	Seth Clayton
Bill Long(remote)	Mark Pifher	Tom Goodwin
Curtis Mitchell	Matt Heimerich	

DIRECTOR(S) ABSENT AND EXCUSED:

Howard "Bub" Miller

Vice-President Mitchell asked all present to introduce themselves. Vice-President Mitchell asked Margie Medina for a roll of those connected via ZOOM. A quorum was present.

DISTRICT OFFICIALS PRESENT:

Executive Director James Broderick; General Counsel Lee Miller; Staff Attorney Peter Levish; Senior Policy and Issues Manager Chris Woodka; Water Resource Engineer Garrett Markus; Principal Engineers Kevin Meador and Mark Scott; Administrator of Finance and Administration Leann Noga; Administrative Support Specialists Margie Medina and Patty Rivas (remote); and Roy Vaughan, H2O Consultants.

VISITORS PRESENT:

Amy Ostdiek and Rebecca Mitchell CWCB; Bill Tyner and Rachel Zancanella, Division Engineers Office; Curt Thompson, AECOM; Daniel Tucker, AGRA; Jerry Pena, Kennedy Jenks; Krystal Brown and Matt Ely, USGS; Mike Holmberg and Tyler Artichoker, Bureau of Reclamation; Rick Kienitz, Aurora Water; Robert Wahl, JHL Constructors; and Tom Rusler, Rusler Produce Farming/Bessemer Irrigation Ditch.

VISITORS CONNECTED REMOTELY:

Al Paqueet, Jacobs Engineering; Brett Gracely, LRE Water; Cathy Garcia (11:03), Congress-Woman Lauren Boebert's Office; Kat Weismiller, CWCB; Lisa Brown, Wilson Water Group; Luke Mecklenburg, Assistant Attorney General Water Unit; Mark Shea and Scott Lorenz, Colorado Springs Utilities; Renee Martinez, Senator Michael Bennet's Office; and Tom Waters, Arkansas Headwaters

RECORD OF PROCEEDING

Recreation Area.

APPROVAL OF MINUTES:

Vice-President Mitchell said the minutes of the June 21, 2022, District Board meeting were posted to OnBoard and the Board website for review and asked if there were any corrections or additions. Mr. Pifher moved, seconded by Mr. Edlmann to approve the minutes. Motion unanimously carried.

TREASURER REPORT:

Ann Nichols reported the financial statements for July and August 2022 were posted to OnBoard and the Board website for review. Ms. Nichols moved, seconded by Mr. Clayton for acceptance of the July and August 2022 financial statements and payment of the September 2022 bills. Motion unanimously carried.

PRESENTATION ITEMS:

COLORADO RIVER ISSUES

Mr. Lee Miller introduced Rebecca Mitchell, Director, Colorado Water Conservation Board (CWCB) and Colorado Commissioner to the Upper Colorado River Commission. Rebecca Mitchell provided a presentation to the District Board covering the following topics regarding the Colorado River Drought:

- Water Use By Basin-Lower Basin + Mexico Mainstream/Upper Basin for 2019, 2020, and 2021
- Drought Contingency Plan Implementation
 1. Lower Basin -Tier 1 shortage in 2022 and Tier 2a shortage in 2023
 2. Upper Basin – Upper Basin Drought Response Operations
 3. Upper Basin Demand Management Feasibility
- Upper Basin 5-Point plan
 1. System Conservation Pilot Program
 2. 2023 Drought Response Operations Plan
 3. Demand Management Feasibility Investigation
 4. Bipartisan Infrastructure Funding
 5. Strict Water Rights Administration
- Goals for Post-2026 Operations of Lake Powell & Lake Mead
 1. Additional water supply security and certainty
 2. Avoid risk of curtailment in the Upper Basin
 3. Improve operations of Lake Powell and Lake Mead
 4. Complete accounting of depletions
 5. Bring Lower Basin depletions into alignment with available supply
 6. Support coordination with Mexico
 7. Maintain compliance with established federal environmental law

Q&A was opened to the Board.

CWCB COLORADO WATER PLAN

Kat Weismiller, CWCB Deputy Section Chief, also provided a Presentation to the District Board covering the following topics:

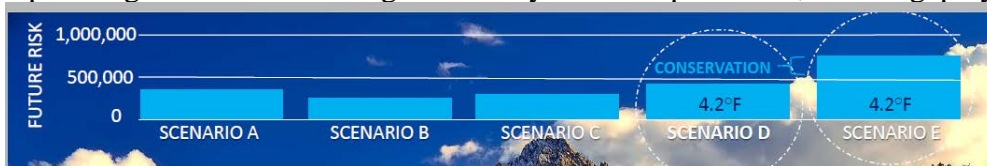
- A draft of the Plan has been out for Public Comment from June 30, 2022 – September 30, 2022, it is available to view at engagewcb.org

RECORD OF PROCEEDING

- A final version should be available by January of 2023
- A series of Listening Sessions were made available
 1. July 27 - Thriving Water Sheds
 2. August 10 - Resilient Planning
 3. September 1 – Vibrant Communities
 4. September 28 - Robust Agriculture
- Through the course of the Public Comments Period, events have been held in 44 of the 64 counties. There have been over 100 events to date, and more are forthcoming.
- Iterative Planning and Input- a timeline of the Plan from 2015 to 2023 was shown
- Built by Collaboration + Ongoing Feedback
 1. 1200 Stakeholders across Colorado
 2. 200 pages of Meeting Notes
 3. 20 CWCB Staff Members
 4. 15 Board Members
 5. 15 Workshops
 6. 9 Roundtables
 7. 1 Task Force
- What is the Water Plan?
 1. An Opportunity to Partner
 - a. Sets the stage for collaboration, resilience, and mitigating risk
 - b. Shines a light on critical state water issues
 2. A Strategy for CWCB
 - a. A CWCB planning document
 - b. Highlights agency opportunities for leadership
- Colorado Vision, the Planning Horizon for this is 2050
 1. Partner actions
 - a. Grants for local projects; local collaboration, individual action
 2. Agency Actions
 - a. CWCB actions and /or collaborative state actions
- In the Plan there are 50 Partner Actions-examples of local water projects and initiatives, which included grants for:
 - a. Conservation and land use
 - b. Watershed health and recreation
 - c. Engagement and innovation
 - d. Water storage and supply
 - e. Agriculture
- In the Plan there are 50 Agency Actions-Agency actions CWCB + supporting agencies will take
- Colorado's Water Values, which the Plan is Built on, the first three coming directly from the Executive Order from then Governor Hickenlooper in 2013:
 1. A productive economy that supports vibrant and sustainable cities, agriculture, recreation, and tourism
 2. An efficient and effective water infrastructure system
 3. A strong environment with healthy watersheds, rivers, streams, and wildlife

RECORD OF PROCEEDING

- In the next iteration, the 2023 Water Plan includes, which comes directly from The Department of Local Affairs:
 4. An informed public with creative, forward-thinking solutions that are sustainable and resilient to changing conditions and result in strong, equitable communities that can adapt to and thrive in the face of adversity
- Values that drive towards action:
 1. Vibrant Communities
 2. Robust Agriculture
 3. Thriving Watersheds
 4. Resilient Planning
- Local Control and State Support
 1. CWCB has a need for local communities, individuals and organizations to implement
 2. CWCB can help with grants, loans, tools, studies and other support
 3. Legislative support has helped fund water plan grants, Water Supply and Reserve Fund (WSRF) and more
- engagewcb.org is a resource for comments, commitments about the actions that one will take going forward, share stories of local actions
- Upcoming Risks and Challenges-annually there is up to a 740,000 AF gap by 2050



Kat closed with a note of optimism- “Though we are up against huge challenges, CWCB thinks that the Water Plan and the actions outlined in the presentation can help achieve a hopeful future and encouraged all to play a part.”

Q&A was opened to the Board.

ACTION ITEMS:

Vice-President Mitchell convened the meeting of the Enterprise Board meeting to order at 10:53 a.m. to be held in conjunction with the District Board meeting to appoint the 2023 Budget Officer as well as to set the Public Hearing for the 2023 Budget.

APPOINTMENT OF BUDGET OFFICER

Mrs. Noga presented an action item regarding the appointment of a Budget Officer. This happens annually in order to be in compliance with Colorado State Budget Law.

The first action the governing board must take under the Budget Law is to designate or appoint a Budget Officer to prepare and submit a proposed budget (Section 29-1-104, C.R.S.).

Mr. Garcia moved, seconded by Mr. Hamel, that the Board of Directors appoint Leann Noga, Administrator of Finance and Administration, as the Budget Officer for the 2023 District budget

RECORD OF PROCEEDING

preparation. Motion unanimously carried.

SET PUBLIC HEARING FOR 2023 PROPOSED BUDGET

Mrs. Noga presented an action item regarding a public hearing for the 2023 Proposed Budget. This is done annually to be in compliance with Colorado State Law C.R.S 29-1-108 (1).

A copy of the letter that will be sent to the newspapers for publication, and the Notice as to 2023 Proposed Budget was provided to the Board.

Mr. Clayton moved, seconded by Mr. Karney that the Board of Directors set November 17, 2022 at 9:45 a.m. for the Southeastern Colorado Water Conservancy District to hold the Public Hearing of the 2023 Proposed Budget. Motion unanimously carried.

Vice-President Mitchell recessed the Enterprise Board meeting at 10:55 a.m. that was held in conjunction with the District Board meeting.

STATEMENT OF OPPOSITION TO THE APPLICATION OF SPRING FALLS LLC, CASE NO. 2022CW3077, WATER DIVISION 5

Mr. Lee Miller presented an action item to the Board recommending authorization for Special Water Counsel to file a Statement of Opposition to the Application of Spring Falls LLC, Case No. 2022CW3077, Water Division 5.

Spring Falls LLC owns approximately 160 acres upstream of Ruedi Reservoir and is developing its property for purposes of a children's education and recreation camp and related uses. This application seeks to confirm the water rights and plan for augmentation necessary for operation of the camp. The Application is for a conditional underground water right, conditional surface water right, conditional storage rights, approval of plan for augmentation, and conditional appropriative right of exchange on Spring Creek. Spring Creek is tributary to Lime Creek, tributary to the Fryingpan River, tributary to the Roaring Fork River, tributary to the Colorado River. Augmentation source is Basalt Water Conservancy District ("BWCD") augmentation supplies in Ruedi Reservoir, Green Mountain Reservoir, Robinson Ditch, and Troy and Edith Ditches.

The District's interest in this case is to protect the District's conditional and absolute water rights on Lime Creek and the Fryingpan River.

Mr. Hamel moved, seconded by Mr. Pifher that the District Board authorize Special Water Counsel to file a Statement of Opposition to the Application of Spring Falls LLC, Case No. 2022CW3077, Water Division 5. Motion unanimously carried.

RECORD OF PROCEEDING

MONTHLY/QUARTERLY REPORTS:
U.S BUREAU OF RECLAMATION REPORT

Mr. Mike Holmberg (USBR) along with Kevin Meador (SECWCD) both started out the Presentation reviewing the malfunction that occurred in the North Outlet Work's cone valve, on July 26, 2022.

- Pueblo Dam Fixed Cone Valve
 1. The fixed cone valve was installed as part of the SDS project on the North Outlet Works.
 2. Carrying capacity of ~1,100 cfs
 3. Currently acts as the bypass for the SDS pipeline as well as the James W. Broderick Powerplant
 4. Also is the main release mechanism during lower-flow conditions
- Cone Valve Failure
 1. How the cone valve works
 2. Stripped Thrust Nuts
 3. Over-release to river
- Ramifications
 1. What did this mean for SECWCD?
 2. What did tis mean for everyone else?
- Cooperation
 1. Mechanics from Lake Estes and Mary's Lake
 2. Fabrication from Hoover Dam
 3. No help from manufacturer
 4. Cooperation with SECWCD
- Fixed!
 1. Outage lasted almost exactly a month
 2. Manufacturer turnaround time was over 2 months just for fabrication
 3. Cone valve and power plant were back in service the below picture was taken August 29th



RECORD OF PROCEEDING

- Lessons Learned
 1. Bypass capabilities of the power plant
 2. Coordination between Reclamation, SECWCD, and DWR
 3. Ability to operate power plant with or without the bypass
 4. We have internal resources that may be quicker and cheaper
 5. We have extra thrust nuts being built

Q&A was opened to the Board.

Mr. Holmberg then informed the Board in the presentation was the usual update, as of September 9, 2022:

- There were 179,687 acre-feet stored in Pueblo Reservoir; 122,854 acre-feet of Project water; 45,753 acre-feet of Excess Capacity water; 4,069 acre-feet of Winter water and winter carryover
- There is currently 122,519 acre-feet of Project space in Pueblo Reservoir and 34,225 acre-feet of space in Turquoise and Twin Lakes Reservoirs.
- Charts illustrating storage amounts in Turquoise Lake, Twin Lakes, and Pueblo Reservoir
- Project Reservoirs: Turquoise 81%, Twin Lakes 104%, Pueblo 109% as of September 9, 2022
- As of August 31, 2022, Total M&I in the System = 124,219 AF
 1. East = 18,998
 2. West = 9,200
 3. Pueblo = 17,516
 4. Other = 3,544
 5. FVA = 72,515
 - a. CSU = 52,766
 - b. Fountain = 6,700
 - c. Security = 5,728
 - d. Stratmoor = 2,130
 - e. Widefield = 5,191

Q&A was opened to the Board.

DIVISION ENGINEERS REPORT

Mr. Bill Tyner's presentation included an updated review of Fry-Ark Project Water:

1. Statistics on Imports and Allocations 2013-2022
2. Critical Importance of Allocations for 2022
 - Summary of Fryingpan-Arkansas Import and Allocation Data
 - Comparison of Project-PWWSP Impact 2019-2020
 - Comparison of Project-PWWSP Impact 2021-2022
 - Example of Important Nature of Project and PWWSP-Very Little Native Direct Flow Available
 - Importance for Critical Crop Completion

Q&A was opened to the Board.

RECORD OF PROCEEDING

U.S. GEOLOGICAL SURVEY REPORT

Mrs. Krystal Brown advised that she would not be presenting, stated that if anyone had any questions on her presentation to contact her. Mrs. Brown then introduced Matt Ely to the Board. Mr. Ely explained his position with USGS and gave some background.

Mr. Ely is currently the Director of the USGS Colorado Water Science Center in the Denver Colorado Office.

Previously he served as the Deputy Director and Associate Director of Hydrologic Interpretive Programs with the New England Water Science Center, Geohydrology Studies Chief with the USGS New Mexico Water Science Center, and as a project hydrologist with the USGS Washington Water Science Center. He received a B.S. in Marine Science from the University of South Carolina and an M.S. in Geoscience from the University of Nevada, Las Vegas. Matt developed numerous groundwater-flow and watershed models and served as project chief on regional water resource assessments. He has been with the USGS since 1998.

Q&A was opened to the Board.

ARKANSAS HEADWATERS RECREATION AREA UPDATE

Mr. Tom Water presented an update to the Board that covered:

- Annual Facility, Arkansas Headwaters, Visitation Report for 2022 & 2021
- Updates on:
 1. Outfitting community reporting a slight decrease from last year, numbers not in yet
 2. Park was full with camping reservations in all campgrounds pretty much all week
 3. Pilot program with Chaffee County to have Recreation Rangers in the field.
- Voluntary Flow Management Program
 1. Good coordination amongst all involved
 2. Rain was helpful in maintaining the 700 CFS
 3. Aquatic Biologist reports good numbers and size of trout from shocking surveys

Pueblo Water with Alan Ward coordinating helped with the end of the season by running some of their water to maintain the 700 CFS through August 15th. Capital Projects for the fall include a campground rebuild at Salida East and other maintenance projects at several of the existing sites.

Q&A was opened to the Board.

