The Colorado River District Board of Directors for 2019 are from left, sitting: Mike Ritschard of Grand County; Kathy Chandler Henry of Eagle County; Dave Merritt of Garfield County, the new 2019 Board President; Marti Whitmore of Ouray County, the new Board Vice President; Tom Alvey of Delta County, the immediate past President; and Rebie Hazard of Saguache County; top row: Al Vanden Brink of Rio Blanco County; Karn Stiegelmeier of Summit County; Doug Monger of Routt County; Marc Catlin of Montrose County; John Ely of Pitkin County; Steve Acquafresca of Mesa County; Bill Trampe of Gunnison County; and Stan Whinnery of Hinsdale County. Absent is Tom Gray of Moffat County.

Merritt elected President, Whitmore VP of Board

The Colorado River District’s Board of Directors elected new officers for 2019.

The Board unanimously elected Dave Merritt of Garfield County to serve as the 20th President. Marti Whitmore of Ouray County was also unanimously elected to serve as Vice President.

Whitmore is the first woman to serve as a Board officer in the District’s 82-year history. Under the Board’s bylaws, officers may serve two one-year terms and are then term-limited.

The Colorado River District represents 15 western Colorado counties and each county’s Board of County Commissioners appoints a representative to serve on the Board for individual terms of three years. All policies, resolutions, budget actions and other major activities of the River District are approved by the Board.

Five Board members whose terms were set to expire were also reappointed by their respective County Commissioners in January.

Those members include outgoing President Tom Alvey of Delta County, Kathy Chandler Henry of Eagle County, Karn Stiegelmeier of Summit County, Mike Ritschard of Grand County and Stan Whinnery of Hinsdale County.

The Board annually reappoints the two key staff members that it directly employs, the General Manager and General Counsel.

General Manager Andy Mueller and General Counsel Peter Fleming were reappointed to their positions.
CRD to take lead in developing demand mgt. policy

The Upper Basin states, including Colorado, have approved a Drought Contingency Plan to address plunging water levels at Lake Powell. Demand management, meaning a mechanism to conserve water and send it to Powell to protect water levels, could be a major part of the plan.

Right now, the plan is to make a demand management plan. At the Colorado River District’s urging, in alliance with other western Colorado stakeholders, the Colorado Water Conservation Board in September 2018 adopted a policy that demand management be accomplished through a voluntary, compensated and temporary program.

The alternative is a mandatory, non-compensated reduction of water use, which would be an economic and ecological disaster for western Colorado agriculture.

Andy Mueller, the River District General Manager, told the Board of Directors at their 2019 January quarterly meeting that it is incumbent upon the District to lead water users in a discussion of what voluntary, compensated and temporary forbearance of water means, especially in light of the alternative.

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“It is important for this District to orchestrate a broader discussion on the West Slope to create a significant feedback loop between water users and this District,” Mueller said.

He added that in conjunction with the Southwestern Water Conservation District (SWCD), the effort will reach out to stakeholders starting in the next couple months. SWCD is a sister District that is based in Durango. Between the Colorado River District and SWCD, all western Colorado counties are represented on Colorado River water issues.

After 19 years of sub-par snowpack and runoff, Lakes Powell and Mead are at historically low levels. In the Upper Basin, there is a risk to hydropower production at Glen Canyon Dam and in the Lower Basin, the risk is cuts in water allocations to the states.

The U.S. Department of the Interior and the U.S. Bureau of Reclamation have been waiting for the last half decade for the states to come up with Drought Contingency Plans (DCP).

The Upper Basin states approved their plan in December 2018 through the Upper Colorado River Commission (UCRC).

Lower Basin states are still debating their plan. Because of that, Reclamation Commissioner Brenda Burman gave the states a March 19 deadline to finish or Reclamation would stake steps to impose its own plan.

The Upper Basin DCP has three elements (See graphic on page 2):

1) moving water stored in the Colorado River Storage Project (CRSP) Reservoirs of Navajo, Flaming Gorge and Blue Mesa to Powell to cushion levels there;
2) accelerated cloud seeding and phreatophyte removal; and
3) demand management.

A draft of the Lower Basin plan specifies cuts to be taken by the states as Lake Mead levels go down. (See graphic on page 2) The total of the cuts would be about 1.3 million acre feet, which is equal to what is known as that basin’s “structural deficit,” the use of more water than it receives from Powell.

In the Upper Basin, the key to demand management is to gain federal approval that conserved water can be stored in Powell or the CRSP reservoirs and be separated from water ordinarily released to Mead.

In other words, the saved water would not be a direct benefit to the Lower Basin states and could only be released by direction of the UCRC to cushion low levels at Powell.

Mueller said that within Colorado, there are parties primed to begin the process of creating the structure for a Demand Management program.

“Our District on behalf of and together with our water users does need to be prepared to engage in discussions related to the structure of a Demand Management Program. It will be useful for our water users to develop a vision of what we need to see in such a program in order to meet the needs of our water users and communities, and it is not in our best interest to allow those discussions to be driven in directions which may be harmful to the preservation and protection of our constituents’ continued use and development of water on the West Slope,” Mueller wrote in his Board memo.

“We anticipate organizing an appropriate negotiation team and accompanying public input process to inform our negotiation team and keep our water users abreast of any developments so that they are provided with a meaningful opportunity for input,” he added.
Colorado General Assembly sees changes

It’s a new world at the State Capitol in 2019. Colorado Democrats enjoy the majority in both the House and Senate and continue to hold the Governor’s Office. In fact, Democrats won all statewide offices.

Democrats have a strong 41-24 majority in the House and a 19-16 majority in the Senate. There are more House Democrats (41) than Republican members in the House and Senate combined (40). Additionally, for the first time in history, women represent a majority in the House, 25 in the Democratic caucus and eight in the Republican caucus.

Zane Kessler and Chris Treese reviewed with the Board the challenges and opportunities the new faces represent in the 2019 legislative session. Encouragingly, West Slope House members will be in positions of leadership and influence in 2019. Representative KC Becker (D-Boulder) is the new Speaker of the House. Senator Kerry Donovan (D-Avon) will chair the Senate Agriculture Committee, and Representative Dylan Roberts (D-Eagle) will chair the House Rural Affairs and Agriculture Committee.

Staff highlighted Kate Greenberg’s appointment as Governor Polis’ new Agriculture Commissioner. Greenberg has been the western program director for the National Young Farmers Coalition since 2013. The Young Farmers organization encourages and advises young people on how to enter and remain in the agriculture and agri-business industry. The River District has partnered with Ms. Greenberg on several projects and programs in the recent past.

Announced following the quarterly Board meeting were two other cabinet appointments of interest to the River District. Dan Gibbs, Summit County Commissioner, has been appointed to head the Department of Natural Resources, and Jill Ryan, Eagle County Commissioner, will lead the Department of Public Health and Environment.

The Board set bi-weekly, special meetings starting Thursday, February 7 at noon to adopt legislative positions and provide policy direction. The Board then addressed the water-related legislation that had been introduced as of the Board meeting date.

Among the bills of interest, the Board unanimously endorsed HB19-1082 clarifying that ditch water conveyance easement holders may maintain, repair, and improve their easements without additional approvals. The Board also voted unanimously to support HB19-1050, preventing homeowners associations (HOAs) from prohibiting the use of drought-tolerant landscaping (Xeriscaping) in common areas of a covenant controlled community and requiring special districts to permit drought-tolerant landscaping on lands within the district’s control.

In a 10-3 vote, the Board also endorsed Representative Roberts’ repeat bill, HB19-1113, protecting water quality from post-mining operations. River District staff highlighted Rep. Roberts’ willingness to include “Good Samaritan” protection language in this year’s bill. For more on the District positions visit: www.coloradoriverdistrict.org/current-state-legislation-2/.

Board of Directors to discuss the Gallagher budget threat

Like many rural special districts that are funded by property taxes, the Colorado River District is looking at cutting its budget in 2020 because rising residential housing values on the Front Range are triggering what are known as Gallagher Amendment cuts to residential property tax-assessment rates. On February 15, the River District Board will hold a budget workshop to consider the District’s financial sustainability and explore options.

The Colorado Legislature is working on the issue and in the meantime, other special districts, such as Colorado Mountain College, have won ballot elections that restored property tax revenues to their previous levels.

Gallagher is a constitutional amendment that took effect in 1982 setting a 55-45 ratio between commercial properties and residential property values. Because of Front Range growth, the statewide residential tax rate will be reduced again in 2020 to maintain the ratio. The assessment ratio was 21 percent of market value for residential properties in 1982 with the initiation of Gallagher. The projected rate in 2020 is 6.95 percent, a 67 percent reduction from its starting point.

This move hurts special districts and local governments outside of the metro areas who don’t have the explosive residential growth to balance out the rate cut.
Federal affairs: hope for aquatic nuisance species money; fire funding changes urged

Noting the welcome change in the nature and content of his quarterly report, Chris Treese highlighted passage of several important bills and other progress in the closing days of the 115th Congress. Notably, the Farm Bill and the Water Resources Development Act both passed, each with significant, positive elements for western water users. Treese noted the concerted efforts of Colorado’s two Senators in securing several of the most positive provisions in both bills.

The Farm Bill includes expanded authority under the Environmental Quality Incentives Program (EQIP) for irrigation districts - for the first time ever - to receive funding as direct applicants for water conservation measures. Additionally, the final bill includes contracting procedures intended to streamline and improve the Regional Conservation Partnership Program (RCPP). The River District fought hard for these improvements based on our RCPP contracting experience.

Treese also highlighted the December publication of a proposal rule revising the Waters of the U.S. (WOTUS) rule. In the new, proposed WOTUS rule, “ditches” are generally defined not to be “waters of the U.S.”

Encouragingly, the pre-publication document explains, “The regulatory status of ditches has long created confusion for (water users) and the transportation sector, among others. In an effort to reduce that confusion, the agencies propose to specifically delineate the categories of ditches that are “waters of the United States,” proposing to exclude all other ditches from that definition.” While encouraging, conflicting and confusing language exists elsewhere in the document. The River District will review the final, proposed rule carefully when it is published in the Federal Register.

Following Treese’s review of recent actions, the River District Board provided general direction and identified priority issues for the District’s federal advocacy.

Generally, the River District will establish and maintain a close, working relationship with each of the delegation’s offices, both in D.C. and appropriate field offices with particular attention to our new delegation member.

The River District will monitor water-related legislative and administrative proposals for potential impact to the River District and western Colorado water users. The River District will leverage its membership and involvement in national and West-wide organizations such as National Water Resources Association, Family Farm Alliance, and Western Coalition of Arid States to amplify our voice and foster coalitions on issues of primary importance to the River District.

Priority issues include:

- Secure funding for the Upper Colorado River and San Juan River Endangered Species Act Recovery Programs (legislative authorization and appropriations);
- Colorado River Drought Contingency Plan authorization/implementation legislation;
- Support for Bolts Ditch “easement;”
- Good Samaritan legislation;
- Waters of the U.S. (rulemaking, legislation possible);
- Monitor and protect water rights in proposed Colorado Wilderness (legislative) and other special land designations (legislative and administrative);
- Support healthy forest initiatives and related programs that assist and fund forest and watershed health programs;
- Support the Water Rights Protection Act (Congressman Tipton);
- Water and Wastewater Infrastructure Funding, (annual revolving loan fund appropriations);
- Provide for legal irrigation through and with federal water infrastructure for hemp and marijuana;
- Support tax exemption for water conservation rebate programs; and
- Support reauthorization and full funding for the Land and Water Conservation Fund.

How to contact us: edinfo@crwcd.org,

or call 970-945-8522 x 236 - website: www.ColoradoRiverDistrict.org
Policies reviewed on water quality, the Endangered Fish Recovery Program, rec water uses and instream flows

The Colorado River District Board reviewed four of its existing policies at its January 15-16, 2019 regular meeting. The Board reviews and develops roughly one-third of its policies annually. Policies must be on meeting agendas for at least two quarterly meetings before final action may be taken.

The four policies reviewed included:

**Water Quality policy:** Recognizing that there is a causative link between water quality and water quantity, the District's primary policy objective with respect to water quality is to protect the ability of the District's residents to use water beneficially now and in the future with assured water quality appropriate to the use.

Among other elements, the policy calls for the encouragement of voluntary implementation of reasonable best management practices and programs for farming and ranching activities. The District will also generally advocate for incentives on nonpoint pollution prevention and clean-up efforts.

Added to the policy was the issue of defining “Waters of the United States (WOTUS)” and its potential ramifications on western water users. Directors directed staff to add language advocating that the WOTUS regulations, and the Act’s overarching goal of all waters being “fishable and swimmable,” not be applied to ditches, canals or ephemeral streams.

**Endangered Species Act policy:** The River District strongly supports the Recovery Program and its dual purposes of recovering endangered fish while allowing historical water use and future water development to continue consistent with state law. Continued progress by the Recovery Program is vital to the continued beneficial use of water in the District.

An addition to the policy was identifying “critical habitat designation” as one of the key, but controversial, provisions when identifying a species for listing as endangered or threatened.

The River District has been an active partner and participant in the Upper Colorado River Recovery Program since its inception and will continue to advocate for the program and its key elements, including ensuring that the burden of the Recovery Program’s implementation is equitably distributed across all power and water users, including transmountain diverters.

**Recreational Water Use policy:** Recreational water use and enjoyment of the state’s waters are integral to western Colorado’s lifestyle and economy.

The District supports recreational water uses and the water rights confirming those recreational water uses that balance recreational needs with historical and future consumptive water uses.

A “recreational in-channel diversion” water right should not be granted, however, if it would materially impair the ability to fully develop Colorado’s entitlements under the Compacts of 1922 and 1948.

**Instream Flows policy:** This policy affirms the District’s general support for Colorado’s instream flow program.

The policy recognizes the environmental and human benefits of flowing rivers and streams, while noting the statutory requirement for balancing the values and benefits of instream flows with the need for and benefits of consumptive water uses in the arid West.

The Board modified its policy statement advocating that the state recognize the importance of protecting future water development opportunities when deciding whether or not to file for new instream flow rights; that the amount of the instream right must allow for reasonably foreseeable future water development; and an allowance for the option of decreasing the amount of an already-decreed instream flow.

For full-text of these revised and previously approved policies visit: [www.coloradoriverdistrict/policies](http://www.coloradoriverdistrict/policies).

To comment on the four policies currently under review, please submit to edinfo@crwcd.org.
The Colorado River District has agreed to be the fiscal agent for an Integrated Water Management Plan study in the Yampa River basin. The study will be the work of the Yampa-Green-White Basin Roundtable.

Roundtables require fiscal agents to handle state grants from the Colorado Water Conservation Board (CWCB). In this case, the Roundtable is seeking a $476,750 grant from the CWCB stream management grant program. The work is expected to last two and a half years and produce information to identify needs, projects and strategies to advance the Roundtable’s Basin Implementation Plan, a part of Colorado’s Water Plan.

The River District has a limited ability to be a fiscal agent for such matters under restrictions of the Taxpayers Bill of Rights (TABOR) constitutional amendment. To help offset direct District staff costs, a 10 percent management fee will be part of the grant administration.

**District to assist Yampa planning**

The Colorado River District is highlighting our chief accountant, Ian Philips, CPA, this quarter.

Ian joined the District in 2011. He began his professional career five years prior to joining the River District at a large accounting firm located just one floor above the River District’s offices.

Ian was born and raised in Durango, Colo. and relocated to Glenwood Springs 13 years ago.

Ian says he has always felt a strong connection to water. “I grew up kayaking and rafting on the Animas River in Durango, going to Lake Powell twice a summer for a week at a time and skiing in the winter. Early on, I made the connection with the snow that fell in the winter with the Animas River flows that allowed me to also play in the summertime.”

As passionate as Ian is about water and recreation, he’s even more passionate about his family – which includes his wife, Sara, and two very young sons, Harrison and Henrick. Gunner, Ian’s black lab, is often in Ian’s office, holding down the floor and hitting up friends for treats.

**Future meetings**

- Special Joint Teleconference Meetings to discuss legislation: every other Thursday, noon, starting Feb. 7, 2019
- Board Budget Workshop: Feb. 15, 2019, Glenwood Springs
- Second Regular Quarterly Meeting April 16-17 2019, Glenwood Springs
- Four West Slope Basin Roundtable Meeting, May 2, 2019, Grand Junction
- Third Regular Quarterly Meeting, July 16-17, 2019, Glenwood Springs
- 2020 CRWCD Budget Workshop, September 17, 2019, Grand Junction
- Colorado River District Annual Water Seminar, September 18, 2019, Colorado Mesa University, Grand Junction
- All Roundtables State Summit, Sept. 25-26, 2019, Winter Park
- Fourth Regular Quarterly Meetings, October 15, 2019, Glenwood Springs
- Colorado River Water Users Association Convention, December 11-13, 2019, Las Vegas
The Colorado River District this spring will replace the main outlet gate at Wolford Mountain Reservoir. A barge spread similar to this one at Steamboat Lake recently will be built and positioned with a crane and divers’ equipment.

Barge segments headed for Wolford Mountain for planned work

The Colorado River District this spring will replace the main outlet gate at the Wolford Mountain Reservoir dam.

At its January 16, 2019 Board meeting, Directors approved a $444,000 contract with Marine Diving Solutions LLC of Centennial, Colo. to take out the old gate and install a new stainless steel one purchased previously by the District and being fabricated in Massachusetts.

A large, floating work platform will be assembled to hold a crane, divers’ decompression chamber, work trailer, diving equipment and the gates as they are removed and installed. The work platform will be assembled near the boat ramp from the 8- by 10- by 40-foot segments when the reservoir is ice free and towed to the outlet tower.

The main gate is in 100 feet of water when the reservoir is drawn down. This work needs to be completed in early spring to take advantage of the shallower reservoir depth. Once the existing 17,000-pound gate is removed the new gate will be installed and tested.

The work platform segments and other equipment are coming off another Colorado reservoir project and will be seen stored in the south end of the reservoir’s day-use parking lot near the boat ramp.

The project is expected to take five weeks once the work platform is assembled and be completed near mid-May.

The majority of the day use parking lot will be available for public use and the dam crest open for foot traffic during the project.
Colorado River District
Protecting Western Colorado Water Since 1937

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**Snow Water Equivalent in UPPER COLORADO RIVER BASIN**

- **Max**
- **Normal (PCRS)**
- **Normal (81-10)**
- **Min**
- **Stats. Shading**

- **2019**
- **2018**
- **2017**
- **2016**
- **2015**
- **2014**
- **2013**
- **2012**
- **2011**
- **2010**
- **2009**
- **2008**
- **2007**
- **2006**

**Statistical shading breaks at 10th, 20th, 30th, 70th, and 90th Percentiles.**
**Normal (31-10) - Official median calculated from 1931-1960 data**
**Normal (PCRS) - Unofficial mean calculated from Period of Record data**

For more information visit 30 year normals calculation description.