

**Upper Gunnison River Water Conservancy District**  
**Regular Meeting Minutes**  
**Monday, July 26, 2021**

The Board of Directors of the Upper Gunnison River Water Conservancy District conducted a regular board meeting on Monday, July 26, 2021 at 5:30 p.m. in the District offices, 210 West Spencer Avenue, Suite B, Gunnison, CO, 81230.

Board members present: Sara Bergstrom, Rosemary Carroll, Joellen Fonken, Rebie Hazard, Stacy McPhail, Julie Nania, Bill Nesbitt, John Perusek, Don Sabrowski and Andy Spann.

Board members absent: Michelle Pierce

Also present:

Sonja Chavez, General Manager  
Samuel Liebl, Gunnison Country Times  
John McClow, General Counsel  
Beverly Richards, Water Resource Specialist  
Jill Steele, Accountant/Office Manager  
Sue Uerling, Administrative Assistant

**1. CALL TO ORDER**

Vice President Stacy McPhail called the meeting to order at 5:30 p.m.

**2. AGENDA APPROVAL**

**Director Bill Nesbitt moved and Director Rosemary Carroll seconded approval of the agenda as circulated. The motion carried.**

**3. ADMINISTRATION OF OATH OF OFFICE**

Judge Steven Patrick administered the Oath of Office for Sara Bergstrom, who will fill the remaining City of Gunnison term created by the resignation of George Sibley through June 2022.

#### **4. CONSENT AGENDA ITEMS**

**Director Rosemary Carroll asked to remove the minutes for discussion. Director Bill Nesbitt moved and Director Rebie Hazard seconded approval of the consent agenda items with the removal of the June 28, 2021 minutes. The motion carried.**

Director Carroll advised the Board that she is more than happy to continue to participate on the Watershed Management Planning (WMP) Committee but that due to her work schedule and limited time, she'd be attending remotely the majority of time and would possibly miss a few meetings. The Board and Committee members indicated that her participation and expertise were very beneficial to the group and that they would very much like her to continue to support WMP in any way she is able. Rosemary agreed to stay on the committee.

**Director Rebie Hazard moved and Director Bill Nesbitt seconded the approval of the June 28, 2021 Minutes. The motion carried.**

#### **5. SELECTION OF STANDING COMMITTEES BY SARA BERGSTROM**

Director Bergstrom offered to serve as a member of the Grant and Projects standing committees. Since the Grant Committee already has five Board members, which is the maximum allowed by policy, General Manager Sonja Chavez offered to meet with Sara to review the various committees in more detail so she can select a different committee if she is willing. General Counsel John McClow pointed out that Sara is welcome to come to the Grant Committee meetings without being a member of the committee.

#### **6. BLUE MESA RESERVOIR RELEASES DISCUSSION**

General Counsel John McClow referred to the article in the Board Packet concerning the Bureau of Reclamation's implementation of contingency operations for emergency releases from the Blue Mesa Reservoir to help shore up Lake Powell in an attempt to maintain storage at the target elevation 3,525 feet above sea level. John noted that releases have already begun from Flaming Gorge reservoir in Wyoming, which will release a total of 125,000 acre-feet. Blue Mesa Reservoir is scheduled for releases that will total 36,000 acre-feet from August through October and Navajo Reservoir will release a total of 20,000 acre-feet in November and December 2021. For Blue Mesa Reservoir, this will result in a drop of eight feet to the reservoir level by year end.

John said the Secretary of the Department of Interior has the authority to make releases from the Colorado River Storage Project Initial Units if actual hydrology demonstrates an imminent need to protect the target elevation at Lake Powell, minimizing the risk of Lake Powell declining below minimum power pool (approximately elevation 3,490 feet above sea level). Director Rosemary Carroll asked whether the emergency releases would impact next year's releases as well. John noted that the agreement does say that reservoirs need to recover the amounts released until the reservoirs have recovered to the pre-release levels. Questions were raised how this would be possible if the Upper Gunnison Basin experiences another drought year next year.

General Manager Sonja Chavez asked if there would be efforts to "shepherd" the releases to Lake Powell. John said there is nothing in the agreement about shepherding the water. Questions were also asked if there would be any attempts to monitor how much water makes it to the state line. "Is there anything we can learn from watching where this water goes?" asked Director Julie Nania. She also noted that it will be interesting to see the impact to Blue Mesa Reservoir.

Sonja also asked why the BOR did not elect to take more water from Flaming Gorge Reservoir since it was at 82 percent of active capacity (compared to 43 percent for Blue Mesa)? John said the BOR wanted to spread around the releases and the Drought Response Operation Agreement (DROA) says releases will be made from "all" CRSP reservoirs.

Vice President Stacy McPhail asked if Board members have had questions from or conversations with the public about the releases. Director Joellen Fonken noted that at last week's STOR committee meeting, a representative from Curecanti National Recreation Area reviewed the Blue Mesa releases with the group and said that Curecanti is trying to take a proactive approach by letting visitors with reservations in August and September (their busiest months) know of the situation. The representative also noted that the Elk Creek Marina would probably not be operational by August 15<sup>th</sup>, due to low water levels. Joellen noted that Gunnison City Manager Russ Forrest and Gunnison County Community Development Director Cathie Pagano were very concerned about how this would affect Gunnison and Gunnison County economically. Joellen noted that there were also concerns about potential higher algae growth in the reservoir. Joellen encouraged Cathie Pagano to reach out to John McClow with further questions about the releases.

Director Don Sabrowski asked if such emergency releases might eventually affect the Taylor Reservoir and John McClow noted that Taylor is not connected to this agreement for Lake

Powell, but is managed under a separate agreement. Director Sabrowski asked whether, when he speaks to the Gunnison Stockgrowers, he could tell them that the emergency releases will not have any impact to irrigators. John McClow stated that the releases have no impact upstream of Blue Mesa Reservoir.

## **7. GENERAL MANAGER AND COMMITTEE REPORTS**

### **A. Treasurer's Report**

Treasurer Bill Nesbitt reported that US Treasury Secretary Janet Yellen warned Congress that her department will need to start “extraordinary measures” on Aug. 2 if lawmakers don’t raise or suspend the current debt ceiling limit which expires August 1. Bill noted that when this happened back in 2011, all of the credit rating agencies downgraded federal investment vehicles which created a lot of insecurity in the markets. Therefore, for now, Bill thinks it would be wise to just sit tight and see what happens in the next couple of weeks before investing the cash that is current available for investing in the Water Activity Enterprise account (approximately \$145,000)

Bill also noted that he met with the auditor, Paul Miller, to review the 2020 audit. There were no discrepancies noted and the District met all standards. Sonja also recognized the good work of Jill Steele (District Accountant) for overseeing the audit.

**Director Bill Nesbitt moved and Director Julie Nania seconded approval of the 2020 Financial Audit as submitted in the Board Packet. The motion carried.**

General Manager Sonja Chavez acknowledged Jill Steele for her attention to detail in alerting the District about the high checking account balance in the Water Activity Enterprise and the opportunity to invest some of those funds. Beverly Richards (Water Resource Specialist) informed the Board that the Enterprise sold an additional 10 units of Meridian Lake Reservoir augmentation water.

### **B. Watershed Management Planning Committee Update**

The consultant presentation on the City of Gunnison Master Plan will be tomorrow, June 27 at 5:30 p.m. Director Bergstrom and Director Perusek indicated they may be present at the meeting. Director Nesbitt indicated that Mayor Gelwicks let him know that the City’s water

attorney will be there too, not just the engineers. Sonja will be attending and will continue to look for areas where the District can assist with municipal planning or implementation consistent with District mission and goals, specifically where there are multi-benefits. We do not need to notice that our Directors will be attending if no formal business of the District will be discussed.

**8. BREAK - (The meeting was called back to order at 6:26 p.m.)**

**C. Taylor Local Users Group (TLUG) Update**

TLUG Chair Don Sabrowski reported that at the July meeting the representatives were getting more concerned about releases. Don noted that Ernie Cockrell, in particular was very concerned about leaving Taylor Reservoir with a year-end level of 56,000 feet when the decree calls for a 70,000 feet minimum. The TLUG members agreed to a compromise of releases at 275 cfs, instead of their original request of 300 cfs. Director Andy Spann noted that the TLUG has been compromising on releases due to the drought since the first meeting back in April 2021 and doing everything possible. He noted that the situation is getting tighter and tighter but that additional flow due to draining of Spring Creek Reservoir and some recent rainfalls have been very beneficial. Director Rosemary Carroll noted that Colorado Parks and Wildlife requested a voluntary fishing closure during the heat of the day to protect the fish during low water flows when temperatures increase above 70 degrees. General Manager Sonja Chavez noted that there have been no other fishing closures. She has been watching the Lake Fork and she has seen temporary, single day exceedance of 70 degrees, a couple of times, but that rains have helped to prop flows and drop those temperatures back below that critical level. There have been no in stream flow calls on the Lake Fork to date.

The next TLUG meeting will be Friday, August 6<sup>th</sup> at 9 a.m. in person in the District Board room.

**F. Basin Water Supply Update**

Water Resource Specialist Beverly Richards reported that there has not been much change for drought predictions from the previous month. Conditions are predicted to stay the same or get a little worse over the next three to six months. The Climate Prediction Center is stating they think there is a good chance a La Nina pattern may come back in the picture for fall and

winter, which has proven to be sometimes good and sometimes bad for precipitation in our region. The UG Basin did see a jump in stream flows recently due to beneficial rains. The Slate River did not see much of a bump. Bev noted that just over 50 percent of the inner mountain west territory is in exceptional drought conditions. However, to date, monsoon rains have been better this year than last. Finally, in the most recent BOR report, it is predicted that Blue Mesa Reservoir will be at 23 percent of capacity at the end of the year. It is currently at 43 percent.

### **G. Executive Committee Meeting Update**

The Executive Committee met on June 22<sup>nd</sup> and attended an Employer's Council educational seminar on *Compensation 101*. General Manager Sonja Chavez noted that Governor Polis enacted the 2021 Colorado Equal Pay for Equal Work Act (Equal Pay Act) earlier this year and that the Zoom conference was helpful in reviewing how compensation studies are done, getting an overview of Colorado labor laws as well as the new requirements and provisions under the Equal Pay Act. Sonja reminded the Board that she did a compensation study for District personnel during the 2020 fall budget process for adoption in 2021. The Board recommended Sonja use the results as "guidelines" but did not formally adopt them as policy. After the seminar, the Executive Committee is recommending the District pay for a detailed District compensation study utilizing Employer's Council technical experts and that the General Manager and General Counsel work on drafting District compensation policies for consideration and adoption by the Board.

**Vice President Stacy McPhail moved the approval of the Executive Committee's recommendation to conduct a formal compensation study and develop a compensation policy document. The motion carried.**

### **H. Scientific Endeavors Update**

Director Rosemary Carroll reported the Department of Energy is currently working on two studies dealing with changes in snow melt timing, microbial and plant interactions to address biogeochemical activity from hillslopes, and osmotic sampling of methane out of shales in the East River basin. Aerial Snow Observatory (ASO) flights will also take place this winter/springs in concert with the SAIL program in Gothic. This sampling will overlap with NOAA one year project collecting radar near the fish hatchery. In the past they have flown

Ohio, Taylor, and East and portions of Crystal. All this important work supports many efforts occurring throughout the Gunnison basin.

#### **I. Long Lake Working Group Update**

General Counsel John McClow referenced the summary from the May 26, 2021, meeting included in the Board packet. On July 8, the committee members did a walking tour around the lake and noted that there have been some signage put up. The consensus of the group was to have these signs be semi-permanent. John said they were making progress on the proposal that the Land Trust put together as outlined in the May 26th meeting summary. Director Joellen Fonken asked what would become of the non-system trails that were used by hikers and bikers. John noted that all trails that are not included in the official/formal trail system as determined by the committee will either be closed, or where appropriate, restored. The consensus of the group was also that they were not anticipating bike use.

#### **J. Gunnison Basin Roundtable Update**

Director Julie Nania reported that Steve Anderson is stepping down as General Manager at the Uncompahgre Valley Water Users Association. She noted that the CWCB has approved another \$1 million water efficiency planning grant awarded to Redland Power Plan/Orchard Mesa. Gaming has brought in an additional \$6 million so far to support water projects. Julie noted that the roundtable has had some of the same discussions as the District about Demand Management with specific emphasis on anti-speculation. Dave Kanzer is stepping down from leading the GBRT Education Committee and they are looking for a replacement. Julie said that under the Gunnison Basin Implementation Plan nearly 350 water projects have been identified totaling nearly \$1.3 billion in costs. The roundtable formally adopted the CWCB's Code of Conduct. Julie also reported that \$500,000 of stimulus funding was earmarked for basin roundtable projects across the state. Julie said there was also discussion about what the roundtable wanted the Inter Basin Compact Committee (IBCC) to focus on from the GBRT's projects. Russ George has resigned as executive director of the IBCC and no replacement has been identified. There was also discussion about what IBCC should be working on (e.g., issues around equity and proportionality in demand management). The feeling of GBRT members is that much of the conversation around demand management seems to be going in circles.

Director Bill Nesbitt noted that North Fork River Water Conservancy District offered \$100 a month to be used to help with website maintenance, social media and newsletter development.

The Upper Gunnison District contributed a one-time \$200 contribution hoping others would step up to help but no one else has at this time.

#### **K. Wet Meadow Restoration Update**

Wet Meadow Restoration Coordinator Paul Jones reported that the field season started on July 15<sup>th</sup> and that he has been very busy with planning for the season. Paul reviewed many of the projects they are working on including: Mountain Island Ranch, South Cottonwood, the Whitepine Double Heart Ranch, the Pinecrest Ranch and Flat Top, as outlined in his report in the Board packet. Paul played a video for the Board showing how Post Assisted Log Structures (PALs) can be used during rushing storm water to back up the water and store it. Paul noted that PALs could be installed in the Upper Gunnison Basin to help with some of their projects.

Paul noted that he has also conducted a lot of public outreach including: providing a Beaver Dam Analog tour; a Catalyst Gunnison sage-grouse tour; a tour for the Gunnison River Festival; a class tour for RMBL; coordinating with the BLM on a three-day national training session and working with Maxwell Sawyer, an MEM student at Western Colorado University.

Paul said Wet Meadows' goal this year is to triple their output.

When traveling through the closure of highway 50 through the Blue Canyon, Paul noted that there were a lot of fallen and removed trees with their root structures still intact that he could use for the PALs and Beaver Dam Analog work. He contacted Colorado Department of Transportation (CDOT) and then the Federal Highway Commission about the possibility of Wet Meadow keeping the trees for their projects. Paul noted that transporting the trees will be the biggest issue. Paul will keep the District posted on any progress he makes with the trees.

### **9. MISCELLANEOUS MATTERS**

Vice President Stacy McPhail reminded the Board that the Colorado Water Congress Conference will be in Steamboat August 24-26. If anyone is still interested in attending, to please let staff know. Sonja noted that for those Board members who couldn't make this event, they also hold a winter conference in January every year. General Counsel John McCLOW was asked if directors not attending the conference would still be able to log on to



the virtual sessions. John noted that not much information has been provided about the virtual presentations but that the District will share these details when they become available.

General Manager Sonja Chavez reported that the District decided to postpone the board tours and social networking reception originally planned for the July meeting to a later date, possibly September, due to the number of tourists in the valley and the restaurants being overwhelmed.

Vice President Stacy McPhail referenced the solar report and Gunnison River spreadsheet, as well as the other news articles included in the packet.

#### **10. CITIZEN COMMENTS**

No comments were brought forth.

#### **11. FUTURE MEETINGS**

Vice President Stacy McPhail reviewed the list of future meetings as outlined in the packet.

#### **12. SUMMARY OF ACTION ITEMS**

General Manager Sonja Chavez will meet with Director Sara Bergstrom to discuss standing committees and options for service.

Sonja will also work on conducting the compensation package study.

Sonja and John will work on developing District compensation policy as recommended by the Executive Committee.


#### **13. ADJOURNMENT**

Vice President Stacy McPhail adjourned the July 26<sup>th</sup>, 2021 meeting at 7:15 p.m.

Respectfully Submitted,

  
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John Perusek, Secretary

APPROVED:

  
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Stacy McPhail, Vice President