



Upper Gunnison River Water Conservancy District

210 West Spencer Avenue, Suite B • Gunnison, Colorado 81230
Telephone (970) 641-6065 • www.ugrwcd.org

BOARD OF DIRECTORS MEETING AGENDA

Monday – March 25, 2024

5:30 PM

<https://us02web.zoom.us/join/9tZAuDequrzlUG9QCNMpYGG7ueuPHCSXKD4VA>

MISSION STATEMENT

To be an active leader in all issues affecting the water resources of the Upper Gunnison River Basin.

REGULAR BOARD MEETING

5:00 p.m. – *Dinner will be ready, so please fill your plates on the way into the meeting.*

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|------|------|----|---|
| 5:30 | p.m. | 1. | Call to Order |
| 5:31 | p.m. | 2. | Agenda Approval |
| 5:32 | p.m. | 3. | Consent Agenda Items: Any of the following items may be removed for discussion from the consent agenda at the request of any Board member or citizen. <ul style="list-style-type: none"> • Approval of February 26, 2024 Minutes • Monthly Budget Summary for February • Consideration of Operating Expenses • Consideration of Non-Operating Expenses |
| 5:35 | p.m. | 4. | Treasurer's Report |
| 5:40 | p.m. | 5. | General Counsel's Update: Legal & Legislative |
| 5:50 | p.m. | 6. | Presentation: <i>UGRWCD & TU Project Partnership</i> , Jesse Kruthaupt, Trout Unlimited (TU) Upper Gunnison Basin Coordinator |
| 6:10 | p.m. | 7. | Presentation: <i>Ecological Importance of Controlling Cheatgrass</i> , Petar Simic, Gunnison County Cheatgrass Coordinator |
| 6:30 | p.m. | 8. | General Manager and Staff Reports <ul style="list-style-type: none"> • Letter Regarding Delays in Gap Radar Deployment • Spencer Avenue Business Park Renovation Update • UGRWCD 2024 Multi-Project CFP Request |

- USGS Joint Funding Agreement Irrigation Return Flow Study
 - **Action Item:** Approve USGS Joint Funding Agreement Irrigation Return Flow Study
- March Water Supply Report, Beverly Richards
 - 2024 District Grant Award Recommendations, Beverly Richards
Action Item: Approval of 2024 Recommendations for Award
- 2024 Budget Adjustment to Support Irrigation Return Flow Study
 - **Action Item:** Approval to utilize \$38,000 of unused Grant Funds
- Taylor Local User's Group Report (March 12, 2024), Director Sabrowski
- Presentation: *Upper Gunnison Basin Drought Contingency Planning Update*, Stacy Beaugh (Strategic By Nature) and Carrie Padgett-Lyle (Harris Engineering)

7:30	p.m.	9.	Miscellaneous Matters
7:35	p.m.	10.	Citizen Comments
7:40	p.m.	11.	Future Meetings
7:41	p.m.	12.	Summary of Meeting Action Items
7:45	p.m.	13.	Adjournment of Regular Meeting

Note: This agenda is subject to change, including the addition of items or the deletion of items at any time. All times are approximate. Regular meetings, public hearings, and special meetings are recorded, and action can be taken on any item. The Board may address individual agenda items at any time or in any order to accommodate the needs of the Board and the audience. Persons with special needs due to a disability are requested to call the District at (970)641-6065 at least 24 hours prior to the meeting.

AGENDA ITEM 3
Consent Agenda Items

Upper Gunnison River Water Conservancy District
Meeting Minutes of the Board of Directors
Monday, February 26, 2024

The Board of Directors of the Upper Gunnison River Water Conservancy District (UGRWCD) conducted a regular Board meeting on Monday, February 26, 2024 at 5:30 p.m. in the District office, 210 West Spencer Avenue, Suite B, Gunnison, CO, 81230 and via Zoom video/teleconferencing.

Board members present: Rosemary Carroll, Joellen Fonken, Rebie Hazard, Stacy McPhail, Julie Nania (via Zoom), John Perusek, Don Sabrowski, Mike Rogers and Andy Spann.

Board members absent: Bill Nesbitt and Michelle Pierce

Others present:

Gary Barber, Hydrosourc, Inc. (via Zoom)
Carl Bern, Research Soil Scientist, USGS Colorado Water Science Center (via Zoom)
Clark Burton, Director of North America Closure, Homestake Mining
Sonja Chavez, UGRWCD General Manager
Cheryl Cwelich, UGRWCD Water Resource Specialist
Rachel Gidley, Hydrologist, USGS Colorado Water Science Center (via Zoom)
Jesse Kruthaupt, Trout Unlimited (via Zoom)
Liza Marron, Saguache County Commissioner
John McClow, UGRWCD General Counsel
Luke Mecklenburg, Colorado Attorney General's Office (via Zoom)
Alana Nichols, UGRWCD Fellow (via Zoom)
Beverly Richards, UGRWCD Office/Senior Program Manager
Robert Sakata, Ag Water Policy Advisor, Colorado Department of Agriculture (via Zoom)
Sue Uerling, UGRWCD Admin. Asst/Communications Specialist
Cory Williams, USGS Western Colorado Studies Section Chief (via Zoom)
David Wycoff, Pitch Site Manager, Homestake Mining
Ari Yamaguchi, UGRWCD Water Resources Technician

2. CALL TO ORDER

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

3. AGENDA APPROVAL

Director Rebie Hazard moved and Director John Perusek seconded approval of the agenda as circulated. The motion carried.

4. CONSENT AGENDA ITEMS

Director Rosemary Carroll moved and Director Joellen Fonken seconded approval of the consent agenda. The motion carried.

5. TREASURER'S REPORT

Treasurer Bill Nesbitt was absent from the meeting but submitted his report in writing. General Manager Chavez noted that the Upper Gunnison River Water Activity Enterprise has purchased a Federal Home Loan bond in the amount of \$300,000 to improve interest returns.

6. LEGAL AND LEGISLATIVE MATTERS

General Counsel John McClow referred to his Legislative Activity Report included in the Board packet and noted that there are a few bills that the Legislative Committee is monitoring. He reported that SB24-127 sponsored by Senator Kirkmeyer was introduced by the State Affairs Committee and proposes the establishment of the stream and wetlands protection commission in the Department of Natural Resources and requires the commission to develop, adopt, and maintain a dredge-and-fill permit program for: (A) Regulating the discharge of dredged or fill material into certain state waters; and (B) Providing protections for state waters, which protections are no more restrictive than the protections provided under the federal "Clean Water Act" as it existed on May 24, 2023. Counselor McClow noted that there is a draft of a competing bill being circulated by House Speaker McCluskie that would also address dredge-and-fill permits but that under this draft the responsibility would fall to the CDPHE under the Water Quality Control Commission. General Manager Chavez drafted a memo to the Board outlining her concerns with the proposed legislation whether it be in DNR or CDPHE. General Manager Chavez also reported that her memo outlined concerns that no matter the department it gets housed in that the Western Slope should insist that at least 50 % of their stakeholder meetings and at least half of the commission (decision making body) meetings be held on the Western Slope. Director Julie Nania also has substantive recommendations on the exemptions section which she thinks need to be addressed with this bill and suggested these be discussed at the next Legislative Committee Meeting.

Counselor McClow also discussed SB24-148 which would allow certain facilities to use water detained in a storm water detention and infiltration facility for rainwater harvesting. Under current law, an entity that owns, operates, or has oversight over a storm water detention and infiltration facility is not allowed to divert, store, or otherwise use water detained in the facility. This bill proposed that the detained water could be used for irrigation purposes. There are concerns about whether this would injure downstream water users. This bill is also being monitored by the UGRWCD Legislative Committee.

7. GENERAL MANAGER'S REPORT

General Manager Chavez referred to her memo in the packet and noted that she had sent a letter of support to the Colorado Water Conservation Board for the \$20 million Shoshone water rights permanency. She also reported that the *Gunnison Country Times* covered this with an article in the newspaper.

General Manager Chavez requested that the Board consider a revision to the Grant Program timeline extension policy. She said the District revised its Grant Program Policies November 21, 2023 to allow for extensions primarily due to issues during the pandemic with finding available contractors in the valley to complete the construction. General Manager Chavez said that while she has approved requests to move

funds between identified tasks or budget line items, she is not comfortable with extending timelines for the purpose of using grant funds for activities not previously stated in the contract's scope of work because of the increased staff workload tracking the finances, modifying contracts as "new" work may require a contract with different language, insurance requirements or other assurances (e.g., inspections), which means it would have to go back to the Legal Department with yet more time spent on reviews and approvals. Most importantly, the Grant Committee would not have an opportunity to review and approve the "new" work. Director Rosemary Carroll asked for clarification that this revision was specific to extensions being requested for work to be done that was outside of the original scope of work. General Manager Chavez affirmed that Director Carroll's clarification was correct.

Director Rebie Hazard moved and Director Mike Rogers seconded revising District Grant Policy #11 to include the statement, "Requests for timeline extensions will not be accepted for projects proposing to utilize funding or balances of funding for activities not contemplated in the original scope of work." The motion carried.

8. BASIN WATER SUPPLY UPDATE

Senior Program Manager Beverly Richards referred to her report included in the packet and noted that she has attended two additional meetings since the report was prepared. At these meetings, it was noted that the current snowpack in the basin is at 105 percent of average; precipitation is at 108 percent of average and stream flow is at 92 percent of average. It was also reported that last year at this time, low elevation snowpack was at 140 percent whereas it is currently at 100 percent. Forecasters are also predicting that the current El Niño pattern is shifting to neutral and will rapidly shift to a La Niña pattern in May or June. Historically, this has not resulted in good moisture for this basin.

General Manager Chavez reported that Dave Gochis is now working for the Airborne Snow Observatories (ASO) and staff has been working with ASO to prepare scopes of work and contracts for services related to the Taylor Basin WRF Hydro modeling and annual ASO flights. She noted that the Colorado Water Conservation Board did approve additional funding beyond their previous commitment for ASO flights in the Upper Gunnison basin. Senior Program Manager Beverly Richards said she attended a Colorado Airborne Snow Measurement (CASM) meeting where the Colorado Water Conservation Board reported that \$2 million has been earmarked for future ASO flights during the 2025-26 water years.

9. PRESENTATION – HOMESTAKE MINING, PITCH RECLAMATION PROJECT UPDATE BY DAVE WYKOFF AND CLARK BURTON

Dave Wykoff, Pitch Mine Closure Manager, and Clark Burton, Director of Closure Operations, for Homestake Mining presented a Power Point to the Board to update their closure operations for the uranium mine located 6.5 miles east/northeast of Sargents. It was noted that the site is above 10,000 feet in elevation with no access to any power grid. They reported that Pinnacle Partners operated a uranium mine at the site from 1959 to 1972 and the Homestake Mining operated an open pit mine from 1979 to 1984. The Colorado Department of Public Health and Environment (CDPHE) and the Colorado Division of Reclamation, Mining and Safety have provided oversight of the reclamation and closure process. They reported that the physical reclamation process is basically completed with rock dumps and pit slopes being regraded and revegetated.

The underground mine portal has been plugged. A limestone quarry at the site has been reclaimed and revegetated and the north pit tension crack has been regraded and revegetated. They said that concentration discharge from the site has consistently met the aquatic life standard of 2,000 ug/L for uranium in their discharge permit.

In 2015, there was a proposed change in Pitch's permit limit taking them from 2,000 ug/L to a 30 ug/L drinking water supply uranium standard to align with the drinking water designation on Marshall Creek. At this time, Pitch has a temporary modification to the current condition through 2025 while they work with CDPHE.

They presented their view that Perpetual Water Treatment is not the answer as it only treats the symptom but does not address the underlying cause or problem so they're focus is on what they can do to improve water-quality that is sustainable. They noted that during water treatment, the waste stream is concentrated with uranium and it has to be removed in some form or fashion; there are worker safety issues, especially during the winter at high altitude where they get significant snow amounts and access and safety are always a concern; and, treating the water with a resin that adheres to the uranium would require radioactive waste to be transported through Gunnison twice yearly down Highway 50 to be disposed of at a site in Utah or Texas, as Colorado does not have the appropriate radioactive materials disposal site. They said they have already taken a number of engineering steps to address some of the underlying issues, including regrading of waste rock to prevent ponding/infiltration; capping residual low-grade ore stockpiles still sitting at site; plugging the underground portal to address radium and reduce mobilization of uranium; doing a pilot phosphate injection process from 2017-2020 as part of a uranium passivation study for 3 years (currently at point of diminishing returns and concerned about a phosphate breakthrough); and implementing diversions or bypassing water around mineralized areas to keep water clean.

They currently have a discharge permit limit to Indian Creek at the SW-33 outfall of 2,000 ug/L which is being proposed to be reduced to 30 ug/L. Marshall Creek just below the confluence of Indian has a range of 17 to 170 ug/L and safe drinking water standard is 16.8 to 30 ug/L. Closer to Sargents the Creek has a uranium concentration of 9-57 ug/L and Wells show concentrations of 0.3 to 8 ug/L. Tomichi Creek has run between 4 and 15.9 ug/L. They reported they had discovered an internal memo from Pinnacle management dated 1970 that indicated uranium concentrations were elevated on Indian Creek prior to their open pit mining. They also obtained data from the Atomic Energy Commission (AEC) on Indian Creek showing that uranium concentrations were between 210 and 1,360 ug/L as U indicating this was their best indication of what concentrations were pre-mining. Director Nania reminded them that there was mining up there prior to 1970 and that measurement of concentrations of metals in the 1950s was significantly more difficult or inaccurate. They have researchers looking for more information and want to find out exactly what might be possible in this system.

They said a number of hydrologic studies indicate Marshall Creek has negligible influence on wells in Sargents and currently meets drinking water standards. Some additional measures have been enacted to protect municipal/domestic water uses including: Saguache County has adopted ordinances restricting drilling of alluvial wells within 200 feet of Marshall Creek; a conservation easement was established on the Irby Ranch to ensure that no future development and thus no new municipal wells could be drilled in the future; alluvial wells have been redrilled to extend into the bedrock aquifer; and the Saguache County

Commissioners have begun reviewing the feasibility of a community water and waste-water treatment systems. (The first meeting was on December 9, 2023.) In addition, there is ongoing well sampling in Sargents and ongoing in-stream water quality sampling in Marshall Creek, Indian Creek and Tomichi Creek.

Their next steps include completing a Discharger Specific Variance (DSV) process to provide a regulatory pathway if underlying water quality standards cannot be met. This process would be to determine an alternate effluent limit (AEL) and define discharge permit limits. They will also continue with their Alternatives Analysis (AA) to be developed in support of DSV, including evaluating alternatives for uranium load reduction. Their initial draft was submitted to the CDPHE/EPA in December of 2022. The remaining timeline includes meeting with stakeholders (completed Jan 2023 – Mar 2023) to discuss the Alternative Analysis and feasibility of alternatives; complete additional pilot studies/investigation (through September 2024); engage with stakeholders on AA to develop a DSV proposal and set proposed AELs (through June 2024); and finalize a DSV proposal by December 2024. Beginning in January 2025, they will commence the Rulemaking Hearing Process with the Water Quality Control Commission with a proposed completion date of June 2025.

Director Julie Nania asked if they could share a little about the water treatment plant that was used at the site back around 2009 and how that may have been helpful in informing future treatments at the site. Mr. Burton replied that the treatment plant that Julie was referring to was designed to remove radium from the site and was discontinued around 2009 and therefore, there was not much correlation between it and the uranium treatment. Mr. Wykoff said this plant did very little to remove uranium from the site and that radium is no longer an issue. Mr. Wykoff said the only active treatment at the site right now is the sediment pond where the uranium is contained primarily in solids.

Director Nania also asked if they were not intending to go forward with temporary modifications with the Water Quality Control Commission in 2025 and under what basis would they ask for temporary modifications if they do go that route? Mr. Wykoff replied that they will continue to work towards the alternative solutions presented earlier but that if they cannot meet the underlying water quality standards through the options presented here, or different regulatory pathways, then they will likely seek a temporary modification similar to the previous one they were granted and will continue to work on ways to improve water quality.

General Manager Chavez asked if they have determined through their studies how long it takes water to move through the system or in other words, how old is the water at Marshall Creek such that you can determine the time period between which you do remediation and see the results in the creek? Mr. Wykoff answered that this was a question that was beyond the areas of expertise of the presenters but that they have contracted with a company called Arcadis who have several geochemists and hydrologists that could likely answer these questions based on the studies they have conducted. He offered that Homestake could come back for a future meeting and bring some of these experts to address more of the technical questions or that they would also be willing to facilitate a site visit for the District Board members.

10. PRESENTATION – UPPER GUNNISON BASIN IRRIGATION RETURN FLOW STUDY BY CORY WILLIAMS, USGS WESTERN COLORADO STUDIES SECTION CHIEF

Cory Williams thanked the Board for cooperating with the USGS in conducting this important flow study as water quality and water quantity seems to be more important now than it has ever been. He said this study would help substantiate that agricultural irrigation using water diverted from creeks and rivers locally recharges aquifers where water percolates below the root zone and migrates back to the creek or river through the subsurface. This dynamic can affect water supply by extending streamflow outside the snowmelt runoff season and providing temporary storage of water. He noted that characterization of the groundwater/surface-water exchange in the headwaters of the upper Gunnison River Basin will improve the understanding of potential effects from future changes in water administration, climate change, and other hydrologic changes.

Mr. Williams introduced Rachel Gidley (Principal Investigator), a hydrologist with the USGS Colorado Water Science Center, who explained that her research will be on the Upper Gunnison River Basin with a higher-resolution focus on agricultural return flows in a stretch along the East River. She explained that this section was selected because there were already two stream-flow gauges in the area, there is a substantial amount of irrigated lands along this section of the East River, and there is a significant historical record of data (over 60 years). She and her colleagues will create a groundwater model to simulate recharge, discharge, and groundwater / surface water interactions. She reviewed the data collection process and how the data is used to create a groundwater model.

Ms. Gidley introduced Carl Bern, a Research Soil Scientists with the USGS Colorado Water Science Center, who explained how they would use endmember mixing analyses to estimate the volume of agricultural return flow in the East River study area. Mr. Bern said they were fortunate to have streamflow data from the area going back 60 years to help with comparisons. He noted that once the chemical/isotopic fingerprint of the study area has been completed, the application can be used in other more complex settings such as the Tomichi Creek or Ohio Creek sub-basins. Ms. Gidley then presented the proposed timeline and proposed budget as follows:

Proposed Timeline

Workplan Element	FY 2024				FY 2025				FY 2026				FY 2027				FY 2028			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Groundwater model tasks																				
Network design and data gap analysis		X	X	X																
Site installation								X												
Sample collection								X	X	X	X	X	X	X	X	X				
Data analysis and model development									X	X	X	X	X	X	X	X	X	X		
Model evaluation																X	X	X		
Publication																		X	X	X
Endmember mixing tasks																				
Preliminary analysis		X	X	X																
Site installation				X																
Sample collection				X	X	X	X	X	X	X	X	X								
Data analysis					X	X	X	X	X	X	X	X	X	X						
Publication														X	X	X				

Proposed Budget

	FY2024	FY2025	FY2026	FY2027	FY2028	Total
Funding Source	(all values in gross dollars)					
Upper Gunnison River Water Conservancy District	\$288,000	\$254,000 - 354,000	\$440,000 - 540,000	\$385,000 - 485,000	\$215,000	\$1,582,000 - 1,882,000
USGS Cooperative Matching Funds*	\$40,000	\$100,000	\$150,000	\$200,000	\$150,000	\$640,000
USGS Directed Cooperative Matching Funds*	\$0	\$0 - 100,000	\$0 - 100,000	\$0 - 100,000	\$0	\$0 - 300,000
Totals	\$328,000	\$454,000	\$690,000	\$685,000	\$365,000	\$ 2,522,000
*Pending available funds.						

	FY2024	FY2025	FY2026	FY2027	FY2028	Total
Upper Gunnison River Water Conservancy District – Personnel hours	150	800	800	230	0	1,980

Ms. Ridley pointed out that the personnel hours estimated for a staff member of the District will be to assist with checking sensors and data collection. General Manager Chavez explained that Ari Yamaguchi was hired with this study specifically in mind.

Director Stacy McPhail asked if by using the rapid reporting option for publishing the results of the study, would this mean that a report would be released this year? Mr. Williams explained that the general turnaround time under the rapid reporting system is six to eight weeks, but that all results will be presented as “preliminary” until the final publication is approved, which can be a much slower process. He did offer that the USGS can provide regular updates and specific presentations to stakeholders with proper meeting notification and that presentations could be made available to the public or recorded talks could be placed on the District’s website throughout the study time-frame.

Director Don Sabrowski asked two questions: (1) How involved will irrigators be in the study; and (2) Does Cory foresee, as a result of the study, any modifications to irrigation practices being requested of producers? Mr. Williams replied that yes, the irrigators will be very involved during the data collection process as it will be important for USGS to have a clear understanding of how water is applied and how water flows through the system during irrigation. He said that the USGS will enter into agreements with the private landowners for access to private lands and to establish the parameters of the data collection. Diversion records are already publicly available via CDSS the District could also be the steward of data collection and could choose to only provide the data (e.g., well data) as summarized results which would provide an extra layer of confidentiality for individual landowners if desired.

With respect to Director Sabrowski’s second question, Mr. Williams confirmed that they would not be asking irrigators to do anything different than what they have always done in the past. Director Stacy

McPhail noted that it would be important for irrigators to keep their practices the same so as not to skew the results of the data. She said that the study purpose is to understand just how quickly the irrigation water moves through the system based upon actual data from the individual irrigators as to what date they start irrigating, how much water is applied, when they stop and other typical irrigation regime information. In other words, she noted that the study is focused on the hydrology of the system and not on production information, for example. She and General Manager Chavez emphasized that there will be ranges of anonymity possible throughout the process. Director McPhail said that she and Ms. Chavez discussed that the study could be presented to the Gunnison Stockgrowers Association as a whole to help explain to irrigators how the study will work and determine producers' comfort level with the process before it is dialed down to individual irrigators.

Director Sabrowski asked when negotiations with individual irrigators would begin. Mr. Williams answered that first their team will be looking at previous studies done in the area to determine the best sampling locations more precisely. Following that, the District would assist USGS in reaching out to landowners, to sit down and negotiate the terms of the study agreement so that there are no surprises to either party once the data collection begins. It was explained that depending on how quickly they are able to move through the design and planning process, it is possible that there could be some installation and data collection in 2025. General Manager Chavez said that she had reached out to the Stockgrowers Association about the District and the USGS coming to a meeting in March to introduce the study idea to the membership and was awaiting a response.

Director Joellen Fonken asked for clarification about the 800 hours of time commitment on behalf of the District and it was explained that this is 800 hours per year, which is about a 1/3-time position for the District and that Ari Yamaguchi will primarily fill this role along with some support from Fellow Alana Nichols and occasionally General Manager Chavez or Water Resource Specialist Cheryl Cwelich. (Water resource sampling is always done in pairs for safety reasons.)

Director Sabrowski asked since this is the very beginning of the project, how high is the confidence that the study will be a success? Mr. Williams said that the best design for success is an informed design and since they have the results of a similar study done upstream of the proposed stretch of the East River, as well as a long history of data from the region, he feels that from a sensitivity standpoint, they will be able to get a good, calibrated model. Mr. Bern noted that since they will be gathering two separate lines of data for the model that they will then bring together, this also provides a higher level of confidence.

General Manager Chavez noted that this is the perfect time to conduct this study as the NWGOS research group is also working on similar data from some of the same areas, so she feels the studies will complement each other. While she wishes that she could have convinced NWGOS to take on this study, she is committed to it and will work hard to fundraise, with the help of the USGS, to entities like the Colorado River District and Colorado Water Conservation Board, to be sure it is fully funded.

Director Andy Spann asked if at this time anyone can think of any unforeseen consequences of the results of the study? Mr. Williams and Mr. Bern concurred that because there is good data from families who have

been irrigating this basin in the same method for generations, the model is already there and is based on good observations, which gives this modeling process a stronger start than many. Director Rosemary Carroll pointed out that the USGS will be leading the study with a totally unbiased point of view and that they have no objective to obtain any particular result, so she feels this makes the study unlikely to produce any “gotcha” results.

Director Don Sabrowski directed his observation to General Counsel John McClow saying that personally, he feels the objective of the study is to help protect historical irrigation practices. He asked if John feels the District is on the right track to protect basin water by utilizing the results of this study? Counselor McClow answered, “Yes, I do, Don.” Mr. McClow said in the future, whether there is demand management or involuntary curtailment of water uses, this study can provide valuable actual data to be used both internally and externally to support the water uses of the basin. Director McPhail agreed saying that she feels this study will be much more valuable to defending water uses in the basin versus participating in some broader study conducted by an entity in the state or federal government. Counselor McClow pointed out that there are also internal competing uses for water within the basin and that understanding the complete system can help the District make better decisions when competing uses collide.

11. MISCELLANEOUS MATTERS

Rocky Mountain Biological Laboratory is looking for a new director.

Ken Williams is headed to Washington DC to drum up more support for the forest management and watershed health project he is leading here in the basin.

Eric Kowal and his crew started renovations on the building a couple of weeks ago. They have framed out the new entrance to the Board conference room and are working on the expansion of Sonja’s office and the new bathroom. They are estimating a completion date of June 1st.

Director Don Sabrowski asked about the Colorado Water Congress Convention and those who attended reported that the break-out sessions were well done and kept them busy.

Director Rebie Hazard asked if there were any concerns in the basin about ice jams on the rivers and streams. General Manager Chavez noted that she had seen CDOT removing ice on Quartz Creek. Director Hazard noted it can also be a problem on Cochetopa but that hopefully warmer weather will help clear any jams.

Director Stacy McPhail congratulated John McClow on being appointed to the Colorado Water Conservation Board and expressed her appreciation for his time and efforts on behalf of the District.

12. CITIZEN COMMENTS

Robert Sakata introduced himself as the new Ag Water Policy Advisor with the Colorado Department of Agriculture and expressed his appreciation for the District's efforts on conducting the irrigation return flow

study. He noted that in addition to the Shoshone funding being approved by the Colorado Water Conservation Board (CWCB), he also appreciated the CWCB meeting jointly with the Water Quality Control Commission and that this meeting was also very impactful. He looks forward to visiting the Roundtables. General Manager Chavez invited him to come visit the District along with Kate Greenberg, Colorado's Commissioner of Agriculture, when she makes her rounds this summer. Mr. Sakata said he would try to do so. Director McPhail congratulated him on his appointment and said she feels his appointment is a “big win for the Department of Agriculture.”

13. FUTURE MEETINGS

A listing of meetings was included in the Board packet.

14. SUMMARY OF MEETING ACTION ITEMS

General Manager Sonja Chavez will determine the timing for when the Board might invite Homestake Mining to come back to another Board meeting for further follow-up.

15. ADJOURNMENT

Vice President Stacy McPhail adjourned the February 26, 2024 Board meeting at 7:47 p.m.

Respectfully Submitted,

John Perusek, Secretary

APPROVED:

Stacy McPhail, Vice President

	Feb 24	YTD 2024	2024 Budget	% of Budget
Ordinary Income/Expense				
Income				
Asp Water Sales	0.00	0.00	21,920.00	0.0%
Rent Income	750.00	2,700.00	30,000.00	9.0%
Cloud Seeding Income	0.00	23,750.00	120,600.00	19.69%
Interest Income	1,871.64	4,490.48	60,000.00	7.48%
Property Tax Income	26,372.22	34,319.33	2,190,598.00	1.57%
Reimbursed Exp Income	0.00	0.00	38,696.00	0.0%
Watershed Mgmt Income	30,763.50	30,763.50	231,914.00	13.27%
Wet Meadows Income	0.00	0.00	320,470.00	0.0%
WQ Monitoring Inc	0.00	42,393.00	42,393.00	100.0%
Unspent Funds Prev Year	0.00	0.00	210,190.00	0.0%
Vehicle Income	0.00	0.00	5,000.00	0.0%
Miscellaneous Income	-1,299.00	563.00		
Total Income	58,458.36	138,979.31	3,271,781.00	4.25%
Cost of Goods Sold				
CWCB PEPO 2024-2668	1,204.00	2,408.00		
CWCB PO 2023-3158	-2,568.84	-2,568.84		
Total COGS	-1,364.84	-160.84		
Expense				
1 Op X				
Admin.Travel & Exp.	5,207.17	5,739.21	35,000.00	16.4%
Audit Expense	0.00	0.00	10,000.00	0.0%
Accounting & Professional Fees	3,000.00	6,925.00	51,000.00	13.58%
BOD Expenses	1,722.32	2,521.37	15,000.00	16.81%
BOD Mileage	0.00	889.76	5,000.00	17.8%
BOD Mtg Fees	0.00	0.00	13,360.00	0.0%
Bonding and Insurance	401.00	401.00	15,000.00	2.67%
Building Rep/Maint	0.00	0.00	10,000.00	0.0%
CAM	61.75	1,119.12	5,400.00	20.72%
Computer Exp	1,327.93	2,572.71	23,300.00	11.04%
Copier Expenses	545.75	788.64	5,500.00	14.34%
County Treasurers' Fees	628.67	656.18	49,410.00	1.33%
Spencer Bldg Reserve Contrib	0.00	10,000.00	10,000.00	100.0%
Dues, Memberships&Subscriptions	753.10	3,328.67	16,475.00	20.2%
Legal Publication	53.03	184.69	10,000.00	1.85%
Manager's Discretionary	414.28	414.28	25,000.00	1.66%
Meeting Expenses	377.14	377.14	5,000.00	7.54%
Office Cleaning	506.25	1,035.00	6,500.00	15.92%
Office Supplies & Misc Expenses	489.12	2,202.26	12,000.00	18.35%
Payroll Exp	71,818.23	141,647.87	799,151.00	17.73%
Postage	0.00	0.00	1,000.00	0.0%
Telephone	627.84	629.50	7,110.00	8.85%
Utilities, Clean, Condo Dues	1,140.97	1,140.97	9,800.00	11.64%
Vehicle Expense	123.02	512.38	7,000.00	7.32%
Bank Service Charges	5.00	5.00		
Total 1 Op X	89,202.57	183,090.75	1,147,006.00	15.96%
2 Non-Op X				
Asp Subordination Report	0.00	0.00	5,500.00	0.0%
Aspinall Contract Costs	18,053.77	18,053.77	21,920.00	82.36%
City of Gunnison Cleanup	0.00	0.00	2,000.00	0.0%
Consulting/Engineering	1,000.00	1,890.00	46,000.00	4.11%
Coal Creek Watershed Coalition	0.00	0.00	10,000.00	0.0%
Donation Dust on Snowpack	0.00	3,500.00	3,500.00	100.0%
Drought Contingency Cont	0.00	2,530.00	30,000.00	8.43%
Grant Program	0.00	30,628.94	430,190.00	7.12%
Gunnison River Festival	0.00	11,000.00	11,000.00	100.0%
Endanger Fish Recovery Program	0.00	0.00	3,000.00	0.0%

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Lake Fork Conservancy	0.00	10,000.00	10,000.00	100.0%
LSC Expenses	0.00	0.00	13,464.00	0.0%
Public Outreach	1,857.98	3,654.71	61,485.00	5.94%
Regional Water Supply Imp. Exp.	9,418.61	30,187.40	450,500.00	6.7%
Taylor Park Projects Exp	0.00	0.00	7,436.00	0.0%
Watershed Mgmt X	32,921.38	51,234.94	379,914.00	13.49%
Wet Meadow X	5,958.77	9,921.61	330,470.00	3.0%
WQ Monitoring	0.00	0.00	169,930.00	0.0%
Total 2 Non-Op X	69,210.51	172,601.37	1,986,309.00	8.69%
Capital Outlay Expense	32,937.57	32,937.57	207,000.00	15.91%
Contingency	1,710.31	1,710.31	24,000.00	7.13%
Total Expense	193,060.96	390,340.00	3,364,315.00	11.6%
Net Income	-133,237.76	-251,199.85	-92,534.00	271.47%

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Upper Gunnison River Water Conservancy District
Expenses For Approval (Paid & Payable)
February 2024

Date	Name	Account	Amount
Alan Wartes Media LLC			
02/29/2024	Alan Wartes Media LLC	Legal Publication	20.24
Total Alan Wartes Media LLC			20.24
Alpine Archaeological Consultants, Inc.			
02/29/2024	Alpine Archaeological Consultants, Inc.	GOCO 2022 Expense	3,723.50
Total Alpine Archaeological Consultants, Inc.			3,723.50
Anthem			
02/01/2024	Anthem	Medical Insurance	350.09
Total Anthem			350.09
Applegate Group, Inc.			
02/29/2024	Applegate Group, Inc.	CWCB 2023-3317 (WMP Phase 3)	3,309.03
02/29/2024	Applegate Group, Inc.	Consulting/Engineering	1,000.00
Total Applegate Group, Inc.			4,309.03
Atmos Energy			
02/27/2024	Atmos Energy	Utilities - Unit C	130.01
02/27/2024	Atmos Energy	Utilities - Unit C	133.59
02/27/2024	Atmos Energy	Utilities - Unit A	246.37
Total Atmos Energy			509.97
Beverly Richards			
02/29/2024	Beverly Richards	Medical Insurance	174.70
Total Beverly Richards			174.70
Bullet Construction LLC			
02/09/2024	Bullet Construction LLC	Capital Outlay Expense	4,000.00

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Upper Gunnison River Water Conservancy District
Expenses For Approval (Paid & Payable)
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Date	Name	Account	Amount
02/09/2024	Bullet Construction LLC	Capital Outlay Expense	5,616.80
	Total Bullet Construction LLC		9,616.80
	Business Solutions Leasing		
02/29/2024	Business Solutions Leasing	Copier Expenses	242.89
	Total Business Solutions Leasing		242.89
	CEBT		
02/29/2024	CEBT	Medical Insurance	3,491.44
	Total CEBT		3,491.44
	Chase - United Credit Card		
02/29/2024	Chase - United Credit Card	Vehicle Expenses - Toyota Highl	123.02
02/29/2024	Chase - United Credit Card	Office Supplies & Misc Expenses	288.48
02/29/2024	Chase - United Credit Card	Computer Software	273.99
02/29/2024	Chase - United Credit Card	Wet Meadow X	35.27
02/29/2024	Chase - United Credit Card	GRF Receivable	203.88
02/29/2024	Chase - United Credit Card	Dues, Memberships&Subscriptions	95.00
02/29/2024	Chase - United Credit Card	Admin.Travel & Exp.	3,627.21
02/29/2024	Chase - United Credit Card	Staff Development	78.40
02/29/2024	Chase - United Credit Card	BOD Expenses	1,722.32
02/29/2024	Chase - United Credit Card	Manager's Discretionary	204.28
02/29/2024	Chase - United Credit Card	Public Outreach	197.98
	Total Chase - United Credit Card		6,849.83
	City of Gunnison		
02/22/2024	City of Gunnison	Utilities - Unit C	25.73
02/22/2024	City of Gunnison	Utilities - Unit C	185.67
02/22/2024	City of Gunnison	Utilities - Unit C	185.69
02/22/2024	City of Gunnison	Utilities - Unit C	194.75

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Upper Gunnison River Water Conservancy District
Expenses For Approval (Paid & Payable)
February 2024

Date	Name	Account	Amount
02/22/2024	City of Gunnison	Utilities - Unit A	39.16
02/29/2024	City of Gunnison	General Public Outreach	50.00
Total City of Gunnison			681.00
Crested Butte News			
02/29/2024	Crested Butte News	Legal Publication	10.79
Total Crested Butte News			10.79
Evan Marcellus			
02/29/2024	Evan Marcellus	GOCO 2022 Expense	2,200.00
Total Evan Marcellus			2,200.00
GL Computer Service, Inc.			
02/29/2024	GL Computer Service, Inc.	Computer Repair/IT Support	400.00
02/29/2024	GL Computer Service, Inc.	Computer Repair/IT Support	400.00
Total GL Computer Service, Inc.			800.00
Gobins's, Inc.			
02/29/2024	Gobins's, Inc.	Copier Expenses	151.65
02/29/2024	Gobins's, Inc.	Copier Expenses	151.21
Total Gobins's, Inc.			302.86
Golden Eagle Trash Service			
02/29/2024	Golden Eagle Trash Service	CAM	61.75
Total Golden Eagle Trash Service			61.75
Gunnison County Assessor's Office			
02/29/2024	Gunnison County Assessor's Office	Contingency	1,710.31

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Upper Gunnison River Water Conservancy District
Expenses For Approval (Paid & Payable)
February 2024

Date	Name	Account	Amount
Total Gunnison County Assessor's Office			1,710.31
Hartman Brothers, Inc.			
02/29/2024	Hartman Brothers, Inc.	Cloud Seeding	27.11
Total Hartman Brothers, Inc.			27.11
Humana			
02/01/2024	Humana	Medical Insurance	102.00
Total Humana			102.00
Ingrid Butts			
02/09/2024	Ingrid Butts	Manager's Discretionary	100.00
Total Ingrid Butts			100.00
John McClow			
02/29/2024	John McClow	Medical Insurance	174.70
02/29/2024	John McClow	Admin.Travel & Exp.	1,436.96
Total John McClow			1,611.66
KEJJ Radio			
02/29/2024	KEJJ Radio	Advertising Radio & Newspapers	125.00
Total KEJJ Radio			125.00
King Systems			
02/29/2024	King Systems	Spencer Unit A Reno	3,824.00
Total King Systems			3,824.00
Kowal Construction			
02/20/2024	Kowal Construction	Capital Outlay Expense	7,953.53

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Upper Gunnison River Water Conservancy District
Expenses For Approval (Paid & Payable)
February 2024

Date	Name	Account	Amount
02/29/2024	Kowal Construction	Spencer Unit A Reno	11,543.24
Total Kowal Construction			19,496.77
KVLE FM			
02/29/2024	KVLE FM	Advertising Radio & Newspapers	125.00
Total KVLE FM			125.00
Lefave LLC Marios & The Dive			
02/16/2024	Lefave LLC Marios & The Dive	Meeting Expenses	377.14
Total Lefave LLC Marios & The Dive			377.14
LexisNexis			
02/29/2024	LexisNexis	Dues, Memberships&Subscriptions	653.70
02/29/2024	LexisNexis	Office Supplies & Misc Expenses	146.39
Total LexisNexis			800.09
Lightspeed Voice			
02/09/2024	Lightspeed Voice	Telephone	265.80
02/29/2024	Lightspeed Voice	Telephone	1.66
Total Lightspeed Voice			267.46
Melinda McCawmedia			
02/29/2024	Melinda McCawmedia	CWCB PEPO 2024-2668	77.00
Total Melinda McCawmedia			77.00
Midnight Marketing Solutions LLC			
02/05/2024	Midnight Marketing Solutions LLC	Miscellaneous Income	1,299.00
Total Midnight Marketing Solutions LLC			1,299.00

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Upper Gunnison River Water Conservancy District
Expenses For Approval (Paid & Payable)
February 2024

Date	Name	Account	Amount
Nationwide 02/29/2024	Nationwide	Bonding and Insurance	401.00
Total Nationwide			401.00
New Morning Improvement, LLC 02/29/2024	New Morning Improvement, LLC	Office Cleaning	506.25
Total New Morning Improvement, LLC			506.25
OffCenter Designs, LLC 02/29/2024	OffCenter Designs, LLC	Manager's Discretionary	110.00
02/29/2024	OffCenter Designs, LLC	General Public Outreach	1,280.00
Total OffCenter Designs, LLC			1,390.00
Pinnacol Assurance 02/29/2024	Pinnacol Assurance	Work Comp Ins	582.00
Total Pinnacol Assurance			582.00
RigNet Inc 02/29/2024	RigNet Inc	Cloud Seeding	53.53
Total RigNet Inc			53.53
Silver World Publishing 02/29/2024	Silver World Publishing	Advertising Radio & Newspapers	80.00
02/29/2024	Silver World Publishing	Legal Publication	22.00
Total Silver World Publishing			102.00
Strategic by Nature 02/29/2024	Strategic by Nature	USBR Drought Contingency	6,097.50

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Upper Gunnison River Water Conservancy District
Expenses For Approval (Paid & Payable)
February 2024

Date	Name	Account	Amount
Total Strategic by Nature			6,097.50
Sunshine Creatives			
02/29/2024	Sunshine Creatives	CWCB PEPO 2024-2668	1,127.00
Total Sunshine Creatives			1,127.00
The Paper Clip			
02/29/2024	The Paper Clip	Office Supplies & Misc Expenses	44.25
Total The Paper Clip			44.25
Thomas N Stoeber, CPA			
02/29/2024	Thomas N Stoeber, CPA	Accounting & Professional Fees	3,000.00
Total Thomas N Stoeber, CPA			3,000.00
U.S. Bureau of Reclamation			
02/29/2024	U.S. Bureau of Reclamation	Aspinall Contract Costs	18,053.77
Total U.S. Bureau of Reclamation			18,053.77
U.S. Geological Survey			
02/29/2024	U.S. Geological Survey	HAB Phase 1 Expense	12,103.60
Total U.S. Geological Survey			12,103.60
UnitedHealthcare			
02/05/2024	UnitedHealthcare	Medical Insurance	123.90
Total UnitedHealthcare			123.90
University Corp. for Atmospheric Research			
02/29/2024	University Corp. for Atmospheric Research	CWCB PO 2023-3158	4,970.91
02/29/2024	University Corp. for Atmospheric Research	Taylor River Modeling Exp	66.07

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Upper Gunnison River Water Conservancy District
Expenses For Approval (Paid & Payable)
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Date	Name	Account	Amount
02/29/2024	University Corp. for Atmospheric Research	CWCB PO 2023-3158	6,162.19
02/29/2024	University Corp. for Atmospheric Research	Taylor River Modeling Exp	5,442.14
02/29/2024	University Corp. for Atmospheric Research	Taylor River Modeling Exp	3,829.76
Total University Corp. for Atmospheric Research			20,471.07
Upper Gunn Riv Water Activity Enterprise			
02/12/2024	Upper Gunn Riv Water Activity Enterprise	Asp Water Sales	600.95
Total Upper Gunn Riv Water Activity Enterprise			600.95
Verizon Wireless			
02/29/2024	Verizon Wireless	Telephone	360.38
Total Verizon Wireless			360.38
Visionary Broadband			
02/01/2024	Visionary Broadband	Internet	126.97
02/29/2024	Visionary Broadband	Internet	126.97
Total Visionary Broadband			253.94
Watershed Science and Design			
02/29/2024	Watershed Science and Design	CWCB 2022-2085 (Restoration)	6,426.25
02/29/2024	Watershed Science and Design	CWCB 2023-3317 (WMP Phase 3)	4,985.00
Total Watershed Science and Design			11,411.25
No name			
02/29/2024		Dues, Memberships&Subscriptions	4.40
02/29/2024		Dues, Memberships&Subscriptions	31.89
Total no name			36.29

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Upper Gunnison River Water Conservancy District
Expenses For Approval (Paid & Payable)
February 2024

Date	Name	Account	Amount
TOTAL			140,006.11

UGRWCD	Instrument	Balance	Cost	Interest	Maturity	Date
Account Name: LPL Bonds	Type	2/29/2024	Basis	Rate	Date	Callable
LPL Bond 17 (FHLB) CUSIP 91282CDH1 Treasury Note	BOND	198,753.85	204,335.35	0.790%	11/15/2024	
LPL 31 Fed. Home Loan Banks BOND CUSIP 3130 AT4D6	BOND	248,632.75	250,000.00	3.410%	6/15/2024	
LPL 28 Freddie Mac CUSIP 3134 GXQP2	BOND	195,573.40	200,000.00	3.120%	4/28/2025	7/28/2022
LPL Bond 20 (FHLB) CUSIP 3130 AJLA 5	BOND	522,732.65	550,000.00	0.800%	5/19/2025	
LPL Bond 21 (Fed Farm) CUSIP 3133 EL3P7	BOND	324,137.16	345,000.00	0.570%	8/12/2025	12/7/2023
LPL Bond 23 (FEDL) CUSIP 3130ALLD4	BOND	231,295.00	250,000.00	0.960%	3/17/2026	9/17/2021
LPL Bond 24 CUSIP 3130AMDY5 Fedl Home Loan Bank	BOND	460,989.50	500,000.00	1.100%	5/20/2026	5/20/2022
LPL 26 (Fed. Home Loan Banks) CUSIP 3130 APBE4	BOND	145,920.80	160,000.00	1.110%	9/30/2026	9/30/2022
LPL Note (FHL) 3134 H1LP6	BOND	348,708.50	160,000.00	1.090%	12/11/2028	12/11/2024
LPL BOND SUBTOTAL:		2,676,743.61	\$ 2,619,335.35	1.439%		
Account Name: LPL Certificates of Deposit						
LPL 22 Merrick Bank CD thru LPL CUSIP 59013KLR5	CD	\$ 239,740.68	\$ 249,000.00	0.370%	12/30/2024	
LPL CD 25 Sallie Mae Bank CUSIP 795451 AA1	CD	240,712.50	245,000.00	0.570%	7/22/2024	3/30/2022
LPL 30 Synchrony Bank CD CUSIP 87165 EXB8	CD	240,363.13	245,000.00	3.500%	7/29/2025	
LPL CD SUBTOTAL:		\$ 720,816.31	\$ 739,000.00	1.480%		
Account Name: LPL Money Markets Savings						
LPL Money Market Savings Account	M.M. SAVINGS	\$ 5,995.29	-	1.140%	N/A	
LPL MM SUBTOTAL:		\$ 5,995.29				

Account Name	INSTRUMENT	Balance	Cost	Interest	Maturity	Notes
	TYPE	2/29/2024	Basis	Rate	Date	
BMO Bank Checking	CHKG	\$ 32,683.27		0.01%	N/A	
Community Banks of Colo. CD	CD	52,781.63		1.05%	12/26/2024	*Updated on an Annual Basis
Community Banks of Colo. Lake City CD # 7668	CD	105,665.60		4.01%	11/20/2026	*Updated on an Annual Basis
10520 Gunnison Bank & Trust CD 6637	CD	213,382.69		1.90%	2/26/2025	*Updated on an Annual Basis
10540 Gunnison Bank & Trust MM - Spencer Building Acct. 3589	CHKG	73,244.41		0.50%		
Gunnison Bank & Trust 68756	CHKG	42,033.24				
				Average		
				Mo. Yield		
10295 COLOTRUST PLUS+	COLO.	212,478.16		5.57%	N/A	
COLOTRUST UGRWCD EHOP	COLO.	101,606.13				
10290 COLOTRUST PRIME	COLO.	100,966.71		4.92%	N/A	
10200 Petty Cash	PETTY	8.00		N/A	N/A	
MISCELLANEOUS BANK & COLOTRUST SUBTOTAL:		934,849.84				
TOTAL UGRWCD		\$ 4,338,405.05				

UGRWAE	INSTRUMENT	Balance	Cost	Interest	Maturity	Date
Account Name	TYPE	2/29/2024	Basis	Rate	Date	Callable
LPL Bond CUSIP 3134H1RM7 Fedl Home Loan Mtg Corp	Bond	\$ 298,492.80	\$ 300,000.00	5.15%	2/7/2029	8/7/2024
Gunnison Bank & Trust	CHKG	\$ 22,524.18				
COLOTRUST PLUS+	COLO.	68,430.57		5.29%	N/A	
TOTAL UGRWAE		\$ 389,447.55				

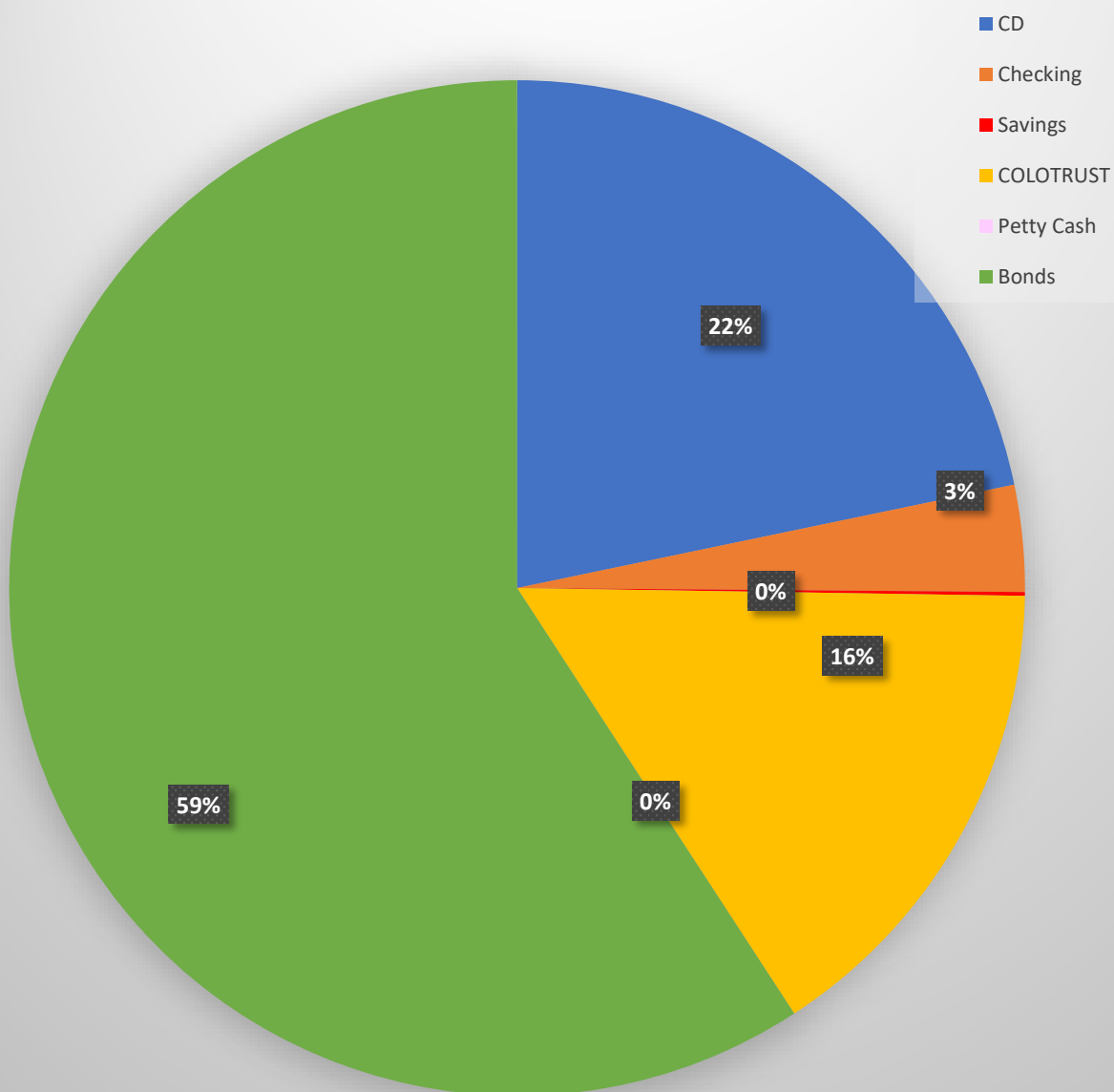
TOTAL UGRWCD + UGRWAE	\$ 4,727,852.60
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Total UGRWCD and UGRWAE by Bank	Total UGRWCD & UGRWAE by Investment Type
LPL Financial \$ 3,702,048.01 78%	CD 23% \$ 1,092,646.23
Bank of the West 32,683.27 1%	Checking 4% 170,485.10
Community Banks of Colo. 158,447.23 3%	Savings 0% 5,995.29
Gunnison Bank & Trust 351,184.52 7%	COLOTRUST 10% 483,481.57
COLOTRUST 483,481.57 10%	Petty Cash 0% 8.00
Petty Cash 8.00 0%	Bonds 63% \$ 2,975,236.41
TOTAL ALL BANKS \$ 4,727,852.60 100%	Total 100% \$ 4,727,852.60

UGRWCD & UGRWAE INVESTMENTS BY TYPE

CD	22%	\$	1,092,646.23
Checking	3%	\$	170,485.10
Savings	0%	\$	5,995.29
COLOTRUST	16%	\$	782,550.10
Petty Cash	0%	\$	8.00
Bonds	59%	\$	2,975,236.41
Total	100%	\$	5,026,921.13

UGRWCD + UGRWAE INVESTMENTS BY TYPE



AGENDA ITEM 4

Treasurer's Report

AGENDA ITEM 5

General Counsel's Update



SOUTHEASTERN COLORADO

Water Conservancy District

"Your investment in water"

March 8, 2024

For Immediate Release

Contact:

Chris Woodka

(719) 289-0785

Leann Noga Named Executive Director of the Southeastern District

Leann Noga, a longtime employee of the Southeastern Colorado Water Conservancy District, was appointed Executive Director of the District at a special Board of Directors meeting on March 8, 2024.

"Each and every one of us very much look forward to working with you," Board President Bill Long said. "I think we all have confidence in you and your ability to lead the Southeastern District. It's a great day for the District."

Long also thanked Jim Broderick, who is retiring, for his 22 years of service to the District as Executive Director.

Mrs. Noga, 43, started working for the District in 2004, and most recently was the Director of Finance and Administrative Services.



"I want to be the spokesperson for the District and carry forward the Board's message," Mrs. Noga said following the appointment. "The Board is made up of water experts, and I will draw on that expertise. I will lead by example and manage with fairness and accountability."

She briefly outlined her goals:

"At the top of the list of course is finishing the Arkansas Valley Conduit," she said. "I also want to continue to develop relationships for the District, collaborate with others on water issues and protect the District and the value of its water."

Mrs. Noga started in the District as an administrative support specialist but constantly continued to acquire the skills and education to advance within the organization. In 2013, she earned her Bachelor of Science degree in business administration from Colorado State University-Pueblo. In 2017, she earned a Master of Finance with a specialization in human resource management from Colorado State University.

At the same time, she and her husband Pat began raising a family. They have three children: Patrick, Mikey and Kayle. Pat attended the meeting in support of his wife on Friday.

Mrs. Noga is also a member of the National Water Resources Association, Colorado River Water Users Association, Colorado Rural Water Association, Government Finance Officers Association, Colorado Water Congress, Water Education Colorado and Association for Records Management Association.

The Board's decision was unanimous and came at the end of a search for a new Executive Director that began in December 2023. Several candidates were interviewed in February and Mrs. Noga was named the sole finalist by the Board at a February 21, 2024 meeting.

Other Board members voiced strong support for Mrs. Noga.

"I think there is a real belief (in the Arkansas Basin) in your capacity to take on this leadership role and guide the next chapter of the District's history," said Board member Greg Felt, a Chaffee County Commissioner and Chairman of the Colorado Water Conservation Board. "There are a lot of people in this basin who are really proud of you, and I think there are lot of women who are exceptionally proud of you."

Mrs. Noga pointed out after the meeting that the Board's decision coincidentally occurred on International Women's Day.

"It's not lost on me than Leann literally started at the bottom and has worked herself to the top," said Dallas May, a rancher who represents Prowers and Kiowa Counties. He is also chairman of the Colorado Parks and Wildlife Commission. "I think that's so commendable that somebody could and would do that, and she's done that at the same time as raising a family."

"I think this decision is great for the District's future," said Alan Hamel, who represents Pueblo County on the Board. "You have a great staff. I'm sure with your leadership and the support of all 15 Board members, you'll move the District forward."

The Southeastern District was formed in 1958 and includes parts of nine counties: Bent, Chaffee, Crowley, El Paso, Fremont, Kiowa, Otero, Prowers and Pueblo. The District is the state agency for the Fryingpan-Arkansas Project and administers the project in partnership with the U.S. Bureau of Reclamation. The two agencies are working together to build the Arkansas Valley Conduit.

Some of the District's activities include allocation of Fry-Ark Project water, operation of the James W. Broderick Hydropower Plant at Pueblo Dam, an excess capacity storage contract for Pueblo Reservoir and the Upper Arkansas Voluntary Flow Management Program.

-end-



Nearing the Halfway Mark

March 4 marks the 55th legislative day, almost halfway through the 120 day session. As of Monday, 566 measures have been introduced, 379 in the House and 187 in the Senate, which include resolutions and procedural matters.

In the Water World

Discussions continue between sponsors of competing bills to create a Dredge and Fill permit program following the U.S. Supreme Court decision in Sackett vs. EPA nearly a year ago. Meanwhile, a subcommittee formed by the CWC State Affairs committee also continues to evaluate SB 24-127, which would establish the program in the Department of Natural Resources and the outline of legislation proposed by House Speaker Julie McCluskie that would house the program in CDPHE under the Water Quality Division.

Three bills supported by the CWC State Affairs Committee are on their way to the Governor. SJR 24-004, the list of projects eligible for funding through the Colorado Water and Power Authority has been sent to the Governor.

SB 24-058 limits landowner liability for injury to persons engaging in permitted recreation on private property with prescribed notice of hazards. The bill enumerates a wide range of recreational activities, including swimming, tubing, paddleboarding, rafting, and diving which the landowner may choose to allow. Land encompasses ponds, lakes, reservoirs, and streams.

SB 24-005 prohibits installation or planting of non-functional turf and artificial turf on commercial, institutional, and industrial properties; a common interest community property; or street right of way, parking lot or transportation corridor. It does not apply to residential property. The bill, which originated in the Water and Agriculture Resources Committee, has passed final action in both House and Senate.

Other bills, including those supported or monitored by State Affairs, are awaiting action in the Appropriations committees. These include:

- HB 24-1178 – local control of pesticides
- HB 24-1152 – accessory dwelling units
- SB 24-009 – local government disaster recovery programs
- SB 24-026 – required public meetings for designated commissions
- SB 24-0028 – study use of biochar

March 4, 2024

- SB 24-037 – study feasibility of green infrastructure to meet water quality

And within five short days, both House and Senate passed HJR 24-1018 which addresses the importance of both Grand Lake and the Colorado Big Thompson Project, and urges parties to the 2016 MOU to continue working on improving and increasing the clarity depths of Grand Lake.

Meanwhile, other matters draw legislators' attention

In the House Gender identity, Culture wars stir debate.

March 1 was a long day in the House, as members got mired in bitter debate over the two gender-identity bills that have dominated chamber discussions – or just loomed over the calendar - for a week.

HB 24-1071, concerns the rights of ex-felons to change their names, including reasons related to gender identity. After debate and a long recess, Democratic leaders forced an end to debate on a 44-17 vote and then gave 43-18 final approval to the bill.

The House then took up HB 24-1039, which would require schools to honor students' choice of names, even if they hadn't legally changed them. It's equally incendiary, and House members were still at it as noon approached.

A third touchy measure, a proposed bill of rights for kids in the custody of the Division of Youth Services (HB 24-1170) finally passed 43-19 after some alarmed speeches about unisex bathrooms

Also of note, the Senate Education Committee killed SB24-049, the bill that would have required libraries and schools to set up standardized procedures for handling requests to remove books. Opponents, led by school boards, argued the bill was a one-size-fits-all imposition on local control.

Housing remains at issue.

After lengthy testimony and argument which lingered into evening hours, a House committee approved HB 24-1152, a bill intended to expand use of accessory dwelling units. The bill requires municipalities with at least 1,000 residents, and census designated places with at least 10,000 residents, which lay within a metropolitan planning organization (MPO). to allow the construction or conversion of structures on lots zoned for single-family residential construction, pursuant to an administrative approval based solely on objective standards included in zoning or other local laws. And another Senate committee advanced SB 24-094, which proposes stronger requirements on landlords for the habitability of rental properties.

In the Senate– does Open Meetings law apply to all legislative conversations?

The Senate had a good debate over SB 24-157, the proposal by Democratic leadership to ease some provisions of state open meetings law – but only as they apply to the legislature. As

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drafted, the bill appears to maintain the status quo while enshrining it in statute. The bill received preliminary approval, and senators left the floor before noon. A more restrictive House bill – HB 24-1303, which addresses the same issue, has not yet been scheduled for hearing.

CPW nominees get cold shoulder

The Senate Agriculture Committee declined to endorse two of Gov. Jared Polis' nominees to the wildlife commission. The nominations still go to the floor on Tuesday, March 5, where the debate could be interesting, focusing on whether the nominees reflect the interests they are appointed to represent. The dust-up comes on the heels of harsh criticism over CPW's handling of grey wolf reintroduction in 2023.

New bills sure to drive controversy and lengthy debate

Gun control

· HB 24-1353 – Would require firearms dealers to get state licenses to operate.

HB 24-1349 – Proposes to submit a ballot measure to voters that would impose an 11 percent excise tax on purchase of firearms and accessories.

HB 24 -1348 - Prohibits knowingly leaving a firearm in an unattended vehicle unless the firearm is stored in a locked hard-sided container that is not in plain view or that is in the trunk.

Environment

SB 24-165 – Air quality improvement measure, including California standards for off-road diesel fleets, adoption of rules regulating indirect sources of air pollution (facilities that generate mobile source emissions such as warehouses, shopping centers, businesses, hospitals)

SB 24-166 – Air quality enforcement establishes category of repeat violator and authorizes citizen suits

SB 24-159 – Bans issuance of new oil/gas permits after 2030 and reduces the number of wells that can be allowed in permits issued in 2028 and 2029.

· HB 24-1352 – Bans sale of air conditioners that aren't energy efficient after 2027.

· HB 24-1346 – The 39-page tome would expand the powers and role of the Energy and Carbon Management Commission (aka the old Oil and Gas Conservation Commission) to include regulation of activities related to carbon capture and storage

· HB 24-1338 – Proposes to create an Office of Environmental Justice in the state health department to start implementing the recommendations of an environmental justice task force that was created in 2021.

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HB 24-1339 – Would add two members to the Air Quality Control Commission, a member from “a disproportionately impacted community” and a climate scientist not connected to a regulated industry.

HB 24-1341 – Creates a state standard for how long a motor vehicle can be left idling.

The (hard) week for JBC

The budget committee wasn’t scheduled to meet Monday Feb. 26, and fell behind its agenda Tuesday and Wednesday, although members did manage to finish most of the figure setting for school finance that afternoon. The committee had been scheduled to handle that chore a week before --Thursday, Feb. 22.

The committee didn’t get back to work until after 4 p.m. Wednesday, because five of its six members had to present non-budget bills in other committees.

The JBC always struggles with its schedule once a legislative session reaches cruising speed. Drawn-out morning floor sessions squeeze out late-morning JBC sessions, pushing more work onto afternoon agendas.

But morning and afternoon JBC meetings also get squeezed by committee members themselves, who are off presenting non-budget bills in other committees. On Wednesday five members presented six bills in five different committees.

A review of bills introduced so far shows 200 bills have JBC members listed as prime sponsors—and 93 of them are not related to budget matters.

By day’s end Thursday the committee was able to get through only half the figure setting for the Department of Public Health and Environment, review a couple of bill ideas and sit through a housing funds update by Department of Local Affairs brass.

During figure setting the committee typically delays action on some requests for various reasons. The number of “laid over” items was headed toward 25 by week’s end.

Following the March 15 quarterly Economic Forecast for the upcoming fiscal year, the Long Bill is scheduled to be delivered to the House March 25.



LEGISLATIVE ACTIVITY REPORT

COLORADO GENERAL ASSEMBLY

2024 REGULAR SESSION

March 15, 2024

This report summarizes bills of interest to the District introduced in the General Assembly in this session and reviewed by the Legislative Committee. The links connect to the full text of the bills as introduced. **Red text indicates changes from the February 16, 2024 Report.**

SENATE BILLS

[SB24-005](#) CONCERNING THE CONSERVATION OF WATER IN THE STATE THROUGH THE PROHIBITION OF CERTAIN LANDSCAPING PRACTICES.

*Senate sponsors: **Roberts and Simpson**; Bridges, Hinrichsen*

*House sponsors: **McCormick and McLachlan***

Water Resources and Agriculture Review Committee. On and after January 1, 2025, the bill prohibits local governments and unit owners' associations of common interest communities from allowing the installation, planting, or placement of nonfunctional turf, artificial turf, or invasive plant species on commercial, institutional, or industrial property or a transportation corridor. The bill also prohibits the department of personnel from allowing the installation, planting, or placement of nonfunctional turf, artificial turf, or invasive plant species as part of a project for the construction or renovation of a state facility, which project commences on or after January 1, 2025.

The bill was amended in the Senate with a strike below that rewrote the entire bill. The link above is to the reengrossed bill as amended.

UGRWCD Legislative Committee position: *Support.*

CWC State Affairs Committee position: Support

03/12/2024 Sent to the Governor

03/11/2024 House: Signed by the Speaker of the House

03/11/2024 Senate: Signed by the President of the Senate

03/01/2024 Senate Considered House Amendments - Result was to Concur - Repass

02/29/2024 House Third Reading Passed - No Amendments

02/28/2024 House Second Reading Special Order - Passed with Amendments – Committee*

02/26/2024 House Committee on Agriculture, Water & Natural Resources Refer Amended to House Committee of the Whole

02/02/2024 Introduced In House - Assigned to Agriculture, Water & Natural Resources

01/31/2024 Senate Third Reading Passed - No Amendments
01/30/2024 Senate Second Reading Passed with Amendments - Committee
01/25/2024 Senate Committee on Agriculture & Natural Resources Refer Amended to Senate Committee of the Whole
01/10/2024 Introduced In Senate - Assigned to Agriculture & Natural Resources

**[House Amendment](#)*

[SB24-037](#) CONCERNING ALTERNATIVE MECHANISMS FOR ACHIEVING COMPLIANCE WITH WATER QUALITY STANDARDS.

*Senate sponsors: **Simpson and Bridges**; Hinrichsen, Roberts*

*House sponsors: **Lynch and McCormick**; Catlin, Martinez, McLachlan*

Water Resources and Agriculture Review Committee. The bill requires the division of administration (division) in the department of public health and environment (department), in collaboration with the university of Colorado's Mortenson center in global engineering and resilience and the Colorado water institute located within Colorado state university, to:

- Conduct a feasibility study of the use of green infrastructure, which refers to nature-based, watershed-scale water quality management solutions that are an alternative to traditional gray infrastructure, which refers to centralized water treatment facilities, and the use of green financing mechanisms for water quality management;
- Establish one or more pilot projects in the state to demonstrate the use of green infrastructure, green financing mechanisms, or both;
- Adopt rules establishing a prepermit baseline date to assist municipalities and other water providers to pursue prepermit solutions for compliance with state and federal water quality standards; and
- Submit a report and present to the water resources and agriculture review committee on the progress of the feasibility study and any pilot projects and on any legislative and administrative recommendations to promote the use of green infrastructure and green financing mechanisms for water quality management in the state.

[FISCAL NOTE](#)

Because the fiscal note revealed a very high cost for implementing the bill, Senator Simpson has asked that no action be taken while he works with the proponents to reduce the fiscal impact on the State.

UGRWCD Legislative Committee position: *Support as amended.*

CWC State Affairs Committee position: *Support as amended.*

02/29/2024 Senate Committee on Agriculture & Natural Resources Refer Amended to Appropriations

01/10/2024 Introduced In Senate - Assigned to Agriculture & Natural Resources

SB24-127 CONCERNING THE ESTABLISHMENT OF A DREDGE-AND-FILL PERMIT PROGRAM TO REGULATE THE DISCHARGE OF POLLUTANTS INTO CERTAIN STATE WATERS IN RESPONSE TO RECENT CHANGES IN FEDERAL LAW, AND, IN CONNECTION THEREWITH, ESTABLISHING THE STREAM AND WETLANDS PROTECTION COMMISSION AND THE STREAM AND WETLANDS PROTECTION DIVISION AND AUTHORIZING THE STREAM AND WETLANDS PROTECTION DIVISION TO ADMINISTER AND ENFORCE THE DREDGE-AND-FILL ERMIT PROGRAM IN ACCORDANCE WITH RULES PROMULGATED BY THE STREAM AND WETLANDS PROTECTION COMMISSION.

Senate sponsor: Kirkmeyer

House sponsor: Bird

The bill creates the stream and wetlands protection commission (commission) in the department of natural resources (department) and requires the commission to develop, adopt, and maintain a dredge-and-fill permit program (permit program) for:

- Regulating the discharge of dredged or fill material into certain state waters; and
- Providing protections for state waters, which protections are no more restrictive than the protections provided under the federal "Clean Water Act" as it existed on May 24, 2023.

The bill creates the stream and wetlands protection division (division) in the department to administer and enforce the permit program.

The commission is required to promulgate rules as expeditiously as is prudent and feasible concerning the issuance of permits under the permit program. Until the division implements such rules, the bill prohibits the water quality control division in the department of public health and environment from taking any enforcement action against an activity that includes the discharge of dredged or fill material into state waters if the activity causing the discharge is conducted in a manner that provides for protection of state waters consistent with the protections that would have occurred through compliance with federal law prior to May 25, 2023.

The bill establishes enforcement mechanisms for the permit program. A person who violates the terms of a permit, a rule, or a cease-and-desist order or clean-up order is subject to a civil penalty of not more than \$10,000 per day per violation.

The bill directs the state treasurer to transfer \$600,000 from the severance tax operational fund to the capital construction fund on July 1, 2024, for the implementation of the bill.

UGRWCD Legislative Committee position: *Monitor with concerns.*

CWC State Affairs Committee position: **Awaiting amendments.**

See the Memo attached to this Report for an analysis and staff and Committee concerns. Speaker McCluskie has circulated a draft bill which addresses the same subject (copy attached). The Legislative Committee discussed the draft bill during its consideration of SB24-127.

02/06/2024 Introduced In Senate - Assigned to Agriculture & Natural Resource

SB24-148 CONCERNING ALLOWING CERTAIN FACILITIES TO USE WATER DETAINED IN A STORM WATER DETENTION AND INFILTRATION FACILITY FOR PRECIPITATION HARVESTING.

Senate sponsor: Van Winkle

House sponsor: None

Under current law, an entity that owns, operates, or has oversight over a storm water detention and infiltration facility (facility) is not allowed to divert, store, or otherwise use water detained in the facility. For facilities that are also approved for use as a precipitation harvesting facility, either through a substitute water supply plan or an augmentation plan, the bill authorizes the use of water detained in the facility for precipitation harvesting.

The bill was amended with a strike below. The link above is to the reengrossed bill.

UGRWCD Legislative Committee position: *Monitor with concerns.*

CWC State Affairs Committee position: **Support as amended.**

03/11/2024 House Committee on Agriculture, Water & Natural Resources Refer Unamended to House Committee of the Whole

03/04/2024 Introduced In House - Assigned to Agriculture, Water & Natural Resources

03/04/2024 Senate Third Reading Passed - No Amendments

03/01/2024 Senate Second Reading Passed - No Amendments

02/28/2024 Senate Committee on Agriculture & Natural Resources Refer Amended - Consent Calendar to Senate Committee of the Whole

02/07/2024 Introduced In Senate - Assigned to Agriculture & Natural Resources

SB24-081 CONCERNING MEASURES TO INCREASE PROTECTIONS FROM PERFLUOROALKYL AND POLYFLUOROALKYL CHEMICALS

Senate sponsor: Cutter

House sponsors: Kipp and Rutinel

Current law prohibits the sale or distribution of class B firefighting foam that contains perfluoroalkyl and polyfluoroalkyl chemicals (PFAS chemicals). Section 1 of the bill, on and after January 1, 2025, repeals the exemption from the prohibition for gasoline distribution facilities, refineries, and chemical plants. Current law also prohibits the sale or distribution of products in certain product categories on and after certain dates if the products contain intentionally added

PFAS chemicals (product phaseout timeline). Current law exempts from the definition of "product" drugs, medical devices, biologics, or diagnostics (medical products) approved or authorized by the federal food and drug administration or the federal department of agriculture (applicable federal agencies), but not medical products cleared by the applicable federal agencies. The bill changes current law by:

- Clarifying that medical products cleared by the applicable federal agencies are also exempted from the definition of "product" (section 4);
- On and after January 1, 2025, prohibiting the sale or distribution of certain outdoor apparel intended for extreme or extended use in severe wet conditions (outdoor apparel for severe wet conditions) that contains intentionally added PFAS chemicals unless the product is accompanied by a disclosure that states that the product contains PFAS chemicals (disclosure requirement) (section 5);
- On and after January 1, 2025, as part of the product phaseout timeline, banning the sale or distribution of cleaning products, cookware, dental floss, menstruation products, ski wax, and textile articles that contain intentionally added PFAS chemicals (section 5);
- On and after January 1, 2028, repealing the disclosure requirement and banning the sale or distribution of outdoor apparel for severe wet conditions that contains intentionally added PFAS chemicals (section 5);
- On and after January 1, 2032, repealing the product phaseout timeline (section 5) and prohibiting the sale or distribution of any nonexempted product that contains intentionally added PFAS chemicals (section 6); and
- On and after July 1, 2024, prohibiting a person from installing artificial turf that contains intentionally added PFAS chemicals on any portion of property in the state (section 6).

UGRWCD Legislative Committee position: *Support*

CWC State Affairs Committee position: *Tabled awaiting amendments.*

03/12/2024 Senate Committee on Business, Labor, & Technology Refer Amended* to Senate Committee of the Whole

01/22/2024 Introduced In Senate - Assigned to Business, Labor, & Technology

* *The link above is to the amended version.*

SB24-085 CONCERNING A REBATE OF THE STATE SALES AND USE TAX PAID ON NEW DIGITAL INFRASTRUCTURE ASSETS PURCHASED IN CONNECTION WITH AN ELIGIBLE DATA CENTER.

Senate sponsors: Priola and Buckner

House sponsors: Parenti and Weinberg

For the state fiscal year beginning July 1, 2026, and for each state fiscal year thereafter through the state fiscal year beginning July 1, 2033, the bill allows a data center business or a data center operator (taxpayer) to claim a rebate for all state sales and use tax that the taxpayer paid for

construction materials or data center equipment that is for the construction or operation of an eligible data center.

To be eligible to claim a sales and use tax rebate, a taxpayer is required to obtain certification from the Colorado office of economic development (office) stating that the data center is an eligible data center and that the taxpayer may claim a rebate of state sales and use tax (certification). An "eligible data center" is defined as a data center that creates a specified number of jobs, generates a specified amount of revenue, and requires a specified amount of power. The sales and use tax rebate is allowed only for the sale, storage, or use of construction materials or data center equipment that occurs on or after the date that the taxpayer obtains certification from the office.

When a taxpayer believes that the data center that will be identified in a sales and use tax rebate application satisfies the criteria to be an eligible data center, the taxpayer may apply to the office for the certification. The taxpayer must demonstrate in the certification application that the data center is an eligible data center, and the taxpayer is required to submit any documentation or proof that the office deems necessary to determine whether a data center satisfies the criteria to be an eligible data center.

Before issuing a certification, the office shall provide the application to the Colorado economic development commission (commission) to determine whether the data center satisfies the criteria to be an eligible data center, and the commission shall approve or deny the certification. When approving an application for certification as an eligible data center, the commission may limit a certification by specifying that an eligible data center may claim a rebate only up to a specified dollar amount based on specified economic development priorities. The commission may issue certification for up to 3 data centers to claim a sales and use tax rebate in any fiscal year.

If the commission determines that a data center satisfies the criteria to be an eligible data center, the office is required to notify the department of revenue (department) and issue a certification to the taxpayer.

To claim a sales and use tax rebate, a taxpayer must submit a rebate application and a copy of the certification from the office to the department. A taxpayer is required to submit certain documentation with the application.

The bill allows a taxpayer to assign a certification to specified types of parties after it is awarded.

The bill requires the office and the department to prepare an annual report including information regarding eligible data centers and state sales and use tax rebates allowed. The office is required to submit the report to the finance committees of the house of representatives and senate.

UGRWCD Legislative Committee position: *Monitor*

CWC State Affairs Committee position: *Tabled awaiting amendments.*

01/24/2024 Introduced In Senate - Assigned to Business, Labor, & Technology

SB24-038 CONCERNING CONSERVANCY DISTRICTS, AND, IN CONNECTION THEREWITH, AUTHORIZING A CONSERVANCY DISTRICT TO PARTICIPATE IN A PLAN FOR AUGMENTATION; CONTRACT WITH WATER USERS OUTSIDE THE CONSERVANCY DISTRICT FOR THE PROVISION OF SERVICES; EXERCISE CERTAIN POWERS REGARDING THE CONTROL, DELIVERY, USE, AND DISTRIBUTION OF WATER; ESTABLISH A WATER ACTIVITY ENTERPRISE; AND SELL, LEASE, OR OTHERWISE DISPOSE OF THE USE OF WATER OR CAPACITY IN WORKS BY CONTRACT.

*Senate sponsors: **Bridges and Simpson**; Henrichsen, Pelton B., Pelton R., Roberts*

*House sponsors: **Martinez and McCormick**; Catlin, McLachlan*

Water Resources and Agriculture Review Committee. Under current law, when certain conditions exist, a district court may establish conservancy districts for the conservation, development, utilization, and disposal of water for agricultural, municipal, and industrial uses. **Section 1** of the bill allows conservancy districts to conserve, develop, utilize, or dispose of water for commercial uses as well.

Section 2 authorizes the board of directors of a conservancy district to:

- Submit and participate in a plan for augmentation for the benefit of water rights and wells within and outside of the boundaries of the conservancy district;
- Contract with water users within and outside of the conservancy district for the provision of services;
- Exercise certain powers concerning the management, control, delivery, use, and distribution of water in conjunction with a plan for augmentation;
- In conjunction with sections 4 and 5, establish a water activity enterprise, which is a government-run business, for the purpose of pursuing or continuing water activities; and
- Sell, lease, or otherwise dispose of the use of water or capacity in works by term contracts or by contracts for the perpetual use of the water or works to certain entities.

Section 3 authorizes a conservancy district to:

- Enter into long-term contracts with public and private entities for the accomplishment of functions of the conservancy district; and
- Avail itself of aid, assistance, and cooperation from the federal government, the state government, and local governments.

Sections 4 and 5 allow a conservancy district to establish a water activity enterprise, which is a business that receives less than 10% of its annual revenues in grants from all Colorado state and local governments combined, is authorized to issue its own revenue bonds, and is excluded from the provisions of the "Taxpayer's Bill of Rights" in the state constitution.

UGRWCD Legislative Committee position: *Monitor*

CWC State Affairs Committee position: *Tabled awaiting amendments.*

HOUSE BILLS

HB24-1024 CONCERNING THE CONTINUATION OF PUBLIC OUTREACH CAMPAIGNS RELATING TO WILDFIRE RISK MITIGATION IN THE WILDLAND-URBAN INTERFACE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

*House Sponsors: **Story and Velasco**; Snyder.*

*Senate Sponsors: **Cutter**; Jaquez Lewis.*

Wildfire Matters Review Committee. The bill requires the Colorado state forest service (forest service) to conduct enhanced wildfire awareness month outreach campaigns (campaigns) through 2027 and other outreach efforts through the 2026-27 state fiscal year that are expected to increase awareness of wildfire risk mitigation by residents in the wildland-urban interface. For state fiscal year 2024-25, the bill appropriates \$300,000 from the general fund to the healthy forests and vibrant communities fund for use by the forest service for the ongoing campaigns and outreach efforts.

UGRWCD Legislative Committee position: *Support*

CWC State Affairs Committee position: Support

01/22/2024 House Committee on Agriculture, Water & Natural Resources Refer Unamended to Appropriations

01/10/2024 Introduced In House - Assigned to Agriculture, Water & Natural Resources

HB24-1152 CONCERNING INCREASING THE NUMBER OF ACCESSORY DWELLING UNITS.

Section 1 of the bill creates a series of requirements related to accessory dwelling units. The bill establishes unique requirements for subject jurisdictions and for qualifying as an accessory dwelling unit supportive jurisdiction (supportive jurisdiction).

As established in the bill, a subject jurisdiction is either:

- A municipality that has a population of 1,000 or more that is within the area of a metropolitan planning organization; or
- The portion of a county that is both within a census designated place with a population of ten thousand or more, as reported in the most recent decennial census, and within the area of a metropolitan planning organization.

The bill requires a subject jurisdiction to allow, subject to an administrative approval process, one accessory dwelling unit as an accessory use to a single-unit detached dwelling in any part of the subject jurisdiction where the subject jurisdiction allows single-unit detached dwellings. The bill also prohibits subject jurisdictions from enacting or enforcing certain local laws that would restrict the construction or conversion of an accessory dwelling unit.

In order to qualify as a supportive jurisdiction, a jurisdiction must submit a report to the division of local government in the department of local affairs (the division) demonstrating that the jurisdiction:

- Has complied with the accessory dwelling unit requirements the bill imposes on subject jurisdictions; and
- Has implemented one or more strategies to encourage and facilitate the construction or conversion of accessory dwelling units.

Section 1 also creates the accessory dwelling unit fee reduction and encouragement grant program within the division. The purpose of this grant program is for the division to provide grants to supportive jurisdictions for offsetting costs incurred in connection with developing pre-approved accessory dwelling unit plans, providing technical assistance to persons converting or constructing accessory dwelling units, or waiving or reducing accessory dwelling unit associated fees and other required costs.

Section 2 grants the Colorado economic development commission the power to expend \$8 million to contract with the Colorado housing and finance authority to operate and establish the following programs to benefit the residents of supportive jurisdictions:

- An accessory dwelling unit loss reserve program that offers affordable loans for the construction or conversion of accessory dwelling units;
- A program that allows for the buying down of interest rates on loans made in connection with the construction or conversion of accessory dwelling units;
- A program that offers down payment assistance in connection with accessory dwelling units; and
- A program through which the Colorado housing and finance authority offers direct loans in connection with the construction or conversion of accessory dwelling units.

Section 3 prohibits a planned unit development resolution or ordinance for a planned unit development from restricting the permitting of an accessory dwelling unit more than the local law that applies to accessory dwelling units outside of the planned unit development.

Section 4 states that any prohibition on accessory dwelling units or the implementation of restrictive design or dimension standards by a unit owners' association in a supportive jurisdiction is void as a matter of public policy.

UGRWCD Legislative Committee position: *Monitor with concerns about lack of consultation with water providers and augmentation plans.*

CWC State Affairs Committee position: *Amend*

02/27/2024 House Committee on Transportation, Housing & Local Government Refer Amended* to Appropriations

01/30/2024 Introduced In House - Assigned to Transportation, Housing & Local Government

*[House Amendment](#)

HB24-1178 CONCERNING LOCAL GOVERNMENT AUTHORITY TO REGULATE PESTICIDES.

Current law prohibits a local government from creating laws that regulate the use of pesticides by pesticide applicators regulated by state or federal law. The bill allows a local government to create and enforce laws regulating the sale or use of pesticides to protect the health and safety of the community with certain exceptions.

UGRWCD Legislative Committee position: *Oppose*

CWC State Affairs Committee position: *Oppose*

03/15/2024 House Committee on Appropriations Refer Unamended to House Committee of the Whole

02/15/2024 House Committee on Energy & Environment Refer Amended* to Appropriations

02/01/2024 Introduced In House - Assigned to Energy & Environment

* **House Amendment**

AGENDA ITEM 6

**Presentation - UGRWCD & TU Project
Partnership by Jesse Kruthaupt,
Trout Unlimited**

AGENDA ITEM 7

**Presentation - Ecological Importance of
Controlling Cheatgrass by Petar Simic,
Gunnison County Cheatgrass Coordinator**

AGENDA ITEM 8

General Manager's Report

MEMORANDUM



TO: Board of Directors
FROM: Sonja Chavez, General Manager
DATE: March 8, 2024
SUBJECT: General Manager & Staff Report (March)

I. General Manager Report

A. UGRWCD Letter to Western Water Weather Intelligence (W3IC) & Advanced Radar Company (ARC) Related to Delays in Deployment of Gap Radar

As requested by the Board of Directors, the General Manager sent a letter to W3IC and ARC relaying concerns with on-going delays in deployment of gap weather radar in Gunnison County and requesting a meeting.

B. Spencer Avenue Business Park - Unit A Renovation Update

- Demolition of walls and electrical complete.
- Staff bathroom plumbed and shower kit installed.
- Demolition of wall for door from Unit A to the conference room complete.
- Walls painted in common areas where no construction occurring.
- Ceiling light cans replaced and dimming switches installed.
- New windows in public reception area carved out.
- Initial invoice for small conference room audio technology paid and equipment ordered.
- Unit C doors from the kitchen to conference room will be closed following March board meeting.

C. UGRWCD 2024 Multi-Project Community Funding Partnership (CFP) Request

The General Manager and Trout Unlimited, Jesse Kruthaupt, prepared an agricultural multi-project grant application to the Colorado River District Community Funding Partnership. The CFP request was for \$114,400 with \$514,900 in match from UGRWCD, Trout Unlimited, Trout Unlimited NRCS RCPP funds, Colorado Cattlemen's Agricultural Land Trust, Colorado Water Conservation Board, and private landowner's/water right holders. Projects include:

- Snyder No. 1 and 2 Ditch Infrastructure Improvement
- Bosshard Ranch/Quartz Creek Riparian and Channel Restoration

- Chittenden Ditch Irrigation Improvement
- Vidal Brothers No. 1 Irrigation Diversion Improvement

D. USGS 2024 Funding Agreement for the Upper Gunnison Basin Irrigation Return Flow Study

The UGRWCD Board of Directors received a presentation from USGS at the February regular meeting on the *Upper Gunnison Basin Irrigation Return Flow Study (Study)*. At that meeting, Directors expressed their support for the proposed study approach. The Board was presented with the following proposed budget. Making some basic assumptions that USGS would not be able to acquire Directed Cooperative Funds and that UGRWCD wanted to keep annual District cost for the study between \$250,000 and a maximum of \$340,000 per year, staff will need to raise approximately \$485,000 in outside grant funds.

With regard to the District's 2024 budget, staff estimated the study would cost approximately \$250,000 when the actual cost came in at \$288,000. The General Manager has the ability to create efficiencies within the District's 2024 budget to come up with the balance of funding required (\$38,000) for the first year and the ability to raise required additional funds in subsequent years.

The General Manager is asking for Board approval to enter into the attached **Joint Funding Agreement with USGS**.

Funding Source	FY 24	FY 25	FY 26	FY 27	FY 28	TOTAL
UGRWCD	\$ 288,000	\$254,000 - \$354,000	\$440,000 - \$540,000	\$385,000 - \$485,000	\$ 215,000	\$1,582,000 - \$1,882,000
USGS Cooperative	\$ 40,000	\$ 100,000	\$ 150,000	\$ 200,000	\$ 150,000	\$ 640,000
USGS Directed Cooperative	\$0	\$0 - \$100,000	\$0 - \$100,000	\$0 - \$100,000	\$0	\$0 - \$300,000
Total	\$328,000	\$454,000	\$690,000	\$685,000	\$365,000	\$2,522,000
Outside Grant Funding Needed	\$ -	\$ 100,000	\$ 200,000	\$ 185,000	\$ -	\$ 485,000

Action Item: Direct the General Manager to enter into a Joint Funding Agreement with USGS for the Upper Gunnison Basin Irrigation Return Flow Study at a maximum estimated cost to UGRWCD of \$1,882,000.00

II. March Basin Water Supply Report

Please see attached **report** from Beverly Richards, Office Manager / Senior Program Manager.

III. UGRWCD 2024 Grant Committee Recommendations for Funding

Please see attached memorandum and project summaries from Beverly Richards, Grant Program Manager

Action Item: Approve the 2024 Grant Committee recommendations for funding in the amount of \$254,106.00

IV. 2024 Budget Adjustment Request

During the 2024 budget process, the Board approved \$300,000 Grant Program budget. Because the 2024 grant award decisions came-in under budget, there is an unobligated Grant Program fund balance of \$45,894. There is also a 2023 unobligated Grant Program fund balance of \$43,523 therefore, the District has a **Total Unobligated Grant Fund Balance of \$89,417.**

Staff is recommending to the Board that the District move a total of \$55,060 of Unobligated Grant Program Funds to the following District Budget Line Items as follows:

- A) *General Fund Non-Operating Budget: Line Item 50c - Regional Water Supply Improvement, Irrigation Return Flow Study (Increase \$38,000):* UGRWCD budgeted \$250,000 for the Irrigation Return Flow Study and the final estimated cost is \$288,000, therefore there is a UGRWCD funding shortfall for this activity in 2024 of \$38,000; and
- B) *General Fund Non-Operating Budget: Line Item 54 – Water Quality Monitoring (Increase \$17,060):* For the purpose of collecting discrete baseline water quality data at the Ohio Creek at Baldwin stream gauge site for a single year in order to monitor possible changes in water quality following the 2023 Low Line Fire.

The increase covers 5 site visits in 2024 (March, June, August, September and November) and the suite of constituents monitored were selected based upon the standard suite we collect at other sites in the Upper Gunnison along with specific constituents commonly seen post wildfire. Constituents include water temperature, specific conductance, dissolved oxygen, and pH along with *E. coli*, major ions, nutrients (Nitrogen and Phosphorus), trace metals, turbidity, sediment, and dissolved organic carbon. We will also be relying upon our UGRWCD Water Resource Technician to ensure that we capture the first monsoonal event, peak melt and low flow should it not align with USGS sampling site visits.

The above recommendations would expend all remaining unobligated funds from the 2023 Grant Program and would leave a \$34,357 balance in the 2024 Grant Program.

A budget adjustment among approved budget line items does not require a formal public hearing because the Total General Fund Budget amount remains unchanged.

Action Items:

- Approve the request to move \$38,000 from the District's 2024 General fund Non-Operating Grant Program Budget line item to the Regional Water Supply Development budget in order to support the District's *Upper Gunnison Basin Irrigation Return Flow Study*.
- Approve the request to move \$17,060 from the District's 2024 General Fund Non-Operating Grant Program Budget line item to the Water Quality Monitoring Program in order to support water quality monitoring at the Ohio at Baldwin stream gage site following the 2023 Low Line Wildfire.

V. Taylor Local Users Group (TLUG) Report (March 12, 2024)

Update provided by Director and TLUG Chair, Don Sabrowski. Please also see attached **draft TLUG meeting minutes and operational forecast.**

VI. Presentation - *Upper Gunnison Basin Drought Contingency Plan Update*, Stacy Beaugh (Strategic By Design) and Carrie Padgett-Lyle (Harris Engineering)

AGENDA ITEM 8

Basin Water Supply Update

MEMORANDUM

TO: UGRWCD Board Members

FROM: Beverly Richards, Program Manager

DATE: March 15, 2024

SUBJECT: Basin Water Supply Information - March

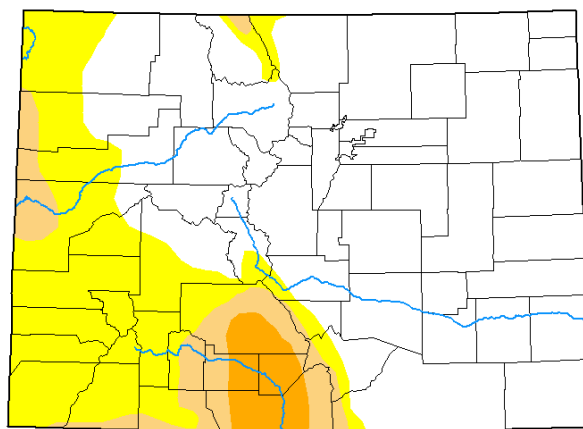
The information supplied as part of this memorandum is a monthly feature and includes information about drought, precipitation, and reservoir storage.

Current Conditions – Drought and Precipitation

As shown in the map from the *US Drought Monitor* dated March 5, 2024, drought conditions have improved since February's report. Gunnison County still shows 51% of the county in no drought conditions. The improvement is in the percentage of the county that is now in abnormally dry conditions (D0) which is 49%. Hinsdale County is now 100% in the abnormally dry (D0) category. Drought conditions in Saguache County and the southwestern part of the state have improved slightly with 29% in the severe drought category and the remainder of the area in abnormally dry (D0) or moderate (D1) drought categories. Based upon recent precipitation events, Colorado is now experiencing no drought conditions in 67% of the entire state, mostly on the eastern plains and into northwestern part of the state.

U.S. Drought Monitor **Colorado**

March 5, 2024
(Released Thursday, Mar. 7, 2024)
Valid 7 a.m. EST



Intensity:

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Curtis Riganti
National Drought Mitigation Center

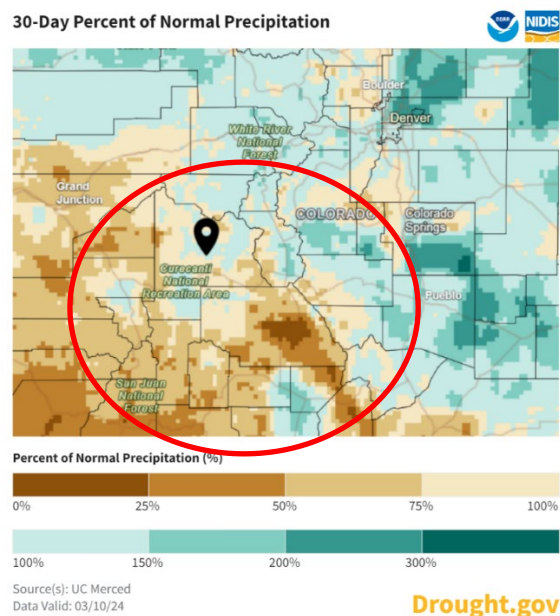


droughtmonitor.unl.edu

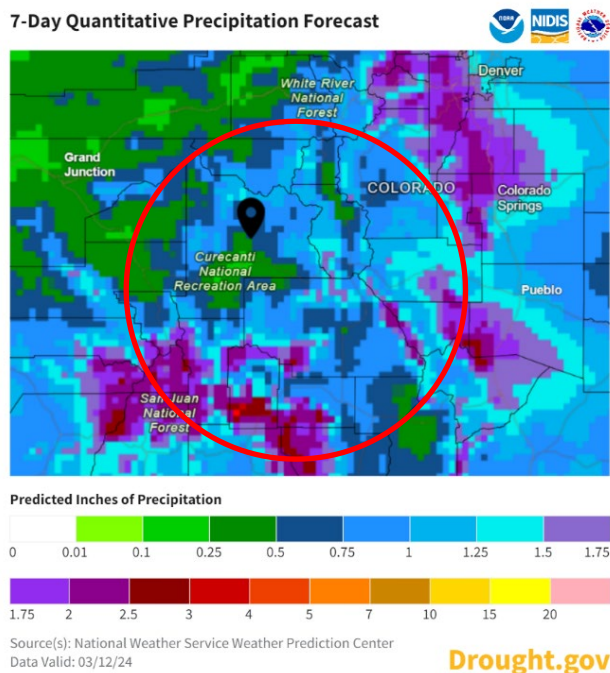
Provided below is a table which indicates the changes in drought conditions for all three counties within the district over the last month. Over 50% of Gunnison County has now moved into no drought conditions and there are no portions of the county in severe drought. Hinsdale County has also moved out of the severe drought category and the entire area is now categorized as being in abnormally dry conditions. As of March 5, a larger portion of Saguache County has moved into the abnormally dry category and moved completely out of the extreme (D3) drought category.

County	Date	None	DO	D1	D2	D3	D4
Gunnison	2/6/2024	50.83	30.48	18.69	0	0	0
	3/5/2024	50.63	49.37	0	0	0	0
Hinsdale	2/6/2024	0	0	100	0	0	0
	3/5/2024	0	100	0	0	0	0
Saguache	2/6/2024	0	13.77	39.70	46.44	.10	0
	3/5/2024	0	27.62	43.72	28.66	0	0

The improvement in Gunnison County has been due to precipitation received over the past 30 days as shown in the figure below (*Drought.gov*, March 10, 2024). Precipitation in Gunnison County has ranged from 25% to 100% of normal. Hinsdale and Saguache County precipitation has been in the range of 0% to 100% of normal in a small area of Saguache County. Based upon the drought monitor, Gunnison County had the 64th driest February in the 130-year period of record down 0.15” of normal precipitation. Hinsdale County has had the 45th wettest February which is up 0.29” of normal precipitation and Saguache County has had the 27th wettest February in the 130-year period which is up 0.49” of normal precipitation.



The 7-day Quantitative Precipitation Forecast (*Drought.gov*, March 12, 2024) figure below indicates that the area could receive some considerable precipitation in the range of 0.1 all the way up to 2 inches in some parts of Hinsdale and Saguache counties.



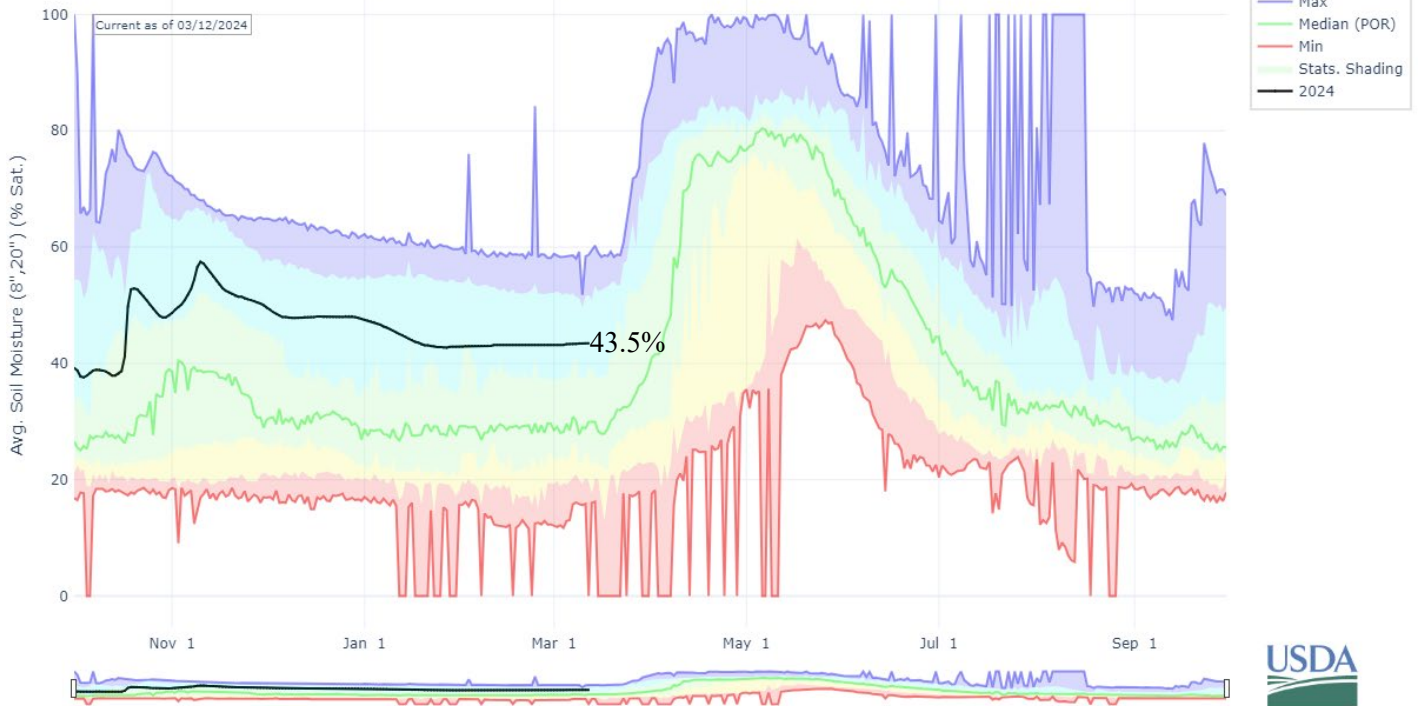
Soil Moisture

Even though the Upper Gunnison Basin received considerable snowpack in the 2022-2023 season, soil moisture was still showing a deficit due to drier conditions in July and August. This was still the case going into the 2023-2024 winter season. As shown below in the soil moisture graphs for the Butte and Park Cone SNOTEL sites (*NRCS*, March 12, 2024), the soil moisture saturation is at 43.5% and 43% of average respectively. Though this is the case, these amounts are still 122% of average (Butte) and 110% of average (Park Cone) which indicates normally dry soil conditions for this time of year. The maximum soil saturation at these sites is in the 60% range.

BUTTE, CO (380) AVG. SOIL MOISTURE (8",20")

Reset Range

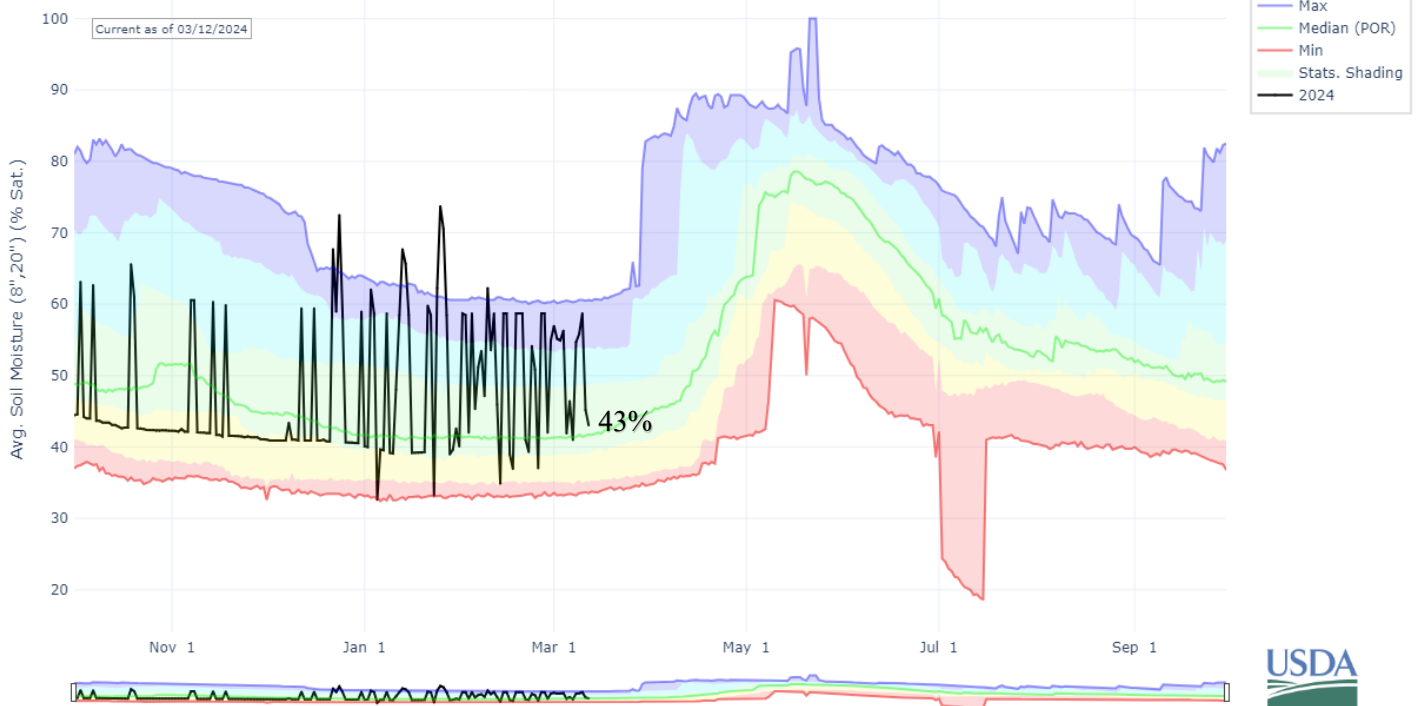
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PARK CONE, CO (680) AVG. SOIL MOISTURE (8",20")

Reset Range

[Link to data: CSV / JSON](#)

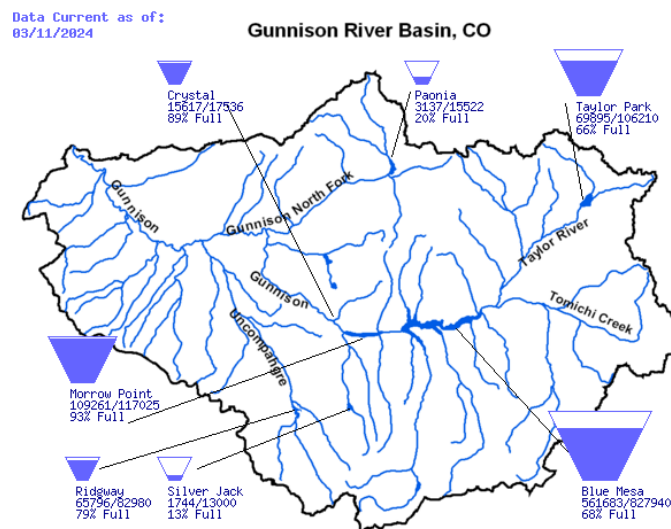


As part of the Taylor Local Users Group meeting held on March 12, 2024, soil moisture in the Taylor River Basin was discussed. Following the meeting Dave Gochis with Airborne Snow Observatory provided the following information gathered from SnoLite stations located at Mirror Lake/Tin Cup, Cottonwood Pass, and Trail Creek. The other SnoLite station in this system located at Italian Creek does not have soil sensors installed.

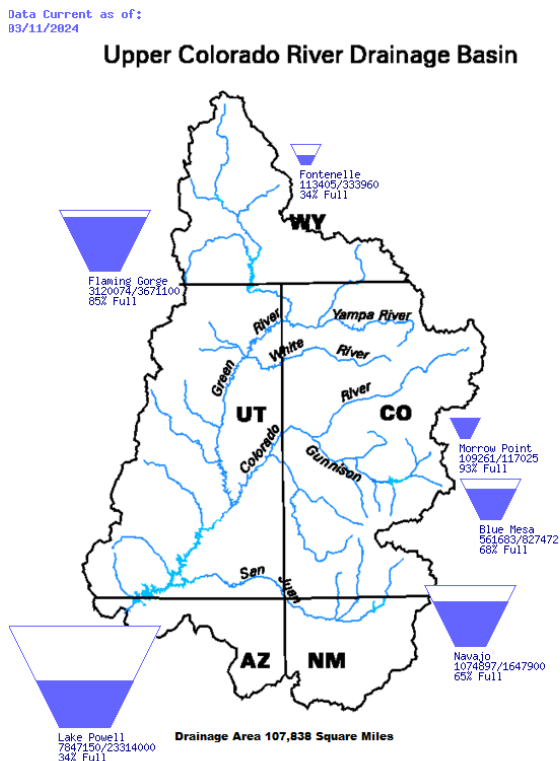
- Soils going into the winter season were slightly drier than the previous year. The basin averaged amounts are also lower for soil saturation.
- These soil moisture measurements can be affected by soil temperatures, especially those approaching freezing since soil ice measures differently than liquid soil moisture.
- The soil temperature for the Butte SNOTEL site is just at the average which is 32.13 degrees as the current temperature is 32.54 (101% of average). These both are still near the freezing level, and this has remained steady since October.
- Colder soils and potential for soil ice may impact infiltration of snowmelt in the spring, potentially offsetting a little of the dry conditions.
- Based on station data and WRF-Hydro modeling, somewhat drier soils than last year will have some impact on overall runoff efficiency. This may change due to weather variability and the potential impact of strong dust events which could affect melt timing and overall efficiency.

Reservoir Storage and Operations

According to the *Tea-Cup Diagram from the Bureau of Reclamation* dated March 11, 2024, Reservoir storage in the entire Gunnison Basin is at 61% of full, which is about the same as the report provided in February. The reservoirs in the Upper Gunnison basin, Taylor Park and Blue Mesa, are at 66% and 68% of full, respectively. The total reservoir storage in the Upper Gunnison basin is 67% of full which is a decrease of 1% from the February report.



Reservoir storage in the Upper Colorado River Basin is now 63% of full. This is a 3% decrease from February's report, but still an 11% increase from last year at this time. This is reflected in the tea-cup diagram below dated March 11, 2024.



Taylor Park Reservoir

According to the March 1, 2024, *Taylor Park Reservoir Forecast Update Report from Erik Knight with the Bureau of Reclamation*, they are now predicting 91,000 acre-feet of runoff which is 97% of average. This runoff forecast puts the year type in the Average Year category. Under this category, there is a requirement for a spring peak release of 445 cfs for 5 days and the end of October target storage content is 70,000 acre-feet. This information was provided to the TLUG meeting held on March 12, 2024.

The preliminary operations plan shows the reservoir filling to a maximum seasonal content of 101,364 acre-feet which is 95% full. Snowpack in the Taylor Park watershed is currently 99% of normal. Releases from Taylor Park Dam continue to be at the winter flow rate of 100 cfs. This release rate will continue through the month of April unless there is a prediction for significant snowmelt which would require the need to create additional storage space. The next monthly TLUG meeting will be held on April 9, 2024, beginning at 9:30 a.m.

Aspinall Unit Operations:

As of March 11, 2024 (*Aspinall Operations website, US Bureau of Reclamation*), the unregulated inflow into Blue Mesa Reservoir for February was 23,600 acre-feet which is 105% of average. The unregulated

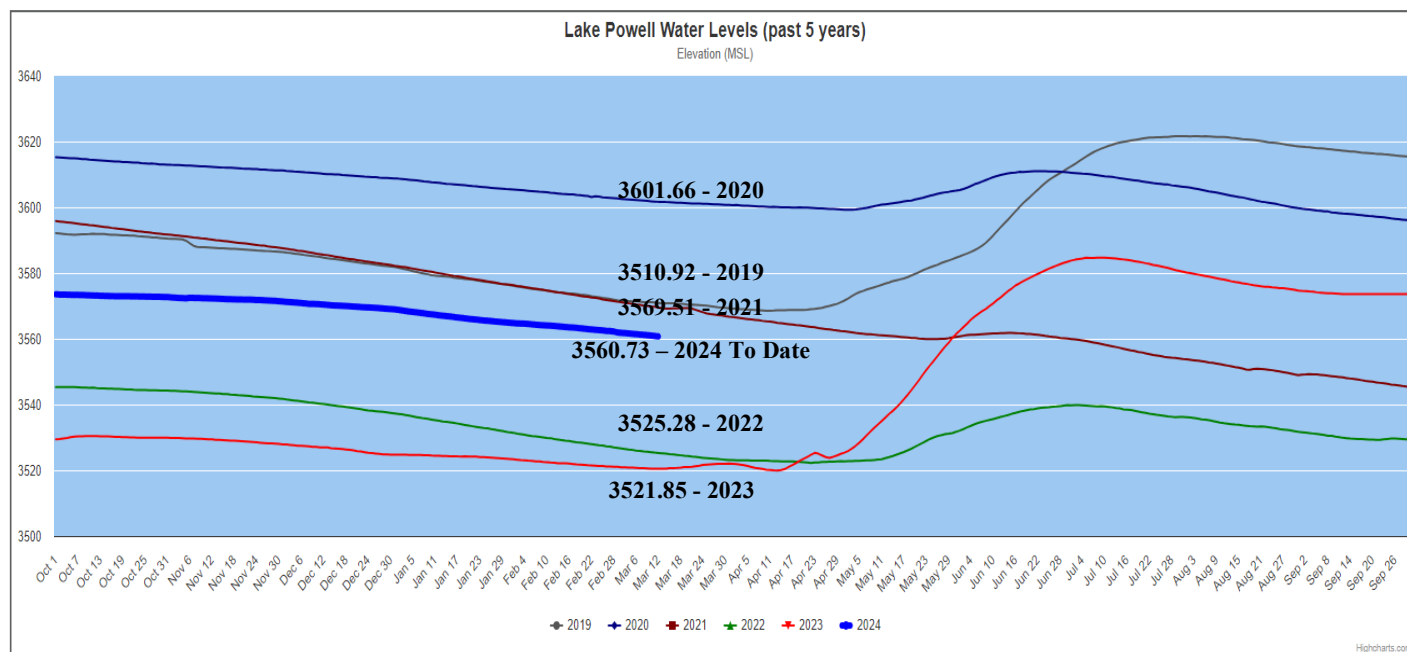
inflows for March, April, and May are projected to be a total of 294,000 acre-feet which is 90% of average.

The forecasted unregulated inflow for the entire WY24 into Blue Mesa is projected to be a total of 801,000 acre-feet which is 89% of average. The April-July unregulated inflow water supply forecast is 560,000 acre-feet which is also 88% of average. Blue Mesa is projected to fill with approximately 707,000 acre-feet of storage which is 85% full with an elevation of 7,506 feet. This elevation is 13 feet below the full pool elevation of 7519.4 which will leave approximately 118,000 acre-feet of unfilled storage space in the reservoir. By December 31, 2024, projections are that Blue Mesa will have 578,000 acre-feet of content which is 70% full with an elevation of 7490.1 feet.

Lake Powell Operations

This information is provided by the *Lake Powell Water Database* webpage (lakepowell.water-data.com) and is dated March 12, 2024.

Lake Powell elevation is currently at 3,560.73 feet with a content of 7,847,150 acre-feet which is 34% full. The hydrograph provided below shows the elevation on March 12th over the past five years. The elevation in the reservoir has risen 38.88 feet since this time last year, as shown in the graph. Total inflows for WY24 to date are 2.235M acre-feet which is 78.4% of the historical average. The total releases for WY24 to date have been 3.15M acre-feet which is 42% of the minimum required 7.5M acre-feet for the water year.



During WY24 to date, storage has fallen by 946,746 acre-feet with total outflows exceeding total inflows by 937,983 acre-feet. The thirty-four tracked reservoirs above Lake Powell are currently at 76% of capacity and the rivers feeding into Lake Powell are running at 67% of the March 12th average. Lake Powell is now 139.5 feet below the full pool.

Cloudseeding

This information is provided as part of the monthly report provided by North American Weather Consultants (NAWC) who are the contractors for the cloudseeding program. Precipitation and snowpack prior to February were below normal for the Upper Gunnison River basin. However, this changed through the month with several periods for active weather that brought precipitation and snowpack closer to normal levels. There were seven seeded storm events in February and this information is provided below. Avalanche conditions were carefully monitored before and during each event to ensure that all regulations were honored. No seeding suspensions occurred due to avalanche concerns.

Storm Number	Dates	Manual Generators Used	Manual Hours	Lake Irwin Remote Hours	Black Mesa Lodge Remote Hours
14	February 2-3	9	150.0	10.0	30.0
15	February 7-8	5	56.25	11.0	0.0
16	February 8-9	2	24.0	0.0	0.0
17	February 14	2	10.0	0.0	0.0
18	February 15	3	18.75	0.0	5.0
19	February 16-17	3	36.0	4.0	12.25
20	February 27	9	74.5	9.5	8.25
Hours To Date	---	---	913.75	95.5	84.0

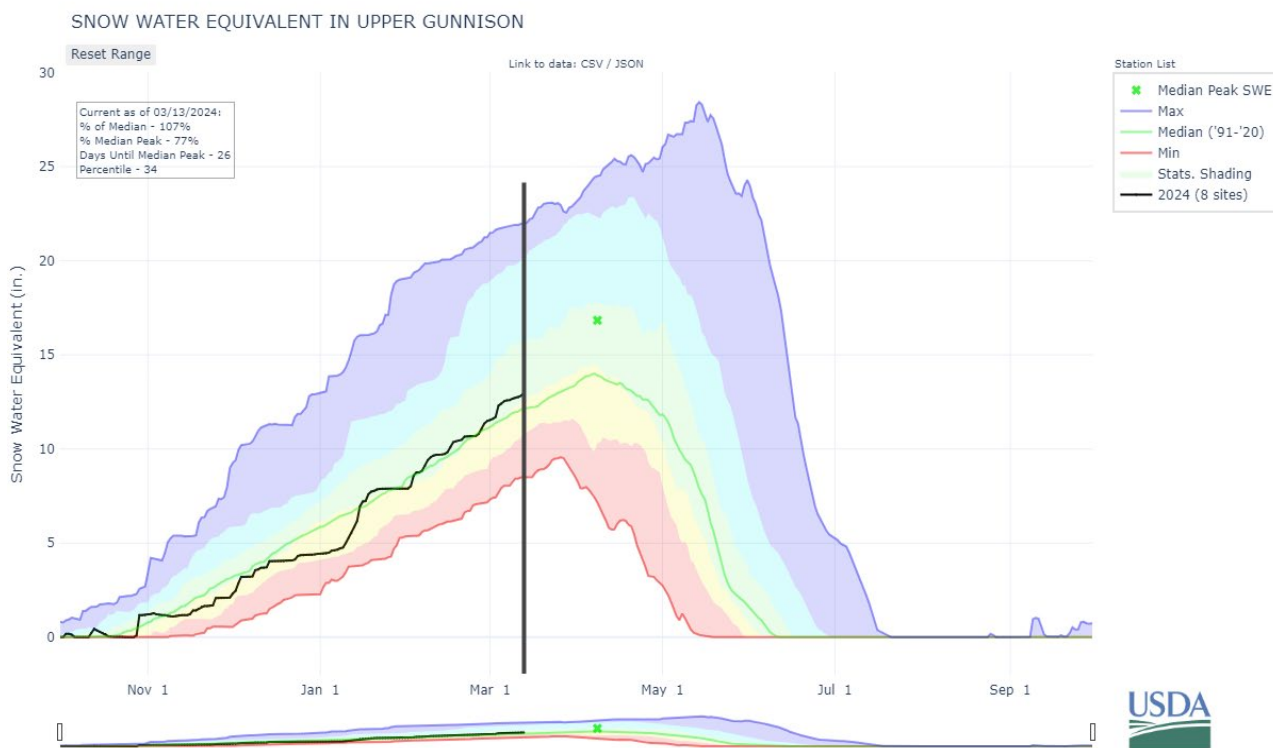
Snow water equivalent accumulated is shown in the table below and is information provided from select SNOTEL sites around the target region during seeded events.

Dates	Schofield Pass	Park Cone	Porphyry Creek	Slumgullion
February 2-3	0.6	0.4	1.8	0.4
February 7-8	1.5	0.3	0.4	0.4
February 8-9	0.4	0.3	0.2	0.1
February 14	0.4	0.1	0.0	0.0
February 15	0.6	0.2	0.0	0.1
February 16-17	0.9	0.2	0.3	0.1
February 27	0.7	0.3	0.2	0.3
Total	5.1	1.8	2.9	1.4

As of March 12, 2024, snow water equivalent in the Upper Gunnison Basin has reached normal, with a basin wide average of 101%. Precipitation as of March 12 is above normal at 109% of the average for that date. The table below shows the information provided from the SNOTEL site along with the average amounts for this date in the period of record.

Measurement Site	Snow Water Equivalent (in)			Water Year Precipitation (in)		
	3/12/2024	Average	Percent	2/1/2024	Average	Percent
Butte	13.9	13.1	108	15.8	13.9	114
Scofield Pass	26.7	30.3	88	27.2	28.2	96
Park Cone	10.9	9.6	114	11.9	10.7	111
Porphyry Creek	15.7	14.4	109	17.5	13.3	132
Slumgullion	9.8	11.7	84	10.7	11.5	93
Upper Gunnison Basin Percent of Average			101%			109%

The NRCS figure below is a different graphical representation of SWE information showing minimum, maximum, median, and current year information for the Upper Gunnison Basin as of March 13, 2024. This information is compiled using a total of eight SNOTEL sites rather than those provided above. Based on this, SWE is now at 107% of the median for this date.



The cloudseeding program is scheduled to continue through April 15, 2024.

AGENDA ITEM 8

Grant Committee Update/Action

MEMORANDUM

TO: Board of Directors

FROM: Beverly Richards/Grant Committee

DATE: February 29, 2024

SUBJECT: 2024 Grant Committee and Funding Recommendations

The Grant Committee met on February 29, 2024 to review applications for the 2024 Grant Program. Directors Andy Spann, Julie Nania, Joellen Fonken, and Rosemary Carroll participated. Director Rebie Hazard provided her input prior to the meeting with preference to fund shovel ready projects. District staff Beverly Richards and Cheryl Cwelich were also in attendance. Total funds requested in 2024 were \$309,739, which was approximately \$9,000 more than the 2024 District Grant budget amount of \$300,000

The Grant Committee meeting was called to order at 9:00 a.m. by Committee Chair Joellen Fonken. The Committee discussed each application and as part of the discussion, the funding recommendations are as follows:

Grant Committee Funding Recommendations:

1. Arch Ditch Diversion Automation	\$50,000
2. Bailey R & RS Wilson Ditch & Gate Replacement	\$ 2,750
3. Cole No 2 Ditch Headgate & Flume Replacement	\$15,150
4. Dos Rios Irrigation Control System	\$50,000
5. Exploring Effects of HABs on Foraging Patterns	\$25,824
6. Gunsight Bridge Parcel Vehicular Access Project	\$ 6,500
7. Johnson Ditch Diversion Rehab	\$ 7,000
8. Marshall No 1 Ditch Reshape	\$ 7,000
9. Marshall No 1 Ditch Wing Inlet Rehab	\$ 7,500
10. Miller Irrigation Infrastructure Improvement	\$13,000
11. Radeka Ditch Diversion Rehab – Completed	\$19,500
12. Snyder Ditches 1 & 2 Improvement	\$15,000
13. Tingley Ditch Diversion Rehab	\$ 6,000
14. Town Boardwalk Bog Bridge	\$10,882
15. Two Bar T Ranch Irrigation Improvement	\$ 6,000
16. Verzuh Ranch Bank Stabilization & Stewardship	<u>\$12,000</u>
Total 2024 Program:	\$254,106

There were several applications that will be awarded funding contingent upon receipt of additional information. In addition, there were several good project proposals submitted, but deemed in need of a geo-fluvial hydrologist's review to ensure successful outcomes and avoid any potential negative downstream effects from the proposed work.

This 2024 Grant Program award package leverages District resources with outside matching grant program resources or landowner and partner match. 2024 Total Project Costs are \$712,663 and Total Match was \$402,924. The Upper Gunnison grant dollars leverage matching funds at approximately 1:2.

Recommended Board Action in Support of the 2024 District Grant Process:

1. Approve the UGRWCD Grant Committee 2024 recommendations for award in the amount of \$254,106.

Additional Future Action Items for Staff Follow-Up:

- Staff will follow up with applicants on additional information required as part of any contingent funding award.

The Grant Committee meeting was adjourned at 10:35 a.m.

2024 Grant Applications Summary

1. Arch Ditch Diversion Automation- Tomichi Creek

This project will involve installation of automation equipment and a trash boom on the Arch Ditch diversion. The Arch Ditch is located on Tomichi Creek in Saguache County near Doyleville, CO. Updating the Arch Ditch diversion with automation equipment will increase water use efficiency and dramatically reduce labor required to manage irrigation deliveries.

This project was submitted by the Arch Ditch Association. The funding request is for \$50,000 with \$93,000 in match. Following the interview for this project, the applicant applied to CFP and CWCBC for additional funds and was approved for both.

Recommended funding - \$50,000

2. Bailey R & RS Wilson Ditch Pipe & Gate Replacement – Cebolla Creek

This project will involve replacing a rusted culvert pipe and gate that is used to manage irrigation water in the Powderhorn Creek Valley. The culvert was installed over 50 years ago and failed in the spring of 2023. Updating this pipe with 40 feet of new pipe and a canal gate will allow irrigators to easily direct water from the gulley to meadows or open the gate and allow water to flow down the ditch.

This application was submitted by Pat Youmans who is the ditch owner along with Jerry Smith. The funding request was for \$2,750 with a \$2,750 match (cash and in-kind).

Recommended funding - \$2,750

3. Cole No, 2 Ditch Headgate & Flume Replacement – Tomichi Creek

The proposed project will involve restoring the diversion, adding a headgate, and replacing the flume for the Cole No 2 Ditch. This project will improve control, management, and measurement of irrigation water diverted from Tomichi Creek. There is currently no headgate on the ditch and flume is not functional. The existing diversion consists of rock, concrete and debris and has created a slightly over widened channel.

This grant application was submitted by Halo Ranch with partners Trout Unlimited and Templeton Ranch. The funding request was for \$15,150 with a match of \$15,150 (cash and in-kind).

Recommended funding - \$15,150

4. Dos Rios Irrigation Control System – Gunnison River

This project is part of the overall project to modernize the outdated 40-year-old irrigation system in an effort to reduce water waste and improve efficiency significantly. The control system will provide an increased uniformity of water distribution which will halve the water required for irrigation, 92% versus 38-47%. The system will also reduce leaks, provide more precise application of water, avoid overwatering, and provide individual head control. This improvement is expected to save up to 32M gallons of water annually.

This application was submitted by the Dos Rios Gold Club. The funding request was for \$50,000 with a \$50,000 match from the Golf Club and Dos Rios members (cash).

Recommended funding - \$50,000

5. Exploring the Effects of Harmful Algal Blooms on Foraging Patterns of Kokanee – Gunnison River

The project involves investigating the effects of cyanobacterial blooms on aquatic communities within Blue Mesa Reservoir, which has experienced increased harmful algal blooms in recent years. Because the algal blooms are essentially poisoning the zooplankton and rendering them inedible for the kokanee, we expect to see lower concentrations of zooplankton in areas with higher concentrations of algal blooms. In Summer 2024, the applicant will use plankton tows and hydroacoustic surveys to collect abundance data on three species in the reservoir: toxic cyanobacteria (*Aphanizomenon flos-aquae*), zooplankton (*Daphnia*), and kokanee salmon (*Oncorhynchus nerka*). This data will be compared with historical data provided by the National Park Service and Colorado Parks and Wildlife.

This project was submitted by Western Colorado University and the funding request was for \$25,824 with \$36,791 committed for match (in-kind).

Recommended funding - \$25,824

6. Gunsight Bridge Parcel Vehicular Access Project – Slate River

The project involves professional consultation, planning, and design to address existing issues with Slate River erosion and to stabilize and harden a 100-foot river crossing which will allow vehicular access across the Slate River and onto Gunsight Pass Road. The goals of this project are to plan to maintain vehicular access for the benefit of future mine mitigation projects, while also considering and implementing best practices for protecting and maintaining aquatic habitat in the Slate River.

This application was submitted by the Crested Butte Land Trust (CBLT) and the funding request was for \$10,000 with a \$10,000 match (cash and in-kind).

Recommended funding - \$6,500

7. Johnson Ditch Diversion Rehabilitation - Lake Fork

The project involves the rehabilitation of the Johnson Ditch diversion, head gate and flume. The project will improve access to, measurement, and management of irrigation water used to flood irrigate productive pastures in the Lake Fork valley. These pastures are unique in the Lake Fork valley because they exist on an inholding, surrounded on all sides by BLM land. The lands are conserved for ranching, wildlife and preservation purposes through an easement administered by the BLM.

This grant application was submitted by the C&R Family LLC in partnership with the Whinnery Family. The fund request was for \$7,000 with a \$7,500 match (cash and in-kind).

Recommended funding - \$7,000

8. Marshall No 1 Ditch Reshape – Gunnison River

The purpose of this project is to address issues associated with the capacity of the ditch directly below the headgate. The capacity is limited due to several culverts, sedimentation, and rock fall as it contours the valley edge. Applegate Engineering has performed a survey of this section of the ditch and has provided recommendations which include reshaping the ditch with a wider bottom, filling embankments, and excavating segments. This is a component (Phase 2) of a larger system optimization improvement project on the Marshall No 1 being carried out under the UGRWCD WMP (Note: Phase 1 submitted and approved in the 2022 grant cycle).

This application was submitted by John Sloan with Slo Down Ranch. The funding request was for \$10,000 with \$10,500 as match (cash and in-kind).

Recommended funding - \$7,000

9. Marshall No 1 Ditch Wing Inlet – Gunnison River

Water right owners are requesting assistance to design and construct an appropriately shaped ditch wing inlet to reduce risks to infrastructure at high flow while still supporting adequate diversion of decreed water during low flow.

This grant application was submitted by Cranor Ranch and includes partners from Slo Down Ranch, Perkins, Camp Gunnison, and Trout Unlimited. The funding request was \$7,500 and has a \$8,000 match (cash and in-kind).

Recommended funding - \$7,500

10. Miller Irrigation Infrastructure Improvement – Ohio Creek

This project will involve installing six structures for water control and repairing two sections of ditch bank that have failed on the Miller Ranch. The control structures at these key junctures are long overdue for replacement. The tarps, rock, tin, and other debris currently used to direct water is an inefficient use of labor and water. The proposed improvements will allow irrigators to easily control water and direct it from low lying areas to high ground where the water is most needed. The new structures will also help minimize further loss of soil from these productive meadows by reducing erosion and “downcutting” of the unchecked flow paths through the meadows.

This application was submitted by Jeanie Miller with Miller Heritage Ranch. The funding request was for \$13,000 with a match of \$13,500. Partners include Miller Heritage LLC, Loop Cattle Company, United States Fish and Wildlife Service, and Trout Unlimited.

Recommended funding - \$13,000

11. Radeka Ditch Diversion Rehabilitation – Completed Project – Cebolla Creek

This project was a coordinated effort to replace the Radeka headgate and diversion on Cebolla Creek located approximately 30 miles south of Gunnison, CO. The Radeka diversion structure failed, and the headgate washed out during the spring of 2023. A temporary fix was implemented that later failed due to the high-water levels during irrigation season 2023.

In December of 2023 Deldorita Ranch hired a contractor and consulted with stream restoration professionals to develop a plan to install a new headgate and construct a permanent rock riffle grade control structure at the historic point of diversion. The new structure is designed to effectively maintain water surface elevation to divert water at low flows and allow in-channel capacity during high flows. Construction was completed in January of 2024.

This completed grant application was submitted by Deldorita Ranch. The funding request was for \$19,500 with a match of \$19,547.31 composed of cash and in-kind.

Recommended funding - \$19,500

12. Snyder Ditches 1 & 2 Improvement – Razor Creek

The project involves rehabilitating the Snyder Ditches No 1 & 2 diversion head gate, flume, and installing three irrigation check structures on the irrigated meadow. The project will improve access to, measurement, and management of irrigation water used to flood irrigate productive meadows on the Razor Creek valley floor. These meadows help support two local agricultural operations and provide critical habitat for federal threatened Gunnison sage grouse, deer, and elk. These proposed irrigation infrastructure improvements will complement in-channel and riparian restoration work completed in 2022/2023, riparian pasture fencing, and off-channel watering facilities planned for 2024 and 2025.

The grant request was submitted by the Akerman Family Ranch in partnership with Razor Creek Ranch, Trout Unlimited, NRCS, and Partners for Fish and Wildlife. The funding request was \$23,000 with \$31,500 as match (cash and in-kind). The recommendation below shows a reduced funding award from UGRWCD as staff is helping to raise the balance of funding through a multi-project agricultural infrastructure proposal to CRWCD CFP.

Recommended funding - \$15,000

13. Tingley Ditch Diversion Rehabilitation – Ohio Creek

The HOA will contract with Applegate Engineering to complete an engineering design as phase one of a potential two-phase project to rehabilitate the Tingley Ditch diversion. The Tingley Ditch diversion has not been in use for many years due to the deterioration of the wingwall dam and other infrastructure. There is no measurement system on the diversion. The flume is in disrepair. Water is unable to reach our headgate. Currently they receive tailwater from agriculture lands and our pond fills with that source. The General Manager is currently in discussions with Tom Rozman and Craig Ullmann about the need for a broader system evaluation.

This application was submitted by the Thornton Meadows Homeowners' Association (HOA). The funding request was in the amount of \$6,000 with a \$6,000 match from the HOA.

Recommended funding - \$6,000

14. Town Boardwalk Bog Bridge Redecking and Wetland Signage – Slate River

The project involves improvements and maintenance activities for the Recreation Path Boardwalk Bog Bridge. This elevated boardwalk bridge traverses the wetlands between the towns of Mt. Crested Butte and Crested Butte. The Recreation Path sees over 110,000 users a year. While it is important to preserve our basins natural wetland habitat, this project was seen by some Grant Committee members as primarily a “infrastructure maintenance” project. The Committee agreed that they could all support portions of the project related to improvements for handicap accessibility and education and outreach signage (Note: UGRWCD has supported handicap accessibility for previous projects that also included education and outreach activities).

This project was submitted by the Town of Mt. Crested Butte and is the first application they have submitted to UGRWCD's Grant Program. The funding request is for \$50,000 with \$65,097 in matching funds from the Town in cash and in-kind.

Recommended funding - \$10,882

15. Two Bar T Ranch Irrigation Improvement – Ohio Creek

The project includes ranch irrigation improvements which include installation of five board-stop type irrigation water control structures to help improve irrigation water management. The Two Bar T plans to hire a contractor in the spring of 2024 to fabricate and install these structures. Standard specifications commonly used for these simple check structures will be used for design, fabrication, and installation.

This application was submitted by Wynn Martens of Sheep Mountain Partners. The funding request was for \$6,000 with a \$13,500 match (cash). Project partners include Trout Unlimited, US Fish and Wildlife, and Colorado Cattlemen’s Agricultural Land Trust.

Recommended funding - \$6,000

16. Verzuh Ranch Bank Stabilization & Stewardship Development – Slate River

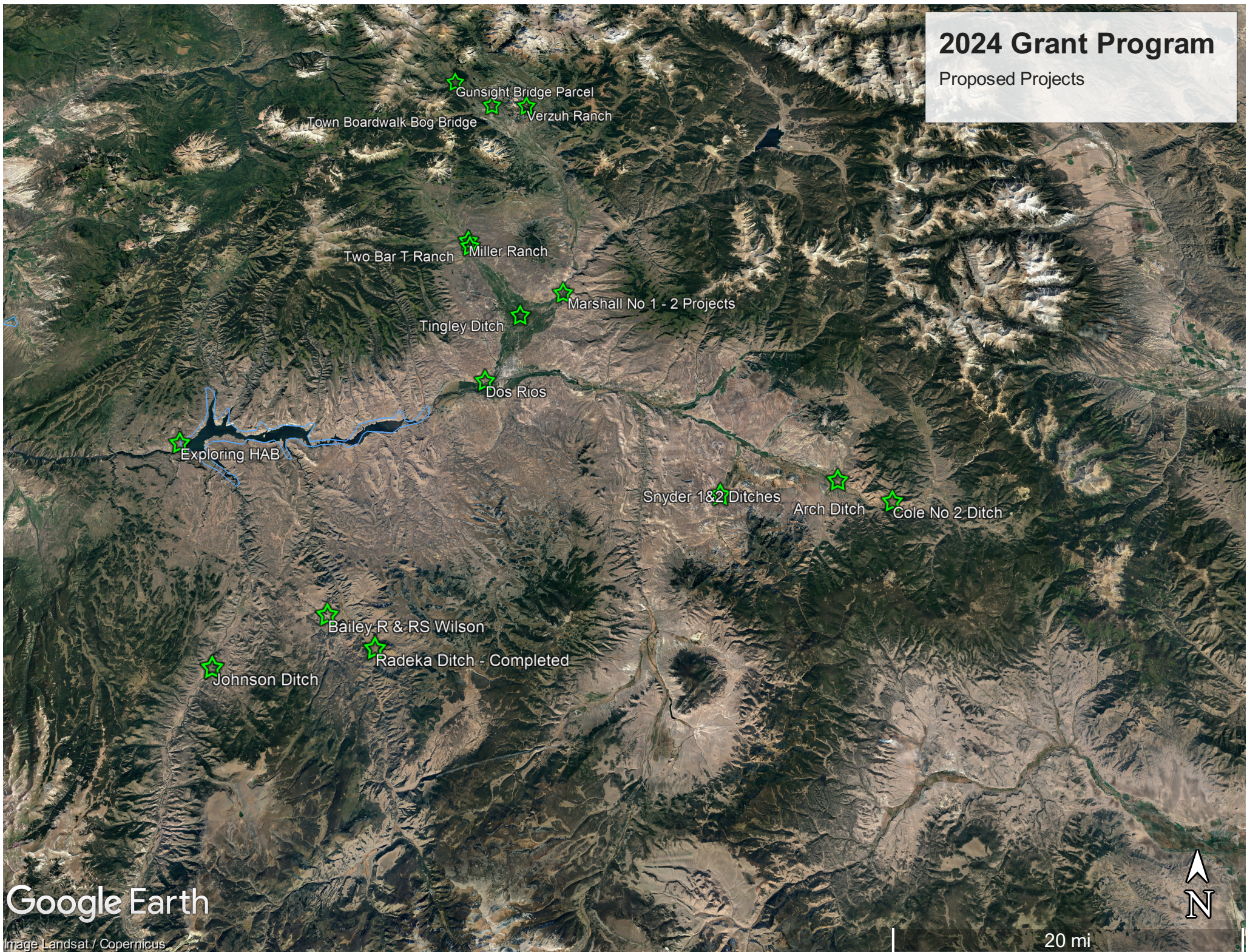
This project involves improving 60 feet of stream bank on the Slate River in Crested Butte through pasture fencing for 58 acres, replacing existing fence with wildlife friendly fence, and developing at least 25 watershed stewards through service learning. The project also involves stabilization and revegetation of 60 feet of stream bank along the Slate River on the Verzuh Ranch, owned by Western Colorado University. Following the physical and geological repairs to the site, vegetation will be seeded and planted to embed the soil tightly in the bank and to develop riparian vegetation cover for wildlife habitat. The Grant Committee supports the bank stabilization activities and educational aspects of the project but did not provide funding for fencing.

This project was submitted by Western Colorado University. The land was recently donated to the University, and they are working on a land management plan. The funding request was \$14,015 with \$14,789 match (cash and in-kind). The University has partnered with the Center of Public Lands on the project.

Recommended funding - \$12,000

2024 Grant Program

Proposed Projects



Google Earth

Image Landsat / Copernicus

20 mi

AGENDA ITEM 8

Taylor Local User's Group Update

MINUTES
Taylor Local Users Group
March 12, 2024 at 9:30 a.m.
(held via Zoom Video/Teleconferencing)

TLUG Attendees:

TLUG Chair: Don Sabrowski

TLUG Representatives Present:

David Fisher (Property Owners)
Roark Kiklevich (Wade Fishing Interests)
Ernie Cockrell (Taylor Placer)
Ryan Birdsey (Flatwater Recreation Interests)
Mark Schumacher (Boating Interests)

Absent: Andy Spann (Irrigation Interests)

Others in attendance:

Dan Brauch, (Colorado Parks and Wildlife)
Peter Dunda (Taylor Canyon Homeowner)
David Gochis (Airborne Snow Observatories)
Erik Knight (U. S. Bureau of Reclamation)
Doug Forshagen (Crystal Creek Homeowner)
Elliott Manning (Eleven Angling)
Sonja Chavez (UGRWCD)
Cheryl Cwelich (UGRWCD)
Beverly Richards (UGRWCD)
Sue Uerling (UGRWCD)
Ari Yamaguchi (UGRWCD)

I. Introductions & Approval of Minutes:

Chairman Don Sabrowski called the meeting to order at 9:30 a.m. The minutes from the September 20, 2023 and September 27, 2023 TLUG meetings were presented for review. No changes were requested. Ernie Cockrell made a motion and Mark Schumacher seconded approval of the September 20th and September 27, 2023 Meeting Minutes. The motion carried.

II. CBRFC Water Supply Update and USBR Model Forecast

Erik Knight of the Bureau of Reclamation reported that the forecasted inflow volume for April through July 2024 is 91,000 acre-feet, which is 97 percent of average, at just 3,000-acre-feet below the average of 94,000 acre-feet. This puts the water year in the “average” category which requires a five-day flushing release of 445 cfs which is currently scheduled for the first week of

June. Erik noted that this week was selected as this is typically the time frame for peak inflows but that he can be flexible to meet the needs of Taylor water users. Erik reviewed the current operations plan. The reservoir is projected to reach a maximum fill content of 101,364 acre-feet of water and a year-end storage content of 72,600 acre-feet. He noted that the snowpack is currently at 99 percent of average for the whole basin and 110 percent of average for the Taylor Park basin. As of the end of February 2024, snowpack was pretty close to average, but Erik said there will be some catching up to do in March to reach the average.

Chair Don Sabrowski asked Erik for his assessment of how the TLUG representatives managed operations last fall and how things progressed through the winter. Erik said while there was greater than average snowpack and good runoff at the beginning of the summer, July and August ended up being very dry. In addition, the soil moisture levels were very low, which was why the adjustments had to be made at the end of the season last year. Erik said he was pleased that TLUG was able to keep releases at 100 cfs throughout the winter and still not draw down the reservoir too much while also meeting the needs of all the water users last summer. He feels this water year is starting off with pretty good content and that the end-of-year storage content is showing a little above the objective with 2600 acre-feet of excess storage at this time.

Ryan Birdsey asked Erik about the Proposed Operations Table and why the May 16-31st release jumps to 250 cfs and then up to 400 cfs and then back to 350 the last part of June and then back up to 400 cfs in early July. Erik replied that this was primarily due to the ramping up for the five-day required release presently scheduled for the first week in June and then ramping back up in July for the needs of the water users. Erik noted that it is very early in the season and the timing and amounts of the releases can be modified based on runoff and the representatives' recommendations.

III. Update from David Gochis, Airborne Snow Observatories (ASO)

Dave Gochis said he did not have anything major to report yet as ASO is currently working on catching up with their analysis and that he would have more details in the next week or so. He said the data he did have to date was pretty consistent with what Erik had reported. It was noted that David is now working for Airborne Snow Observatories and will continue to monitor and present reports on the hydrology in the basin as he did with NCAR. He said the District has helped provide funding, along with other sources, for two ASO flights in the Taylor with the first one being scheduled for April 1, 2024, weather permitting, which is typically peak snowpack. Dave said the SNODAS sites in the area are showing 123 percent of normal for snowpack in the Taylor Core and about 107 percent of normal near Monarch. He showed a comparison of SNODAS snowpack conditions between water year 2023 and 2024 to date for sites in the Taylor Park Basin as follows: Cottonwood Pass – 62 inches for 2024 and 58 inches in 2023; Italian Creek – 71 inches for 2024 and 84 inches for 2023; Mirror Lake/Tin Cup – 45 inches for 2024 and 43 inches for 2023; and Trail Creek – 51 inches for 2024 and 50 inches for 2023, so very comparable. Dave said there was a fairly significant dust on snow event recently which may end up depleting the snowpack more quickly than anticipated but that they will know more after the next ASO flight. Don Sabrowski thanked Erik for the data he presented and noted that it will be

very helpful to have Dave working for ASO. Dave indicated that it would help provide data more quickly to the TLUG group.

Ryan Birdsey reported that with several snow events recently there has been a lot of wind out of the south and he wondered if Dave felt that any of the snowpack data could be affected by these wind-loaded events.

Dave replied that the SNODAS sites could be impacted by the scouring winds and that the Trail Creek site has the most exposure to southerly winds which could certainly make it melt out faster. Dave noted that the first ASO flight will be very helpful in providing them with accurate data as they will be conducting observations on westward/southerly exposures that are most prone to wind scouring and faster melt out.

Sonja Chavez asked Dave if he had any updated soil moisture data and Dave reported that he would share some of the latest soil moisture data with the group when he got back to his office. He will try to provide a comparison from last year to this year.

IV. Update from Dan Brauch, Colorado Parks and Wildlife

Chair Don Sabrowski asked Dan if he could give the group a “report card” on how he felt the releases went last water year and how conditions progressed through the winter. Dan replied that overall, he felt conditions were in really good shape and that the releases were good and was pleased that they remained stable throughout the winter. Dan said the rainbow trout will start spawning around May 1st and that the operations projections look good for the spawning.

Next, Dan reported on the outlet repairs at Spring Creek. He said the repairs had been completed and that 28 acre-feet is the maximum storage level for the reservoir in order to prevent any water going over the spillway. Dan said that in addition to the outlet tube, they had also installed two siphon tubes, so all of these can be operated during runoff to maintain the maximum storage level. Dan noted that the outlet tube was repaired right before winter set in and the two siphon tubes were set right outside of the water as they had concerns about them freezing. Therefore, they are being careful not to let the reservoir storage build too high during the winter. Dan said they are in “good shape” for the runoff season and will probably keep the reservoir storage a little below the maximum of 28 feet to protect the repaired equipment. Don Sabrowski asked Dan what the winter release rate was from Spring Creek Reservoir and Dan said he will check and provide that figure to the group.

V. Preliminary TLUG Draft Operational Release Recommendations

Don asked each of the TLUG Representatives for their overall thoughts about last year’s operations and for any recommendations for flows yet for this spring and summer. A summary of the comments follows:

Ernie Cockrell – He was pleased to hit the year-end storage objective even though the group had to react quickly at the end of the season, which was not optimal for decisions to be made. Ernie noted that he is pleased with the snowpack figures at this time but does have concerns about the wind scouring and low soil moisture content. He said that at this time, the overall release

schedule looks fine for spring and summer and that his preference will be to be more conservative on the front end if possible.

Mark Schumacher – He said he thinks the group should pat themselves on the back for how the year went and that he has no comments at this time on the proposed releases.

Roark Kiklevich – Roark said he is fine with the proposed releases as they stand now but that the group should be careful as conditions “can turn on us” very quickly. Therefore, he feels being cautious and more conservative if possible is prudent for the group.

Ryan Birdsey – Ryan said it is probably too early to tell how runoff will go but that he, too, believes it is a good idea to be more conservative early in order not to get behind the eight ball later. Ryan reported that winter storage levels at the reservoir have been good but that it has been interesting this season due to the wind events and slush build ups. He noted that this is partially due to the way the reservoir is set up.

David Fisher – Dave agreed that he’d like to see the releases be more conservative early on if possible as conditions can change quickly during the summer. He also wanted to be sure that the group was aware of the Drought Contingency Plan Stakeholders meeting on March 27th at the District offices from 9 to 11 a.m. Sonja offered to send the details about the meeting to the group and said it would be great to have many sectors represented at the meeting, including the TLUG group.

Dan Brauch indicated that they will be sampling Taylor for gill lice on October 16, 17 and 23, 2024 and for this sampling, it will be important that releases be ramped down to the winter flow level by that time. Ernie Cockrell asked Dan if he would like help with the sampling and Dan replied that it would be helpful to have the cards and photographs again. Don Sabrowski offered that the Wilder could also help survey if needed. Dan said that they currently have a sampling site right above the Wilder stretch of the river but that they could probably use more sampling. Dan said he would be happy to chat more with Ernie and Don about the CPW’s sampling process. It was suggested that a meeting be scheduled with all of the parties.

V. Miscellaneous Matters

Sonja Chavez reported that she had received an email from Gunnison County Electric Association (Matt Feier) and he reported that there had been issues with manufactured equipment. They are still hoping to commence hydropower operations this summer.

Sonja asked the TLUG members to mark their calendars for Monday, June 24, 2024, for the 65th Anniversary Celebration for the District. There will be free food by 5B’s BBQ, TacoCart and Spency’s Ice Cream truck, free drinks from High Alpine Brewery and Buckel Family Colorado Winery, live music by Evelyn Roper and her band and other presentations and activities.

Sonja said that she is also working on establishing local partnerships to help support more ASO flights and she has gotten interest from several additional parties.

Sonja reported that the District will be collaborating with the USGS to conduct an Irrigation Return Flow Study in the East River Basin and that she hopes this summer they will have an idea of the scope and design of the project to give a presentation to the TLUG group and others.

Ryan Birdsey said that on February 27th Park Cone slid across the catch and release section and actually stopped flows in the river for a couple of hours. He wondered if this might have any effect on the fishery. Dan Brauch said that the fish would typically move to deeper pools during such an event and these pools would not be as affected by the flow being stopped for a period but that it is possible there was some direct kill. He said it will be interesting to see as things thaw out. Sonja asked Ryan if he had any photos from the event that he could share and Ryan agreed to email them to the District.

Sonja reported that she does plan to reach out to the Four Parties who have control over the Taylor Operations to see if they can't come to an agreement where decisions about release reduction recommendations from the TLUG group could be made without having to get Four Parties approval. She noted that when the objective of changing the releases is to achieve the year-end storage objective for the reservoir, she does not understand why each of the Four Parties need to agree to the recommendations provided that she has the full agreement of the TLUG. She said that last fall when the group was trying to ramp down more quickly due to the onset of dry conditions, it was frustrating not be able to get quick decisions when representatives of the Four Parties were out of town or unresponsive to her emails and calls.

Mark Schumacher noted that the boating community is very disappointed with the put-in at Shady Island and that several of them have reached out to Gunnison County, but their concerns have fallen on deaf ears. Mark said that you have to jackknife your trailer to put in at the unloading area. He said if everyone could get their boats ready to unload in the parking area and then go down to the put-in, this would avoid congestion there but there is no pathway to walk back down to the put-in area. Mark asked Sonja if she would facilitate a meeting with some of the private and commercial boaters and representatives from Gunnison County. He noted that in addition to the partial funding that the District had put in for Shady Island, the boaters were also paying five percent fees for boating that section. Sonja agreed that she would contact the county to see if a meeting could be arranged.

VI. Citizen Comments

Chair Don Sabrowski asked for input from any citizens on the Zoom meeting throughout the meeting. At the end of the meeting, Taylor homeowner Pete Dunda asked if Spring Creek would be a viable fishery this summer as he has gotten many calls about this from people who live outside the area. Dan Brauch answered that they do restock Spring Creek every year with 10-inch rainbows and that they will be fully restocking the reservoir again this season. He said due to the repairs this past season, conditions might not be quite as good as in the past but that the fishery will be viable in Spring Creek Reservoir.

No other citizen comments were received.

VII. Next Meeting

The next TLUG meeting is scheduled for Tuesday, April 9, 2024 at 9:30 a.m.

The March 12, 2024 TLUG meeting was adjourned by Chairman Sabrowski at 10:42 a.m.

DRAFT

AGENDA ITEM 8

**Presentation - Upper Gunnison Basin
Drought Contingency Planning Process
by Stacy Beaugh, Strategic by Nature, and
Carrie Padgett-Lyle, Harris Engineering**

AGENDA ITEM 9

Miscellaneous Matters



2023 ANNUAL REPORT TO THE UPPER GUNNISON RIVER WATER CONSERVANCY DISTRICT

Prepared by Ashley Bembenek
Executive Director, Coal Creek Watershed Coalition
March 11, 2024



2023 Annual Report to the Upper Gunnison River Water Conservancy District

MISSION STATEMENT

The mission of the Coal Creek Watershed Coalition (CCWC) is to maintain, restore and enhance the environmental integrity of Crested Butte's local watersheds to ensure those local watersheds and habitats are of the highest possible quality necessary to support wildlife, aquatic life, and human life. Our mission is accomplished through a long-term water quality monitoring program and a wide range of projects to protect and restore water quality and watershed health.

LONG-TERM WATER QUALITY MONITORING PROGRAM IN THE COAL CREEK WATERSHED

In 2003, CCWC partnered with the Environmental Protection Agency (EPA) and the Colorado Division of Reclamation, Mining and Safety (DRMS) to characterize water quality and historic abandoned mine sites in the Coal Creek Watershed.

By 2010 the initial characterization efforts had evolved into a long-term monitoring program to support the Colorado Department of Public Health and Environment's (CDPHE) effort to establish appropriate water quality standards to protect water uses in the Coal Creek Watershed and downstream waters.

Currently, CCWC collects approximately 120 water quality samples each year. The samples are analyzed for several metals, selected anions, and dissolved organic carbon. Cadmium, copper, and zinc are the priority metals. Results from CCWC's long-term water quality monitoring program will be used to establish site-specific standards for lower Coal Creek and in the renewal discharge permit for the Keystone Mine Water Treatment Plant. Appropriate standards and permit limits will reduce metal loads and better protect existing water uses in lower Coal Creek and downstream waters. Reducing metals loading in the Coal Creek Watershed benefits the Town of Crested Butte and other downstream water users.

FUTURE EFFORTS TO PROTECT WATER QUALITY AND WATERSHED HEALTH

In the coming years, CCWC will continue to support CDPHE and EPA as they make decisions regarding the long-term management of the Standard Mine Superfund Site. CCWC leads the interim water quality monitoring effort. CCWC's reporting will be critical in the process to determine whether additional remedial action is needed at the site.

CCWC also looks forward to continued progress on issues related to the Keystone Mine Site where CCWC provides technical expertise to the Town of Crested Butte and Gunnison County.

CCWC has partnered with Mt. Emmons Mining Company, DRMS, USFS, CDPHE's Natural Resource Damages Program, the Town of Crested Butte, and Gunnison County to restore the Gossan- one of the largest sources of metals loading in the Coal Creek Watershed. In 2024, CCWC will continue the process to design, approve, and fund this project. Please see the attached outreach materials that summarize water quality conditions, the need for the project, and the current conceptual design.



2023 Annual Report to the
Upper Gunnison River Water Conservancy District

LEVERAGING FUNDS TO PROTECT WATER QUALITY AND WATERSHED HEALTH

The list below highlights how Upper Gunnison River Water Conservancy District (UGRWCD) funds are matched by CCWC and used to create additional value.

- **Grant writing and fundraising:** In 2023 \$3,500 in watershed coalition support funds from the UGRWCD were matched with approximately \$6,900 in CCWC discretionary funds to secure just over \$19,000 in private donations during three major community events and an end of year letter writing campaign.
- **Long-term water quality monitoring program:** In 2023, watershed coalition support funds from the UGRWCD were matched with approximately \$59,000 from other partners to support the long-term water quality monitoring program. Major program costs include laboratory analysis, labor, and supplies. UGRWCD funds accounted for about seven percent of the total budget.
- **Administrative Costs:** In 2023, \$3,500 in watershed coalition support funds from the UGRWCD were matched with funds from DRMS and CCWC's discretionary to maintain and build CCWC's organizational capacity. These investments helped CCWC train new staff and host several meaningful community engagement opportunities.
- **Five-year Accounting Summary:** In the past five years, UGRWCD's watershed coalition support funds have accounted for 7 to 10 percent of CCWC's total budget. UGRWCD's \$10,000 in support is critical to our efforts to manage annual budgets that typically range from \$100,000 to \$125,000. CCWC accomplishes this work with two long-term contract staff and a dedicated seven-person volunteer board. CCWC's five-year accounting summary is attached.

Coal Creek Watershed Coalition Five-Year Accounting Summary by Funding Source										
Funding Source	Project Notes	Accounting Term	2019	2020	2021	2022	2023	5-year summary	Comments	
UGRWCD: Watershed Coalition Support	Water quality monitoring Education and outreach Grant writing and administration	Expenses	\$ (7,964)	\$ (7,627)	\$ (11,884)	\$ (10,183)	\$ (11,128)	\$ (48,785)	Some transactions carry over year to year.	
		Income	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000		
		Percent Income	10%	6%	9%	7%	9%	NA		
UGRWCD: Grant Program	2018 grant: Musicians' Camp Toilet (\$15,000) 2019 grant: SRIMP-E. coli (\$4,569) 2020 grant: SRIMP-E. coli (\$6,000)	Expenses	\$ (19,569)	\$ (4,235)	\$ (1,765)	Not applicable		\$ (25,569)	The five-year reporting period does not include all income and expenses affiliated with the projects. CCWC did not apply for an UGRWCD grant in 2021, 2022 or 2023. 2021 expenditures are for the grant awarded by UGRWCD in 2020.	
		Income	\$ -	\$ 4,569	\$ 6,000			\$ 10,569		
		Percent Income	0%	3%				NA		
UGRWCD Mini Grant: Empowering Backcountry Users	Educating backcountry users about how to manage human and pet waste at local trailheads.	Expenses	Not applicable				\$ (485)	\$ (485)		
		Income					\$ 485	\$ 485		
		Percent Income					0%			
CDPHE NPS Grant: Gunsight Processing Area	Project planning, design, construction, and monitoring to reclaim 4-acre historic abandoned mine site near Crested Butte.	Expenses	\$ (7,861)	\$ (9,210)	Not applicable		\$ (17,071)	This large grant funded work from 2016-2020; and was closed out in 2020. The five-year reporting period does not include all income and expenses affiliated with the project.		
		Income	\$ 14,998	\$ 9,559			\$ 24,557			
		Percent Income	14%	6%			NA			
CDPHE NPS Grant: 2020-2021 SRIMP	SRIMP- E. coli study Watershed plan amendment to add Washington Gulch.	Expenses		\$ (12,174)	\$ (8,266)	Not applicable		\$ (20,440)	This grant funded work from 2020 to 2021; and was closed out in 2021.	
		Income	Not applicable	\$ 12,174	\$ 8,266			\$ 20,440		
		Percent Income		0%	0%			NA		
CDPHE NPS Mini Grants: 2021 and 2023	2021 grant: Watershed Health Story Maps 2023 grant: Empowering and educating backcountry users	Expenses	Not applicable		\$ (2,706)	\$ -	\$ (2,079)	\$ (4,785)	CCWC plans to continue the empowering and educating backcountry users project in 2024.	
		Income				\$ 2,220	\$ -	\$ 2,079		\$ 4,299
		Percent Income				2%	0%	2%		NA
Town of Crested Butte: Grant and Professional Services Agreement	Water quality monitoring Sample supplies Portable toilet program.	Expenses	\$ (5,686)	\$ (5,792)	\$ (6,644)	\$ (8,770)	\$ (11,800)	\$ (38,692)	In 2019 and 2020 CCWC received grants from the Town; some transactions carried over year to year. In 2021, CCWC transitioned to a professional services agreement.	
		Income	\$ 5,000	\$ 5,000	\$ 6,800	\$ 9,400	\$ 11,400	\$ 37,600		
		Percent Income	5%	3%	6%	7%	10%	NA		
Town of Crested Butte: Mt. Emmons and Site-specific Standards	Provide technical expertise to the Town on issues related to Mt. Emmons and site-specific standards in Coal Creek.	Expenses	\$ (4,552)	\$ (6,376)	\$ (6,544)	\$ (6,531)	\$ (1,647)	\$ (25,650)	This project is on-going.	
		Income	\$ 6,751	\$ 7,800	\$ 6,743	\$ 9,150	\$ -	\$ 30,444		
		Percent Income	6%	5%	6%	7%	0%	NA		
Gunnison County: Mt. Emmons and Site-specific Standards	Provide technical expertise to the County on issues related to Mt. Emmons and site-specific standards in Coal Creek.	Expenses	\$ (4,552)	\$ (6,376)	\$ (6,544)	\$ (6,531)	\$ (1,647)	\$ (25,650)	This project is on-going.	
		Income	\$ 6,481	\$ 7,800	\$ 7,013	\$ 9,150	\$ -	\$ 30,444		
		Percent Income	6%	5%	7%	7%	0%	NA		
USFS: 2018 Watershed Grant	Permanent toilet at Musicians' Camp 2018 E. coli study, 2019 SRIMP 2020 field technician labor	Expenses	\$ (5,443)	\$ (1,646)	Not applicable			\$ (7,088)	This grant funded work from 2018 to 2020; and was closed out in 2020.	
		Income	\$ -	\$ 7,088				\$ 7,088		
		Percent Income	0%	43%				NA		
National Forest Foundation	Washington Gulch Permanent Toilet	Expenses	Not applicable	\$ (5,000)	Not applicable			\$ (5,000)	A permanent toilet was installed in Washington Gulch in September 2020.	
		Income		\$ 5,000				\$ 5,000		
		Percent Income		3%				NA		
Town of Crested Butte: In-kind for Washington Gulch Toilet	Washington Gulch Permanent Toilet	Expenses	Not applicable	\$ (10,000)	Not applicable			\$ (10,000)	A permanent toilet was installed in Washington Gulch in September 2020. The town donated the toilet facility.	
		Income		\$ 10,000				\$ 10,000		
		Percent Income		0%				NA		
DRMS 2020 Grant	Provide technical support on water quality issues and historic mine site characterization.	Expenses	Not applicable	\$ (2,680)	\$ (12,765)	\$ (7,605)	\$ (950)	\$ (24,000)	This grant was closed out in 2023.	
		Income		\$ 24,000	\$ -	\$ -	\$ -	\$ 24,000		
		Percent Income		15%	0%	0%	0%	NA		
DRMS 2022 Grant	Provide technical support on water quality issues, the Gossan Restoration Project, and historic mine site characterization.	Expenses	Not applicable			\$ (15)	\$ (13,472)	\$ (13,487)	This grant will fund work in 2024.	
		Income				\$ 24,000	\$ -	\$ 24,000		
		Percent Income				18%	0%	NA		
CDPHE Standard Mine Interim Monitoring Program	Lead interim monitoring activities to assess Phase I Remedial Action at the Standard Mine Superfund Site.	Expenses	\$ (12,884)	\$ (13,600)	\$ (5,297)	\$ (13,892)	\$ (22,488)	\$ (45,673)		
		Income	\$ 12,884	\$ 13,600	\$ 5,297	\$ 13,892	\$ 22,488	\$ 45,673		
		Percent Income	12%	8%	5%	10%	20%	NA		
Mt. Emmons Mining Company	Laboratory analysis for samples collected from the Coal Creek Watershed and water quality supply reimbursements.	Expenses	\$ (30,780)	\$ (30,780)	\$ (47,661)	\$ (44,926)	\$ (44,230)	\$ (154,148)	Mt. Emmons Mining Company funds lab analysis and supply costs to support process to develop site-specific standards in lower Coal Creek.	
		Income	\$ 30,780	\$ 30,780	\$ 48,252	\$ 47,213	\$ 44,230	\$ 157,024		
		Percent Income	29%	19%	45%	35%	40%	NA		
Donations and Discretionary	Donations and miscellaneous funds from all sources.	Expenses	\$ (11,067)	\$ (8,586)	\$ (6,813)	\$ (11,023)	\$ (15,141)	\$ (52,629)	Some transactions carry over year to year. CCWC does not typically allocate all discretionary funds in a given year. This allows the organization to address emerging issues or unanticipated projects.	
		Income	\$ 17,674	\$ 16,667	\$ 7,278	\$ 10,609	\$ 20,199	\$ 72,427		
		Percent Income	17%	10%	7%	8%	18%	NA		
Annual Totals:			Expenses	\$ (110,357)	\$ (124,082)	\$ (116,889)	\$ (109,477)	\$ (125,067)		
			Income	\$ 104,567	\$ 164,037	\$ 107,869	\$ 133,414	\$ 110,882		
			Carryover	\$ (5,790)	\$ 39,955	\$ (9,020)	\$ 23,938	\$ (14,185)		

Notes:

The carryover identified in this table occurs because CCWC tracks expenses and/or income on a calendar year basis. Reimbursements or expenses may not post until the following year.

The 2020 carryover is attributed to a DRMS grant payment that was spent in 2021-2023, reimbursements from USFS for expenses incurred in 2019, and unallocated discretionary funds.

The 2022 carryover is attributed to a DRMS grant payment that was spent in 2023 and will be spent in 2024.

This budget summary does not account for in-kind contributions by CCWC board members, volunteers, and partners.

AGENDA ITEM 10

Citizen Comments

FUTURE MEETINGS/EVENTS

- ▶ Drought Contingency Planning Stakeholders Meeting, March 27, 2024 - 9-11 a.m.
- ▶ UGRWCD Legislative Committee Meeting, March 29, 2024 - 8:00 a.m.
- ▶ UGRWCD Legislative Committee Meeting, April 5, 2024 - 8:00 a.m.
- ▶ TLUG Meeting, April 9, 2024 - 9:30 a.m.
- ▶ UGRWCD Legislative Committee Meeting, April 12, 2024 - 8:00 a.m.
- ▶ UGRWCD Watershed Management Planning Meeting, April 17, 2024 - 1:30 p.m.
- ▶ UGRWCD Legislative Committee Meeting, April 19, 2024 - 8:00 a.m.
- ▶ UGRWCD Board of Directors Meeting, April 22, 2024 - 5:30 p.m.
- ▶ UGRWCD Legislative Committee Meeting, April 26, 2024 - 8:00 a.m.

AGENDA ITEM 12

Summary of Meeting Action Items

ADJOURNMENT