



Task Force Meeting #6 – Meeting Notes

Thursday, October 12, 2023

12:00 pm-4:00 pm

In-Person Meeting

Red Willow Production Company, Conference Room

14933 Highway 172, Ignacio, CO 81137

Meeting Attendance

Attended?	Appointed Representative	SB-295 Seat
Yes	Orla Bannan* Western Resource Advocates *attended virtually	Representative of a statewide environmental nonprofit organization with expertise in water rights and Colorado River interstate governance.
Yes	Jackie Brown* Tri-State Generation and Transmission Association *attended virtually	Representative of an industrial water user located on the western slope.
Yes	Mike Camblin Colorado Cattlemen's Association; Rancher	Representative of a statewide agricultural organization that is the owner of water rights.
Yes	Kathy Chandler-Henry Eagle County Government	Non-voting Chair.
Yes	Aaron Citron The Nature Conservancy	Representative of a statewide environmental nonprofit organization with expertise in water rights and Colorado River interstate governance.
Yes	Alex Davis Aurora Water	Representative of a front-range municipal water provider that diverts water from the Colorado River.
Yes	Kate Greenberg Department of Agriculture	Commissioner of Agriculture.
Yes	Daris Jutten Uncompahgre Valley Water Users Association	An agricultural producer that owns water rights within the boundaries of the Colorado River Water Conservation District (CRWCD).
Yes	Randi Kim City of Grand Junction	Representative of a local government located within the boundaries of the Colorado River Water Conservation District that provides water for municipal purposes.
Yes	Gerald Koppenhafer Montezuma Valley Irrigation Company; Farmer	Agricultural producer that owns water rights within the boundaries of the Southwestern Water Conservation District (SCWCD).
Yes	Lee Miller SCWCD	Representative of Southeastern SCWCD.
Yes	Andy Mueller CRWCD	Representative of CRWCD.
Yes	Kevin Rein Division of Water Resources	State Engineer; non-voting member.



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Sent Designee	Kelly Romero-Heaney Department of Natural Resources Alternate Attended: Rebecca Mitchell	Designee of the Executive Director of the Department of Natural Resources.
Yes	Kyle Whitaker NCWCD	Representative of Northern Colorado Water Conservancy District (NCWCD).
Yes	Steve Wolff SWCD	Representative of Southwestern Water Conservation District (SWCD).
Yes	Letisha Yazzie Ute Mountain Ute Tribe	Representative of Ute Mountain Ute Tribe.
Yes	Lisa Yellow Eagle Southern Ute Indian Tribe	Representative of Southern Ute Indian Tribe.
No	Allison Baker City of Durango	Representative of a local government within the boundaries of the SWCD that provides water for municipal purposes.

Please see Appendix A for a list of Task Force alternates and members of the public who attended or viewed the meeting.

1. Welcome (1:32 in Recording)

- a. Chair welcomed the task force and thanked the tribe for the tour they provided for the task force earlier in the day. Lorelai Cloud (Vice Chairman, Southern Ute Indian Tribe) welcomed the Task Force on behalf of the Southern Ute Indian Tribe and talked about their mission to educate the public on tribal issues and acknowledged that Colorado needs to stand together on issues of water despite differing perspectives.
- b. Statement of meeting objectives

2. Approval of Agenda (5:39 in Recording)

- a. **MOTION:** Mike Camblin moved to approve the agenda with a second from Alex Davis. Agenda for 10/12 meeting approved.

3. Approval of Meeting Minutes from 9/28 meeting (5:55 in Recording)

- a. Discussion: Item number 3 doesn't call out the approval of the minutes, if we can amend to reflect
- b. **MOTION:** Moved by Kate Greenberg and Steve Wolff seconded – 9/28 meeting minutes approved.

4. Roll Call (7:08 in Recording)

- a. *What is something innovative you have heard of related to drought resiliency that you are curious or excited about?*
- b. Task Force members shared their thoughts about drought resiliency.

5. Public Comment (25:00 in Recording)

- a. The public provided comments to the Task Force both in person and virtually. In the meeting recording, the comment period begins at 25:00 and ends at 50:45 in the Zoom Recording. Public Comment closed out at 12:52 pm by Chair Chandler-Henry.



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Tyler Garrett	Kent Ventrees
Kathleen Curry	Karen Pontius
Steve Harris	Nate Klema
Garin Vorthmann	
Sarah Birch	

6. Updates & Reports (51:13 in Recording)

- a. Meeting Poll Results
 - i. Poll asking about how they would like to add additional meeting time was distributed to members after the last meeting. 16 members responded.
 - ii. Most were in favor of starting the upcoming meetings 1 hour earlier at 11 a.m. (this covers the in-person meetings October 26th and December 7th and the virtual meeting on November 16th)
- b. Dec. 7 Meeting Location
 - i. Colorado Water Resources & Power Development Authority, 1580 N. Logan St., Suite 820, Denver, CO 80203
- c. Travel Reimbursement
 - i. If you are requesting reimbursement for September meetings, please do so by Oct 20th and for the October meetings please do so by early November.
- d. Google Docs
 - i. These are online on the resources page at www.crdroughttaskforce.com for the public to view
 - ii. Members should not use the commenting feature as it doesn't show up for the public – please add comments to the document directly – add your name and what kind of comment you are making.
- e. Tool for prioritizing the Intrastate Tools ahead of next meeting.
 - i. Facilitators will be sending out this tool this coming week and will also be posted on the website.
- f. Task Force Report to the Water Resources and Agricultural Review Committee
 - i. Kathy and Kelsea will be attending and will bring draft talking points to an October meeting for the Task Force to review and edit so that comments reflect what the task force would like to share.
 - ii. October 31st around 1:00 p.m. is when this update will take place – at the State Capitol Building.
- g. Sub-Task Force Report – October 11, 2023
 - i. Lisa Yellow Eagle provided a report on their most recent meeting. Sub-Task Force Members Rebecca Mitchell and Steve Wolff also made comments. (1:07:44 in Recording)

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7. Interstate Tools and Program Discussion (1:28:53 in Recording)

- a. Interstate Tools, work through each tool applying evaluative criteria.



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- i. Objective: Place each item into the Effort/Impact matrix or in "Parking Lot" (i.e., setting aside) or other categorization as determined by Task Force.
- b. Task Force Discussion and Brainstorming on Interstate Tools
 - i. Discussion topics included Lower Basin water use; questioning what hydrologic conditions trigger state involvement; the level of risk for action; the legal question of shepherding; defining curtailment; reservoir operations; equity component of compact; lack of a recent Lower Basin consumptive use report, including tributary accounting; water planning means planning for the worst and being ready; water speculation concerns; not limiting future action; voluntary over mandatory; caution in action; how finding a solution that avoids curtailment is important; focusing on helping water users withing Colorado; challenge of creating incentives when there is a lack of detail on when and why tools would be used; if we don't act, solutions may be forced on us; anti-speculation task force; demand management; industrial systems are designed to measure better than ag.
 - ii. Commissioner Mitchell then stated that the demand management storage agreement expires with 2019 guidelines in two years and won't be protected after.
 - iii. Mike Camblin then shared an idea about naming and/or labeling water that diversions allow to pass and storing it with that name. Is it possible?
 - 1. Conversation included: concern about double credit; if you have someone downstream who is relying on the unused "free water" they may be damaged.
 - iv. Discussion then continued on: water banking; putting water in Powell and evaporation; New Mexico's Water Reserve Plan; concern about action now being used again Colorado in court, thus the need for sideboards; need for a bottom up solution – not a top down solution; how far can interstate tools take us in this?; continued discussion about the purpose of Upper Basin storage; scope creep of federal authority; the tension around the prior appropriation doctrine and sharing certain rights that keeps coming up; water sharing and border crossing; proportionate cuts for all users and related concerns; use of water modeling to inform recommendations; use of Upper Basin reservoirs to protect federal reservoirs.
 - v. Kelsea then provided a summary of the conversation and themes (See Appendix B for Whiteboard photos)

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- c. Chair asked Commissioner Mitchell to talk about her role and how this task force can best support her in this role.
 - i. Commissioner Mitchell discussed her new role as IBCC Director in addition to UCRC Commissioner; her work to create direct lines of communication; travel around state to participate in conversations; reminder that Colorado is in the midst of a negotiation and public talk can harm strategy; interstate strategies could be helpful if they do no harm.
 - ii. Discussion continued around the question: how best can you receive info and input that won't be harmful to negotiations? Commissioner Mitchell responded: strengthening individual relationships; moving beyond existing relationships; webinars; CWCB Board meetings; IBCC.
- d. The Chair asked what topic people wanted to discuss next: Shepherding.
 - i. Discussion included: water to the state line, the State Engineer's authority, and the role of the General Assembly; NGO priority reaches and best use of energy; Demand Management work groups work on instream flows.



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- e. The Chair asked each member to share their thoughts on how the task force is doing and any items for the next agenda as part of the Round Table. Each member in attendance shared their thoughts on this (3:50:34 in Recording)
- f. See Appendix B for Whiteboard Photos

7. Wrap-up (3:51:19 in Recording)

- a. Homework:
 - i. Narrow focus/rank/prioritize intrastate tools in worksheet – with tool coming from facilitators.
 - ii. Categorize the interstate tools using criteria such as “do no harm” and “benefitting Colorado.”
- b. Suggestions for next meeting:
 - i. Presentation on Tribal Water.
 - ii. Use SB 295 to focus our discussions.
 - iii. Making sure that timing of recommendations is added as a consideration.
 - iv. As we conduct the conversations suggested in iv. below – make sure we are talking about whether each is a suggestion for legislation or something else.
 - 1. And, a list of things we talked about and ruled out or things we determined that would do harm. Recognizing that it will be hard to put out legislation that will be equally effective statewide. (Several members cautioned against this)
 - v. Review prioritized recommendations and how to proceed on those.
 - 1. Specific discussions on:
 - a. Jackie’s idea from 9/28 meeting
 - b. Water banking idea of Mike’s
 - c. Orla’s proposal
 - vi. Begin formatting a report and outlining contents. Looking at how sub-task force recommendations will fit in here.
- b. Task Force members Miller, Greenberg, and Yellow Eagle will be sending their alternates at the next meeting.

8. Adjourn. Meeting Adjourned at 4:13:50 in recording by Chair Chandler-Henry.

Next meeting: Thursday, October 26th, Towaoc, CO



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Appendix A: Public attendees

Attendees in person	Virtual attendees
Tyler Garrett	Abby Burk
Kathleen Curry	Amy Ostdiek
Steve Harris	Amy Raaz
Garin Vorthmann	Andy Hill
Steve Pope	April
Nancy Fishering	Brock Herzberg
Sarah Birch	Caitlin Weber
Shannon Mullane	Carlyle Currier
Jason Ullmann	Dave Payne
Peter Ortego	Emily Zmak
	Heather Sackett
	Jessica Gelay
	Marielle Cowdin
	Joan Green Turner
	John Coffee
	John Cyran
	Josh Kuhn
	Terence Apache
	Luke Mecklenburg
	Marielle Cowdin
	Pat Ratliff
	Pete Nylander
	Peter Fleming
	QISOxford
	Terence Apache
<i>*This is an incomplete list because names of attendees were not formally collected.</i>	<i>*This list may be incomplete due to the time in point these names were collected. There may be additional members of the public who viewed the meeting on YouTube and therefore their names were not collected.</i>
<i>**Task Force alternates' & commenters' names were collected.</i>	

Appendix B: Whiteboard Notes from Meeting

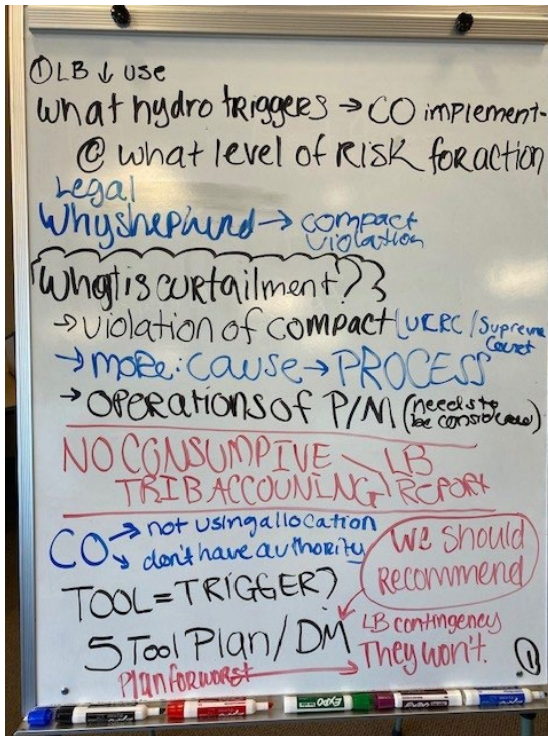


Figure 1. Whiteboard 1

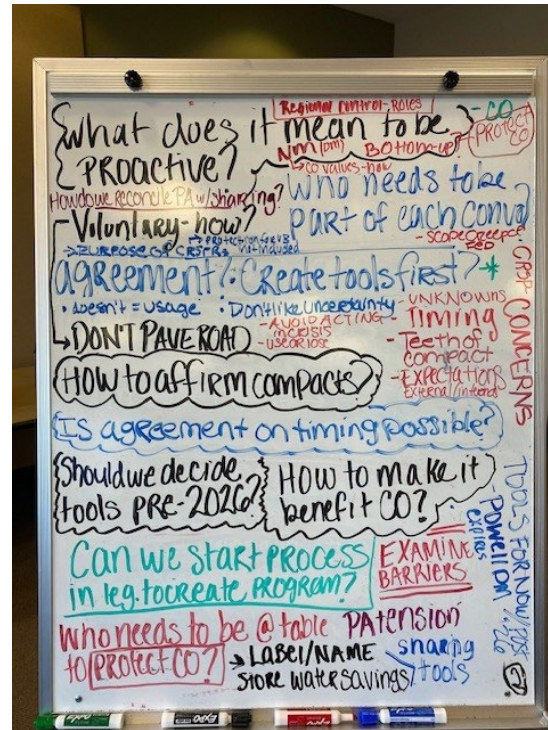


Figure 2. Whiteboard 2

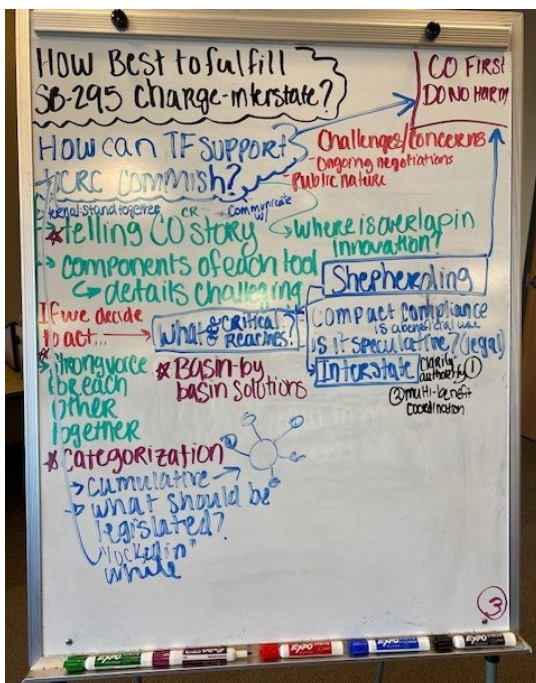


Figure 3. Whiteboard 3

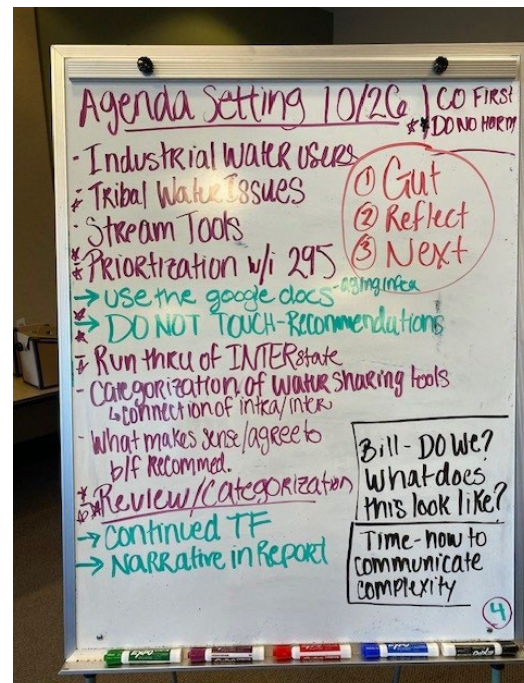


Figure 4. Whiteboard 4