



## Task Force Meeting #3 – Meeting Notes

Thursday, August 31, 2023  
 12:00 pm-4:00 pm  
 Virtual Meeting

### Meeting Attendance

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



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| Yes       | <b>Kelly Romero-Heaney</b><br>Department of Natural Resources | Designee of the Executive Director of the Department of Natural Resources.   |
| Yes       | <b>Kyle Whitaker</b><br>NCWCD                                 | Representative of Northern Colorado Water Conservancy District (NCWCD).  |
| Yes       | <b>Steve Wolff</b><br>SWCD                                    | Representative of Southwestern Water Conservation District (SWCD).   |
| Yes       | <b>Letisha Yazzie</b><br>Ute Mountain Ute Tribe               | Representative of Ute Mountain Ute Tribe.  |
| Yes       | <b>Lisa Yellow Eagle</b><br>Southern Ute Indian Tribe         | Representative of Southern Ute Tribe   |
| Yes       | <b>Allison Baker</b><br>City of Durango                       | Representative of a local government within the boundaries of the SWCD that provides water for municipal purposes. |

1. **Welcome.**
  - a. Chair Chandler-Henry welcomed the Task Force members and public to the meeting
2. **Roll Call** (0:0:44 in Recording)
  - a. Gerald Koppenhafer attending through public Zoom link
3. **Approval of Agenda** (0:07:13 in Recording)
  - a. **MOTION:** Steve Wolff motioned, Aaron Citron second. Motion passed unanimously.
4. **Public Comment** (0:09:12 in Recording)

**Attendees who provided comments**

- Linda Callahan
- James Dilzell
- Michael Risner
- Jordan Matson
- Callie Scritchfield

- a. **MOTION:** Randi Kim motioned to close public comment early due to no more members of the public waiting to comment, Kelly Romero-Heaney second. Motion passed unanimously.
5. **Approval of Meeting Minutes from 8/10 meeting** (0:31:54 in Recording)
  - a. **MOTION:** Kelly Romero-Heaney motioned to approve the meeting minutes from 8/10/2023. Andy Mueller second. Motion passed with all in favor.
    - i. Abstained: Orla Bannan



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### 6. Discussion on Refining the Group's Focus (0:33:45 in Recording)

- a. Siobhan Locke explained that the discussion would be focused on identifying areas of general consensus based on previous meeting to lead toward guiding principles
- b. Request for a description of the letter from the legislature be provided for members of the public. Chair Chandler-Henry described the letter.
- c. Discussion topics included:
  - i. Confusion around what constituted a guiding principle, whether this was homework, what guiding principles entail, an example of a guiding principle that the Lower Basin must take care of overuse first before Colorado sends water downstream and what would mean as a principle
  - ii. Bifurcation of discussion of tools into intra and interstate impacts of drought, principle of do no harm, need for caution around telling Commissioner how to negotiate, in Arkansas focusing on what could be for in-state users, need to focus on the legislation as written for solutions, pro-actively addressing climate, commitment to public comment, avoiding disproportionate impacts by looking at gaps in basins, behavioral and group dynamics, clear communications framework
  - iii. A request was made for receiving information from a single point of contact as soon as possible

### 7. Continued Discussion on Refined Guiding Principles and Framework (1:37:53 in Recording)

- a. Topics included: Clarifying bifurcation, discussion on whether that included compact curtailment or not, need to follow statutory language, focus on Colorado water users first, what is our interstate commitment and what is the scope of the discussion of interstate, interest in looking at future post-2026 scenarios related to the compact, being responsive to needs of water users, concern around separating intra and inter state, changing Colorado First language, move to focusing efforts
  - i. Key question: What tools do Coloradoans need to be resilient?

### 8. Focusing Efforts Discussion (1:50:52 in Recording)

- a. Topics discussed included: need for more time to digest this topic, questions on scope of work around interstate commitments needs others present, need to revisit this conversation
- b. Discussion on what would be helpful from public comment. Responses included: building recommendations off of needs, asking questions of public, whatever the public wants to talk about, broad consensus exists in regard to engaging with public, hearing more about barriers, tools that are lacking, how we can invite people to share through roundtables, questions about Task Force members attending roundtable meetings and whether it constitutes and open meeting.

### 9. Establishing Timeline for Task Force Discussion (2:04:24 in Recording)

- a. Topics discussed included: revisiting the homework on creating timelines, missing information in the compiled/shared spreadsheet, C9 Summit as a good venue to connect with Roundtables, how does reaching out to Roundtables relate to saving money, need to be responsive to public needs/audiences, effective use of time is it in meeting in person, confusion on how outreach by members saves money, opportunities for outreach are not requirements,
- b. Kelsea Macllroy (Langdon Group) shared that the group was waiting on an official ruling from the Office of Legislative Legal Services (OLLS) as to whether the group could accept donations. Groups could not request reimbursement and that could potentially create additional funds to support in-person meetings, but it was not required.



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- c. Further topics of discussion included: viewing the three submissions for how the Task Force could proceed, frustrations with the facilitation and process, how to compile and combine the roadmaps for the task force based on themes and topics identified.
- d. Jackie Brown presented her proposed roadmap
- e. Orla Bannan presented her proposed roadmap
- f. Andy Mueller presented his proposed roadmap
- g. Discussion topics included: how to be informed, how to include education and materials, need for a longer meeting to get on the same page, clarification of what is a "tool", need to hear from Tribes when we are in the Southwest and Tribal water rights, availability of experts on certain topics from Dept. of Natural Resources (DNR), need to leverage homework, not leaving drafting til late in the process, looking toward other basins, suggestion for creating a list of tools in the tool box to have in front of members for discussion with funding streams.
- h. Interstate/Intrastate Discussion: what does interstate mean; water conserved in state moved from one use to another, aimed at bringing water to state line or interstate system; federal funds, compact compliance, reducing use for a different purpose, differences with intrastate in implementation, compensation, do tools overlap? How to have conversation in most helpful manner. Request for Commissioner Becky Mitchell's presence at interstate discussion and/or guidance from AG's office. Questioning interstate commitment if CO is not in violation. Request for future projections of interstate commitments post-2026. Need for task force to have ownership of the question.
  - i. Decision to discuss intrastate tools first, followed by interstate.
- i. Discussion on dates/timeline for discussion topics moving forward.
  - i. Begin with Intrastate tools discussion on 9/14
  - ii. Wrap up intrastate and begin interstate on 9/28 – look to hold meeting in Silverthorne area and make in-person
  - iii. Continue interstate on 10/12, tribal water information and discussion
  - iv. 10/26 initial recommendations and discussion
  - v. 11/9 – extend meeting if possible, refine recommendations
  - vi. Hold 11/16 if needed, virtual
  - vii. 12/7 finalize report
  - viii. **MOTION:** Jackie Brown motioned to adopt 9/28 as in-person with additional time for intrastate if needed. Andy Mueller second with holding meeting in Silverthorne, Breckenridge, Frisco, or Keystone location.
    - 1. **Discussion:** question about homework being individual, not subcommittees; request to share guiding principles to review prior to next meeting ready to adopt; clarification on timeline
  - ix. **MOTION:** Jackie Brown moved to adopt timeline as a framework. Lisa Yellow Eagle second. Motion passed unanimously with Lee Miller clarifying – as a framework.

### 10. **Adjourn.**

- a. Meeting adjourned at 3:58:00 in Recording