



Colorado River Drought Task Force Meeting

August 10, 2023

Aurora, CO

Introductions

- Name
- Organization
- Role on Task Force
- *How has drought affected you and your constituents in the recent past?*

Agenda – 8/10/2023

1. Welcome & Meeting Objectives – Chair
2. Introductions – Name, Organization, Role **and**
 - *How has drought affected you and your constituents in the recent past?*
3. Where are we going & how will we get there?
4. Presentation on Open Meeting Laws – *Megan McCall, Office of Legislative Legal Services*
5. Logistics
6. Summaries of Shared Information – *Amy Ostdiek (CWCB); Andy Mueller (CRWCD); Kevin Rein (SEO)*
7. Wrap up – *Next Meeting, Homework*
8. Adjourn



SB-295: Overview

- Section 1. Legislative declaration
- Section 2. Definitions, Members, Deadlines, Guidelines, Purpose
 - (1) Definitions of key terms
 - (2)(a) Defining members and appointments to Task Force
 - (2)(b) State Engineer or designee serves in an advisory, non-voting capacity.
 - (2)(c) Members of Task Force must, to the extent practicable, reflect the racial and ethnic diversity of the state and have experience in a wide range of water issues...



SB-295: Overview

- Section 2. ... *continued*

- (3) Deadlines & Meeting Guidelines

- (a) June 30th for Task Force appointments and Chair
 - (b) July 15th hire a facilitator
 - (c)(I) July 31st Chair convenes first Task Force meeting. “The task force may hold up to twelve meetings in the 2023 legislative interim, which may be in-person or virtual meetings. The task force shall take any action required pursuant to this section by a majority vote.”
 - (II) “Any meeting of the task force or sub-task force must be open to the public. The task force and sub-task force shall allow public testimony during at least on meeting of the task force and sub-task force....”
 - (d)(I) “Members serve without compensation but may be reimbursed for any reasonable expenses...”
 - (d)(II) “An appointing authority may remove a member of the task force... for malfeasance, failure to regularly attend meetings, or any cause that makes the member unable or unfit...”
 - (d)(III) Members may designate another person that “meets the member’s qualifications for membership on the task force... if the member is unable to attend a meeting or meetings.”



SB-295: Overview

- Section 2. ... *continued*

(4)(a) The purpose of the task force

“... to provide recommendations for potential state legislation that would provide additional tools to the Board to collaborate with:

- The Colorado River Water Conservation District
- The Southwestern Water Conservation District
- And other relevant stakeholders, including
 - Holders of water rights
 - Agricultural producers
 - Industrial water users
 - Environmental organizations
 - The Ute Mountain Ute Tribe
 - The Southern Ute Indian Tribe
 - And local governments

To develop programs that address drought in the Colorado River Basin and interstate commitments related to the Colorado River and its tributaries through the implementation of demand reduction projects and the voluntary and compensated conservation of the waters of the Colorado River and its tributaries.”



SB-295: Overview

- Section 2. ...*continued*
 - (4)(b) Recommendations must
 - (I) “Provide that the programs be designed to be reasonably implemented in a manner that avoids disproportionate negative economic or environmental impacts to any single subbasin or region in the state;”
 - (II) “Provide that any program that seeks to administer water through stream reaches within the state or to the state line for interstate purposes must be operated consistent with:
 - (A) The Upper Basin Agreement regarding storage at Colorado River Storage Project Act Reservoirs, signed May 20, 2019
 - (B) Principle Four of Colorado’s Conceptual Framework (Colorado Water Plan 2023, pg. 75)
 - A Collaborative program that protects against involuntary curtailment is needed to existing uses and some reasonable increment of future development in the Colorado River System, but it will not cover a new Trans-Mountain Diversion.



SB-295: Overview

- Section 2. (4)(b) ... *continued*
 - (III) “Require that any acquisition by the programs of a water right used for agricultural irrigation purposes is voluntary, temporary, and compensated;
 - (IV) Specify the respective roles and obligations of the Board, the Colorado River Water Conservation District, and the Southwestern Water Conservation District in the development, implementation, and operation of the programs while maintaining the authority of the State Engineer to administer water rights for interstate compliance;
 - (V) Evaluate sources of revenue to appropriately compensate participants in the programs and to support reasonable administrative costs of the programs; and
 - (VI) Provide the State Engineer with the appropriate legal authority and direction necessary to fulfill the purposes of the programs in a manner than, without minimizing the primary purpose of the programs to reduce or mitigate interstate commitments related to the Colorado River and its tributaries, provides benefits to recreation and the environment.”



SB-295: Overview

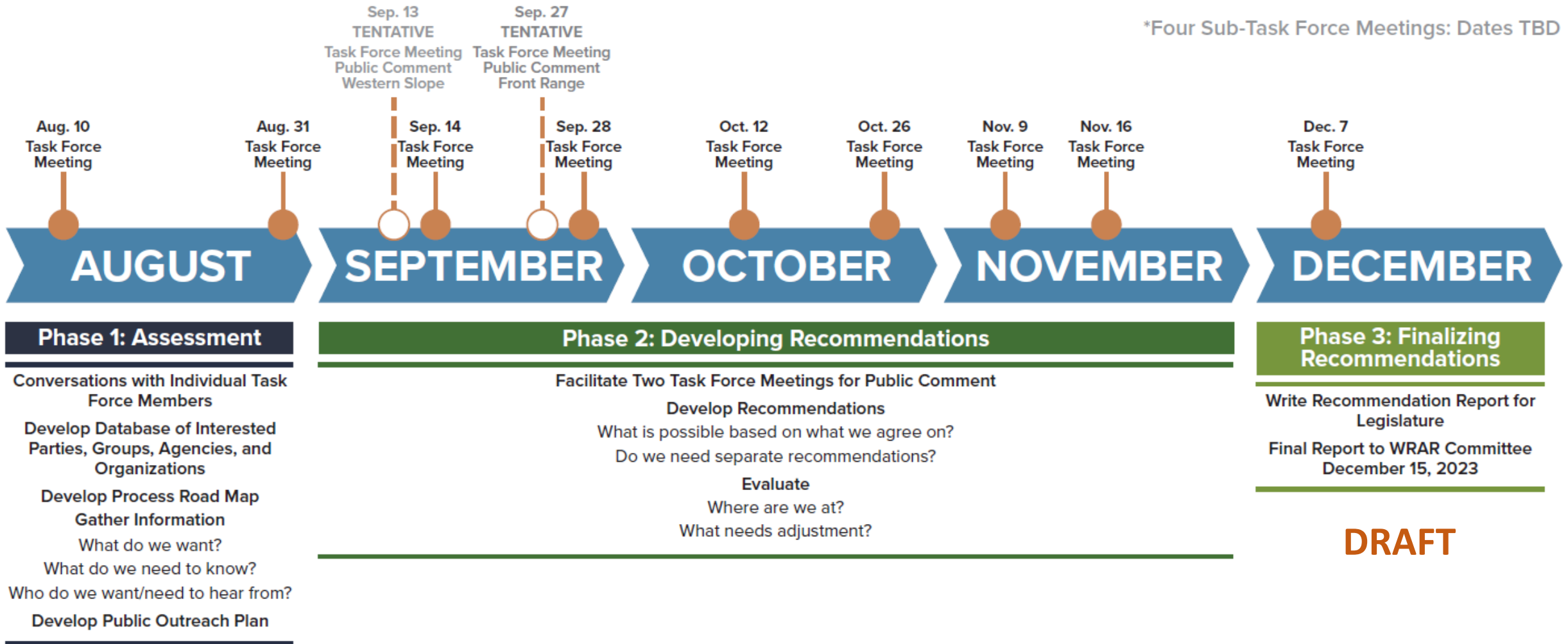
- Section 2. (5)(a) ... *continued*
 - Establishes a sub-task force to study tribal matters. Consisting of
 - A representative of the Southern Ute Indian Tribe
 - A representative of the Ute Mountain Ute Tribe
 - The Executive Director of the Department (of Natural Resources) or designee
 - Two other members jointly appointed by the Southern Ute Indian Tribe, the Ute Mountain Ute Tribe, and the Department.
 - (b) “The purpose of the sub-task force is to provide recommendations for state legislation that will:
 - (I) Provide for full tribal participation in the programs in a manner that recognizes the unique nature of tribal water rights and tribal water use, specifically in regard to forbearance and demand management opportunities
 - (II) Provide for Tribal participation in the programs in a manner that is voluntary, temporary, and compensated; and
 - (III) Evaluate sources of revenue to appropriately compensate the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe for participation in the programs.



SB-295: Overview

- Section 2. (6) ... *continued*
 - Any state agenda with access to information relevant to the task force's duties shall promptly provide the information to the task force upon the request of the task force, except for proprietary information a state agency has received from the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe.
 - (7)(a) Before submitting the final report, the Task Force will give the Water Resources and Agriculture Review Committee and update on their progress.
 - (7)(b) "No later than December 15, 2023, the task force and sub-task force shall submit a final report to the committee that provides:
 - (I) The recommendations of the task force and sub-task force pursuant to subsections (4)(a) and (5)(b) of this section;
 - (II) A summary of the task force's and sub-task force's work pursuant to this section, including any recommendations considered but not approved by the task force and sub-task force and a description of why the recommendations were not approved and
 - (III) Any other information that the task force and sub-task force determines to be relevant."

Road Map - Draft



Logistics – Reimbursement

- You can be reimbursed for your travel to our “in-person” meetings.
 - Alternates/designees will only be reimbursed for travel when they are acting on behalf of the member in a voting capacity.
- You can be reimbursed for what the state considers “reasonable expenses”. These include
 - Mileage (\$0.59/mi – same as what legislative members receive)
 - Hotel (based on GSA regional guidelines)
 - https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-results?action=perdiems_report&fiscal_year=2023&state=CO&city=&zip=
 - If we find that the regional per diem for hotels is not reasonable for the different locations of our meetings, we will provide an adjustment.
 - Meals are capped at \$50/per day – or about \$15 for breakfast, \$15 for lunch and \$20 for dinner.
 - If you go over the \$50/day cap, you will not be reimbursed for the additional amount.

Logistics – Reimbursement

- Always get an itemized receipt.
 - Immediately take a picture of it (in case it gets lost)
 - Receipts MUST be itemized and CANNOT include alcohol, or they will be invalid.
 - Receipts are needed for:
 - All meals – no alcohol (pay for separately, cannot be reimbursed by the State)
 - Lodging
 - Incidentals
 - NO receipts for gas.
- After you have completed your travel:
 - Fill out the Travel Expense Form.
 - Scan and attach to an email
 - Include all receipts (no alcohol included)
- Please send to:
 - Lisa Pfenning CeCe Medina
Deputy Controller Accountant
Lisa.Pfenning@coleg.gov CeCe.Medina@coleg.gov

Logistics

- Media Requests
 - Chair Kathy Chandler-Henry is our media contact.
 - Kathy.ChandlerHenry@eaglecounty.us
- Sharepoint

Wrap-Up

- Agenda items for next meeting
- Review homework
- Next meeting: Thursday, August 31st, 12:00p.m. to 4:00p.m.
 - Virtual – Webinar on Zoom, link posted at crdroughttaskforce.com
 - Livestream on Youtube @crdroughttaskforce
- Public Comment –
 - Q&A on Zoom Webinar
 - Comment Box on Website *in development*

