

# Basin Roundtable Feedback Opportunity to the Interbasin Compact Committee

A Word from IBCC Director

*John Stulp*



**Greetings and Happy New Year!**

As you are all well aware, 2014 is going to be an extremely exciting and busy year for Colorado Water. Thank you for your years of service and thank you in advance for all the work that is to come.

To make this successful, we need to increase our level of communication. I want to take this opportunity to encourage Basin Roundtable members to provide feedback to the Interbasin Compact Committee (IBCC). As the IBCC continues to engage in challenging and important conversations on developing new supply, incorporating the thoughts, concerns, and suggestions from the Basin Roundtables is absolutely essential. The Basin Roundtables are the IBCC's connection to water community stakeholders throughout Colorado, and ensuring that the Basin Roundtables have a voice in the IBCC's deliberations is a value shared not only by our IBCC members, but also by me, the Colorado Water Conservation Board (CWCB) leadership, and Governor Hickenlooper. The work of the IBCC and the Colorado Water Plan will only be as good as the ideas, energy, and input that inform these processes!

Sincerely,

*John Stulp*

## An Invitation for Feedback from the IBCC

The IBCC is inviting feedback on preliminary language for three "new supply topics": risk management, sequencing of strategies, and the relationship between agricultural transfers and new supply. Basin Roundtable members should review the proposed language on Page 2 of this newsletter, and provide comments, suggestions, or proposed revisions directly to their IBCC representatives by February 7, 2014. The IBCC will discuss any feedback received at the February 18, 2014 IBCC meeting.

## History and Context

The IBCC is currently engaged in discussions on several concepts related to the development of unallocated Colorado River Water known as "new supply." The goal of these discussions is to get IBCC consensus on language that expresses a conceptual agreement about new supply. The anticipated agreement will outline how new supply fits into the broader approach to meeting Colorado's water supply challenges while also maintaining other vitally important values like agricultural viability and environmental health. The first of these discussions occurred at the December 5, 2013 IBCC meeting, and discussions will continue at IBCC meetings in 2014. We anticipate the IBCC finalizing the conceptual agreement on new supply in August.

Additionally, while the IBCC works to develop and vet the conceptual

agreement in the months ahead, the group has agreed that the Basin Roundtables can add substantial value to the new supply conversation by engaging in a more focused discussion about actions that can be taken in the near term to preserve the option for new supply in the future.

The IBCC's discussions on new supply are based on preliminary, conceptual language regarding a variety of separate (but certainly related) topics. The preliminary topics were developed by compiling previous IBCC discussions, CWCB reports, and documents developed by various Basin Roundtables. At the October 2013 meeting, IBCC members used an electronic polling exercise to provide their feedback on each new supply topic, indicating whether they thought there was already agreement on the issue, more discussion was needed on the item, or the item should not be discussed. In general, the majority of the IBCC indicated that agreement had been reached on these topics, but more discussion is needed for each item. These polling results served as a catalyst for the current IBCC discussions.





## December Meeting and Requested Feedback

At the December meeting, IBCC members discussed several proposed revisions to the preliminary language from October regarding two topics: “Sequencing of Strategies” and “The Relationship between Agricultural Transfers and New Supply.” After substantial discussion of the concerns and aspirations associated with each topic, the IBCC developed revised language for additional review by the Basin Roundtables. Overall, the IBCC was favorably inclined toward the revised language, but the group stressed the need to hear comments and suggestions from the Basin Roundtables prior to coming to an agreement on the language. The IBCC now invites Basin Roundtable feedback on the revised language, which is discussed below.

In addition to the above discussions, the IBCC also heard presentations regarding risk management from John McClow (Colorado’s Commissioner to the Upper Colorado River Commission) and CWCB staff. Following these presentations, Mr. McClow proposed preliminary agreement language on risk management, based on prior discussions by several Basin Roundtables and the West Slope Caucus. As with the new supply language discussed above, the IBCC is favorably inclined toward the risk management language and invites feedback from the Basin Roundtables (the risk management language is available below). Details about the December IBCC meeting are available at: [www.cwcb.state.co.us](http://www.cwcb.state.co.us)

## Additional Information

Basin Roundtable members are strongly encouraged to keep abreast of the Colorado Water Plan process by visiting the new Water Plan website at: [www.coloradowaterplan.com](http://www.coloradowaterplan.com)

## IBCC December 2013 Meeting Discussion Topics for Basin Roundtable Feedback

### Context

As described above, the IBCC has begun a discussion on several concepts related to “new supply”<sup>1</sup>; this process is outlined in the New Supply Work Plan distributed with this document. The December 2013 meeting was the first of several meetings that will focus on IBCC review and revision of preliminary language on discrete new supply issues, all with an eye toward putting the individual items together in a broader agreement in June and August of 2014. The IBCC discussed the following language at their December 2013 meeting. IBCC members viewed the language favorably, pending discussion by their roundtables and/or constituents. IBCC representatives invite feedback on this language in advance of the February 2014 IBCC meeting. Feedback should be given directly to IBCC members, who will then summarize what they have heard and provide it to staff by Friday, February 7, 2014.

### Risk Management

#### Statement of Principle

Future supply of Colorado River water is highly variable and uncertain; therefore, any proponent of a “New Supply” project from the Colorado River Basin must accept the risk of a shortage of supply, however the shortage occurs, including compact compliance; strictly adhere to the prior appropriation doctrine and protect existing water uses and communities from adverse impacts resulting from the New Supply project.

### Moving Forward

By “New Supply,” we mean any new transmountain diversion beyond those already contemplated under

the Colorado Cooperative Agreement, Windy Gap Firming Project IGA, and Eagle River Memorandum of Understanding (MOU). Because new supply, risk management, and compact curtailment are inextricably intertwined and involve complex issues that cannot be resolved in time to be fully addressed in the 2015 Colorado Water Plan, the Plan should move the new supply discussion forward by defining a process to resolve those issues and refrain from either endorsing or precluding any new supply project.

### Sequencing of Strategies

The M&I gaps<sup>2</sup> should be reduced as much as possible (thereby reducing the amount of water that will be needed from agriculture and new supply from the Colorado River Basin) by implementing the identified projects and processes (IPPs) that are not new supply, municipal conservation and reuse, and other portfolio elements defined in the No/Low Regrets Action Plan. At the same time, discussion, evaluation, and possible implementation of the new supply component should continue in coordination with the other portfolio elements.

### Relationship between Agricultural Transfers and New Supply

Colorado should promote viable and productive agriculture across the state, and agriculture should have the opportunity to exist statewide. Development of new supply should be evaluated on an equitable basis with the transfer of agricultural water to municipal uses, to the extent that the additional water supplies are available and those supplies can be developed<sup>3</sup> without jeopardizing the certainty, reliability, and yield of already developed water supplies and environmental values. The IBCC should continue the dialogue about how to accomplish this.

<sup>1</sup> “New supply” is defined as any new transmountain diversion beyond those already contemplated under the Colorado Cooperative Agreement, Windy Gap Firming Project IGA, and Eagle River MOU.

<sup>2</sup> The M&I gaps are primarily on the Front Range and vary by time, location, and amount.

<sup>3</sup> See Risk Management language above.



# IBCC 2014 Meeting Schedule

Below is the schedule for IBCC meetings in 2014. Also included are several topics with initial language that will be reviewed by the IBCC. Once the language has been revised, the statements will be compiled into a conceptual agreement.

- **Water Availability** – Uncertainty about future water supplies
- **Preserving the Ability to Meet West Slope Needs** – Ensuring the option for future growth and development on the West Slope
- **Environmental Protection and Recovery** – How environmental needs relate to new supply
- **Multi-Purpose Components** – “Big Picture” planning and operation of a new supply project
- **Project Structure Components** – Legal, financial, and logistical factors
- **Demand Management** – Minimizing the amount of water needed
- **Preserving the Option for New Supply** – What should be done now to keep new supply on the table as a possible future source of water

## February 18, 2014

*Review Roundtable Feedback and Revise December Language as Needed to Achieve Preliminary Agreement*

### Agricultural Gap

Review proposed new language from IBCC Task Group (forthcoming from IBCC Task Group).

### Water Availability

#### *Foundational Concepts*

- Future water supplies are uncertain on both the East and West Slopes; reliability and flexibility must be incorporated into any future new supply project.
- In some years there will be water available for an additional transbasin diversion, and in some years there will not.
- There is not likely additional water from the headwaters of the Colorado River mainstem beyond existing IPPs and the Colorado River Cooperative Agreement.

*Desired Outcome: Revised, consensus statement(s) related to these issues.*

### Preserving the Ability to Meet West Slope Needs

#### *Foundational Concept*

Future water demands are uncertain for both the West and East Slopes, and the ability for each to develop at its own pace must be protected. The ability to meet future West Slope needs, which may develop at a slower pace than East Slope needs, should be protected.

*Desired Outcome: Revised, consensus statement(s) related to these issues.*

### Environmental Protection and Recovery

#### *Foundational Concept*

Implementing projects that protect the environment and help recover imperiled species now will help create future conditions under which a new supply project might be possible. These nonconsumptive projects and methods should be pursued.

#### *Multi-Purpose Concepts*

- In addition to meeting East Slope needs, a new supply project should include benefits and/or mitigation for native species and other nonconsumptive values.
- In addition to meeting East Slope needs, a new supply project should include headwater enhancements (i.e., exchanges with current transbasin diverters to allow for system flexibility if the headwaters were water-short).

*Desired Outcome: Revised, consensus statement(s) related to these issues.*

## April 2014

### Multi-Purpose Components

- In addition to meeting East Slope needs, a new supply project should be developed as a cooperative project so that all parties are better off with the project than without it.
- In addition to meeting East Slope needs, a new supply project should include compensatory projects for the West Slope.
- In addition to meeting East Slope needs, a new supply project should have significant operational flexibility (such as the ability to be used conjunctively with alternative agricultural transfers and nontributary groundwater when water supply is not available).

*Desired Outcome: Revised, consensus statement(s) related to these issues.*

### Project Structure Components

- The partnership structure, participants, financing, and operational and structural rules under which a new supply project would operate, including the role of the state, will need to be determined prior to implementation.
- Proof of need will need to be determined prior to implementation (participants would be required to show proof of the need for a new supply project across likely scenarios).
- Project feasibility will need to be determined prior to implementation.
- New supply conceptual configuration should be developed in the near term.

*Desired Outcome: Revised, consensus statement(s) related to these issues.*



## Demand Management

- Conservation, reuse, and land use actions defined in the No/Low Regrets Action Plan should be substantively completed prior to implementation of a new supply project.
- Active conservation plans and activities approved by the CWCB for all participating water providers should be in place prior to implementation of a new supply project.
- Participating water providers who utilize other fully consumable water supplies should have a full-scale reuse program to recycle as much water as is technically and economically possible.
- A commitment should be made by participating East Slope communities to work toward high conservation levels by 2050.

*Desired Outcome: Revised, consensus statement(s) related to these issues.*

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June 2014

## Preserving the Option for New Supply

### Foundational Concepts

- Some of the five IBCC scenarios indicate that additional new supply development is needed beyond the IPPs, and some do not. Therefore, the low regret action is to preserve the option to build a new supply project in the future, not to build a project now or foreclose the opportunity to build it later.
- Some type of substantive action to preserve the new supply option is needed in the near term.
- Once the option to develop new supply has been preserved, the need for and feasibility of building a new supply project should be periodically reassessed.

## Other Topics

- The CWCB should work with Basin Roundtables to determine how and where a new supply project could be built, including research on potential nonconsumptive impacts, downstream economic impacts, fiscal and partnership structures, and other items needed to develop a strategy and further detail for potential projects. This work may narrow the locations of the potentially viable locations of a future water supply project.
- Determine how one or more new supply options could be preserved and identify some substantive action(s) that can be taken to preserve the new supply option in the near term.

*Desired Outcome: Revised, consensus statement(s) related to these issues.*

## Integrative Discussion; If/Then Statements (Begin)

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August 2014

## Integrative Discussion; If/Then Statements (Finalize)

These statements will serve as a basis for the conceptual agreement for new supply.

*Desired Outcome: Consensus agreement on new supply issues for Colorado Water Plan.*

### Upcoming Meetings:

IBCC: February 18, 2014 in Denver

Statewide Roundtable Summit: March 6, 2014 in Denver

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# STATEWIDE WATER SUPPLY INITIATIVE



December 2013

John Hickenlooper - Governor  
Mike King - DNR Executive Director  
John Stulp - IBCC Director  
James Eklund - CWCB Director

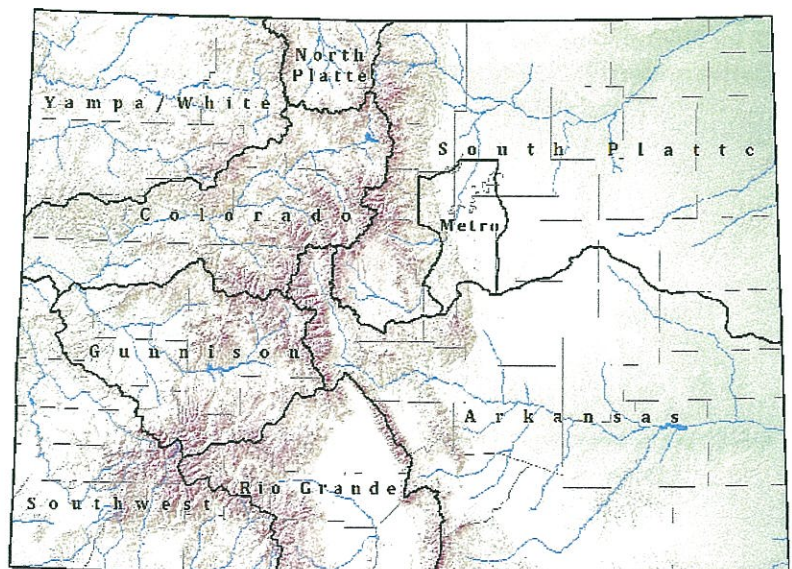
## Basin Implementation Planning Overview

In 2005, the Colorado General Assembly passed the Colorado Water for the 21st Century Act (House Bill 05-1177). The Act set up a framework for basin roundtables to help solve Colorado's future water challenges by:

1. **Preparing a water needs assessment for their consumptive and nonconsumptive needs,**
2. **Assessing water supply availability, and**
3. **Identifying projects and methods to address their consumptive and nonconsumptive needs.**

During 2011, the basin roundtables summarized their needs assessments in Basinwide Water Supply Needs Assessment Reports (Basin Reports) that were based on the Statewide Water Supply Initiative (SWSI) 2010. As part of these reports, each basin roundtable provided details on their consumptive and nonconsumptive projects and methods; this information will be a starting point for addressing consumptive and nonconsumptive gaps in each basin.

This fact sheet defines the purpose of the Basin Implementation Plans, provides an overview of the technical assistance available to the basin roundtables for the Basin Implementation Plans, outlines the timeframes associated with this effort, and summarizes how this information will be utilized in the development of the SWSI Update and the Colorado Water Plan.



Colorado's Nine Basin Roundtables



## Basin Implementation Planning and SWSI Update

A key component of the SWSI Update and the Colorado Water Plan will be to identify ways to close the existing consumptive and nonconsumptive water supply gaps. The Basin Implementation Plans will identify short-term and long-term projects and methods by the basin roundtables that will be critical to understanding how Colorado can meet its future water challenges.

Another key component of the SWSI Update and the Colorado Water Plan will be a focus on how we can collaboratively address implementation elements that will be needed to address our future water supply needs and challenges. Using an adaptive management plan approach will allow for a flexible implementation plan that addresses future uncertainties.

### Basin Implementation Plan Purpose

The main purpose of the Basin Implementation Plans is to address the gaps identified in SWSI 2010. The plans will be prepared under the direction of the basin roundtables and will build upon local planning efforts. The Basin Implementation Plans will provide a mechanism for basin roundtable members and other stakeholders to work together to overcome potential project implementation constraints, effectively implement water projects that achieve designated regional water management objectives, and address the basins' gaps. In addition, it may be necessary to identify opportunities and constraints in the basins for meeting water supply gaps determining how water is used in the basins under variable hydrology—dry, average, and wet conditions. Sources of water used in most basins include native water (surface and tributary groundwater), transbasin water, water used by exchange, reuse, nontributary groundwater, and reservoir storage. A basin water operations summary will be helpful to a basin roundtable and assists in gaining a better understanding of which projects and methods

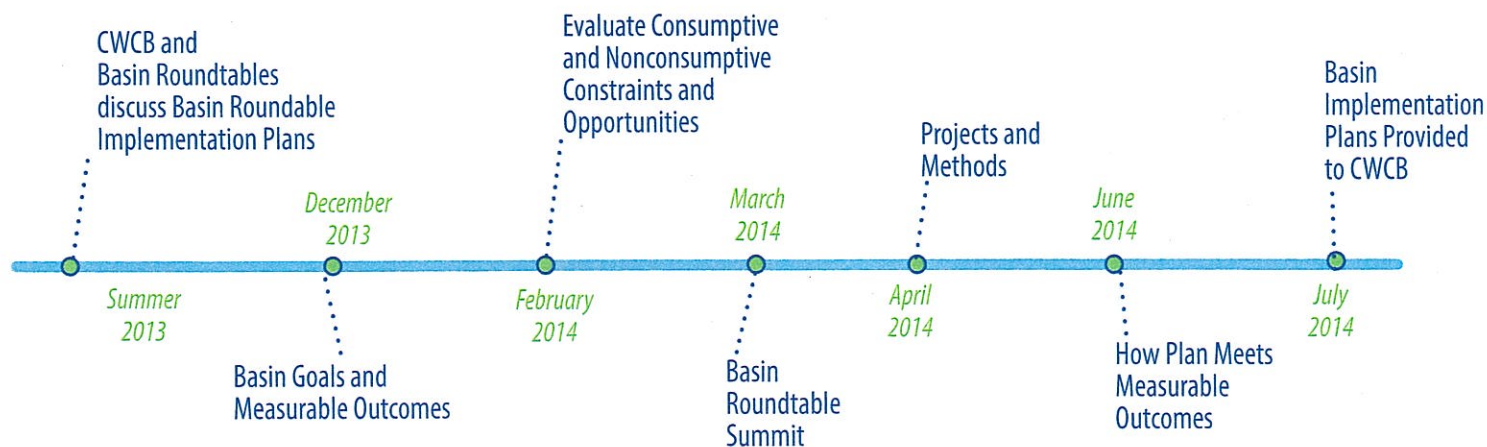
may be successful in meeting the consumptive and nonconsumptive gaps. This effort will form a foundation for the SWSI Update.

### Technical Resources for the Basin Roundtables

The basin roundtables are at various stages in their implementation planning process. The Colorado Water Conservation Board (CWCB) has committed the following resources to this effort—CWCB staff and the SWSI planning contractor will assist the basin roundtables in developing their plans. The Colorado River Water Availability Study (CRWAS) Phase 2 resources can focus on modeling efforts that assist in developing these plans for the four West Slope basins. If there are any aspects of planning that a basin roundtable wants a more in-depth analysis, or if the basin is extremely complex, the basin roundtables are encouraged to utilize Water Supply Reserve Account (WSRA) basin and statewide funds for these efforts. These funds will be available and prioritized for funding of this effort.

On the following page is a meeting plan schedule for the CWCB to work with the basin roundtable representatives and contractors. The basin roundtables will need to adhere to this schedule. These meetings will be held at a single location with all the basin roundtable representatives and contractors.

A Basin Roundtable Implementation Guidance document has been produced and can be found at the CWCB website at <http://www.cwcb.state.co.us/>. The CWCB will provide technical assistance to the basin roundtables for basin implementation planning, which includes identification and implementation of projects and methods. Below is the timeline to accomplish this and ensure that critical components of the Basin Implementation Plans are completed in sufficient time to be incorporated into the SWSI Update and the Colorado Water Plan.





# Basin Implementation Planning Schedule and Meeting Plan for 2013-2014

## Coordination Meeting with Basin Representatives and BRT Contractors—December 12, 2013

### MEETING 1: Kickoff Basin Goals and Measurable Outcomes

- Overview of the Basin Implementation Plan
- Identify goals and measurable outcomes
- Identify important studies, water management issues, and concerns
- Discuss existing consumptive and nonconsumptive project and methods information
- Present Basin Fact Sheets

## Coordination Meeting with Basin Representatives and BRT Contractors—February 10, 2014

### MEETING 2: Evaluate Consumptive and Nonconsumptive Needs and Analysis of Constraints and Opportunities

- Review information packages developed regarding needs and opportunities and basin operations list of information sources:
  - WSRA Grant information summaries
  - Nonconsumptive projects and methods database information for each basin (provided as part of the 2011 Basin Reports)
  - Information on the protection that the projects and methods may provide across the basin (provided as part of the 2011 Basin Reports)
  - Focus area mapping (provided as part of the 2011 Basin Reports)
  - Mapping that overlays the projects and methods and focus area mapping (provided in Nonconsumptive Toolbox)
- Review existing hydrology diversions, storage, exchange potential, hydrology (wet, average, dry), and instream flows
- Review updated consumptive projects and methods information and identified projects and processes (IPPs) lists
- Review nonconsumptive needs

## Basin Roundtable Summit—March 6, 2014

## Coordination Meeting with Basin Representatives and BRT Contractors—April 30, 2014

### MEETING 3: Projects and Methods and Implementation Strategies for Projects and Methods

- Review basin operations analysis
- Discuss shortages and in-basin solutions
- Finalize in-basin solutions
- Provide recommendations on Path Forward
- Identify strategies to ensure public education and acceptance
- Identify funding mechanisms and strategies for implementing water supply projects and methods
- Additional feasibility analysis and identifying partnerships/sponsors

## Coordination Meeting with Basin Representatives and BRT Contractors—June 5, 2014

### MEETING 4: How Plan Meets Measurable Outcomes

- Provide feedback on draft Basin Reports
- Revisit goals and measurable outcomes
- Report on how Plan meets goals and measurable outcomes
- Identify Basin Implementation Plan sections for consideration in the Colorado Water Plan

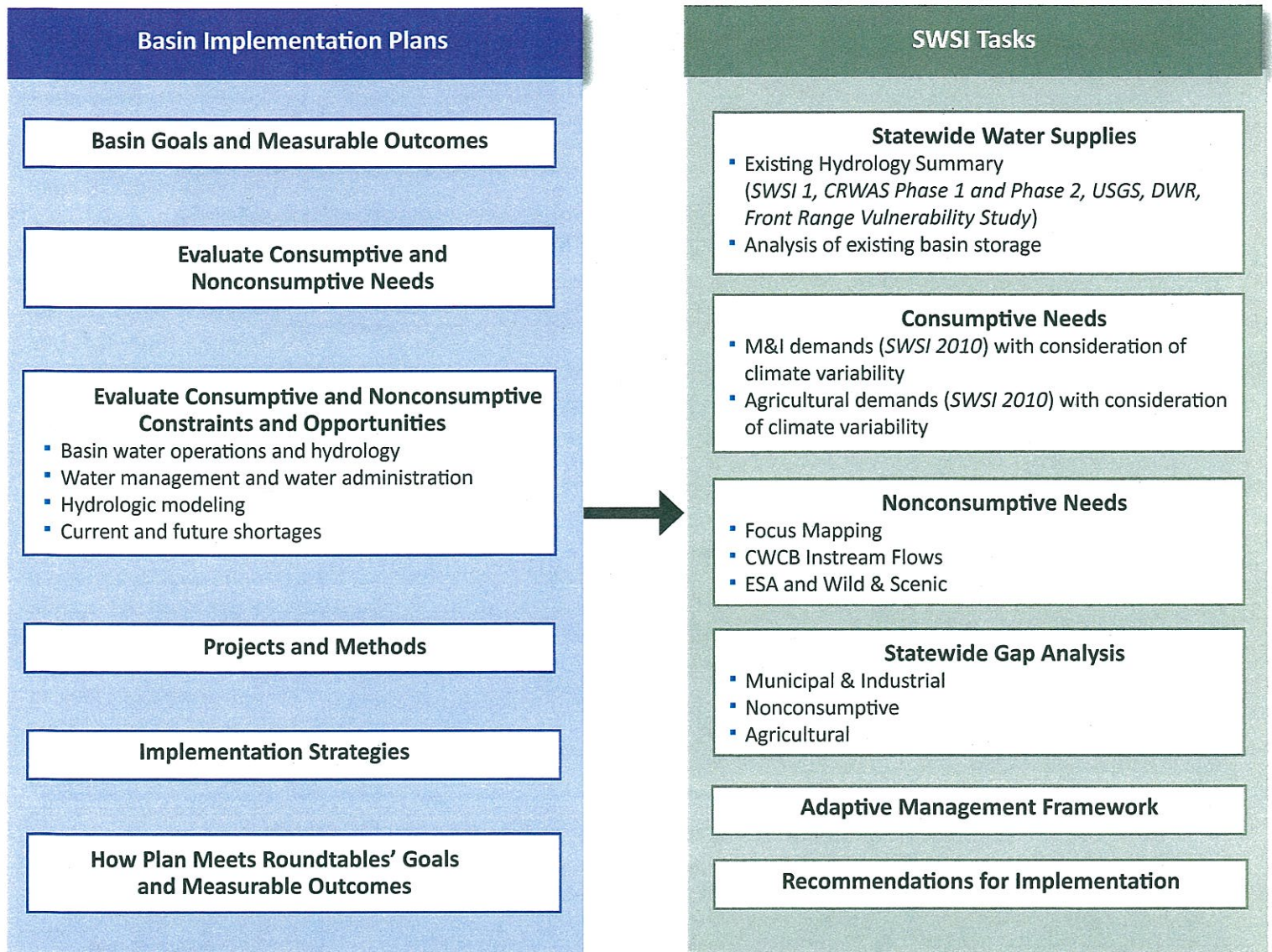
## Basin Implementation Planning Guidance Overview

The following is guidance for the basin roundtables for what needs to be included in the Basin Implementation Plans. Each basin roundtable will work to conduct extensive community outreach, with support from the CWCB, to ensure diverse participation and input by stakeholders across the basin.

- **Basin Goals and Measurable Outcomes** – This section provides an opportunity for roundtables to envision what they and the project proponents in their basin can and should accomplish. This section will highlight the water management challenges for the basin based on the 2011 Basin Reports, define the goals and measurable objectives, and describe how the goals and measurable outcomes are consistent with the SWSI Update and the Colorado Water Plan.
- **Evaluate Consumptive and Nonconsumptive Needs** – This section will summarize existing reports and information that may be relevant to the Basin Implementation Plans, such as from the 2011 Basin Reports. The information summarized for this portion of the Basin Implementation Plan will help roundtables determine how well they are currently meeting their goals and measurable objectives and where there are additional opportunities to meet those needs.
- **Evaluate Consumptive and Nonconsumptive Constraints and Opportunities** – The purpose of this section is to help roundtables better understand what the constraints and opportunities are within their basin to meet their needs.
- The potential places where solutions to meet the goals and measurable outcomes will be determined. As part of this effort, current basin operations, infrastructure opportunities, hydrological modeling, and nonconsumptive reaches may be used. These will then be examined in the projects and methods section to further develop the solutions to meeting the basin roundtables' needs.
- **Projects and Methods** – This section is the heart of the Basin Implementation Plans, identifying the projects and methods needed to meet the basin roundtables' consumptive and nonconsumptive needs. As part of this task, the basin roundtables should update and refine their list of consumptive and nonconsumptive IPPs. Because every roundtable has a gap above and beyond their IPPs, the basin roundtables should also identify potential new structural and nonstructural solutions to their gaps and shortages.
- **Implementation Strategies** – The Basin Implementation Plans will identify water management challenges and opportunities within the basin and provide a framework for meeting the challenges. This will include recommended paths forward for their basin and implementation of projects and methods.
- **Measurable Outcomes** – The basins will describe how this plan meets the roundtables' goals and measurable outcomes, including how well consumptive and nonconsumptive gaps would be met if the plans were implemented.



The Basin Implementation Plans will provide the foundation for the SWSI Update. The major tasks for the Basin Implementation Plans and the SWSI Update are shown in the figure below.



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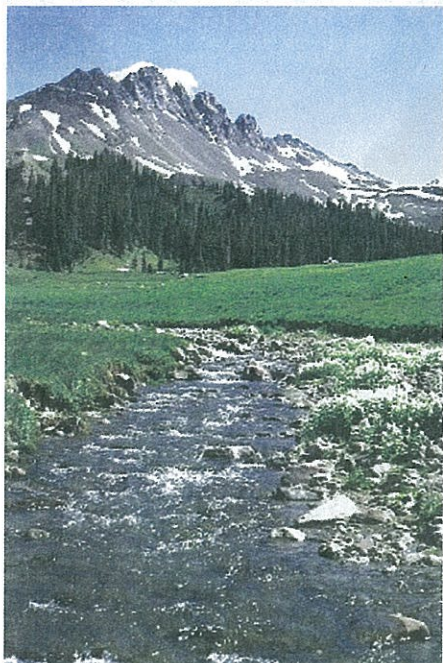
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# COLORADO'S WATER PLAN

## NEWS AND UPDATES



### THE CHALLENGE

Water is essential to Colorado's quality of life and economy, yet we face an uncertain future. This is due to

- 1) increasing gaps between water supplies and water demands;
- 2) the trend of permanent buying and drying of productive agricultural lands in order to meet growing municipal demands, and
- 3) greater uncertainty due to drought, climate change, and more.

If we don't take responsible action now the consequences will be great. Hundreds of thousands of acres of Colorado's most productive farmland will dry up, our cities and towns will have insufficient water, wildfire response will become more difficult, and the environmental health of our watersheds will be increasingly threatened.

### THE OPPORTUNITY

Governor Hickenlooper issued an Executive Order in May 2013 directing the Colorado Water Conservation Board (CWCB) to develop Colorado's Water Plan. Creation of this plan is a grassroots effort drawing upon eight years of unprecedented work, dialogue, and consensus-building that water leaders from across the state have engaged in through the Interbasin Compact Committee (IBCC) and Basin Roundtable process. Colorado's Water Plan will be aligned with our state's water values: vibrant and sustainable cities, viable and productive agriculture, a robust skiing, recreation and tourism industry, and a thriving environment that includes healthy watersheds, rivers, streams, and wildlife.

### HOW DO I GET INVOLVED?

Communicating with interested stakeholders and keeping them informed throughout the development of Colorado's Water Plan is our priority.

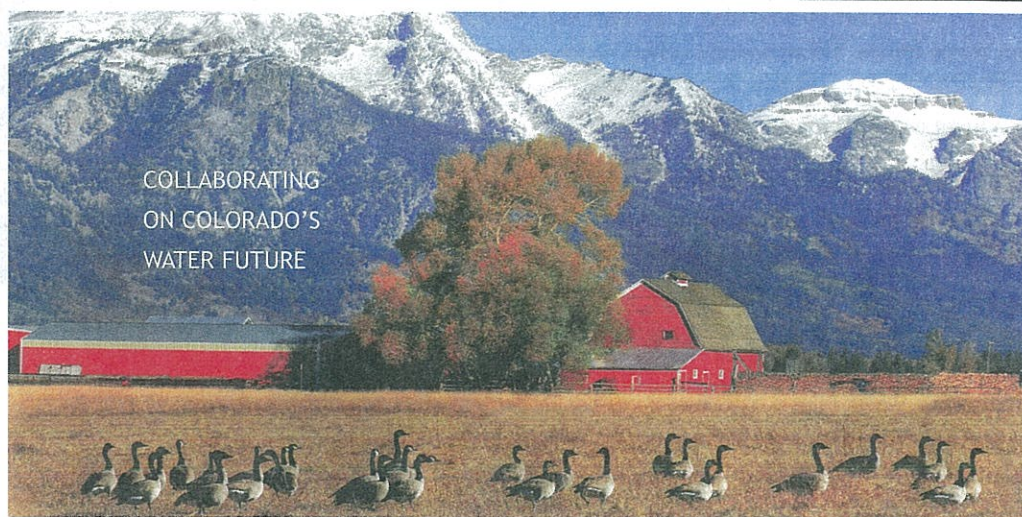
### JOIN THE DISCUSSION

The most effective way to get involved is to be engaged in your Basin Roundtable. To learn more about when your Roundtable meets and who represents your basin on the Roundtable, visit [www.coloradowaterplan.com](http://www.coloradowaterplan.com).

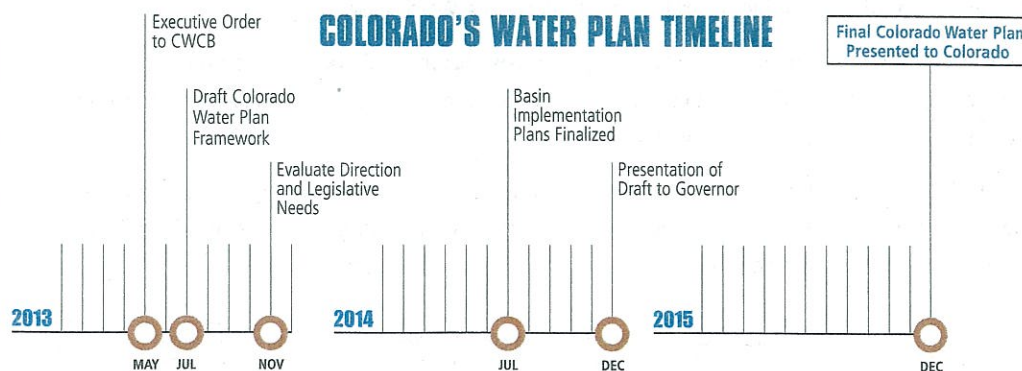
Find Colorado's Water Plan on Facebook and follow us on Twitter – @COWaterPlan.

### QUESTIONS?

Contact us at [cowaterplan@state.co.us](mailto:cowaterplan@state.co.us) and visit us online at [www.coloradowaterplan.com](http://www.coloradowaterplan.com).



COLLABORATING  
ON COLORADO'S  
WATER FUTURE







## WHY NOW?

Since the 2002-2003 drought, the Colorado Water Conservation Board (CWCB) has been leading the most comprehensive analysis of Colorado water ever undertaken through the Statewide Water Supply Initiative (SWSI 2010). As a result, **we know more today than we have ever known about our future water demand**: what supplies are available, how much water we need for consumptive and non-consumptive needs, and much more.

We know that the gap between water supply and demand is growing. Within the next few decades, even assuming aggressive conservation and the completion of dozens of water projects currently being considered, the state could face a shortfall that exceeds 500,000 acre feet annually. In a single year, we have experienced severe drought followed by severe flooding. This climactic variability in our water supply emphasizes the need to strategically plan for the future, now more than ever. Without a thoughtful, educated, and measured response to this problem we run the risk of compromising Colorado's future of being one of the best places in the nation to live and work.

The work of the Interbasin Compact Committee (IBCC) and Basin Roundtables has made the development of Colorado's Water Plan possible. The 27 members of the IBCC, representing every water basin and water interest in Colorado, have agreed that unless action is taken, we will face an undesirable future for Colorado with unacceptable consequences. The IBCC has reached consensus on a number of actions that Colorado must take in the near term to secure our water future. These include conservation, alternative methods of utilizing agricultural water that doesn't result in the permanent dry-up of farmland, and support for water projects that meet certain factors.

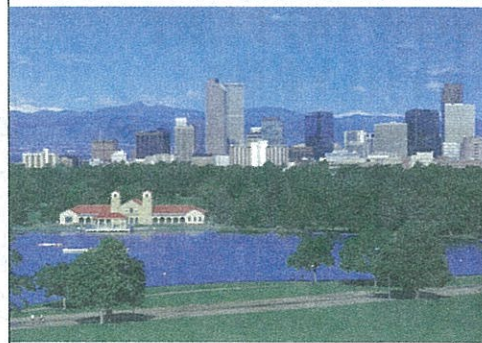
The Basin Roundtables have brought together leaders from each of Colorado's major river basins and the metro area to map out their own basin's needs and water future, to engage in facilitated discussions on water issues, and to develop locally-driven, collaborative solutions.

## HOW WILL IT BE DEVELOPED?

Colorado's Water Plan is a grassroots effort. Each Basin Roundtable will develop its own plan. These Basin Implementation Plans (BIPs) will identify the specific challenges to a secure water future that each basin faces, the strategies it will pursue to address those challenges, and the projects and methods that the basin may implement to meet its water needs. These BIPs will then be incorporated into Colorado's Water Plan.

The IBCC will continue to facilitate dialogue across basins and continue its work of refining and adding to the list of action items around which there is consensus, including a thorough examination of options for new water supply.

The CWCB is tasked with drafting the plan. To do so, it will be reviewing and combining technical information and policy recommendations, incorporating the work of the IBCC and Basin Roundtables, and conducting any additional technical analysis needed.



## COLORADO'S WATER PLAN

COLLABORATING ON COLORADO'S WATER FUTURE



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## Frequently Asked Questions – November 2013

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*This document was created by the Colorado Water Conservation Board to help to answer questions regarding Colorado's Water Plan. This is a living document that will be updated with new FAQs on a regular basis. If you would like to suggest additions to this list, email [cowaterplan@state.co.us](mailto:cowaterplan@state.co.us).*

### 1. Why Colorado's Water Plan now?

We have learned through the work of the Statewide Water Supply Initiative (SWSI), the Interbasin Compact Committee (IBCC), and the Basin Roundtables (BRTs) that our current statewide water trajectory is neither desirable nor sustainable. We know that the state must take a hard look at Colorado's future water needs as a whole and plan for how they will be addressed. With eight years of grass-roots civic engagement, Colorado has a unique opportunity to make this assessment.

### 2. What was the Governor's Executive Order all about?

The Governor is concerned about the water challenges facing the state and believes it is imperative that a plan be developed if Colorado is going to have a more secure water future. The Colorado Water Conservation Board (CWCB), the organization created by the state legislature and charged with creating and implementing state water policy, was the right entity to develop this plan in conjunction with other state water agencies (e.g. State Engineer's Office, Water Quality Control Commission, Water Quality Control Division, Division of Parks & Wildlife).

### 3. Will Colorado's Water Plan interfere with local control and authority?

No. Colorado water allocation and governance has always been guided by local users meeting local needs and Colorado's Water Plan will not change that. Rather than diminishing local control or authority over water, Colorado's Water Plan seeks to strengthen local decision-makers' ability to achieve regional and statewide water solutions.

### 4. Will Colorado's Water Plan include plans for a state water project?

Colorado's Water Plan will be built from the bottom up through each Basin Roundtable's Basin Implementation Plan and the work of the IBCC. It is premature to say whether a state water project constitutes a viable option in Colorado. Colorado's Water Plan will align the state's water efforts (e.g. funding, studies) with our water values.



**5. What is the role of the Basin Roundtables in the development of Colorado's Water Plan and how will the Basin Implementation Plans fit into the plan?**

The Basin Roundtables will play a critical role in the development of Colorado's Water Plan. Each Basin Roundtable has been tasked with developing its own Basin Implementation Plan. These are plans that will offer solutions for how each basin's future water needs will be addressed at the local level. These Basin Implementation Plans will then be incorporated into Colorado's Water Plan so that we can understand at both the basin and statewide level how Colorado's water needs will be addressed.

**6. What is the role of the Statewide Water Supply Initiative in Colorado's Water Plan?**

The Statewide Water Supply Initiative (SWSI) provides the technical foundation that describes Colorado's water challenges. Because of SWSI, we know more about Colorado's current and future water demand and supply than ever before. That analysis, which will be updated continually, will form the technical foundation for both the Basin Implementation Plans and Colorado's Water Plan.

**7. How will the legislature be involved? How will the state engineer be involved?**

The Colorado General Assembly and the State Engineer (Colorado Division of Water Resources) are critical to ensuring a secure water future for the state. The CWCB is consulting with both entities and soliciting their input and guidance in the development of Colorado's Water Plan.

Learn more about the Water Resources Review Committee at:

<http://www.colorado.gov/cs/Satellite/CGA-LegislativeCouncil/CLC/1242218502184>.

And research the Colorado Division of Water Resources at:

<http://water.state.co.us/Home/Pages/default.aspx>.

**8. If a Basin Implementation Plan includes a project, does that mean it will receive state support?**

The Basin Implementation Plans will reflect a Basin Roundtable's assessment of its consumptive and non-consumptive water needs. The Basin Roundtables are expected to prioritize basin needs and describe preferred methods to meet those needs. State support will hinge on whether or not a project meets criteria set forth in Colorado's Water Plan. Basin support is likely a good indicator of a project that will meet the water plan's criteria, but does not necessarily guarantee that the project will ultimately receive state support. Colorado's Water Plan will incorporate an iterative planning process related to this issue.

**9. What are the consequences if a currently-contemplated project is not included in a basin's plan?**

If a currently-contemplated project were not included in the basin's plan, state support would be unlikely. However, a project may proceed as it has done so in the past.



10. How will Colorado's Water Plan work with counties and incorporate their input and concerns? More specifically, how will the plan ensure that a project that meets state criteria does not interfere with a county's ability to regulate that project through its 1041 powers?

Colorado is a local control state and Colorado's Water Plan will not interfere with municipal autonomy. Although the plan will strive for more efficiency and effectiveness in water permitting, these efforts do not circumvent or diminish existing 1041 powers.

11. How will Colorado's Water Plan address the quality of the state's rivers and streams?

The Governor's Executive Order spelled out fundamental values, including an environment that includes healthy watersheds, rivers and streams, and wildlife. Colorado's Water Plan will incentivize water development that honors Colorado's commitment to its wildlife and environment. The CWCB maintains tools that are helpful in protecting and improving the health of our rivers and streams.

12. How will Colorado's Water Plan address the long-standing differences between the Western Slope and the Front Range in terms of developing new water supply?

The IBCC and BRT process has led to a productive and thoughtful dialogue between the Western Slope and the Front Range in recent years. Colorado's Water Plan will acknowledge and substantiate any agreements or points of consensus reached by the IBCC or BRTs across the Continental Divide. The objective of the plan is to increase certainty on both the Western Slope and the Front Range. The plan won't add to existing uncertainty by mandating transmountain water transfers.

13. Will Colorado's Water Plan do away with the Prior Appropriation Doctrine or the status of water as a private property right?

No. These principles are fundamental to Colorado water administration and law and Colorado's Water Plan requires them to succeed.

14. The Executive Order stipulates that it will incorporate effective and efficient water infrastructure that promotes smart land use. Does that mean the state will be mandating land use policies for local government and planning agencies?

Land use is governed at the local level and Colorado's Water Plan will not change that. There may be opportunities, however, where the state can provide incentives or benefits to encourage development to occur in a way that maximizes water efficiency and conservation. Research has shown that a 20 percent increase in density yields a 10 percent per capita water savings. Incentivizing development that is more water-sustainable is one of our tools that can help ensure that Colorado enjoys a secure water future.



**15. Will the 2013 floods change Colorado's water planning process?**

Within a single year, we have experienced severe drought followed by severe flooding. This climatic variability in our water supply emphasizes that, now more than ever, we need to strategically plan for the future. Colorado's Water Plan will use the work of the Basin Roundtables (BRTs) to prepare for climatic variability by examining both wetter and drier scenarios. Colorado will be one of the first states in the country to incorporate grassroots scenario planning and adaptive management into water planning efforts.

**16. How will the ad-hoc panels mentioned in the Executive Order work?**

Ad-hoc panels are an extension of the expert groups that the CWCB has continued to rely on over the years. When the CWCB has specific questions with regard to elements of Colorado's Water Plan, the agency will continue to seek the expert advice of relevant existing groups. For instance, the Colorado Agriculture Water Alliance (CAWA) is a group that has been in existence for several years and the CWCB plans to seek CAWA's input on matters of agricultural water conservation. If you have additional questions regarding ad-hoc panels, please email [cwaterplan@state.co.us](mailto:cwaterplan@state.co.us).

**17. Will Colorado's Water Plan address the permanent 'buy and dry' of irrigated agricultural water rights?**

Currently, allowing irrigated agricultural lands to permanently dry up is the only option for agricultural producers who are not able to continue their agricultural practices. Colorado's Water Plan will seek to develop additional options for agricultural producers and municipalities so that they may better share agricultural water and make these transactions at least as easy, if not easier, than the traditional form of changing an agricultural water right to a municipal one. Each Basin Roundtable is establishing goals for how much permanent agricultural dry up should occur in their basin based on projects that are already planned and the predicted urbanization of agricultural lands. While the solutions to discourage additional permanent agricultural dry up are not fully known at this time it is expected that most of the solutions, if not all, will be incentive based.

**18. Will future transfers between water sectors take place?**

It will continue to be legal to transfer water between sectors in Colorado.

**19. How can I be involved in the development of Colorado's Water Plan?**

As the Governor made clear in his Executive Order, Colorado's Water Plan must reflect the values and priorities of Coloradans. It is therefore critical that the public be involved in the development of the plan, and the best way to do that is to get engaged in your local Basin Roundtable. Attend the statewide Basin Roundtable meetings. Provide your input. To find out more about when your Basin Roundtable meets or who the members of your Basin Roundtable are, visit the Basin Roundtable Webpage on the CWCB website at:  
<http://cwcb.state.co.us/water-management/basin-roundtables/Pages/main.aspx>.

You can also attend in person or listen live online to the CWCB Board meetings. All meeting dates, agendas, and related information are posted on the CWCB website at [www.cwcb.state.co.us](http://www.cwcb.state.co.us).



The CWCB continues to formalize the process for providing public input and as a result, many people have submitted input through designated formal channels including the new website at [www.coloradowaterplan.com](http://www.coloradowaterplan.com). Public input will be considered at each CWCB Board meeting, and is already being worked into plan elements such as the Colorado's Water Plan Annotated Framework. While CWCB still encourages stakeholders to primarily work through the Basin Roundtables since the BIPs will comprise a significant portion of Colorado's Water Plan, the public can submit general input by emailing [cowaterplan@state.co.us](mailto:cowaterplan@state.co.us) or via the new website at [www.coloradowaterplan.com](http://www.coloradowaterplan.com).

It is planned that the public input process will be further enhanced through the development of input guidance documents tailored for each stakeholder community identified in the Colorado's Water Plan Outreach Plan. These guidance documents will seek to educate on what information each group could provide to most effectively contribute to specific sections within the Annotated Framework. Once finalized, these documents will be available online at [www.coloradowaterplan.com](http://www.coloradowaterplan.com).

## 20. Is there an alternative to providing grassroots input through the Basin Roundtable process?

Because the Basin Roundtables are creating Basin Implementation Plans (BIPs) that will ultimately comprise a significant portion of Colorado's Water Plan, it will be most effective for input to be considered by the Basin Roundtables during development of the BIPs. If you need assistance in engaging with your Roundtable, you are welcome to contact the CWCB at [cowaterplan@state.co.us](mailto:cowaterplan@state.co.us). Several Basin Roundtables have considered adding a public comment period to each of their Roundtable meeting agendas, and are working closely with the CWCB to create a plan for how the Roundtable will consider the increase in public input and involvement at Roundtable meetings.

So that the general public can be as informed as possible, the CWCB is also planning to share the Basin Roundtable consultant scopes of work as they are finalized, and other documents produced by the basins and IBCC as a result of their planning processes. CWCB staff members are working closely with the Basin Roundtable chairs, the Public Education, Participation, and Outreach (PEPO) Education Liaisons, the selected consultants, and other Basin Roundtable members to coordinate this work and post all of the related documentation online at [www.coloradowaterplan.com](http://www.coloradowaterplan.com).

As noted above, while CWCB still encourages stakeholders to primarily work through the Basin Roundtables since the BIPs will comprise a significant portion of Colorado's Water Plan, the public can however submit general input by emailing [cowaterplan@state.co.us](mailto:cowaterplan@state.co.us) or via the new website at [www.coloradowaterplan.com](http://www.coloradowaterplan.com).

## 21. What if I have questions or comments about Colorado's Water Plan?

You can find more information on the new Colorado's Water Plan webpage at [www.coloradowaterplan.com](http://www.coloradowaterplan.com). A calendar of events related to Colorado's Water Plan is posted on the website. If you have additional questions, feel free to send us an email at [cowaterplan@state.co.us](mailto:cowaterplan@state.co.us). You can also find Colorado's Water Plan on Facebook and follow @COWaterPlan on Twitter for current updates and information.