

November 14, 2014

The Poudre Runs Through It Study/Action Work Group

SESSION SUMMARY

Update: What's Happening on the Poudre?

The unusual runoff this spring was great news for Brad Modesitt and his rafting business, but rough for the City of Fort Collins Natural Resources restoration projects on the river. A hydrograph showed the river had not run that way around Lyons Park for 132 years. Other news:

- Susan Smolnik reported that this was a great year for water supply. The call was off most of the year and reservoirs are so full it is hard to know where to put any "extra" water.
- Robert Ward reported that Poudre Heritage Alliance now is officed at the Visitors Center off Prospect and I-25. The PHA recently adopted some new initiatives at a planning retreat.
- Eric Recentine announced that City of Greeley recently had its Water Supply and Storage Company change of use shares approved in Colorado Water Court after seven years of effort.
- Jeffrey Boring reported that the Larimer County open space tax passed. The Poudre River Master Plan the county is finalizing includes a couple of restoration projects on the Poudre. They are looking for partnerships for funds to repair damages at River Bluffs open space in an environmentally friendly way. They have space to do some phenomenal things there, but it would be expensive. They want to develop levees and make other improvements that affect the floodplain of the Poudre. Regarding the regional Poudre bike trail, CDOT is balking at their doing any sort of over or underpass to cross I25.
- Brad Wind reported that Northern Water got a record of decision on its Windy Gap firming project, which will provide water for M&I use. There are a couple more small permits required but they are nearing completion of a two year design process.
- April Getchius reported that plans to extend the bike trail along the Poudre through River Bends east of Swetsville are progressing. The trail will work its way through the southern border of Timnath.
- John Bustos gained a new appreciation for urban water conservation and xeriscape this summer as he took over responsibility for the yards of three family members. He thinks we should promoting the idea of more concrete in landscapes!
- Jen Kovecses reported that Coalition for the Poudre River Watershed got an environmental stewardship award from Larimer County. The group is moving forward developing its watershed plan for the upper Poudre.
- Steve Maler's non-profit Open Water Foundation won the South by Southwest contest for socially conscious non-profits. One of his slides referred to cooperation on the Poudre River. He also reported on the Colorado Foundation for Water Education's Water Leaders program and recommended that other members of the Poudre Runs Through It apply for the new class.

- Wade Willis announced that the Town of Windsor is getting ready to do a master plan for Eastman Park next year, along the river, including the Frank State Recreation Area. They hope to do restoration there similar to what has been done at River Bluffs.
- John Stokes reported that they have had three big restoration projects on the river this year and pretty much all three have been installed despite the challenges of the very unusual water runoff. They are seeing a big flush of cottonwood improvements around the river in places where they've put soil. They are trying to get the river to "do it for them". They want to get soil close enough to the water table so roots of trees go down deep and persist. Those sites will continue to be a work in progress over the next couple of years.
- John also reported that there will be an interdepartmental meeting (Natural Resources and Utilities) soon with City Council about NISP in order to start getting guidance from Council about how it wants staff involved in review of the EIS when it comes out.
- Mark Kolebar reported that the South Platte Basin Implementation Plan includes some technical analysis on the Poudre River for how they could have additional water storage opportunities.
- Troy Seaworth reported he was able to get all his crops in before the freeze.
- Ken Kehmeier reported that the Greenback cutthroat, our state fish, has been repatriated to the South Platte after many years of effort. 68 fish have been recovered, and some are currently at the Poudre Fish Hatchery. They have traced the lineage of these fish back to the 1850's. They have also recently found boreal toads around Zimmerman Lake after their introduction there eight years ago.

Poudre River Trust Looking for Partners

Andy Smith from the Poudre River Trust brought us up to date on what the Trust is doing these days. Some of his points included:

- The Trust got started by Gene Mitchell back in the 1980's. Many influential folks are part of the history, folks like Gerry Horak, Susan Kirkpatrick, and our own PRTI member Jim Reidhead. Their early goal was to bring people down to the river, to enjoy it, and to become interested in improving it. Advancing business development was of interest as well.
- The Trust was instrumental in launching some of the early improvements on the Poudre as it runs through Fort Collins, including the Prospect Ponds and Gustav Swanson Natural Areas.
- Now, after a few years of inactivity, the Trust is exploring the idea of "helping to create grand projects in the river corridor," not just through Fort Collins, but from the mouth of the canyon down to the Poudre's confluence with the South Platte in Greeley.
- What has changed in the community's mood in the last 30 years? The Trust sees more voices for the river and its health these days. They are looking for opportunities to partner with other organizations that have strong interest in the river corridor. They are looking at best management practices and examples such as what the Greenway Foundation has done in Denver.

- The Trust is building capacity and champions at this point, trying to develop operational stability for the long term. They can use their 501c3 status to help with projects of others.
- Though the Trust is not quite ready to “come in and take a bite of doing something with the DDA” for instance, they would like to jump into conversations with folks like the DDA who are looking for partners.

Poudre River Forum 2015 Is Under Construction

John Stokes reported that the Poudre River Forum Committee is hard at work, planning a program that will allow us to dive a little deeper this year, after last year’s high level overview. He distributed a draft of the program, including hopes of getting Brian Richter from The Nature Conservancy to be our keynote speaker and Amy Beatie from the Colorado Water Trust to talk about collaborative efforts the trust is involved in around the state on rivers like the Poudre.

Hard Work of FLOWS Committee Brings us to Decision Point

Dan Brown reported that the FLOWS committee has good news, in that the concept they have been pursuing the past several months appears to be ready for testing. The concept is a program by which we can legally protect water for flow purposes through an augmentation plan to augment stream flows. No one has ever done a court application like this. It would involve a court application and some seed water, which Cache la Poudre Water User’s Association appears to be ready to consider helping provide if some funding materializes to purchase it.

The concept has been vetted with CWCB staff and the Division of Water Resources in Greeley (state engineer’s office) and though it has been met with head scratching, there have been no red flags raised. The concept is new, but no one said “this will not work.” The question now is, “do we want to take it to the planning phase?” To do that will require effort, time, money or water. The committee will continue to work on this, but soon we need to embrace the major issue of funding. It will take commitment beyond the volunteers on our FLOWS committee, probably a more formal organization than what we currently are.

The question was asked whether we might hand this over to the Colorado Water Trust, since they are represented on our FLOWS committee and appear to be intrigued. Might they have some funding to launch the effort? Dan pointed out that we need a water resource commitment in addition to money. He said the Cache la Poudre Water Users Association who he represents has agreed to be the administrative group and maybe even contribute some water down the road. Having that arrangement in place would likely be required before Colorado Water Trust would put money into the effort.

Question: How does this interface with the City of Fort Collins effort toward an adjudicated instream flow right? Answer: In the case of the traditional instream approach plus this augmentation approach we need the flow requirement numbers from Colorado Parks and Wildlife. What water is required to give you a certain amount of habitat benefit is the question.

John Stokes said that the City of Fort Collins Natural Areas group may have some money over the next two years to potentially sponsor this effort. He suggested that perhaps we should engage the services available from the Colorado Water Trust and draft a business plan. He said there is a lot of potential here. “Kudos to Dan Brown and Zach Smith” (Colorado Water Trust) he said. Ken Kehmeier said he will try to influence CPW’s instream flow group to work faster on getting the numbers. Ken will now join the FLOWS committee.

“It’s really more about supplementing the low flows and reducing dry ups than it is about providing fishing flows, Dan said. You would have to have in the water court application that you have enough water to at least meet the minimum flows requirement. The most likely reach for establishing those flows would be College Avenue to I25. John emphasized that these are foundational steps, baby steps, that it will take years of effort to get water in the river that can be administered for instream flows purposes. This won’t solve the river’s health issues overnight, but this is an important step that we can build around.

Ken shed some light on the process of getting the numbers from CPW. He said that two dimensional modeling is part of the new EIS, so now they have better tools. CPW’s hydrologist will have access to that tool when the EIS comes out. The tool will help answer how we can maximize flow without negatively affecting water rights. The flow regime in the Poudre this summer wasn’t representative. CPW should be able to use the new modeling tool this coming summer.

Question: Are you proposing to use the City of Fort Collins’ water rights for this purpose? Answer: Yes, though the City doesn’t have very much. We could set up a pool in order to bring in this augmentation water. A market based idea would be to pay water rights owners for their water and deliver it to them in a way that can profit the river. This is an accepted way of putting water in the river without harming water rights. Helps you to achieve more than one purpose, develop some compensation. It’s a major twist on the traditional instream flow program. It’s hard to bring enough water via the traditional method.

What’s the Latest on the Gage the River Project?

Jeffrey Boring reported that they are trying to get the modeling done for the two chosen sites, one of which we viewed on our September field trip. Our group working on this has had a great volunteer effort from Kate Malers of Water and Earth and from Flywater. Mark Simpson helped by getting some data for them. Jeffrey will bring the interpretive sign language for us to see at our session on January 9th.

Our Diversion Improvements Group is Taking Ditch Companies on a Tour

Wade Willis reported that our group will be leading a tour for the shareholders from Whitney Ditch and BH Eaton companies along with Amy Johnson from Northern Water, Zach Smith from the Colorado Water Trust, and some members of CPW. The purpose of the tour is to show what Lyons’ Rough and Ready Ditch Company and the Highlands Ditch Company have done to replace structures after the flood. They will see how these

ditch companies are using their sand gates to get fish passage, and using a bypass canal for a secondary fish passage opportunity.

The Poudre River to Be Animated

Robert Ward reported on progress being made to create an animated history of the Poudre River, suitable for a range of ages. The Poudre Heritage Alliance has agreed to fund the cost, and the Poudre Runs Through It is providing the volunteer effort to write the script. Noah Besser, who created an animation of the South Platte River and its alluvial aquifer will do the animation. Tom Cech has drafted the initial script, and it is being reviewed by several. Robert said that the animation will be a very effective way to present a complicated history for elementary students as well as adults. The animation can be used for future years of the Poudre River Forum as well as Children's Water Festivals, community groups, and others.

Poudre Runs Through It to Contribute Letter for Colorado Water Plan

Jeffrey Boring has been working on a letter from our group for submission to the Colorado Water Plan. He will have something for us to discuss at the January 9 session, so that we can have buy in from all our members. The letter will go on our newly developed letterhead, that has all our members' names along the bottom of the page. The letter will highlight who we are as an organization and what we are accomplishing as we build relationships to bridge values from different sectors.

The question was asked, "Should we send the letter to the South Platte Basin Roundtable? Would it be good for the SPBRT to hear from us at one of their meetings? The Colorado Water Plan is supposed to be a grassroots effort, but some believe there is little evidence of that. We could make the point that WE are a grassroots voice. "We get a lot more done here than the roundtable does" someone said.

Elements of the Fort Collins Downtown Poudre Project Reviewed

The notion of transition is an elemental part of the City of Fort Collins' Downtown Poudre Plan recently approved by city council. The plan primarily covers the section of the river as it winds through the FC downtown area. John Stokes told us that the ends of the section are meant to be more towards nature, but as you get closer to downtown, there are a couple of transition zones. Themes and details of the plan include: :

1. Reconnecting habitat, including dam deconstruction and restoration.
2. Reconnecting river to its flood plain where they can do that safely. Took down levees built as part of mining. Took out overburden that was there for keeping the river out of previous mining operation. Semblance of natural processes. Seeding areas with native grasses, forbs, trees, shrubs.
3. Blue Trail—recreation connectivity
4. Access to the River. In place of volunteer trails that have developed informally over time. More sustainable.
5. Parking. Will rebuild Shields bridge, coordination between county and city Get cars off the road and into parking lots. Develop nodes of access to river, strategically located. Park your car and get to the river.
6. Flood mitigation. A variety sprinkled throughout the whole project area.

Kayak Park Unveiled

Jeff Burley and Tim O'Hara, volunteers promoting a Poudre Whitewater Park spoke to the group at the invitation of John Stokes. We learned that the park is meant to be a "run of the river" project and does not anticipate any extra river water will be diverted just for kayakers. The idea is for kayakers to use the water as it is available. In an average year, they anticipate having 45 days of 200 cfs or above. If NISP is built, their projections show that would be closer to 39 days per year. Tim and Jeff said their group is trying to raise \$1.5 million for the project. They hope construction can start by late 2015, but there are lots of prerequisites first. "If the stars align, this may be attainable" they said.

Asked how having 39 days per year of kayaking experience compared to kayak parks in other places, they responded that that is not an atypical number of days on the Front Range. Asked how the kayaking industry cautions the expectations of kayakers who might come and then be disappointed at the river flow not being sufficient, they responded that "Experienced kayakers will know. They are accustomed to checking conditions before coming."

Tim and Jeff also made the point that the idea is for this to be a multiuse area, so that even when flows are too low for kayaking, it will be a great place for recreating on the river in Northern Colorado. They think it will be a boon for Fort Collins economically, "another bullet point in Sunset Magazine saying Fort Collins is a great place."

Question: does a kayak park pose a barrier for fish? Will we be replacing one barrier with another one? Answer: we are trying to design a project that works as best as it can for fish passage as well as recreational use.

One member of our group pointed out that water rights owners are concerned about the idea of a kayak park because they fear that it would create expectations for more water than will be available. "Are you setting the stage for people to get down there and ask where is the water, where if they are disappointed, they call their senator and we are in a suit?" The point was made that this could be an opportunity to educate people about the river, about the need for the river's water for agriculture and urban uses.

Could We Learn from San Francisco's State of the Bay as We Consider a Regional Effort on the Poudre?

Jen Kovecses told us about how a group in California she has worked with produce an annual State of the Bay report as a means of bringing different groups together to plan and carry out watershed improvement projects. Such dialogue then spurs a plan of action for the upcoming year, helps set priorities for funding, for monitoring, for action. They have an annual event like the Poudre River Forum to roll out the report. Those attending include the regulated community as well as the general public. They have found this to be a conduit of constructive discourse over high conflict issues. Innovative, programmatic efforts came out of it.

We discussed how in the case of the Poudre River, such an annual report could be not just a report on the health of the river but of advances and issues on working river

aspects as well. It could be a vehicle for updating what all the different groups are doing. One of our members pointed out that it would be a way to integrate data beyond jurisdictional boundaries, bring everyone's data together. The report could incorporate flow data and information on ditch company diversions. "How the whole ditch system functions is murky in the public's mind" one member pointed out. The report could help the public better understand how everything works together. How small storage systems of ditch companies fits into conveyance of water on the Poudre. The point was made that no one agency has responsibility for the Poudre River. One agency or another has responsibility for a part of it, but no one is looking at the whole.

How Can We Pursue a Regional Funding Effort if We Remain an Informal Group?

When asked "could our group pursue such an annual report to kick off a regional funding effort," a response was that we need to figure out the future of our group and what form that will take before we tackle anything like a regional effort on the Poudre or a report such as this. We need to put some dollars together, get someone hired. We need time to put a face to the organization. "We can't commit to something like this without a real group, real groups"

Counterpoint: This group is a safe place for conflict conversations. Necessary conversation to have. Would formalizing take away the safe place status?

Maybe we need a Poudre Organization Summit. Lots of organizations doing a lot of different things. Poudre Heritage Alliance has a funding stream of up to \$300K for ten years then they have to find funding. Could some of those dollars pay for a half time FTE to pull together some serious thinking, provide an annual report to bring folks together for regional action?

Storage: the Steering Committee's Plan for How We Approach the Subject

Reagan Waskom introduced the topic by pointing out that we have within the group many different opinions on how we should go about discussing water storage. He reported that the group's steering committee listened to all those opinions at our September session and put together the following plan for the next 6-9 months.

1. January 9 session: Rita Brand or Catherine Blackwell from the U.S. Army Corps of Engineers, will talk to us about the various permitting required for proposed Poudre projects, and status of those projects in the process. .
2. January 9 session: Presentation about multiple purpose storage projects and dialogue about how storage can fit into theme of healthy river/healthy river.
3. The Poudre River Forum will feature a brief presentation on the same topic, either by the Army Corps, or by Deb Freeman, a water attorney who is well versed on all the permitting required, not just that of the Corps.
4. After EIS comes out, we will ask Rita or Catherine to come back to talk to us about the cumulative effects analysis/alternatives analysis.

The question was asked: Is this just about NISP or about storage in general? Answer: it is about how storage might help this group get to some of its goals. Because there is

not a consensus about how we address it, we are starting with the storage in general approach, with future steps to be determined by this group as we go along.

Next Session: January 9, 2015. TAMASAG.