

Stories of River Cooperation: Can We Write One for the Poudre?

Poudre River Forum, January 31, 2015

Amy Beatie, Executive Director, Colorado Water Trust



Why Should Communities Care About Water?

- Because water IS community, affecting every part: community health, aesthetics, economy, recreation, agriculture, industry, environment and wildlife, planning, and development.
- Everyone who lives in this community may not be a water expert, but you are community experts and therefore should care about and have a say about your community's water.

Why Should Communities Care About Water?

- The future of solving our water problems and issues may in part be solved by water experts creating policy and laws, but it can also be solved by communities and community experts, using out-of-the-box thinking, given the freedom and confidence to explore new ideas, question why, and even make mistakes.
- There are examples around the state of communities addressing their water challenges through unique pilots and new strategies.

Five Home-Grown Strategies

- City of Aspen Non-Diversion Agreement
- Winter Park Ranch Water & Sanitation District Drought Lease
- Pitkin County Healthy Rivers and Streams Fund
- Telluride Foundation Flowing River Marketplace
- Fort Collins North Shields Pond Project

to showcase what's possible

Strategy #1: City of Aspen NDA



Partnership

- Public: City of Aspen

- Aspen is a diverse community and world class summer and winter destination resort. It is 200 miles west of Denver in the Roaring Fork Valley at an elevation of 7808 feet. Founded in 1880, during the silver mining boom, over the years Aspen has experienced times of thriving and hardship, not unlike the river flowing through it.
- Aspen's municipal government must meet the needs of a community of diverse interests, strong environmental values.

- Private: Colorado Water Trust

- Private, non-profit formed in 2001
- Support voluntary efforts to restore and protect stream flows in Colorado to sustain healthy aquatic ecosystems

to leverage strengths



Poudre River Forum

The Roaring Fork River Through Aspen

- The Roaring Fork River begins at over 12,000 feet on the Western Slope of the Continental divide in Colorado, and travels 70 miles, 5,800 feet vertical ending in the Colorado River.
- The character of this river changes drastically along its journey from small to mighty and supports a diverse aquatic ecosystem including classified as Wild Trout and Gold Medal Waters.

Innovation

- Drought, transbasin diversions, local water uses, and changing environmental conditions have reduced stream flow
- Using conventional tools in creative and innovative ways, stream flow in the Roaring Fork was improved in a critical reach through Aspen.
- Public/private partnership



for a stream in need

Pilot Program

- In March of 2013, Aspen Utilities Staff analyzed the City's water rights with the help of the Trust.
 - Wheeler Ditch
 - Senior water right in a critical reach of the Roaring Fork from just above Aspen city limits to Castle Creek.
- An analysis of the tools available then occurred.
- On June 10, 2013, the Aspen City Council authorized a non-diversion agreement with the Colorado Water Trust to bypass some water that Aspen would otherwise divert from this reach of the Roaring Fork.

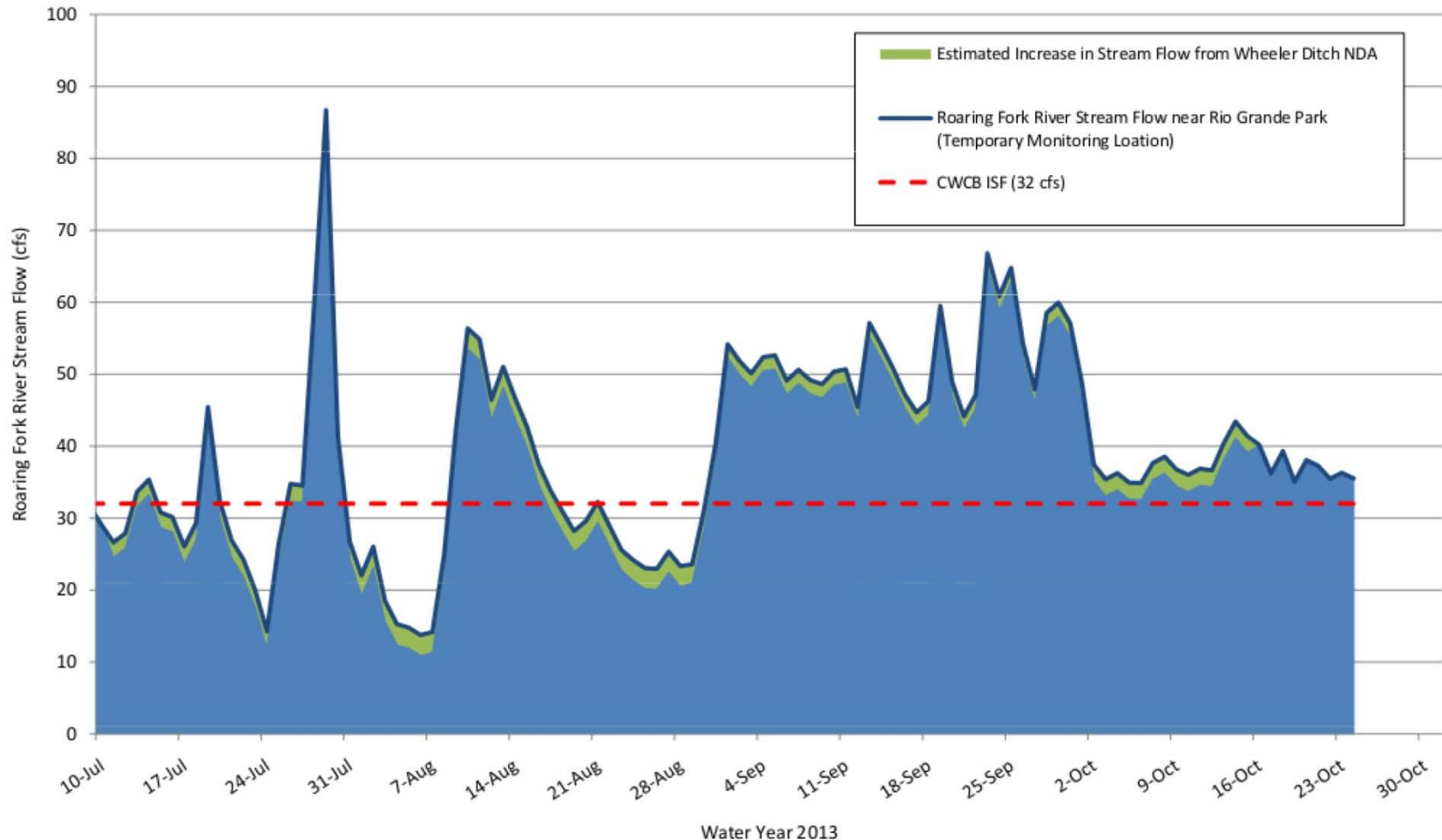
Tool: Non-Diversion Agreement

- Voluntary commitment by a water user
- Commitment to not divert (or not divert a portion) under a decreed water right at times when the water right could divert and streamflow is low, or when an underlying ISF



Implementation - 2013 NDA

Roaring Fork River Stream Flow near Rio Grande Park



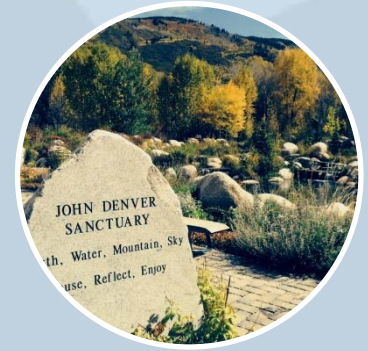
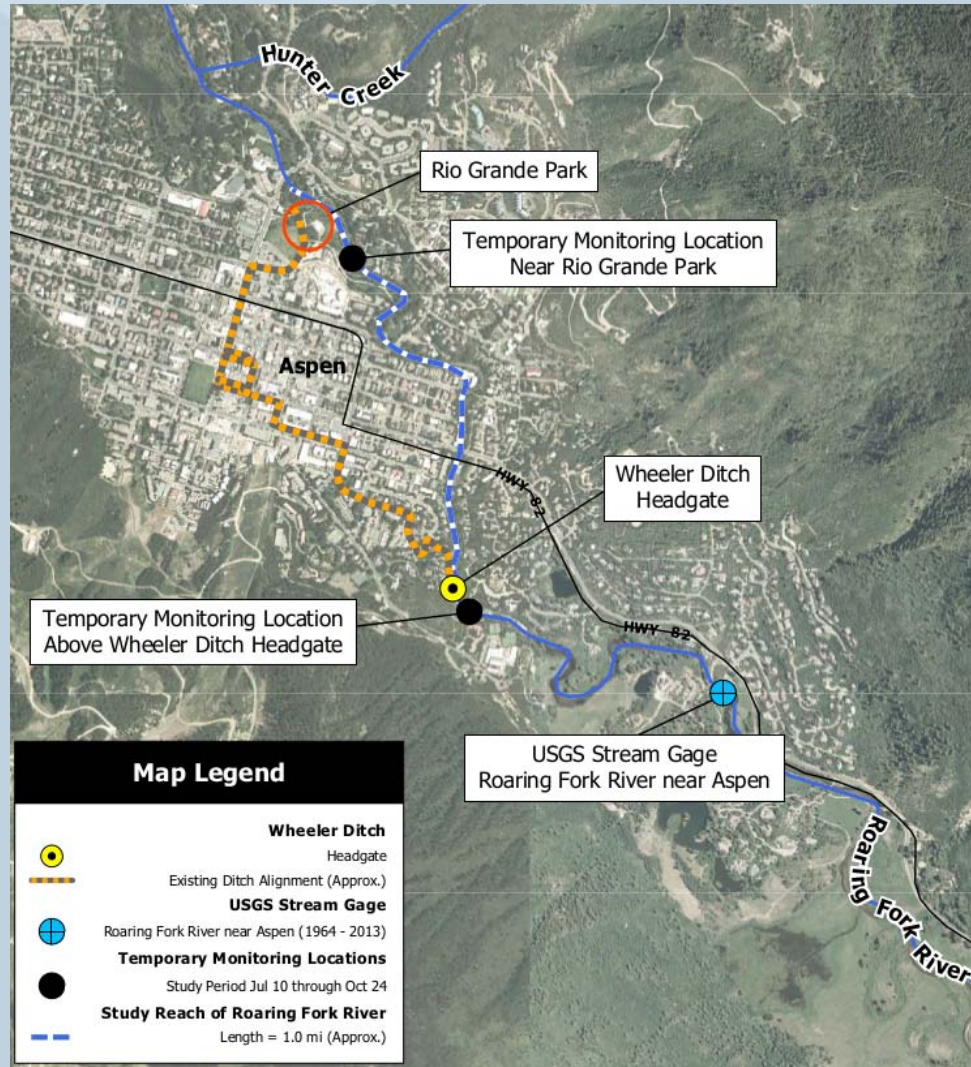
Adjustments - Municipal Operations



Open Space



Pedestrian Mall Fountains



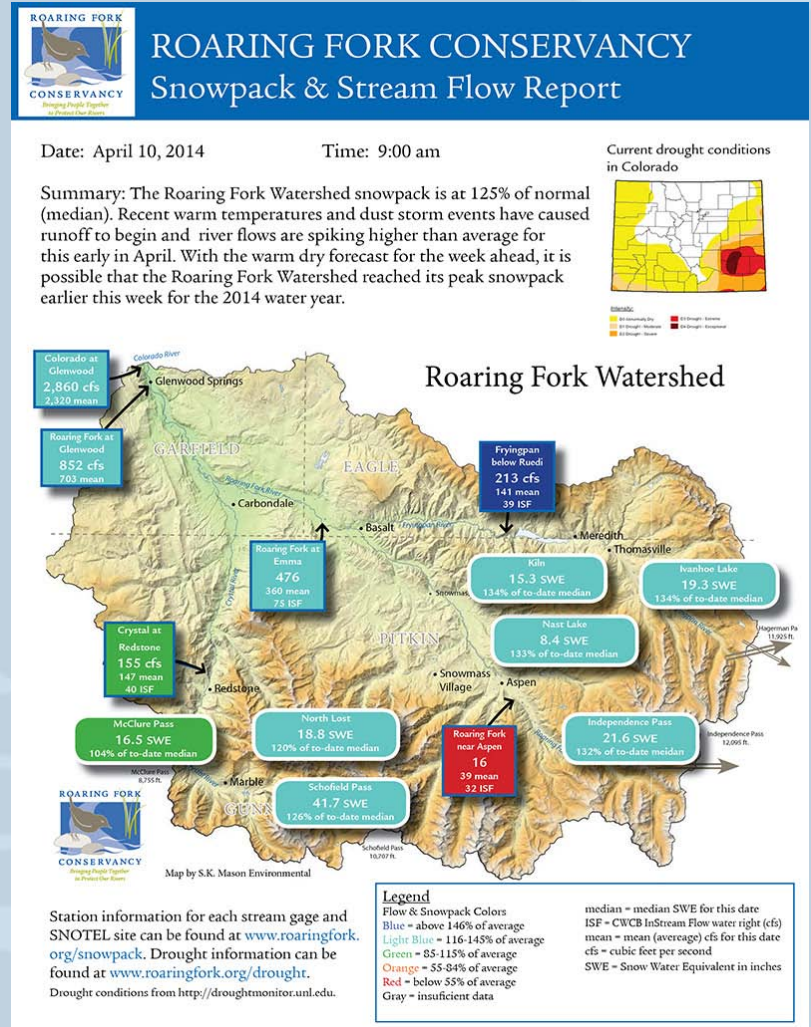
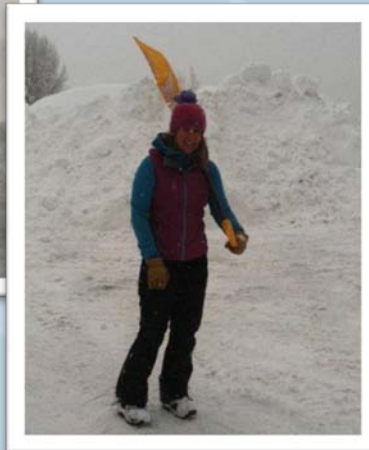
John Denver Sanctuary Ponds



Wheeler Ditch Headgate

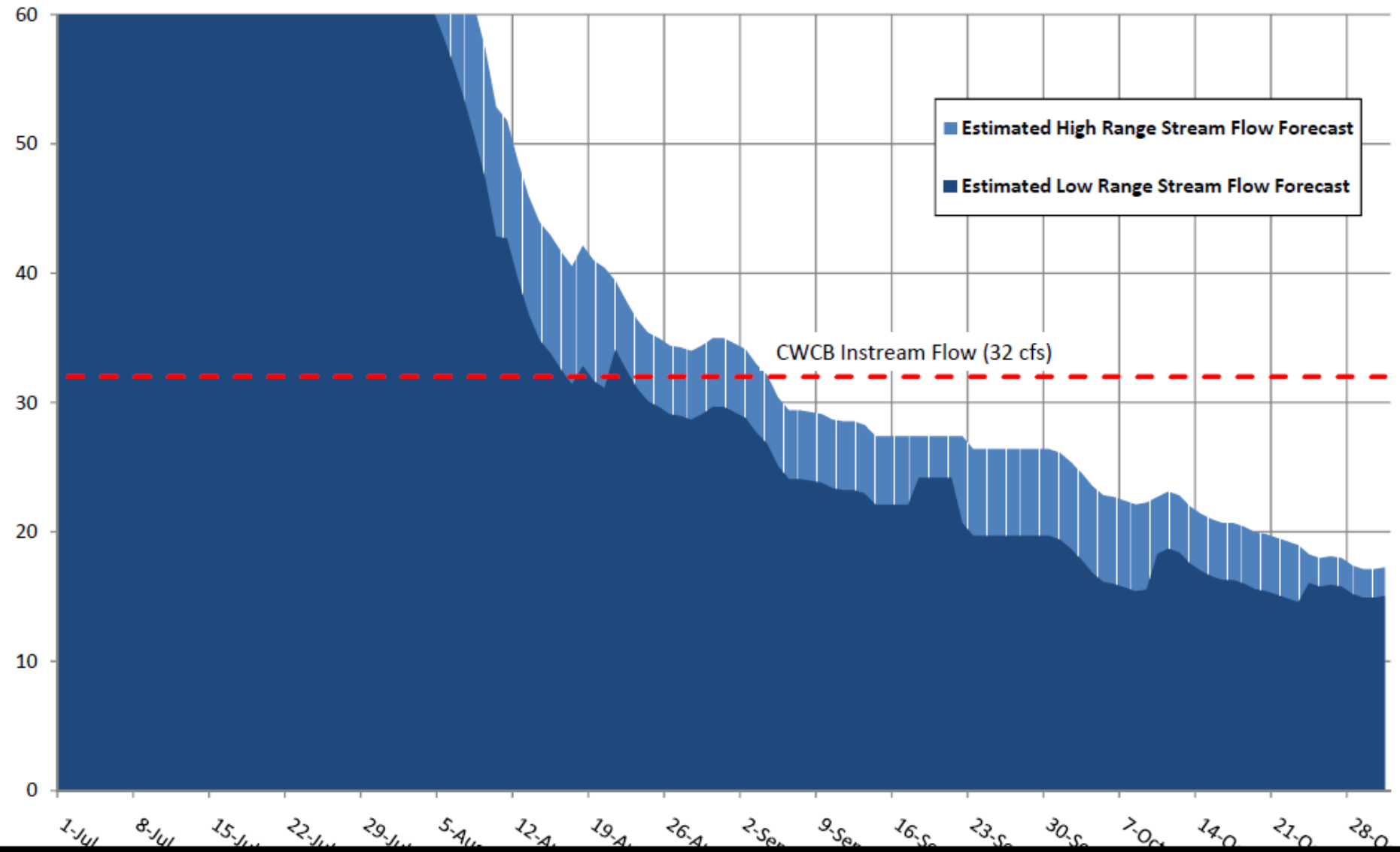
2014 – Drought or Not ?

- 2013/2014 snow
- Streamflow forecasts



Roaring Fork River at Wheeler Ditch Headgate

Water Year 2014 Forecast



Proactive Measures

- Aspen City Council authorized another one-year non-diversion agreement with the Colorado Water Trust at its April 28, 2014 meeting.
- Same structure as 2013 NDA.
- On August 21st, flows dropped below 32 cfs, triggering the 2014 NDA.
- Future: Continue to seek out creative ways for Aspen to lead the flow restoration efforts, and recruit others to join.

Strategy #2: Winter Park Ranch Water & Sanitation District



Partnership

- Public: Winter Park Ranch Water & Sanitation District
 - Local district serving small resort community with water rights portfolio of wells, irrigation rights, and augmentation water
- Private: Colorado Water Trust
 - Private, non-profit formed in 2001
 - Support voluntary efforts to restore and protect stream flows in Colorado to sustain healthy aquatic ecosystems
- Public: Colorado Water Conservation Board
 - State agency charged with overseeing the state's instream flow program

to leverage strengths

The Fraser River

- The Fraser River is approximately 32 miles long and drains a large part of Middle Park basin in Grand County.
- 60% of the native flow of the Fraser River ends up on the Front Range, leaving only 40% for local uses.
- Temperature and water quality issues come along with the dewatering.

WPR & the Fraser River

- Water treatment also an issue—especially for Winter Park Ranch. “The District was required to abandon our sewer lagoons and build a \$9 million activated sludge treatment plant. These construction costs and \$1 million in operation and maintenance costs/year are paid for by less than 5,000 customers. The need for this expense was caused in part because we did not have adequate dilution flows for the inefficient lagoons. The cost of treating wastewater today, with our more efficient activated sludge treatment, is based on a discharge permit that is based

WPR & the Fraser River

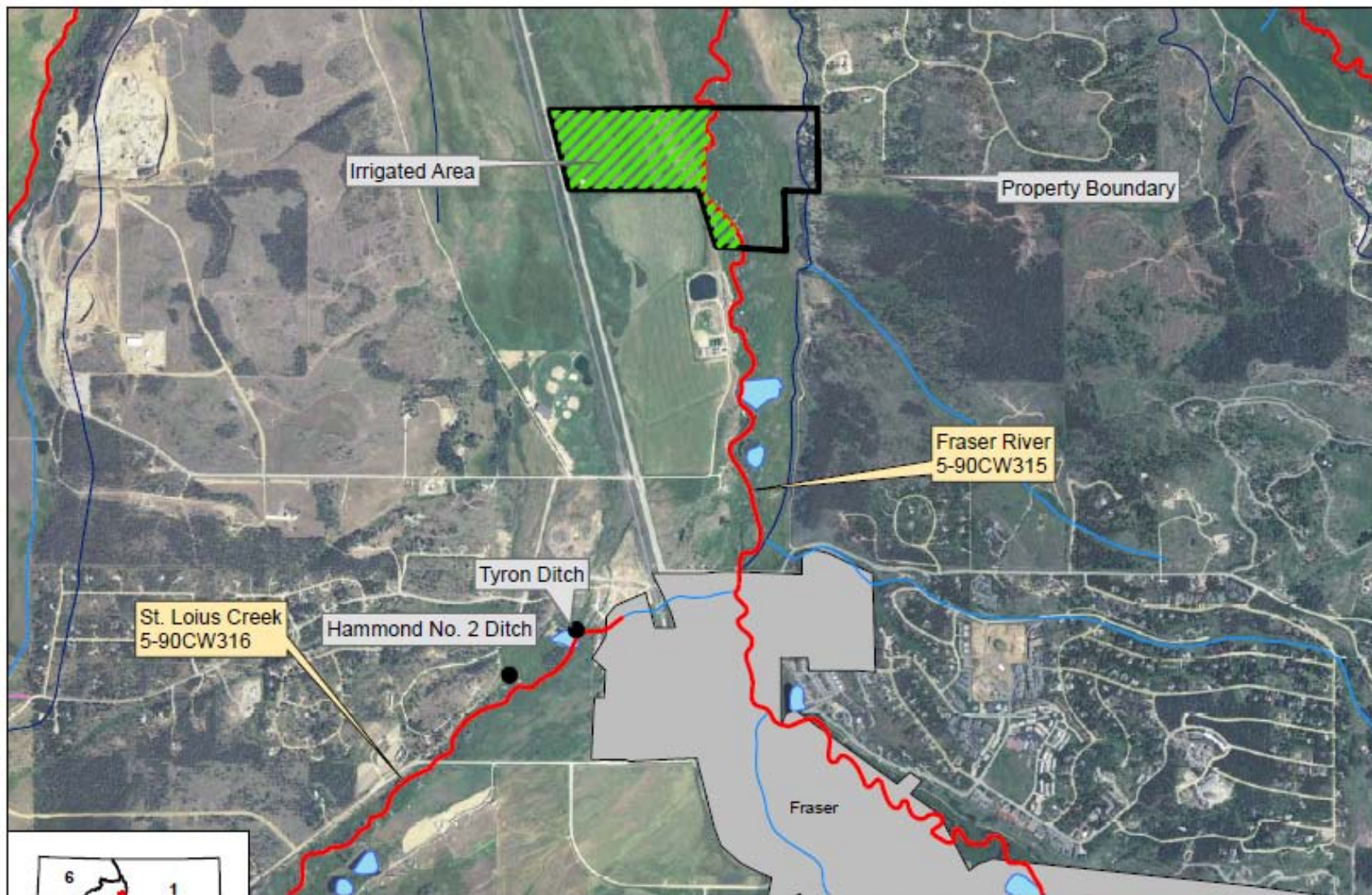
- “Another economic impact of dewatering our local rivers is the nature of our business, tourism. 60% of our customers and 83% of the Town of Winter Park are second home owners. The financial well being of the District depends on our ability to attract people to invest in the recreational possibilities of our West Slope environment. This is true of many West Slope Counties and because tourism is an important and reliable economic benefit to our State the entire State of Colorado benefits from having a healthy West Slope environment to recreate in. At the heart of this



Tool: Short-Term Lease

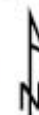
- 3-in-10 lease with CWCB
- Decreed instream flow
- Must be water short
- Administrative approval
- Water may not be used in program again after 10 years





Colorado Water Trust Proposed Temporary Lease
Winter Park Ranch
Pursuant to 37-83-105, C.R.S.

0 0.25 0.5 1 Miles



CWCB Instream Flow water rights

Case No.	Stream	Segment	Approp Date	Segment Length	Amount
5-90CW316	St. Louis Creek	King Creek to Tyron Ditch div	11-27-1990	4.2 miles	6 cfs (5/15 – 9/15) 3.5 cfs (9/16 – 5/14)
5-90CW315	Fraser River	St. Louis Creek to Ranch Creek	11-27-1990	4.2 miles	17 cfs (5/15 – 9/15) 11 cfs (9/16 – 5/14)
5-90CW308	Fraser River	Ranch Creek to Crooked Creek	11-27-1990	0.7 miles	17 cfs (5/15 – 9/15) 11 cfs (9/16 – 5/14)
5-90CW308B	Fraser River	Crooked Creek to Colorado River	11-27-1990	13.2 miles	30 cfs (5/15 – 9/15) 19 cfs (9/16 – 5/14)



DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WATER RESOURCES

John W. Hickenlooper
Governor
Mike King
Executive Director
Dick Wolfe, P.E.
Director/State Engineer
Alan C. Martellaro, P.E.
Division Engineer

June 6, 2013

Ms. Linda J. Bassi
Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, Colorado 80203

Re: Temporary Loan of Water Rights for Colorado Water Conservation Board for Instream Flow
Pursuant to Section 37-83-105, C.R.S.
Section 34, T 1 S, R 76 W, Section 19, T 1 S, R 75 W, Section 1, T 1 S, R 76 W, Section 36, 1 N, R 76 W, and Section 25, T 2 N, R 77 W, 6TH P.M.
Water Division 5, Water District 51, Grand County

Approval Period: June 6, 2013 through December 31, 2022
Contact Phone Number for Ms. Linda J. Bassi: 303-866-3441

Dear Ms. Bassi:

We have reviewed your letter dated May 17, 2013 in which you request approval of a temporary loan of water pursuant to Section 37-83-105, C.R.S., for the Colorado Water Conservation Board ("CWCB" or "Applicant") for instream flow ("ISF") use. As required by § 37-83-105(2)(b)(II), C.R.S., written notice of the request for approval of a temporary loan of water was provided on May 17, 2013 to all parties who have subscribed to the Division 5 Substitute Water Supply Plan ("SWSP") Notification List. The Division of Water Resources ("DWR") received comments from Stanley W. Cazier with Cazier, McGowan & Walker on behalf of Grand County Water and Sanitation District No. 1 and Winter Park Water and Sanitation District, Norm Carlson on behalf of Denver Water, and Ramsey L. Kropf on behalf of Byers Peak Properties during the statutory 15-day comment period and DWR has considered those comments. The statutory \$100 filing fee (receipt no. 36600581) was submitted with this request.

Statement of Duration and Description

CWCB is seeking approval of a temporary loan for water rights leased from Winter Park Ranch Water & Sanitation District ("WPR") via the Colorado Water Trust ("CWT") for ISF use. The water right leased from WPR was identified as the Hammond No. 2 Ditch and Tyron Ditch, which divert water from St. Louis Creek, just above its confluence with the Fraser River. The term of the temporary water lease agreement ("Agreement") is for the period of January 1, 2013 through December 31, 2022. Although

Water Division 5 • Glenwood Springs

202 Center Drive, Glenwood Springs, CO 81601 • Phone: 970-945-5665 • Fax: 970-945-8741
Mailing Address: P.O. Box 396 Glenwood Springs, CO 81602 • <http://water.state.co.us>

Colorado Division of Water Resources Approval Letter



Hammond #2 headgate on St Louis Creek – July 2013

What's next?



Poudre River Forum

Strategy #3: Telluride Foundation Flowing River Marketplace

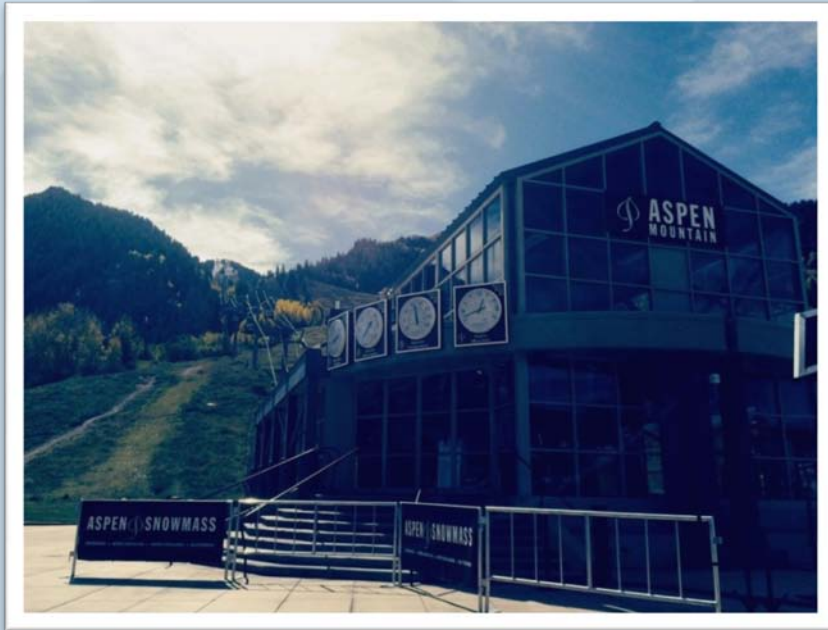
- Founded in 2000, the Telluride Foundation was formed to promote philanthropy and improve the quality of life for people that live in, visit, and work in the Telluride region.
- Develop and support initiatives and making direct investments.
- Have one of the highest ratios of money granted versus money raised, recently ranked as the the 4th most active grant

Telluride Foundation Flowing River Marketplace

- Partnered on CCC Ditch Diversion Modification Project.
- Understood immediately the power of market-driven water projects, and their power to create partnerships.
- Wanted to bring the idea to scale in the San Miguel Basin, but needed capacity to build a process and vet the projects.
- Together, CWT and TF are creating the Marketplace: streamflow, habitat restoration, and infrastructure projects.



Strategy #4: Pitkin County Healthy Rivers Fund



C.R.S. 29-2-102.7

(1) On and after July 1, 2003, in addition to any sales tax imposed pursuant to section 29-2-103, counties are authorized to levy a county sales tax, use tax, or any combination of such taxes of up to one percent for the purposes of purchasing, adjudicating changes of, leasing, using, banking, and selling water rights that have been adjudicated for use within such county or in a municipality or county that is subject to an intergovernmental agreement concerning such tax pursuant to subsection (2) of this section.

(2)(a) A county may enter into an intergovernmental agreement with any municipality or other county or may enter into a contractual agreement with any private entity to facilitate the achievement of the purposes enumerated in subsection (1) of this section.

(b) Any county that uses tax revenues imposed pursuant to this section shall establish standards for the use of such revenues.

~~(3)(a) No sales tax, use tax, or combination of such taxes shall be levied pursuant to subsection (1) of this section until a ballot proposal for the levying of such taxes has been referred to and approved by the registered electors of the county in accordance with this article.~~

Referendum 1A

- Passed in 2008
- Sales tax of .1% to establish a Healthy Rivers and Streams Fund
- Five specific objectives for the fund

DEDICATED SALES TAX FOR HEALTHY RIVERS AND STREAMS FUND


SHALL PITKIN COUNTY TAXES BE INCREASED UP TO \$1,000,000 ANNUALLY FOR THE FIRST FISCAL YEAR (2009) AND BY SUCH AMOUNTS AS MAY BE GENERATED ANNUALLY THEREAFTER BY THE IMPOSITION OF A NEW 0.1% SALES TAX (THAT EQUALS 10 CENTS ON EVERY ONE HUNDRED DOLLAR PURCHASE), DEDICATED FOR THE SOLE PURPOSE OF ESTABLISHING A HEALTHY RIVERS AND STREAMS FUND ADMINISTERED BY THE BOARD OF COUNTY COMMISSIONERS WITH THE ADVICE OF A CITIZENS BOARD AND TO BE USED FOR THE FOLLOWING OBJECTIVES:

- MAINTAINING AND IMPROVING WATER QUALITY AND QUANTITY WITHIN THE ROARING FORK WATERSHED;
- PURCHASING, ADJUDICATING CHANGES OF, LEASING, USING, BANKING, SELLING, AND PROTECTING WATER RIGHTS FOR THE BENEFIT OF THE ROARING FORK WATERSHED;
- WORKING TO SECURE, CREATE, AND AUGMENT MINIMUM STREAM FLOWS IN CONJUNCTION WITH NON-PROFITS, GRANT AGENCIES, AND APPROPRIATE STATE AND FEDERAL AGENCIES TO ENSURE ECOLOGICAL HEALTH, RECREATIONAL OPPORTUNITIES, AND WILDLIFE AND RIPARIAN HABITAT;
- PROMOTING WATER CONSERVATION; AND
- IMPROVING AND CONSTRUCTING CAPITAL FACILITIES THAT CONTRIBUTE TO THE OBJECTIVES LISTED ABOVE;

SHALL PITKIN COUNTY DEBT BE INCREASED BY AN AMOUNT NOT TO EXCEED \$12 MILLION WITH A MAXIMUM REPAYMENT COST OF \$21 MILLION TO ACCOMPLISH THE PURPOSES STATED ABOVE, SUCH DEBT TO CONSIST OF REVENUE BONDS WHICH SHALL BEAR INTEREST, MATURE, BE SUBJECT TO REDEMPTION, WITH OR WITHOUT PREMIUM, AND BE ISSUED, DATED AND SOLD (AT, ABOVE OR BELOW PAR) IN SUCH MANNER AND CONTAINING SUCH OTHER TERMS, NOT INCONSISTENT HERewith, AS THE BOARD OF COUNTY COMMISSIONERS MAY DETERMINE;

HRS Board is up and running

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What We Do

We assist the Board of County Commissioners of Pitkin County in administering the Healthy Rivers and Streams Fund Program and advise them on the expenditures and administration of the fund. We meet the third Thursday of every month at 4:00 pm.

The River Board meets Thursday, February 19th at 4:00 PM. 530 E Main St Plaza 1, Aspen, CO. Look for more information under the meetings tab closer to the meeting date.

GRANT INFORMATION

January 15, 2015 - The River Board recently amended the criteria for grant requests. Please click on the Grant Information link above to see the new criteria.

PRESS RELEASE

Pitkin County pursues Coal Creek property

ASPEN – Pitkin County Open Space and Trails and the county's Healthy Rivers and Streams Board have teamed up for the proposed purchase of about 70 acres along Coal Creek near Redstone that could facilitate cleanup of the Crystal River.

Strategy: City of Fort Collins North Shields Pond

- Let's watch a VIDEO!

Future

