

Drought Contingency Planning – Demand Management Subcommittee

Southwest Basin Roundtable

841 E 2nd Avenue, Durango, Colorado

November 6, 2018, 1:00-4:00pm

Roundtable Members Present:

Ken Beegles, At Large Industrial	Carrie Padgett, At Large Domestic
Greg Black, At-Large	Mike Preston, At Large, Roundtable Chair
Glen Fish, Dolores WCD	Jenny Russell, San Miguel County
Becky Guilliams, Hinsdale County	Mely Whiting, At Large
Steve Harris, Legislative Appointee	Chuck Wanner, WQQC
Celene Hawkins, CWCB Representative	Peter Waugh, Southern Ute Indian Tribe
Phil Johnson, Montezuma County Municipalities	Bob Wolff, SW Water Conservation District
Ed Millard, Montezuma County	Bruce Whitehead, Animas La Plata WCD
Peter Ortego, Ute Mountain Ute Tribe	Val Valentine, At Large

Public:

Leland Begay, Ute Mountain Ute Tribe	Jim Pokrandt, Colorado River Roundtable Chair
Ken Curtis, Dolores Water Conservancy District	Don Schwindt, SW Water Conservation District
John Currier, Colorado River District	John Simpson, Colorado Division of Water Resources
Kate Greenberg, National Young Farmers Coalition	Laura Spann, Recorder, SWCD
Dan McCarl, Maynes Bradford Shipp's Sheftel	

1. Introduction and Meeting Purpose

Mike Preston called the meeting to order and introductions were made. The purpose of then November 6 subcommittee meeting was to develop a common understanding of the draft Drought Contingency Plan (DCP) documents and agreements released by the seven basin states on October 9.

2. Presentations

a. Background: Law of the River Review, Draft DCP Agreements Summary

Carrie Padgett walked through Colorado's compact obligations, the 2007 interim guidelines, recent hydrologic conditions on the Colorado River, Division of Water Resources administration, the Colorado River Risk Assessment Phases I, II & III, and the draft DCP agreements. Click [here to view the presentation](#) and visit the [Roundtable website](#) for relevant documents.

In the context of declining hydrologic conditions in the Colorado River Basin, the group discussed questions specific to southwestern Colorado: How will western slope communities be impacted? Will Colorado manage water rights to ensure power generation at the cost of senior water rights? What is the financial impact of lost power revenues to southwestern Colorado? Which is worse for southwestern Colorado, lack of Section 7 compliance or a compact violation? What role will tribal water rights play, as southwestern Colorado is home to the Ute Mountain Ute Tribe and the Southern Ute Indian Tribe?

Mike Preston summarized the shortages committed to by the Lower Basin states in the draft Lower Basin Drought Contingency Plan, which are most significant for Arizona. The Arizona legislature is required to approve the DCP agreements per that state's constitution. A major victory, should the DCP effort be successful, is that California has committed to taking significant shortages. If the states do not agree to the DCP, the Secretary of Interior will likely impose shortages in the Lower Basin.

b. Conservation District and CWCB Perspective

The Southwestern Water Conservation District again emphasized the need for a voluntary, temporary, compensated program to reduce consumptive use (aka demand management, see [SWCD's letter](#) to the CWCB for more on their position). If a program were instead non-voluntary, SWCD raised questions about the purpose of reductions (for compact compliance or to maintain reservoir elevations), the level amount and pace of curtailment, who gets curtailed (i.e. how deep is the cut), impacts to western slope communities & projects, impacts to new water rights and uses, and the development of Southwest Basin IPPs.

Discussion around SWCD's perspective focused on cost: if the West Slope is seeking a compensated program for temporary, voluntary reductions in water use, who is coordinating the effort to identify the portfolio of funding that could

support it? Conversely, if the program ultimately becomes mandatory, what are the identifiable costs for communities, and are these costs less than it would take to compensate water users for reductions?

Celene Hawkins, CWCB Board Member, described the agency's perspective on the demand management program. The CWCB board will be adopting a [related policy](#) at their meeting on November 15. Click here to [listen live](#). After the September meeting, the CWCB staff was directed to conduct outreach and develop a policy that works statewide while addressing western slope agriculture's concerns. Looking forward, as hydrologic conditions continue to decline, Celene encouraged southwestern Colorado to actively engage the conversation in how demand management **could** work, and come up with solutions rather than pick it apart. How do we guide our own future, and design a program that works for our basins? Celene responded to questions regarding the extent of the state's authority to implement any anticipatory curtailment or even a voluntary demand management program.

3. Discussion of Draft Documents

Steve Harris led the discussion with a hypothetical flowchart with steps to further consider the DCP and the demand management program might be implemented in Colorado. He proposed additional investment and focus in weather modification to modernize Colorado's program, phreatophyte removal and forest health, and the maintenance and improvement of small capacity dams. In his view, southwestern Colorado should be focusing on how we voluntarily develop a plan to avoid involuntary reductions in water use.

4. Action Items and Next Meeting

A doodle poll will be sent out for the next meeting in late November, early December, at which the group will further discuss action steps and reporting/guidance for the full Roundtable meeting.