Meeting of the

Yellow Jacket Water Conservancy District

Thursday May 9, 2019

3:00 to 5:00 p.m.

Meeker Library

490 Main Street, Meeker, CO 81641

Call to Order

The meeting was called to order at 3:03 p.m.

Roll Call Staff Present

Directors Present Scott Grosscup, District Attorney

Kelly Sheridan

Ben Rogers

Walter Proctor Others Present

David Smith Alan Vandenbrink, RBWCD

Shawn Welder Callie Hendrickson, E.D. White River & Douglas

Bailey Franklin Creek Conservation District

Approval of Minutes from December 6, 2018

Director Smith moved to approve the minutes from September 27, 2018 with corrections to certain typographical errors on page 2 changing “move” to “moved” and page 3 “bending” to “pending”, Director Proctor second, all in favor.

Public Comment

*White River Storage Project*. Mr. Alan Vandenbrink, General Manager for the Rio Blanco Water Conservancy District (“RBWCD”), provided an update to the RBWCD’s White River Storage Project, a/k/a Wolf Creek Reservoir. He indicated that the RBWCD had received state grant money and are working on pre-permitting issues related to determining required fish flows on the lower White River as part of a future programmatic biological opinion for endangered species. The RBWCD is working with a number of agencies. He indicated that the permitting process is costly and difficult with estimated costs of $1-$2 million per year in permitting expenses. Mr. Vandenbrink stated that in addition to pre-permitting activities, his agency is proceeding in the water court to obtain necessary water rights for the project. He said that there is no current “road map” for projects such as being proposed on the lower White River and that RBWCD is paving some of the way toward obtaining such approvals in the development of a new reservoir. He said that he anticipates the initial permitting process to begin later in 2019 and to last through 2020.

Director Welder asked for clarification on the NISP (Northern Integrated Supply Project). This project is proposed by the Northern Colorado Water Conservancy District and is taking many years to permit. By contrast, Mr. Vandenbrink thinks that a streamlined permitting process for the White River Storage Project may lead to a quicker process with upfront costs. He also noted the Yellow Jacket Water Conservancy District as a potential stakeholder in the process.

The Board then discussed certain administration and Compact Call scenarios, and the concern that the White River may be used as a source in the event of a call.

Mr. Vandenbrink discussed the status of the various studies to date and that the most recent phase, Phase IIA, determined that the preferred alternative for a storage project would be off-channel located largely on property purchased by the water conservancy district. He said that the RBWCD is also working with Terra Carta who has also filed to move water rights to the same location as Wolf Creek Reservoir but has not reached an agreement. Director Welder asked about RBWCD’s willingness to work with the YJWCD and Mr. Vandenbrink indicated that all options are open.

Ms. Callie Hendrickson, Executive Director for the White River and Douglas Creek Conservation District, stated that she had submitted a grant proposal through the River Network for purposes of beginning an outreach and scoping project to develop an integrated water supply plan for the White River. This concept plan is derived in part from the State Water plan. The first step would be to develop a steering committee that would then do interviews on the needs and demands of the basin on how an integrated plan may benefit water users and stream health. She said the plan would work to find commonalities and is presently looking for people to sever on the steering committee and looking for the questions to ask and answer. The current grant application would help facilitate meetings to define the scope of work for the group. She anticipates a July start through next year depending on grant approval. Ms. Hendrickson requested representation from the YJWCD and will be seeking representation from the water districts, towns, county, water users and environmental organizations but does not want the initial steering committee to exceed 15 participants.

Ms. Hendrickson stated that her Conservation District has taken the lead on algae issues on the White River and anticipates the role of the Conservation District to be similar to activities occurring on the Yampa River through the Basin Roundtable. However, in this instance, the Conservation District would take the lead in developing the integrated water supply plan for the White River.

Director Proctor asked about the status of modeling and mapping of the White River to understand the historical use and flows of water on the White River. He also suggested that the plan consider not just water users but community need. Ms. Hendrickson said that the role of the steering committee will be to give guidance on the process with the public to provide input and potential issues with current models.

Mr. Vandenbrink then suggested that the YJWCD and Rio Blanco Water Conservancy District could find ways to complement each other. He said that his District is willing to work and open lines of communication to work together on water matters.

Approval of Accounts Payable

Director Proctor presented a new spreadsheet showing bills for 2019

Director Proctor then moved to pay accounts payable to Balcomb & Green, P.C., director Smith second, all in favor.

Director Proctor moved to pay accounts payable to Applegate Group, Director Smith Second, all in favor.

Director Proctor then discussed the current practice of the Board to approve accounts payable only at meetings, with exception of certain routine bills, and suggested that due to the time between meetings, this can make final year-end accounting somewhat confusing in audits. The Board discussed the merits of authorizing the treasurer to pay all bills when received subject to future ratification. Instead, the Board will consider the process for closing out the year end payments in December, which could include authorizing the treasurer to pay all bills received for December with already appropriated funds provided that the billing is within the budgeted amount.

Director Proctor then discussed how the District carries-over funds from one year into the next year. Budgeted funds that are not used are then re-appropriated in the following year.

Director Proctor moved to close out the accounting for 2018, Director Franklin second, all in favor.

Yellow Jacket Water Storage Feasibility Study

Lake Avery Expansion – Scott presented a draft application to change the place of storage and authorized uses for Sawmill Mountain Reservoir to Lake Avery. Scott discussed the District’s burden to prove that the change will not increase the amount of water that would have been stored and used under the water right as changed and the consistency of the application with prior court decrees.

Director Proctor moved to approve filing of the proposed application, Director Rogers second, all in favor.

Little Beaver Reservoir – Director Sheridan stated that he had been in contact with the potentially affected landowners about the proposed Little Beaver Reservoirs. He said that the landowners had reservations about moving the water rights to their properties. Discussion followed about potential alternatives of filing with or without landowner consent. Director Proctor discussed the potential perception of proceeding without landowner consent. Discussion followed about the options and benefits of moving water rights and their respective priorities. No action was taken, and the Board will revisit options at the next meeting.

Board Vacancies

Scott provided the Board with current vacancies and time frames for elections. He indicated that while there has been some interest in filling vacant seats, he would prefer to follow the routine schedule of filling vacancies in the fall. Several seats are up for re-election this fall. The Board opted to wait to fill the remaining vacancies until the upcoming election cycle.

New Business

Scott informed the Board about the Division Engineer’s recent notice to water users along the Yampa of the requirement to install headgates and measuring devices. Discussion followed about water administration in other basins and the events that led the Division Engineer to issue her notice. Currently there is no such requirement issued by the Division Engineer in the White River basin.

Director Welder commented about the proposed working group for the integrated water supply plan and the YJWCD interest in participating in the steering committee. Director Proctor stated that he will reach out to Callie Hendrickson of the Conservation District and offer YJWCD support to the plan.

Adjourn

The meeting adjourned at 5:52 p.m.

Read and approved this \_\_\_ day of \_\_\_\_\_\_\_\_\_, 2019

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attest:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_