QQ Quarterly Board Meeting
Friday, November 16, 2018
10 AM – 3 PM
Summit County Community and Senior Center, Fremont Room
83 Nancy’s Place, Frisco, CO 80443

AGENDA

9 AM  Introduction to QQ (Optional, aimed at new members but all are welcome)

10 AM  Introductions

10:15 AM  Colorado Drought Management Planning and CO Water Plan funding updates.
           Brent Newman, Colorado Water Conservation Board
           Andy Mueller, Colorado River Water Conservation District

11:15 AM  QQ Leadership selection
           2019 budget & contract approval

11:45 PM  Lunch

12:30 PM  Member updates
           (we recommend 1-2 minutes. 2 minutes for 25 members= 50 minutes)

1:15  Member input on QQ’s land use assessment project
      Marjo Curgus, Del Corazon Consulting

2:00 PM  Water Quality updates. Ashley Bembenek and Torie Jarvis
           Reg. 82 (401 Cert.), Molybdenum temporary modification, Grand Lake Clarity & Outstanding Waters proposal, and Upper CO Basin Standards Setting hearing

2:30 PM  Policy and project updates. Torie (CO Water Plan, legislative, project updates on land use assessment, etc.)

3:00 PM  Adjourn
GRAND JUNCTION — Western Slope water managers have doubled down on their position that they will oppose federal legislation creating a new regulated pool of water to boost the falling level of Lake Powell unless Colorado adopts a policy that the pool should be filled only on a voluntary basis.

At a well-attended water meeting last week, Andy Mueller, the general manager of the Colorado River Water Conservation District, said that without a new state policy putting limits on how water can be stored in the big reservoir, “You will find that our district, the Southwest District and hopefully others will be, frankly, opposing the federal legislation.”

Mueller said his district and the Southwestern Water Conservancy District “have to have those guidelines” in order to protect agriculture on the Western Slope, a stance first expressed by both districts in September.
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In response to the Western Slope’s concerns, a policy on how to fill a new “demand management storage” pool in Lake Powell is being drafted by the staff of the Colorado Water Conservation Board (http://cwcb.state.co.us/pages/CWCBHome.aspx) for review by the agency’s directors Nov. 15.

“I can’t say with certainty, but I believe that policy will be established and will allay the concerns that we’ve heard,” Steve Anderson, a CWCB board member representing the Gunnison River Basin, said Tuesday at the meeting.

But there may be still be a gap between the protections the Western Slope wants and the Front Range’s stance, which is that it may be necessary to fill the proposed pool of water in Lake Powell through mandatory cutbacks in water use if voluntary efforts are not enough.

Water managers from Southern California to Wyoming are watching the ongoing debate because if Colorado can't reach a consensus, an ongoing effort to establish a “drought contingency planning” program could falter.

Draft “DCP” agreements are now under review in seven states. They would change the way water is stored in Lake Mead, which primarily affects the lower Colorado River Basin states of California, Arizona and Nevada.

In the upper-basin states of Colorado, Utah, Wyoming and New Mexico, the DCP agreements would set up a process to release water from Flaming Gorge, Blue Mesa and Navajo reservoirs, if necessary.

The agreements also would create a pool of water in Lake Powell that would be shielded from current regulations that balance water levels in both Lake Powell and Lake Mead.

Regional water officials are working hard to gain widespread consensus by Dec. 14 for the DCP agreements in both the upper and lower basins, and given how slow water policy usually moves, it’s a tight timeline.

The necessary federal legislation to implement the program may be introduced during the coming lame-duck session in Congress, and any significant opposition to the legislation, such as that from the Colorado River district, could derail the effort.

And the differing views between Western Slope and Front Range water managers now appear to be the largest obstacle to gaining consensus in the four upper-basin states.

“I’m not aware of any other issue that has risen to the top like this,” said Amy Haas, the executive director of the Upper Colorado River Commission, which is coordinating the upper basin's drought contingency efforts. “I know that some discussions have been difficult in other states, but not to this degree.”
Officials on both the Western Slope and the Front Range do agree on many aspects of demand management storage in Lake Powell, which is designed to keep Glen Canyon Dam both producing hydropower and releasing enough water to meet the requirements of the 1922 Colorado River Compact.

They agree that such a program should include equitable reductions in the use of water from both sides of the Continental Divide.

And they agree that the effort should start with a “voluntary, temporary and compensated” approach, with the goal of incentivizing irrigators to fallow fields and send the conserved water downriver to Lake Powell.

But where they differ is the potential use of mandatory reductions in water use if voluntary measures are not enough to keep Glen Canyon Dam operating as usual.

In a Sept. 17 letter to the CWCB, the Colorado River and the Southwestern districts said the state must declare that “Colorado’s contributions to the demand management program will be generated exclusively through voluntary, temporary and compensated contributions of water.”

The key word there is “exclusively.”

The two districts also said they were concerned “that a demand management program might morph into a mandatory ‘anticipatory curtailment’ program or something else that has not been publicly vetted.”

Meanwhile, the Front Range Water Council, which includes the biggest water providers from Pueblo to Fort Collins, told the CWCB in a Sept. 13 letter that if there is not enough water generated through a voluntary program, the state “may wish to pursue alternative measures to ensure continued compliance with the Colorado River Compact.”

To Western Slope officials, “alternative measures” sounds like mandatory “anticipatory curtailment,” where water rights are cut back by the state to avoid a compact call.

State officials continue to stress that the state is not developing a mandatory curtailment program and is only focusing on a voluntary program.

However, the Colorado River District’s Mueller has been telling Western Slope water managers that the Front Range, which uses large amounts of water from the Colorado River, is eager for mandatory curtailment.

“There are major water users, major interests in this state on the Front Range, who are talking about that,” Mueller said Tuesday at the water meeting, which was attended by about 200 Western Slope water managers and users. “Because they either don't think we are going to get the money for a voluntary program or maybe they see advantages to be had in mandatory curtailment.”

But Jim Lochhead, the CEO of Denver Water and the president of the Front Range Water Council, on Friday rejected Mueller’s assertions that it was pushing for mandatory curtailment.
“That’s not our preference, that’s not our hope, that’s not what we want to see — it’s just reality,” Lochhead said. “It may happen. I hope it doesn’t happen. But it’s not something we’re rolling out, and the first priority should be voluntary, temporary and compensated.”

But he also said, “At the end of the day, if we’re in trouble from a compact standpoint, the state is going to have to exercise its authority.”

Why Integrate Land Use and Water Resource Planning?

The Growing Water Smart program helps communities bridge the gap between water management and land use planning to build a more resilient future. This is especially important for Colorado as its population continues to rapidly grow. From 1 million people in 1930 to over 5 million today, projections now anticipate that Colorado’s population could nearly double by 2060. To sustain this growth, Colorado will need to better manage its water supply. Although Colorado is a headwater state, the state’s water supply faces increasing uncertainty with over-appropriated river basins, longer droughts, and more frequent fires. The Colorado Water Plan predicts that by 2050 the state could have a supply gap of up to 560,000 acre-feet.

How will Colorado address this gap in a way that supports economic prosperity, protects the environment and sustains Colorado’s high quality of life in urban, rural and agricultural communities? It is imperative that Colorado’s communities learn to manage their water resources more sustainably. Historically, planning for water resources and planning for land use development have been conducted separately. Yet land use decisions have profound impacts on the quantity of water people and buildings consume and the quantity and quality of the water that enters our ecosystems and replenishes our supplies. Going forward, communities will need to be more deliberate in integrating decisions about how and where they build with decisions about how much water development uses and how to best steward our resources.

“Colorado Growing Water Smart helped Fort Collins better collaborate with all of our water providers to plan for growth so that we consider cost and availability of water.”

Donnie Dustin | City of Fort Collins
How We Can Help

The Sonoran Institute and Babbitt Center for Land and Water Policy’s Growing Water Smart program introduces communities to the full range of communications, public engagement, planning, and policy implementation tools to realize their watershed health and community resiliency goals.

Through Growing Water Smart, Colorado communities can learn how they can integrate land use and water planning. Participants in this program will gain:

• An understanding of demographic and climatic trends and impacts on water supply and demand at the state and local level.
• Knowledge of the strategies and tools for integrating water efficiency and conservation into land use planning.
• A commitment to improved collaboration among multiple disciplines, agencies, and decision makers involved in water and land use planning.
• The ability to communicate to the community the need for aligning land use decisions with water supply.
• An action plan to help communities become more water smart.

Workshop at a Glance

Combining topical sessions with team-based action planning, Growing Water Smart offers an opportunity to learn from peers and experts about the challenges and opportunities of realizing a secure, prosperous water future.

Day 1 focuses on setting the context for why linking water and land use matters.

Day 2 introduces a strategic planning framework for leading your community through a process to become more water smart, followed by a deep exploration of the nexus between water supply, demand and land use.

Day 3 prepares your team to return ready to build the political will to become a water smart community.

The workshop will begin mid-afternoon on the first day and ends mid-afternoon on the third day.
Who Can Apply

Only communities in the Water Quality/Quantity Committee (QQ) of the Northwest Colorado Council of Governments are welcomed to apply this round. This includes QQ counties, municipalities and special districts. Future workshop rounds will be open to other Colorado regions.

This workshop is designed to build a collaborative team committed to taking local action. Applicants are encouraged to build a team of 5 to 7 that includes a diversity of knowledge, skills, and perspectives such as:

- Water utility and water resource managers
- Land use planners
- Elected officials
- Planning Board members
- Public works staff
- Town and/or County staff
- Regional planning organizations
- Developers

More competitive applications will be teams that include one elected official, a staff person from the planning department, and a representative from the water management agency or utility serving their community. If this is a multi-jurisdictional proposal, then an elected official or staff person from the other communities should be represented on the team.

Selection Criteria

Teams will be selected based on:

1. Team composition.
2. Ability to demonstrate local commitment toward addressing water sustainability.
3. Understanding of projected growth and uncertainties associated with meeting future water demands.
4. Capacity to foster dialogue or partnerships among agencies and entities overseeing land use planning and water resource management.

How to Apply

Write a Community Challenge Statement, provide a Team Roster and optional supporting materials. Once completed, send your files to climateresilience@sonoraninstitute.org

Community Challenge Statement - Applicants must develop a 700-word challenge statement that answers the following questions (in a Microsoft Word (.doc or .docx) not PDF file):

1. Water Awareness: Describe your understanding of current and forecasted water supply and demand for your community. How well understood and accepted are these figures by decision-makers and the community?
2. Planning and Policy: What plans, policies, and programs are in place in your community that address water efficiency and conservation? How well are they being implemented? What plans or processes are/will you be starting that are related the water and land use planning integration?
3. Collaboration: What is the level of cooperation or collaboration among the entities responsible for water planning and land use planning? Describe any opportunities or challenges you might want to address in this workshop.
4. Desired Outcomes: How does your community believe it will benefit from better integrating water and land use planning? Be as specific as possible.

“Colorado Growing Water Smart opened our eyes about critical gaps in our planning efforts. Following the workshop, our local governments and service providers are seeking to use a common set of data and growth projections in our planning efforts. We expect this collaboration will expand to other issues in our community.”

James Dickoff | Town of Pagosa Springs
Support the Sonoran Institute

Your support preserves the environment for future generations and makes a lasting impact in communities across Western North America. Learn more about how you can help at SonoranInstitute.org/donate.

About the Lincoln Institute

The Lincoln Institute of Land Policy is an independent, nonpartisan organization whose mission is to help solve global economic, social, and environmental challenges to improve quality of life through creative approaches to the use, taxation, and stewardship of land.

About the Sonoran Institute

The Sonoran Institute’s mission is to connect people and communities with the natural resources that nourish and sustain them.

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Team Roster - Applicants must also complete a team member list as part of the application process that includes each team member’s full name, position, organization, and email. Submit these via email (below) by the deadline.

Supporting Materials (optional) - Applicants may submit copies of news articles and links to any reports or publications that provide additional information in response to questions posed as part of your challenge statement. You may also provide letters of support from local officials to strengthen your application. Submit via email by the deadline.

Costs Covered

Lodging and most meals will be provided, including dinner on Day 1 as well as breakfast and lunch on Day 2 and 3. Teams will be responsible for dinner on their own on Day 2. Travel to and from Keystone is not covered.

Application Deadline

Applications, including the challenge statement, team roster, and supporting materials (optional), are due by 5pm (MDT), January 11, 2019 to the email below.

Contact Information

For more information or to submit materials:

Jeremy Stapleton
Director of Climate Resilience
Sonoran Institute
(602) 842-5745, ext. 316
climateresilience@sonoraninstitute.org

Funding for Growing Water Smart is provided by the Colorado Water Conservation Board and the Lincoln Institute of Land Policy.
NOTE: These guidelines are in draft form and have been reviewed by QQ members between September and October of 2018. We are recommending QQ approval of these guidelines at the November 16th QQ meeting. We will also elect new QQ leadership according to these draft guidelines at our Nov. meeting.

Process and guidelines for selection of QQ Leadership

This document outlines the process and timeline for new QQ leadership selection or the confirmation of existing leadership, describes the duties of QQ leadership, and desirable qualities for those serving in each position. This document is intended to compliment the QQ Bylaws, as revised most recently in 2011, which state in relevant part:

**OFFICERS**

*The membership shall elect a Chair and Vice Chair to oversee meetings and serve as day to day contact for consultants as necessary.*

**DECISION MAKING**

*QQ encourages decision making by consensus. If a vote is deemed appropriate, a majority vote is required to pass any measure. No vote shall be taken unless a quorum is present. A quorum shall consist of seven members.*

Selection and Affirmation of QQ Leadership

- QQ will affirm current QQ leadership during its fall budget and contracting meeting on even numbered years. If QQ leadership has been selected within the same calendar year, QQ may skip this affirmation process.
- The selection of new leadership can occur at any regularly scheduled QQ meeting, given sufficient time for nominations, as outlined below.
- QQ leaders do not have term limits.

Process for Nomination

- To apply, email current leadership or contract staff ahead of time.
- Nominations can be submitted by other QQ board members, interested member, or a nomination from the floor.
- QQ leadership will vet the willingness and time availability to serve in leadership.
- Once vetted, nominations will be distributed to members in advance of board meeting to review candidates.
- If a vote is necessary, the QQ board will vote according to its bylaws: *QQ encourages decision making by consensus. If a vote is deemed appropriate, a majority vote is required to pass any measure. No vote shall be taken unless a quorum is present. A quorum shall consist of seven members.*
Leadership Positions & Duties

Chair. Duties include:
- Communicate with and advise QQ contract team
- Support development of agenda for QQ quarterly meetings
- Facilitate meetings and gain consensus
- Represent the QQ leadership through meetings, testimony before General Assembly and various boards and commissions (e.g., COGCC, CWCB, WQCC)
- Edit and sign formal QQ letters

Vice-Chair. Duties include:
- Communicate with and advise QQ contract team
- Support development of agenda for QQ quarterly meetings
- Facilitate meetings in Chair’s absence or at times when Chair is acting in member advocacy position.
- When Chair is unable, represent the QQ leadership through meetings, testimony before General Assembly and various boards and commissions (e.g., COGCC, CWCB, WQCC)
- When Chair is unable, edit and sign formal QQ letters

Secretary. Duties include:
- Communicate with and advise QQ contract team
- Support development of agenda for QQ quarterly meetings
- Serve as back-up facilitator in Vice- and Chair’s absence or at times when Vice- or Chair is acting in member advocacy position

Desirable qualities

For all leadership positions:
- Has the time and staff support necessary to serve in leadership position with QQ
- Can represent the broader regional interest of QQ
- Has long term perspective and deep knowledge of headwaters region
- Understands QQ history
- Listener and problem solver
- Solid knowledge base on water issues
- Three positions represent three different governmental entities

Chair
- County Commissioner

Vice-Chair
- County Commissioner

Secretary
- Representative from member organization (staff or elected official)
CONTRACT
Northwest Colorado Council of Governments Water Quality/Quantity Committee
and
Barbara Green for Sullivan Green Seavy & Torie Jarvis
Year of 2018

This Contract is entered into this Nov. 18, 2018, by and between the Northwest Colorado Council
of Governments QQ Committee (hereinafter "QQ") and Barbara Green for Sullivan Green Seavy ("SGS")
and Torie Jarvis (hereinafter “SGS & Jarvis”).

NOW, THEREFORE, the parties mutually agree as follows:

1. Employment of SGS & Jarvis. QQ hereby agrees to engage SGS & Jarvis and SGS & Jarvis hereby
   agrees to perform the services hereinafter set forth.

2. Scope of Services. In consideration for moneys to be received from QQ, SGS & Jarvis shall do,
   perform, and carry out in a satisfactory manner, as determined by QQ, all work elements indicated in
   the "Scope of Services" set forth in attached Exhibit A incorporated hereinafter by reference. The
   Scope of Services is contingent upon receipt of the sum listed in Appendix A.

3. Time of Performance. The services of SGS & Jarvis shall commence January 1, 2019 and shall be
   undertaken in such a sequence as to assure completion of this Contract by December 31, 2019. After
   December 31, 2019, the contract may be extended by mutual agreement by both parties on a month to
   month basis.

4. Method of Payment. SGS & Jarvis shall submit a monthly invoice to QQ describing the activities
   associated with the various work elements described in Exhibit A. Upon receipt of invoice QQ shall
   compensate SGS & Jarvis for work performed.

5. Compensation. SGS & Jarvis shall be compensated monthly based on the proportion of the total
   contract amount for that billing period.

   The total amount of compensation paid by QQ to SGS & Jarvis shall not exceed the maximum dollar
   amount established in the "Scope of Services" set forth in the attached Exhibit A unless QQ and SGS
   & Jarvis require additional services not herein defined.

6. Amendment. QQ may, from time to time, require changes in the "Scope of Services" to be performed
   by SGS & Jarvis. Such changes shall be incorporated into a Letter of Agreement between SGS &
   Jarvis and QQ Chair and Vice-Chair, which shall serve as an amendment to this contract with SGS &
   Jarvis and QQ.
7. **Assign-ability.** SGS & Jarvis shall not assign any interest in this Contract and shall not transfer any interest in the same without prior consent of QQ.

8. **Termination of Contract by QQ for Cause.** If SGS & Jarvis shall fail to fulfill in a timely and proper manner its obligation under this Contract, or if SGS & Jarvis violates any of the terms or conditions of this Contract, QQ shall have the right to terminate this Contract by giving written notice to SGS & Jarvis at least forty five (45) days before the effective date of such termination. In the event of termination, all finished or unfinished documents, data, studies, or other material prepared by SGS & Jarvis shall, at the request of QQ, be transmitted to QQ.

9. **Termination of Contract by SGS & Jarvis.** If QQ fails to make payment as herein provided, SGS & Jarvis may terminate this Contract by giving written notice to QQ at least ten (10) days before the effective date of such termination, during which time QQ may cure the default by making payment. In the event QQ fails to cure, SGS & Jarvis shall retain all materials and documents not previously given to QQ until an agreement is satisfactorily negotiated between QQ and SGS & Jarvis. If SGS & Jarvis propose to terminate this contract for reasons other than failure to make payment they shall give at least forty-five (45) days notice.

10. **Agreement Contains All Understandings.** This document represents the entire integrated agreement between QQ and SGS & Jarvis and supersedes all prior negotiations, representations, or agreements either written or oral.

IN WITNESS WHEREOF, QQ and SGS & Jarvis have executed this agreement on the date written above.

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EXHIBIT A:
NWCCOG/WATER QUALITY AND QUANTITY COMMITTEE
SCOPE OF SERVICES 2019

I. INITIATIVES AND PROJECTS FOR THE YEAR 2019

A. COALITIONS AND EDUCATION (Implements Policies I, II, V)

(1) Facilitate “fact-based” discussions of headwater impacts associated with Front Range growth and the importance of integrating land use planning and water supply planning statewide.

(2) Continue to inform Front Range policymakers and legislators about headwaters issues and transmountain diversion impacts in appropriate forums.

(3) Collaborate with other East Slope and West Slope organizations to strengthen public awareness and educate Front Range citizens about headwater issues and transmountain diversion impacts on the West Slope.

(4) Track and educate members on emerging water-related recreation issues.

(5) Develop relationship with state-wide media to promote education on QQ issues. Send letters to the editors of the local and state newspapers on water issues to promote QQ policies and refute misinformation.

(6) Organize and present information, such as the Water & Its Impact to the Economies of the Headwaters Counties report, Climate Change in the Headwaters: Water & Snow Impacts report, and QQ’s model water quality standards at meetings, workshops and other venues to advocate headwater perspectives throughout the State.

(7) Serve on appropriate State and local task forces or committees to promote QQ’s interests.

(8) Track and coordinate efforts with other groups and organizations to ensure awareness of diverse West Slope water concerns.
Increase efforts to inform certain stakeholders of unintended adverse impacts to local authority; and attempt to convey a more thorough understanding of current law.

B. **COLORADO’S WATER PLAN, BASIN ROUNDTABLES AND 1177 PROCESS (Implements Policies I, III, V)**

1. Track the outcome of any potential legislation as a result of the 1177 process and Colorado’s Water Plan that may be counter to Headwater interests.

2. Participate in the Colorado Basin Roundtable and prepare reports to members as needed when important issues arise.

3. Evaluate opportunities to identify and promote headwater interests through this initiative.

4. Track IBCC process and alert members of issues that arise. Prepare draft letters and comments as needed.

5. Participate in the implementation and updating of the Colorado Water Plan; advocate for Headwaters interests; provide support and analysis to efforts of elected officials and member jurisdictions to influence Water Plan policy.

C. **EVALUATE AND MONITOR TRANSMOUNTAIN DIVERSION PROPOSALS (Implements Policies I, II and III).**

1. Participate in environmental assessment processes.

2. Retain and supervise necessary technical consultants.

3. Work with member jurisdictions to cooperate on review and mitigation of impacts that go beyond the boundaries of the permitting County through intergovernmental agreements.

4. Assist the member counties and municipalities with 1041 permitting as requested.

5. Follow activities of Front Range Water Council.

D. **STREAM MANAGEMENT AND NON-CONSUMPTIVE NEEDS (Implements Policies II, III, IV, V)**

1. Continue to work with QQ members and Front Range diverters to implement solutions to identified in–stream impacts of transmountain diversions.
Monitor, provide technical assistance and advocate for Headwaters interests in Learning By Doing, Grand Lake Clarity adaptive management processes, and Colorado River Cooperative Agreement implementation.

Provided the opportunity, explore and promote UPCO concept with other basins, including the Stream Management Plan approach.

Assist member jurisdictions in efforts to support Colorado Water Conservation Board (“CWCB”) Instream Flow Program and ensure state representatives understand the value of the program.

Assist member jurisdictions in the creation and protection of recreational in-channel diversions. Track Recreational In-channel Diversions filings and CWCB hearings in QQ region.

Assist members to determine nonconsumptive stream flow needed to protect recreation and environmental values during Colorado River Roundtable process.

Assist member jurisdictions in Wild and Scenic Rivers processes.

E. LOBBYING IN COLORADO LEGISLATIVE SESSION (Implements Policies I, II, V)

Provide policy analysis on legislative bills as they affect members’ authority.

Participate in development of any state water planning legislation.

Lobby on water-related bills that QQ has taken a position on, or based on QQ’s mission and policies.

Draft testimony, or assist in preparing testimony for QQ elected officials, as needed.

Communicate and collaborate with other entities where interests overlap.

Provide reports and action alerts to members on legislation, outlining pros and cons and recommending a QQ position based on QQ policies and member feedback.

Prepare alternatives to legislation that is counter to QQ’s interests as directed by the QQ Committee.
Evaluate and encourage legislation that furthers QQ interests. Possibilities include reuse, instream flows, metropolitan efficiency, special district legislation, or favorable changes in water law to promote conservation and the strengthened connection between land use and water planning.

Participate in the Colorado Water Congress and other organizations that may create and or influence legislation pertinent to QQ’s issues.

F. WATER QUALITY PROTECTION (Implements Policies II, III, IV, V)

(1) File motions for party status on behalf of member jurisdictions and Participate in State Water Quality Control Commission (“WQCC”) rulemakings, hearings and meetings that affect Headwaters.

(2) Participate in stakeholder meetings, Water Quality Control Division (“WCQD”) workgroups, and any rulemaking hearings.

(3) Monitor WQCC and WQCD activities.

(4) Continue to participate in the Snake River Task Force to identify remediation alternatives and seek funding for projects. Work closely with the State and others to develop appropriate water quality standards for the Snake River in the next five to ten years.

(5) Finalize 208 Plan approval by the WQCC. Coordinate with NWCCOG to maintain 208 administrative responsibilities as determined by membership.

(6) For a fee that will be passed on to developers, provide 208 Plan consistency review of land development proposals and water and sanitation facility siting on behalf of member jurisdictions during the development application process.

(7) Coordinate with Water and Sanitation Districts on issues of interest.

(8) Represent members in discussions and hearings related to nutrient standards and other rulemakings and assist members in the site-specific standards hearing.

G. LOCAL, STATE AND FEDERAL REGULATIONS (Implements Policy I, III)

(1) For reduced hourly rate, provide legal and technical assistance to member’s staff in revisions of their 1041 Regulations or other land
use regulations. (Since the revision processes are specific to a particular member, the individual revisions will not fall within services covered by dues. Barbara, Torie and Lane will coordinate to minimize costs to members.)

(2) Neutralize objections raised by the Front Range and through the IBCC process about the 1041 process.

(3) Work with members in the QQ region on refinements to land use regulations, policies and technical approaches to protect water quality. Educate planning departments about the model water quality regulations prepared by QQ and update as necessary.

(4) Spearhead efforts to maintain County authority over oil and gas operations, including on federal lands, so that water quality and quantity are protected. Work with Department of Natural Resources to introduce County in-put into federal mitigation decision on leases.

(5) Participate in other state rulemaking proceedings as needed to protect local authority over environmental and water quality impacts of oil and gas, mining and water projects.

(6) Assist members as needed with federal legislation that approves the study of, or development of, projects leading to further potential transmountain diversions.

H. EVALUATE GROWTH IMPACTS TO WATER RESOURCES FOR MEMBERS (Implements Policies II, IV, V)

(1) Inform public entities and private sector of regional water quality and quantity impacts of their proposals and identify mitigation measures.

(2) Continue to assist ski areas through the NEPA processes, 404 permits and 401 certifications in an effort to analyze in-basin impacts.

(3) Assist QQ members with the development and implementation of water conservation measures outlined in the Colorado Water Conservation Board Water Conservation Planning Guidelines.

II. LEGAL SERVICES
A. Assist members to update 1041 or other land use regulations applicable to water matters at reduced hourly rate. Prepare model regulations for the region.

B. Represent members in rulemaking hearings in front of Colorado Water Quality Control Commission and other state agencies. (When rulemaking hearings are complex and exceed legal time allotted to QQ, fees for this service may be charged to the Legal Defense Fund after approval by QQ Board.)

C. Prepare briefs on behalf of members or the organization relating to legal matters of regional importance.

D. Stay abreast of evolving judicial and legislative decisions that affect member authority and responsibilities in land use, water quality and water quantity issues. Prepare reports to members of these developments.

III. QQ Program Administration

A. Organize and prepare for QQ meetings.

B. Oversee QQ’s program finances and report to QQ Committee.

C. Meet with NWCCOG Executive Director as necessary to keep her apprised of issues that affect the NWCCOG organization.

IV. Member Services

A. Represent QQ Committee at meetings, rulemaking hearings, and state water policy forums.

B. Be available to QQ members to answer questions and provide technical, legislative and legal expertise on matters regarding water quality or quantity.

C. Meet with members on individual basis to update elected officials on QQ’s activities. Present QQ Program overview to newly-elected officials.

E. Design QQ meetings as a forum for exchange of ideas and establishment of policy.

F. Place QQ Committee members on key committees, commissions and boards relative to water quality and quantity issues. Participate on Boards and Commissions.
G. Provide reports and white papers on regulations, Clean Water Act, water quality and quantity issues.

H. Encourage and support intergovernmental, inter-jurisdictional cooperation in water matters. Assist members to implement intergovernmental agreements.

**COST:** FLAT RATE FEE OF $162,196.00. As indicated in the scope of work, and as approved by the QQ Board, the Legal Defense Fund may be used to fund complex rule making hearings, amicus briefs, or other legal and technical defense costs that go beyond this scope of services.
## 2019 Water Quality/Quantity Committee budget

### REVENUE:

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<th>2019 budget</th>
<th>Notes:</th>
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<tbody>
<tr>
<td><strong>TOTAL MEMBER DUES:</strong></td>
<td></td>
<td></td>
<td></td>
<td>* reflects 3% dues increase in 2017 and 2018, no additional increases are anticipated past 2018.</td>
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<tr>
<td>County pledges:</td>
<td>$155,530.00</td>
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<td>Municipal pledges:</td>
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<tr>
<td>CWCB grant (2015)</td>
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<td>-</td>
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<td>Unspent carryover:</td>
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<td>$-</td>
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<tr>
<td><strong>TOTAL:</strong></td>
<td>$169,946.00</td>
<td>$162,196.00</td>
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### EXPENSES:

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<th>2017 budget</th>
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<tr>
<td>Personnel</td>
<td>$160,652</td>
<td>$147,497</td>
<td>$147,497</td>
<td>* Includes all services in QQ Scope of Work</td>
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<td>Memberships</td>
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<td>$2,300</td>
<td>$2,300</td>
<td>* Includes CO Water Congress, Water Quality Form, Upper CO River Wild &amp; Scenic Stakeholders Group, email and website fees</td>
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<td>NWCCOG Indirect Costs</td>
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<td><strong>SGS &amp; Jarvis CONTRACT TOTAL</strong></td>
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### Unspent contract balance

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<tr>
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<tr>
<td>Unspent contract balance</td>
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### DEFENSE FUND BALANCE:

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<td>Defense Fund Balance</td>
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<td>$100,000</td>
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### 2019 OTHER REVENUE AND EXPENSES:

**University of Denver Law student intern, Christopher McMichael:** Sullivan, Green, Seavy will be hosting a legal intern in his third year of law school at DU. Much of that work will focus on QQ-related issues at a significant in-kind benefit to QQ. We are still working with Christopher on hours and work assignments, so do not have an estimated in kind amount at this time.

**Water & Land Use Project:** to inventory existing land use code elements related to water for all QQ members, develop model water savings measures for QQ region, and provide technical assistance for code updates for up to 5 member communities in partnership with the Sonoran Institute.

<table>
<thead>
<tr>
<th>Revenue/Expenditure</th>
<th>Amount</th>
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<tr>
<td>GRANT (2018-2019): Colorado’s Water Plan (for Del Corazon consulting)</td>
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<tr>
<td>GRANT (2018-2019): WSRA through CO Basin Rtbl</td>
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<tr>
<td>QQ contribution (reflected in personnel, above)</td>
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<tr>
<td>Sonoran Institute contribution for technical assistance (estimated)</td>
<td>$100,000</td>
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<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$162,000</strong></td>
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</table>

<table>
<thead>
<tr>
<th>Expenses</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop template for member inventory</td>
<td>$10,000</td>
</tr>
<tr>
<td>Inventory existing water quality and water savings measures</td>
<td>$11,000</td>
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<tr>
<td>Develop model water savings performance standards</td>
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<tr>
<td>Provide three day training and technical support to integrate water measures in land use codes</td>
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<tr>
<td><strong>TOTAL expenses:</strong></td>
<td><strong>$162,000</strong></td>
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Interim Water Resources Review Committee Recommendations

Water Resources Review Committee Recommendations

The Water Resources Review Committee recommended four measures to be introduced as interim committee bills (two bills, two memorials to Congress):

- **Bill A** - to adjust the boundaries of the Republican River Water Conservation District (Eastern Plains) to more equitably allocate the costs of complying with the Republican River Compact to address depletions from groundwater pumping from the Ogallala aquifer.
- **Bill B** - to change the distribution of severance taxes in the State's Operational Fund (DNR portion) to rely on funds received rather than relying on projected revenues and increases the required statutory reserve for DNR grant-related programs to assure more stability for those programs.
- **Memorial B to Congress** - to carry out its commitment to fund the construction of the Arkansas Valley Conduit to provide safe drinking water for people in the lower Arkansas Valley.
- **Memorial A to Congress** - calling on the Corps of Engineers to dredge the lower Arkansas River to alleviate flooding.

Additionally, the Wildfire Matters Committee recommended two bills intended to incentivize fuel reduction to prevent catastrophic fires and their impacts:

- **A Bill** directing the state forest service to solicit applications for grants to fund fuel reduction projects from groups of landowners (HOA's or similar organizations) with property in the wildland-urban interface where risk of fire is moderate to high and land is covered by a community wildfire protection plan. Grant applicants must match any money received dollar-for-dollar; grants may not exceed $2,000 for any one application. Grant applications shall be
evaluated by a technical advisory panel.

- A Bill establishing a Fire Commission in the division of fire prevention and control in the department of public safety. The Commission would consist of 18 members which include (as drafted) representatives of counties, special districts, fire chiefs, professional firefighters, emergency managers, volunteer firefighters, county sheriffs, and others. (The membership and focus of the Commission were heavily debated and it is likely that some amendments will be offered when the Bill is formally introduced in January).

In response to the impact to local government revenues caused by the Gallagher Amendment which has been in the State Constitution since the early 1980's, the Alternatives to the Gallagher Amendment Committee has recommended bills to deal with the problem. Among them are:

- A referred measure to voters to repeal Gallagher in its entirety in 2019.
- A bill to authorize regional residential assessment rates in the event Gallagher is repealed.
Low flows into Lake Powell from the Green and Colorado rivers continue to cause concern among water managers in the upper Colorado River basin. Big beaches on the lower Green River were not hard to find in September 2018.

GRAND JUNCTION — Western Slope water managers have doubled down on their position that they will oppose federal legislation creating a new regulated pool of water to boost the falling level of Lake Powell unless Colorado adopts a policy that the pool should be filled only on a voluntary basis.

At a well-attended water meeting last week, Andy Mueller, the general manager of the Colorado River Water Conservation District, said that without a new state policy putting limits on how water can be stored in the big reservoir, “You will find that our district, the Southwest District and hopefully others will be, frankly, opposing the federal legislation.”

Mueller said his district and the Southwestern Water Conservancy District “have to have those guidelines” in order to protect agriculture on the Western Slope, a stance first expressed by both districts in September.
In response to the Western Slope’s concerns, a policy on how to fill a new “demand management storage” pool in Lake Powell is being drafted by the staff of the Colorado Water Conservation Board (http://cwcb.state.co.us/pages/CWCBHome.aspx) for review by the agency’s directors Nov. 15.

“I can’t say with certainty, but I believe that policy will be established and will allay the concerns that we’ve heard,” Steve Anderson, a CWCB board member representing the Gunnison River Basin, said Tuesday at the meeting.

But there may be still be a gap between the protections the Western Slope wants and the Front Range’s stance, which is that it may be necessary to fill the proposed pool of water in Lake Powell through mandatory cutbacks in water use if voluntary efforts are not enough.

Water managers from Southern California to Wyoming are watching the ongoing debate because if Colorado can’t reach a consensus, an ongoing effort to establish a “drought contingency planning” program could falter.

Draft “DCP” agreements are now under review in seven states. They would change the way water is stored in Lake Mead, which primarily affects the lower Colorado River Basin states of California, Arizona and Nevada.

In the upper-basin states of Colorado, Utah, Wyoming and New Mexico, the DCP agreements would set up a process to release water from Flaming Gorge, Blue Mesa and Navajo reservoirs, if necessary.

The agreements also would create a pool of water in Lake Powell that would be shielded from current regulations that balance water levels in both Lake Powell and Lake Mead.

Regional water officials are working hard to gain widespread consensus by Dec. 14 for the DCP agreements in both the upper and lower basins, and given how slow water policy usually moves, it’s a tight timeline.

The necessary federal legislation to implement the program may be introduced during the coming lame-duck session in Congress, and any significant opposition to the legislation, such as that from the Colorado River district, could derail the effort.

And the differing views between Western Slope and Front Range water managers now appear to be the largest obstacle to gaining consensus in the four upper-basin states.

“I’m not aware of any other issue that has risen to the top like this,” said Amy Haas, the executive director of the Upper Colorado River Commission, which is coordinating the upper basin’s drought contingency efforts. “I know that some discussions have been difficult in other states, but not to this degree.”
Officials on both the Western Slope and the Front Range do agree on many aspects of demand management storage in Lake Powell, which is designed to keep Glen Canyon Dam both producing hydropower and releasing enough water to meet the requirements of the 1922 Colorado River Compact.

They agree that such a program should include equitable reductions in the use of water from both sides of the Continental Divide.

And they agree that the effort should start with a “voluntary, temporary and compensated” approach, with the goal of incentivizing irrigators to fallow fields and send the conserved water downriver to Lake Powell.

But where they differ is the potential use of mandatory reductions in water use if voluntary measures are not enough to keep Glen Canyon Dam operating as usual.

In a Sept. 17 letter to the CWCB, the Colorado River and the Southwestern districts said (https://www.documentcloud.org/documents/4901629-20180917-SWCD-CRWCD-LTR-to-CWCB.html#document/p2/a463367) the state must declare that “Colorado’s contributions to the demand management program will be generated exclusively through voluntary, temporary and compensated contributions of water.”

The key word there is “exclusively.”

The two districts also said they were concerned “that a demand management program might morph into a mandatory ‘anticipatory curtailment’ program or something else that has not been publicly vetted.”

Meanwhile, the Front Range Water Council, which includes the biggest water providers from Pueblo to Fort Collins, told the CWCB in a Sept. 13 letter (https://www.documentcloud.org/documents/4901628-FRWC-Letter-to-CWCB-09132018.html#document/p2/a463370) that if there is not enough water generated through a voluntary program, the state “may wish to pursue alternative measures to ensure continued compliance with the Colorado River Compact.”

To Western Slope officials, “alternative measures” sounds like mandatory “anticipatory curtailment,” where water rights are cut back by the state to avoid a compact call.

State officials continue to stress that the state is not developing a mandatory curtailment program and is only focusing on a voluntary program.

However, the Colorado River District’s Mueller has been telling Western Slope water managers that the Front Range, which uses large amounts of water from the Colorado River, is eager for mandatory curtailment.

“There are major water users, major interests in this state on the Front Range, who are talking about that,” Mueller said Tuesday at the water meeting, which was attended by about 200 Western Slope water managers and users. “Because they either don’t think we are going to get the money for a voluntary program or maybe they see advantages to be had in mandatory curtailment.”

But Jim Lochhead, the CEO of Denver Water and the president of the Front Range Water Council, on Friday rejected Mueller’s assertions that it was pushing for mandatory curtailment.
“That’s not our preference, that’s not our hope, that’s not what we want to see — it’s just reality,” Lochhead said. “It may happen. I hope it doesn’t happen. But it’s not something we’re rolling out, and the first priority should be voluntary, temporary and compensated.”

But he also said, “At the end of the day, if we’re in trouble from a compact standpoint, the state is going to have to exercise its authority.”

Process and guidelines for selection of QQ Leadership

This document outlines the process and timeline for new QQ leadership selection or the confirmation of existing leadership, describes the duties of QQ leadership, and desirable qualities for those serving in each position. This document is intended to compliment the QQ Bylaws, as revised most recently in 2011, which state in relevant part:

**OFFICERS**
The membership shall elect a Chair and Vice Chair to oversee meetings and serve as day to day contact for consultants as necessary.

**DECISION MAKING**
QQ encourages decision making by consensus. If a vote is deemed appropriate, a majority vote is required to pass any measure. No vote shall be taken unless a quorum is present. A quorum shall consist of seven members.

Selection and Affirmation of QQ Leadership

- QQ will affirm current QQ leadership during its fall budget and contracting meeting on even numbered years. If QQ leadership has been selected within the same calendar year, QQ may skip this affirmation process.
- The selection of new leadership can occur at any regularly scheduled QQ meeting, given sufficient time for nominations, as outlined below.
- QQ leaders do not have term limits.

Process for Nomination

- To apply, email current leadership or contract staff ahead of time.
- Nominations can be submitted by other QQ board members, interested member, or a nomination from the floor.
- QQ leadership will vet the willingness and time availability to serve in leadership.
- Once vetted, nominations will be distributed to members in advance of board meeting to review candidates.
- If a vote is necessary, the QQ board will vote according to its bylaws: QQ encourages decision making by consensus. If a vote is deemed appropriate, a majority vote is required to pass any measure. No vote shall be taken unless a quorum is present. A quorum shall consist of seven members.
**Leadership Positions & Duties**

**Chair.** Duties include:
- Communicate with and advise QQ contract team
- Support development of agenda for QQ quarterly meetings
- Facilitate meetings and gain consensus
- Represent the QQ leadership through meetings, testimony before General Assembly and various boards and commissions (e.g., COGCC, CWCB, WQCC)
- Edit and sign formal QQ letters

**Vice-Chair.** Duties include:
- Communicate with and advise QQ contract team
- Support development of agenda for QQ quarterly meetings
- Facilitate meetings in Chair’s absence or at times when Chair is acting in member advocacy position.
- When Chair is unable, represent the QQ leadership through meetings, testimony before General Assembly and various boards and commissions (e.g., COGCC, CWCB, WQCC)
- When Chair is unable, edit and sign formal QQ letters

**Secretary.** Duties include:
- Communicate with and advise QQ contract team
- Support development of agenda for QQ quarterly meetings
- Serve as back-up facilitator in Vice- and Chair’s absence or at times when Vice- or Chair is acting in member advocacy position

**Desirable qualities**

**For all leadership positions:**
- Has the time and staff support necessary to serve in leadership position with QQ
- Can represent the broader regional interest of QQ
- Has long term perspective and deep knowledge of headwaters region
- Understands QQ history
- Listener and problem solver
- Solid knowledge base on water issues
- Three positions represent three different governmental entities

**Chair**
- County Commissioner

**Vice-Chair**
- County Commissioner

**Secretary**
- Representative from member organization (staff or elected official)
CONTRACT
Northwest Colorado Council of Governments Water Quality/Quantity Committee
and
Barbara Green for Sullivan Green Seavy & Torie Jarvis
Year of 2018

This Contract is entered into this __ Nov., 2018 __, by and between the Northwest Colorado Council of Governments QQ Committee (hereinafter "QQ") and Barbara Green for Sullivan Green Seavy ("SGS") and Torie Jarvis (hereinafter “SGS & Jarvis”).

NOW, THEREFORE, the parties mutually agree as follows:

1. Employment of SGS & Jarvis. QQ hereby agrees to engage SGS & Jarvis and SGS & Jarvis hereby agrees to perform the services hereinafter set forth.

2. Scope of Services. In consideration for moneys to be received from QQ, SGS & Jarvis shall do, perform, and carry out in a satisfactory manner, as determined by QQ, all work elements indicated in the "Scope of Services" set forth in attached Exhibit A incorporated hereinafter by reference. The Scope of Services is contingent upon receipt of the sum listed in Appendix A.

3. Time of Performance. The services of SGS & Jarvis shall commence January 1, 2019 and shall be undertaken in such a sequence as to assure completion of this Contract by December 31, 2019. After December 31, 2019, the contract may be extended by mutual agreement by both parties on a month to month basis.

4. Method of Payment. SGS & Jarvis shall submit a monthly invoice to QQ describing the activities associated with the various work elements described in Exhibit A. Upon receipt of invoice QQ shall compensate SGS & Jarvis for work performed.

5. Compensation. SGS & Jarvis shall be compensated monthly based on the proportion of the total contract amount for that billing period.

The total amount of compensation paid by QQ to SGS & Jarvis shall not exceed the maximum dollar amount established in the "Scope of Services" set forth in the attached Exhibit A unless QQ and SGS & Jarvis require additional services not herein defined.

6. Amendment. QQ may, from time to time, require changes in the "Scope of Services" to be performed by SGS & Jarvis. Such changes shall be incorporated into a Letter of Agreement between SGS & Jarvis and QQ Chair and Vice-Chair, which shall serve as an amendment to this contract with SGS & Jarvis and QQ.
7. **Assign-ability.** SGS & Jarvis shall not assign any interest in this Contract and shall not transfer any interest in the same without prior consent of QQ.

8. **Termination of Contract by QQ for Cause.** If SGS & Jarvis shall fail to fulfill in a timely and proper manner its obligation under this Contract, or if SGS & Jarvis violates any of the terms or conditions of this Contract, QQ shall have the right to terminate this Contract by giving written notice to SGS & Jarvis at least forty five (45) days before the effective date of such termination. In the event of termination, all finished or unfinished documents, data, studies, or other material prepared by SGS & Jarvis shall, at the request of QQ, be transmitted to QQ.

9. **Termination of Contract by SGS & Jarvis.** If QQ fails to make payment as herein provided, SGS & Jarvis may terminate this Contract by giving written notice to QQ at least ten (10) days before the effective date of such termination, during which time QQ may cure the default by making payment. In the event QQ fails to cure, SGS & Jarvis shall retain all materials and documents not previously given to QQ until an agreement is satisfactorily negotiated between QQ and SGS & Jarvis. If SGS & Jarvis propose to terminate this contract for reasons other than failure to make payment they shall give at least forty-five (45) days notice.

10. **Agreement Contains All Understandings.** This document represents the entire integrated agreement between QQ and SGS & Jarvis and supersedes all prior negotiations, representations, or agreements either written or oral.

IN WITNESS WHEREOF, QQ and SGS & Jarvis have executed this agreement on the date written above.

_________________________________________  Date  
**Chairperson**  
NORTHWEST COLORADO COUNCIL OF GOVERNMENTS QQ COMMITTEE

_________________________________________  Date  
**Barbara Green**

_________________________________________  Date  
**Torie Jarvis**
EXHIBIT A:

NWCCOG/WATER QUALITY AND QUANTITY COMMITTEE
SCOPE OF SERVICES 2019

I. INITIATIVES AND PROJECTS FOR THE YEAR 2019

A. COALITIONS AND EDUCATION (Implements Policies I, II, V)

(1) Facilitate “fact-based” discussions of headwater impacts associated with Front Range growth and the importance of integrating land use planning and water supply planning statewide.

(2) Continue to inform Front Range policymakers and legislators about headwaters issues and transmountain diversion impacts in appropriate forums.

(3) Collaborate with other East Slope and West Slope organizations to strengthen public awareness and educate Front Range citizens about headwater issues and transmountain diversion impacts on the West Slope.

(4) Track and educate members on emerging water-related recreation issues.

(5) Develop relationship with state-wide media to promote education on QQ issues. Send letters to the editors of the local and state newspapers on water issues to promote QQ policies and refute misinformation.

(6) Organize and present information, such as the Water & Its Impact to the Economies of the Headwaters Counties report, Climate Change in the Headwaters: Water & Snow Impacts report, and QQ’s model water quality standards at meetings, workshops and other venues to advocate headwater perspectives throughout the State.

(7) Serve on appropriate State and local task forces or committees to promote QQ’s interests.

(8) Track and coordinate efforts with other groups and organizations to ensure awareness of diverse West Slope water concerns.
(9) Increase efforts to inform certain stakeholders of unintended adverse impacts to local authority; and attempt to convey a more thorough understanding of current law.

B. **COLORADO’S WATER PLAN, BASIN ROUNDTABLES AND 1177 PROCESS (Implements Policies I, III, V)**

(1) Track the outcome of any potential legislation as a result of the 1177 process and Colorado’s Water Plan that may be counter to Headwater interests.

(2) Participate in the Colorado Basin Roundtable and prepare reports to members as needed when important issues arise.

(3) Evaluate opportunities to identify and promote headwater interests through this initiative.

(4) Track IBCC process and alert members of issues that arise. Prepare draft letters and comments as needed.

(5) Participate in the implementation and updating of the Colorado Water Plan; advocate for Headwaters interests; provide support and analysis to efforts of elected officials and member jurisdictions to influence Water Plan policy.

C. **EVALUATE AND MONITOR TRANSMOUNTAIN DIVERSION PROPOSALS (Implements Policies I, II and III).**

(1) Participate in environmental assessment processes.

(2) Retain and supervise necessary technical consultants.

(3) Work with member jurisdictions to cooperate on review and mitigation of impacts that go beyond the boundaries of the permitting County through intergovernmental agreements.

(4) Assist the member counties and municipalities with 1041 permitting as requested.

(5) Follow activities of Front Range Water Council.

D. **STREAM MANAGEMENT AND NON-CONSUMPTIVE NEEDS (Implements Policies II, III, IV, V)**

(1) Continue to work with QQ members and Front Range diverters to implement solutions to identified in-stream impacts of transmountain diversions.
Monitor, provide technical assistance and advocate for Headwaters interests in Learning By Doing, Grand Lake Clarity adaptive management processes, and Colorado River Cooperative Agreement implementation.

Provided the opportunity, explore and promote UPCO concept with other basins, including the Stream Management Plan approach.

Assist member jurisdictions in efforts to support Colorado Water Conservation Board (“CWCB”) Instream Flow Program and ensure state representatives understand the value of the program.

Assist member jurisdictions in the creation and protection of recreational in-channel diversions. Track Recreational In-channel Diversions filings and CWCB hearings in QQ region.

Assist members to determine nonconsumptive stream flow needed to protect recreation and environmental values during Colorado River Roundtable process.

Assist member jurisdictions in Wild and Scenic Rivers processes.

LOBBYING IN COLORADO LEGISLATIVE SESSION (Implements Policies I, II, V)

Provide policy analysis on legislative bills as they affect members’ authority.

Participate in development of any state water planning legislation.

Lobby on water-related bills that QQ has taken a position on, or based on QQ’s mission and policies.

Draft testimony, or assist in preparing testimony for QQ elected officials, as needed.

Communicate and collaborate with other entities where interests overlap.

Provide reports and action alerts to members on legislation, outlining pros and cons and recommending a QQ position based on QQ policies and member feedback.

Prepare alternatives to legislation that is counter to QQ’s interests as directed by the QQ Committee.
(8) Evaluate and encourage legislation that furthers QQ interests. Possibilities include reuse, instream flows, metropolitan efficiency, special district legislation, or favorable changes in water law to promote conservation and the strengthened connection between land use and water planning.

(9) Participate in the Colorado Water Congress and other organizations that may create and or influence legislation pertinent to QQ’s issues.

F. WATER QUALITY PROTECTION (Implements Policies II, III, IV, V)

(1) File motions for party status on behalf of member jurisdictions and Participate in State Water Quality Control Commission (“WQCC”) rulemakings, hearings and meetings that affect Headwaters.

(2) Participate in stakeholder meetings, Water Quality Control Division (“WCQD”) workgroups, and any rulemaking hearings.

(3) Monitor WQCC and WQCD activities.

(4) Continue to participate in the Snake River Task Force to identify remediation alternatives and seek funding for projects. Work closely with the State and others to develop appropriate water quality standards for the Snake River in the next five to ten years.

(5) Finalize 208 Plan approval by the WQCC. Coordinate with NWCCOG to maintain 208 administrative responsibilities as determined by membership.

(6) For a fee that will be passed on to developers, provide 208 Plan consistency review of land development proposals and water and sanitation facility siting on behalf of member jurisdictions during the development application process.

(7) Coordinate with Water and Sanitation Districts on issues of interest.

(8) Represent members in discussions and hearings related to nutrient standards and other rulemakings and assist members in the site-specific standards hearing.

G. LOCAL, STATE AND FEDERAL REGULATIONS (Implements Policy I, III)

(1) For reduced hourly rate, provide legal and technical assistance to member’s staff in revisions of their 1041 Regulations or other land
use regulations. (Since the revision processes are specific to a particular member, the individual revisions will not fall within services covered by dues. Barbara, Torie and Lane will coordinate to minimize costs to members.)

(2) Neutralize objections raised by the Front Range and through the IBCC process about the 1041 process.

(3) Work with members in the QQ region on refinements to land use regulations, policies and technical approaches to protect water quality. Educate planning departments about the model water quality regulations prepared by QQ and update as necessary.

(4) Spearhead efforts to maintain County authority over oil and gas operations, including on federal lands, so that water quality and quantity are protected. Work with Department of Natural Resources to introduce County in-put into federal mitigation decision on leases.

(5) Participate in other state rulemaking proceedings as needed to protect local authority over environmental and water quality impacts of oil and gas, mining and water projects.

(6) Assist members as needed with federal legislation that approves the study of, or development of, projects leading to further potential transmountain diversions.

H. EVALUATE GROWTH IMPACTS TO WATER RESOURCES FOR MEMBERS
(Implements Policies II, IV, V)

(1) Inform public entities and private sector of regional water quality and quantity impacts of their proposals and identify mitigation measures.

(2) Continue to assist ski areas through the NEPA processes, 404 permits and 401 certifications in an effort to analyze in-basin impacts.

(3) Assist QQ members with the development and implementation of water conservation measures outlined in the Colorado Water Conservation Board Water Conservation Planning Guidelines.

II. LEGAL SERVICES
A. Assist members to update 1041 or other land use regulations applicable to water matters at reduced hourly rate. Prepare model regulations for the region.

B. Represent members in rulemaking hearings in front of Colorado Water Quality Control Commission and other state agencies. (When rulemaking hearings are complex and exceed legal time allotted to QQ, fees for this service may be charged to the Legal Defense Fund after approval by QQ Board.)

C. Prepare briefs on behalf of members or the organization relating to legal matters of regional importance.

D. Stay abreast of evolving judicial and legislative decisions that affect member authority and responsibilities in land use, water quality and water quantity issues. Prepare reports to members of these developments.

III. QQ PROGRAM ADMINISTRATION

A. Organize and prepare for QQ meetings.

B. Oversee QQ’s program finances and report to QQ Committee.

C. Meet with NWCCOG Executive Director as necessary to keep her apprised of issues that affect the NWCCOG organization.

IV. MEMBER SERVICES

A. Represent QQ Committee at meetings, rulemaking hearings, and state water policy forums.

B. Be available to QQ members to answer questions and provide technical, legislative and legal expertise on matters regarding water quality or quantity.

C. Meet with members on individual basis to update elected officials on QQ’s activities. Present QQ Program overview to newly-elected officials.

E. Design QQ meetings as a forum for exchange of ideas and establishment of policy.

F. Place QQ Committee members on key committees, commissions and boards relative to water quality and quantity issues. Participate on Boards and Commissions.
G. Provide reports and white papers on regulations, Clean Water Act, water quality and quantity issues.

H. Encourage and support intergovernmental, inter-jurisdictional cooperation in water matters. Assist members to implement intergovernmental agreements.

**COST:** FLAT RATE FEE OF $162,196.00. As indicated in the scope of work, and as approved by the QQ Board, the Legal Defense Fund may be used to fund complex rule making hearings, amicus briefs, or other legal and technical defense costs that go beyond this scope of services.
## 2019 Water Quality/Quantity Committee budget

<table>
<thead>
<tr>
<th>Revenue:</th>
<th>2017 Budget</th>
<th>2018 Budget</th>
<th>2019 Budget</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Member Dues:</td>
<td>$155,530.00</td>
<td>$160,196.00</td>
<td>$160,196.00</td>
<td>* reflects 3% dues increase in 2017 and 2018, no additional increases are anticipated past 2018.</td>
</tr>
<tr>
<td>County pledges:</td>
<td>$98,365.00</td>
<td>$101,316.00</td>
<td>$101,316.00</td>
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<tr>
<td>Municipal pledges:</td>
<td>$41,612.00</td>
<td>$42,860.00</td>
<td>$42,860.00</td>
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<tr>
<td>Associate pledges:</td>
<td>$4,120.00</td>
<td>$4,244.00</td>
<td>$4,244.00</td>
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<tr>
<td>Water &amp; San District pledges:</td>
<td>$11,433.00</td>
<td>$11,776.00</td>
<td>$11,776.00</td>
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<tr>
<td>Reimbursed expenses (QQ meeting costs):</td>
<td>$2,000.00</td>
<td>$2,000.00</td>
<td>$2,000.00</td>
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<tr>
<td>CWCB Grant (2015)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
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<tr>
<td>Unspent carryover:</td>
<td>$12,416.00</td>
<td>-</td>
<td>$ -</td>
<td></td>
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<tr>
<td><strong>Total:</strong></td>
<td><strong>$169,946.00</strong></td>
<td><strong>$162,196.00</strong></td>
<td><strong>$162,196.00</strong></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenses:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>$160,652</td>
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<tr>
<td>Memberships</td>
<td>$2,300</td>
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<tr>
<td>NWCCOG Indirect Costs</td>
<td>$6,994</td>
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<tr>
<td><strong>SGS &amp; Jarvis Contract Total</strong></td>
<td><strong>$169,946</strong></td>
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<tr>
<td>Unspent contract balance</td>
<td>-</td>
</tr>
<tr>
<td><strong>Defense Fund Balance:</strong></td>
<td><strong>$100,000</strong></td>
</tr>
</tbody>
</table>
2019 OTHER REVENUE AND EXPENSES:

University of Denver Law student intern, Christopher McMichael: Sullivan, Green, Seavy will be hosting a legal intern in his third year of law school at DU. Much of that work will focus on QQ-related issues at a significant in-kind benefit to QQ. We are still working with Christopher on hours and work assignments, so do not have an estimated in kind amount at this time.

Water & Land Use Project: to inventory existing land use code elements related to water for all QQ members, develop model water savings measures for QQ region, and provide technical assistance for code updates for up to 5 member communities in partnership with the Sonoran Institute.

| GRANT (2018-2019): Colorado’s Water Plan (for Del Corazon consultants) | $ 25,500 |
| GRANT (2018-2019): WSRA through CO Basin R tbl | $ 5,000 |
| QQ contribution (reflected in personnel, above) | $ 31,500 |
| Sonoran Institute contribution for technical assistance (estimated) | $ 100,000 |

| TOTAL: | $ 162,000 |

Expenses:

| Develop template for member inventory | $ 10,000 |
| Inventory existing water quality and water savings measures | $ 11,000 |
| Develop model water savings performance standards | $ 16,000 |
| Provide three day training and technical support to integrate water measures in land use codes | $ 125,000 |

| TOTAL expenses: | $ 162,000 |
Water Resources Review Committee Recommendations

The Water Resources Review Committee recommended four measures to be introduced as interim committee bills (two bills, two memorials to Congress):

- Bill A - to adjust the boundaries of the Republican River Water Conservation District (Eastern Plains) to more equitably allocate the costs of complying with the Republican River Compact to address depletions from groundwater pumping from the Ogallala aquifer.
- Bill B - to change the distribution of severance taxes in the State's Operational Fund (DNR portion) to rely on funds received rather than relying on projected revenues and increases the required statutory reserve for DNR grant-related programs to assure more stability for those programs.
- Memorial B to Congress - to carry out its commitment to fund the construction of the Arkansas Valley Conduit to provide safe drinking water for people in the lower Arkansas Valley.
- Memorial A to Congress - calling on the Corps of Engineers to dredge the lower Arkansas River to alleviate flooding.

Additionally, the Wildfire Matters Committee recommended two bills intended to incentivize fuel reduction to prevent catastrophic fires and their impacts:

- A Bill directing the state forest service to solicit applications for grants to fund fuel reduction projects from groups of landowners (HOA's or similar organizations) with property in the wildland-urban interface where risk of fire is moderate to high and land is covered by a community wildfire protection plan. Grant applicants must match any money received dollar-for-dollar; grants may not exceed $2,000 for any one application. Grant applications shall be
evaluated by a technical advisory panel.

- A Bill establishing a Fire Commission in the division of fire prevention and control in the department of public safety. The Commission would consist of 18 members which include (as drafted) representatives of counties, special districts, fire chiefs, professional firefighters, emergency managers, volunteer firefighters, county sheriffs, and others. (The membership and focus of the Commission were heavily debated and it is likely that some amendments will be offered when the Bill is formally introduced in January).

In response to the impact to local government revenues caused by the Gallagher Amendment which has been in the State Constitution since the early 1980's, the Alternatives to the Gallagher Amendment Committee has recommended bills to deal with the problem. Among them are:

- A referred measure to voters to repeal Gallagher in its entirety in 2019.
- A bill to authorize regional residential assessment rates in the event Gallagher is repealed.