



St. Vrain and Left Hand Water Conservancy District
Minutes of the Board Meeting
1715 Iron Horse Drive, Suite 250, Longmont, CO
August 8, 2022

I. ROUTINE ITEMS

A. Call to Order – *President Smith*

President Smith called the meeting to order at 1:01 PM.

B. Roll Call – *Assistant Secretary Ruark*

Board members present: President Smith, Vice President Varra, Treasurer Rademacher, Secretary Carlson, Directors Moore, Golden (left the meeting at 2:20 PM), Yanchunas, and Wolford were present in person. Director Sigg was present by Zoom.

Staff members, consultants and guests: Executive Director Sean Cronin, Water Resources Engineer Scott Griebing, Water Resources Specialist Jenny McCarty, and Office Manager Mona Ruark were present. Attorney Scott Holwick with Lyons Gaddis was present. Mr. Garrett Cammans with North American Water Consultants was present by Zoom.

C. Amendments or Additions to the Agenda – *President Smith*

Mr. Holwick emailed a revised legal report prior to the meeting.

II. CONSENT AGENDA

- A. Approval of July 11, 2022 Board Meeting Minutes
- B. Approval of June General Fund Finance Reports
- C. Approval of June Enterprise Fund Finance Reports
- D. Approval of Partner Funding Program Agreement: Sandstone Ranch Xeric Garden
- E. Approval of Resolution 2022-03 to Declare Vacancies on the Board of Directors

Secretary Carlson moved to approve the Consent Agenda. Director Wolford seconded the motion, and the motion passed unanimously.

III. PRESENTATIONS

A. Board Room Dedication – *Executive Director Cronin*

Executive Director Cronin presented a wooden puzzle/artwork of the District logo which was created in honor of the past, present and future Board of Directors and will be placed in the board room.

B. Creek Improvement Facility: Gravel Pit Agreements for Flow – *Ms. Jenny McCarty*

Ms. McCarty presented a summary of work completed to date on how the District's 13 Gravel Pit Agreements ("GPA") may be leveraged to improve St. Vrain Creek flow. Staff worked with Schnabel Engineering ("Schnabel") to analyze the potential for using GPA water for instream flows and where future District resources may be prioritized to shepherd such flows. Schnabel also categorized the GPAs based on District ownership of the augmentation supplies, the ability to leave augmentation water in St. Vrain Creek, and the level of bypass infrastructure existing along each section of the creek between the GPA augmentation sources and the gravel pits. Staff also met and discussed the concepts of Creek Improvement Facilities ("CIFs") and using GPA water for dedicated instream flows with CWCB and the Colorado Water Trust.

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C. Dowe Flats Comment Submission – Ms. Jenny McCarty

Boulder County is accepting public comments on the CEMEX Dowe Flats Mining and Reclamation Extension application through August 17, 2022. Ms. McCarty reported the District is interested in the quarry pits at Dowe Flats to be used as CIFs. As such, Staff developed a draft comment requesting Boulder County consider the District as a potential partner for reclamation at Dowe Flats and the use of old quarry pits as CIFs.

IV. ACTION ITEMS

A. Weather Modification – Mr. Scott Griebing and Garrett Cammans with North American Water Consultants (NAWC)

Mr. Griebing reported the District is partnering with the Colorado Water Conservation Board (“CWCB”) to develop a pilot weather modification program for the St. Vrain and Left Hand basins to increase snowpack and runoff in the St. Vrain and Left Hand Creeks. The District and the CWCB intend to contract with the North American Weather Consultants (“NAWC”) to install and operate a remote cloud seeding generator. The CWCB has agreed to pay for the remote cloud seeding generator equipment, at a cost of \$43,000, and the District will cover the annual service costs of \$33,750 associated with operating the equipment from December 1, 2022, through March 31, 2023. Mr. Cammans reported NAWC will begin to identify a location to install the remote cloud seeding generator and to begin the permitting process upon approval from the District and CWCB. NAWC will operate the remote cloud seeding generator through April 2023 and will provide the District a project summary report following the completion of the program. The Board discussed the impact of one versus multiple generators and the effectiveness and environmental impacts of cloud seeding.

Director Yanchunas moved to approve the of the Agreement for Cloud Seeding Professional Services with the NAWC for up to two generators, conditioned upon approval of CWCB funding and the public hearing, and with future Board approval of any costs above the amount identified. Vice President Varra seconded the motion, and the motion passed unanimously.

B. Holiday Schedule – President Smith

President Smith reported this year’s Christmas and New Year’s holidays fall on a Sunday with the District office scheduled to be closed on Monday, December 26 and Monday, January 2. Given the period between these two holidays is generally not busy for the District, President Smith recommended an administrative closure of the office from Tuesday, December 27 through Friday, December 30, as a way to show Board appreciation for work completed by staff during the year.

V. REPORTS

A. Finance Committee Report – Treasurer Mike Rademacher

Treasurer Rademacher reported the committee met this morning and reviewed 2nd quarter financial statements, invoices and reports. The Directors had no concerns.

B. Water Commissioner Report

Commissioner Sumerford was not able to attend the meeting and emailed the following

report presented by Executive Director Cronin:

- The call on the main stem of the South Platte River is at Tremont Ditch, admin #19009, 1-17-1902.
- The call on St. Vrain Creek is at Davis and Downing Ditch, admin #6149, 11-1-1866.
- The St. Vrain Creek at Lyons gage reading was 114 cfs at 8AM on 8/8/2022.
- Reservoir readings in the basin at the end of July were 77% of capacity due to the drier climate.

C. Legal Report – Mr. Scott Holwick

Mr. Holwick presented the following report:

- There was one application of potential interest in the June resume for Water Division No. 1. In the Application Of Longmont, Case No. 22CW3083, Longmont seeks a finding of reasonable diligence for its conditional direct flow right for Liberty Pipeline (appropriation date of November 13, 1964 in the amount of 20 cfs) and for its conditional water storage right for Liberty Reservoir (appropriation date of November 13, 1964 in the amount of 1,515.8 AF). Counsel recommended to not file a statement of opposition in this case.
- On May 25th, the Division Engineer approved the District's request to add new members and remove exiting members from its augmentation plan subject to certain conditions. On June 3rd, Counsel met with staff and Mr. McLean to discuss the conditions. Staff and Mr. McLean have engaged with the Division Engineer to resolve these conditions.
- Counsel and staff met in July and are working on drafting a Creek Improve Facilities ("CIF") scope of work for the Board to review at the September Board meeting. The scope of work will address the legal aspects for the District's engagement with one or more potential CIF projects. It will also provide intersection, as applicable, with the diligence calendar for the District's Coffintop Reservoir conditional water storage rights.
- In the Application Of Little Thompson Water District, Case NO. 21CW3112, the District sought a finding of reasonable diligence for conditional water rights and to perfect 1,157.03 AF (out of 1,400 AF; appropriation date of August 4, 2005) for Bayshore Lakes. The Water District tendered a ruling to the Referee on July 28th.
- In the Application Of Longmont, Case NO. 21CW3209, the City of Longmont seeks conditional surface rights for the Dickens Augmentation Structure, the Golden Farms Augmentation Structure, and the Sandstone Augmentation Structure, and also a conditional water storage right for Union Reservoir, Pump Station(s) Fill Right. Pursuant to the Case Management Plan, Longmont circulated a proposed ruling on June 17th, and opposers have until September 2nd to submit comments. Because Mr. McLean is assisting Longmont with this case, Counsel and staff are working on comments to submit by the deadline.
- At the request of Executive Director Cronin, Counsel provided written feedback on the draft Passage Playbook. Counsel also provided analysis for the District related to how to treat Director vacancies and term expiration, and provided guidance related to the Longmont Partner Funding Agreement.

D. Projects and Programs Report – Mr. Scott Griebing

Mr. Griebing presented the following report:

- Flows in the St. Vrain Creek have dropped to around 100 cfs recently which is slightly below median for this time of year. There has been an increase in the U.S. Drought Monitor intensity from last month in Boulder County. Annual stream volume remains around 25% of normal.
- The Augmentation 2022 billing is completed. Revenue is above budget and additional details will follow during the fall budgeting process.

- Staff received pre-design reports on Copeland Reservoir and will present information at the September meeting.
- Staff is working to find local financial contributors to ensure Colorado Airborne Snow Measurement snow flights will happen this upcoming winter in our basin.
- Mr. Griebing will be providing an update on the District's Stream Management Plan at the next South Platte Basin Roundtable meeting.
- Staff will be attending the Summer Water Congress conference later this month.
- September 1st is the deadline for submitting a Partner Funding Request. Staff will bring requests to the Board for approval in November.

E. Executive Director Report – *Executive Director Cronin*

Executive Director Cronin gave the following report:

- The SDA's annual conference is in September.
- The office roof leaked the previous week. The HOA is aware of the issue.
- The District website is being updated. A photographer will be taking new photos of staff and Directors.
- Natural Resources Conservation Service (NRCS) Watershed Operations Program (PL-566) funding is available. Staff is identifying potential projects and partners to work with.
- Board tour is scheduled for November 3rd of the Jamestown project and Chimney Hollow.
- An office Open House is scheduled for October 27th.
- There are 3 Director seats up for renewal. Director Yanchunas is not seeking reappointment.
- Executive Director Cronin thanked the Board for the administrative closure during the holidays.

F. Items from the Board – *President Smith*

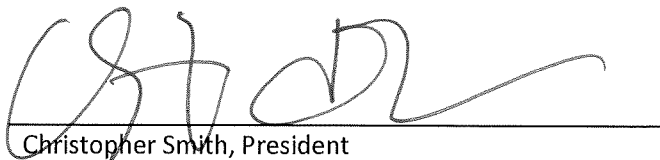
Director Yanchunas requested reconfiguring the seating arrangements so the Chair can better formally recognize Directors seeking to speak.

At 2:49 PM, Director Yanchunas moved to adjourn the Board meeting. Director Moore seconded the motion, and the motion passed. Director Golden left the meeting at 2:20 PM and was not present for the vote.

Respectfully Submitted,



Mona Ruark, Assistant Secretary



Christopher Smith, President