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## Exploring Colorado's New Water Plan, Featuring Representatives from the Colorado Water Conservation Board

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prioritize its water resources.

Eklund commented on the Water Plan's expeditious process, which started in 2013 and is due at the Governor's desk in December 2014. He explained that the CWCB is closely following every water issue discussion in the state in order to make the process as inclusive as possible. The process includes basin roundtables, grassroots discussions that inform basin implementation plans across the state. The basin implementation plans will, in turn, inform the drafting of the Water Plan. Eklund stated that once the CWCB submits the first version of the Water Plan, the CWCB will engage the state as whole in order to further refine and improve the Water Plan.

Eklund finished his presentation by reminding the audience that planning for future water use was an obligation of the state. He called on those present to engage in the process in order to help the CWCB "get it right."

*Edgar Barraza*

#### EXPLORING COLORADO'S NEW WATER PLAN, FEATURING REPRESENTATIVES FROM THE COLORADO WATER CONSERVATION BOARD

Addressing potentially the most important contemporary water issue in the state, the University of Denver Water Law Review Annual Symposium focused on the Colorado Water Plan ("Colorado Plan"). The Symposium began with a panel discussion featuring members of the Colorado Water Conservation Board ("CWCB"). The discussion focused on three particular areas: (i) the role the Statewide Water Supply Initiative ("SWSI") will play in the new Colorado Plan; (ii) how the Colorado Plan will address the many issues surrounding the Colorado River; and (iii) an overview of how the environment and recreation fit into the Colorado Plan. Working in concert, these topics help to better illuminate the work the CWCB is undertaking to complete the Colorado Plan.

The first panelist, Rebecca Mitchell, the Water Supply Planning Section Chief at the CWCB, detailed the role SWSI would play in the final version of the Colorado Plan. Completed in 2010, SWSI was a technical analysis of Colorado's water issues. It addressed demands for water in the state, supplies of water in the state, the gaps between supply and demand, and potential solutions to those gaps. The CWCB is currently updating the SWSI to coincide with the Colorado Plan. The update will establish a narrative-driven approach while incorporating new planning methods and measures that will assess the uncertain nature of future conditions.

Mitchell then transitioned to discussing how the CWCB will incorporate the SWSI into the Basin Roundtables ("BRTs"), which Mitchell explained are key components in developing the Colorado Plan. The Water For The Twenty-First Century Act, which the Colorado General Assembly passed in 2005, created the nine BRTs across Colorado to provide local, collaborative forums for stakeholders. Each of these BRTs is developing a Basin Implementation Plan designed to address the water supply gaps in the region. Mitchell explained that the CWCB will develop these Basin Implementation Plans in coordination with the updated SWSI. From there, the BRTs will send the Basin Implementation Plans to the CWCB, which will then incorporate

elements of the plans into the Colorado Plan. Through this process SWSI will flow through the BRTs, allowing the various stakeholders across the state to provide input before the Colorado Plan adopts the nine BRTs' recommendations.

Next, Ted Kowalski, the Interstate, Federal & Water Information Section Chief at the CWCB, explored the difficulties surrounding the Colorado Plan and the Colorado River Basin in particular. The Colorado River presents unique challenges for the CWCB because it impacts seven of the nine BRTs and is the subject of interstate compacts. Due to these difficulties, the Colorado Plan will build upon a number of interstate efforts to create a manageable and effective plan around the Colorado River.

As Kowalski explained, the Colorado Plan will draw from the Colorado River Basin Study, which analyzed strategies to mitigate supply and demand imbalances through 2060. This study, conducted by the Bureau of Reclamation's Upper Colorado and Lower Colorado Regions in 2010, proposed a number of potential solutions to the large supply and demand gap that exists on the Colorado River and explained that no one alteration would completely mitigate the problem. The Colorado Plan will also incorporate aspects of Upper Colorado River Basin Compliance Planning initiatives, which explore strategies upper basin states may utilize to increase the likelihood of compact compliance.

Additionally, the Colorado Plan will incorporate ideas and data from the Water Bank Working Group. The Water Bank Working Group is currently working with Colorado State University on a multi-year study to assess deficit irrigation in western Colorado. This analysis will help the CWCB to create a water plan that minimizes the potential of violating interstate compacts. Additionally, the CWCB will use the Colorado River Water Availability Study ("CRWAS") to provide technical data for the BRTs. CWCB is utilizing CRWAS to understand historic hydrology and extrapolate that data to explore what effect climate change could have on water hydrology. Kowalski stressed that while this is not an exhaustive list of all of the inputs the CWCB will analyze in ensuring the Colorado Plan is workable and efficient for the Colorado River Basin, it certainly shows how important the basin is to the CWCB.

Finally, Linda Bassi, the Stream and Lake Protection Section Chief at the CWCB, provided an overview of how the Colorado Plan will address environmental and recreational concerns. Of the four broad goals the CWCB outlined at the inception of the drafting phase of the Colorado Plan, two pertained to ensuring a healthy environment and expanding the recreation and tourism economies. In an attempt to meet these goals, the CWCB mandated that each BRT conduct a Nonconsumptive Needs Assessment. The first phase of the Nonconsumptive Needs Assessment included a stakeholder-focused mapping effort designed to indicate where important environmental and recreational attributes exist in each basin. The second phase identified projects and methods that each basin can utilize to ensure that these attributes receive an adequate nonconsumptive water supply.

The CWCB's goal is to have the BRTs incorporate the ideas expressed in the Nonconsumptive Needs Assessments into their Basin Implementation Plans. To assist basin stakeholders, the CWCB created a compilation of information designed to illuminate the various projects and methods available

to meet each basin's nonconsumptive needs. Bassi referred to this compilation as the "Nonconsumptive Toolbox." One tool that the CWCB is employing is the Nonconsumptive Gap Analysis, which will help the BRTs identify gaps in the protection of environmental and recreational attributes by illuminating which areas in a given basin are at risk. Bassi also explained that the Nonconsumptive Gap Analysis organizes existing protection measures for environmental and recreational areas into quantifiable data sets, which encourages the BRTs to identify long-term goals and outcomes for those areas.

Overall, Mitchell, Kowalski, and Bassi provided a helpful overview of the CWCB's approach to the Colorado Plan. All three speakers stressed the importance of allowing Coloradoans to have a voice in the Colorado Plan—whether through the BRT's or by contacting the CWCB directly. It may be unclear what the next chapter of Colorado water planning will be, but whatever it is, each speaker on the panel was confident that the Colorado Plan would certainly play an important role.

*Matt Freemann*

#### COLORADO'S BASIN ROUNDTABLES - PERSPECTIVES FROM AROUND THE STATE

The University of Denver Water Law Review held its Seventh Annual Symposium on April 18. The title of the second panel of the morning was "Colorado's Basin Roundtables - Perspectives from Around the State." Star Waring, natural resources and water law attorney at Dietz & Davis, P.C. and adjunct professor of water law at the University of Denver Sturm College of Law, moderated the four-person panel. The discussion focused on the importance of open communication and mutual understanding between representatives from each of Colorado's nine basin roundtables. The panelists included Marc Waage, Denver City and County Representative for the Metro Basin Roundtable; Gary Barber, Chair of the Arkansas Basin Roundtable; Ken Neubecker, Environmental Representative of the Colorado Basin Roundtable; and Sean Cronin, Chair of the South Platte Basin Roundtable. The four panelists presented a range of perspectives that highlighted the diversity of concerns for Colorado's various water interests, as well as the importance of working together to find common solutions.

Marc Waage, Denver City and County Representative for the Metro Basin Roundtable, began his comments by making light of the often-adversarial position occupied by the urban districts in water planning discussions. As the home to the majority of Colorado's populace, urban districts will inevitably make demands on the state's water resources that the more agricultural regions are prone to protest. However, Waage pointed out, this opposition can be reframed in a more productive manner to achieve a healthy mutual understanding. Urban areas are responsible for the overwhelming majority of the state's economy and inevitably facilitate opportunities for the other regions. Furthermore, agriculture is responsible for 85% of the state's water consumption, but only 5% of the state's economy; indicating that urban and industrial regions are comparatively more efficient with their water use. Nonetheless, Waage highlighted the importance of working with the other