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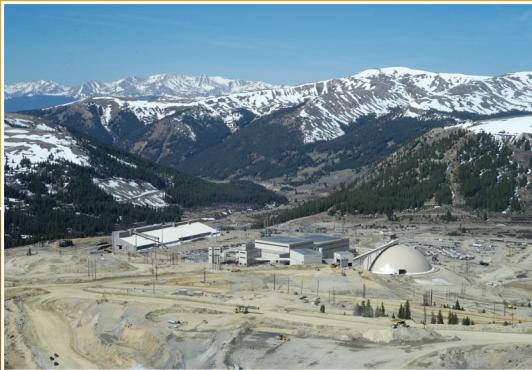
QQ Quarterly Board Meeting

Thursday, November 2, 2017
10 AM – 3 PM

Summit County Community and Senior Center
83 Nancy's Place, Frisco, CO

AGENDA

- 10 AM Introductions
- 10:15 AM Stream management planning: current work and opportunities
Nicole Seltzer, April Long, Lotic Hydrological and other presenters TBD.
- 11:45 AM Updates of ongoing work—Torie, Barbara, Lane
- 12:00 PM 2018 contract review
- 12:15 PM Lunch
- 1:00 PM Member updates
- 1:45 PM Ongoing work updates continued, water quality—Lane & Torie
- 2:15 PM CWCB and Water Plan implementation update
Becky Mitchell, CWCB Director
- 3:00 PM Adjourn



Standards Update August 2017

Climax Molybdenum Company ("Climax") is providing this update on the Colorado Molybdenum Standards to stakeholders to summarize the Climax proposals for revisions to the domestic water supply and agriculture molybdenum standards included in the Basic Standards, Regulation 31, and in two segments included in the Upper Colorado Basin Standards, Regulation 33. This summary follows upon several years of dialog, research and technical information exchange between Climax, its local and regional water quality stakeholders and regulatory agencies toward the application of the best available science in the establishment of protective levels of molybdenum in Colorado's classified waters.

This update also includes a schedule of important events leading up to the December 12, 2017 hearing scheduled by the Colorado Water Quality Control Commission.

A third formative report related to the toxicological effects of molybdenum on human health was issued earlier this year. This study, sponsored by the International Molybdenum Association (IMOA), rounds out the following list of robust, quality assured scientific research:

- 90-Day subchronic toxicity study of sodium molybdate dihydrate in rats (2013)
- Developmental toxicity study of sodium molybdate dihydrate administered in the diet to Sprague Dawley rats (2014)
- Two-generation (one litter per generation) reproduction study of sodium molybdate dihydrate in rats (2017)

The three toxicity studies represent recent, state-of-the-art studies performed according to the Organization for Economic Cooperation and Development (OECD) guidelines. They establish that molybdenum is significantly less toxic than indicated in older toxicity studies.

For agriculture standards, research performed by the Colorado State University Department of Animal Science was completed and published in May 2017. This research, performed on feedlot cattle, informs the agriculture molybdenum standard from observations of the direct water ingestion of molybdenum over a chronic exposure.

As a result of this research, Climax proposes the following changes to the Basic Standards:

- Domestic Water Supply – Adopt 9,000 µg/L to replace 210 µg/L
- Agriculture – Adopt 1,000 µg/L to replace 300 µg/L

Purpose for Reviewing Basic Standards

Molybdenum water quality standards do not exist on a federal level. The current Colorado Molybdenum Standards were based on inadequate studies that did not meet appropriate guidelines nor peer-review processes, but were all that were available at the time the existing regulations were established. IMOA, in its role of developing regulatory proposals concerning molybdenum in the environment and its effects on human health, determined that new studies that would meet OECD guidelines and peer review were warranted to establish appropriate standards.

As one of its approximately 50 members, Climax supports IMOA in its efforts to develop science suitable for use in the establishment of standards for molybdenum in Colorado. Adoption of the Climax-proposed changes to the Basic Standards will not affect the company's operating or water treatment practices.

Domestic Water Supply Standard

The proposed water supply standard of 9,000 µg/L is based on three recent toxicity studies and application of the following conventional methodology included in Colorado's Policy 96-2 for the development of "Statewide Standards and Table Value Criteria for Domestic Water Supply":

$$\text{Drinking Water Standard, } \mu\text{g/L} = \frac{\text{RfD} \times 70 \times 1000 \mu\text{g/mg} \times \text{RSC}}{2 \times \text{UF}}$$

As applied in this hearing:

- Reference Dose (RfD) = 0.566 mg Mo/kg-bw/day
- Weight of average adult = 70 kg
- Drinking water consumption = 2 L/day
- Relative Source Contribution (RSC) = 0.5
- Uncertainty Factor (UF) = 1.0

A total uncertainty factor of 30 was applied in developing the RfD=0.566 Mo/kg-bw/day. Application of the values above in the Policy 96-2 equation results in a drinking water standard for molybdenum of 9,915 µg/L. This value was reduced to 9,000 µg/L to include an additional margin of safety.

Agriculture Standard

The agriculture standard of 1,000 µg/L is based on the results of the Colorado State University study and an equation that was developed by the Colorado's Water Quality Control Division in the 2010 Basic Standards hearing.

In the Colorado State University study, 30 young steers received molybdenum in drinking water at five target dose levels (0, 160, 320, 480, and 960 µg/L) in a randomized block design whereby animals in two replicate groups were chronically exposed to molybdenum in water from February through November of 2015. The results of this study showed that molybdenum added to the drinking water at levels up to 1,026.8 µg/L¹ had no impact on performance, mineral status, water intake, and carcass characteristics. The dose of 1,026.8 µg/L is considered to be a No Observable Adverse Effect Level (NOAEL) which provides a basis for the water quality standard of 1,000 µg/L. While the study design and protocol were based on the available body of research, because the highest dose tested was 1,026.8 µg/L, it is possible that a true NOAEL would be even higher. Therefore, a standard of 1,000 µg/L is justified based on the results of the study.

A standard of 1,000 µg/L is based on the results of the feedlot steer study and application of actual data from the study in the current equation used in the Water Quality Control Division's methodology.

Summary of the Proposed Changes to Upper Colorado River Basin Molybdenum Standards

- Williams Fork River, Upper Colorado River Basin Segment 8
Agriculture – Adopt 1,000 µg/L to replace 190 µg/L
- Tenmile Creek, Blue River Segment 14
Domestic Water Supply – Adopt 9,000 µg/L to replace 210 µg/L, and delete the “current conditions” temporary modification

Schedule of Important Events

| | |
|--------------------|---|
| September 27, 2017 | Climax Prehearing Statement including supporting evidence |
| October 4, 2017 | Party status requests due for other parties |
| October 27, 2017 | Respondent’s Prehearing Statement including supporting evidence |
| November 22, 2017 | Rebuttal |
| November 29, 2017 | Prehearing conference |
| December 12, 2017 | Molybdenum Standards Hearing, Regulation 31 Basic Standards and Regulation 33 Williams Fork and Tenmile Creek, 10:00 AM |

With whom is Climax communicating?

In addition to Climax's participation in regulatory proceedings before the Water Quality Control Commission, Climax continues to coordinate with the Water Quality Control Division. Together we have established a stakeholder group that is open to all parties that indicated their interest in this regulatory proceeding. Those parties invited to participate include Region VIII of the U.S. Environmental Protection Agency, and its Washington, D.C. Office of Water, the Colorado Department of Agriculture, Colorado State University, representatives from Summit County municipalities, Denver Water and the Clinton Ditch and Reservoir Company. We have also provided direct updates in recent months to the Summit Water Quality Committee (SWQC), the Upper Clear Creek Watershed Association (UCCWA), the Grand County Water Information Network (GCWIN), Denver Water, and Clinton Ditch and Reservoir Company, among others. Climax is willing to meet informally with any stakeholders who may have interest in the science, the standards process, or the specifics of water management at our facilities.

Who can I contact to get more information?

If you have specific questions or you would like additional information, including copies of the published articles, please contact:

| | | |
|-------------|----------------|----------------|
| Ray Lazuk | rlazuk@fmi.com | (719) 486-7584 |
| Bryce Romig | bromig@fmi.com | (720) 942-3231 |

¹The Colorado State University study notes that the target dose of 960 µg/L was actually 1,026.8 µg/L, based on the measured mean molybdenum concentration ingested by the test animals.

BEFORE THE WATER QUALITY CONTROL COMMISSION
STATE OF COLORADO

IN THE MATTER OF REVISIONS TO THE MOLYBDENUM STANDARDS FOR THE BASIC STANDARDS AND METHODOLOGIES FOR SURFACE WATER, REGULATION #31 (5 CCR 1002-31), AND IN RESOLUTION OF THE MOLYBDENUM TEMPORARY MODIFICATION ON SEGMENT 14 OF THE BLUE RIVER IN THE CLASSIFICATIONS, STANDARDS AND DESIGNATIONS FOR MULTIPLE SEGMENTS IN THE UPPER COLORADO RIVER BASIN AND NORTH PLATTE RIVER, REGULATIONS #33 (5 CCR 1002-33).

**APPLICATION FOR PARTY STATUS FOR THE
NORTHWEST COLORADO COUNCIL OF GOVERNMENTS**

The Northwest Colorado Council of Governments (“NWCCOG”) respectfully requests that it be granted party status to participate in the hearings and rulemaking for consideration of Commission Regulations #31 and #33 (5 CCR 1002-31 and 5 CCR 1002-33).

The facts which entitle NWCCOG to be admitted as a party are as follows:

1. The NWCCOG is the designated water quality planning agency for Region 12 which encompasses the Upper Colorado River Basin.
2. The NWCCOG has participated in the stakeholder process for evaluating Climax's proposed changes to water quality standards for molybdenum.

Respectfully submitted this 3rd day of October, 2017.



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Last Updated: July 2017

Colorado Water Conservation Board

Water Plan Grant Application

Instructions

To receive funding for a Water Plan Grant, applicant must demonstrate how the project, activity, or process (collectively referred to as “project”) funded by the CWCB will help meet the measurable objectives and critical actions in the Water Plan. Grant guidelines are available on the CWCB website.

If you have questions, please contact CWCB at (303) 866-3441 or email the following staff to assist you with applications in the following areas:

| | |
|-------------------------------------|-----------------------------|
| Supply and Demand Gap Projects | Gregory.Johnson@state.co.us |
| Water Storage Projects | Anna.Mauss@state.co.us |
| Conservation, Land Use Planning | Kevin.Reidy@state.co.us |
| Engagement & Innovation Activities | Mara.MacKillop@state.co.us |
| Agricultural Projects | Brent.Newman@state.co.us |
| Environmental & Recreation Projects | Linda.Bassi@state.co.us |

Applicants interested in submitting an ‘Intent to Apply’ in the future are encouraged to check here and fill in all sections with the best information available at the time. Exhibits may be excluded.

This “Intent to Apply” will help CWCB prioritize Projects that are not ready for fully completed Water Plan Grant Application due to the initial timeframe and required deadlines.

FINAL SUBMISSION: Submit all application materials to waterplan.grants@state.co.us in the original file formats [Application (word); Statement of Work (word); Budget/Schedule (excel)]. Please do not combine documents.

Water Project Summary

| | |
|---|--|
| Name of Applicant | Northwest Colorado Council of Governments |
| Name of Water Project | Water savings measures in land use codes in the headwaters |
| CWP Grant Request Amount | \$ 25,500 |
| Other Funding Sources local government contrib. | \$ 12,500 |
| Other Funding Sources WSRF basin grant | \$ 5,000 |
| Other Funding Sources _____ | |
| Applicant Funding Contribution | \$ 31,500 |
| Total Project Cost | \$ 74,500 |

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| Applicant & Grantee Information | |
|--|--|
| Name of Grantee(s) | Northwest Colorado Council of Governments |
| Mailing Address | PO Box 2308, Silverthorne, CO 80498 |
| FEIN | 84-0639906 |
| Organization Contact | Torie Jarvis |
| Position/TITLE | Co-Director, Water Quality/ Quantity Committee |
| Email | qqwater@nwccog.org |
| Phone | 970-596-5039 |
| Grant Management Contact | Jon Stavney |
| Position/TITLE | Executive Director |
| Email | jstavney@nwccog.org |
| Phone | 970-468-0295 |
| Name of Applicant (if different than grantee) | |
| Mailing Address | |
| Position/TITLE | |
| Email | |
| Phone | |

| Description of Grantee/Applicant | |
|--|--|
| Provide a brief description of the grantee's organization (100 words or less). | |
| <p>Northwest Colorado Council of Governments (NWCCOG) is a voluntary association of county and municipal governments in Grand, Summit, Eagle and Pitkin counties. The NWCCOG Water Quality and Quantity Committee (QQ) comprises municipalities, counties, water and sanitation districts, and conservancy districts, in the region and in Park and Gunnison Counties. QQ augments efforts of member jurisdictions to protect and enhance the region's water quality while encouraging its responsible use. This includes work to better integrate land use and water planning throughout the headwaters region and on a statewide level, where QQ was heavily involved in the development of Colorado's Water Plan.</p> | |

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| Type of Eligible Entity (check one) | |
|--|---|
| X | Public (Government): Municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities. Federal agencies are eligible, but only if they can make a compelling case for why a local partner cannot be the grant recipient. |
| | Public (Districts): Authorities, Title 32/special districts (conservancy, conservation, and irrigation districts), and water activity enterprises. |
| | Private Incorporated: Mutual ditch companies, homeowners associations, corporations. |
| | Private Individuals, Partnerships, and Sole Proprietors: Private parties may be eligible for funding. |
| | Non-governmental organizations (NGO): Organization that is not part of the government and is non-profit in nature. |
| | Covered Entity: As defined in Section 37-60-126 Colorado Revised Statutes . |

| Type of Water Project (check all that apply) | |
|---|---|
| X | Study |
| | Construction |
| | Identified Projects and Processes (IPP) |
| X | Other- technical assistance to implement study in local governments |

| Category of Water Project (check all that apply and include relevant tasks) | | |
|--|---|----------|
| | Supply and Demand Gap - Multi-beneficial projects and those projects identified in basin implementation plans to address the water supply and demand gap. <i>Applicable Exhibit A Task(s):</i> | |
| | Water Storage - Projects that facilitate the development of additional storage, artificial aquifer recharge, and dredging existing reservoirs to restore the reservoirs' full decreed capacity. <i>Applicable Exhibit A Task(s):</i> | |
| X | Conservation and Land Use Planning - Activities and projects that implement long-term strategies for conservation, land use, and drought planning. <i>Applicable Exhibit A Task(s): Tasks 1-4</i> | |
| | Engagement & Innovation - Activities and projects that support water education, outreach, and innovation efforts. Please fill out the Supplemental Application on the website. <i>Applicable Exhibit A Task(s):</i> | |
| | Agricultural - Projects that provide technical assistance and improve agricultural efficiency. <i>Applicable Exhibit A Task(s):</i> | |
| X | Environmental & Recreation - Projects that promote watershed health, environmental health, and recreation. <i>Applicable Exhibit A Task(s): Tasks 1, 2, and 4.</i> | |
| | Other | Explain: |

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Location of Water Project

Please provide the general county and coordinates of the proposed project below in **decimal degrees**.
The Applicant shall also provide, in Exhibit C, a site map if applicable.

| | |
|-----------------|--|
| County/Counties | Grand, Summit, Pitkin, Eagle, Park, Gunnison counties, Carbondale, Steamboat Springs |
| Latitude | n/a |
| Longitude | n/a |

Water Project Overview

Please provide a summary of the proposed water project (200 words or less). Include a description of the project and what the CWP Grant funding will be used for specifically (e.g., studies, permitting process, construction). Provide a description of the water supply source to be utilized or the water body affected by the project, where applicable. Include details such as acres under irrigation, types of crops irrigated, number of residential and commercial taps, length of ditch improvements, length of pipe installed, and area of habitat improvements, where applicable. If this project addresses multiple purposes or spans multiple basins, please explain.

The Applicant shall also provide, in Exhibit A, a detailed Statement of Work, Budget, Other Funding Sources/Amounts and Schedule.

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Water Project Overview

QQ proposes a three-part project to:

- 1) assess existing water savings and water quality measures in land use codes in the QQ region,
- 2) develop model performance standards for water savings, tailored to the rural headwaters nature of the QQ region, and
- 3) provide technical assistance to integrate the model standards into up to five communities in the QQ region.

While significant project costs will be borne by QQ through the work of their contract staff, CWCB funding will allow for additional funding for development of the model code, attorney review, to match costs for a legal intern to research existing codes in the QQ region, and to offset some expense borne by the local governments receiving technical assistance to better integrate water savings into their land use code. The project benefits communities in the headwaters of the Colorado, Yampa, Gunnison and South Platte basins through their membership to QQ, and will have statewide benefit as a replicable model for other communities.

Measurable Results

To catalog measurable results achieved with the CWP Grant funds, please provide any of the following values as applicable:

| | |
|--|---|
| | New Storage Created (acre-feet) |
| | New Annual Water Supplies Developed or Conserved (acre-feet), Consumptive or Nonconsumptive |
| | Existing Storage Preserved or Enhanced (acre-feet) |
| | Length of Stream Restored or Protected (linear feet) |
| | Efficiency Savings (indicate acre-feet/year OR dollars/year) |
| | Area of Restored or Preserved Habitat (acres) |
| | Quantity of Water Shared through Alternative Transfer Mechanisms |
| 149, 143 (some may already be impacted but requires an assessment to see who is covered already) | Number of Coloradans Impacted by Incorporating Water-Saving Actions into Land Use Planning |
| | Number of Coloradans Impacted by Engagement Activity |

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| Measurable Results | | |
|--------------------|-------|----------|
| | Other | Explain: |
| | | |

Water Project Justification

Provide a description of how this water project supports the goals of [Colorado's Water Plan](#), the most recent [Statewide Water Supply Initiative](#), and the applicable Roundtable [Basin Implementation Plan](#) and [Education Action Plan](#). The Applicant is required to reference specific needs, goals, themes, or Identified Projects and Processes (IPPs), including citations (e.g. document, chapters, sections, or page numbers).

The proposed water project shall be evaluated based upon how well the proposal conforms to Colorado's Water Plan Framework for State of Colorado Support for a Water Project (CWP, Section 9.4, pp. 9-43 to 9-44;)

QQ's proposed project meeting the grant criteria for the Water Plan grant, as provided in the Grant Application Guidelines.

Does the project reduce overall future water needs through cost-effective water efficiency measures? The project will help local governments better evaluate adequate water supplies for proposed development projects and to better review and required water savings measures for future development. Instituting local regulation that address water savings is cost-effective, especially for developers, who understand the regulations and what's required of them from the very early stages of project development.

Does the project integrate water efficiency planning and projects into overall water resource management? Yes, the heart of the project is in integrating water efficiency planning to local government regulation. While this effort does not incorporate the water provider, having strong water savings measures in local land use codes means water efficiency is inherently part of development and water resource management.

Does the project promote a water efficiency ethic throughout Colorado? Yes, in addition to providing resources to QQ member local governments, the inventory of land use measures addressing water quality and water savings and the model water savings performance standards will be scaleable and replicable throughout Colorado, and QQ members want to serve as an example and work to promote similar efforts around the State.

Does the project explore additional water reuse options? Options for water reuse requirements in land use codes will be one of the topics researched and potentially included in the model water savings performance measures. The inventory of QQ local governments will also show whether and to what extent local governments already required reuse when approving development.

Does the project integrate land use and water planning? Yes, this project working directly to develop an understanding of what water savings measures local governments in the QQ region already employ in their land use codes and offers direct technical assistance and model code resources to continue to integrate land use and water planning.

Does the project advance conservation planning efforts? Yes, by better integrating water savings measures into land use codes, ideally the water provider and local government

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Water Project Justification

planning bodies will better communicate and work together, helping the water provider better advance conservation efforts.

Does the project advance drought mitigation planning efforts? Yes, many water savings and water quality performance standards also address drought mitigation, such as riparian setbacks, landscaping and post-construction revegetation requirements, water quality or wetlands protection and monitoring requirements for impacts to rivers for industrial development, and special permitting considerations for development in wildfire and other geologic hazard areas.

Does the project reduce impacts and prepare for the impacts of climate change? Yes, similarly to incorporating drought mitigation measures, the model water savings standards will consider climate change impacts, and in particular the occurrence of stronger storm events, through standards that address erosion and sediment transfer control, stormwater control, construction in hazardous and flood-prone areas, and the protection of sensitive areas.

QQ's proposed project supports a central goal of Colorado's Water Plan, namely that 75% of Coloradans will live in communities that have incorporated water-saving actions into land-use planning (see Ch. 6.3.3). The project addresses several important components of this goal. First, the inventory of existing land use measures that address water savings and water quality will help in identifying how many Coloradans currently live in communities with water savings measures in their land use codes. Secondly, the project will develop a model code that will make incorporating such measures easier for communities in the QQ region and around the State. Finally, with technical assistance, five communities in the QQ region will incorporate or strengthen water savings measures in their land use codes, getting the State closer to its goal of 75% and setting an example for other communities around the State.

QQ's proposed project meets and exceeds the project criteria described in the Water Plan:

Does the project proponent demonstrate a commitment to collaboration? QQ is a collaborative model, with local governments sharing resources, advice, and working as a group to protect water quality. Similarly, this project will operate through collaboration, with multiple jurisdictions sharing their experiences to create the model water savings performance standards, with opportunities for member jurisdictions to comment and integrate ideas at every step. QQ also looks at local government regulation outside of the QQ region and even outside of the state in creating the model standards to ensure the model reflects current best practices.

Does the project proponent address an identified water gap? The project addresses water gaps and water conservation by evaluating what water savings measures currently exist in the QQ region and developing model water savings performance standards that can assist communities in reducing water demands, employing no-and-low regrets strategies. The project will also serve as a model for communities around the state to conduct similar inventories and borrow from the QQ model standards.

Does the project proponent demonstrate sustainability? The project will ensure that future development and water projects, permitted in QQ local jurisdictions, employ sustainable practices that meet the local performance standards. For example, the model code will provide landscaping requirements, adequate stream buffer recommendations, model water restrictions, monitoring and mitigation requirements, and examples of water conservation plans through conservancy districts. The project will also provide technical support to begin integrating elements from the model standards into local land use codes in the QQ region. These performance standards help ensure local permitted development does not adversely affect

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Water Project Justification

recreational and tourism amenities in the community, employs adequate mitigation and monitoring, maximizes available water supplies, and protects water quality.

Does the project proponent establish the fiscal and technical feasibility of the project?
 QQ member dues will pay for a substantial amount of the project, as this project is directly in line with ongoing work of QQ. QQ has been doing this type of work for many years. Most recently, with DOLA support, QQ has been developing model water quality performance standards for local governments, and so understanding the technical and financial challenges in taking on such a project. The project is scheduled to be completed in November of 2017. The local governments who receive technical assistances to integrate the model standards into their land use plans will contribute match CWCB funding for that technical assistance. In these ways, the project is fiscally and technically feasible.

The project addresses goals from the Colorado Basin Implementation Plan. The project will directly address two of the seven priorities outlined in the Colorado BIP: 1) encourage a high level of basinwide conservation, and 2) develop local water-conscious land use strategies. A letter of support from the Colorado Basin Roundtable confirms that this project will support the Roundtable's priorities from their BIP.

The project addresses goals from SWSI 2010. One of SWSI 2010's recommendations was to support local water supply planning, observing that local land use planning and water supply planning can and should be better linked. This project directly addresses this recommendation.

Related Studies

Please provide a list of any related studies, including if the water project is complementary to or assists in the implementation of other CWCB programs.

QQ received project funding under the 2016-2016 Department of Local Affairs Energy/ Mineral Impact Assistance Fund Grant to develop model water quality performance standards for the QQ region. The project proposed through this Water Plan grant is a complimentary effort which will produce a model for water savings performance standards, along with technical assistance and an inventory of existing local regulations relating to water quality and water savings measures.

Previous CWCB Grants, Loans or Other Funding

List all previous or current CWCB grants (including WSRF) awarded to both the Applicant and Grantee. Include: 1) Applicant name; 2) Water activity name; 3) Approving RT(s); 4) CWCB board meeting date; 5) Contract number or purchase order; 6) Percentage of other CWCB funding for your overall project.

One previous CWCB grant:

- 1) NWCCOG;
- 2) Two water activities identified in grant application: Study or analysis of nonstructural project or activity, and study or analysis of nonconsumptive project or activity;
- 3) Colorado Basin Roundtable;
- 4) March 17, 2009;
- 5) Original contract CLIN # 00128; amendment CMS # 32359 (amendment changed the completion date from July 1, 2011 to Aug 31, 2011);
- 6) No additional CWCB funds.

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Taxpayer Bill of Rights

The Taxpayer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect your application.

NONE.

Submittal Checklist

| | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | I acknowledge the Grantee will be able to contract with CWCB using the Standard Contract . |
|-------------------------------------|--|

Exhibit A

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Statement of Work ⁽¹⁾ |
| <input checked="" type="checkbox"/> | Budget & Schedule ⁽¹⁾ |
| <input checked="" type="checkbox"/> | Letters of Matching and/or Pending 3 rd Party Commitments ⁽¹⁾ |

Exhibit C

| | |
|--|---|
| <input checked="" type="checkbox"/> | Map (if applicable) ⁽¹⁾ |
| <input checked="" type="checkbox"/> | Photos/Drawings/Reports |
| <input checked="" type="checkbox"/> | Letters of Support (Support letter from Basin Roundtable encouraged) |
| <input checked="" type="checkbox"/> | Certificate of Insurance (General, Auto, & Workers' Comp.) ⁽²⁾ |
| <input checked="" type="checkbox"/> | Certificate of Good Standing with Colorado Secretary of State ⁽²⁾ |
| <input checked="" type="checkbox"/> | W-9 ⁽²⁾ |
| <input checked="" type="checkbox"/> | Independent Contractor Form ⁽²⁾ (If applicant is individual, not company/organization) |
| Engagement & Innovation Grant Applicants ONLY | |
| <input checked="" type="checkbox"/> | Engagement & Innovation Supplemental Application ⁽¹⁾ |

(1) Required with application.

(2) Required for contracting. While optional at the time of this application, submission can expedite contracting upon CWCB Board approval.

Water savings measures in land use codes in the headwaters
Grant application of
Northwest Colorado Council of Governments, by and through its Water Quality/ Quantity
Committee

EXHIBIT A

Last Updated: July 5, 2017

Colorado Water Conservation Board

Water Plan Grant - Exhibit A

Statement Of Work

| | |
|-------------------------------|--|
| Date: | October 1, 2017 |
| Name of Applicant: | Northwest Colorado Council of Governments on behalf of its Water Quality/ Quantity Committee (QQ) |
| Name of Water Project: | Water savings measures in land use codes in the headwaters region |
| Funding Source: | Conservation and Land Use Project Grants |

Water Project Overview: Please provide a summary of the proposed water project (200 words or less). The same summary can be used from Page 5 of the CWP Grant Application.

QQ proposes a three-part project to:

- 1) assess existing water savings and water quality measures in land use codes in the QQ region,
- 2) develop model performance standards for water savings, tailored to the rural headwaters nature of the QQ region, and
- 3) provide technical assistance to integrate the model standards into up to five communities in the QQ region.

While significant project costs will be borne by QQ through the work of their contract staff, CWCB funding will allow for additional funding for development of the model code, attorney review, to match costs for a legal intern to research existing codes in the QQ region, and to offset some expense borne by the local governments receiving technical assistance to better integrate water savings into their land use code. The project benefits communities in the headwaters of the Colorado, Yampa, Gunnison and South Platte basins through their membership to QQ, and will have statewide benefit as a replicable model for other communities.

Objectives: List the objectives of the project.

The objective of the project is to assist local governments in implementing water savings and water quality measures in land use codes, and more specifically to:

- Document and better understand how local governments in the QQ region currently implement water savings and water quality measures in their land use codes.
- Create a replicable set of tools that can be used in other communities around Colorado to assess and implement water savings and water quality measures, including a template for inventorying existing standards and a model water savings code.
- Assist QQ local governments in instituting water savings measures in land use codes.

Last Updated: July 5, 2017

| Tasks |
|---|
| Provide a detailed description of each project task using the following format: |
| Task 1 – Inventory Template |
| Description of Task: |
| QQ, with legal and technical assistance, will develop template of standards in land use codes relating to both water savings and water quality. |
| Method/Procedure: |
| In coordination with local governments, NGO's working in this area, the CWCB, and DOLA, the following procedures will be completed: <ul style="list-style-type: none"> - Develop list of water savings and water quality standards recommended in CWC/DOLA "Breaking Down Silos" trainings to transfer to inventory template. - Research and maintain list of existing water savings and water quality measures in QQ region land use codes. - Research and maintain list of water savings and water quality measures instituted by various local governments around the Interior West considered leaders in these areas and with comparable climates (e.g., Lake Tahoe, Jackson Hole, Tucson, Westminster, Salt Lake City, Denver). - Develop two versions of the inventory template: one to be used to inventory QQ community regulations and one more general one to be used by other local governments. |
| Grantee Deliverable: Describe the deliverable the grantee expects from this task |
| Inventory template that is ready for Task 2. |
| CWCB Deliverable: Describe the deliverable the grantee will provide CWCB documenting the completion of this task |
| Inventory template in more general form for dissemination. |

Last Updated: July 5, 2017

Task 2 – Inventory existing water savings and water quality standards

Description of Task:

QQ, with legal and technical assistance, will complete an inventory and develop a white paper assessing results of inventory.

Method/Procedure:

In coordination with QQ local governments, the following procedures will be completed:

- Research and document existing water savings and water quality measures in the land use codes of QQ's 28 member counties and municipalities.
- Produce white paper with observation of the results of the inventory (including strengths and weaknesses regionally, surprising results, and where QQ might focus its further to best assist its member local governments).

Grantee Deliverable: Describe the deliverable the grantee expects from this task

1. Completed inventory of water savings and water quality standards in the land use codes of QQ local governments.
2. White paper analysis of the inventory.

CWCB Deliverable: Describe the deliverable the grantee will provide CWCB documenting the completion of this task

White paper analysis and summary of inventory with observations that could be helpful for other local governments around the state.

Last Updated: July 5, 2017

Task 3 – Model water savings performance standards

Description of Task:

In coordination with local governments, NGO's working in this area, the CWCB, and DOLA, QQ will develop model water savings performance standards that local governments can integrate into their land use codes.

Method/Procedure:

In coordination with QQ local governments, the following procedures will be completed:

- Utilize earlier research and conduct additional research on the most effective water savings measures in the land use codes of QQ member jurisdictions as well as local governments around the Interior West considered leaders in these areas and with comparable climates. This effort will utilize lessons learned and benefit from much formatting and development work already-completed by QQ in developing model water quality performance standards in 2017.
- Develop model water savings performance standards to be utilized by local governments in the QQ region and throughout Colorado. We expect these standards to be particularly useful in rural and mountain communities.
- Include introductory instructions on the water savings performance standards, how they might be integrated into land use codes, and how they relate to other elements of land use codes.

Grantee Deliverable: Describe the deliverable the grantee expects from this task

Completed model water savings performance standards, including introductory materials.

CWCB Deliverable: Describe the deliverable the grantee will provide CWCB documenting the completion of this task

Completed model water savings performance standards, including introductory materials.

Last Updated: July 5, 2017

Task 4 – Technical support to integrate water savings measures.

Description of Task:

QQ will provide technical assistance to up to five member communities to integrate water savings and water quality measures into their land use codes.

Method/Procedure:

The following procedures will be completed:

- Develop application procedure and consult with local governments on ability and timing to utilize technical assistance to update land use code with water savings and water quality measures.
- Provide technical assistance to up to five local governments to draft proposed changes to land use code to integrate water savings and water quality measures.

Grantee Deliverable: Describe the deliverable the grantee expects from this task

Updated land use codes in up to five communities

CWCB Deliverable: Describe the deliverable the grantee will provide CWCB documenting the completion of this task

Summary white paper highlighting both the process of the land use code updates and the results of the updated codes.

Last Updated: July 5, 2017

Budget and Schedule

This Statement of Work shall be accompanied by a combined Budget and Schedule that reflects the Tasks identified in the Statement of Work and shall be submitted to CWCB in excel format.

Reporting Requirements

Progress Reports: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of issuance of a purchase order, or the execution of a contract. The progress report shall describe the status of the tasks identified in the statement of work, including a description of any major issues that have occurred and any corrective action taken to address these issues. The CWCB may withhold reimbursement until satisfactory progress reports have been submitted.

Final Report: At completion of the project, the applicant shall provide the CWCB a Final Report on the applicant's letterhead that:

- Summarizes the project and how the project was completed.
- Describes any obstacles encountered, and how these obstacles were overcome.
- Confirms that all matching commitments have been fulfilled.
- Includes photographs, summaries of meetings and engineering reports/designs.

The CWCB will withhold disbursement the last 10% of the budget until the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the purchase order or grant will be closed without any further payment.

Last Updated: July 5, 2017



COLORADO

Colorado Water
Conservation Board

Department of Natural Resources

Colorado Water Conservation Board

Water Plan Grant - Exhibit A

Budget and Schedule

Date: October 1, 2017

Name of Applicant: Northwest Colorado Council of Governments on behalf of its Water Quality/ Quantity Committee (QQ)

Name of Water Project: Water savings measures in land use codes in the headwaters region

| Task No. | Task Description | Start Date ⁽¹⁾ | End Date | Grant Funding Request | Match Funding | Applicant funding | Total |
|--------------|--|---------------------------|----------|-----------------------|---------------|-------------------|----------|
| 1 | Develop inventory template | 3/15/18 | 5/1/18 | \$ 3,000 | \$ 2,500 | \$ 4,500 | \$10,000 |
| 2 | Inventory existing water savings and water quality standards | 5/1/18 | 8/31/18 | \$ 3,000 | \$ 2,500 | \$ 5,500 | \$11,000 |
| 3 | Develop model water savings performance standards | 5/1/18 | 8/31/18 | \$ 7,000 | \$ - | \$ 9,000 | \$16,000 |
| 4 | Provide technical support to integrate water savings and water quality performance standards | 8/1/18 | 3/15/19 | \$ 12,500 | \$ 12,500 | \$ 12,500 | \$37,500 |
| | | | | | | | |
| Total | | | | \$25,500 | \$17,500 | \$31,500 | \$74,500 |

(1) Start Date for funding under \$100K, minimum 45 Days from Board Approval; Start Date for funding over \$100K, minimum 90 Days from Board Approval.

· Round values up to the nearest hundred dollars.

· Reimbursement eligibility commences upon the grantee's receipt of a Notice to Proceed (NTP)

· NTP will not be accepted as a start date. Project activities may commence as soon as grantee enters contract and receives formal NTP if prior to the listed "Start Date".

· The applicant shall provide a progress report every 6 months, beginning from the date of contract execution.

· CWCB will withhold disbursement of the last 10% of the total grant amount until a Final Report is completed to the satisfaction of CWCB staff (2017 CWP Grant

P.O. Box 2308 • Silverthorne,
Colorado 80498



970-468-0295 • Fax 970-468-1208
qqwater@nwccog.org

To the Colorado Water Conservation Board,

The Northwest Colorado Council of Governments Water Quality/ Quantity Committee (QQ) would like to thank you for your consideration of its request for Colorado's Water Plan grant funding to institute water savings measures in land use codes in the headwaters region.

QQ member local governments are committed to strengthening local governments' ability to protect water quality and quantity in the QQ region and statewide. QQ members voluntarily pay annual dues, fluctuating based on the amount of treated water municipalities use and based on county pledged of membership, to further this overarching goal. To this end, QQ members commit to providing approximately \$31,500 in matching funds for this proposed project.

While QQ has not yet identified which of the up to five member local governments for whom it will provide technical assistance, QQ pledges to work with individual local governments in the QQ region to contribute \$12,500 in additional matching funds.

Thank you for your consideration in approving additional support of the project, which will have a statewide benefit and also bring the state closer to meeting one of its central goals in the Water Plan.

Please do not hesitate to reach out with additional questions, or contact QQ contract staff Torie Jarvis, qqwater@nwccog.org.

Sincerely,

Rachel Richards
QQ Chair
Commissioner, Pitkin County Board of County Commissioners
rachel.richards@co.pitkin.co.us

Water savings measures in land use codes in the headwaters
Grant application of
Northwest Colorado Council of Governments, by and through its Water Quality/ Quantity
Committee

EXHIBIT C

THE COLORADO BASIN ROUNDTABLE
C/O P.O. BOX 1120
GLENWOOD SPRINGS, COLORADO
81602

September 29, 2017

Colorado Water Conservation Board
1313 Sherman Street
Denver, CO 80203

RE: Support for water savings measures in land use codes in the headwaters region

To the Colorado Water Conservation Board and Staff:

The Colorado Basin Roundtable (CRT) writes in support of the Colorado's Water Plan grant application from the Northwest Colorado Council of Governments Water Quality/Quantity Committee (QQ), titled "water savings measures in land use codes in the headwaters region."

We understand QQ proposes a three-part project to:

- 1) Assess existing water savings measures in land use codes in the QQ region,
- 2) Develop model performance standards for water savings measures, tailored to the rural headwaters nature of the QQ region, and
- 3) Provide technical assistance to integrate the model standards into up to five communities in the QQ region.

The Colorado BRT supports this project as an action in support of two central themes identified in the Basin Implementation Plan (BIP): 1) encourage a high level of basinwide conservation and 2) develop local water-conscious land use strategies. Because most of the QQ project will focus on water savings measures that can and will be integrated into land use codes, the effort will result in some measure of water conservation as well as better integration between water and land use planning.

The project also may serve as a model that can be replicated throughout the Colorado Basin and in other parts of the State to help meet the goals of the Water Plan statewide.

We understand QQ intends to apply for Water Supply Reserve Account funding through the Colorado BRT for this project, and we look forward to working with them during that process.



Jim Pokrandt
Chair, Colorado Basin Roundtable



September 26, 2017

To the Colorado Water Conservation Board:

On behalf of the High Country Conservation Center, I am writing to confirm our support of the Northwest Colorado Council of Governments Water Quality/Quantity Committee's (QQ) proposed project, "water savings measures in land use codes in the headwaters region," and its application to Colorado's Water Plan grant.

We understand QQ proposes a three-part project to:

- 1) assess existing water savings measures in land use codes in the QQ region,
- 2) develop model performance standards for water savings measures, tailored to the rural headwaters nature of the QQ region, and
- 3) provide technical assistance to integrate the model standards into up to five communities in the QQ region.

The High Country Conservation Center (HC³) promotes practical solutions for waste reduction and resource conservation in Summit County, including ongoing work towards a regional water conservation plan, individual water plans for municipal water providers, and educational efforts around water conservation. One of the gaps stakeholders have identified in furthering water conservation efforts is integration with land use planning. HC³ supports this project for its ability to make progress integrating water and land use in Summit County and the QQ region, to continue to learn from other communities, and for local communities to receive support to actually implement recommendations.

We hope the Colorado Water Conservation Board will support the QQ project through Colorado's Water Plan grant funding as well.

Thank you for your consideration.

A handwritten signature in black ink that reads "Jessie Burley".

Jessie Burley
Programs Director
High Country Conservation Center
jessie@highcountryconservation.org





TOWN of FRISCO

P.O. Box 4100 • Frisco, Colorado 80443
(970)668-5276

September 29, 2017

Dear Colorado Water Conservation Board:

The Town of Frisco writes to confirm our support of the Northwest Colorado Council of Governments Water Quality/Quantity Committee's (QQ) proposed project, "water savings measures in land use codes in the headwaters region," and its application to Colorado's Water Plan grant.

We understand QQ proposes a three-part project to:

1. Assess existing water savings measures in land use codes in the QQ region,
2. Develop model performance standards for water savings measures, tailored to the rural headwaters nature of the QQ region, and
3. Provide technical assistance to integrate the model standards into up to five communities in the QQ region.

The Town of Frisco has been participating in the development of a regional water conservation plan in Summit County, with assistance from the CWCB, and supports this project as a next step to better integrate land use and water planning in our region, to continue to learn from other communities, and for the opportunity to receive support to actually implement recommendations.

We hope the Colorado Water Conservation Board will support the QQ project through Colorado's Water Plan grant funding as well.

Thank you for your consideration.

Sincerely,

Mayor Gary Wilkinson
Town of Frisco



WATER QUALITY / QUANTITY COMMITTEE (QQ)

P.O. Box 2308 • Silverthorne, Colorado 80498
970-468-0295 • Fax 970-468-1208 • email: qqwater@nwccog.org

September 26, 17

Donna Downing
Office of Water, U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW., Washington, DC 20460

Ms. Stacey Jensen
Regulatory Community of Practice, U.S. Army Corps of Engineers
441 G Street NW.
Washington, DC 20314

SUBMITTED VIA EMAIL: CWAwotus@epa.gov; USACE_CWA_Rule@usace.army.mil
and via www.regulations.gov.

RE: Docket No. EPA-HQ-OW-2017-0203, repeal of the definition of “waters of the United States”

Dear Ms. Downing and Ms. Jensen:

These comments are submitted by Northwest Colorado Council of Governments Water Quality/Quantity Committee (QQ) regarding the proposal to rescind the current definition of “waters of the United States” in the Code of Federal Regulations and recodify the pre-2015 definition of “waters of the United States.”

QQ does not support this repeal and recodification, as it undoes the hard work of stakeholders over the past ten years to develop a definition of “waters of the United States” which provided much-needed clarity and adequate water quality protections.

QQ’s mission is to enable its member jurisdictions to protect and enhance the headwaters of Colorado while facilitating the responsible use of water resources in Colorado. Its members are municipalities, counties, and water and sanitation districts in the headwaters of the Colorado, Gunnison, Yampa and South Platte river basins. We collectively refer to this region as the headwaters, or headwaters region. Northwest Colorado Council of Governments is the designated Regional Water Quality Management Agency under Section 208 of the Clean Water Act (CWA), appointed by Executive Order of the governor of Colorado to prepare and implement the region’s 208 Plan.

QQ has worked diligently for ten years for a rule that provides clarity and adequate water quality protections. We have such a rule, now. Reinstating the pre-2015 rule does not solve problems

local governments have been experiencing over the past 10 years relating to the uncertainty and delay local governments as permittees currently face. EPA has reported that the lack of clarity as to what waters would be jurisdictional after the *Rapanos* decision has resulted in waters not receiving water quality protection under the CWA, additional burdens on federal agencies, and delayed timelines for permit-seekers.¹ QQ participated in the 2014 Clean Water Rule rulemaking, and, after providing detailed comments, generally supported the final rule as providing additional clarity and adequate water quality protection.

Water quality in the headwaters of Colorado is critically important for our regional tourism economy as much as for environmental protection, and will become increasingly important as the region sees increased development and future water needs. Protecting water quality also means protecting the region's economic backbone of tourism, recreation, and agriculture. A rule which delivers clarity on what waters are considered jurisdictional as "waters of the US" should also provide water quality protection for the headwaters streams and wetlands that deliver water to downstream communities. Recodifying the pre-2015 "waters of the United States" definition does none of these things.

Please do not hesitate to reach out with additional questions. Thank you for your consideration.

Sincerely,



Torie Jarvis

Co-Director and Staff Attorney

Northwest Colorado Council of Governments Water Quality/ Quantity Committee

P.O. Box 2308

Silverthorne, CO 80498

qqwater@nwccog.org

970-596-5039

¹ Congressionally Requested Report on Comments Related to Effects of Jurisdictional Uncertainty on Clean Water Act Implementation, Report No. 09-N-0149 at 1- 2 (2009) <<http://www.epa.gov/oig/reports/2009/20090430-09-N-0149.pdf>>. This issue is discussed in more detail in Section 3.

P.O. Box 2308 • Silverthorne,
Colorado 80498



970-468-0295 • Fax 970-468-1208

qqwater@nwccog.org

CONTRACT

Northwest Colorado Council of Governments Water Quality/Quantity Program

and

Barbara Green for Sullivan Green Seavy & Torie Jarvis
Year of 2018

This Contract is entered into this Nov. 2, 2017, by and between the Northwest Colorado Council of Governments QQ Program (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, 2018 and shall be undertaken in such a sequence as to assure completion of this Contract by December 31, 2018. After December 31, 2018, 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.

Rachel Richards, QQ Chair

Date

Torie Jarvis, SGS & Jarvis

Date

NWCCOG/WATER QUALITY AND QUANTITY COMMITTEE

SCOPE OF SERVICES 2018

I. INITIATIVES AND PROJECTS FOR THE YEAR 2018

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 mis-information.
- (6) Organize and present information, such as the *Water & Its Impact to the Economies of the Headwaters Counties* 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.
- (2) 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.

- (3) Provided the opportunity, explore and promote UPCO concept with other basins, including the Stream Management Plan approach.
- (4) 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.
- (5) 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.
- (6) Assist members to determine nonconsumptive stream flow needed to protect recreation and environmental values during Colorado River Roundtable process.
- (7) Assist member jurisdictions in Wild and Scenic Rivers processes.

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

- (1) Provide policy analysis on legislative bills as they affect members' authority.
- (2) Participate in development of any state water planning legislation.
- (3) Lobby on water-related bills that QQ has taken a position on, or based on QQ's mission and policies.
- (4) Draft testimony, or assist in preparing testimony for QQ elected officials, as needed.
- (5) Communicate and collaborate with other entities where interests overlap.
- (6) 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.
- (7) 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 WCQD 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.



2017 Water Quality/ Quantity Committee budget

| <u>REVENUE:</u> | | 2016 actual | 2017 budget | 2018 budget |
|---|-------------------------------|----------------------|----------------------|----------------------|
| TOTAL MEMBER DUES: | | \$ 152,060.00 | \$ 155,530.00 | \$ 160,196.00 |
| | County pledges: | \$ 95,500.00 | \$ 98,365.00 | \$ 101,316.00 |
| | Municipal pledges: | \$ 40,400.00 | \$ 41,612.00 | \$ 42,860.00 |
| | Associate pledges: | \$ 3,800.00 | \$ 4,120.00 | \$ 4,244.00 |
| | Water & San District pledges: | \$ 11,100.00 | \$ 11,433.00 | \$ 11,776.00 |
| Reimbursed expenses (QQ meeting costs): | | \$ 1,260.00 | \$ 2,000.00 | \$ 2,000.00 |
| CWCB grant (2015) | | - | - | - |
| Unspent carryover: | | \$ 21,416.00 | \$ 12,416.00 | \$ - |
| TOTAL: | | \$ 174,736.00 | \$ 169,946.00 | \$ 162,196.00 |
| | | | | |
| <u>EXPENSES:</u> | | | | |
| | Personnel | \$ 153,216 | \$ 160,652 | \$ 152,685 |
| | Memberships | \$ 2,300 | \$ 2,300 | \$ 2,300 |
| | NWCCOG Indirect Costs | \$ 6,804 | \$ 6,994 | \$ 7,211 |
| SGS & Jarvis CONTRACT TOTAL | | \$ 162,320 | \$ 169,946 | \$ 162,196 |
| | | | | |
| Unspent contract balance | | \$ 12,416 | \$ - | \$ - |
| | | | | |
| DEFENSE FUND BALANCE: | | \$ 100,000 | \$ 100,000 | \$ 100,000 |
| | | | | |
| | | | | |

Notes:

* reflects 3% dues increase in 2017 and 2018, no additional increases are anticipated past 2018.

* Includes all services in QQ Scope of Work

* Includes CO Water Congress, Water Quality Form, Upper CO River Wild & Scenic Stakeholders Group, email and website fees

| | | |
|--|---|------------------|
| <u>2018 Anticipated GRANT REVENUE AND EXPENSES:</u> | | |
| GRANT for West Slope legislator work | | \$ 24,000 |
| QQ contribution (reflected in personnel, above) | | \$ 12,000 |
| Expenses: | Contract lobbyist to work in Legislature on 2-3 key issues during leg. session and interim: | \$ 36,000 |
| | TOTAL expenses: | \$ 36,000 |
| | | |

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.

| | | |
|--|---|------------------|
| GRANT:Colorado's Water Plan (submitted Oct. 2017) | | |
| GRANT: WSRA through CO Basin Rtbl (to be submitted) | | \$ 5,000 |
| QQ contribution (reflected in personnel, above) | | \$ 31,500 |
| Member contribution for technical assistance | | \$ 12,500 |
| 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 technical support to integrate water measures in land | \$ 37,500 |
| | TOTAL expenses: | \$ 74,500 |