



## QQ Noteworthy Accomplishments

### 1970s

- 1978: Founded as the Water Quality/ Quantity Trust Fund and raised money to defend against efforts to drain the Upper Colorado River.

### 1980s

- The Water Quality Control Commission (WQCC) approved the 208 Regional Water Quality Plan for the NWCCOG Region, which includes the only regional policy requiring water development to mitigate its water quality impacts. The 208 Plan was then integrated into land use codes linking quantity and quality, continuing to the present.
- Assisted stakeholders in Summit County in protecting Dillon Reservoir from eutrophication by developing the first nonpoint source pollution trading scheme in the United States, now codified in the Dillon Reservoir Control Regulation.
- Influenced the Water Quality Control Division (WQCD) to include water quality impacts from Hydrologic Modifications in the 319 nonpoint source pollution program, thus recognizing these impacts at a state level and enabling grant funding.
- Defended local government authority to apply 1041 regulations to Denver Waters' development in federal and state courts. *Denver Water v. Board of County Com'rs of Grand County*, 782 P.2d 753 (Colo. 1989).
- Advocated for the headwaters' interests on west slope coordinating team during Two Forks EIS and defeated efforts by water developers to limit discussion of impacts to locus of dam.
- Lobbied US Corp of Engineers and Congress to raise awareness of headwaters' water quality/quantity concerns.

## 1990s

- Persuaded the WQCC to adopt regulations that require consideration of water quality impacts from the operation of water diversions, not just the construction of the project, in its 401 Certification Regulations. The WQCC then applied this Rule in the Two Forks 401 certification rulemaking.
  - EPA vetoed Two Forks project based on environmental harms.
- Convinced the WQCC to prohibit degradation of water quality in reviewable waters unless the degradation is necessary to accommodate development in the area directly impacted by a proposed project, including the basin of origin.
- Successfully defended Eagle County's denial of 1041 permit for the Homestake II transmountain diversion project for failure to satisfy standards. *Colorado Springs & Aurora vs. Board of County Com'rs of Eagle County*, 895 P.2d 1105 (Colo.App. 1994).
- Developed Model Water Quality Protection Standards for growth and development in the headwaters region to integrate into member land use codes.
- Defeated legislation gutting 1041 authority over transmountain diversions (through today).
- Defeated onerous "takings" legislation and negotiated exaction bill as an alternative.
- Hosted headwaters forum to lay groundwork for future discussions with City of Aurora and Denver Water about headwaters' water quality/quantity interests.

## 2000s

- Spearheaded the "UPCO" Upper Colorado River Basin Study, which laid technical and political foundation for the Colorado River Cooperative Agreement and other negotiations addressing transmountain diversion projects.
- Supported HB 05-1177 and development of the Basin Roundtables and Interbasin Compact Committee to ensure this process reflected headwaters' concerns.
- Assisted the City of Aspen to develop agreements with CWCB to allow the City to release water to protect the stream. Monitoring was done by Trout Unlimited to determine water stayed in stream.
- Advocated for the development of Recreational In-Channel Diversion (RICD) water rights statutes and regulations to provide for economic development and increased streamflows through local government-developed whitewater parks.

- Initiated legislation that requires local governments to evaluate the origin and adequacy of water supply before approving development.
- With Eagle County stakeholders and the Division of Wildlife, developed biologically-based Consent Decree criteria for the Eagle Mine cleanup, setting the stage for the first Eagle River Watershed Plan.
- Represented QQ during development of fracking chemical disclosure regulations before the Colorado Oil and Gas Conservation Commission (COGCC).
- Participated in the formation of a stakeholder group to develop alternatives to Wild & Scenic designation of the Upper Colorado River (Gore Canyon through Glenwood Canyon). The Upper Colorado Wild & Scenic Stakeholder Group management plan was adopted by the BLM and USFS in 2015.
- Defended Gunnison County in efforts to protect oil and gas regulations. *Board of County Com'rs of Gunnison County vs. BDS, Intern., LLC.*, 159 P.3d 773 (Colo.App. Div. 2 2006).
- Helped develop an intergovernmental agreement among Counties to consider 1041 impacts outside their jurisdictions.
- Represented headwaters' interests in water quality control rulemakings affecting the Upper Colorado Basin (through today).

## 2010-present

- Provided technical and legal support to Grand County in the development of the Grand County Stream Management Plan, the first in the state and an example for other SMPs subsequently developed.
- Commissioned *Water & Its Relationship to the Headwaters Economies* study to document importance of water to QQ region.
- Commissioned the *Climate Change in the Headwaters: Water and Snow Impacts* study. To document the potential impacts of climate change to the headwaters' water resources.
- Negotiated the first clarity standard adopted by WQCC in Colorado and provided legal and technical support in on-going processes to protect Grand Lake clarity from impacts of the Colorado/Big Thompson Project.
- Ensured that headwaters' concerns were represented in Colorado's Water Plan and continuing to work on implementation of Water Plan. Outcomes include:

- Successfully included land use/ water linkage chapter of Water Plan and strengthened sections on negotiated agreements, environmental protection, the importance of the headwaters' economy and water, and criteria for state support of a project;
  - Convened a cross-basin dialogue between county commissioners about the importance of linking land use and water, and developed comments for Water Plan based on the dialogue;
  - Held a workshop on the importance of linking land use/ water planning; and
  - Provided comments and technical assistance in the development of the Colorado River Basin Implementation Plan.
- Ensured local authority over water projects is included in State water project permitting handbook.
- Continued to advocate headwaters' interests in WQCC rulemakings (on-going for decades) to protect the aquatic environment, including recent proceedings related to temperature and molybdenum.
- Assisted in negotiations for the Colorado River Cooperative Agreement to include provisions that provided benefits to and protected headwaters from Denver Water diversions.
- With Grand County and River District, negotiated provisions in the Windy Gap Firming Project (WGFP) Intergovernmental Agreement to provide "wet water" for Grand County and provided staff during Grand County 1041 permit process for Denver Water.
- Negotiated the mitigation plan for Denver Water's Moffat Project expansion to support Grand County's objectives.
- Successfully incorporated Learning By Doing requirement in permits for Denver Water and Northern Water Projects. Developed template for Learning By Doing Committee which includes Grand County, Northern Water, Denver Water, and other stakeholders who work jointly to improve the Fraser and Colorado Rivers.
- Led efforts to include local authority "savings provisions" in the Colorado Oil and Gas Conservation Act and COGCC regulations. Represented QQ to protect local authority to regulate oil and gas in subsequent rulemakings.
- Prepared *amicus* briefs in Colorado Supreme Court cases addressing local regulatory authority over impacts of oil and gas.
- Provided technical assistance to member communities to implement abandoned mine land reclamation efforts in Summit and Gunnison Counties.