Senate Bill 115 Comments - Summary and CWCB Response

Source of Comment	Summary of Comments	Associated Chapters	Staff Response
Feed Back from the Water Resource Review Committee: Recommendation for the Final Colorado Water Plan			
This recommendation was approved unanimously at the September 15, 2015 regular meeting.	• Add additional information about funding available for water conservation system improvements to the chapter concerning alignment of state resources (currently Chapter 9 of the Second Draft). Specifically, add the following statement to the discussion on the Colorado Water Resources and Power Development Authority: • "Water conservation system improvements, such as smart metering technology, more efficient customer billing and communication systems, and other related technologies used to influence behavior to achieve water conservation goals, are eligible for financial assistance from state revolving funds as part of a water system capital improvement project."		Thank you, the CWCB will incorporate these comments as suggested. Available funding for water conservation system improvements is included in Section 9.2.
Public Comments Provided Outside of Committee Meetings			
Charlie Preston-Townsend, Vice President, Friends of the Yampa Submitted in a July 15,2015, e-mail to the Water Resources Review Committee	• The state of Colorado shall view the Yampa River as a significant and reliable source of water to meet Colorado River Compact obligations. • Colorado shall hold nonconsumptive needs as a priority and consider the significant conservation work that has been accomplished in the Yampa River Valley as an example for future water planning. • The Yampa Valley and Western Slope water users must be assured that, in the event of a compact call, negotiated equitable apportionment will be utilized to protect our many important junior water rights. • The Eastern Slope must maximize water use efficiency through a variety of methods including, but not limited to, conservation, reuse, fallowing, new and expanded Eastern Slope storage, and wise land-use planning principles.	2.2, 6.3	Thank you for your comments. Compact issues are identified and addressed in chapters 2 and 9. The state is working vigorously with other upper basin states and the Colorado River Basin as a whole to mitigate any risks Colorado may face with regard to compact compliance and other interstate issues. With regard to conservation, the Basin Implementation Plans and Colorado's Water Plan will incorporate conservation and reuse as critical components to helping meet future water needs, however those strategies alone might not be enough to meet Colorado's future water needs. Additional balanced options need to be explored. These topics are explored in Section 6.3.
Allen D. (Dave) Miller Submitted to Water ResourcesReview Committee staff in a document on August 27, 2015.	• Colorado water planners are ignoring a proposed, U.S. patented, high altitude, multiple river basin, pumped water and energy storage solution in the Gunnison National Forest, called the Central Colorado Project. • Innovative high altitude, multiple river basin, pumped water and energy storage projects could help Colorado and all western states reach their renewable energy goals from sporadic wind and solar operations much sooner than projected. High altitude, multiple river basin, pumped water and energy storage projects are also near and long-term solutions for highly variable western droughts, growth, recreation, environments, and climate change, throughout the 21st century and beyond. All Colorado, western, and national leaders should immediately call for objective economic and environmental comparisons of innovative high altitude, multiple river basin, pumped water and energy storage projects with traditional alternatives, as required by National Environmental Policy Act rules and good science. • A state audit of Colorado's failed water planning practices is also needed.	6.2, 6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. Colorado's Water Plan also provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans.

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Jessie Shaffer, Chairman, Pikes Peak Regional Water Authority Submitted in a September 14, 2015, letter to the CWCB, theIBCC, and the WRRC. A copy isavailable on the WRRCwebsite.	• Chapter 6 of the draft Colorado Water Plan should clarify the relationship between the state and local public water supply entities and deemphasize a philosophy of state level "command, compel, and control." • Section 6.3.1 of the plan should include a discussion of the use of structured or tiered tap fees as a method of incentivizing water conservation with a particular focus on reducing the presence of irrigated lawn areas. • Conservation includes the replacement of nonrenewable water supply with renewable water supply. •Per capita water use should be framed in a proper context to avoid inappropriate conclusions. • The Plan should not require that all water suppliers use all of the tools that it identifies, as some are more or less useful in certain contexts. • Future action 2 b should be stricken from Table 6.3.1-1 of the draft Colorado Water Plan. Future action 5 c should be revised or stricken. Future action 5 d should be stricken. • The Plan should consider and clarify whether the stretch conservation goal is aspirational or a mandate. • Water supply providers that have undertaken a project consistent with their basin's BIP should be presumed to have met the Plan's requirements for integrated water supply planning. • With respect to Section 6.3.3, the plan should insulate local water providers from being punished for abstaining from doing something they are not legally allowed to do. • The Plan should clarify the list of funding strategies in Section 9.2 as representative rather than exhaustive. Funding strategies should be evaluated for their potential long-term financial contributions and aligned with component parts of the plan. • Sections of the Plan concerning permitting procedures should be revised to reflect the Governor's call for streamlining. • The Plan should clarify that the Plan's conceptual framework shall be applied only to evaluations of future transmountain diversions.	2.3, 6.3	Colorado water allocation and governance has always been guided by local users meeting local needs and Colorado's Water Plan will not change that. Rather than diminishing local control or authority over water, Colorado's Water Plan seeks to strengthen local decision-makers' ability to achieve regional and statewide water solutions. To that effect, Colorado's Water Plan will work to encourage, rather than mandate, several of the points presented in the comments. Colorado's local-control structure is explained in Section 2.3. The Basin Implementation Plans and Colorado's Water Plan will incorporate conservation and reuse as critical components to helping meet future water needs, however those strategies alone might not be enough to meet Colorado's future water needs. Additional balanced options need to be explored. These topics are explored in Section 6.3. Table 6.3.1-1 references IBCC work on conservation actions and were created by the IBCC in a letter to Governor Ritter and Governor-elect Hickenlooper as a proposal for future conservation actions. Some of these have been carried out while others have not or will not be carried out. Since this is a work product of the IBCC, that group would be the appropriate entity to edit this list of actions. With regard to indoor water conservation and tiered rate structures, the vast majority of water providers currently operate with tiered water rates. The July 2015 draft of Colorado's Water Plan clarified that the conservation stretch goal will be implemented by encouraging water providers to do comprehensive integrated water resources planning, geared toward implementing the best practices at the higher customer participation levels and that this will be part of the reqirements to achieve state endorsement of projects and financial assistance. The list of funding strategies indicates that other options may be necessary or explored through the work of the BRTs, IBCC, and funding committee. Colorado's Water Plan also provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage. Though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans. In the July 2015 draft of Colorado's Water Plan, it is clarified that the conceptual framework only applies to new transmountain diversion projects.
Public Comments from July 20, 2015 Southwest Basin Hearing			
Art Goodtimes, San Miguel County Board of County Commissioners	•The Colorado Water Plan should quantify evaporative water losses from comment was provided at the July 20 regular committee hearing).	6.5	Reservoir evaporation does lead to water loss. Viable solutions to this problem are currently under examination. The current Projects Bill seeks to improve climate monitoring, including evaporation. CWCB hopes that, if successful, this work can continue in the future. Colorado's Water Plan refers to these efforts in the final draft.
Judy Garrigues, Dolores Conservation District	•New storage has limited use because we can only save as much water as precipitates. • Soil conservation is important to stave off dust bowl conditions.	6.5, 6.3.4	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Related to soil conservation, section 6.3.4 explores options to reduce the dry up of irrigated agriculture.
Travis Custer, Dolores Conservation District	• Chapter 10 of the draft Colorado Water Plan seeks to develop a strategic education program to promote agricultural water conservation and soil health initiatives. It should also identify conservation districts as partners, in addition to the state and federal agencies identified in Chapters 6 and 9.	6, 9, 10	Thank you for your comment. We added conservation districts as partners, in addition to the state and federal agencies identified in Chapters 6 and 9.
Kate Greenberg, National Young Farmers Coalition	• Section 6.5 of the draft Colorado Water Plan mentions reducing barriers to entry for young farmers. This should be emphasized further in the plan. The state needs a workforce that can sustain agriculture and food production. Access to land, capital, education, and training for young farmers ought to be priorities. • In a survey of over 375 western young farmers, over 94 percent are implementing some type of conservation, most commonly soil conservation.	6.5	Colorado's Water Plan highlights the importance of viable and sustainable agriculture by including it as one of the four values driving the plan. Those four values are 1) vibrant and sustainable cities, 2) viable and productive agriculture, 3) a robust recreation and tourism industry, and 4) a thriving environment that includes healthy watersheds, rivers, streams, and wildlife.
Ed Millard	• The state should identify a target population that reflects Colorado's limited water resources. • Colorado is planning for overbuilding and overdevelopment. Instead, the state should target a smaller, sustainable population that can allow for preservation of the state's quality of life.	6.2, 6.3.3	Colorado's Water Plan and the technical work that supports it includes three growth scenarios: low-growth, mid-growth, high-growth. As water planners, Colorado must prepare for any of these future possibilities as we do not have control over the state's economy and how many people are born or choose to move here. While some communities choose to limit growth, doing so on a broad statewide scale is untenable and unconstitutional. The CWCB is working with each basin on implementation of their Basin Implementation Plan and will continue to encourage all interested parties to do the same.
John Ott, James Ranch and Animas Water Company	• Soil health should be recognized as an effective method of water storage.	6.3.4	The importance of soil health is mentioned in several Basin Implementation Plans and is discussed in Section 6.3.4 on Agricultural Conservation, Efficiency, and Reuse.

Source of Comment	Summary of Comments	Associated Chapters	Staff Response
Dick Ray, Archuleta County Farm Bureau	•Colorado is approaching its human carrying capacity. Population growth should be slowed.	6.2, 6.3.3	Colorado's Water Plan and the technical work that supports it includes three growth scenarios: low-growth, mid-growth, high-growth. As water planners, Colorado must prepare for any of these future possibilities as we do not have control over the state's economy and how many people are born or choose to move here. While some communities choose to limit growth, doing so on a broad statewide scale is untenable and unconstitutional. The CWCB is working with each basin on implementation of their Basin Implementation Plan and will continue to encourage all interested parties to do the same.
Bruce Whitehead, Executive Director, Southwest Water Conservation District	• Additional water storage is needed in the state including additional water storage on the East Slope, such as the Northern Integrated Supply Project.	6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans.
Steve Harris, Harris Water Engineering	• The state sales tax should be increased to fund water infrastructure projects. • Outdoor water use should be limited to 30 percent of residential water use.	6.3, 9.2	Colorado's Water Plan includes a strategic funding plan in section 9.2. Colorado's Water Plan does not perscribe a percentage of water that should be used for outdoor irrigation, however section 6.3 includes a comprehensive discussion of conservation, including a 400,000 AF conservation stretch goal.
Jake Gardanier, Southwest Farm Bureau	• Additional storage in the South Platte Basin should be considered.	6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans.
John Porter, Southwestern Water Conservation District	• The 2003 Colorado Water Projects Bond Referendum, also known as Referendum A, failed because voters perceived it as a top-down approach without clearly identified projects.A water project bond referendum that is developed through a more grassroots process would have a better chance for approval by the voters.		The section on funding proposes a thorough stakeholder process before any such referendum would be undertaken.
Public Comment from July 21, 2015 Gunnison Basin Hearing			
Stephen Schrock, NoChicoBrush	• Chapter 10 Critical Action Plan (4) (b) (2) concerning support for agricultural conservation and efficiency should include state grants to farmers and ranchers for on-farm irrigation efficiency and small hydropwer. • The public trust doctrine is in conflict with the doctrine of prior appropriation. The voters should be provided meaningful water projects as an alternative to the public trust doctrine.		The Agricultural Viability and Funding Section describes potential future ag funding options. The CWP is committed to upholding the prior appropriation doctrine.
Jay Jutten	• Additional water storage is needed on both the East and West Slope. • Burdensome regulations of water projects should be reduced. • Agricultural return flows are important to other water users.	6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. Colorado's Water Plan also provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans.
Jaris Jutten (submitted completed questionnaire)	• More storage is needed throughout the state. • No transmountain diversions. • Keep prior appropriation.	6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. With regard to new transmountain diversion projects, the IBCC provided a draft conceptual framework which explored innovative ways to address this issue in a balanced manner. Scenario planning indicates that a new transmountain diversion may not be needed in the future, however some futures suggest that new transmountain diversions may be a necessary part of Colorado's water supply portfolio. Colorado's Water Plan does not include any specific transmountain water project, but it does discuss how we can move forward with this option should it be needed, based on the IBCC's work. The Conceptual Framework and related chapter were updated based on the current status of discussions of the IBCC at the time of publication of the final draft.

Source of Comment	Summary of Comments	Associated Chapters	Staff Response
Dave Whittlesey, Overland Ditch and Reservoir Co.	• Additional water storage is needed for agriculture and to help the state comply with interstate compacts. • Onerous federal environmental regulations should be eliminated.	6.5, 9.4	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. With regard to federal regulations, the State only has authority over Colorado law, through the Colorado Revised Statutes and the Colorado Constitution. However, Colorado's Water Plan also provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage.
Larry Clever, General Manager, Ute Water	• Additional water storage is needed but there is no water in the Colorado River Basin that can be developed. • State law should be amended to allow the Colorado Water Conservation Board to loan money for projects that have more than one owner. • The state should consider importing water from the Mississippi and Missouri Rivers. •The Colorado Water Plan should plan for the state's water needs beyond 2050. • The West Slope should not be required to pay for any new transmountain diversions.	6.5, 8, 11,	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. Water sources from the Midwest have been explored and are not currently viable at this time due to several factors including logistics, federal vs. interstate issues, permitting issues, and energy costs. It is worth noting that other people have proposed this issue at the basin roundtable level, and there are discussions going on statewide.Colorad's Water Plan is a living document that will continue to be updated to plan for Colorado's future water needs. With regard to new transmountain diversion projects, the IBCC provided a draft conceptual framework which explored innovative ways to address this issue in a balanced manner. The funding section addresses the potential of a Guarantee Repayment Fund to bring together multiple beneficiaries of projects.
David Crane	• Additional water storage is needed on the East Slope. • Protect the agricultural economy to protect the state's quality of living and to attract new workers. • Protect water rights.	1, 6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. Protecting the agricultural economy and continuing to protect Colorado's prior appropriation system are two primary tenents of Colorado's Water Plan.
Don Suppes, Mayor of Orchard City	• Eliminate unnecessary requirements to obtain funding from the Colorado Water Conservation Board that increase the cost of the project, such as historic reviews for construction projects. •The Colorado Department of Public Health and Environment's graywater regulations are too burdensome.		The Plan explores potential avenues to make funding more accessible. The Plan also discusses further work regarding graywater regulation.
Glenn Davis, Montrose County Commissioner	• Climate change is not an issue that should be addressed. • The water needs of humans should take precedence over water needs for the environment. • Without agriculture, Western Colorado will dry up.	1, 6.1, 6.1	Scenario planning enables the state to prepare for a wide range of possible futures to capture, including potential impacts of climate change, and prepare for, such uncertainty. Specific climate change adaptation and mitigation recommendations are not addressed in Colorado's Water Plan but are being addressed through other statewide efforts. The water plan seeks to close the water supply gap currently projected for 2050 while also providing a robust recreation and tourism industry and a thriving environment. Having viable and productive agriculture in the state is one of the four driving values in Colorado's Water Plan.
Sandy Head, Executive Director, Montrose Economic Development Corp	• Water is needed for a healthy economy and for the quality of life that attracts new employers and employees.	1	The four values driving Colorado's Water Plan are 1) vibrant and sustainable cities, 2) viable and productive agriculture, 3) a robust recreation and tourism industry, and 4) a thriving environment that includes healthy watersheds, rivers, streams, and wildlife.
Bob Brown, Montrose Chamber of Commerce	• "Buy and dry" negatively affects the business community.		Thank you for your comment, we agree. One of the four values driving Colorado's Water Plan is viable and productive agriculture.
Public Comments from July 22, 2015 Yampa-White Basin Hearing			
T. Wright Dickinson	• Allow the HB 05-1177 process to continue and identify legislation needed to address future water supply challenges. Water legislation should reflect the consensus of the water community and not the preference of special water interests. • East Slope communities should maximize water conservation prior to seeking additional West Slope water supplies. • Any new transmountain diversions should be developed in accordance with the Interbasin Compact Committee's conceptual framework for new transmountain diversions. • Agricultural water use efficiency may negatively impact return flows and late season streamflows that are important to the environment and recreation. • Additional storage is needed to meet municipal water demands. • Chapter 10 of the Colorado Water Plan should be amended to create the goal of a "vibrant" and productive agriculture instead of a "viable" and productive agriculture. • Restrictions should not be placed on the ability of farmers and ranchers to sell their land and water as the proceeds from such sales are needed for retirement.	6.3, 6.5	The HB 05-1177 process has been fundamental to the development of Colorado's Water Plan and will continue to weigh in on important water challenges facing the state. The Conceptual Framework was adopted by the CWCB Board and is included in Colorado's Water Plan. The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. Agricultural water sharing and modernizing agricultural efficiencies are aspects of Colorado's Water Plan and included in Section 6.4 and Subsection 6.3.4. Colorado's Water Plan supports the ability of farmers and ranchers to make their own decisions about buying or selling their land and water rights. The discussion of "viable" agriculture comes directly from the Executive Order. Chapters on Ag Viability and Action items identified make it clear agriculture is a priority, and innovation and collaboration will be key to maintaining the agricultural communities and productivity so important to Coloradans.

Source of Comment	Summary of Comments	Associated Chapters	Staff Response
Pat O'Toole	• Additional water storage is needed. Water supply solutions should occur sooner than later due to the rising cost of construction. • States should be given greater authority to issue permits for water projects. •Due to improvements in water purification technologies, municipalities should be encouraged to use nonpotable water supplies such as water produced from oil and gas development.	6.5, 9.4	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. Colorado's Water Plan also provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans. Reuse, including nonpotable water supplies, is one of the strategies considered in Colorado's Water Plan in Section 6.3.2.
Sasha Nelson, Conservation Colorado	• The legislature should enact legislation to proactively increase conservation and efficiency, modernize agriculture and water-sharing practices, and maintain healthy rivers. • The Colorado Water Plan should include criteria for evaluating proposed water projects including conservation, local support, and avoiding harmful impacts to rivers, and a requirement that these criteria be satisfied before a project receives state assistance. • Water conservation should be maximized before new transmountain diversions are allowed.	6.3	The Basin Implementation Plans and Colorado's Water Plan will incorporate conservation and reuse as critical components to helping meet future water needs, however those strategies alone might not be enough to meet Colorado's future water needs. Additional balanced options need to be explored. These topics are explored in Section 6.3. Agricultural water sharing and modernizing agricultural efficiencies are aspects of Colorado's Water Plan and included in Section 6.4 and Subsection 6.3.4.
Kevin McBride Feedback was also provided during the July 22 regular meeting.	• Separate water plans should be developed for each basin because their water needs and resources are unique. • A portion of Colorado's undeveloped compact entitlement should be reserved for the Yampa- White Basin. •Any water legislation should encourage flexibility in water use and recognize the diversity of river basins. • Unappropriated water from the Yampa-White Basin enables Colorado water users in other Colorado River basins to comply with its interstate compacts	2.2	Basin Implementation Plans were developed for each of the basins in Colorado and form the heart of the water plan. The state is working vigorously with other states and the Colorado River Basin as a whole to mitigate any risks Colorado may face with regard to compact compliance and other interstate issues.
Jackie Brown	• The Colorado River Compact allows each state to develop its allocation as it sees fit. The legislature should follow a similar course and allow the Yampa-White Basin to develop unappropriated water in the basin at its own pace.	9.1	Thank you for your comment. The state is working vigorously with other upper basin states to mitigate any rishs Colorado may face with regard to compact compliance and other interstate issues. This is addressed in Section 9.1.
Ken Brenner, Director Upper Yampa Water Conservancy District Board of Directors, Friends of the Yampa This feedback was provided during the July 22 regular meeting.	• The Interbasin Compact Committee's conceptual framework for new transmountain diversions needs additional clarification and should include enforcement measures to protect exporting basins. The framework should only be viewed as a starting point for future negotiations over new transmountain diversions. • There should be no new transmountain diversions because they will hinder Colorado's ability to comply with interstate compacts and limit the Yampa-White Basin's ability to address future water needs. • The water plan should recognize Governor Ritter's water supply solutions including water conservation, water reuse, East Slope water storage, and fallowing to promote water sharing between irrigators and municipalities.	2.2, 8	The Conceptual Framework and related chapter were updated based on the current status of discussions of the IBCC at the time of publication of the final draft. Scenario planning indicates that a new transmountain diversion may not be needed in the future, however some futures suggest that new transmountain diversions may be a necessary part of Colorado's water supply portfolio. Colorado's Water Plan does not include any specific transmountain water project, but it does discuss how we can move forward with this option should it be needed, based on the IBCC's work.
Ben Beall This feedback was provided during the July 22 regular meeting.	• The Colorado Water Plan should discuss protocols for addressing water users' ability to divert water for health, safety, and welfare purposes if there is a Colorado compact call. • Protocols should be developed through legislation or other means that determine apportion the impact of a compact call equitably across river basins.	9.1	The state is working vigorously with other upper basin states and the Colorado River Basin as a whole to mitigate any risks Colorado may face with regard to compact compliance and other interstate issues. This is addressed in Section 9.1.
Marsha Daugenbaugh This feedback was provided during the July 22 regular meeting.	• The Colorado Water Plan needs to focus on new agricultural efficiencies and non-traditional ideas that new farmers are exploring. • There should be no more transmountain diversions, especially those intended for non-food consumption uses. Agricultural, environmental, and recreational uses are dependent on each other in the Western Slope and each would suffer if there were more transmountain diversions.	6.3	Agricultural water sharing and modernizing agricultural efficiencies are aspects of Colorado's Water Plan and included in Section 6.4 and Subsection 6.3.4.
Don Shawcroft, Colorado Farm Bureau	• Additional water storage is needed in the state to capture surplus water crossing the state's boundaries. • The state should declare a water emergency and urge the federal government to allow the state to store additional water. • Section IV of Chapter 10 of the draft Colorado Water Plan concerning support for agricultural conservation and efficiency should further define "saved" water and explain that conservation of agricultural water rights is different from conservation of municipal and industrial water rights. It should also explain who may benefit from the marketing of saved agricultural water rights.		A new section of storage has been added to Section 6.5, discussing BIP input, IBCC goals, and a measurable objective for storage. "Saved" water is defined in the Agricultural Conservation section of CWP.

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Dick Ray, Colorado Outfitters Association	• Water availability determines Colorado's carrying capacity. • Additional headwaters storage should be built to capture any surplus water. • The state should be more concerned about new residents using water rights.	6.1, 6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Colorado's Water Plan and the technical work that supports it includes three growth scenarios: low-growth, mid-growth, high-growth. As water planners, Colorado must prepare for any of these future possibilities as we do not have control over the state's economy and how many people are born or choose to move here. While some communities choose to limit growth, doing so on a broad statewide scale is untenable and unconstitutional.
Mike Mitchell, Colorado Farm Bureau	• New residents should learn about Colorado's water laws and water use traditions. They should also better understand the impacts of rainwater harvesting on other water users and understand how agricultural return flows benefit other water users. • The Prior Appropriation Doctrine should be protected.	2	Rainwater harvesting is currently not legal under Colorado law. The Prior Appropriation Doctrine, which is in Colorado's Constitution, typically dictates that rainwater is used by a downstream user. Colorado's Water Plan supports the Prior Appropriation Doctrine and can be accomplished in accordance with it.
Public Comments from August 11, 2015 Arkansa Basin Hearing			
Tom Goodwin	• Personal income spent on food has decreased over the past several decades, but the loss of agriculture could lead to rising food prices and loss of disposable income that consumers spend on other products. • Additional storage on the East Slope is needed.	1, 6.5	The four values driving Colorado's Water Plan recognize the importance of viable and productive agriculure. The plan emphasizes the importance of agriculture as an economic driver in the state and the need to reduce "buy and dry." The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component.
Kip Petersen, Vice President, Pikes Peak Regional Water Authority A copy of Mr. Petersen's written testimony is included in the August 11 meeting summary and available on the WRRC website. *Additional comments from the Pikes Peak Regional WaterAuthority were submitted outside the meeting both to the WRRC and directly to the CWCB. These are available on the WRRC website.	• State and federal permitting requirements should be streamlined to avoid unnecessary reviews and costs being imposed on water providers and their customers. •The Colorado Water Plan should recommend that all state agencies coordinate their review of water projects and use the same analysis and expert input. • Environmental analysis for federal agencies should be used by state agencies without requiring duplicate analysis. • Projects endorsed by the state should be supported in federal permitting and for funding. • The Interbasin Compact Committee's "stretch goal" of 400,000 additional acre-feet of municipal demand reduction should be vetted by more stakeholders before being endorsed by the state. • Under Section 10.3 III of the second draft of the Colorado Water Plan, prior conservation achievements are not incorporated or recognized as value-added accomplishments. This creates a disincentive to do anything not prescribed or mandated by the state government since they might be discounted or ignored by the state. • The Colorado Water Plan should recognize that Colorado does not currently allow direct potable reuse (DPR). The plan should recommend funding and research to develop standards and processes for DPR, and recognize the role of the Water Quality Control Commission in authorizing DPR. • The State Water Plan is too directed at municipal and industrial use, the smallest percentage of water consumption in the state. Further study should be conducted concerning how agriculture can be more efficient in the use of water, along with a mechanism to provide for funding for agricultural irrigation enhancement.	6.5, 6.3.2, 6.3.4, 6.4	Colorado's Water Plan provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans. The 400,000 acre-foot conservation stretch goal was vetted and adopted by the Interbasin Compact Committee and all of the basin roundtables around the state. Section 6.3.2 indicates that while it is technically feasible to implement direct potable reuse, it is not fully accepted by the public for reuse as drinking water and that no utilities have seriously pursued DPR. The section goes on to recomment more research and education and states that widespread development of potable reuse will be an important facet of closing the future water supply-demand gap. With regard to agricultural efficiencies, agricultural water sharing and modernizing agricultural efficiencies are aspects of Colorado's Water Plan and included in Section 6.4 and Subsection 6.3.4.
Dick Brown, Pikes Peak Regional Water Authority	• The state should provide financial support to farmers participating in water conservation, including tax credits and other tax incentives. •We need local participation and control of water projects.	6.3.4, 6.4	Agricultural water sharing and modernizing agricultural efficiencies are aspects of Colorado's Water Plan and included in Section 6.4 and Subsection 6.3.4. The 10 Basin Roundtables across the state bring more than 300 citizens into water discussions state-wide. These Basin Roundtables authored Basin Implementation Plans, which discuss the priorities of each basin and identified water projects and processes needed to close the water supply gap in each basin.
Bob Kattnic	• Water is a human right and ought to be held in a public trust, and private property rights should be protected. •A state's water supply determines that state's human carrying capacity. An ideal population should be below the carrying capacity in order to preserve a healthy state. •Additional storage should be built to reserve precipitation in wet years so that it can be used in dry years. • California's growth and political muscle will lead it to draw more water from Colorado. This could restrict Colorado's ability to divert water from the West Slope to the East Slope •Colorado is not an agricultural state, but a municipal state, and our water will eventually follow the money to the detriment of the state's agricultural industry. •Water planning requires prioritizing competing interests. • The state only has one chance to create a successful water plan.	2.2, 6.1	Colorado's Water Plan supports the doctrine of prior appropriation for water administration. With regard to population, Colorado's Water Plan and the technical work that supports it includes three growth scenarios: low-growth, mid-growth, high-growth. As water planners, Colorado must prepare for any of these future possibilities as we do not have control over the state's economy and how many people are born or choose to move here. While some communities choose to limit growth, doing so on a broad statewide scale is untenable and unconstitutional. The CWCB is working with each basin on implementation of their Basin Implementation Plan and will continue to encourage all interested parties to do the same. The state is working vigorously with other upper basin states and the Colorado River Basin as a whole to mitigate any risks Colorado may face with regard to compact compliance and other interstate issues.

Source of Comment	Summary of Comments	Associated Chapters	Staff Response
Drew Peternell, Trout Unlimited	• The state ought to consider ideal stream flow rates through stream management plans. • Additional funding should be provided for stream management plans. • The Colorado Water Plan should further emphasize agricultural efficiency. • Additional funds should be provided for agriculture efficiency.	6.3.4, 7.1,10	Regarding stream management plans, there is currently $1 million allocated in the 2015 Projects Bill. CWCB is also currently working on guidance for a stream management plan grant program, and further defined and clarified what stream management plan means in the second and final draft of Colorado's Water Plan. Chapter 10 supports continuing this level of funding for stream management plans. Agricultural water sharing and modernizing agricultural efficiencies are aspects of Colorado's Water Plan and included in Section 6.4 and Subsection 6.3.4.
Brett Gracely, Colorado Springs Utilities	• The state water plan needs to recognize that water projects occur simultaneously and they often lack coordination with one another. •The level of conservation advocated in the state water plan will be difficult to achieve quickly because no court order or executive action can drive conservation at such a pace. • Additional water storage will enable more flexible water use, such as exchanges. •Regulations promulgated by different agencies are a hindrance to water projects, especially for smaller water providers. • Different basin implementation plans have different goals and are, at times, in conflict with one another, which could lead to future inconsistencies in planning.	6.5, 6.3.1	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. With regard to regulations, Colorado's Water Plan also provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans. Concerning the conservation stretch goal, the goal will be acheived by highlevels of customer participation that will result from new regulatory mandates, technology innovations, incentives, and changing customer behaviours. This is further discussed in section 6.3.1. The differences in the BIPs will be addressed through continued collaborative efforts, greater education and outreach, and a focus on interbasin efforts. The best step to solve conflict is to identify the challenging areas, and this is accomplished by the BIPs. It's important to remember that these initial BIPs and the first CWP are the first steps to meeting Colorado's water values. The work has just begun.
Julie Nania, High Country Conservation Advocates	•Crested Butte's water supply, Coal Creek, is listed as contaminated with heavy metals from mining. Coal Creek is treated by a water treatment facility that is required to operate in perpetuity, despite the financial difficulties faced by the plant's owner and operator. Under current law, the Colorado Department of Public Health and Environment may require bonds to ensure that water treatment project can continue when an operator goes bankrupt, but these are rarely used in practice. The state should revisit bonding requirements for water treatment projects.		CDPHE has worked closely with the CWCB on addressing water quality issues. This issue sounds appropriate for basin roundtable discussion and potentially review at the CDPHE level. Section 7.3 addresses several water quality actions.
Public Comments from August 12, 2015 Colorado Basin Hearing			
Stan Cazier, Middle Park Water Conservancy District	• Water is not available in the Colorado River Basin for new transmountain diversions. • Outdoor water use should be limited to 30 percent of residential water use. Otherwise, additional agricultural water rights will be transferred to satisfy the growing municipal water demand. • Colorado should follow the example of California in order to curtail water usage and declare a state of emergency to address the drought conditions. •Concerned about how future water projects will be funded.	6.3.1, 8, 9.2	With regard to new transmountain diversion projects, the IBCC provided a draft conceptual framework which explored innovative ways to address this issue in a balanced manner. Scenario planning indicates that a new transmountain diversion may not be needed in the future, however some futures suggest that new transmountain diversions may be a necessary part of Colorado's water supply portfolio. Colorado's Water Plan does not include any specific transmountain water project, but it does discuss how we can move forward with this option should it be needed, based on the IBCC's work. The Conceptual Framework and related chapter were updated based on the current status of discussions of the IBCC at the time of publication of the final draft. Colorado's Water Plan also includes a conservation stretch goal of reducing municipal water demands by 400,000 acre feet statewide. Nine out of every ten years some portion of the state experiences some level of drought. Moreover drought can carry serious economic and environmental consequences. Therefore it is a natural hazard that the state takes seriously. Colorado is a national leader in drought mitigation and planning efforts, much of which is outlined in the State of Colorado Drought Mitigation and Response Plan. Pieces of that plan have been incorporated into Colorado's Water Plan where appropriate. Concerning funding, the economics and funding section has been updated in section 9.2 to reflect the current funding strategy.
Abby Burk, Audubon of the Rockies	• Overuse of many of Colorado's rivers has impacted river health and the environment. The Colorado Water Plan should identify funding for healthy flowing rivers to protect the environment and the recreation economy.	7.1	There is currently $1 million allocated in 2015 for stream management plans. CWCB is also currently working on guidance for a stream management plan grant program, and further defined and clarified what stream management plan means in the second and final draft of Colorado's Water Plan.
Bill Thompson	• The state should help ensure an adequate water supply for water users in Grand County.	3, 6.1	Each basin roundtable developed basin implementation plans that each identify the water supply needs for their communities. Each portfolio constitutes a unique combination of possible strategies that could be used to meet a range of projected municiple and industrial water needs. This is described further in section 6.1.

Source of Comment	Summary of Comments	Associated Chapters	Staff Response
Torie Jarvis, Northwest Colorado Council of Governments, Water Quality and Quantity CommitteeA copy of Ms. Jarvis' written testimony is included in the August 12 meeting summary and available on the WRRC website.	• The state should act as a neutral facilitator in order to create a more efficient permitting process. • Local interests should be more involved in developing and reviewing water projects. • The Joint Review Process (Article 10 of Title 34, repealed in 2003) should be reestablished so that all permits from all state offices may be coordinated. Under this process, local affected interests would also be at the table from the beginning, before NEPA begins, and can express local concerns as well as mitigation concepts at the earliest possible time. The NEPA process would also be less onerous because reports and studies can focus on the real concerns instead of hypothetical concerns. Also, agencies with regulatory authority will be discussing their concerns and can avoid duplicative requirements on the applicant. • The Colorado Water Plan recommends potential endorsement of projects to make permitting more efficient. State endorsement of a project without first requiring local approval of a project could create the situation where the state advocates for a project before local permitting processes occur or even after a local government denies a permit. • Tying state endorsement and preliminary § 401 certification to the draft environmental impact statement (EIS) would make it harder for the state to change or deny certification later based on the more complete and accurate final EIS, and based on its own processes such as the anti-degradation review. • Some sections of the Colorado Water Plan call for the state to consider funding or filing for water rights for future water projects, including transmountain diversions. This is not the proper role for the state and should not be part of the Colorado Water Plan. The state should not assume the role as a proponent of a water project until the state regulatory process has been completed and the project has been agreed to by the impacted local governments in the area from which the water would be diverted. • Financing for water projects should not occur unless affected local governments approve the project. • Funding is an important issue for land use planning and conservation.	9.1, 9.2, 9.4	Colorado's Water Plan provides a framework for a more efficient permitting process in section 9.4, with the goal of assisting project proponents navigate the permitting stage. With regard to new transmountain diversion projects, the IBCC provided a draft conceptual framework which explored innovative ways to address this issue in a balanced manner. Scenario planning indicates that a new transmountain diversion may not be needed in the future, however some futures suggest that new transmountain diversions may be a necessary part of Colorado's water supply portfolio. Colorado's Water Plan does not include any specific transmountain water project, but it does discuss how we can move forward with this option should it be needed, based on the IBCC's work. The Conceptual Framework and related chapter were updated based on the current status of discussions of the IBCC at the time of publication of the final draft. Colorado water allocation and governance has always been guided by local users meeting local needs and Colorado's Water Plan will not change that. Rather than diminishing local control or authority over water, Colorado's Water Plan seeks to strengthen local decision-makers' ability to achieve regional and statewide water solutions. The funding strategies for water projects have been updated in section 9.1.
Lurline Underbrink-Curran County Manager, Grand County	• Return flows from agricultural water diversions benefit stream flows in the Colorado Basin. The Colorado Water Plan should not promote water use efficiency policies that may impact agricultural return flows. • The Colorado Water Plan should focus more on agricultural users and agricultural efficiencies.	6.3.4, 6.3.4	Agricultural water sharing and modernizing agricultural efficiencies are aspects of Colorado's Water Plan and included and updated in Section 6.4 and Subsection 6.3.4.
Merrit Linke, Grand County Commissioner	• Return flows from agricultural water diversions benefit stream flows in the Colorado Basin and help keep streams cooler. • The Windy Gap Project increases the temperature of water stored in the reservoir and hampers the passage of fish. The Windy Gap Bypass Project will benefit fish and the environment by keeping stream temperatures cooler and enabling the passage of fish.	1	Thank you for your comment. The importance of agriculture is highlighted throughout the plan and is one of the four driving values of Colorado's Water Plan.
Paul Bruchez, Agriculture Representative on the Colorado Basin Roundtable	• Public education helps residential water users better understand the impact urban landscapes have on rivers and streams. • Voluntary programs, including education and outreach, should also be used to encourage irrigators to use water in a manner that protects the environment while maintaining agricultural productivity.	9.5	Section 9.5 of Colorado's Water Plan focuses on the extensive work that has already occurred to help educate and engage local stakeholders and the public and charts a path to expand this work into the future. The plan also explores funding a water education and outreach grant program based on basin roundtable education action plans and the initiatives indicated in the plan.
Public Comments from September 14, 2015 North Platte Basin Hearing			
Ty Wattenberg	•The Water Supply Reserve Account funding component of the plan should be kept as whole as possible, and more funds should be added to the account. All basins will need additional funding in order to implement components of the plan. • Alternative transfer methods should retain the current sideboards in place, such as regulating the time in which water can be leased. • The state should be more involved in the funding of projects, and there needs to be more creative ways to fund projects. •The education of voters about water issues is an important component of the water plan.		Thank you for your comments. These concepts have been incorporated throughout the Plan, and the measurable objectives seek to make progress on each of these matters through strategic action in the upcoming years.
Carl Trick	• Water Supply Reserve Account funding should be put towards lowering the gap in municipal and industrial supply. •The plan is not strong enough in its current form. It needs more requirements rather than suggestions. •There should be an emphasis on increasing storage on the South Platte and along the Front Range. Agricultural users in the Front Range and along the South Platte are connected to the agricultural users in the North Platte Basin. • Everyone involved in developing the plan should compromise, but that is currently nothappening. Current projects have been halted due to specific concerns, i.e. environmental, and the state should become more involved with those projects to ensure that groups involved are compromising with each other to get water projects completed. • The General Assembly should help to streamline the permitting process in order to complete water projects.	6.5, 10	The Water Supply Reserve Account Program currently provides grants and loans to assist Colorado water users in addressing their critical water supply issues and interests, including municipal and industrial supply. The final version of the plan will include prioritized actions and definitive objectives. The final draft of Colorado's Water Plan also includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. Colorado's Water Plan also provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans.

Source of Comment	Summary of Comments	Associated Chapters	Staff Response
Public Comments from September 14, 2015 South Platte Basin Hearing			
Joe Frank, Chair South Platte Basin Roundtable The Metro and South Platte Basin Roundtables combined, will send a 12-page letter to the Colorado Water Conservation Board that includes comments and information that was agreed to by both roundtables. Highlights of the agreement are identified in the following column.	•The doctrine of prior appropriation must be defended. • The Colorado Water Plan advocates for the rehabilitation of existing storage or underground storage. It also says that new storage is controversial. The plan should explain why new storage is controversial and identify alternatives to overcome it. Overcoming this controversy should be a high priority and emphasized in Sections 4, 6 and 10 of the plan.Both above-ground and underground storage is needed to facilitate alternative transfers, augmentation, and to benefit the environment and recreation. •Conservation and reuse is an important piece of the Colorado Water Plan but the plan needs to keep building on conservation and reuse. • The plan's conservation stretch goal is aspirational. It should not receive greater emphasis in the plan that other methods for meeting the demand gap. • The plan should also recognize that agricultural efficiency does not create new water and that it may impact streamflows and other water users. •The plan should advocate for a more efficient water project permitting process including a more active role for the state that begins earlier in the permitting process. • The plan should be balanced and provide equal emphasis to all methods for meeting the demand gap including conservation and reuse, alternative transfer mechanisms, completion of identified projects and process, and the development of Colorado's compact entitlement.	6.3.4, 6.3, 6.5, 9.4	Colorado's Water Plan supports the doctrine of prior appropriation for water administration. The final draft of the plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. The Basin Implementation Plans and Colorado's Water Plan will incorporate conservation and reuse as critical components to helping meet future water needs, however those strategies alone might not be enough to meet Colorado's future water needs. Additional balanced options need to be explored. These topics are explored in Section 6.3. The final plan also includes updates to the agricultural efficiency section in 6.3.4. With regard to permitting, Colorado's Water Plan also provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans.
Jim Hall, Northern Colorado Water Conservancy District	• The Colorado Water Plan should clearly support the Colorado Doctrine of Prior Appropriation. • The plan should focus on increasing conservation and reuse. • The plan and the legislature should recognize the wisdom of local control and one size does not fit all with regards to conservation. The needs and abilities of water providers and municipalities differ across the state. • The plan should recognize the interdependence of water users. For example downstream agricultural water users rely on municipal return flows. • The plan should more clearly recognize the importance of return flows and not create the false hope that reuse and conservation is the solution to the state's water supply needs. • The plan should more clearly emphasize the need for additional storage. It should also identify underground and other storage options in addition to identified projects and processes and the rehabilitation or expansion of existing facilities that are discussed in Chapter 10 of the plan. • The permitting process for water projects should be streamlined and a task force on permitting issues should be convened. The plan should more clearly state that nothing in the plan will be used to expand the permitting process. Amendments to the water quality statutes and regulations should be considered to make them more applicable to water storage projects. The current statutes and regulations were developed primarily to address the impacts of water pollution discharges. • The plan should promote collaboration to ensure that Colorado meets its compact obligations and is able to develop its compact entitlement. • The plan should promote voluntary demand management and the development of a protocol to achieve required curtailment if voluntary methods fail.	2.2, 6.3, 6.5, 9.4	Colorado's Water Plan supports the doctrine of prior appropriation for water administration. The Basin Implementation Plans and Colorado's Water Plan will incorporate conservation and reuse as critical components to helping meet future water needs, however those strategies alone might not be enough to meet Colorado's future water needs. Additional balanced options need to be explored. Colorado's Water Plan seeks to strengthen local decision-makers' ability to achieve regional and statewide water solutions. The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. Colorado's Water Plan also provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans. The state is working vigorously with other upper basin states and the Colorado River Basin as a whole to mitigate any risks Colorado may face with regard to compact compliance and other interstate issues.
Burt Knight, City of Greeley	• The Colorado Water Plan should preserve and protect Colorado's prior appropriation doctrine as specified in state constitution. • A water right is a property right. The state should not impact those rights through rules and statutes, and further complicate the system. • As the state asserts a greater role in water supply planning, it should not preempt local control or impose one-size-fits all solutions. • As the state develops new formulas to measure progress on conservation, it should also recognize prior conservation accomplishments. • Conservation shouldn't be the dominant focus in the plan. • The Colorado Water Plan should include a chapter on storage that explains how storage mitigates drought impacts and benefits stream health. It should also explain how storage helps secure water supplies and provides flood control, water to fight wildfires, and redundancies when water systems are compromised by wildfires. • Unallocated water exists that should be captured. • Chapter 10 of the plan should not advocate for a change in the law to allow funding for certain projects until the final Colorado Water Plan is released and consensus exists for such a change.	2.3, 6.3, 6.5, 10	Colorado's Water Plan supports the prior appropriation doctrine. Rather than diminishing local control or authority over water, Colorado's Water Plan seeks to strengthen local decision-makers' ability to achieve regional and statewide water solutions. To that effect, Colorado's Water Plan will work to encourage, rather than mandate, several of the points presented in the comments. The conservation stretch goal included in the final plan for 400,000 AF by 2050 includes conservation efforts since 2008. The plan also highlights a variety of successful conservation examples in section 6.3. The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. Chapter 10 does not endorse any specific water projects for funding.

Source of Comment	Summary of Comments	Associated Chapters	Staff Response
Sean Conway, Weld County Commissioner	• Water storage should be increased. • The Northern Integrated Supply Project (NISP) will provide flood control benefits and help preserve irrigated agricultural lands. If this project is not built (the no alternative option in the environmental impact assessment), large amounts of agricultural water rightswill be transferred to meet the demand for municipal water. • Buy and dry is devastating to Weld County agriculture as well as West Slope farmers and ranchers. The West Slope should help support NISP and other projects that address East Slope water supply needs without the use of new transmountain diversions. • Conservation should be a vital component of the plan as well as additional water storage. • Collaboration is needed to meet Colorado's water supply challenges.	6.3, 6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. While Colorado's Water Plan does not prioritize or endorse any specific water projects, one of the plans 4 core values is viable and productive agriculture. The Basin Implementation Plans and Colorado's Water Plan will incorporate conservation and reuse as critical components to helping meet future water needs, however those strategies alone might not be enough to meet Colorado's future water needs. Additional balanced options need to be explored. These topics are explored in Section 6.3.
Randy Ray, Central Colorado Water Conservancy District	• There are a lot of opportunities for additional water storage in lined gravel pits. • The environmental pool in the Chatfield Reallocation Project should be viewed as a model for other water storage projects. • Irrigated agriculture landscapes are important to urban residents. • While efficient water use stretches water supplies, it also removes return flows from the system. The South Platte River is a gaining system that depends on return flows.Eliminating return flows will impact downstream water users. Conservation and efficient use of water can be utilized, but properly located storage can likely solve the problems created with efficiency.	6.3, 6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. The plan highlights the importance of viable and productive agriculture as one of the four values driving the plan. There is a discussion of agricultural efficiencies in Section 6.3.4
Alan Gentz	• Additional water storage is needed on the East Slope and the West Slope. • Irrigated agriculture is already efficient. Increased efficiency, such as the replacement of flood irrigation with sprinklers, reduces groundwater recharge. • The Colorado Water Plan should protect water rights and Colorado's water law.	6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. The plan considers various strategies that are in support of and consistent with Colorado's water law.
Bill Jerke	• The process for building water projects is too cumbersome. • NISP will help preserve irrigated agricultural lands. If this project is not built, large amounts of agricultural water rights will be transferred to meet the demand for municipal water. • There are mutually beneficial storage options that can provide water to the East Slope and provide benefits for the West Slope including drought protection and additional flows for recreation.	9.4	Colorado's Water Plan provides a framework for a more efficient permitting process, with the goal of assisting project proponents navigate the permitting stage. As identified by the CWCB and IBCC, storage has an important role in meeting Colorado's future water needs, and though Colorado's Water Plan does not endorse specific projects, policies are established to assist basins and stakeholders with implementing the projects and methods identified in the Basin Implementation Plans.
Peter Bridgeman	• The Northern Integrated Supply Project is critical as well as the Chimney Hollow Reservoir and Windy Gap Firming Project. • Water must be used more wisely to stretch this limited supply. • Water conservation will not satisfy all of Colorado's water needs. Additional storage is needed to satisfy these needs.	6.5	The final draft of Colorado's Water Plan includes a more in-depth discussion in Section 6.5 of the benefits of storage, especially storage which serves multiple beneficiaries and multiple purposes. Basin Implementation Plans statewide emphasized the benefits of storage, and propose many projects and methods with a storage component. The plan considers various strategies that are in support of and consistent with Colorado's water law.
Delores Martindale	• The prior appropriation doctrine must be preserved for those who have water rights.		We agree. Colorado's Water Plan supports and is consistent with the prior appropriation doctrine.
John Martindale	•Developers, homeowners' associations, and golf courses should increase their water conservation efforts.	6.3	The Basin Implementation Plans and Colorado's Water Plan will incorporate conservation and reuse as critical components to helping meet future water needs, however those strategies alone might not be enough to meet Colorado's future water needs. Additional balanced options need to be explored. These topics are explored in Section 6.3.
Roni Sylvester	•Over augmentation is contributing to high groundwater levels in the South Platte Basin. • The Colorado Water Plan should include a discussion on Platte River Endangered Species Recovery Program and entitlement.	4, 6.6	Groundwater management is addressed in Chapter 4 and in the South Platte Basin's Implementation Plan. The Platte River Recovery Implementation Program is discussed in Section 6.6.
Bruce Johnson	•Colorado's water must be managed to meet future water demands.	6	The four values driving Colorado's Water Plan recognize the importance of closing the projected water supply gap. Those four values are 1) vibrant and sustainable cities, 2) viable and productive agriculture, 3) a robust recreation and tourism industry, and 4) a thriving environment that includes healthy watersheds, rivers, streams, and wildlife.

Source of Comment	Summary of Comments	Associated Chapters	Staff Response
Public Comments from September 15, 2015 Metro Basin Hearing			
Celia Greenman A copy of Ms Greenman's written testimony is included in the September 15 meeting summary and available on the WRRC website.	•To promote healthy rivers, the Colorado Water Plan should consider the volume, frequency, and timing of flows necessary to maintain river health and the plan should identify funding for such assessments. Once these nonconsumptive water needs are identified, they should be met through increased conservation, reuse, and efficiency. • The Colorado Water Plan, which currently considers average yield for water storage projects, should instead consider safe or firm yield. Safe or firm yield is the amount of water that a project can deliver year after year, despite droughts. • Transmountain diversions do not benefit the Western Slope or the state's robust tourism industry. • Energy producers, including those obtaining oil and gas through hydraulic fracturing, should primarily use recycled water. • The plan should not consider water needs for oil shale development as this resource is not economically viable and would require substantial amounts of water and energy to develop. • Oil and gas development should also be excluded from areas near bodies of water.	6.3.5, 6.6, 8,	The final version of Colorado's Water Plan sets an objective for implementing stream management plans and recommends funding for this purpose. With regard to new transmountain diversion projects, the IBCC provided a draft conceptual framework which explored innovative ways to address this issue in a balanced manner. Scenario planning indicates that a new transmountain diversion may not be needed in the future, however some futures suggest that new transmountain diversions may be a necessary part of Colorado's water supply portfolio. Colorado's Water Plan does not include any specific transmountain water project, but it does discuss how we can move forward with this option should it be needed, based on the IBCC's work. The Conceptual Framework and related chapter were updated based on the current status of discussions of the IBCC at the time of publication of the final draft. Oil and gas development, including hydraulic fracturing, accounts for less than one tenth of 1 percent of the overall water useage in the state. Operators currently use recycled fluids (53% of fluids were recycled in 2012) and are currently testing and implementing new treatment technologies to allow for the reuse and recycling of produced water for other purposes.
Ken Ransford A copy of Mr. Ransford's written testimony is included in the September 15 meeting summary and available on the WRRC website.	•Healthy rivers were the public's primary concern when polled in the Colorado Basin Implementation Plan outreach in 2014. In nearly every case, the best way to improve rivers is to add more water to them. The use it or lose it practice in Colorado results in far more water being diverted from streams than crops need or can consume. Water law reform is necessary to remedy this, particularly by eliminating the abandonment risk. Policymakers should adjudicate each farmer's consumptive use right based on acres irrigated as shown on GIS maps. Without basin of origin protection, the Western Slope fears that the Eastern Slope will obtain rights to water left in rivers. For many Western Slope residents, this justifies excessive river diversions despite the harm to rivers. Funding is needed for irrigation system efficiency improvements, such as the Orchard Mesa irrigation improvements in Grand Junction. •Up to 1 million irrigated acres in the South Platte and Arkansas basins will be lost to urban and suburban sprawl. Colorado's Water Plan does not address this. The Colorado Basin cannot prevent this loss of irrigated agriculture by diverting still more water to the Front Range. Irrigation reform is thwarted by water court expenses and by excessive concern with return flows. Water laws promote flood irrigation to protect return flows and avoid the no injury rule. Farmers in Australia's Murray-Darling Basin eliminated return flows by converting to sprinklers between 1991 and 2008. In Colorado, 97 percent of irrigated acres in the Republican Basin use sprinklers. We can sustain and aid agriculture with zoning protection, conservation easements, denser development, easing barriers to alternative transfer methods, and making water freely transferable. Colorado's Water Plan should estimate how much land is needed to grow enough food to sustain Colorado's current and projected population, and discuss how to protect that land.• Increasing river flows will improve water quality. Increasing river flows on Western Slope rivers and preventing any additional transmountain diversions is essential to ensuresafe drinking water. •Land use decisions should be made with water budgets. Local jurisdictions can determine their own water budgets and water use practices, but all future development in Colorado should target high conservation.• The Colorado Water Plan overstates Colorado's projected population growth by saying 50 percent of the increase is from births by Colorado residents, amounting to 0.9 percent per year in the Hot Growth Scenario. The US Census Bureau projects that the average indigenous population growth in the United States will drop from 0.5 percent in 2015 to 0.2 percent in 2060. At that rate, only 14 percent of the Hot Growth projected population growth will come from indigenous births, with 86 percent of the population growth (3.9 million) resulting from in-migration. The average indigenous growth rate from 2015 to 2050 is only 0.3%, one-third of the rate projected by Colorado's state emographer.• The Shoshone and Cameo calls are essential to protect the health of the Colorado River.• Colorado is now using 100 percent or more of its share of the Colorado River, and there is no more firm yield available for diversion to the Eastern Slope.•Eliminating the water supply gap requires high conservation statewide, following the Southwest Roundtable's recommendation that 70 percent of municipal water use occur indoors and 30 percent outdoors. Colorado's Water Plan should acknowledge and promote this.	6.3, 6.4, 8	Thank you for your comments. The importance of healthy rivers is highlighted through out the plan, and is discussed extensively in Section 7.1. Integrating land use and water planning is addressed in Section 6.3. Agricultural water sharing and modernizing agricultural efficiencies are aspects of Colorado's Water Plan and included in Section 6.4 and Subsection 6.3.4. With regard to new transmountain diversion projects, the IBCC provided a draft conceptual framework which explored innovative ways to address this issue in a balanced manner. Colorado's Water Plan does not include any specific transmountain water project, but it does discuss how we can move forward with this option should it be needed, based on the IBCC's work.
Kristin Green, Conservation Colorado	•The Colorado Water Plan should include a more robust stretch conservation goal based on the high conservation goal identified in the Colorado River Basin Implementation Plan and the 2010 State Water Supply Initiative. •Water conservation should be maximized prior to pursuing other water supply options that impose more impacts. •Additional incentives should be developed to encourage water reuse, including an improved regulatory environment (as identified in Chapter 10 III b of the draft plan). •State endorsement of water projects should not occur prior to the release of a final environmental impact statement. This could marginalize the statement's findings.	6.3	Thank you for your comments. As is currently described in the No and Low Regrets Action Plan and Colorado's Water Plan, there should be a minimum statewide water conservation target of 340,000 acre-feet by 2050, of which 170,000 acre-feet from active conservation efforts is applied to the gap. The section on municipal and industrial conservation is also updated in Colorado's Water Plan with an added conservation stretch goal, consistent with the IBCC's recent development of a 400,000 acre-foot aspirational active conservation stretch goal. This stretch goal was adopted by the CWCB Board is included in the final draft. The Basin Implementation Plans and Colorado's Water Plan will incorporate conservation and reuse as critical components to helping meet future water needs, however those strategies alone might not be enough to meet Colorado's future water needs. Additional balanced options need to be explored. These topics are explored in Section 6.3.

Source of Comment	Summary of Comments	Associated Chapters	Staff Response
Sonia Skakich-Scrima	• The Colorado Water Plan ought to acknowledge and address the projected impacts of climate change. Protection of water supply may not be possible if climate change becomes irreversible. Combating climate change will require leaving two-thirds of existing fossilfuels in the ground. • Hydraulic fracturing uses an unacceptable amount of water to extinction. It also increases the migration of methane gas toward surface water supply and the atmosphere. • Climate change ought to be the basis for the approach of regulatory bodies, including the committee, in water policy planning.	6.1, 6.3.5	Climate change could have a serious effect on Colorado's water supplies, consequently, Colorado's Water Plan factors in an altered climate in 3 of the 5 scenarios examined in the planning process. Additionally, Climate change is addressed throughout Colorado's Water Plan, as it is likely to effect a multitude of sectors. However, the exact impacts of climate change remain uncertain; and while it is clear temperature's are, and will continue, rising, there is less consensus surrounding precipitation. Scenario planning enables the state to prepare for a wide range of possible futures to capture, and prepare for, such uncertainty. Specific climate change adaptation and mitigation recommendations are not addressed in Colorado's Water Plan but are being addressed through other statewide efforts. Oil and gas development, including hydraulic fracturing, accounts for less than one tenth of 1 percent of the overall water useage in the state. Operators currently use recycled fluids (53% of fluids were recycled in 2012) and are currently testing and implementing new treatment technologies to allow for the reuse and recycling of produced water for other purposes.
Larry Scrima	•Water should not be considered cheap or free. • Industrial users of water and other natural resources should adequately compensate for their use or lease of public resources. Industrial users should also be held responsible for cleanup of the sites they abandon.		Thank you for your comment, we agree water should not be free. Industrial users of water must abide by the same water laws that apply to everyother sector.
Anne Castle, Getches-Wilkinson Center at the University of Colorado A copy of Ms. Castle's written testimony is included in the September 15 meeting summary and available on the WRRC website.	• The draft Colorado Water Plan describes a large number of proposed action items, both inside and outside of Chapter 10. The action items in the draft Colorado Water Plan should be prioritized in order to promote a practical implementation strategy. • Significant funding will be needed in order to address water gaps, promote agricultural and environmental viability, and prepare for climate change. The Colorado Water Conservation Board ought to develop criteria to determine which projects receive funding and from which sources. • The Colorado Water Plan appropriately recognizes the key role of conservation in meeting Colorado's project water supply gaps, and the important corollary that no one sector can or should be relied upon to bear the entire burden of the projected conservation goals (Chapter 6.3). The plan should include the stretch goal of reducing projected 2050 municipal demand by 400,000 acre feet through active conservation (Chapter 10, Action III.a.4). • Without thoughtful scoping parameters, development of significant new Colorado River supplies increases the risk of future curtailment to all existing, post-1922 Colorado River water users, reduces the production of renewable hydropower at Colorado River Storage Project reservoirs, and could ratchet up unwelcome and counter-productive political dynamics among the Colorado River Basin States. The IBCC-developed Conceptual Framework mitigates these adverse effects of new water development on the Western Slope. The Conceptual Framework is a critically important part of the plan and should be formally adopted in the plan and by the Colorado Water Conservation Board, not just monitored (Chapter 10, Action VI.d.4). • The state must take a leadership role in developing meaningful alternatives that can help make some irrigation water available for other uses, but in a manner that benefits the agricultural economy in order to demonstrate its commitment to reducing the use of permanent water transfers to meet new consumptive use demands. • Legislation should be considered to recognize the right of a water rights owner to continued ownership, and the right to dispose of saved consumptive use. Such legislative recognition currently exists in Montana, California, Oregon, and Washington, and provides a secure foundation for farmers in particular to alter their usage of water without fear of loss. • While the Colorado River Water Bank Working Group and the CWCB's support for this group are mentioned in the plan (pages 196, 211-12), the plan should include a specific action item continuing this support and eventual implementation of a Colorado River water bank to reduce the risk of a compact deficit. The plan should also consider additional regional water banks created under CWCB guidelines to help facilitate more flexible response to drought situations and to manage methods for the sharing of irrigation water.	6.3, 6.4, 8, 10	The final version of Colorado's Water Plan will contain a prioritized list of action items in Chapter 10. The section on municipal and industrial conservation is updated in Colorado's Water Plan with an added conservation stretch goal, consistent with the IBCC's recent development of a 400,000 acre-foot aspirational active conservation stretch goal. The Conceptual Framework was adopted by the CWCB Board and is included in the final draft. Agricultural water sharing and modernizing agricultural efficiencies are aspects of Colorado's Water Plan and included in Section 6.4 and Subsection 6.3.4.
Casey Davenhill, Colorado Watershed Assembly	• Basin roundtables are important for engaging the public in conversation about water management in the state. • The Colorado Water Plan should also promote public education and outreach for basin roundtable members to learn about the priorities of their local communities and to educate elected officials and special districts representatives about water matters. • The Colorado Water Plan should recognize that water supply planning for water quality and supply projects is a regional issue that requires collaboration among people with diverse perspectives and interests. • More funding should be available to offset travel and other expenses incurred by persons participating in basin roundtables , water districts, and other water meetings.		We agree that Basin Roundtables are important for engaging the public in conversation about water management. The imporance of public education and outreach is highlighted in chapter 9.5 of the draft plan, which will be moved to an appendix in the final and is the subject of a number of action items in Chapter 10. A strategic funding plan is discussed in Section 9.2.