



Memorandum

To: Senator Gail Schwartz; Chair, Water Resources Review Committee
From: Diane Johnson, Communications and Public Affairs Manager
Date: September 26, 2013
Subject: Water Resources Review Committee - Water Efficiency & Conservation Opportunities

SB13-019 Implementation Status

In early April, Eagle River Water & Sanitation District and Upper Eagle Regional Water Authority were preparing for sustained drought, beyond 2012 conditions, and expected local (eastern Eagle County) streamflows to be very low. Because our water system relies on adequate streamflows to meet our customers' needs, we began to reconvene our 2012 "drought stakeholders" group that had helped lessen the impact of drought on our community during summer 2012. In a coordinated effort, and at the District's request, stakeholders in 2012 had voluntarily reduced diversions from local streams and/or used less water from our public water system in an effort to preserve stream flows. Maintaining flows for environmental health and recreation is a key factor in the economic health of our community - which includes the world class resorts of Vail and Beaver Creek. In early April 2013 the same group stood ready to collaboratively manage our water resources in support of our local economy. Additionally, stakeholders that owned water rights were interested in using the new protection of SB13-019 to allow them to support their community through voluntary cutbacks without potentially injuring their water rights in the future. The heavy snows of mid-April and early May allowed this group to stand down as snowpack greatly improved.

With streams and water supply at near normal levels, we began to focus on setting up a process to implement SB13-019. We worked with the River District on some guidelines and an application that would be a mechanism for water rights holders within the River District's service area to use SB13-019, per Section 2, Paragraph II (A). Since SB13-019 only applies to water divisions 4, 5, and 6 - which are entirely within the River District boundaries - the "approval" role is appropriate for the River District. The matter was discussed by the River District board and tabled to October.

A dry spell and hot weather in August caused us to enlist help from our partners to minimize impacts on streamflows. A subsequent request for action to protect water rights resulted in draft Resolutions, per Section 2, Paragraph II (B), that were discussed in concept by involved parties, but ultimately not needed as substantial moisture arrived.

Further discussion has emphasized the need for a straightforward process and has raised questions about the timing of various actions to ensure that the protections afforded by SB13-019 will actually be available when needed. These items will be addressed in the next few months.