



2024 COLORADO WATER CONGRESS SUMMER CONFERENCE

August 20 - 22, 2024
Cheyenne Mountain Resort

WORKSHOPS

Tuesday, August 20

9:00 to 11:30

Room Assignments TBA

Innovations at the Intersection of Water and Energy

Moderator: Linn Brooks (Immediate Past President Colorado Water Congress)

Speakers:

Bryon Kominek (Colorado Agrivoltaic Learning Center)

Siri Roman (Eagle River Water and Sanitation District)

Lisa Reed (Holy Cross Energy)

Tony Bohrer (Moffat County Commissioner)

Matthew Shaprio (rPlus Hydro)

Dan Freedman (Metro Water Recovery)

The development of energy to support economic development has been inextricably linked to water for millennia: from the humble water wheel, to steam engines, to large reservoir hydro-power generation. Join us for a series of topics showcasing current innovations in the water/energy nexus. Experts will share pilot project case studies and new applications of established technologies. Collaboration between these two economically foundational industries can conserve both water and energy, while improving the economics for water utilities and food production and supporting the transition to cleaner energy.

Water Quality Workshop

Green Infrastructure for Water Quality Management

How the CO Water Quality Control Commission Really Works

Colorado's New Dredge and Fill Permitting Program

Moderators: Gabe Racz (Vranesh & Raisch) and Jessica LaPierre (Aurora Water)

Speakers:

Senator Cleave Simpson (Colorado Legislature)

Evan Thomas (University of Colorado Boulder)

Alex Johnson (Virridy)

Nicole Rowan (CO Water Quality Control Division)

We will explore Colorado's new legislation on Green Infrastructure for Water Quality Management. This legislation directs the University of Colorado Boulder and Colorado State University to work directly with the Colorado Department of Public Health and Environment (CDPHE) to study new pathways to restore rivers and watersheds in Colorado, improve water quality, and reduce emissions associated with water and wastewater treatment. Allowed under the US Clean Water Act, these water quality trading programs can avoid the construction and operation of expensive, energy and emissions intensive treatment upgrades in favor of achieving the same or better benefits to

Colorado's rivers and reservoirs through largely agricultural land-based incentives to reduce nutrient loading. Over the next two years, this group is directed to develop up to three pilots with communities and utilities that would actively restore watersheds using public and private sector investment, including the purchase of carbon credits based on avoided electricity demand from water treatment.

Jojo La (Water Quality Control Commission)

This workshop will also provide time to learn about the work of the Water Quality Control Commission, who the Commissioners are, and how they conduct business.

Senator Barbara Kirkmeyer (Colorado Legislature)

Nicole Rowan (CO Water Quality Control Division)

Stu Gillespie (Earthjustice)

Adam Devoe (DeVoe Law)

Jim Sanderson (Welborn Sullivan Meck & Tooley, P.C.)

The Clean Water Act in 1972 left us with decades of uncertainty as to what activities are covered. Definitions of wetlands, navigability, and Waters of the United States have blown with the winds of political change and US Supreme Court rulings. This year, the Colorado legislature completed the historic task of pulling together a wide range of stakeholders to trek through a jungle of complexities to establish a Colorado permitting program for activities not covered under the federal dredge and fill program. Although the framework has been approved, the Colorado Water Quality Control Commission and Division will spend the next 1-1/2 years working with the water community to design the program. Join us to learn more about Colorado's new dredge and fill permitting program and this exciting time and opportunity for Colorado's diverse water community to further develop the intricacies of the program.

State Agency Coordination and Vision

Sponsored by the Water Law Section of the Colorado Bar Association

Moderator: April Hendricks (Burns Figa & Will)

Speakers:

Derek Turner (Colorado Attorney General's Office)

Jason Ullmann (Colorado State Engineer)

Within the last six months, new leadership has been announced within the Division of Water Resources and the Water Resources Unit of the Attorney General's Office. In March, Jason Ullmann was announced as the new State Engineer and Director of the Division of Water Resources. In April, Derek Turner re-joined the Colorado Attorney General's Office as the First Assistant Attorney General for the Water Resources Unit. The Water Law Section of the Colorado Bar Association is excited for Jason and Derek to join us at CWC's Summer Conference for a joint presentation on their goals, policies, and philosophies for how their units will be run under their respective leadership. Understanding their roles and visions is essential to the Water Law Section and the water community. Please join us for a workshop to celebrate Jason and Derek's new roles and learn more about their priorities and objectives.

Cybersecurity in the Water Sector: Part I

Moderator: Lauren Hix (Hix Risk Consultants)

Speakers:

Brandon Glandt (Coalition Insurance Solutions, Inc.)

Cam Moore (Allstate Identity Protection)

TBD

In a letter to all 50 governors, EPA Administrator Michael Regan and White House National Security Advisor Jake Sullivan said "Drinking water and wastewater systems are an attractive target for cyberattacks because they are a

lifeline critical infrastructure sector but often lack the resources and technical capacity to adopt rigorous cybersecurity practices.

Are you developing a risk assessment plan that addresses cybersecurity and set up backup systems? Learn more about how to take action to decrease your risk and increase your safety.

This workshop is the first of a two-part series on cybersecurity. (Part II will be at the 2025 Annual Convention.)

Covered topics will include:

- Trends in types of cyber attacks
- Identity theft – business and personal
- Litigation trends and examples
- Emerging issues, including H.R. 7922-establishing water risk and resilience organization requirements
- Cyber risk transfer

SUMMER CONFERENCE PROGRAM

All sessions in Colorado Ballroom unless otherwise indicated. Times subject to change.

TUESDAY, AUGUST 20

12:00-1:15

Welcome Lunch

Sponsored by Ute Water Conservancy District
Centennial Ballroom

1:30–2:30

Opening Session

Colorado Ballroom

Introduction and Conference Overview

Travis Smith (President Colorado Water Congress)

Welcome to Colorado Springs

Travas Deal (Colorado Springs Utilities)

**POND (Professionals Outreach Networking and Development) Committee
Overview of Conference Activities and upcoming opportunities**

The Vision, Transition and Future Plan for the Water Congress

Travis Smith (President Colorado Water Congress)

Christine Arbogast (Vice President Colorado Water Congress)

Chane Polo (Executive Director (To Be) Colorado Water Congress)

The journey of what was to become the Colorado Water Congress began in 1957. Inspired to set aside our differences while working on those things of common purpose. Energized to correct the leisurely attention being paid to water policy. Driven to fix the dysfunction that was our water law and water administration process. Colorado's water community became the Water Congress.

2:30-3:30

Session 2

Ag Perspectives on the Colorado River and Food Security

Speakers:

Dan Keppen (Family Farm Alliance)

Mike Wade (California Farm Water Coalition)

"Tag team" Ted Talk-style presentations. Presentations will focus on agricultural water use in the Colorado River Basin and larger food security issues. Delve into the intersection of water resource management and agricultural sustainability. The session will explore the unique challenges faced by farmers in the basin, balancing irrigation demands with the imperative to conserve water for long-term resilience. Discussions will highlight innovative strategies and technologies employed to enhance water efficiency while maintaining agricultural productivity. Additionally, the session will address broader implications for food security, considering how water scarcity impacts regional and global food supply chains.

3:30-3:45

Adam Frisch

3rd Congressional District

3:45-4:30

Session 3

The Colorado Water Congress Board – A portrait of your advocates

Moderators:

Doug Kemper (Colorado Water Congress)

Chane Polo (Colorado Water Congress)

Learn about the pivotal role Colorado Water Congress plays in water management and policy in the state. Comprising representatives from various sectors including agriculture, municipalities, and environmental advocacy groups, the Board collaborates to address critical water issues through legislation, education, and advocacy. Meet your board members and hear about how they can advocate for you. By engaging with the Colorado Water Congress Board, participants can gain insights, forge partnerships, and access support crucial for effective water management and policy implementation across the region.

5:00-7:00

POND Reception

Co-Sponsored by Molson Coors Beverage Company

Cheyenne Courtyard or Centennial Ballroom (weather backup)

WEDNESDAY, AUGUST 21

6:30–8:30

Water for Breakfast

Co-Sponsored by Brown and Caldwell & United Water and Sanitation District

Centennial Ballroom/Mountain View Restaurant

7:00 – 8:00

Water Congress Board and Water Resources and Agricultural Review Committee Meeting

Note: Breakfast provided for Board and Committee members only.

Cheyenne Ballroom

9:00 – 12:00

**Water Quality Control Commission Meeting
Remington I**

8:30-12:00

Session 4

Beyond the Banks: Rethinking Water Resources Outside Traditional Boundaries

8:30–9:00

Agriculture, Wildlife and Water: Better Together

Speakers:

Patt Dorsey (National Wild Turkey Federation)

Dallas May (May Valley Farms)

Ray Aberle (CO Parks and Wildlife)

As the West faces continuing drought and increasing pressure on our water supplies, the agricultural community and wildlife advocates can either focus on their differences, and whose needs are more important, or focus on shared values and work together to find creative solutions. We must move away from “do or die,” “win or lose” thinking toward synergistic compatibility. This session will explore and document the important role water plays in providing benefits to agriculture, wildlife and subsequently all constituents in Colorado and beyond. Through case studies, personal stories and experience presenters will illustrate the benefits and challenges in producing livestock, crops, wildlife and vibrant human communities in Colorado.

9:00-10:00 The Hydro-Social Connection: Statewide Member Stories

Moderator: Greg Kernohan, Ducks Unlimited

Pueblo Water Park

Speaker: Seth Clayton (Pueblo Water Works)

The project will improve safety on the Arkansas River by creating a passageway that will allow users to ride the river unimpeded. It will also create a fish passage, recreational opportunities, and better overall river health.

Preserving Colorado's Fruitful Legacy in an Ever Arid Future

Speaker: Jude Schenemyer (Montezuma Orchard Restoration Project)

The Montezuma Orchard Restoration Project works to preserve Colorado's fruit-growing heritage and restore an orchard culture and economy to the southwestern region. Remnants of Colorado's early fruit diversity remain in our rural and urban landscape. The Project envisions southwestern Colorado being renowned for the legendary quality and diversity of Montezuma Vally Fruits.

Maybell Diversion Restoration and Headgate Modernization

Speakers:

Charles Bisbee (JHL Constructors)

Monte McCoy (JHL Constructors)

Mike Camblin (Maybell Irrigation District)

Aaron Citron (The Nature Conservancy)

The Maybell Ditch is in northwest Colorado on the Lower Yampa River, downstream of Craig and upstream of Dinosaur National Monument and provides water to livestock. The 18-mile-long canal supports one of the largest irrigation systems in the Yampa River Basin, providing water for the Town of Maybell and agricultural producers. The Lower Yampa offers ample recreational opportunities and is home to abundant wildlife, including four threatened and endangered fish species. The Nature Conservancy and Maybell Irrigation District are working together to rehabilitate the diversion and modernize the headgate with J-U-B Engineers and River Restoration as the design team and JHL Constructors as the construction firm. This multi-benefit project will improve irrigation efficiency, control of water, and boater safety, ensuring that the diversion provides water to those who need it while improving riparian habitat connectivity and fish passage in the Yampa River.

Panel Chat with Moderator

10:00-10:30 Platte Valley Water Partnership

Long-term Renewable Water for Agriculture and Municipal Needs

Moderator: Rebecca Tejada (Parker Water and Sanitation District)

Speakers:

Ron Redd (Parker Water and Sanitation District)

Joe Frank (Lower South Platte Water Conservancy District)

Lisa Darling (South Metro Water Supply Authority)

Jim Yahn (North Sterling Irrigation District)

Join us for an insightful session on the Platte Valley Water Partnership (PVWP), where we will explore its key components and alignment with the Colorado State Water Plan. The session will be conducted in a question-and-answer style, fostering dialogue among attendees to highlight

how the PVWP benefits agriculture, municipalities, the economy, and the environment. Perspectives from both agricultural and municipal viewpoints will be shared, allowing for a comprehensive discussion on hopes, concerns, and insights. Attendees will gain a deeper understanding of how the Platte Valley Water Partnership serves as a model for integrated water resource management, addressing diverse stakeholder needs while promoting sustainable development and environmental stewardship in Colorado's water landscape.

10:30-11:00 Prime Time Water Cases

Speaker: Pat Sigl (Salt River Project and NWRA Litigation Review Committee)

Patrick Sigl will provide an update on current federal litigation in the water and natural resources area that impacts western water, including an update on the 2023-2024 Supreme Court Term. Cases include *Loper Bright Enterprises v. Raimondo*, *Relentless, Inc. v. Department of Commerce*, *Texas v. New Mexico* and *Colorado*, and *City of Grants Pass, Oregon v. Johnson*. He will showcase Colorado and Arizona's perspectives. How do they differ? How would each state be affected?

11:00-11:20 Thornton's 1041 Journey

Speakers:

Emily Hunt (City of Thornton)

Carolynne White (Brownstein)

Thornton purchased the water rights for its future water supply thirty-eight years ago. What followed was an over decade-long Water Court process, including a trip to the Colorado Supreme Court, which secured Thornton's legal right to use the water for its residents. In 2013, Thornton began planning for the infrastructure that would convey its water to its customers via a 70-mile pipeline. What followed was another decade-long land-use permitting process, including a 1041 permit denial and a detour to the Colorado Court of Appeals, during which Thornton attempted to obtain the approval to build its pipeline. Finally, on May 8, 2024, in its second 1041 permit attempt, Thornton received unanimous approval from the Larimer County Board of County Commissioners to construct the final 10.4-mile segment of the Thornton pipeline in Larimer County. Emily and Carolynne will discuss Thornton's approach to this successful permitting effort. They will also share key learnings from Thornton's journey for both water project proponents as well as land use regulators to consider as we, collectively, work to provide safe drinking water to Coloradans while also protecting our communities and environment.

**11:20-11:50 House Bill-1379: Regulate Dredge & Fill Activities in State Waters
A Lesson in Collaboration**

Speakers:

Speaker Julie McCluskie

Representative Karen McCormick

Senator Barbara Kirkmeyer

Chané Polo (Colorado Water Congress)

Gabe Racz (Vranesh & Raisch)

Join us for an enlightening session focused on the evolution of Colorado House Bill-1379, which addresses the regulation of dredge and fill activities in state waters. This legislation marks a significant step in environmental stewardship and water resource management in Colorado. The development of the legislation was also considered a breakthrough example of collaboration and negotiation. Hear from those in the room where it happened about the development of the law, stakeholder engagement, and the Water Congress participation in the process.

12:00-1:00 Box Lunch

Sponsored by Colorado Water Resources & Power Development Authority

Distributed in Colorado Gallery

- 1:00-5:00+** **POND Activities**
- Pikes Peak COG Events – details coming soon!
 - The Unique Faces of the Arkansas Basin
 - The Slopes and Waterways of Pikes Peak
 - Mountain Biking
 - Golf
 - And more!
- 2:00-5:00** **Water Resources and Agriculture Review Committee**
Colorado Ballroom
- 1:00-3:00** **CO Water Resources & Power Development Authority**
and Water Quality Control Commission Joint Meeting
Remington I
- 3:00-5:00** **CO Water Resources & Power Development Authority Meeting**
Remington I
- 6:00 – 8:00** **Water for Colorado Happy Hour**
Remington II
- The community of organizations that make up the [Water for Colorado](#) Coalition represent diverse perspectives and share a commitment to protecting Colorado’s water future to secure a reliable water supply for the state and for future generations. Join the team for snacks and an open bar.
- 5:30-7:30** **Water Buffalo Reception**
Sponsored by the Colorado Bar Association Water Law Section
Cheyenne Courtyard
- 6:00-6:45** **Water Buffalo Presentation**
Cheyenne Ballroom
- Inductees:*
Judge Steven Patrick, Former Water Judge for Division 4
Judge James Hartmann, former Water Judge for Division 1
- For decades, the Colorado Bar Associations Water Law Section has recognized retired individuals who have made significant contributions to the field of water law through induction into the Ancient and Honorable Order of the Water Buffalo. Nominees to this distinguished group are selected by the Executive Committee of the Water Law Section and honored at this ceremony celebrating their careers. The inductees this year are TBA.
- 7:30-9:30** **Mountain Jam VI**
Cheyenne Courtyard
- Bring your voice and musical instruments, and let’s jam! Open to all experience levels (including no experience). Please note that this is an informal musical gathering and not a performance.

THURSDAY, AUGUST 22

- 7:00-8:30** **Pastries, Coffee, and Conversation**
Sponsored by Colorado River Water Conservation District
(Foodservice continues until 8:30)
Centennial Ballroom
- 8:40-11:30** **General Session 5**
Celebrating Our Transitions and New Beginnings
- 8:40-9:00** **Exit Interview I**
Travis Smith (CWC President) and Doug Kemper (CWC Executive Director)
- 9:00-9:20** **Exit Interview II**
Water Education Colorado
Jayla Poppleton (Water Education Colorado)
- 9:20-9:50** **Meet the New Colorado State Engineer**
Jason Ullmann, Colorado State Engineer
Join us for an engaging session as we introduce Colorado's new State Engineer and delve into his background, the challenges facing the Division of Water Resources (DWR), and his strategic priorities for the future.
- 9:50 – 10:20** **Rights of Nature, Water Rights, and the Public Trust**
Moderators: Peggy Montaño (Trout Raley)
Speakers:
Mayor Billy Giblin (Town of Nederland)
Sean Cronin (St. Vrain and Left Hand Water Conservancy District)
Join us for a thought-provoking session on the Rights of Nature movement, particularly its impact and adoption by two Colorado local governments. Many municipalities across the state, including the Towns of Nederland and Lyons, were approached to consider adopting Rights of Nature Resolutions. These resolutions are distinct from laws or ordinances, but aim to establish rights for ecosystems, species, and rivers/creeks within the jurisdiction, with the local government acting as a trustee responsible for their protection. This session will provide an overview of the Rights of Nature concept in environmental law and policy. Participants will gain insights into the legal and philosophical underpinnings of Rights of Nature; case studies from Colorado, with a focus on both the Town of Nederland's and the Town of Lyons' experience adopting a Rights of Nature Resolution. The discussion will explore the implications for environmental protection, water and water rights and community involvement.
- 10:20-10:50** **Colorado River and San Juan Endangered Fish Recovery Programs**
With 4 Decades of Work Behind Us, What's the Future for these Programs?
Speaker: Rich Belt (Beltwater, Inc.)
The Colorado Water Congress has been involved in Endangered Species issues since 1983 when the Water Congress board of directors established the Colorado Water Congress Special Project on Endangered Species. The initial objective was to develop administrative solutions to potential conflicts between water development/management activities and protection of endangered species in the Colorado River and Platte River basins. Now, with four decades of work behind us,

what's the future for these programs? What can we celebrate? Hear from the new Project Coordinator regarding program success and future initiatives.

11:00-11:30 Tribal Inclusion in the Colorado River Basin

Speakers:

Lisa Yellow-Eagle (Southern Ute Indian Tribe)

Letisha Yazzie (Ute Mountain Ute Tribe)

This session will spotlight the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe's participation in conversations and collaboration between Upper Basin Tribes and the Upper Colorado River Commission (UCRC), culminating in a Memorandum of Understanding (MOU), which underscores tribal inclusion in the Colorado River Basin discussions. The session will begin with a brief overview of the Colorado Ute Indian Water Settlement. Panelists will discuss the efforts leading to the establishment of the MOU between Upper Basin Tribes and the UCRC, highlighting the collaborative process, key stakeholders involved, shared objectives aimed at enhancing water security and sustainability, and supporting tribal sovereignty. 20+ tribes signed onto a Joint Tribal Principles Letter including Southern Ute Indian Tribe and Ute Mountain Ute Tribe that highlights the need to protect tribal water rights in the Colorado River Basin in the Post 2026 Guidelines. Participants will gain insight into the historical context of tribal engagement, the development of the MOU, and its implications for future water governance in the Colorado River Basin.

**11:45-12:00 Session 6
Concluding Session**

Travis Smith (CWC President) and Christine Arbogast (CWC Vice President)

Closing Remarks

12:00 Conference Conclusion and hotel check out
