

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: May 9, 2012

Board Item: V-B-1

Approval to Execute the Colorado River Cooperative Agreement

Action by Consent

Action

Information

In February 2007, Denver Water and 17 entities on the West Slope engaged the services of a mediator and since that time have been actively engaged in negotiating the document now known as the Colorado River Cooperative Agreement or CRCA. The CRCA was hailed at its public introduction in April 2011 as a historic agreement that moves the participants away from the confrontational way water has been managed in the past to a more inclusive and cooperative process with the goal of responsible water development benefitting both East and West Slopes.

It would not be possible to adequately summarize the 52-page agreement with its 20 attachments, but the Board has been actively involved in negotiations and is familiar with the outcome. In part, Denver Water has agreed: to limit its Service Area to the current boundaries; to restrict the use of its water outside the Service Area; to quantify its commitment to conservation and recycling; to provide \$15 million for West Slope entities for water-related construction projects and \$10 million for the environment; to deliver 4118 acre-feet of water to West Slope entities, 2000 acre-feet of which will be dedicated to instream environmental purposes; to operate its system permanently to preserve flows at the Shoshone Power Plant location; and to engage in a cooperative management effort to improve the aquatic environment in Grand County. Denver Water will obtain an end to opposition from the Signatories to the enlargement of Gross Reservoir and an end to historic disputes about its operations on the West Slope, especially under the Blue River Decree. Attached to this Board item is a list of all the parties either: (1) signing the CRCA, or (2) receiving water or funds under the CRCA, and thus agreeing to the peaceful resolution of past disputes with Denver Water.

Four Eagle County Signatories executed the CRCA in February of this year. On May 15, Grand County, Summit County, Middle Park Water Conservancy District, and Clinton Ditch and Reservoir Company will also sign the CRCA. It is recommended that Denver Water sign the agreement on May 15 as well. The CRCA will not become fully effective until the last Signatory has signed, but the documents are complete and final, and the CRCA should be fully executed within a few weeks.

Recommendation:

It is recommended that the Board approve execution of the CRCA on May 15, 2012.

Approvals:

Respectfully submitted,



General Counsel



James S. Lochhead
CEO/Manager



Director of Planning