

December 14, 2012

The Poudre Runs Through It Study/Action Work Group

SESSION SUMMARY

Did anyone notice Larry Hicks' cowboy boots revealed wear and tear?

That guy doesn't stand around talking about progress; he gets out there and makes it happen! Sharing his experience as manager of southern Wyoming's Little Snake River Water Conservation District, Larry gave us these three "golden" rules:

- 1) People mistrust what they don't understand
- 2) People resist what's forced on them
- 3) People support what they help create

Other useful pointers for what we are trying to accomplish:

- Success starts small and it builds, and builds, and builds.
- Different stakeholders can look at the same 40 acres of land (or stretch of river) and value different things. Instead of fighting about whose values are most important, it is more productive to work on coming up with a solution(s) that fits everyone's values.
- Partnerships=Power. Different groups of stakeholders/agencies can bring different resources and pots of money to the table. By working together you can do what seemed impossible.

A riddle:

- When could the threat of three warm water fish being listed as endangered turn out to be a good thing for an irrigation district? When the district used the opportunity to bring in federal wildlife fund dollars to replace all their antiquated diversion structures with natural rock structures. The change did away with the threat of habitat fragmentation and improved irrigation deliveries at the same time.

Our "Working River" presenters had so much to tell us (and we had so many questions) that we had to adapt our schedule by having a "Working Lunch."

We learned:

- Colorado water law is not static; it's evolving, as evidenced by the ability to now get a water right to keep water in the stream for fish and to keep water in-channel for recreational purposes. Will social values translate to market action to increase the prevalence of these uses?
- The Poudre River Commissioners' job is straight-forward in mission though complex in action: physically move water from the Poudre to those who hold the rights to use it.
- There are two seasons in water rights on the Poudre. The direct flow season runs from April 1 to October 31. The reservoir storage season starts November 1. Direct flow rights and storage rights are different.
- The Poudre dries up in winter at 4 points. Where are they? Whoever is first to email the answer to MaryLou wins a 4-pack of Izzy soft drinks.
- The first diversion off the Poudre is at the Monroe Canal, about 7 miles up the canyon by Ted's Place.
- City of Fort Collins has reduced its use of Poudre water significantly since the 1990's due to conservation.
- The City of Fort Collins and Larimer/Weld have a deal that reduces dry up through town. That's only one example of informal cooperation between Ag and Urban.
- North Poudre Irrigation Company owns Fossil Creek Reservoir, but can't physically take advantage of it since it is so far downstream of their operation. As an example of an exchange,

New Cache Irrigation Company takes water from Fossil Creek and leaves some of its water upstream for North Poudre to take.

- The City of Greeley has a pilot project underway that sets up individual water budgets for its customers as a means of increasing incentive to conserve water.
- More efficient irrigation methods do not necessarily mean more water for the river. A farmer's water right is just for the water his or her crops "consumptively" use—not the full amount of water diverted. A good part of the diverted water becomes "return flows" for the use of other water rights holders. Those who invest in expensive center pivot systems may actually be taking more water than they historically used, because the crop may have previously been getting by with less water than optimal for its potential yield. The motivation for modernizing often has more to do with labor savings than water savings.
- The shares of North Poudre Irrigation Company used to be 100% agricultural. Now the mix is 25% agricultural and a whopping 75% municipal. Ag water users have been cooperative with their rights as evidenced by this huge shift, but now they are leery of getting shut out of how to operate the rights they still have.

Questions Remaining:

1. Thanks to Work Group participants who prepared questions ahead of time for the Working River presenters. They were tough questions, and mostly beyond the scope of this first presentation. One question, for instance, was "Is it impossible to hope that we could manage the river differently to avoid winter dry up all together?" These are important questions, and we will return to them in subsequent sessions. A couple of questions were submitted after the meeting on index cards and we will get answers to those questions as well.
2. Other questions came up regarding diversions of water from the Poudre now as compared to projected diversions. Though the City of Fort Collins' growth area is pretty well filled out, what about the growth areas of the other districts who provide water for Fort Collins area residents, such as the Tri-Districts? Will they be needing more water for growth? What about Thornton's plans for a pipeline to take the water they own in Water Supply and Storage Company? And is there a threat of multiple buyers, such as Castle Rock and United Water, buying shares of Ag water and moving it south by sharing a pipeline? These important questions will be addressed in subsequent sessions.

Define a "healthy river" we asked.

Following our November session on the ecological needs of the Poudre, the Work Group was left hungry for an answer they could get their arms around. Our ecologist members were willing to try to provide one, and here's what they came up with:

What defines a healthy Cache la Poudre?

- Clean water
- Thriving plants and animals
- Takes care of itself
- Provides for people
- Still around for our kids

We can (and should) measure this ?

- Fish
- Bugs
- Plants

- Rocks and mud
- Pollution
- Water
- Economics

Pressed further, they agreed that we could likely “develop a pyramid of data from which we could use to help make decisions” and that they could in a pinch reduce the indicators to bugs, fish, plants and sediment. They promised to keep helping us understand this as we look at potential actions down the road.

How often do you get to read a journal article about a cooperative agreement between environmentalists and farmers and then listen to them tell about it 25 years later?

We learned:

- Though the Halligan Reservoir winter flows agreement between The Nature Conservancy and North Poudre Irrigation Company is no longer still in place, it was innovative for its time.
- When the drought of 2002 hit, there wasn’t enough water to make the agreement work; it would have required an outlay of funds and people-power beyond what was effective compared to other ways those resources could be used to greater advantage.
- The JOP—Joint Operations Plan—is another example of cooperation on the Poudre River worth noting. It provides for voluntary release of winter flows for fish and wildlife habitat purposes, and was entered into by the City of Fort Collins, the City of Greeley, and Water Supply and Storage Company to “provide the main stem of the Poudre with winter instream flows without legally accepting any part of federal reserved rights doctrine.” The JOP is still in place, though there is some ongoing litigation involving the plan. (The question came up whether the City of Greeley was one of the litigants. The answer is no—Water Supply and Storage Company is the litigant--against Trout Unlimited. Greeley owns shares in Water Supply and Storage, but so do the City of Fort Collins, the City of Thornton, and others. None of these shareholders are independent participants in the suit.

Homework for January

We discussed the proposed plan of action for remaining sessions presented by the steering committee and decided to spend January and February hearing from those who have ideas and plans already in the works regarding the Poudre. Work Group participants’ homework is two-fold:

- 1) Immediately (before the meeting of the steering committee) forward your proposals for presentations to be made during January and February.
- 2) In the week before the next work session (January 11) read materials sent out to you in preparation for the work session.