

CITY OF LONGMONT



LONGMONT WATER BOARD ANNUAL REPORT 2018

MEMBERS:

Todd Williams, Chairman
Renee Davis, Vice-Chairman
John Caldwell
Roger Lange (July-Dec.)
Kathy Peterson
David Swenson (Jan.-June)

EX-OFFICIO MEMBERS:

Harold Dominguez, City Manager
Marcia Martin, Council Member
Heather McIntyre, Recording Secretary

WATER RESOURCES STAFF:

Dale Rademacher, General Manager of Public Works & Natural Resources
Ken Huson, Water Resources Manager
Nelson Tipton, Water Resources Analyst
Wes Lowrie, Water Resources Analyst
Kevin Boden, Environmental Project Specialist

INTRODUCTION

Originally formed on June 25, 1963, as an advisory board to City Council, the Longmont Water Board actively pursues philosophies and goals which ensure an adequate raw water supply for the future of Longmont. During 2018, Water Board operated under Chapter 2.40 of the Longmont Municipal Code, and more specifically, under Section 2.40.030 which defines the powers and duties of the Water Board. These powers and duties include that the Board shall adopt, revise, and continually update a long-range plan for the development of an adequate raw water supply. This task continues to be specifically addressed through adoption and continued implementation of Longmont's Raw Water Master Plan and supporting studies. This report contains other items identified in the power and duties section which have been addressed during 2018, including but not limited to development review, outside water tap requests, purchase and sale of water rights, and water pollution. Water Board actions were also governed by the Raw Water Requirement Policy, Chapter 14.05 of the Longmont Municipal Code. Both respective Chapters of the Longmont Municipal Code above are included for reference.

Five voting members are appointed to the Water Board, exclusively selected by City Council from volunteer citizen applicants. Each of the selected appointees serve a five year term, of which one term expires each year to ensure continuity.

Throughout 2018, Water Board continued to evaluate assigned duties, and pursue goals which worked towards maintaining an adequate future raw water supply for the citizens of Longmont.

CHAPTER 2.40. - WATER BOARD

2.40.010. - Established.

There is created a water board for the city with the powers and duties set forth in sections 2.40.030 and 2.40.040.

(Code 1981, § 1-12-1; Code 1993, § 2.40.010)

2.40.020. - Composition—Taking and distribution of minutes.

- A. The water board shall consist of five members to be appointed by the city council to overlapping five-year terms.
- B. To coordinate water board action with city council action, the city manager, or a designee and a member of the city council to be appointed by the mayor shall serve as nonvoting members.

(Code 1981, § 1-12-2; Code 1993, § 2.40.020; Ord. No. O-90-15, § 1; Ord. No. O-2012-73, § 2, 10-23-2012)

2.40.030. - Powers and duties.

The powers of the water board shall be advisory only and members of the board shall have the following duties:

- A. To adopt, revise and continually update a raw water master plan for the development of an adequate raw water supply;
- B. To develop, revise and continually update a policy pertaining to raw water requirements for annexations and other development activity;
- C. To develop procedures for the transfer of water rights attached to the land being annexed or otherwise developed;
- D. To review all annexations and recommend to the city council as to the adequacy of the water rights to be transferred. No annexation shall be recorded without review by the board;
- E. To review, at the request of an applicant, the sufficiency of water rights to meet the raw water requirement policy, chapter 14.05, for development activity on property that the board has not previously found to have fully satisfied the requirements of the policy;
- F. To review all requests for outside service areas and outside water taps and make appropriate recommendations to the city council;
- G. To review all matters, including pollution, concerning the city raw water supply;
- H. To recommend to the city council as to the uses, purchase or sale of any water rights;
- I. Upon designation by the public works and natural resources director, to vote the city's shares or other interests in ditch companies and reservoir companies; and
- J. Upon designation by the public works and natural resources director, to serve as a director or officer of ditch companies and reservoir companies in which the city has an ownership interest.

(Code 1981, § 1-12-3(A)—(G); Code 1993, § 2.40.030; Ord. No. O-94-53, § 1; Ord. No. O-2012-41, § 3, 7-10-2012; Ord. No. O-2012-73, § 2, 10-23-2012)

2.40.040. - Annual report to city council.

The water board shall report annually in writing to the city council to indicate the action taken toward accomplishing the goals and objectives of the raw water master plan.

(Code 1981, § 1-12-3(H); Code 1993, § 2.40.040; Ord. No. O-2012-73, § 2, 10-23-2012)

CHAPTER 14.05. - RAW WATER REQUIREMENT POLICY

14.05.010. - Findings and purpose.

The Longmont City Council finds that:

- A. It is necessary to adopt, revise and continually update a raw water master plan to maintain an adequate water supply.
- B. It is the intent of this chapter to encourage the retention of historical water rights on the agricultural properties within the St. Vrain Basin by requiring the transfer of such water rights to city ownership as a condition of annexation and by requiring the payment of an equivalent cash amount or the transfer of equivalent water rights in the absence of such historical water rights.
- C. This chapter provides the method whereby the city will acquire water rights in such quantity and of such quality as to provide a safe and reliable water supply for present and future water users under a wide range of hydrological conditions by requiring the transfer to city ownership of not less than three acre-feet of water per acre of land, which quantity has been determined by engineering analysis to be sufficient.
- D. This chapter also provides the method whereby the owner(s) of properties with historical water rights insufficient to provide three acre-feet of water per acre of land may satisfy the city's raw water requirements by allowing the transfer of selected nonhistorical water rights and/or the payment of cash in lieu of water rights transfers.

(Code 1993, § 14.05.010; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1; Ord. No. O-2012-73, § 2, 10-23-2012)

14.05.020. - Definitions.

Whenever the following terms or words are used in this chapter, they shall have the following meanings ascribed to them:

Acre-foot means 43,560 cubic feet and any volume of water based on the assumption that a flow rate of one cubic foot of water per second of time (cfs) will equal two acre-feet in 24 hours. An acre-foot equals approximately 325,850 gallons.

Annexation means the bringing of land into the territorial jurisdiction of the City of Longmont.

Beneficial use means the application of water by an individual user for either direct or indirect human benefit.

Cash in lieu of water rights means cash that is paid to the city in lieu of dedicating nonhistorical water rights to the city. Cash in lieu is not acceptable for dedication in lieu of historical water rights.

Colorado-Big Thompson water or *C-BT water* means water diverted from the Colorado River drainage by the USBR Colorado-Big Thompson diversion project and allocated as a supplemental supply by the Northern Colorado Water Conservancy District.

Development activity means any activity requiring a major, minor or administrative development application, as defined in subsection 15.02.030.A.

Direct flow right or *direct flow water* means the right to use water which is diverted for use without interruption between diversion and use except for purposes incidental to the use and the water diverted under such a right.

Dry-up agreement means a restrictive covenant running with a particular parcel of land whereby upon removal of the historical water rights from that parcel (for transfer to the city), agricultural irrigation and any consumptive use of irrigation water will cease.

Historical water rights means those water rights associated with a particular parcel of land at the time of annexation and which have been applied to beneficial use on that land.

Nonhistorical water rights means those water rights which have not been regularly applied to beneficial use on a parcel of land proposed for development activity.

Statement of beneficial use means a signed affidavit which provides historical information concerning the beneficial use of a water right proposed for transfer to city ownership.

Storage right or storage water means the right to use water which is interrupted in its natural flow and detained for later beneficial use and the water diverted under such a right.

Unit of C-BT or acre-foot unit means, as defined by the Northern Colorado Water Conservancy District, as being 1/310,000 of the annual supply of Colorado-Big Thompson water apportioned for distribution to holders of allotment contracts.

Water right means a property right to use in accordance with its priority a certain portion of the waters of the State of Colorado by reason of the appropriation of the same.

Windy Gap water means water diverted from the Colorado River drainage by the Windy Gap (Six Cities) project and delivered through the C-BT delivery system for use by participants within the boundaries of the Municipal Subdistrict-Northern Colorado Water Conservancy District.

(Code 1993, § 14.05.020; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1; Ord. No. O-2012-73, § 2, 10-23-2012; Ord. No. O-2015-17, § 4, 3-17-2015)

14.05.030. - Review process.

- A. For all annexations, the water board shall review the adequacy of water rights proposed for transfer to ensure satisfaction of the requirements of this policy.
- B. For all other development activity, water resources staff shall review the adequacy of water rights transferred to ensure satisfaction of the requirements of this policy. In advance of transfer of water rights for satisfaction of this policy, the landowner may request that the water board assess the adequacy of water rights proposed for transfer.
- C. All documentation and information necessary for the water board to determine the adequacy of water rights shall be submitted to water resources staff a minimum of ten working days prior to the water board meeting at which such determination is to be made.

(Code 1993, § 14.05.030; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1; Ord. No. O-2012-41, § 4, 7-10-2012; Ord. No. O-2012-73, § 2, 10-23-2012)

14.05.040. - Statement of requirement.

- A. *Annexation.*
 1. As a condition of annexation of land to the city, there will be transferred to the city ownership all historical water rights associated with the land. Land annexed as enclaves must meet this requirement as set forth in subsection B.1 of this section. All historical water rights will be credited on a pro-rata basis over the entire land being annexed, less those areas exempted in subsection C of this section.
 2. Historical water rights acceptable for satisfaction of the requirements of this chapter shall be transferred to city ownership upon meeting all other conditions necessary for finalization of annexation.
- B. *Other development activity.*
 1. As a condition of development activity (other than annexation) on lands annexed to the City of Longmont, including land annexed as enclaves, there shall be transferred to the city all historical water rights not previously dedicated at time of annexation. If the historical water rights are insufficient to provide at least three acre-feet of water for each acre of such lands, then, except as otherwise provided for in subsection D of this section, sufficient nonhistorical water rights, or cash in lieu of water rights, to yield at least three acre-feet of water must be transferred to the city. Not less than one acre-foot of water per acre of land shall be supplied by storage water rights. The remaining requirement will be supplied by the transfer of direct flow or storage water rights. Credit for water rights transferred at annexation pursuant to this policy will be applied toward satisfaction of this requirement.
 2. Satisfaction of the full raw water requirement applicable to a particular land development activity may be

accomplished at any time subsequent to finalization of the associated annexation ordinance; however, said satisfaction shall be due and payable prior to any development activity and prior to the provision of any water service from the city.

C. *Exceptions.*

1. For land which annexed prior to creation of the water board on June 25, 1963, raw water requirements will not be imposed in connection with development activity on said land unless raw water requirements have been previously specified in a written agreement relative to the original annexation.
2. For the purposes of calculating the full raw water requirement applicable to any development activity, the areas occupied by railroad, state or county rights-of-way in existence at the time of annexation will be exempt from such requirements. For those areas which are owned and used for municipal purposes by the city, the transfer of historical water rights shall satisfy the raw water requirements. All public rights-of-way created by platting shall require full satisfaction of this policy.
3. For any parcel of property meeting the requirements of this subsection that involves annexation of a body of water larger than an aggregate of ten surface acres in a single annexation, with a minimum of one surface acre per waterbody, then for the property below the high water line of the body of water no additional water beyond the proportional historical water need be dedicated to the city. In order to meet the requirements of this subsection the property must meet the following requirements:
 - a. The owner must grant to the city an irrevocable conservation easement, an undivided interest in the property or other land use agreement that would perpetually guarantee the continued use of the property for a waterbody and maintenance of any court decree or augmentation requirements for the waterbody on the property so inundated by the water;
 - b. All augmentation requirements for the waterbody must be previously met by a final decree with the water court or an augmentation agreement with the Saint Vrain and Left Hand Water Conservancy District.
4. Conveyance plats under title 15 of this Code do not require satisfaction of the full raw water requirement applicable to the lots created by the conveyance plat. However, final city approval authorizing other development activity on such land requires prior satisfaction of the requirements. Transfer of all associated historical water rights to the city is required before final approval of a conveyance plat on any portion of annexed property.

- D. *Additional water requirement.* The city reserves the right to require the transfer of additional water, in excess of three acre-feet per acre, for users whose projected water demands exceed three acre-feet per acre. The amount of additional water, timing of transfer to the city, and method of satisfaction, shall be established by the city. The intent of this subsection is to provide the method whereby the city will acquire water rights in such quantity and of such quality as to provide a safe and reliable water supply. The city further reserves the right to monitor the user's water demand and require the transfer of additional water should the user's water demand exceed the original projected level.

(Code 1993, § 14.05.040; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1; Ord. No. O-2007-25, § 2; Ord. No. O-2012-41, § 5, 7-10-2012; Ord. No. O-2012-73, § 2, 10-23-2012)

14.05.050. - Annexation and development of properties served by city water taps.

- A. For any parcels of land proposed for annexation, or land annexed as enclaves, which are served by an existing City of Longmont water tap and have no change in customer classification or size of the water tap or additional development activity, then the requirements of this chapter will be deemed to have been met by transfer of all existing historical water rights at time of annexation for the lot so served by that tap. A raw water credit, to be established and applied at time of annexation, will be given for the existing water tap. The raw water credit will be equal to the amount of water transferred to the city at the time the water tap was originally approved by the city. In the event it is not possible for the city to accurately establish the water dedication at the time the water tap was approved by the city, the following shall apply:
1. For a three-quarter inch or a one-inch residential water tap, the existing tap shall receive a raw water credit equal to the average annual water use based upon a minimum of the most recent five years of prior water service history as recorded by the city's utility billing records, up to a maximum credit of two acre-feet of water. The credit will be

applied to the lot being served by the existing water tap. Any change in either the size of the tap or the customer classification of the existing tap will require full satisfaction of the requirements of this chapter for the lot.

2. For any nonresidential tap or residential tap larger than a one-inch tap, a raw water credit will be given equal to the average annual water use based upon a minimum of the most recent five years of prior water service history as recorded by the city's utility billing records.
- B. Full satisfaction of the requirements of this chapter will be required for any new parcel subsequently created through development activity of any kind on the property. Full satisfaction of the requirements of this chapter will be required for any parcel which changes the customer classification of the water tap, any parcel which on a rolling five-year average utilizes water in excess of the five-year averages listed in subsection A.1 or A.2 of this section, or any parcel which increases its water tap size.

(Code 1993, § 14.05.050; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1; Ord. No. O-2012-73, § 2, 10-23-2012)

14.05.060. - Satisfaction of deficits.

A. *Storage water deficits.*

1. If the historical storage water rights are insufficient to supply one acre-foot of water per acre of land being subdivided, resubdivided, platted or otherwise developed, the requirement may be satisfied by: The payment of cash in lieu of water rights transfers, or the transfer of other acceptable nonhistorical water rights.
2. A tabulation of nonhistorical water rights acceptable for credit against the storage requirement follows, subject to the provisions of subsection C of this section.

NONHISTORICAL WATER RIGHTS
ACCEPTABLE FOR STORAGE WATER CREDIT

Irrigation Organization	Storage Water Credit (in acre-feet per share or unit)
Lake McIntosh Reservoir Company	0.53
The Longmont Supply Ditch Company	16.74
The Oligarchy Irrigation Company	17.11
The Pleasant Valley Reservoir, Fish and Ditch Company	25.4
Rough and Ready Irrigating Company	38.43
Union Reservoir Company	<u>15.3</u>
Colorado-Big Thompson Project Units	0.76

B. *Direct flow deficits.*

1. If the historical direct flow water rights are insufficient to supply at least two acre-feet of water per acre of land undergoing development activity, the direct flow water requirement may be satisfied by: Application of credit for historical storage water rights in excess of one acre-foot per acre of land; payment of cash in lieu of water rights transfers; or transfer of other acceptable nonhistorical water rights.
2. A tabulation of nonhistorical water rights acceptable for credit against the direct flow water requirement follows, subject to the provisions of subsection C of this section.

NONHISTORICAL WATER RIGHTS
ACCEPTABLE FOR DIRECT FLOW WATER CREDIT

Irrigation Organization	Direct Flow Credit (in acre-feet per share or unit)
Lake McIntosh Reservoir Company	0.53
The Longmont Supply Ditch Company	27.89
The Oligarchy Irrigation Company	26.48
Rough and Ready Irrigating Ditch Company	59.96
Union Reservoir Company	<u>15.3</u>
The Pleasant Valley Reservoir, Fish and Ditch Company	25.4
Colorado-Big Thompson Project Units	0.76

C. *Acceptance of nonhistorical water rights.*

1. In order for a nonhistorical water right to be considered for acceptance, the following must be supplied to the water resources division:
 - a. A properly completed statement of beneficial use for each water right proposed for transfer.
 - b. Stock certificates, transfer orders and deeds conveying ownership to the city. For ownership interest in unincorporated ditches, transfer of ownership is accomplished by warranty deed only; however, additional documentation may be required to confirm unencumbered ownership.
 - c. A dry-up agreement, including a revegetation agreement, applicable to the land which had been irrigated by the water rights proposed for transfer.
 - d. A map showing location of the land to be removed from irrigation.
 - e. For any unincorporated entity, including but not limited to the Smead Ditch, a notarized statement signed by the secretary of the company attesting to the ownership of the interest proposed for transfer to the city as reflected on the books of the company.
 - f. A copy of the current ditch company bylaws.

- g. A copy of the current articles of incorporation, if applicable.
 - h. At the city's discretion, any other relevant data or documentation including, but not limited, to a current list of stockholders indicating the total number of shares in the company.
2. Subsections C.1.f., g. and h. of this section are required only for the proposed transfer of water rights in which the city has no ownership interest at the time of proposed transfer.
 3. Requests for acceptance of nonhistorical water rights, with all necessary supporting documentation, shall be submitted to water resources staff a minimum of ten working days prior to any action of the water board, or of the development review committee under title 15, involving their assessment of the satisfaction of this chapter.
 4. When utilizing nonhistorical Longmont Supply, Oligarchy, or Rough and Ready Ditch water rights and a request to apply the water fractionally to both storage and direct flow deficits is made, the full credit necessary for application to satisfy direct flow deficits shall be made first, then application to the storage deficit will be made. All requests for both direct flow and storage credit will be reviewed by water resources staff which will determine the practicality of allowing fractional or divisional crediting.
 5. The city will not accept any ditch or reservoir shares as nonhistorical water rights that were used, as evidenced by a statement of beneficial use or other documentation, on lands located within the Longmont planning area that are not currently annexed to the city.
 6. Water resources staff shall periodically review the list of acceptable nonhistorical water rights and will identify those water rights that may or may not be desirable for the city to receive and forward its recommendation to the water board for review. The water board will then forward its recommendation to city council for action. This evaluation shall include, but not be limited to, such issues as: the city's past acceptance of a particular water right; the feasibility of successfully and economically adding municipal uses to the water right through a water court change case; the impact of removing the water right from the land; and the ability of the city to integrate the water right into its overall water supply portfolio.

(Code 1993, § 14.05.060; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1; Ord. No. O-2012-73, § 2, 10-23-2012)

14.05.070. - Cash in lieu of nonhistorical water rights transfers.

- A. *Per acre-foot fee.* The per acre-foot fee for cash in lieu of water rights transfers shall be as set from time to time by resolution of the city council based on water board recommendation. The per acre-foot fee for cash in lieu of water rights transfers will be reviewed by the water board at least quarterly at its meetings in March, June, September and December. The basis for the water board recommendation shall include the current cost of new water supply projects identified in the City of Longmont's Raw Water Master Plan, the current market value associated with the purchase of units of Colorado-Big Thompson water, and the current market value of nonhistorical native basin water rights identified in section 14.05.060. Recommendations to adjust the fee will be forwarded to city council if the need for such adjustment is indicated.
- B. *Payment of fee.*
 1. The actual cash amount to be paid in lieu of water rights transfers will be calculated by water resources staff. The amount so determined shall be due and payable prior to final city approval of the development activity requiring such transfers or payment. Said cash amount, which will be calculated as the product of the acre-foot raw water deficit multiplied by the per acre-foot fee in effect at that time, will be fixed for a period of 30 days after notification to the landowner. After expiration of the 30-day period the amount due will be adjusted by water resources staff to reflect the per acre-foot fee in effect on the day that payment is made.
 2. For any raw water deficits to be satisfied by cash payments there will be no deferral of payment nor will installment payments be allowed.

(Code 1993, § 14.05.070; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1; Ord. No. O-2012-73, § 2, 10-23-2012; Ord. No. O-2013-31, § 2, 7-23-2013)

14.05.080. - Continued use of historical water rights.

A. *Statement of program.*

1. Should the owner(s) of land annexed to the city desire to continue its historical agricultural use of the land, the city may lease to the owner(s) a portion of the historical Saint Vrain Creek Basin water rights proportional to the area of the land which will continue to be used for agricultural purposes, for use on that agricultural area only. The fee for the lease of such water will be determined by water resources staff subject to water board concurrence. The fees will be based on then current agricultural market conditions.
2. The lease of such water shall be temporary and only for the year in which the payment is made; it shall not initiate or give rise to any vested right to a continuation of the same lease or use of water in any other year.
3. Delivery of water under this program will not be authorized by the city prior to receipt of the required lease fees.
4. The city assumes no obligation for the delivery of such water beyond the payment of the fee as set in subsection A.1 of this section and the notification of the water commissioner and irrigation company superintendent of the lease arrangement.
5. In any year that city water resources staff determines, at the city's sole discretion, that the city's need to use water rights transferred to its ownership supersedes the agricultural need, the option to lease water rights pursuant to this section may be suspended by the city.

- B. *Termination of program.* At any time the city determines, in its sole discretion, it is in its best interests to obtain water court approval of changed or alternate points of diversion or storage, changes of use, exchange or augmentation plans or other such plans as may be devised to optimize the beneficial use of its water rights, the annual lease program pursuant to this section may be terminated.

(Code 1993, § 14.05.080; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1; Ord. No. O-2012-73, § 2, 10-23-2012)

14.05.090. - Statement of beneficial use.

- A. *Statement required.* The owner(s) of land proposed for annexation shall submit a separate statement of beneficial use for each water right proposed for transfer to the city. Forms for this purpose may be obtained from water resources staff.
- B. *Time of submittal.* Statements of beneficial use must be submitted to water resources staff no less than ten working days prior to the meeting of the water board at which the acceptability of the water rights will be discussed.
- C. *Nonsubmittal.* Water rights, the use of which is not accounted for by statements of beneficial use, will not be accepted for credit against raw water requirements unless specifically reviewed by the water board and accepted by city council. All supporting information concerning such water rights must be submitted to water resources staff no less than ten working days prior to the meeting of the water board at which the acceptability of the water rights will be discussed.

(Code 1993, § 14.05.010; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1)

14.05.100. - Acre-foot allowance for water rights.

- A. *Calculation of allowance.* The number of acre-feet per share of stock, undivided interest or percent ownership in irrigation companies proposed or contemplated for transfer to the city which will be allowed for application against the raw water requirements associated with any land development activity will be as calculated by water resources staff based upon historical data and pertinent decrees of the division 1 water court.
- B. *Colorado-Big Thompson water allowance.*
1. The acre-foot allowance per unit of Colorado-Big Thompson water is 0.76 acre-feet per unit.
 2. Colorado-Big Thompson water shall be transferred to city ownership in whole acre-foot units only.
 3. Acceptance of Colorado-Big Thompson water shall only occur after approval of the transfer of the allotment unit to the City of Longmont by the Board of Directors of the Northern Colorado Water Conservancy District as evidenced by the board's approval of a temporary use permit for the allotment contract to the city.

(Code 1993, § 14.05.100; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1)

14.05.110. - Extraterritorial water service.

- A. *Submittal of application.* Applications for individual water service outside city limits will be processed and reviewed pursuant to section 14.09.020 of the Longmont Municipal Code.
- B. *Requirements upon approval.*
 - 1. For those applications which are approved by city council, the following requirements shall apply:
 - a. For each three-quarter inch or one-inch water tap, in addition to the payment of the regular outside tap fees, there shall be transferred to the city the equivalent of two acre-feet of water. Water will be supplied by providing water rights from the tabulation of water rights in subsection 14.05.060.A of this chapter; cash in lieu of water rights; or any combination thereof.
 - b. For each water tap larger than one inch, in addition to the payment of the regular outside tap fees, there shall be transferred to the city an amount of water equivalent to the estimated annual use as confirmed by city staff and approved by the water board. Water will be supplied by providing water rights from the tabulation of water rights in subsection 14.05.060.A; cash in lieu of water rights; or any combination thereof. In no case will the raw water requirements be less than three acre-feet of water.
 - c. In the case of a request to increase tap size with no change in tap location, the raw water requirements will be the difference between current requirements for the existing tap and the requirements for the requested tap. Other fees will be based on the differences in current fees between the existing and requested tap. The applicant will also be responsible for any other extraordinary costs associated with the change in tap size.
 - d. The actual cash amount(s) to be paid in lieu of water rights transfers will be determined by the water board and approved by city council coincidental with approval of the application.

C. *Additional requirements.*

- 1. All applicants for water service outside city limits will be required to execute an application for inclusion of the property to be served by the water tap within the Municipal Subdistrict, Northern Colorado Water Conservancy District.
- 2. The landowner(s) will be required to enter into a contractual agreement with the City of Longmont to insure adherence to the provisions of this chapter.
- 3. The city does not guarantee or warranty that the water service provided to extraterritorial water service taps will have sufficient pressure or volume for the intended purpose of the tap.

(Code 1993, § 14.05.110; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1)

14.05.120. - General provisions.

A. *Landowner responsibility.*

- 1. It is the responsibility of the landowner to provide all documentation required by this chapter and/or requested by the Longmont City Council, Water Board, or Water Resources staff.
- 2. It is the responsibility of the landowner or an authorized representative to attend any and all meetings of the water board at which the land development activity or request for water service is to be reviewed. Failure to attend may result in postponement of consideration of the activity or request.
- 3. All matters requiring review or consideration by the water board will be first submitted to water resources staff for scheduling and determination of adequacy of information.

B. *Unconditional transfer.* Water rights transferred to the city shall be free of conditional or contractual restrictions, liens or encumbrances of any kind whatsoever.

C. *Pre-existing agreements.* In those cases where the provisions of this chapter are not in concurrence with the terms and conditions of written agreements executed by the city prior to adoption or revision of this chapter, the terms and conditions of such agreements will control.

D. *City authority.* The city water board shall be the sole authority in determining the acre-foot credits which staff will allow

for any and all water rights proposed for transfer in satisfaction of the requirements of this chapter and shall have the right to accept or reject any such water right. The city shall be the final authority determining either acceptance or refusal of any water right proposed to be transferred to the city.

- E. *Right of review.* Landowners seeking approval of development activity in Longmont may request that the water board review any staff action or determination pursuant to this chapter. Any such landowner must submit the request for water board review, and any supporting backup material, to water resources staff no less than ten working days prior to the meeting of the water board at which such review will occur.

(Code 1993, § 14.05.120; Ord. No. O-2004-15, § 2; Ord. No. O-2005-99, § 1; Ord. No. O-2012-73, § 2, 10-23-2012)

WATER BOARD MEMBERS

Members of the Water Board who served during 2018, with year of term expiration were: Dave Swenson (2018), Renee Davis (2019), John Caldwell (2020), Kathy Peterson (2021), Todd Williams (2022), and Roger Lange (2023). City Manager Harold Dominguez and Council Liaison Marcia Martin served as non-voting members. Todd Williams served as chairman for 2018 with Renee Davis serving as vice-chair. Members are extremely diversified in expertise and experience.

Dave Swenson is a Water Resources Engineer for a local engineering consulting firm and for the past 25 years has worked with ditch companies and municipalities for augmentation plans, river modeling, raw water system modeling, water rights research and coordinating water use with the water commissioners. Dave was appointed to the Longmont Water Board in 2012 and enjoys spending time with his family and watching the Colorado Rockies.

Renee Davis is a Colorado native and graduate of the Colorado School of Mines. She is a Professional Engineer specializing in water conservation. She has worked in the private sector and is currently a finance analyst with Denver Water. Renee was appointed to the Longmont Water Board in July 2014 and is learning the supply-side of the water supply/demand management equation. In her spare time, Renee spends time with her family and her bicycle.

John Caldwell received his degree in agricultural engineering with an emphasis on soil and water. John's service to Water Board began in 1976. Beginning in 1981 after being elected to Longmont City Council, John served as council ex-officio until 1997.

He was then reappointed as a Water Board member in 1999 where he served as vice-chairman from 2005 - 2009.

Kathy Peterson is a graduate of the University of Colorado, Boulder, and worked at the Left Hand Water District (LHWD) for 25 years before retiring. Kathy has a wealth of practical experience in water rights law and management and familiarity with issues facing regional water utility providers after serving as General Manager for 19 years at LHWD. She has also served on the Northern Integrated Supply Project and the Lefthand Watershed Oversight Group. Other community organizations benefiting from Kathy's guidance and participation include: Longmont Friends of the Library and Safe Shelter of St. Vrain Valley. Kathy has been a member of the Longmont Water Board since her appointment in 2016.

Todd Williams is a licensed Professional Engineer who provides consulting services to municipal and private clients in water resource planning and management. He earned his M.S. in Water Resource Planning and Management and his B.S. in Civil Engineering. Todd has worked in the water resource planning and management field over the last 15+ years. Todd was appointed to the Longmont Water Board in 2012 and is the second person in his family to have served on Longmont's Water Board, following in the footsteps of his grandfather, Milt Nelson, who is the namesake of Longmont's Nelson-Flanders Water Treatment Plant.

Roger Lange earned his undergraduate degree in mechanical engineering and later graduated with a MBA. He spent 30+ years of his career in operational areas of US West, a telecommunications company, then as a financial advisor for 10 years. Having served previously as Longmont's Mayor and a member of City Council, Roger has

gained an understanding of the importance and operational aspects of our water system.

Roger was appointed to the Longmont Water Board in 2018.

DEVELOPMENT ACTIVITY

A vital function of the Water Board is the evaluation of all annexations, subdivisions, and replats and to advise City Council as to the adequacy of the water rights to be transferred. According to Section 14.05 of the Longmont Municipal Code, no annexation, subdivision, or replat shall be accepted without first being reviewed by Water Board. A list of the projects reviewed by Water Board can be found in Table C.

In 2018 the Water Board reviewed 2 development proposals representing a total of approximately 28 acres.

Water Rights Received

Section 14.05.040 of the Longmont Municipal Code requires transfer to the City of all water rights historically associated with the property at time of final annexation approval and satisfaction of not less than 3 acre feet/acre. Accordingly, during 2018, the City of Longmont obtained certain water rights. These above water rights are summarized in Table A below.

Table A

CITY OF LONGMONT WATER RIGHTS ACQUIRED FOR THE YEAR ENDING DECEMBER 31, 2018						
	OBTAINED FOR	CERT OR DEED DATE	CITY CERT NO.	SHARES INTEREST, OR UNITS	PER SH IRRIG YIELD	AVERAGE IRRIGATION YIELD (ac-ft)
DIRECT FLOW SUPPLY						
IRRIGATION DECREES						
St. Vrain Creek						
Bonus Ditch	Irwin Thomas No. 1 Annexation	04/18/18	130	34	25.18	856.12
Oligarchy Irrigation Ditch	Newby Open Space Acquisition	10/30/18	2066	8.4	26.48	222.43
Oligarchy Extension Ditch	Newby Open Space Acquisition	10/30/18	1544	12.6	0.00	0.00
Peck Ditch	HMS Rodgers Road Annexation	03/13/18	71	1.75	37.37	65.40
Rough & Ready Irrigating Ditch	Village Cooperative Subdivision Final Plat	04/12/18	1882	0.25	59.96	14.99
South Flat Ditch	HMS Rodgers Road Annexation	03/15/18	81	102	2.03	207.06
	Neighbors Redmond & South Flat Land Annexation	04/19/18	82	192	2.03	389.76
Cushman Ditch	Neighbors Redmond & South Flat Land Annexation	04/09/18	N/A	23.2	1.00	23.20
Total Direct Flow Supply						<u>1778.96</u>
STORAGE SUPPLY						
IRRIGATION DECREES						
Lake McIntosh	Longmont Storage Final Plat	04/30/18	791	8	0.53	4.24
South Flat Reservoir	Neighbors Redmond & South Flat Land Annexation	04/09/18	N/A	100	654.47	654.47
Total Storage Supply						<u>658.71</u>
TRANSBASIN SUPPLY						
Total Transbasin Supply						<u>0.00</u>
TOTAL						<u>2437.67</u>

Cash In Lieu of Water Rights

According to Section 14.05.070 of the Longmont Municipal Code, if the historic water transferred at annexation is insufficient to meet the full requirements of the policy, that being not less than three acre-feet of water per acre of land, the requirements may be satisfied by the payment of cash in lieu of water rights transfers. Water Board reviews

the per acre-foot fee for cash in lieu of water rights transfers quarterly and makes recommendations to City Council pertaining to adjustment of the fee. The fee is determined by the current market rate of senior basin water rights when such information is available and by the prices paid in recent sales of Colorado Big Thompson Project Water as listed in the Water Strategist Quarterly Analysis of Water Marketing, Finance, Legislation and Litigation. For January through May of 2018 the fee for cash-in-lieu of water rights received was set at \$13,000 per acre-foot. For June through December of 2018 the fee for cash-in-lieu of water rights received was set at \$15,324 per acre-foot. Listed below on Table B are the cash-in-lieu payments received during 2018.

Table B

City of Longmont
Cash Received in Lieu of Water Rights
For The Year Ending December 31, 2018

<u>DATE</u>	<u>RECEIVED FROM</u>	<u>FOR</u>	<u>AC-FT</u>	<u>FEE</u>		<u>PAYMENT</u>
				<u>PER AC-FT</u>		
30-Mar-18	Saint Vrain Valley School District	Inovation Center Development	13.766	\$13,000.00		\$178,958.00
2-May-18	Pleasant Valley LLC	Pleasant Valley 5th Filing Final Plat	27.127	\$13,000.00		\$352,651.00
7-May-18	Real Estate Equities Development LLC	Village Cooperative Final Plat	0.107	\$13,000.00		<u>\$1,391.00</u>
				TOTAL		\$533,000.00

Table C

Development Activity Reviewed by Water Board

Development	Type	Date	Area
Pleasant Valley Filing 5	Final Plat	March 19, 2018	19.750 ac
Village Cooperative Subdivision	Final Plat	April 16, 2018	7.960 ac

**MAJOR GENERAL BUSINESS ACTION
TAKEN BY WATER BOARD IN 2018**

Below is a summary of major general business action taken and issues reviewed by the Water Board to meet the requirements set forth in Section 2.40.030 of the Longmont Municipal Code.

A. Action Items Taken

IGA with Army National Guard

Staff member Ken Huson introduced staff members David Bell, Natural Resources Manager and Jamie Freel, Watershed Ranger at Button Rock Preserve. Jamie gave an overview of the proposed IGA with the Army National Guard for training wildland firefighting personnel. Longmont would benefit from this training activity allow pilots and ground crews to become more familiar with Button Rock Preserve. To alleviate some visitation impacts to the preserve, activities will occur in April rather than in May.

Board member Peterson approved a motion to recommend City Council approve the IGA with the Army National Guard for wildland firefighter training at Button Rock Preserve. Board member Swenson seconded the motion. The motion passed 5-0.

IGA with East Cherry Creek Water District, Arapahoe County Water Authority, and United Water for a Water Supply Agreement

Staff member Nelson Tipton asked Water Board for approval of a short term water supply agreement to exchange decreed water rights as part of the Union Reservoir exchange with East Cherry Creek Water District, Arapahoe County Water Authority and United Water. This short term water exchange would reduce transit losses as a benefit to the City.

A motion was made by Board member Caldwell to recommend City Council approval of the IGA for a Water Supply Agreement with East Cherry Creek Water District, Arapahoe County Water Authority and United Water. The motion was seconded by Board member Peterson. Motion passed 5-0.

IGA with Northern Water for Southern Water Supply Pipeline Eastern Pump Station Project

Staff member Ken Huson provided background information on Longmont's participation with Northern Water in the Southern Water Supply Pipeline (SWSP) Eastern Pump Station Project which supplies raw water via pipeline from Carter Lake to southern Boulder County entities. The western pump station was completed previously and Longmont agreed to participate in the eastern pump station providing raw water to Fort Morgan in trade for increased capacity from

13.5 cfs to 24.3 cfs in the original pipeline from Carter Lake. The SWSP enterprise is preparing to complete design and construction of the eastern pump station. Discussion followed.

Chairperson Williams offered to recuse himself from voting on the IGA for the SWSP since he is a member of Northern Water's Board of Directors. No objections were raised.

A motion was made by Board member Swenson to recommend City Council approve the IGA with Northern Water to participate in the final phase of the Southern Water Supply Pipeline project. The motion was seconded by Board member Davis. The motion passed 5-0.

City of Longmont's 2018 Water Supply and Drought Management Plan Review

Water Board reviewed and discussed recommending to City Council accepting the 2018/2019 Water Supply & Drought Management Plan and make a recommendation concerning the appropriate drought level response. Discussion followed.

A motion was made by Board member Davis to recommend to City Council to accept the 2018/2019 Water Supply & Drought Management Plan; the motion was seconded by Board member Swenson. The motion passed 5-0.

Raw Water Requirement Policy Discussion Concerning Affordable Housing

Staff member Ken Huson reviewed previous Board conversations concerning using some of our future water supply in the affordable housing program, and then updated members on subsequent discussions that have taken place with the City Attorney's Office and City Council.

Staff member Wes Lowrie addressed the Board about changes, giving numerical updates. Staff requested the Board to make a recommendation to City Council to make changes to the Raw Water Requirement Policy section of the City Code to allow cash-in-lieu of water rights received to be reduced or subsidized as it would relate to the City's affordable housing program, without requiring appropriation from other City funds.

A motion was made by Board member Renee Davis to recommend that City Council allow Windy Gap surcharge and the cash-in-lieu water rights to be eligible for subsidy under the Charter without requiring appropriation for other City funds. Board member Caldwell seconded the motion. Motion passed 5-0.

Longmont's 2019 Guiding Water Principles

Staff member Nelson Tipton provided the Board with the 2019 Guiding Water Principles for the upcoming Colorado State Legislation session. The principles are the same as the previous year, with no additional principles added. These guiding principles allow City Council, Water Board, and Staff to evaluate how proposed water-related legislation bills might impact Longmont's

water supply and citizens. These principles are tentatively scheduled for review by City Council in December 2018.

A motion was made by Board member Caldwell to recommend that City Council approve the 2019 Guiding Water Principles as submitted. Board member Peterson seconded the motion. After further clarification and discussion of the guiding principles, the motion passed 4-0.

B. Major Water Issues Reviewed by Water Board:

During 2017 the primary major water issue reviewed by Water Board related to Windy Gap Firing Project participation. This item, as not already highlighted above, as discussed with Water Board and excerpts from Water Board's minutes have been summarized below.

Windy Gap Firing Project

Ken Huson updated Water Board on the Windy Gap Firing Project status:

- Joint filing of final decree with co-applicant Colorado River Conservation District expected in July
- Final design continuing
- Payment made to relocate WAPA power lines
- Wetlands construction ongoing
- Mitigation sooner than projected—additional cash flow will be required sooner
- Purchase of an additional small piece of property for site

City Council reviewed financing options and asked staff to initiate a ballot item for \$36.3M bond to support 10,000 acre-foot participation in the Windy Gap Firing Project. Council will be setting ballot language by Resolution at its July 25, 2017 regular session. No campaigning will be allowed once the ballot language has been accepted by Council. Staff is developing public information listing the pros and cons.

Ken Huson updated Water Board on the Windy Gap Firing Project status. Highlights included:

- Design is approximately 60% complete
- Technical review committee determined several additional boring projects will be needed.
- Discussion of building new pump plant for both Carter Lake and Chimney Hollow. Costs could be shared between Northern, the power provider and Windy Gap Firing participants.
- Windy Gap Firing final decree submitted to West slope water users.
- Discussion on flexibility of lower level storage of Windy Gap Firing water.

WATER ISSUES

Water Legislation

During 2018, Water Board reviewed and made recommendations to City Council regarding a number of water legislation bills which have been summarized below.

Water Related Legislation Bills – 2018

Bill Number	Description	Bill Status
HB18-1008	Mussel-free Colorado act : Concerning the financing of the division of parks and wildlife's aquatic nuisance species program, and, in connection therewith, creating an aquatic nuisance species stamp for the operation of motorboats and sailboats in waters of the state, increasing penalties related to the introduction of aquatic nuisance species into the waters of the state, and combining two separate funds related to the aquatic nuisance species program into one fund.	Governor Signed on 04-23-2018
HB18-1053	Reclaimed water use for marijuana cultivation: Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for marijuana cultivation.	Senate Committee on Finance Postpone Indefinitely on 05-02-2018.
HB18-1069	Reclaimed water use for toilet flushing: Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for toilet flushing.	Governor Signed on 04-30-2018

HB18-1073	Water district ability contract water assets: Concerning water districts' ability to enter into contracts regarding their water-related assets.		Governor Signed on 03-22-2018
HB18-1093	Reclaimed water use for edible crops : Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for food crops.		Governor Became Law on 04-28-2018
HB18-1151	Colorado Water Conservation Board approve deficit irrigation pilot projects: Concerning the authorization of deficit irrigation pilot projects approved by the Colorado Water Conservation Board.		Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely on 03-20-2018
HB18-1199	Aquifer storage-and-recovery plans : Concerning a process for the ground water commission to use for approving aquifer storage-and-recovery plans, and, in connection therewith, requiring that the ground water commission promulgate rules governing its implementation of the process.		Governor Signed on 04-9-2018
HB18-1301	Concerning the protection of water quality from adverse impacts caused by mineral mining.		Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely on 04-25-2018
SB18-019	Concerning an expansion of the duration for which the colorado water resources and power development authority may make a loan under the Authority's revolving loan programs.		Governor Signed on 03-01-2018

SB18-038	Reclaimed water use on industrial hemp : Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for industrial hemp cultivation.		Senate Bill 18-038 has been prepared for the signatures of the appropriate legislative officers and the Governor on 05-04-2018
SB18-041	Authorize water use incidental sand and gravel mines : Concerning the ability of operators of sand and gravel mines to use water incidental to sand and gravel mining operations to mitigate the impacts of mining.		Governor Signed on 03-01-2018
SB18-134	Public utilities commission deregulate nonprofit water utilities: Concerning the exemption of nonprofit water companies from regulation by the public utilities commission.		Governor Signed on 04-2-2018
SB-170	Concerning a Water Court Process by which an owner of a storage water right allowing water to be stored in new reservoir capacity may release water into an identified stream reach in a manner that protects the water released while complying with mitigation measures identified in a fish and wildlife mitigation plan approved by the Colorado Water Conservation Board.		Governor Signed on 04-12-2018
SB18-218	Concerning the funding of Colorado Water Conservation Board Projects, and, in connection therewith, making appropriations.		Sent to the Governor on 05-11-2018
SJR18-003	Water projects eligibility lists : Concerning approval of water project revolving fund eligibility lists administered by the Colorado Water Resources and Power Development Authority.		Governor Signed on 02-13-2018

INFORMATION ITEM

**TO: Ken Huson, Water Resources Administrator
Longmont Water Board**

FROM: Jamie Freel, Watershed Ranger

DATE: January 28, 2019

RE: Button Rock Preserve Annual Update for 2018

2018 Button Rock Preserve Accomplishments:

- Continued Forest Stewardship Program projects with city staff and private contractors:
 - ✓ Coordinated CSFS SFA Grant for additional 40 acre thinning project.
- Continued monitoring and weed control on the city owned Copeland Lake Willow Carr property, a Colorado Natural Heritage Area located in Rocky Mountain National Park.
- Continued invasive weed management especially in river and flood restoration areas.
- Contracted, coordinated and supervised one crew of Boulder County Youth Corps efforts at the Preserve during June, July and August. Moved over 15 cords of fuel wood to staging areas for future removal from the watershed, performed weed management for the Phase I River Restoration done in conjunction with Boulder County, managed weeds on downstream face of Button Rock Dam and completed repairs and improvements to Inlet trail from 2013 Flood damage.
- Coordinated and supervised the National Guard's Helicopter Wildland Fire Training.
- Coordinated and monitored recreational activities within Button Rock Preserve.
- Provided 40 cords of firewood for the public.
- Completed educational and research projects with West View Middle School and Colorado State University.
- Completed successful dam safety inspection with the State of Colorado.
- Completed Fishing Permit Program.
- Continued liaison work with residents concerning preserve events and projects that might affect them.
- Completed North Pipeline and North Pond repairs.
- Installed new trail counter and vehicle counter.
- Signed "No Parking" area along Longmont Dam Road.
- Acquired Adams property (25 acres).
- Spillway Culvert Repair
- Spillway Bridge Drainage Repair
- Completed removal of debris from Button Rock Dam and Spillway Apron.
- Completed coordination, management and reimbursement for River Restoration Phase II Project and Grants (GOCO-\$43,004.92 and Fishing Is Fun- \$48033.02)
- Began the Button Rock Watershed Management Plan process.
- AED for BRP Truck

Planned 2018 Preserve Projects:

- Develop a RFP for new on-call forestry contractor.
- Carry out forestry thinning operation on additional 40 acres of forest.
- Contract, coordinate and supervise Boulder County Youth Corps efforts at the Preserve.
- Coordinate and monitor all recreational activities within Button Rock Preserve.
- Sign “No Parking” area along Longmont Dam Road/Adams Property.
- Coordinate Fishing Permit Program.
- Repair and Improve Button Rock Dam Control House Hydraulics.
- Repair and improve Hummingbird Switchback Trail and Sleepy Lion Trail.
- Debris removal from Button Rock Dam.
- Continue invasive weed management especially in river and flood restoration areas.
- Continue the Button Rock Watershed Management Plan process.

Forest Stewardship Program 2018:

Button Rock Forest Stewardship Costs 2004-2017						1133 Acres Mitigated		
Year	City Payroll	Youth Corps	Equipment Use	Contractors	Supplies	Year Totals	Grants	Net Cost City
2017	\$3,477.25	\$20,625.00	\$826.50	\$50,100.00	\$0.00	\$75,028.75	-\$40,800.00	\$34,228.75
2016	\$2,490.00	\$26,700.00	\$399.00	\$66,500.00	\$50.00	\$96,139.00	-\$37,800.00	\$58,339.00
2015	\$2,020.00	\$25,900.00	\$0.00	\$50,000.00	\$300.00	\$78,220.00	-\$26,976.73	\$51,243.27
2014	\$7,618.00	\$25,100.00	\$4,480.00	\$76,150.00	\$0.00	\$113,348.00	-\$60,000.00	\$53,348.00
2013	\$9,404.45	\$21,306.75	\$9,460.00	\$66,015.00	\$1,500.00	\$107,686.20	-\$55,000.00	\$52,686.20
2012	\$12,678.00	\$29,606.96	\$16,875.00	\$45,210.00	\$0.00	\$104,369.96	-\$60,000.00	\$44,369.96
2011	\$29,840.50	\$20,081.25	\$7,642.30	\$116,812.50	\$0.00	\$174,376.55	-\$95,000.00	\$79,376.55
2010	\$14,930.80	\$22,300.00	\$8,698.20	\$89,650.00	\$476.05	\$136,055.05	-\$69,628.00	\$66,427.05
2009	\$7,690.00	\$18,943.75	\$2,650.00	\$85,965.00	\$172.41	\$115,421.16	-\$60,372.00	\$55,049.16
2008	\$21,002.34	\$10,500.00	\$1,200.00	\$28,000.00	\$233.94	\$60,936.28	\$0.00	\$60,936.28
2007	\$36,009.35	\$10,500.00	\$4,879.00	\$12,000.00	\$1,022.37	\$64,410.72	-\$32,051.00	\$32,359.72
2006	\$19,447.44	\$10,500.00	\$6,812.00	\$48,650.00	\$950.92	\$86,360.36	-\$22,000.00	\$64,360.36
2005	\$17,757.61	\$10,500.00	\$4,691.00	\$0.00	\$1,577.60	\$34,526.21	-\$18,900.00	\$15,626.21
2004	\$3,491.08	\$5,250.00	\$0.00	\$0.00	\$56.85	\$8,797.93	\$0.00	\$8,797.93
Totals	\$187,856.82	\$257,813.71	\$68,613.00	\$735,052.50	\$6,340.14	\$1,255,676.17	-\$578,527.73	\$677,148.44

Forestry Statistics:

- **1133 acres** of forest thinned in fourteen years
- Average of **81 acres** improved each year
- **1500 cords** of fuel wood removed from watershed
- **\$1108 per acre** average cost to mitigate forest
- **\$597 per acre** average cost to city after federal and state grant reimbursement
- **SFA 50/50 Grant for additional 40 acre thinning project - \$40,000 reimbursement.**

Ranger Statistics:

- Fishing Program Totals: Full Season Permits Sold - **528**
Daily Permits Sold – **41**
- Written Warnings: **73**
- Incident Reports: **26**
- Dog Off Leash Verbal Warnings: **258**
- Hiker Visitation: **51,742** only partial year data
- Vehicle Visitation: **32,308** only partial year data

Button Rock Preserve Visitation 2018:

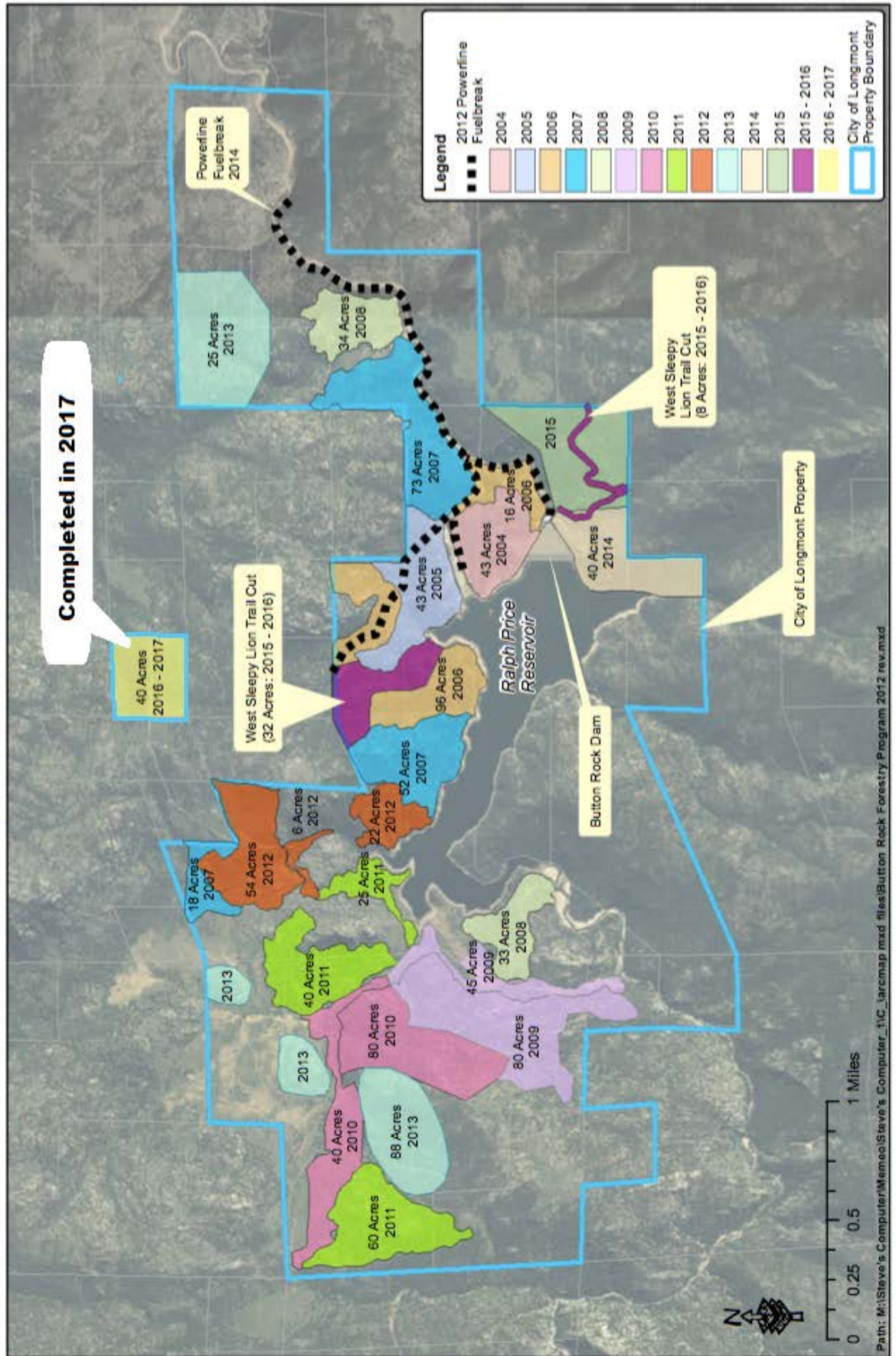
New Trail and Vehicle Counters were installed mid-year so only partial data is available for 2018.

- Hiker Visitation: **51,742**
- Vehicle Visitation: **32,308**

Button Rock Preserve Visitation Master Summary 2018																
Year	Site	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	ADT†	ADT†x365	Days with data
2018	Hikers					6,269*	6,077	6,108	5,040	4,621	3,155	2,288	2,261	142	51,742	227
	Vehicles							3,670*	3,464	3,300*	2,583	1,932	1,709	88.5	32,308	171
														ADT† = Average Daily Traffic		

Button Rock Preserve Forestry Stewardship Thinning Program

1133 Acres thinned from 2004 through 2017



Proposed SFA Thinning Project Area

2018-19

40 Acres

**Ralph Price
Reservoir**



504ft



Source: USGS

Source: NASA, NGA, USGS

Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geomatics, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



City of Longmont

2018/2019 Water Supply & Drought Management Plan

Purpose:

The purpose of the City of Longmont's 2018/2019 Water Supply & Drought Management Plan is to manage the City's Water Supply and to anticipate, identify and respond to drought in the Saint Vrain Creek watershed area. This plan will evaluate the impact on raw water availability for the City of Longmont and recommend responses to the current water supply and demand forecast. This plan also formalizes the City's planning for future droughts.

Methodology and Responsibility:

The City of Longmont's Water Supply & Drought Management Plan will be managed by the Water Resources & Environmental Services Divisions of the Public Works & Natural Resources Department, referred to as Division. Indicators of drought, as outlined in this plan will be monitored by personnel in the Division. The Division will recommend appropriate action, guided by the response plan as outlined in this plan, for response to differing levels of drought.

Ralph Price Reservoir April 10, 2018



Definition of Drought:

A drought is typically defined as single or multiple consecutive water years with below average stream flow. For the purposes of drought response planning, the droughts of interest would only include those droughts that, because of severity, directly impact and stress raw water availability for the City of Longmont.

Revision Date: April 12, 2018

City of Longmont

2018/2019 Water Supply & Drought Management Plan

"Conserving our Water to Preserve our Quality of Life"

I. City of Longmont's Drought Supply Policy:

The City of Longmont's raw water drought supply policy is outlined in the Raw Water Master Plan. This plan describes the City's policy of using the 1-in-100 year drought recurrence interval as the basis of planning for the City's raw water supply. This drought interval is based upon a drought of approximately 7 years in length with a total Saint Vrain Creek watershed deficit of 237,000 acre-feet. This plan also describes drought indicators and potential forecasting methodologies to be used to predict drought and determine its severity and impacts on the City's raw water supply.

The Saint Vrain Creek has historically experienced drought conditions and will continue to do so in the future. The annual average measured flow in the Saint Vrain Creek at the Lyons gaging station for the period 1896 to 1982 was 93,000 acre-feet. After the addition of diversions from the creek above the Lyons gaging station, the estimated virgin flow for this period is 124,000 acre-feet. A drought of seven years in length, with a total deficit of 237,000 acre-feet, would result in a deficit of approximately 34,000 acre-feet per year.

During 2017 the Saint Vrain River Basin experienced above average streamflow conditions as a result of above average snowpack and average rainfall. Water Board recommended and City Council concurred in May of 2017 to remain at a Sustainable Conservation Level Drought Response for 2017. As a result of the above average stream flows during 2017 Longmont finished the 2017 irrigation season (October 31, 2017) with above average storage in its local reservoirs at 77% of capacity. Current projections are that by July 1, 2018 select reservoir storage will be 98% of full. During 2018 the Public Works & Natural Resources staff will continue to implement demand management strategies outlined in this plan. Water Resources staff will continue to pursue opportunities to exchange additional water to supplement the existing water supply.

Prior Water Data	2016	2017
Total Water Supply Available	24,795 acre-feet	23,797 acre-feet
Total Treated Water Demand	17,002 acre-feet	17,172 acre-feet

Snow Pack as of April 12, 2018	South Platte River Basin	Colorado River Basin
	93%	86%

For 2018 Longmont expects to continue to utilize native basin water rights, trans-mountain water rights, and local storage water rights.

Description of Indicators and Forecasting Methods:

- **Natural Resources Conservation Service's Monthly Streamflow Forecast**
Table A indicates how the Streamflow Forecast can be used to evaluate impacts upon Longmont's water rights on an average and dry basis. Based upon the streamflow forecast, the projected yield of direct flow and storage decrees will be used for calculation of raw water availability during drought conditions. This effort will focus on the April 1st and May 1st Streamflow forecasts as an indicator of drought in the upcoming irrigation season.
- **Natural Resources Conservation Service's Monthly Snowpack Survey**
The Snowpack Survey will be used in validating and/or adjusting the Streamflow Forecasts. These surveys also provide real-time measurement of snowpack to assist in reviewing projections in the time between monthly streamflow forecasts.
- **Saint Vrain Creek Basin Reservoir Storage Levels**
Total reservoir storage in the Saint Vrain Basin varies with the availability of water during the storage season (usually November through June). The total Saint Vrain Creek storage levels will be used in conjunction with target storage levels in Ralph Price Reservoir. When comparing storage levels in reservoirs with storage rights senior to Ralph Price Reservoir, water supply availability can be projected for the storage components of Longmont's water portfolio. An example of this information for Ralph Price Reservoir is shown in Table B.
- **Trans-Mountain Water Supply Availability**
Colorado-Big Thompson Project (C-BT) Quota Declaration and Longmont carry-over of C-BT allocation from the previous year will be utilized in establishing trans-mountain water supply availability for 2018 and projections for later years. This trans-mountain water availability includes C-BT quota declarations, Upper Baldwin Ditch Replacement water, Carry-over C-BT water, Exchanged C-BT water, and Windy Gap water supplies. On November 1, 2017 the NCWCD Board set the initial 2018 quota declaration for the C-BT system at 50%. On April 12, 2018 an additional 30% declaration was made which resulted in combination with the other trans-mountain water supplies, of a total trans-basin water supply yield of 15,756 AF.
- **Raw Water Availability for City of Longmont**
Raw water availability will be updated and revised by the Division staff to estimate Water Treatment Plant demands and projected raw water availability for Longmont. An example of 2018 raw water availability is included in Table A. Projected demand in this table is based upon a Sustainable Conservation Level drought response assumption.
- **City of Longmont Treated Water Demands Greater than Normal**
As drought conditions occur, water use often increases and raw water availability decreases. Treated water demand projections will be adjusted in accordance with this expected increase. Actual use as the drought progresses will be included in the evaluation of projected water demands.

- **City of Longmont Water Supply Projections for Multi-year Drought Projections**

As an additional tool in evaluating the current year drought response level, Division staff will complete a multiple year water supply evaluation. The current and next water year of that projection will be used to determine the drought response level for the City.

II. Description of Drought Supply Response Levels:

Division staff is responsible for monitoring drought indicators and forecasting raw water availability. The following guidelines will assist Division staff and Water Board in advising City Council in determining the appropriate course of action to undertake in varying degrees of drought intensity. These will serve as a guideline only, with the experience and year by year specific details also guiding the City's actions in any given drought scenario. The City Manager, with the advisement of Division staff, will have the power to declare a specific response level in the case of an emergency. Division staff will compare raw water supply with projected demand and monitor the storage levels in Ralph Price Reservoir and the Saint Vrain Creek Basin. If the combination of supply and available storage exceed projected demand by more than 135%, the City's water supply will not be considered in a drought scenario. The City will continue to take water conservation actions at all times, especially during years of below average streamflow.

Percent of water savings goal referred to hereafter shall be with respect to last year's actual demand.

Sustainable Conservation Level:

At the sustainable conservation level the City will continue to implement Best Management Practices to conserve the water resources of the City.

Target Water Savings Goal: Sustainable demand management at all times to insure reasonable water conservation practices are followed utilizing best management practices and that the overall goal of a 10% water savings as outlined in the Raw Water Master Plan is realized.

This level will include a projection of the following indicators:

- Storage volumes in Ralph Price Reservoir greater than target levels for the Level One Drought Response in Table B; and
- Raw water supply availability projections for the current and next water year at a level greater than **135%** of projected water demand.

Level One Drought Response Targets:

At Level One, conditions will moderately impact the City's supply vs. demand.

Target Water Savings Goal: Sufficient demand management, up to 10%, to insure demand does not exceed raw water availability.

This level will include a projection of the following indicators:

- Storage volumes in Ralph Price Reservoir lower than target levels in Table B.

- Raw water supply availability at a level of **120% - 135%** of projected water demand.

Level Two Drought Response Targets:

At Level Two, conditions will severely impact the City's supply vs. demand.

Target Water Savings Goal: 10% to 25%

This level will include a projection of the following indicators:

- Storage volumes in Ralph Price Reservoir lower than target levels in Table B.
- Raw water supply availability at a level of **105% - 120%** of projected water demand.

Level Three Drought Response Levels:

At Level Three, conditions will critically impact the City's supply vs. demand.

Target Water Savings Goal: To be determined at time of level three drought, goal dependent upon drought severity and water savings needs.

This level will include a projection of the following indicators:

- Storage volumes in Ralph Price Reservoir lower than target levels in Table B.
- Raw water supply availability at a level less than **105%** of projected water demand.

III. Description of Drought Response Action Plans:

Sustainable Conservation Level:

Upon determining that actionable drought conditions do not exist for the City of Longmont, any or all of the following may be performed:

- Continue public information concerning impacts to the City of Longmont's water supply to encourage that best management practices (BMP's) are followed. The City will continually promote a public water conservation campaign. BMP's include but are not limited to:
 1. No water being wasted.
 2. Time of day watering restrictions, such as no unattended irrigation between the hours of 10:00 a.m. and 6:00 p.m., will be encouraged.
 3. Use soil amendments and mulch in conjunction with appropriate plant selections.
 4. Check and replace leaky faucets and toilets.
 5. Wash only full loads of cloths and dishes.
- Voluntary measures for raw water reduction in municipal and school use of water.
 1. Parks & Recreation will conserve water where possible and utilize BMP's.
 2. Golf courses will conserve water where possible and also utilize BMP's.
 3. School District will be encouraged to follow BMP's and conserve water where possible.

4. City owned facilities will strive to set the benchmark for water use practice.
 5. Encourage all customers served by Longmont Water Utilities to implement BMP's for total water use.
- Division staff will prepare for implementing Level One policies in the event this level occurs. The Division will monitor drought response effectiveness, recommend adjustments, and report to public regularly. The Division will also continue training and assigning staff to monitor outdoor water use to insure sustainable conservation efforts are followed and prepare in the event that a Level One drought is determined.

Level One Drought Projection:

Upon determining a Level One drought exists, the City of Longmont may perform any or all of the following efforts, utilizing the actual previous year's water use as the base year for comparison purposes:

- Increase public information about the drought severity and review and enactment of appropriate conservation efforts. Conservation efforts are outlined in the City of Longmont's Water Conservation Master Plan. The City will promote a public water conservation campaign emphasizing moderately dry conditions existing at that time.
- Voluntary water conservation by service customers.
 1. Encourage all customers served by the Longmont Water Utilities to implement a ten percent (10%) reduction in water use from historical levels.
 2. Water users who normally use raw water, well water or other sources of water for irrigation will be requested to not increase use of water through the potable water system during drought emergencies.
 3. Irrigation class tap customers may be required to reduce demand by 10%.
 4. Community garden users, as well as private garden users, will be encouraged to implement a ten percent (10%) reduction in water use from historical levels.
- Mandatory measures for raw water reduction in municipal and school use of water.
 1. Parks & Recreation will conserve water where possible, resulting in a net 10% reduction of historical annual use. Voluntary reductions apply to municipally owned critical sports fields and parks.
 2. Golf courses will conserve water where possible, resulting in a net 10% reduction of historical annual use.
 3. School District irrigation water lease reduction as appropriate, resulting in a minimum of 10% reduction of historical annual use.
 4. Saint Vrain Creek Corridor Committee water lease reduced (or eliminated) to the extent that water is unable to be recaptured for use at the Water Treatment Plants.

5. All other municipal water use will be reduced by 10% (Building use, Fire dept. etc.) of historical annual use.
- Raw water leases and bulk water sales.
 1. Surplus water rental reduced or eliminated.
 2. Historic lease back of raw water reduced or eliminated.
 3. No water leases are guaranteed during a Level One drought (except by existing contracts). If leases are approved the City may elect to increase the lease rate to recover investment costs and to discourage non-essential uses.
 4. Bulk water permits will be reviewed for use and total demand on system. Normal use of water through bulk permits will be allowed, but use of fire hydrants for irrigation will not be allowed.
 - In drought years, there are many uses of water that will change compared to use during average and above average water years. Following are some examples of these changes in that water usage:
 1. Use of water in Golden Ponds will gradually change from primarily piscatorial to supply. In a Level One drought, water levels in the west pond will be allowed to equalize with the middle pond, with use of that amount. In addition, if the level of Golden Ponds lowers, water will not normally be replaced in this facility until the drought ends.
 2. Union Reservoir water levels will be lower than normal, resulting in lowered ability to conduct late season recreational activities on the reservoir.
 - Division staff will develop plans for implementing Level Two policies in the event this level occurs. The Division will monitor drought response effectiveness, recommend adjustments, and report to public regularly. The Division will also continue training and assigning staff to monitor outdoor water use in the event that a Level Two drought is determined.
 - Time of day watering restrictions, such as no unattended irrigation between the hours of 10:00 a.m. and 6:00 p.m., will be evaluated for practicality of implementation.

Level Two Drought Projection:

Upon determining a Level Two drought exists, the City of Longmont may perform any or all of the following:

- Continue public information about the drought severity and enactment of increasing conservation efforts. Conservation efforts are outlined in the City of Longmont's Water Conservation Master Plan. The City will promote a public water conservation campaign emphasizing severely dry conditions. As part of the conservation strategies, the City has developed a conservation rebate program, which will provide rebates for purchase of low volume toilets to replace high volume toilets and water efficient front-loading clothes washers.
- Mandatory water conservation by service customers.

1. Require all customers served by Longmont Water Utilities, including community garden users, to implement a minimum ten percent (10%) reduction in water use.
 2. Implement a formal mandatory watering program to be followed by customers.
 3. No additional water use through the potable system to replace water normally used through raw water, well water or other water supply scenarios.
 4. Irrigation class tap customers will be required to reduce demand by a minimum of 20%.
- Mandatory measures for raw water reduction in municipal and school use of water.
 1. Parks & Recreation water reductions at a level between 20% and 90% depending upon severity of drought and overall response to demand reductions. To the extent possible, the identified critical sports fields, trees and non-turf landscaped areas will continue to be irrigated with a 10% reduction in application of water.
 2. Golf course watering will be reduced between 20% and 90% depending upon severity of drought and overall response to demand reductions.
 3. School District irrigation water lease reduction at a level between 20% and 90% depending upon severity of drought and overall response to demand reductions.
 4. Saint Vrain Creek Corridor Committee water lease eliminated to the extent that water is unable to be recaptured for use at the Water Treatment Plants.
 5. All other municipal water use will be reduced to the maximum extent possible (Building use, Fire dept. etc.).
 - Raw water leases and bulk water sales.
 1. Surplus water rental eliminated.
 2. Historic lease back of raw water reduced or eliminated.
 3. No water leases are guaranteed during a Level Two drought (except by existing contracts). If leases are approved, the City may elect to increase the lease rate to recover investment costs and to discourage non-essential uses.
 4. Bulk water permits will be reviewed for use and total demand on system. Normal use of water through bulk permits may be allowed, but use of fire hydrants for irrigation will not be allowed.
 - Division staff shall develop plans for implementing Level Three policies, including mandatory water use reductions. The Division will monitor drought response effectiveness, recommend adjustments, and report to the public regularly.
 - The Division will continue to train and assign staff in monitoring, issuing warnings and imposing penalties for water waste and violations of any permits and noncompliance with any water restrictions.

Level Three Drought Projection:

Upon determining a Level Three drought exists, the City of Longmont may perform any or all of the following:

- Continue public information about the drought severity and enactment of mandatory conservation efforts. Conservation efforts are outlined in the City of Longmont's Water Conservation Master Plan. The City will promote a public water conservation campaign emphasizing critically dry conditions.
- Mandatory Water Conservation by Service Customers.
 1. Mandatory water use reduction equal to projected water supply availability deficit for all customers, including community gardens, served by the Longmont Water Utilities. Outdoor watering restrictions will be set based upon severity of drought. Restrictions will result in severely cutting back or completely eliminating watering based upon severity of the Level Three drought.
 2. Water rates to be adjusted to provide clear financial incentive to limit outside water use using the increasing block structure. Adjust water rates to maintain revenue during the drought as needed.
 3. Impose a moratorium on new water taps.
 4. No additional water use through the potable system to replace water normally used through raw water, well water or other water supply scenarios.
 5. Irrigation class tap customers will be required to reduce demand by a minimum of 90%, or possibly eliminated.
- Mandatory measures for raw water reduction in municipal and school use of water. All outdoor watering of public facilities may be eliminated depending upon the severity of the drought at this level.
 1. Parks & Recreation water reductions, resulting in a reduction of 90 % of use. Minimal watering of critical sports fields and parks will occur. The primary intent of Parks and Recreation watering will be to maintain economic investments in non-turf landscaping, trees and municipal facilities. Field use will be restricted or eliminated to protect facilities as needed.
 2. Golf course watering will be limited to greens and tees.
 3. School District irrigation water lease eliminated.
 4. Saint Vrain Creek Corridor Committee water lease eliminated to the extent that water is unable to be recaptured for use at the Water Treatment Plants.
 5. All other municipal water use will be reduced to the maximum extent possible (Building use, Fire dept. etc.).
- Raw water leases and bulk water sales.
 1. Surplus water rental eliminated.
 2. Historic lease back of raw water eliminated.
 3. Bulk water permits and sale of water through fire hydrants will not normally be allowed. Hydrant use for irrigation will not be allowed.

- Division staff will continue to further develop plans for responding to the drought. The Division will monitor drought response effectiveness, recommend adjustments, and report to public regularly. Division staff will continue to monitor and enforce watering restrictions as necessary.

Website Links:

City of Longmont Public Works & Natural Resources Department:

<http://longmontcolorado.gov/departments/departments-n-z/water>

Snow Survey Data:

<http://www.co.nrcs.usda.gov/snow/snow/>

Reviewed by:

Longmont Water Board on April 16, 2018

**TABLE A
CITY OF LONGMONT
WATER RIGHTS YIELDS
2018**

revision date 04/11/2018

WATER RIGHTS	2002 ACTUAL RAW WATER USE AC-FT	2016 ACTUAL RAW WATER USE AC-FT	2017 ACTUAL RAW WATER USE AC-FT	2018 PROJECTED RAW WATER AVAILABLE AC-FT	2019 PROJECTED RAW WATER AVAILABLE AC-FT	2020 PROJECTED RAW WATER AVAILABLE AC-FT
1. CBT QUOTA DECLARATION	70%	70%	80%	80%	50%	50%
2. DIRECT FLOW WATER RIGHT DECREES	3309	8034	6752	6877	6974	7547
3. 1929 TRANSFER DECREES	1108	0	0	0	1337	1337
4. PIPELINE DECREES	904	562	416	416	1854	1837
5. TRANSFERED RESERVOIR STORAGE DECREES	456	0	1163	1163	1163	1163
6. RESERVOIR STORAGE AVAILABLE FOR RELEASE	7366	4176	3533	3533	4222	4199
7. TRANSBASIN WATER RIGHTS	8715	10157	15586	15756	12277	12277
8. LESS CBT CARRYOVER BETWEEN YEARS	(940)	2636	(2825)	(2825)	(2825)	(2825)
9. LESS WATER RENTAL AND LEASES	(1497)	(771)	(828)	(835)	(1000)	(1000)
10. TOTALS	19421	24795	23797	24085	24002	24535
11. DEMANDS AT LEVEL 1 DROUGHT RESPONSE	17217					
12. PERCENT OF SUPPLY VS DEMAND AT LEVEL 1 RESPONSE	113%					
13. DEMANDS AT SUSTAINABLE CONSERVATION LEVEL *		17002	17172	17344	17691	18221
14. PERCENT OF SUPPLY VS DEMAND AT SUSTAINABLE CONSERVATION LEVEL		146%	139%	139%	136%	135%
B1. NOVEMBER 1ST PROJECTED STORAGE				32000		
B2. DROUGHT LEVEL INDICATED BY WATER IN STORAGE				S		
B3. TO DATE IN-BASIN LONGMONT STORAGE (AC-FT)				33136		
B4. NUMBER OF MONTHS AVAILABLE TO MEET AVERAGE DEMAND				23		

* Projected water demands reflect previous water demand usage and consider long range weather forecasts, water conservation efforts, changes in treated water demands, economic forecasts and community growth.

TABLE B
RALPH PRICE RESERVOIR STORAGE
2018

* DESIGN DROUGHT YEAR							
Calendar Year	1	2	3	4	5	6	7
	2018	2019	2020	2021	2022	2023	2024
Sustainable Conservation Level	>90%	>90%	>85%	>85%	>80%	>80%	>75%
Response Level One	75% - 90%	75% - 90%	70% - 85%	70% - 85%	65% - 80%	65% - 80%	60% - 75%
Response Level Two	60% - 75%	60% - 75%	55% - 70%	55% - 70%	50% - 65%	50% - 65%	50% - 60%
Response Level Three	< 60%	< 60%	< 55%	< 55%	< 50%	< 50%	< 50%
JULY 15, 2018 PROJECTED BUTTON ROCK STORAGE (AC-FT)			16197	100%			
APRIL 12, 2018 ACTUAL BUTTON ROCK STORAGE (AC-FT)			15851	98%			

BY-LAWS OF THE WATER BOARD
OF THE
CITY OF LONGMONT,
COLORADO (January 22, 2018)

ARTICLE I
AUTHORITY

Section 1. AUTHORITY

The Longmont Water Board Is established by the City Council pursuant to the Longmont Municipal Charter and Chapter 2.40 of the Longmont Municipal Code. The Board shall have such powers and duties as set forth in the Charter and Code.

Section 2. OFFICE OF THE BOARD

The office of the Water Board shall be Service Center, City of Longmont, Colorado, or as the Board may from time to time designate by resolution.

ARTICLE II
BOARD MEMBERS

Section 1. MANAGEMENT

The five board members appointed by the City Council of the City of Longmont shall constitute the Water Board. All of the affairs and business of the Board shall be vested in the said five board members who are appointed as provided by ordinance, by the City Council, of the City of Longmont, Colorado.

Section 2. ABSENTEEISM

Any member who is unexcused for three (3) consecutive regular meetings, or is absent from a total of four (4) regular meetings per calendar year will be subject to recommendation to council for replacement.

Section 3. EXPENSES

Reimbursement for necessary expenses actually incurred shall be paid members of the Water Board if within budgeted expenses.

Section 4. BOARD MEMBERS

Members of the Board shall perform such other duties and functions as may from time to time be required by the Board or rules and regulations of the Board.

ARTICLE III
MEETINGS

Section 1. REGULAR MEETING

The regular meeting of the Water Board shall be held in the Service Center or other designated meeting place on the third Monday of each month. In the event the third Monday of the month falls on a national holiday, the meeting will be held on the fourth Monday of that month. At such meetings the Board shall consider all matters properly brought before the Board as scheduled agenda items. A regular meeting may be canceled or rescheduled by the Board at a prior meeting. If there are no reports or other general business items to bring before the Board, the Secretary shall consult with the Chairman and if so decided notify the Board members of cancellation.

Section 2. ANNUAL MEETING

The annual meeting of the Water Board shall be held on the third Monday in August of each year. Such meeting shall be devoted to the election of officers for the ensuing twelve months, and such other business as shall be scheduled by the Secretary.

Section 3. SPECIAL MEETINGS

Special meetings may be called at the request of the Chairman, Vice-Chairman, or at the request of three members, for the transaction of business as stated in the call for the meeting.

Section 4. INFORMATIONAL MEETINGS

Informational meetings include meetings which Water Board members have been invited to attend to receive information; however no formal action will be taken by the Board during any such meeting. Examples of informational meetings include, but are not limited to, the bi-annual Northern Colorado Water Conservancy District Water Users Meeting, and the City of Longmont Water Resources bi-annual Raw Water System Tour.

Section 5. MEETING NOTICES

Meeting notices shall be sent by mail, email, or other electronic means to all Water Board members and non-voting members not less than five (5) days, or hand delivered not less than three (3) days before such meeting. Notice transmittals shall include an agenda, minutes of previous meeting(s), proposed resolutions and other reference and informational material as may be

appropriate. Notices of special meetings will meet the same time requirements as notice of regular meetings if possible. Notice shall be deemed complete upon mailing.

Section 6. QUORUM

A quorum at any meeting shall consist of any three (3) members of the Water Board. A majority of those in attendance, in the presence of a quorum, shall decide any question that may come before the meeting, except as might otherwise be provided herein, or as might otherwise be required by law. No action shall be taken in the absence of a quorum except to adjourn the meeting to a subsequent date; however distribution of informational items may still occur.

Section 7. MEETINGS OPEN TO PUBLIC

All meetings of the Water Board shall be open to the public, except for executive sessions in accordance with the Colorado Open Meetings Law.

Section 8. ORDER OF BUSINESS

A. The order of business at any regular meeting of the Water Board shall be as follows:

1. Roll Call
2. Approval of Previous Months Minutes
3. Water Status Report
4. Public Invited to be Heard and Special Presentations
5. Agenda Revisions and Submissions of Documents
6. Development Activity
7. General Business
8. Items from Staff
9. Items from Board
10. Informational Items and Board Correspondence
11. Adjournment

B. The order of business at any special meeting of the Water Board, unless otherwise prescribed by the Water Board, shall be as follows:

1. Roll Call
2. Public Invited to be Heard and Special Presentations
3. Unfinished Business

4. New Business
5. Adjournment

C. The order of business at the annual meeting of the Water Board shall be as follows:

1. Roll Call
2. Election of Officers
3. Approval of Previous Months Minutes
4. Water Status Report
5. Public Invited to be Heard and Special Presentations
6. Agenda Revisions and Submissions of Documents
7. Development Activity
8. General Business
9. Items from Staff
10. Items from Board
11. Informational Items and Board Correspondence
12. Adjournment

D. The order of business at informational meetings, which include attendance by Water Board members, may be determined by the group or entity calling the meeting. No formal agenda or action is required.

At any annual, regular or special meeting of the Water Board, persons wishing to address the Board during the time for the public to be heard shall be allowed not more than five (5) minutes of time in which to address the Board. Requests for Water Board recommendation to City Council or other Water Board action may be made. The Water Board may take action, or if so moved by a majority of the members present, be scheduled for discussion at the next regular business meeting.

Section 9. VOTING

At all annual, regular, and special meetings of the Board, each voting member in attendance, shall be entitled to cast one vote. Voting on all questions shall be by voice vote. A roll call vote may be requested by any member and the results of such roll call vote shall be entered in the minutes of the meeting.

In the event any member shall have a material interest of any kind in any matter then before the Board, the member shall disclose that material interest to the other members of the Board. Unless the member shall disqualify themselves on the basis of a conflict of interest, the other members shall then vote to determine whether the interested member is unqualified because of the

member's material interest to participate in action on the matter then before the board. The Secretary shall record the outcome of such vote in the minutes.

Section 10. RULES OF PROCEDURE

Meetings of the Water Board shall be conducted in accordance with Roberts Rules of Order in all cases to which they are applicable and in which they are not inconsistent with these By-Laws.

ARTICLE IV
OFFICERS

Section 1. TITLES

The officers of the Water Board shall be a Chairman and a Vice-Chairman.

Section 2. CHAIRMAN

The Chairman shall preside at all meetings of the Board. Except as otherwise authorized by resolution of the Board, the Chairman shall sign all recommendations made by the Board. At each meeting, the Chairman shall submit such recommendations and information as the Chairman may consider as considered proper concerning the affairs and policies of the Board.

Section 3. VICE-CHAIRMAN

The Vice-Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman; and in case of the resignation or death of the Chairman, the Vice-Chairman shall perform such duties as are imposed on the Chairman until such time as the Board shall select a new Chairman.

Section 4. ADDITIONAL DUTIES

The officers of the board shall perform such other duties and functions as may from time to time be required by the Board.

Section 5. ELECTIONS AND APPOINTMENTS

The Chairman and Vice-Chairman shall be elected at the annual meetings of the Board from among the members of the Board, and office shall be held for one year or until their successors are elected and qualify.

Section 6. REMOVAL OF OFFICERS

Any officer may be removed from office at any time by a vote of the majority of the Board present and voting at any meeting of the Water Board called and held for that purpose; however, Notice of any motion to remove any officer shall be given to the officer no less than ten (10) days and no more than thirty (30) days prior to such meeting in writing.

Section 7. VACANCIES

Should the office of the Chairman or Vice-Chairman become vacant, the Board shall elect a temporary successor from its membership at the next regular meeting, and shall elect a permanent replacement for such office or offices at first regular meeting after City Council has appointed any Board members required to fill any unexpired term due to vacancy. The permanent Chairman or Vice-Chairman shall then serve for the duration of unexpired term.

Section 8. RECORDING SECRETARY

A Recording Secretary shall be provided by the City of Longmont. The Recording Secretary shall keep the records of the Board, shall be responsible for the minutes of the meetings of the Board and for keeping a record on all votes, and shall keep a record of the proceedings of the Board in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to this office.

ARTICLE V
REPORTS

Section 1. MASTER PLAN

The Board shall develop a Raw Water Master Plan, pursuant to Chapter 2.40 of the Longmont Municipal Code, defining the long-term goals and objectives of the City of Longmont raw water program. The Raw Water Master Plan shall be updated or modified as the need arises.

ARTICLE VI
BY-LAWS

Section 1. AMENDMENTS

The by-laws of the Board shall be amended only with the approval of at least four (4) of the members of the Board at any annual, regular or special meeting, and shall comply with meeting notice requirements listed in Article III, Section 5 of these by-laws.

ARTICLE VII
RESOLUTIONS OF THE BOARD

Section 1. RESOLUTIONS

All resolutions shall be presented in writing to Board members by mailing at least five (5) days or hand delivered at least three (3) days prior to the board meeting at which the resolution is to be voted upon; unless waived by unanimous vote of those present.

Section 2. RECORDING

All resolutions shall be copies in full in the official minute book of the proceedings of the Board.