

CITY OF LONGMONT



LONGMONT WATER BOARD ANNUAL REPORT 2019

MEMBERS:

**Todd Williams, Chair
Renee Davis, Vice Chair
John Caldwell
Roger Lange
Kathy Peterson**

EX-OFFICIO MEMBERS:

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

WATER RESOURCES STAFF:

**Dale Rademacher, Deputy City Manager
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 2019, 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 2019, 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 2019, 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 [section 15.02.020](#).

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; Ord. No. O-2018-31, § 9, 8-14-2018)

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 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 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 2019, with year of term expiration were: Renee Davis (2019; 2024), 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 2019 with Renee Davis serving as vice-chair. Members are extremely diversified in expertise and experience.

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 re-appointed to the Longmont Water Board in July 2019; she enjoys 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 2019 the Water Board reviewed 11 development proposals representing a total of approximately 62 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 2019, 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, 2019						
DIRECT FLOW SUPPLY	OBTAINED FOR	CERT OR DEED DATE	CITY CERT NO.	SHARES INTEREST, OR UNITS	PER SH IRRIG YIELD	AVERAGE IRRIGATION YIELD (ac-ft)
IRRIGATION DECREES						
St. Vrain Creek						
Denio & Taylor	Peakview Estates Annexation	11/7/2019	450	10	1.63	16.30
Longmont Supply	Faith Point Baptist Church - 833 15th Ave 2212 17th Ave, (future fire station)	5/30/2019 8/7/2019	1993 1994	0.75 0.1	27.89 27.89	20.92 2.79
Oligarchy	Faith Point Baptist Church - 833 15th Ave	05/30/19	2070	0.25	59.96	14.99
Total Direct Flow Supply						<u>55.00</u>
STORAGE SUPPLY						
IRRIGATION DECREES						
Lake Mchintosh	Longmont Storage Final Plat Double 6 Ranch OS Purchase	04/30/18 03/29/19	808 818	12 10	0.53 0.53	6.36 5.30
Total Storage Supply						<u>11.66</u>
TRANSBASIN SUPPLY						
Total Transbasin Supply						<u>0.00</u>
TOTAL						<u>66.66</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 July of 2019 the fee for cash-in-lieu of water rights received was set at \$15,324 per acre-foot. For August through December of 2019 the fee for cash-in-lieu of water rights received was set at \$16,840 per acre-foot. Listed below on Table B are the cash-in-lieu payments received during 2019.

Table B

City of Longmont
Cash Received in Lieu of Water Rights
For The Year Ending December 31, 2019

<u>DATE</u>	<u>RECEIVED FROM</u>	<u>FOR</u>	<u>FEE</u>		<u>PAYMENT</u>
			<u>AC-FT</u>	<u>PER AC-FT</u>	
9-Jan-19	Real Estate Equities Development LLC	Village Cooperative Final Plat	1.260	\$15,324.00	\$19,308.24
1-May-19	L2 Property Management LLC	708 -710 Martin Street Development	0.185	\$15,324.00	\$2,834.94
24-May-19	David Elowe	Marsha's Ssubdivision - The Green Solution	1.689	\$15,324.00	\$25,882.23
23-Jul-19	22 Twenty-Five Development	Marsha's Ssubdivision - The Green Solution	1.689	\$15,324.00	<u>\$25,882.24</u>
				TOTAL	\$73,907.64

Table C

Development Activity Reviewed by Water Board

Development	Type	Date	Area
Longmont Storage	Subdivision	January 28, 2019	8.424 ac
Brick Stone Subdivision Minor Subdivision Plat	Subdivision	January 28, 2019	13.517 ac
Lot 11, Pratt & Brown's Gardens Replat A	Replat	May 20, 2019	1.123 ac
Marsha's Subdivision	Subdivision	May 20, 2019	1.126 ac
Main Street Subdivision Replat G	Replat	May 20, 2019	0.921 ac
Riverset Annexation	Annexation	June 17, 2019	5.920 ac
North Terry Street Townhomes Subdivision	Subdivision	September 16, 2019	0.887 ac
Prairie Village Filing No. 7 Final Plat	Subdivision	September 16, 2019	12.263 ac
Baker Street Townhomes Subdivision	Subdivision	September 16, 2019	1.211 ac
9th & Pace Subdivision Final Plat	Subdivision	November 18, 2019	12.654 ac
Mountain Crest Subdivision Final Plat	Subdivision	November 18, 2019	3.642 ac

MAJOR GENERAL BUSINESS ACTION TAKEN BY WATER BOARD IN 2019

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 Danielle Levine, PW&NR Project Manager, updated Water Board members on the development of the Button Rock Management Plan, a two-year process. The Plan will provide management direction in the areas of water quality protection, existing infrastructure and improvements, passive recreation, natural and cultural resource protection, and rules and regulations for visitor use. Staff is now ready to ask City Council for approval to move forward with the Plan and to approve an intergovernmental agreement (IGA) with Colorado Natural Heritage Program, a non-profit organization sponsored by Colorado State University, who will help complete necessary natural resource inventory work at the Button Rock Preserve. The inventory will be used to help inform the work on the finalized management plan.

A motion was made by Board member Caldwell to recommend that City Council approve moving forward with the Button Rock Management Plan and approve the IGA with the Colorado Natural Heritage Program. Board member Lange seconded the motion. 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 with East Cherry Creek Water District, Arapahoe County Water Authority, and United Water, water for 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 and Sanitation District, Arapahoe County Water and Wastewater Authority, and United Water and Sanitation District. The motion was seconded by Board member Peterson. Motion passed 4-0.

City of Longmont's 2019 Water Supply and Drought Management Plan Review

Staff member Wes Lowrie presented the City's 2019 Water Supply and Drought Management Plan and reviewed its details. Using a variety of metrics to gauge water supply in drought

conditions during a 7-year period, the Plan outlines 3 levels of response for the City to conserve its water supply and to preserve the quality of life in Longmont. The City is currently operating under a Sustainable Conservation Level, utilizing best management practices to conserve water resources. At Level One, conditions will moderately impact the City's supply vs. demand; Level Two would severely impact the City's supply vs. demand; and Level Three would critically impact it. These levels would be implemented by City Council based on Water Resources staff and Water Board's monitoring drought indicators and forecasting raw water availability.

A motion was made by Board member Caldwell to recommend that City Council accept the 2019/2020 Water Supply and Drought Management Plan and remain at the Sustainable Conservation Drought Level response. The motion was seconded by Board member Lange; the motion passed 5-0.

Cash-in-Lieu Review

Staff member Wes Lowrie reminded the Board of City Council's approved Resolution R-2018-53 establishing the fee for cash-in-lieu of water right received at the current rate of \$15,324.00 per acre-foot.

The Board reviewed and discussed the current cash-in-lieu rate. The cost per acre-foot for the Windy Gap Firing Project, Union Enlargement & Pumpback Pipeline, and Button Rock Enlargement have all been adjusted for the Bureau of Reclamation's construction cost index. The current confirmed transactions are consistently increasing.

After further discussion, Board member Peterson moved to set the cash-in-lieu rate at \$16,840 per acre-foot, the cost of the Windy Gap Firing Project. Board member Caldwell seconded the motion. The motion passed 5-0.

IGA with Town of Lyons for Treated Water Service

Staff member Ken Huson presented the Board with a preliminary proposal for an Intergovernmental Agreement (IGA) between the City of Longmont and the Town of Lyons. This would amend a previous Water Service Agreement IGA that allows the City of Longmont to provide water treatment services for the Town of Lyons. As they are still working to rebuild after the 2013 Flood and currently constructing affordable housing units to replace homes that were lost in the flood, the cost of C-BT water rights shares are significantly higher than the return margin for affordable housing units will allow. This IGA would amend the following underlying agreements in our current agreement through the following provisions:

1. Reducing the allowable number of maximum service connections from 1,310 to 1,250.
2. Allowing the Town of Lyons to acquire Lake McIntosh Reservoir shares for future Fixed Dedication of water supply.
3. Allowing the Town of Lyons to decide itself whether or not to include its C-BT shares in the Northern Water fixed quota program.

4. Transferring a short segment of the City of Longmont's abandoned South St. Vrain Creek Pipeline to the Town of Lyons. This section previously connected Longmont's south treatment plant to its north water treatment plant, which are no longer used.

A motion was made by Board member Caldwell to recommend that City Council approve the IGA in substantially the form before them, allowing for an amendment to the agreement for the City of Longmont to provide water treatment services for the Town of Lyons; the motion was seconded by Board member Davis. The motion passed 4-0.

WaterSMART Water and Energy Efficiency Grant Funding

On behalf of Staff member Francie Jaffe, Staff member Huson presented information she put together about a grant that Public Works & Natural Resources (PWNR) is applying for that would help with costs associated with replacing residents' water meters with smart water meters. The Bureau of Reclamation has small and large grants available to help in the conversion to smart meters; PWNR is applying for both grants and hoping to get funding for the larger of the two.

By transitioning to an Automated Meter Reading (AMR) system and incorporating a Customer Portal, the City has the opportunity to provide improved leak detection and education to the customer, which can result in improved water savings and conservation. Staff requested a letter of recommendation from the Board to include in the application and a recommendation to City Council to approve a resolution authorizing PWNR to apply for the grant.

A motion was made by Board member Davis to authorize Chair Williams to sign a letter of recommendation for the application packet and to recommend that City Council approve a resolution authorizing PWNR to apply for the Water and Energy Efficiency Grant; Board member Lange seconded the motion. The motion passed 3-0.

Longmont's 2020 Guiding Water Principles

Staff member Tipton informed the Board of the new legislative session beginning January 8, 2020, and reviewed the guiding water principles approved by the Board in recent years. Staff member Huson highlighted the principle having to do with requiring proper water supply planning in conjunction with land use planning. He stated that Public Works & Natural Resources launched concerted efforts in 2019 to work with other departments and divisions, particularly Planning and Development, to look at water use needs earlier in the process of land development, thus enabling better initial water efficiency. This decreases the need for focusing as much effort on water conservation after development. As state regulation is heading that direction in the future, he wanted to point out that the City is actively adhering to this principle in the work Staff member Jaffe is doing with other departments.

A motion was made by Board member Davis to recommend the 2020 Legislative Guiding Water Principles be used by City Council for the upcoming legislative session. Board member Caldwell seconded the motion; the motion passed 4-0.

Cash-in-Lieu Review

Staff member Lowrie reminded the Board of City Council's approved Resolution R-2019-78 establishing the fee for cash-in-lieu of water right received at the current rate of \$16,840.00 per acre-foot.

The Board reviewed and discussed the current cash-in-lieu rate. The cost per acre-foot for the Windy Gap Firming Project, Union Enlargement & Pump Back Pipeline, and Button Rock Enlargement have all been adjusted for the Bureau of Reclamation's construction cost index. The current confirmed transactions are consistently increasing.

After further discussion, Board member Caldwell moved to recommend that City Council set the cash-in-lieu rate at \$17,683 per acre-foot, the cost of the Windy Gap Firming Project. Board member Peterson seconded the motion. The motion passed 4-0.

Proposed Change to the Raw Water Requirement Policy

Staff member Huson reviewed a table from the 2019 Water Demand Evaluation, focusing on the demand variability assumptions for high water industrial users. A demand calculation of 1,200 acre-feet of water was set aside in both the 2012 and 2019 Evaluations, though the 2019 Evaluation adopted by City Council now allows for a mixed use of the 1,200 acre-feet (400 AF for affordability and 800 AF for economic development). Language in the municipal code needs to be updated to reflect these changes. Further discussion followed.

A motion was made by Board member Caldwell to recommend that City Council approve revisions to Chapter 14.09 of the Longmont Municipal Code on the Raw Water Requirement Policy.

Board member Lange asked for clarification on the recommendation that would go to Council. Chair Williams clarified the recommendation to Council and further discussion ensued.

Board Member Lange seconded the motion; the motion passed 4-0.B.

B. Major Water Issues Reviewed by Water Board:

During 2019 several major water issue were reviewed by Water Board. These items, as not already highlighted above, as discussed with Water Board and excerpts from Water Board's minutes have been summarized below.

Sustainability Coalition Program

Staff member Lisa Knoblauch presented Water Board with an overview of the Sustainability Plan and the updates that were made to the Plan in 2018. Focus areas for implementation in 2019 are launching the Sustainability Business Program, creating an equity strategy that focuses on access and opportunity, improving energy efficiency for municipal facilities, and monitoring our greenhouse gas inventory. Discussion with the Board followed.

Staff member Knoblauch also shared information about the Sustainability Coalition and invited a representative from the Board to be part of the Coalition. Board member Davis volunteered to be the representative, and Board member Peterson volunteered to be a backup.

Saint Vrain Creek Stream Management Plan Update

Staff member Kevin Boden updated the Board on the progress Left Hand Water Conservancy District is making on the Saint Vrain Creek Stream Management Plan, which Longmont agreed to help fund. A consultant has been hired and is currently assessing the river's health. Staff anticipates additional information on their findings will be available in the next couple of months.

At Board member Caldwell's prior request, Staff member Boden shared examples of a wide variety of structures being used to build fish passages along various reaches of the river. Boulder County Parks & Open Space is working to include one on the Niwot Ditch and there are two fish passage projects currently on the St. Vrain Creek.

Water Demand Evaluation Update

Staff member Huson shared with the Board NOAA's latest drought monitor, which shows drought coverage for the continental US. In 2012, during the peak of the drought, 55% of the continental US was facing major drought conditions. The latest monitor shows significant decrease with only 5% facing major drought conditions, the lowest in 20 years.

Staff member Huson presented the Board with the updated Water Demand Evaluation built on baseline data from the original evaluation project completed in 2012. Staff utilized current GIS technology and the past seventeen years of data in their work to give them a comprehensive look at the overall water use for the City. This update also incorporated recent changes made to the

City's water use and comprehensive planning, including the adoption of Envision Longmont, the conversion of some previously planned areas from future development status to open space status, and recent water conservation efforts and citizens' practices. These changes have contributed to a slight decrease in projections for future water demands (32,500 acre-feet) from those made in 2012 (32,730 acre-feet).

Windy Gap Firming Project Update

Staff member Huson referenced an email sent to the Board that was attached to this month's packet stating that the Schmuck Family Trust property had closed. The trust has withdrawn its statement of opposition in the water rights case. This was the last of the outstanding objectors, hopefully allowing this case to wrap up and move forward with a motion to the referee to forward the final decree to the case judge. It was also the last major hurdle for building the connectivity channel around the reservoir, thus allowing that project to move forward. The sub-district has hired AECOM as the design engineer for the embankment for the dam, the river channel, and the diversion facilities. There are tight deadlines associated with this project due to federal funding dedicated to it.

Bids for project construction were opened last week, with a construction start date for summer 2020 as the basis. Bids received are slightly higher than initial bids received. The finance committee will reconvene based on the new bids to discuss how to pursue bond funding. Since our participation is slightly different from other municipalities, it has not yet been determined whether Longmont will be in the bond pool with other participants or do our own bond.

Chair Williams asked if contingency funds already paid by participants would cover new bids that are coming in at higher rates. Staff member Huson stated that they would cover most of the cost. He clarified that there were two contingencies paid by participants, one a construction contingency and the other an owners cost. He indicated that the construction contingency will likely stay where it is, but that the owners cost could decrease a little bit, though it would need to be discussed at the next participants meeting. Board member Caldwell asked if the cost could really decrease or if the numbers would just shift from the contingency to the actual project cost once construction begins. Staff member Huson agreed that it would really be more of the cost shift.

Chair Williams wanted to know whether the new rates currently before Council would be affected by this new information. Staff member Huson stated that the new rates being considered by Council would not be changed by this information. In response to a question from Board member Lange about a timeline for the contingencies coming to a close Staff member Huson stated that would likely happen over the next six months. Further discussion ensued.

Update on Bureau of Reclamation Grant Application

Staff member Jaffe reported that the City submitted the grant application to the Bureau of Reclamation as was discussed in last month's meeting, with a letter of support from the Board. She stated that staff decided to apply for \$800,000 matching funds, which will cover the last

phase of the Automated Meter Readers (AMR) Project. The last step of the application process is to include a resolution from City Council to apply for the grant, which is on Council's agenda for the October 22, 2019 meeting.

Councilmember Martin asked why AMR installations are currently happening if we are just now applying for grant funding. Staff member Jaffe explained the project started several years ago and has been a part of annual budgets and capital improvement projects (CIPs) since its inception. The grant that the City is applying for will help offset the costs of the last phase of the project, which is expected to finish by 2024. She reiterated that whether or not the City is awarded grant funding, the project would continue with funds projected in the CIPs.

Button Rock Preserve Management Plan Update

Staff member Huson reminded the Board of the Button Rock Preserve Management Plan Update that began early in 2019. He stated that staff is compiling data of natural resources, wildlife species, and critical plant species that was collected by the consultants. A public survey was implemented over the summer and was available at the Button Rock Preserve trailhead and online through the Engage Longmont website. The second public meeting is scheduled for November 6, 2019, 6-8 pm, at the Parks, Open Space, and Trails building located at 7 S. Sunset Street, Longmont. This will be an informational meeting where the City will present our findings from the data collection process.

Staff member Huson updated the Board on the "dogs on leash, one dog per person" rule that was implemented in late May 2019. Since introducing the rule, the Preserve continues to experience a decrease in dog visitation and dog waste litter needing to be removed. Board members asked about people's compliance with the rule. Staff member David Bell replied that people have responded well, which he attributed to the educational and informational warning period that staff initiated when the rule went into effect.

The Board was interested to know what kind of species were found during the data collection phase and whether any findings surprised the staff. Staff member Bell said that staff is currently looking at all the data, which would be made available at the public meeting on November 6. He added that a few unique plant communities were unexpected, though he didn't remember at that time which they were.

Staff member Lowrie said that Northern Colorado Water Conservancy District's (NCWCD) Fall Water Users Meeting is scheduled for November 20, 2019, at the Embassy Suites in Loveland. Chair Williams added that Northern Water has changed the format of this meeting to a symposium, differentiating it from the Spring Water Users Meeting. Staff member Lowrie said interested participants could register on Northern Water's website (www.northernwater.org) or by contacting Heather McIntyre at the City (303-651-8817 or heather.mcintyre@longmontcolorado.gov).

Staff member Lowrie also informed the Board that the Longmont Observer would begin video recording City Advisory Board & Commissions meetings in January 2020. They have requested a couple of volunteer Boards to participate in November and December 2019 as trial runs before

recording all applicable boards in 2020. Board members agreed to allow the Longmont Observer to record the November and December Water Board meetings.

Staff member Jaffe stated that she is working with the City's Parks division to apply for NCWCD's Water Efficient Landscape Matching Grant to transition two of the City's parks from Kentucky bluegrass to a native, cool-season turf grass. The application for that grant is due on November 15, 2019. Further discussion about water efficient landscaping within the City parks system ensued.

WATER ISSUES

Water Legislation

During 2019, 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 – 2019

Bill Number	Description	Position	Bill Status
HB19-1015	Recreation of the colorado water institute concerning the recreation of the colorado water institute.	Support	Governor Signed on 02-20-2019
HB19-1029	Republican river water conservation district concerning the republican river water conservation district, and, in connection therewith, expanding the boundaries of the district and adjusting the meeting schedule of the district's board of directors.	Monitor	Governor Signed on 04-16-2019
HB19-1050	Encourage use of xeriscape in common areas concerning the promotion of water-efficient landscaping on property subject to management by local supervisory entities.	Monitor	Governor Signed on 03-07-2019
HB19-1071	Colorado department of public health and environment water quality control concerning the repeal of obsolete provisions regarding water quality control, and, in connection therewith, eliminating the requirement that the state board of health approve a municipality's entrance into a joint operating agreement with an industrial enterprise for work relating to sewerage facilities and clarifying that the board of directors of a water conservancy district must comply with the rules of the water quality control commission concerning the manner in which watercourses of the district are used for waste disposal.	Monitor	Governor Signed on 03-07-2019
HB19-1082	Water rights easements concerning the rights of a water rights easement holder.	Support	Governor Signed on 03-28-2019
HB19-1113	Protect water quality adverse mining impacts concerning the protection of water quality from adverse impacts caused by mineral mining.	Monitor	Governor Signed on 04-04-2019

HB19-1218	<p>Loaned water for instream flows to improve environment</p> <p>concerning the colorado water conservation board's authority to use water that a water right owner voluntarily loans to the board for instream flow purposes.</p>	<p>Monitor</p>	<p>Senate Committee on Agriculture & Natural Resources Postpone Indefinitely on 04-17-2019</p>
HB19-1231	<p>New appliance energy and water efficiency standards</p> <p>concerning efficiency standards for equipment sold in colorado, and, in connection therewith, requiring certain appliances, plumbing fixtures, and other products sold for residential or commercial use to meet energy efficiency and water efficiency standards.</p>	<p>Support</p>	<p>House Considered Senate Amendments - Result was to Concur - Repass on 05-03-2019</p>
HB19-1271	<p>Augmentation of instream flows</p> <p>concerning a clarification of the authority of the colorado water conservation board to augment stream flows with acquired water rights that have been previously decreed for augmentation use.</p>	<p>Support</p>	<p>Senate Committee on Agriculture & Natural Resources Postpone Indefinitely on 04-17-2019</p>

HJR19-1005	Water projects eligibility lists concerning water projects eligibility lists.	Support	Governor Signed on 02-20-2019
SB19-020	Wildland fire airspace patrol system concerning development of a system to patrol the airspace above wildland fires.	Support	House Third Reading Passed - No Amendments on 05-01-2019
SB19-184	Authority colorado water institute study blockchain technology concerning a grant of authority to the colorado water institute to study potential uses of blockchain technology.	Monitor	Senate Committee on Agriculture & Natural Resources Postpone Indefinitely on 03-21-2019
SB19-186	Expand agricultural chemical management program protect surface water concerning the expansion of agricultural chemical management plans to protect surface water.	Monitor	House Third Reading Passed - No Amendments on 05-01-2019
SB19-212	Appropriation general fund implement state water plan concerning general fund support to implement the state water plan, and, in connection therewith, making an appropriation.	Monitor	Governor Signed on 04-17-2019
SB19-221	Co water conservation board construction fund project concerning the funding of colorado water conservation board projects, and, in connection therewith, making an appropriation.	Support	Sent to the Governor on 05-10-2019
SJR19-002	Corps of engineers to dredge lower arkansas river concerning memorializing the united states congress to enact legislation directing the united states army corps of engineers, in conjunction and cooperation with the lower arkansas valley water conservancy district, to dredge a portion of the arkansas river.	Monitor	Signed by the Speaker of the House on 02-14-2019



City of Longmont

2019/2020 Water Supply & Drought Management Plan

Purpose:

The purpose of the City of Longmont's 2019/2020 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 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 January 29, 2019



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, 2019

City of Longmont

2019/2020 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 2018 the Saint Vrain River Basin experienced average streamflow conditions as a result of above average snowpack and average rainfall. Water Board recommended and City Council concurred in May of 2018 to remain at a Sustainable Conservation Level Drought Response for 2018. As a result of the average stream flows during 2018 Longmont finished the 2018 irrigation season (October 31, 2018) with average storage in its local reservoirs at 70% of capacity. Current projections are that by July 15, 2019 select reservoir storage will be 98% of full. During 2019 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	2017	2018
Total Water Supply Available	23,797 acre-feet	23,816 acre-feet
Total Treated Water Demand	17,172 acre-feet	16,506 acre-feet

Snow Pack as of April 23, 2019	South Platte River Basin	Colorado River Basin
	110%	125%

For 2019 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 2019 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, 2018 the NCWCD Board set the initial 2019 quota declaration for the C-BT system at 50%. On April 11, 2019 an additional 20% declaration was made which resulted in combination with the other trans-mountain water supplies, of a total trans-basin water supply yield of 11,710 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 2019 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, 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 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, 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.

- 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 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, 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 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 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:

https://www.nrcs.usda.gov/wps/portal/nrcs/detail/co/snow/?cid=nrcs144p2_063182

Reviewed by:

Longmont Water Board on April 15, 2019

**TABLE A
CITY OF LONGMONT
WATER RIGHTS YIELDS
2019**

revision date 04/09/2019

WATER RIGHTS	2002 ACTUAL RAW WATER USE AC-FT	2017 ACTUAL RAW WATER USE AC-FT	2018 ACTUAL RAW WATER USE AC-FT	2019 PROJECTED RAW WATER AVAILABLE AC-FT	2020 PROJECTED RAW WATER AVAILABLE AC-FT	2021 PROJECTED RAW WATER AVAILABLE AC-FT
1. CBT QUOTA DECLARATION	70%	80%	80%	70%	50%	50%
2. DIRECT FLOW WATER RIGHT DECREES	3309	6752	6676	6947	7574	7574
3. 1929 TRANSFER DECREES	1108	0	0	1337	1337	1337
4. PIPELINE DECREES	904	416	0	1837	1837	1837
5. TRANSFERED RESERVOIR STORAGE DECREES	456	1163	1163	1163	1163	1163
6. RESERVOIR STORAGE AVAILABLE FOR RELEASE	7366	3533	3538	4222	4199	4199
7. TRANSBASIN WATER RIGHTS	8715	15586	15876	11710	12277	12277
8. LESS CBT CARRYOVER BETWEEN YEARS	(940)	(2825)	(2825)	(2825)	(2825)	(2825)
9. LESS WATER RENTAL AND LEASES	(1497)	(828)	(612)	(1000)	(1000)	(1000)
10. TOTALS	19421	23797	23816	23391	24562	24562
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 *		17172	16505	16835	17340	17860
14. PERCENT OF SUPPLY VS DEMAND AT SUSTAINABLE CONSERVATION LEVEL		139%	144%	139%	142%	138%
B1. NOVEMBER 1ST PROJECTED STORAGE				32000		
B2. DROUGHT LEVEL INDICATED BY WATER IN STORAGE				S		
B3. TO DATE IN-BASIN LONGMONT STORAGE (AC-FT)				28758		
B4. NUMBER OF MONTHS AVAILABLE TO MEET AVERAGE DEMAND				21		

* 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
2019

* DESIGN DROUGHT YEAR							
Calendar Year	1	2	3	4	5	6	7
Calendar Year	2019	2020	2021	2022	2023	2024	2025
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, 2019 PROJECTED BUTTON ROCK STORAGE (AC-FT)			16197	100%			
APRIL 23, 2019 ACTUAL BUTTON ROCK STORAGE (AC-FT)			11299	70%			

BY-LAWS OF THE WATER BOARD
OF THE
CITY OF LONGMONT,
COLORADO (January 28, 2019)

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.