



WATER PRIORITIES

Work Session

May 16, 2017

Purpose of Work Session

Establishment of water priorities that can be relied upon and referred to:

1. When the Board of County Commissioners is asked to provide comment to various agencies;
2. When the Board desires to advocate for certain water-related initiatives; and
3. For policy guidance in drafting the new proposed land use code

-
- Review the list of possible water-related priorities and associated potential action items drawn from existing bodies of work
 - Gain consensus from the Board about its priorities on water-related initiatives
 - Discuss plan to refine and further articulate the Board's position on priorities
 - Put together plan of implementation and schedule for adoption of priorities by the Board

Authorities

- La Plata County Comprehensive Plan
- Water Advisory Commission Policy Bulletins (2015)
- Water Policy Task Force Policy Bulletins (2011)
- Colorado's Water Plan
- Southwest Basin Roundtable's Basin Implementation Plan
- Protect the Flows 2012 Study (now part of Business for Water Stewardship)
- Colorado Revised Statutes

Develop and Maintain Water Infrastructure Throughout Unincorporated La Plata County

General Statement: Infrastructure plays a crucial role in water quality, water quantity, supply management, efficiency and conservation. Presently, in many areas La Plata County lacks the water infrastructure necessary to ensure that residents have access to adequate, reliable drinking water. (WAC, 2015 findings). As such, the County must promote and foster new and expanded potable water distribution systems to address the lack of infrastructure and reliable water sources and provide nonmonetary support to those entities that currently maintain existing water infrastructure.

Possible Action Items:

- Support financially and technically feasible infrastructure projects including those operated by municipalities, metro districts, special districts and those proposed by La Plata Archuleta Water District and La Plata West Water Authority.
- Support financially and technically feasible infrastructure projects through the formation of PIDS and special districts.
- Pursue grants and loans (by County, districts, and citizens) to extend or stabilize existing infrastructure.
- Adopt construction standards for new water systems, as well as new additions, extensions, major repairs and upgrades to existing water systems.

Protect Adjudicated Water Rights

General Statement: Water rights are distinct from other property interests and the right to use the water in streams, springs or ditches is appropriated to specific individuals through an allocation process adjudicated by Colorado water courts. Once adjudicated, these vested water rights allow the owner to use portions of the waters of the natural streams in the State of Colorado, in order of priority, to the exclusion of all others.

Possible Action Items:

- Work to educate residents about the need to protect the property rights of third-parties, including ditch companies, in the water flowing through their lands
- Support and lobby for legislative changes to options for alternatives to agricultural buy-up (buy and dry)
- Adopt 1041 powers to address agricultural dry-up (ex. Otero County)
- Strive for full utilization of the County's 99 and 127 Water Rights
- Secure water rights needed to serve County's own proprietary needs (ex. Road and Bridge needs)
- To the extent possible and practicable, secure water rights in each basin within the County to provide emergency water supplies for water providers

Foster Intergovernmental Cooperation on Water Quality and Quantity Issues

General Statement: Water is vital to all citizens of La Plata County, the State of Colorado, and downstream users. Local governments (counties, municipalities and special districts), the Southern Ute Indian Tribe, Ute Mountain Ute Tribe, San Juan Basin Public Health and many other organizations and public agencies, including state and federal agencies, all have various interests and responsibilities in overseeing and ensuring water quantity and quality in La Plata County. As such, intergovernmental cooperation is key to protecting this vital resource, as demonstrated by the collaboration experienced among various jurisdictions and entities during the Gold King Mine incident in 2015.

Possible Action Items:

- Continue to work collaboratively with San Juan Basin Public Health on water quality issues (including septic and sewer issues) that affect La Plata County
- Foster public participation and disseminate notice of processes instituted by other organizations related to water quality standards (such as SUIT, CDPHE, SHBPH, etc.) that could affect La Plata County residents and permittees
- Adopt 1041 powers to address efficient delivery of water and prevent duplicative services
- Pursue grants and loans (by County, districts, and citizens) to extend or stabilize existing infrastructure
- Support financially and technically feasible infrastructure projects through formation of PIDS and special districts



Encourage Water Sensitive Land Use Planning

General Statement: While conservation must be part of all future land use planning, so must water demand management that looks at available water supplies. Supply factors and demand management must be part of integrated land use and water planning.

Possible Action Items:

- In new land use code, support goal of 60/40 ratio (60% indoor use / 40% outdoor use). (Southwest Basin Roundtable, Basin Implementation Plan).
- Support water reuse strategies that take quality issues into account
- In new land use code, provide incentives for xeriscaping and other conservation efforts for residential and commercial projects
- Educate citizens on conservation efforts and encourage and/or regulate conservation efforts (such as 60/40 ratio)
- Adopt/amend land use regulations requiring “proof of water” for all projects to address efficiencies
- Improve organizational knowledge on consumptive water use of various activities or uses and develop policies and regulations that appropriately consider water critical areas

Support Agriculture

General Statement: La Plata County has a rich agrarian history, and the County is committed to protecting agricultural activities in La Plata County. Increasing municipal and industrial demands for water, both on the western slope and the front range, and continued growth and development are increasingly in conflict with agricultural uses for water. The Statewide Water Supply Initiative estimates that by 2050, Colorado may lose 500,000 to 700,000 acres of currently irrigated farmland to meet municipal demands. (Colorado Water Plan, Chapter 6.4.a). Thus, there is a need to work towards balancing agricultural land use with growth and development to ensure that adequate water supplies will exist for agricultural purposes in the County.

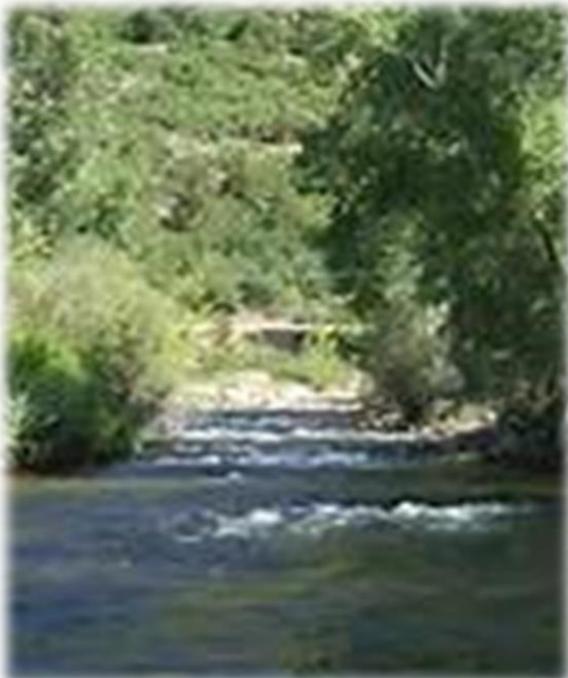
Possible Action Items:

- Pursue and support funding options for agricultural water projects
- Support funding efforts to implement agricultural irrigation improvements aimed at reducing sediment and pollutant run off, reducing wastewater, and improving irrigation efficiency
- Support and lobby for legislative alternatives to agricultural buy-up (buy and dry)
- Adopt 1041 powers to address agricultural dry-up (ex. Otero County), including the need to address aquifer re-charges that serve as source of water
- Lobby for legislation requiring water providers that are using ag. dry up to have a higher standard of conservation, i.e. a 70/30 ratio (70% in-house, 30% outside use). (Southwest Basin Roundtable, Basin Implementation Plan)
- Support and lobby for initiatives that will retain or deliver water for agricultural purposes in the southwest portions of La Plata County
- Support and advocate for continued development of agricultural uses of water decreed as part of the Animas-La Plata Project to ensure reliable water supply for the region



Support Conservation Efforts and Ecosystem/Environmental Preservation

General Statement: The necessity for water development in the County must be balanced against the desire and need to protect and conserve ecological, economical, recreational, agricultural, riparian and other resources in La Plata County. Tools to conserve and protect the County and cultural, geographical, historical and scenic resources, watersheds and wildlife must be developed together with water management and land use policies.



Possible Action Items:

- Adopt 1041 powers to protect wetlands, riparian environment, agricultural recharge and require nuisance abatement
- Support and lobby for funding to complete remedial action at Bonita Peak Mining District superfund site
- Support efforts to formally protect watersheds in La Plata County and the region (such as implementation of the Hermosa Watershed Management Plan)
- Provide developers with planning incentives, where possible, for use of water conservations tools on projects
- Educate citizens on conservation efforts and encourage and/or regulate conservation efforts (such as 60/40 ratio)
- Provide incentives for xeriscaping and other conservation efforts for residential and commercial projects
- Adopt construction standards for new water systems, as well as new additions, extensions, major repairs and upgrades to existing water systems

Support the Local Economy

General Statement: According to the Colorado Water Plan, “[a]griculture uses the largest amount of water in Colorado and is the economic backbone of many rural communities. As such, preserving Agriculture is vital to Colorado.” Further, recreational activity from the Colorado River and its tributaries produces over \$9.6 billion in economic activity in Colorado. (2012 Study from Protect the Flows). Water is vital to agricultural, industrial and recreational economies in La Plata County.

Possible Action Items:

- Support and lobby for funding to complete remedial action at Bonita Peak Mining District superfund site
- Oppose trans-basin and trans-mountain diversions that challenges maintenance of agricultural, recreational and industrial industries and County’s ability to develop supplies for residential growth
- Strive for full utilization of the County’s 99 and 127 Water Rights
- Adopt 1041 powers to prevent water level fluctuations and draw-downs on lakes, rivers and streams, and to protect fishery and Gold Medal Waters, riparian environment and recreational use

Oppose Trans-Mountain and Trans-Basin Diversions of Water

General Statement: Trans-mountain and trans-basin diversion of water challenge the ability of the County to maintain agricultural, industrial and recreational uses and threaten the capability to develop supplies needed for residential growth. Further, over-adjudication of water in northern Colorado strains the western slope's ability to meet compact call requirements, and additional diversions of water will increase the threat of compact calls and jeopardize the State's ability to satisfy such calls and in-stream flow demands on rivers in southwest Colorado.

Possible Action Items:

- Adopt 1041 powers to prevent trans-mountain and trans-basin diversions that affect water level fluctuations, draw-down or impacts to lakes, streams and rivers, affect the riparian environment and agricultural or recreational use
- Support and lobby for legislation that requires water management implementation by water providers seeking such diversions

Protect Water Quality

General Statement: Water quality and quantity are inextricably connected. (State Water Plan (4-18)). Stormwater and wastewater management, infrastructure and cross-contamination issues are vitally linked to providing safe-drinking water to residents and ensuring adequate supplies for agricultural, recreational and environmental needs. Further, other contaminants, such as acid mine drainage, need be addressed to protect La Plata County's waters.

Possible Action Items:

- Support and lobby for funding to complete remedial action at Bonita Peak Mining District superfund site
- Review sewer and septic regulations and look at issues to the extent not duplicative with SJBPH regulations and responsibilities
- Use water storage and recovery to protect water quantity in streams, which can impact water quality (State Water Plan (Chapter 7.3))
- Pursue green infrastructure to reduce water pollution
 - Stormwater management / landscape-scale land use planning (identifies where activities should occur to protect and restore water quality)
- Require reuse initiatives to address water quality
- Develop requirements for all water users to test both the quantity and quality of their water at appropriate times

Next Steps

- Refine and further articulate the Board's position on water priorities
- Develop plan of implementation and schedule for adoption of priorities by the Board