

**MARCH** 4 & 5, 12, 19, 25 & 26















































## **BABBITT CENTER**

FOR LAND AND WATER POLICY

A Center of the Lincoln Institute of Land Policy

# CONNECTING LAND & WATER FOR HEALTHY COMMUNITIES

**Virtual Conference** 

JULY 19-21, 2021

This conference brings together multi-disciplinary stakeholders, types of organizations, and professions to address the design, integration, and implementation of the programs necessary to better connect land and water planning and policy.











**Department of Local Affairs** 

Division of Local Government



COLORADO
Colorado Water

Colorado Water Conservation Board

Department of Natural Resources

### Moderator



Christy Wiseman

Land Use and Water Planner,

Community Development Office,

Colorado Department of Local Affairs (DOLA)

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### Land Use and Water Planning Context Timeline

2009: CWCB and DOLA collaborate on land use/water integration

2013: Western Resource Advocates brings Land Use Leadership Alliance to Colorado

2015: SB15-008 calls for formal DOLA/CWCB partnership

2016: 2015 Colorado Water Plan published with land use/water integration chapter and goal

2017: CO Water and Land Use **Planning** Alliance born

2019: Babbitt Center and Getches-Wilkinson center publish Guidance Doc for integration of land use into Water Efficiency Plans



























2014-2017: CO Water and Growth Dialogue creates report 2015-2017: CWCB and DOLA collaborate to create trainings, resource materials, and webinars

2016-2017: Sonoran Institute and **Babbitt Center** begin work in Colorado around land use/water integration

2017: Growing Water Smart Workshops born

2020: HB20-1095

2013: Gov. Hickenlooper issues executive order to create Colorado Water

Plan

# Colorado Water & Land Use Planning Alliance





DEL NORTE CENTER



A Center of the Lincoln Institute of Land Policy





WESTMINSTER

COLORADO















**Department of Agriculture** 





UNIVERSITY OF COLORADO **DENVER** 



















SONORAN

INSTITUTE





Conservation Board

Department of Natural Resources















# HB 20-1095: Local Governments Water Elements In Master Plans

- **Does not require** that local governments incorporate a water element into their comprehensive plan.
- States that **if a community chooses to do so**, then the local government must consult with the entities that supply their water "to ensure coordination on water supply and facility planning... identify water supplies and facilities sufficient to meet the needs of the public and private infrastructure reasonably anticipated or identified in the planning process."
- Also states that if a community chooses to include a water element in their comprehensive plan, then the element must include water conservation policies (ideally tied to the Colorado Water Plan).
- Directs DOLA to provide technical assistance to interested local governments with a dedicated position.

### **Panelists**



1) Kat Weismiller
Deputy Section Chief,
Water Supply Planning Section,
CWCB



2) Alex Funk
Agricultural Water Resources Specialist,
Interstate, Federal & Water Information Section,
CWCB



3) Chris Sturm
Watershed Program Director,
Watershed & Flood Protection Section,
CWCB



4) Kevin Reidy
Water Conservation Specialist,
Water Supply Planning Section,
CWCB

# Polling Questions

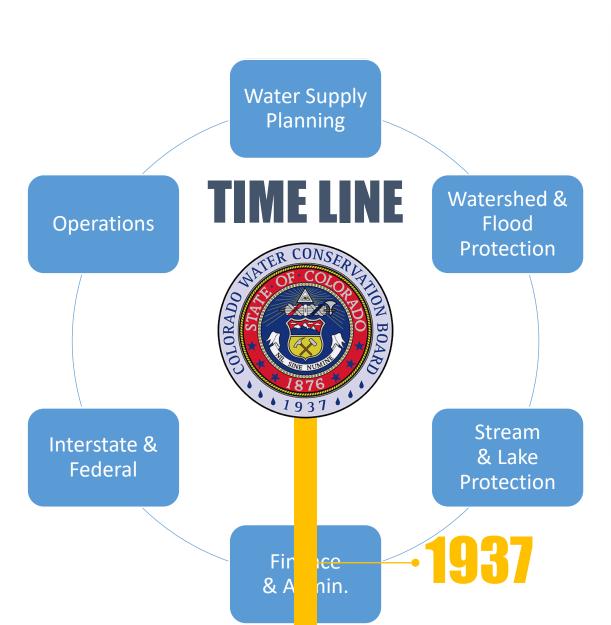
- 1. I am a....?
- 2. The Colorado Water Plan?
- 3. What are your top water policy priorities?

### Basin Implementation Plan and Water Plan Update Overview



Kat Weismiller
Deputy Section Chief,
Water Supply Planning Section,
CWCB







### MISSION:

The Colorado Water Conservation Board's mission is to conserve, develop, protect and manage Colorado's water for present and future generations.

# **2002** ·



NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 05-1177

BY REPRESENTATIVE(S) Penry, Buescher, Decker, Liston, Massey, White, Berens, Clapp, Crane, Gallegos, Hall, Hoppe, Jahn, Kerr, Knoedler, Paccione, Rose, Stafford, Stengel, Sullivan, Romanoff, Boyd, Brophy, Coleman, Frangas, Harvey, King, Madden, May M., McCluskey, Merrifield, and Todd;

also SENATOR(S) Isgar, Tapia, Taylor, Entz, Grossman, Kester, Fitz-Gerald, Groff, Teck, and Tupa.

CONCERNING THE NEGOTIATION OF INTERBASIN COMPACTS REGARDING THE EQUITABLE DIVISION OF THE STATE'S WATERS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Title 37, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

### ARTICLE 75 Interbasin Compacts

37-75-101. Short title. This article shall be known and may BE CITED AS THE "COLORADO WATER FOR THE 21ST CENTURY ACT".

Capital letters indicate new material added to existing statutes; dashes through words indicate

deletions from existing statutes and such material not part of act.

# -COAT BILL OMGUS Achtel letters indicate Coat and seek material not part of act.

2002 quote on the Hayman Fire





# 2007

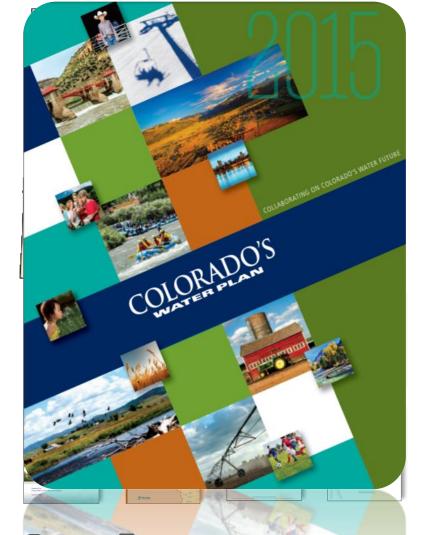
**→ 2010** 



"We are all in this together and I think we have the tools and the relationships to be able to solve the challenges of water in the future"

-Former Governor John Hickenlooper

2015



**DRAFTS** 30 MONTHS 30,000 COMMENTS



















**FUNDING** 

**CONSERVATION** 

**LAND USE** 

**STORAGE** 

**EDUCATION** 

**SUPPLY** 

**AGRICULTURE** 

**WATERSHED** 

**ADDITIONAL** 



4%

9 COMPACTS LEGALLY REQUIRE WATER TO BE DELIVERED BEYOND COLORADO'S BORDERS

rivers flow

collaborate on local needs

depend on water for growth and success

LARGE INDUSTRIES

UP TO 33% OF IRRIGATED LAND COULD BE DRIED UP BY 2050 TO MEET NEW MUNICIPAL DEMANDS

use water to live, work and play in Colorado

# THE WATER PLAN UPDATE PROCESS



**WATER PLAN UPDATE** 

2019

2021

2022

### WATER PLAN WORK PLAN

PHASE 1 OCT 2020 - JUN 2021

PHASE 2

JUL 2021 - MAR 2022

PHASE 3
APR 2022 - DEC 2022

SCOPING

DRAFTING

FINALIZING

Municipal

Agriculture

Watershed

# THE WATER PLAN VISION

**COLORADO** 

**EMERGING CHALLENGES & OPPORTUNITIES** 

EXPANDED WATERSHED MANAGEMENT PLANS, Married

evaluating stream health are emerging as the number of SMPs, IWMPs, and assessments increase. The fleefolds to use different bods has also proven be

and other measures like habitat and recreation are transferable - provide

sharing these resources can help make planning efforts easier, more effect

recreational attributes in 2010, there are multiple challenges watersheds a change. Evaluating how functs, streams and extendeds will be impacted conditions can help identify notigating actions. New studies and modeling

better understand how those impacts interplay with fires, floods and droug

COLORADO WATER PLAN

► NEW TODLS & INITIATIVES

Enlarado Water Loss Initiativo

ATM Status Updata

COLORADO WATER PLAN

EMERGING CHALLENGES & OPPORTUNITIES

- AWARENESS OF WATER ISSUES It is increasingly important for all Coloradans to be aware of local and state water challenges. Encouraging active outreach to existing stakeholders and increasing communication and access to engage new communi across a diverse range of people including tribes, acequias, members of minority
- INTEGRATED POREST HEALTH SCIENCE- Integrated stream, waterched, a increasingly felt, especially as it relates to shifting hydrologies and more extreme weather events. These impacts are often disproportionately impacting the poorest hydraulics. Organiz identification of where modeling and fluxal hazant so communities. Understanding and supporting creative adaptation measures and
  - INCLUSIVE COLLABORATION & FUNDING-Ensuring that collaboration conti to involve regional representatives across the state is a hallmark of Colorado water planning. However, the essence of a grassroots process is striving for ever greater levels of inclusion across different sectors, cultures and perspectives in ways that are truly representative of Colorado. This collaboration must be coupled with equitable access to water management dialogue, funding opportunities and grant support.
  - streamlined permitting and supportive regulatory change for emerging technologies. Laws and policies need to be flexible enough to accommodate creative solutions but strong enough to protect Colorado's water and people's heneficial use of it

### COLORADO

Colorado's water values - a productive economy, efficient and effective infrastructu strong environment - drove the initial Colorado Water Plan. The Water Plan was on round nine objectives that support those values. The objectives looked out as far a 2050, many focused on common cross-cutting themes that overlapped multiple wi sectors," (see "Cross-Cutting Thomes": right.

This update will keep the values of the prignal plan, but will be incre and will provide a vision that spans our long-term planning hurson while identifyin actions that help manage risk. The spirit of the original Water Plan objectives will be with implementable actions that promote the main action areas (listed below).

### INCREASINGLY ACCESSIBLE

The vivian for the update involves making the docureader. Rather than simply adding new content to the 540 pages that comprise the document, the update is intensis to use a two-volume format as was stone with the Analysis and Technical Update in the Colorado Water Plan. Volume 1 will be action concine, while Volume 2 materials might include deeper reading that reflects som constructions concepts explained theretaighty in the 2015 plan. Askirtunally, reflects changing way information is consumed, CWCB will seek ways to logically lay out th and Witume 2 content unline in ways that are engaging and digestible.

### ORGANIZED BY ACTION AREA

so for engaging in specific areas, the updated Water Plan will be organized around areas, including cities, farms, streams, and people.

the values into four lay action areas. Those values seek to maintain the Colorado

Robust Agriculture

Thriving Watersheds

**Vibrant Communities** 

ACTION-FOCUSED

LINE OF SIGHT

INCREASINGLY ACCESSIBLE

ORGANIZED BY ACTION

**Resilient Planning** 

AREA

# HOW TO STAY ENGAGED

- UPCOMING WORKSHOPS
- RIVERSIDE CHAT II
- BASIN ROUNDTABLE
   ENGAGEMENT
- ENGAGECWCB.ORG









Learn More







### Integration of Agriculture in Land-Water Use Nexus



Alex Funk

Agricultural Water Resources Specialist,
Interstate, Federal & Water Information Section,

CWCB

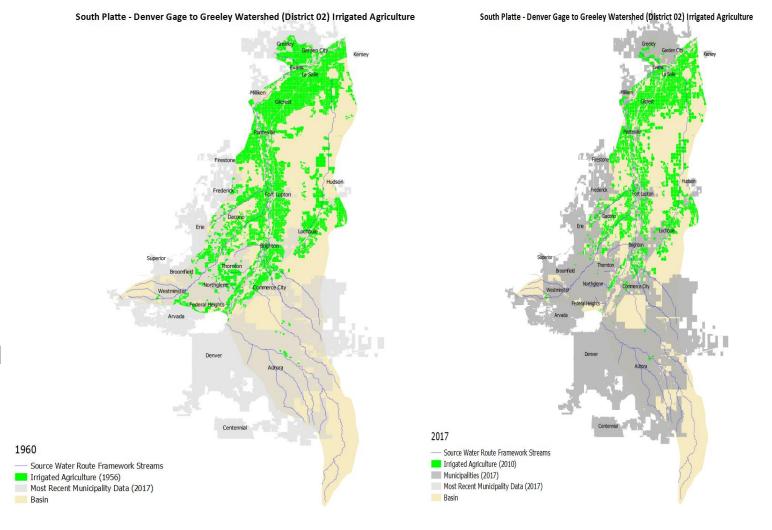
### Water-Resource/Land Use Drivers of Ag Development

According to state projections, water supply and demand challenges will continue to drive potential, permanent reductions in irrigated agriculture acreage in most basins

What are the key water-related drivers:

Planned agriculture to urban transfers = 77,600 acres (this could increase depending water supply development)

**Urbanization** = 152,400 acres (5% of current acreage)



### Crowley County, Colorado

Once a key agricultural community, known for sugar processing, cantaloupe

Increase in ag to urban water transfers begins in 1960s due to several factors such as debt, low commodity prices, drought, and buyers

Purchase of irrigation water rights in Twin Lakes Reservoir and CO Canal and transferred to Aurora, Pueblo, and Colorado Springs

92% reduction in irrigated acreage in Crowley County (47,373 acres); significant loss of jobs and businesses; declining population; decline in local tax revenue for services

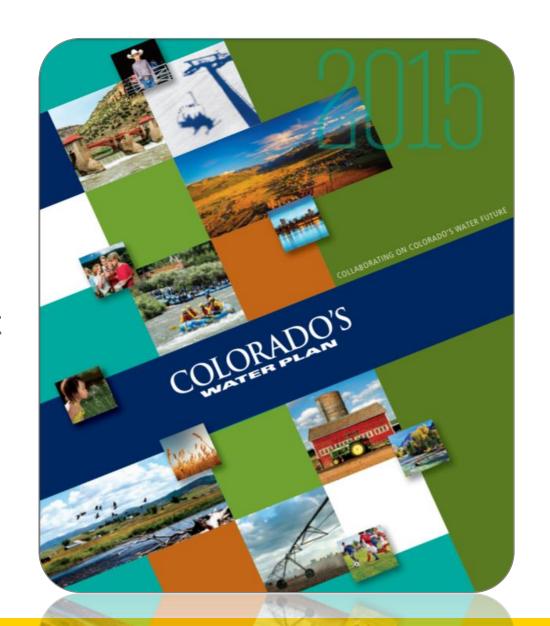


### Colorado Water Plan

Executive Order directs CWCB to develop state water plan, finding in part that the rate of buy-and-dry is unacceptable

Calls for actions to support "alternative transfer methods" that minimize permanent reductions in irrigated acreage and associated negative externalities

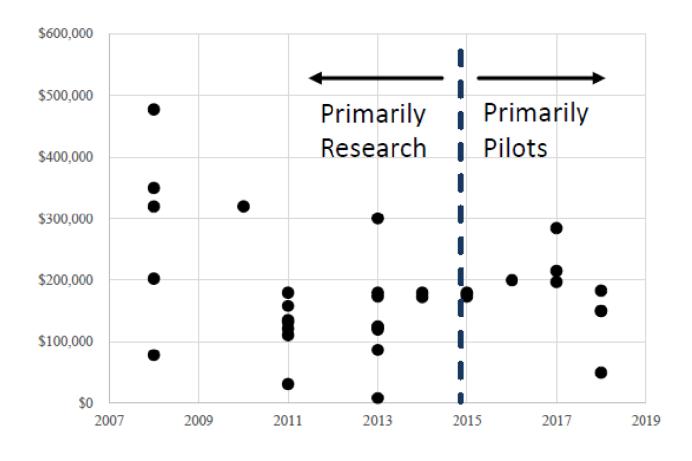
Sets a measurable goal to achieve 50,000 acre-feet through voluntary ATM projects



### **Administrative Tools for ATMs in Colorado**

- Substitute Water Supply Plan (C.R.S. 37-92-308)
- Agricultural Temporary Loans (C.R.S. 37-83-105(1)(a))
- Temporary Instream Flow Loans (C.R.S. 37-83-105(2)(a))
- Fallowing-Leasing Pilot Projects (C.R.S. 37-60-115(8))
- Interruptible Water Supply Agreements (C.R.S. 37-92-309)
- Water Banking Pilots (C.R.S. 37-80.5-101)
- Agricultural Water Protection Water Right (C.R.S 37-92-305(19) & 37-92-308(12)

### **Alternative Transfer Methods Grant Program**



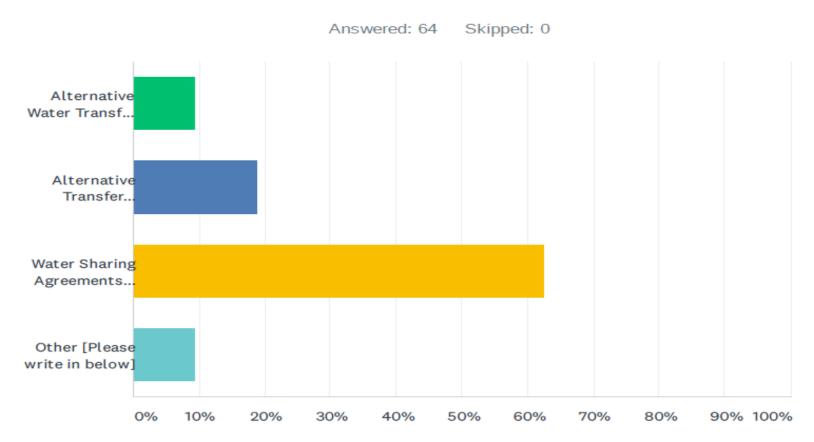
# Criteria to Define ATM Transactions

Table 13: Criteria to Define ATM Transactions

	Item	Criteria	Context
Required	Activity	Water transfer that reduces the permanent dry-up of agricultural lands	ATM projects must be a water transfer that reduces permanent irrigation dry-up. Two requirements are in this statement.
	Purpose	Meets a defined objective in the Colorado Water Plan	ATM projects must provide water to a new use in a manner that advances progress on goals & objectives in the CO Water Plan.
Preferred	Term	Secures a water transfer to a new use for a term of 10 years or more.	ATM projects are distinguished from annual leasing activity by their term. ATM projects should seek to secure long-term contracts for a water transfer. Pilot projects are helpful to explore new concepts and develop proof of concepts.
	Ownership	Water right ownership retained in whole or in part by agricultural sector	ATM projects can benefit agriculture by ensuring that ownership of the water rights and management of the water source remains with agriculture, while providing for non-agricultural uses.
	Transfer Frequency	Water should remain in agricultural use as much as possible, but ideally no less than 5 out of 10 years, or an equivalent % of irrigation on an annual basis.	ATM projects can be structured to provide water to an alternative use in multiple years. The goal is to keep a particular farm operating in as many years as possible. An approximate threshold is maintaining agricultural use in 5 out of 10 years.
	Target At- Risk Areas	Avoidance of permanent dry-up should focus on lands that face a risk of dry-up (i.e., those beneficial for other uses)	ATM projects that directly prevent the dry-up of irrigated lands at high-risk of dry-up in the next decade should be prioritized over projects that prevent a conceptual dry-up of low-risk lands or that indirectly prevent dry-up of lands in a broad region.
	Agriculture Benefit	Provides a net economic benefit to agricultural working lands & rural communities	ATM projects should be beneficial to agriculture & rural communities, otherwise there is no clear dividing line between ATMs and other water transactions

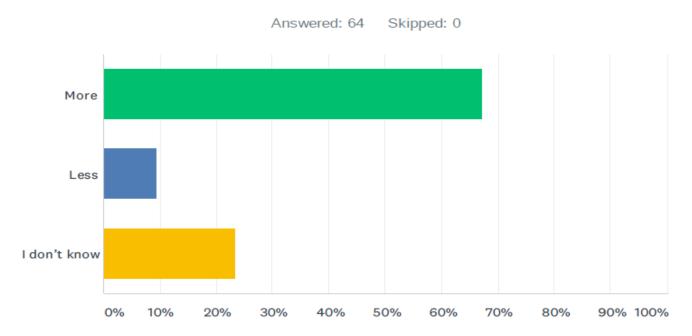
# WATERNOW ALLIANCE SURVEY

Q6 Which of the following terms do you prefer to describe Alternative Transfer Methods?



# WATERNOW ALLIANCE SURVEY

Q7 If CWCB were to move forward with new terminology describing alternative water-sharing activities, should that term encompass a broader suite of water-sharing/leasing activities beyond agricultural-to-urban transfers such as, but not limited to, municipal, industrial, and environmental water leasing programs that have not traditionally been supported under CWCB's ATM program?



# 2020 ATM Status Report: Barriers and Opportunities

**Delivery and infrastructure cost** – regional and cooperative approaches to infrastructure development and funding

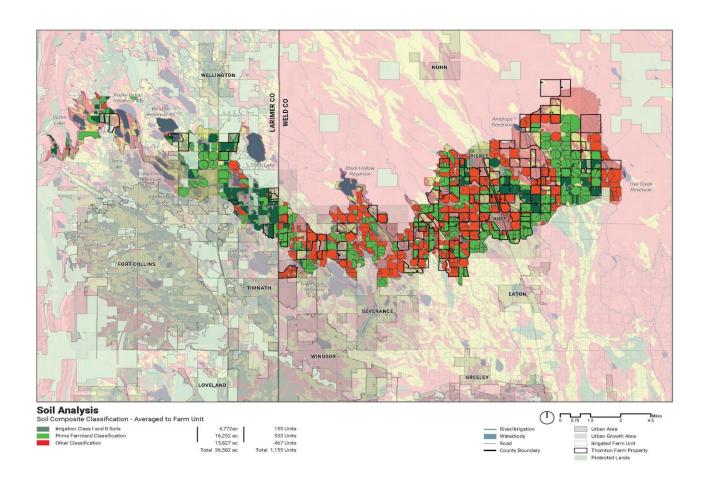
Complex process, high transactions costs for temporary supply – work to encourage administrative processes to streamline certain types of transactions for drought recovery

**Permanency and risk** – transaction needs to pencil out for all partiespromising models may include coupling of conservation easements with ATM or co-ownership of water supply or land

**Encouraging flexibility** – recognizing alternative water-sharing approaches such as municipal rental programs

Consider other tools – land use planning, water dedication policies

### A Hybrid Approach: City of Thornton



City of Thornton, through series of land/water purchases owns 18,000 acres of irrigated farmland w/ decree to change water to municipal uses

Thornton intends to develop and deliver water rights between 2025 and 2065

Thornton is conducting a process to develop a stewardship plan for the properties to identify the best long-term uses of these properties to enhance community objectives

### Urban Agriculture & the Update



Urban agriculture & community gardening is growing in popularity in the Colorado - provides several, well documented social and community benefits

Less understood, is the potential for urban agriculture to provide "green infrastructure" benefits and water conservation versus traditional landscaping

CWCB and DOLA, in partnership w/ WaterNow Alliance will be researching these benefits, assess policy development

### Mitigating Impacts of Climate Change at Watershed Scales



Chris Sturm

Watershed Program Director,
Watershed & Flood Protection Section,
CWCB

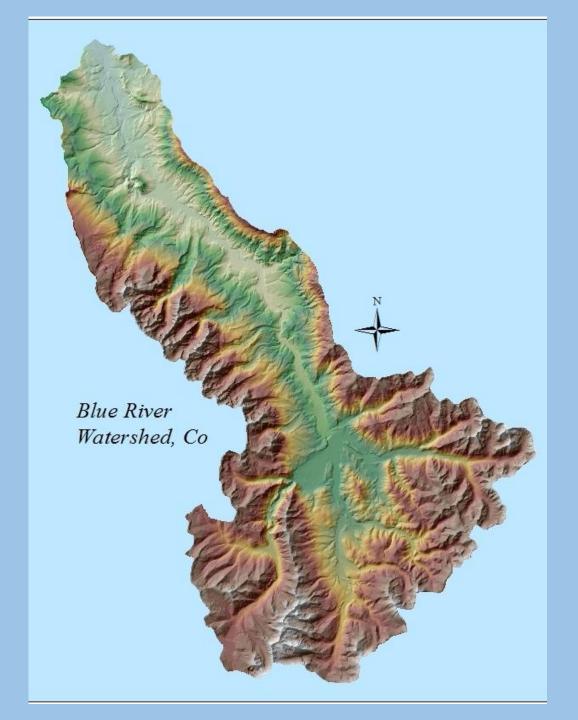




# Mitigating Impacts of Climate Change at Watershed Scales

Chris Sturm,
Watershed Program Director –
Colorado Water Conservation
Board



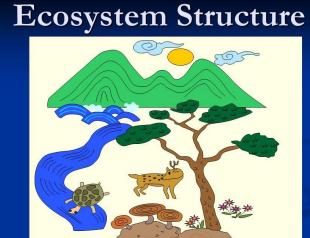


### Watershed

"that area of land, a bounded hydrologic system, within which all living things are inextricably linked by their common water course and where, as humans settled, simple logic demanded that they become part of a community"

-John Wesley Powell





**Nutrient Cycling** 

Hydrologic Cycle

Soil Formation

Competition

Predation

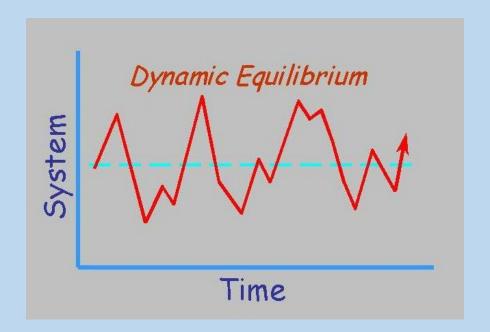


### **Resilience** – Colorado Resiliency Office definition:

The ability of communities to rebound, positively adapt to, or thrive amidst changing conditions or challenges — including human-caused and natural disasters — and to maintain quality of life, healthy growth, durable systems, economic vitality, and conservation of resources for present and future generations.

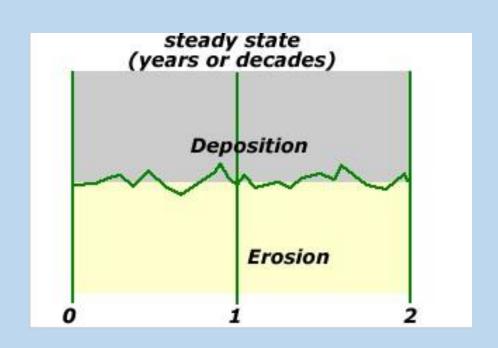
**Ecological resilience is** "the capacity of an **ecosystem** to absorb repeated disturbances or shocks and adapt to change without fundamentally switching to an alternative stable state" (Holling, 1973).

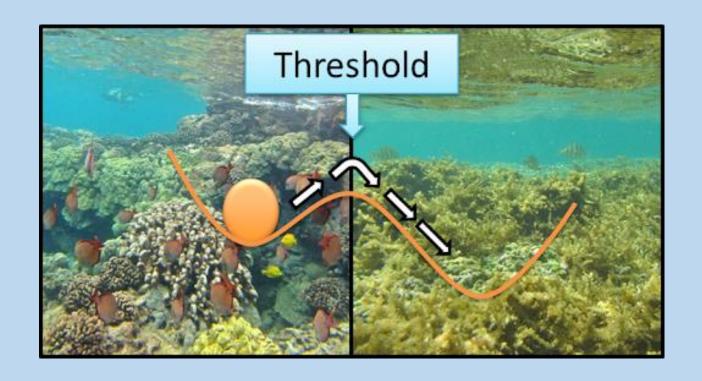
**2020 Colorado Resiliency Framework** states – "Integrate stream, watershed, and forest management planning efforts, using a holistic watershed approach to identify cross-cutting projects that are high priority, impactful to improving climate and natural hazard resiliency, and provide multiple resiliency benefits."

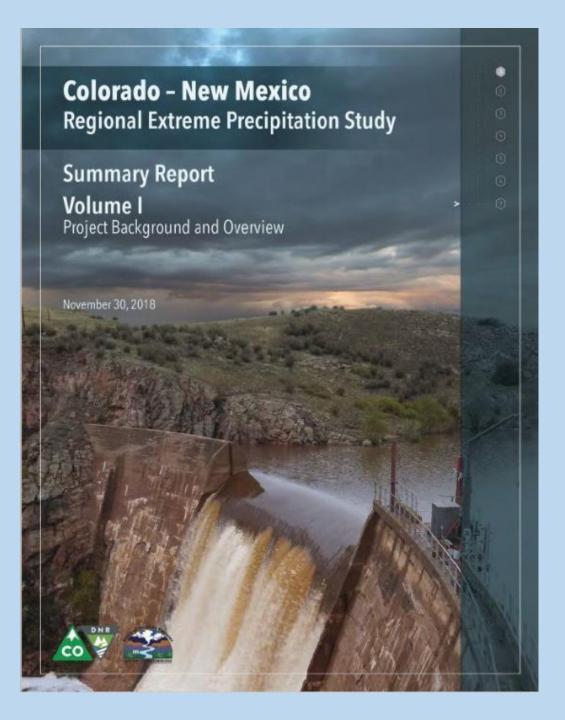


Steady state – disturbance – response – steady state.

Resilience is the time from disturbance back to steady state.







... suggest a potential increase in short-duration rainfall intensity of 5-15% in Colorado



## Projecting Rainfall Intensity Duration Frequency Curves Under Climate Change

#### 6/30/2019

#### Submitted To:

Kevin Houck Colorado Water Conservation Board 1313 Sherman St, Room 718 Denver, CO, 80203

#### Prepared By:

Lynker Technologies, LLC 3002 Bluff St., Suite 101 Boulder, Colorado 80301





Boulder, Colorado

DC-Metro

Pacific—Oahu



#### 2020 Colorado State Forest Service Forest Action Plan



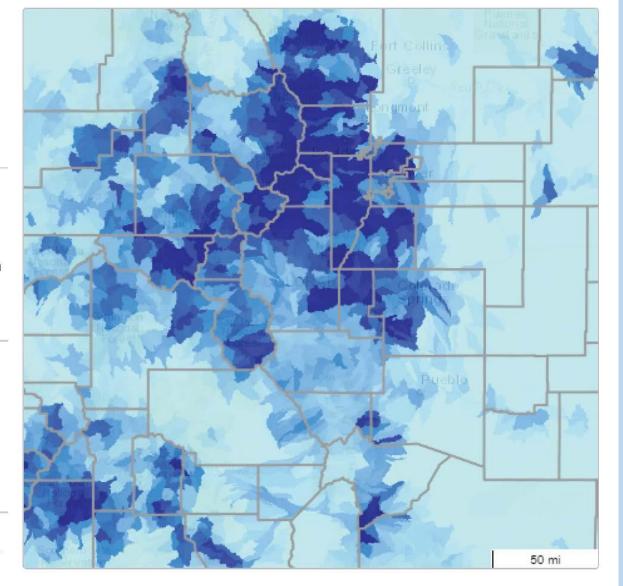
#### Forest Action Plan

#### **Watershed Protection**

Represents priority areas where opportunities exist to improve and maintain water quality and quantity, improve resiliency of critical water infrastructure, and sustain or restore fundamental ecological functions for watershed health.

#### Report Created On:

2/10/2021, 9:12 AM



#### **Watershed Protection**

Represents priority areas where opportunities exist to improve and maintain water quality and quantity, improve resiliency of critical water infrastructure, and sustain or restore fundamental ecological functions for watershed health.

#### coloradoforestatlas.org

#### Disclaime

The information contained herein is provided as a public service and is for NONCOMMERCIAL PURPOSES ONLY.

#### 2020 Colorado State Forest Service Forest Action Plan



#### Colorado Wildfire Risk Public Viewer

https://co-pub.coloradoforestatlas.org

#### Wildfire Risk

The overall composite risk occurring from a wildfire derived by combining Burn Probabilty and Values at Risk Rating.

#### Report Created On:

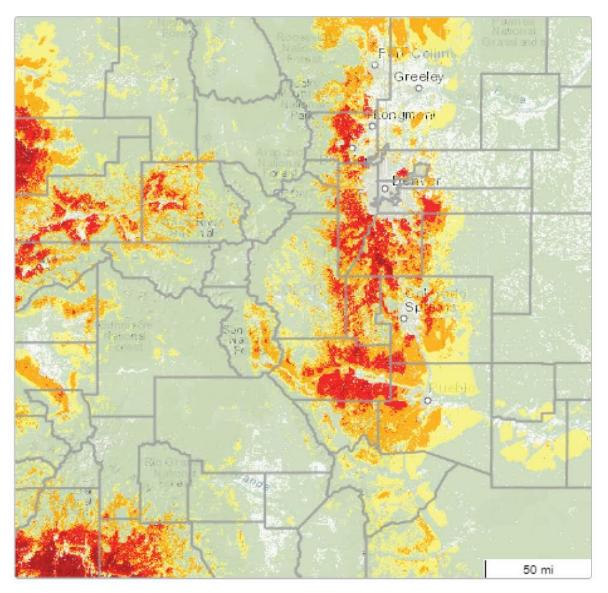
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#### Disclaime

The user assumes the entire risk related to their use of the Colorado Wildfire Risk Public Miswer and either the published or derived products from these

The Colorado State Forest Service is providing these data "as is" and disclaims any and all warranties, whether expressed or implied, including (without limitation) any implied warranties of merchantability or fitness for a partially number.

In no event will Colorado State Forest Service be liable to you anto any third party for any direct, indirect, incidental consequential, special or exemplary damages or lost profit resulting from any use or misuse of these data.

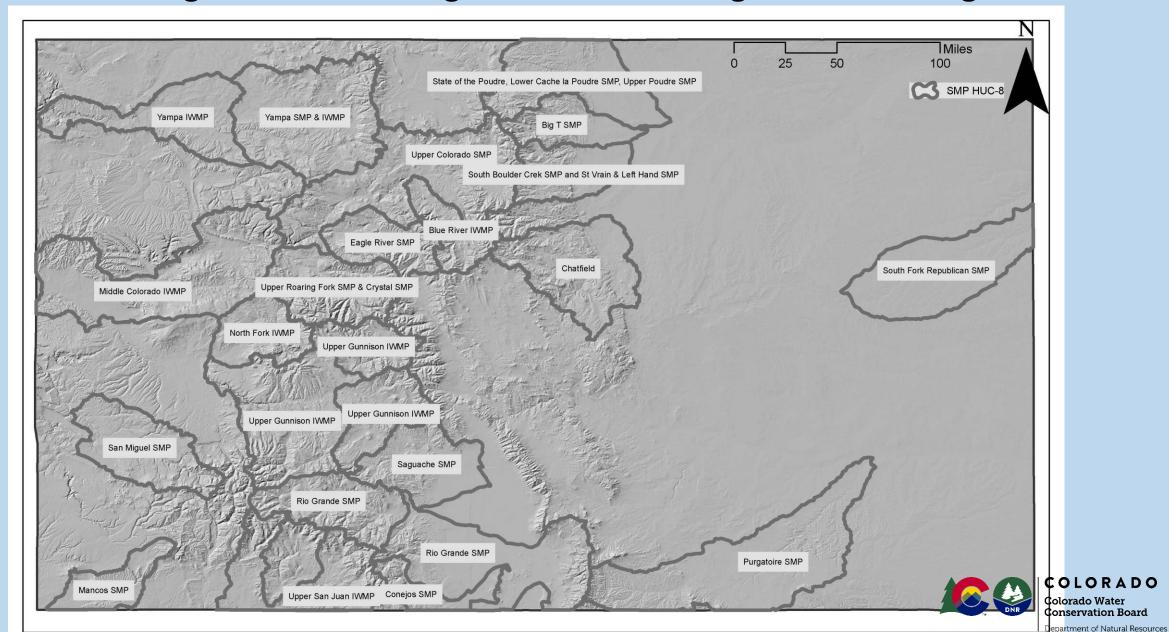


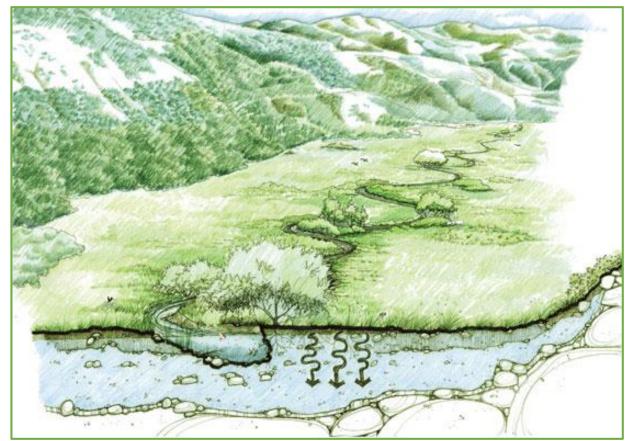
#### Wildfire Risk

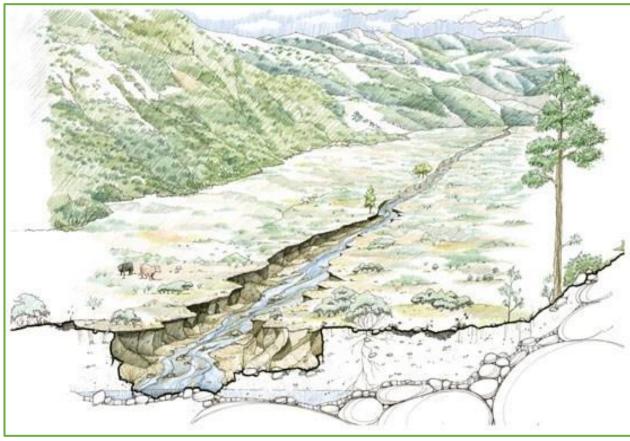
The overall composite risk from a wildfire combining Burn Probability and Values at Risk Rating

coloradoforestatlas.org

#### 2021 Existing Stream and Integrated Water Management Planning Areas







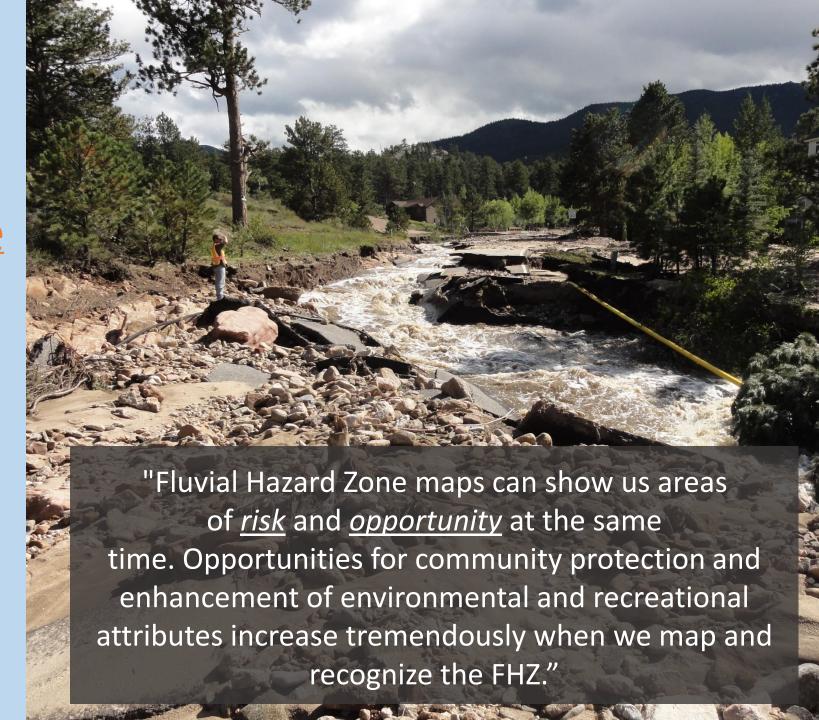
Healthy Meadow: Factors of a pristine meadow include: meadow hydrology, soils and vegetation and interdependent; diverse mosaic of habitat with wet meadow and riparian vegetation; surface flow from snowmelt; high water table; inundation during floods with sediment deposition and attenuated flood flows; subsurface flow of snowmelt; and percolation with groundwater recharge.

Unhealthy Meadow: Factors of a degraded meadow include: reduced natural storage of water; lowering of groundwater table; flood flows confined to channel with no inundation during floods; disconnect of channel from meadow floodplain; reduced percolation; xeric (or dry) vegetation; incised stream channel with increased sediment transport; and compacted soils.

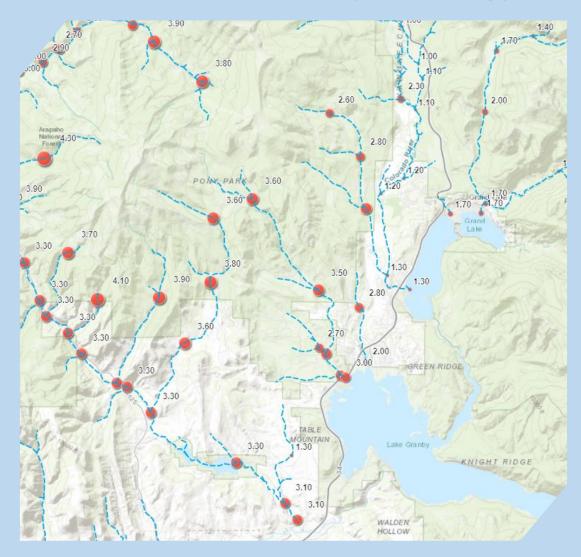
# Fluvial Hazard Zone

The Fluvial Hazard Zone (FHZ) is the area a stream has occupied in recent history, may occupy, or may physically influence as it stores and transports water, sediment, and debris.





## Post Fire Risk - Hydrology

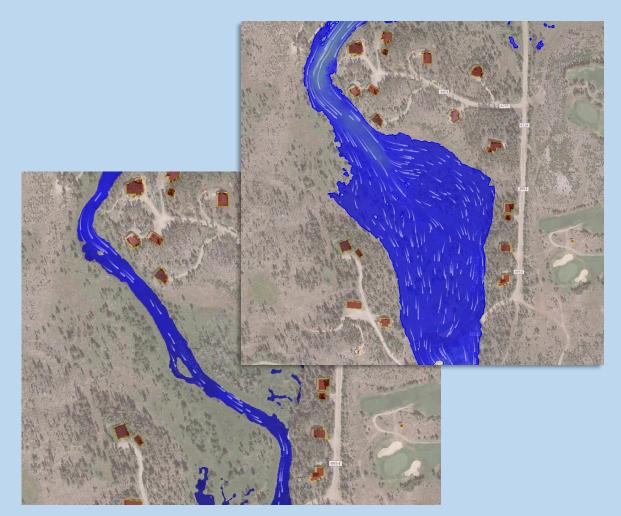


East Troublesome magnitude of post fire hydrologic impacts.

# Hydrologic evaluations help determine the magnitude of impact to post fire flows

- Rapidly delineate watersheds within the burn area
- Develop pre and post fire flow estimates
- Determine flow rates at roadway crossings (culverts and bridges)
- Hydrology Completed or in Process for:
  - East Troublesome Fire
  - Calwood Fire
  - Grizzly Creek Fire
  - Pine Gulch Fire
  - Cameron Peak Fire

## Post Fire Risk - Hydraulics



Pre (left) and post (right) fire flood hazard mapping within the East Troublesome burn perimeter.

# Hydraulic evaluations provide an understanding of post fire flood hazards and associated risk to life and property

- Hydraulic evaluations covering all streams within the burned watersheds
- Delineate pre and post fire depths and velocities (non-regulatory)
- Estimate depth and velocity at structures near the rivers and streams
- Supports the evaluation of risk assessment -- houses, culverts, bridges, and water infrastructure

# Colorado Water Conservation Board Watershed Protection Program

## **Grant Programs:**

- >Colorado Watershed Restoration Program (CWRP)
  - **√Watershed/Stream Restoration and Protection grants**
  - **√Flood Mitigation grants**
  - √Stream Management Plan grants
  - **✓ CWCB** Monitoring projects
- >Colorado Water Plan grants
- Colorado Healthy Rivers Fund (CHRF)
- Fish and Wildlife Resources Fund (FWRF)

### Land Use, Reuse, and Conservation



Kevin Reidy
Water Conservation Specialist,
Water Supply Planning Section,
CWCB

# Water Element in Comprehensive Plans

- Basic starting point for integration; everything follows from there
- A chance to create dialogue across silos
  - The perfect opportunity for water and land planners to work together during the process but more importantly to institutionalize the relationship
- The Water Plan will reinforce that comprehensive plans should have a water element and should address the minimum information identified in HB 20-1095 language

# Continue Training and Technical Assistance Throughout CO



#### Growing Water Smart workshops

- Nearly 40 communities have been trained in land and water use integration
- Over 50% of Colorado's population is represented by these communities

#### Working with private developers

 Urban Land Institute (ULI) will engage private developers and others from the private sector on integrating land and water planning

Looking for ways to leverage partnerships to increase training and technical assistance

# Water Reuse & Alternative Water Sources



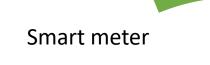
to create water-efficient communities.

Promotion of site scale water reuse (graywater systems, rainwater harvesting, and green building codes and other land use codes)

- At present, there are only 3 jurisdictions who have adopted greywater ordinances
- 40 new homes being constructed with whole house greywater systems and advanced leak detection in Denver Water service area
- Initial data on a few homes looks really promising

# Water Adequacy and Water Budgets in New Development

- Showing an adequate water supply
  - Colo. Rev. Stat. § 30-28-133(3)(d)
    Colo. Rev. Stat. § 29-20-304(1)
- Water Budgets (scaled)
  - Staying within demands that were developed pre-development
- Sterling Ranch tracking demands in all new development
  - Hitting targets set out before development
- Baseline: New development and redevelopment should be water conscious development



Development scale water budget



Water rate structure based on individualized water budget



Tap fee based on individualized water budget

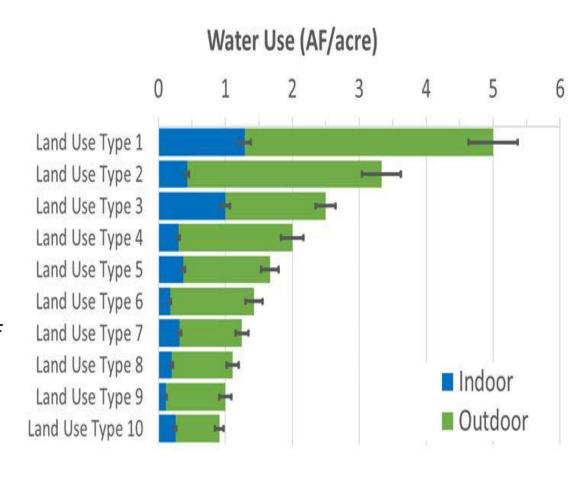


Climate resilient landscape code based on water budget and tap fee



# Quantifying Water Demand Through Zoning Classifications or Land Use Types

- Interesting work being done in Westminster and special water districts around Fort Collins
- New work done by Babbitt Center for Land and Water Policy and UC-Denver in Aurora Water service area
- Colorado Big Thompson example: Instead of buying more water shares some communities have modified landscape regulations, changes to lot sizes, or alternative water dedication policies



# An Integrated Planning Future





- Integration of water efficiency into water resource planning and land use planning within local government
  - Link urban water efficiency into urban food production, climate resilience, stormwater management, green building, etc.
- Organize around a One Water planning framework when looking at urban water efficiency
  - This brings together land use planning, water efficiency, alternative water sources
- Denver One Water Plan

# Audience Q&A



Kat Weismiller
Deputy Section Chief,
Water Supply Planning Section,
CWCB



Chris Sturm
Watershed Program Director,
Watershed & Flood Protection Section,
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