

**UPPER ARKANSAS WATER
CONSERVANCY DISTRICT**

Regular Meeting of the Board of Directors

**November 9, 2023
1:30 PM**

A regular meeting of the Board of Directors of the Upper Arkansas Water Conservancy District was held Thursday, November 9, 2023, commencing at 1:30 pm at the District offices, 339 East Hwy 50, Salida, Colorado, following the Water Activity Enterprise committee meeting, notice having been given by posting of Notice and Agenda on November 8, 2023, at the offices of the Upper Arkansas Water Conservancy District, 339 East Hwy 50, Salida, Colorado.

DIRECTORS PRESENT (IN PERSON)

Gregory W. Felt (Acting Chair)	Richard Hilderbrand	Brett McMurry
Robert B. (Bill) Donley	Tom French	Warren Diesslin
Thomas Goodwin	Tony Telck	Albert Eggleston

DIRECTORS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

Mannie Colon	Mike Shields	Tim Payne
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DIRECTORS ABSENT

Timothy C. Canterbury

DISTRICT OFFICIALS/STAFF MEMBERS PRESENT

Ralph L. (Terry) Scanga, General Manager	Ken Baker, Consultant
Kendall Burgemeister, Attorney	Jord Gertson, Hydrologist
Jennifer A. Scanga, Administrative Assistant	

DISTRICT OFFICIALS/STAFF MEMBERS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

Denise Sanchez, Office Manager	Wendy Ryan, Engineer
Richard Brown, Legislative Consultant	Gracy Goodwin, Projects Manager

DISTRICT OFFICIALS ABSENT

Chris Manera, Engineer

STATE OFFICIALS PRESENT

Talon Canterbury, Deputy Water Commissioner, District 12
Jerry Livengood, Water Commissioner, District 13

STATE OFFICIALS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

Will Scott, Water Commissioner, Division 11
Rachel Zancanella, Division Engineer
Dan Henrichs, Water Commissioner, District 12 (joined at 3:05)

STATE OFFICIALS ABSENT

Brian Sutton, Augmentation Coordinator

EX-OFFICIO REPRESENTATIVE PRESENT

None

EX-OFFICIO REPRESENTATIVES PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

Bill Canda, Custer County Commissioner

EX-OFFICIO REPRESENTATIVES ABSENT

Shawn Williams, Buena Vista Public Works Director
Drew Nelson, City of Salida Administrator

RECORD OF PROCEEDING

Travis Payne, Canon City Water Superintendent
Dwayne McFall, Fremont County Commissioner
Dave Schneider, Round Mountain Water and Sanitation District Manager

GUESTS PRESENT

None

GUESTS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERNCEING)

Joe Crabb, Division of Water Resources, Division 2
Emily Tracy, Canon City Council member
Nick Miller, Project Manager GEI Consultants

PLEDGE OF ALLEGIANCE

Vice-Chairman Felt led attendees in the Pledge of Allegiance.

INTRODUCTION OF GUESTS

Guests were asked to introduce themselves.

MINUTES OF THE MEETING OF October 12, 2023

The minutes of the meeting of October 12, 2023, were approved upon motion by Director Telck with second by Director Hilderbrand.

FINANCIAL REPORTS

Upon motion by Director Goodwin with second by Director Telck the Board approved the monthly financial reports dated October 31, 2023.

PROGRAM PRESENTATIONS

Nick Miller Senior Project Manager from GEI Consultants gave a presentation on the DeWeese Enlargement Feasibility Study. The agenda included project background, proposed raise design, review of the hydrology study, review of the 2D stability analyses and review of Hydrological Hazard Study, including the hydraulic mode, dam failure results, Population at Risk (PAR), and loss of life estimates. The agenda concluded with potential next steps.

Mr. Miller explained the project background with construction history. He stated that storage capacity is 4,140 acre feet covering an area of 316 acres with a normal freeboard of 0.4 feet.

Mr. Miller also explained the design overview which includes raising the spillway 4 feet, raising the dam 5 feet, the normal freeboard to 1.4 feet, and improvement of outlet works. He added that storage will be increased by 1,410 acre-feet for a total of 5,550 acre-feet.

Next, Mr. Miller discussed property impacts, displaying the existing impacts and proposed impacts. He briefed the Board on estimated construction costs and concluded engineering analyses and the hydrological hazard analysis.

Manager Scanga asked about the design to mitigate the PMF? Mr. Miller explained that the next step would be to observe how the structure performs in a 3D stability structural analysis to make sure the arch can naturally withstand that type of over topping.

Mr. Miller explained to several Board members and guests that the next phase in the project is to account for the 3D arching effect of the lower portion of the dam in the stability analysis.

Director Hilderbrand asked how to determine the stability of the existing structure? Mr. Miller stated that concrete gets stronger as it gets older and Constructional Engineers use methods to ensure strength and stability and have ways to estimate it. Director Goodwin added that water strengthens concrete

RECORD OF PROCEEDING

Manager Scanga asked if the size of the spillway is adequate or how much would it need to be enlarged? Mr. Miller stated that the width of the spillway is adequate as it is and evaluating the strength of the lower dam structure is the focus.

EX-OFFICIO REPORTS

None

PROJECT MANAGEMENT REPORT- Gracy Goodwin

PM Goodwin provided a summary of grants in progress via a power point presentation. She gave an update on November 2023 projects which included Round Mountain Reservoir Feasibility Study, DeWeese Reservoir Feasibility Study, USGS Study Phase 3, Trout Creek Park Alluvial Storage, and DCP Upgrade and Expansion.

CONSULTANT REPORT – Richard Brown

Legislative Consultant Brown provided a written report of Legislative Updates for the Board to review. The report included a summary of Water Resources and Agriculture Review Committee (WARRC) action on Draft Bills.

Consultant Baker made comments regarding proposed legislation regarding the Colorado River crisis and proposed legislation concerning Conservancy Districts. He also brought to the attention of the Board that 30 years ago the District's Umbrella Augmentation Plan was approved in Pueblo Water Court.

Mr. Brown summarized 5 draft bills from his report. He stated that on November 15, 2023, the Legislative Counsel (House and Senate) will receive reports and recommendations on whether to approve moving those bills forward.

Legislative Consultant Brown stated that Mr. Hill from the Hill vs Warsewa case intends to go forward with a new challenge based on public trust.

Mr. Brown updated the Board on the Drought Taskforce and stated that meetings are continuing and the Attorney General sent a letter to the taskforce making several recommendations.

Mr. Brown explained that out of 64 counties, only 4 counties approved Proposition HH. He said the methodology used to put it on the ballot was flawed and done without any public input. Manager Scanga clarified that the 40% increase in the levy is actually a 40% increase in the assessed valuation and under Tabor the levy increase and thus the tax paid is limited by Tabor. He expressed that was the concern of Proposition HH that it could affect Tabor and any excess funds would be able to be used by the state in their own projects instead of going to the people paying the tax.

COMMITTEE REPORTS

None

RESUME REVIEW COMMITTEE

October Resume was not available at the time of meeting.

MANAGER'S REPORT – Terry Scanga

Proposition HH:

Manager Scanga informed the Board that Proposition HH did not pass and the already scheduled Budget Hearing will still take place next month.

Website Accessibility by Disabled persons & development of an accessibility plan:

By July 2024 software will be updated and Atty Burgemeister will be drafting an accessibility plan for the District website for disabled persons. The plan must be approved by the Colorado Office of Technology.

Mr. Burgemeister stated that the District has to comply with the standard and have a plan in place.

RECORD OF PROCEEDING

UAWCD Holiday Celebration Event:

It was decided among staff and Board members that a Holiday Party will be held after next month's Board Meeting on December 7th.

Manager Scanga notified the Board of Consultant Ken Baker's retirement from UAWCD. Mr. Baker was the backbone and founder of the District developing the District's Blanket Augmentation Plan. After almost 50 years he will be leaving the District and his current role as Legislative Consultant. Mr. Baker will be greatly missed by everyone here at UAWCD and everyone who knows of him in the water world.

ENGINEER'S REPORT – Wendy Ryan, Colorado River Engineering (CRE)

Engineer Ryan briefed the Board on current water cases stating that an Expert Disclosure is being prepared in the Tri-View Exchange Case.

LEGAL REPORT – Law of the Rockies, Kendall Burgemeister

Opposition updates, transactional matters, applications, and updates were included in the Law of the Rockies oral report presented to the Board

Mr. Burgemeister informed the Board that a letter was sent to SALCO concerning the State Reservoir Boss Lake vandalism and there has yet to be response.

Atty Burgemeister explained to Board members the ins and outs of increasing Director compensation.

Manager Scanga expressed that he would research the potential interest in other water districts on increasing director compensation and speak with Legislative Consultant Brown and report what he finds out.

CHAIRMAN AND DIRECTOR REPORTS

Director Hilderbrand recognized all veterans in observance of Veteran's Day.

NOTICES & MEETINGS

- **UAWCD Budget Hearing 2:00 pm, December 7, 2023**
- **ABRT Meeting 12:30 pm, December 13, 2023**
- **C9 Summit November 14, 2023**
- **Ark. River Basin Water Forum, March 6-7, 2024, Otero College, La Junta**

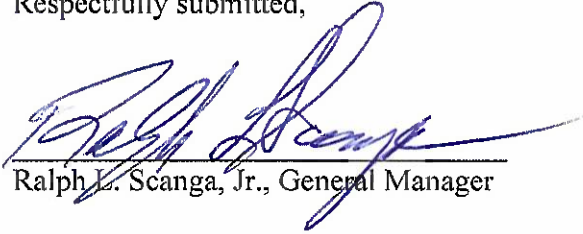
ADJOURN

There being no further business to come before the Board or Enterprise and upon motion by Director Donley seconded by Director Diesslin and approval of the Board, the meeting adjourned at 3:33 pm.

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RECORD OF PROCEEDING

Respectfully submitted,

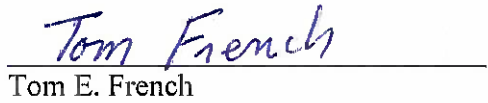

Ralph L. Scanga, Jr., General Manager

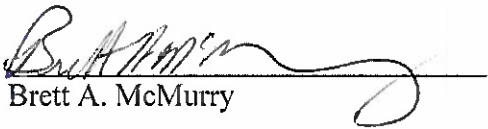
Absent
Timothy C. Canterbury

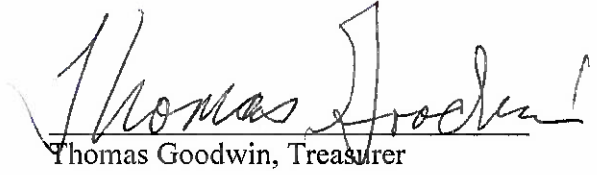

Mannie Colon

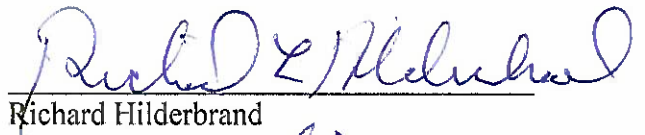
absent - no signature
Robert B. Donley


Gregory W. Felt

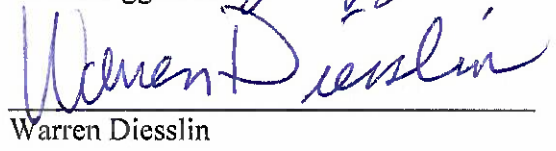

Tom E. French


Brett A. McMurry


Thomas Goodwin, Treasurer


Richard Hilderbrand


Albert Eggleston


Warren Diesslin

approved remotely - no sign
Tim Wayne


Tony Telok


Mike Shields