

Goals/Governance Board Committee – Meeting Agenda

Upper Yampa Water Conservancy District
Tuesday, September 3 @ 1pm – 4pm, UYWCD District Office

Purpose of the meeting:

- Update strategic plan with input from 8/22 Board work session
- Plan next steps for 1) staff to review/edit the strategic plan, and 2) Committee to pivot back to developing governance recommendations

Welcome and preliminaries (1-1:15)

- Review 8/13 Committee meeting, agenda review, confirm today's plan

Strategic Plan – edits, updates and next steps (1:15-3:15)

- Debrief and take-aways from 8/22 meeting
- Review and incorporate edits
- Next steps – clarify purpose, scope, timeline for staff review/input

Governance recommendations – 8/13 discussion, outcomes & next steps (3:15-3:45)

- Review 8/13 discussion and follow-up
- Identify next steps for upcoming meetings

Wrap Up, Next Steps, Actions Items (3:45-4:00)

- Next steps and timeframes

Upper Yampa District – DRAFT Board Governance Principles

My observation is that the District Board is mostly a policy Board, with some aspects of a 'working' Board. The Committee's discussion last week suggested that it may make sense to allow for both types of involvement but with clear written parameters. The Committee's suggestion was to start a list of Board governance principles to inform potential recommendations. Bob Weiss may have a role in helping translate these into the existing bylaws or policies as needed. A preliminary list of DRAFT principles is below as a straw-person/starting point, based on the initial August 13 conversation.

1) **'Nose in, fingers out.'** The Board guides District policy and sets goals and objectives for the District. The Board should be regularly updated on the District's progress, and notified of relevant issues or challenges, so it can provide collective guidance and make policy decisions. Board members are not involved in day-to-day District management.

Commented [R1]: Do folks prefer 'Board members' or 'Directors'?

2) **Policy and goal setting.** The Board's primary role is to set goals and objectives and to oversee the District's annual budget and work plan to achieve them. The Board will adopt a 5-10 year strategic plan with goals, objectives and tasks. The tasks should be updated on an annual basis in coordination with adopting a budget and work plan for the next year. The objectives should be reviewed every couple of years on a rotating basis.

2) **Efficient sharing of information without unnecessary bureaucracy.** In its oversight role the Board should be kept apprised of issues relevant to Board policy or decision-making, and on the progress of District projects and actions. The Board would like staff updates to be primarily in the form of Board Communication Forms. The Board understands this requires a commitment of staff time, and that will take time and discussion to determine what and how much information they should include. (For instance, brief pros/cons to inform policy decisions). BCFs can be supplemented with discussion when Board members have questions.

3) **Open communication between Board and staff.** The Board would like to foster an environment of openness, clarity and transparency. If Board members have questions about District issues or business, they should feel welcome to approach the relevant District staff at or between meetings while keeping the General Manager in the loop. Under no circumstances should these communications involve policy guidance without full Board direction. Staff responses to Board inquiries should generally be shared with all Board members.

4) **Board meetings should allow for decision-making as well as in-depth discussions.** Monthly Board meetings should continue to alternate between work sessions and regular meetings for this purpose.

5) **Board involvement in District activities (internal/external).** While the role of many Directors will be limited to policy-setting, there should be room for Directors

to serve as volunteer advisors to staff and/or external ambassadors where relevant and useful to achieving the District's mission. Directors' primary role in attending meetings on behalf of the District is to listen and convey information back to the District. Their representation of the District should be done in close coordination with staff to ensure that messages are consistent and staff knows what is being represented externally. Where the District is represented in an official capacity or otherwise relevant, Directors should provide written updates to the District regarding these external efforts. If Directors are not conveying an official policy of the District but a non-confidential issue under Board consideration, they will strive to provide a concise, balanced, and appropriately nuanced sense of the issue(s).

6) **Appropriate communications with staff.** The community is small, and Board members and staff will inevitably have conversations about District business. However, under no circumstances may Board members provide policy guidance to staff outside of Board meetings, at which policy direction is set by the Board as a whole.

7) **Collaborative, informed agenda setting.** Board meeting agendas should follow the agenda format set out in the District's bylaws. A preliminary agenda for the following month's Board meeting should be included in each meeting packet, with time on each agenda for the Board to review the following month's draft agenda. The GM and Board president will refine and agree on a final agenda based on Board input. In general, agenda topics should track the District's work plan. Updates on topics that don't require monthly discussion should be shared periodically or on a rotating schedule.

8) **Public engagement with Board.** Board meetings should always allow for public comment on specific topics and in general. This should be clearly indicated on meeting agendas.

9) **Conflicts of interest.** [Need written procedure for this. Borrow from River District, from District Personnel policy, or elsewhere?]

10) **Conflict resolution.** Need something in place for resolving conflicts among staff and/or Board to supplement and/or refine the District's Personnel policy (p.22). May want to include a 3rd party Ombuds or Mediator (housed under the General Counsel) if the issue involves the GM and/or Board members and direct communication does not resolve the issue. It may also be useful to have the Ombuds or Mediator available to the GM to help resolve internal staff issues as needed.

Commented [R2]: How does this work? Doing a BCF for a Board mtg? What about sharing info w/ staff directly where useful?

Need to clarify and work on this whole paragraph – it's a big and important one.

Commented [R3]: Need to decide and clearly articulate what's meant by 'policy' guidance and what's not.

Commented [R4]: This was suggested at last mtg but we didn't really discuss it.

Commented [R5]: This was in my notes but not sure I captured it correctly.

UPPER YAMPA WATER CONSERVANCY DISTRICT STRATEGIC PLAN

Mission

To lead water resource management within the District's boundaries by responsibly conserving, protecting, developing, providing and enhancing the water ~~resources~~ **security** of the Upper Yampa River Basin, *including completing and participating in water resource projects and works*. ~~The District will initiate and participate in works and projects that embody and promote the protection of water rights, provide broad benefits to District constituents and develop works and projects that provide responsible conservation, responsible growth, beneficial water storage and usage, and public awareness within the Upper Yampa Water Conservancy District.~~

Commented [R1]: TS suggests 'resources' not 'security'

[Placeholder for possible Vision Statement]

Ideas include, e.g.: An Upper Yampa Basin with safe, secure water storage for its customers that benefits [multiple/all/diverse?] beneficial uses in the Basin

Commented [R2]: Note that all proposed edits to policy statements are Tom's.

The Board of Directors believes the Districts' mission is reflected in the following policy statements, ~~as informed by guidance from the Upper Yampa District's 2017 community survey and 2019 stakeholder assessment report~~. Some of these statements reflect the District's responsibilities and core mission, while other policy statements reflect values and opportunities the Board sees embodied in carrying out its mission. The statements and goals **below** are not currently listed in order of priority. ~~They are temporarily numbered for purpose of internal cross-referencing.~~

Policy Statements (note these may be simply included as 'Whereas' statements)

1. The Board acknowledges as an integral part of its vision, policies, and goals, the legislative declaration of the Colorado Water Conservancy Act (the "Act") under which the District was created, as set forth in Colo. Rev. Stat. Ann. §37-45-102. In addition, the Board acknowledges and seeks to prudently interpret and integrate the more recent federal and state mandates, statutes, policies, and regulations into the modern functioning of the District. ~~[Consider moving into a Preamble.]~~
2. The Board supports the concept that the Upper Yampa River Basin and the healthy functioning of its reservoirs, rivers and streams are essential to the District's agricultural, environmental, municipal, commercial, industrial, domestic, and recreational cultures, and, thus, its economic future.
3. The Board acknowledges that climate change should be considered in planning.
4. The Board considers irrigation, municipal, commercial, domestic and industrial uses, and opportunities to support **water-based** environmental values ~~and water-based~~ recreation, to be important matters for the District and the public it serves, and seeks to achieve balance among uses of water within the District.

5. The Board affirms the importance of maintaining the structural integrity and functionality, and protecting the water rights of the District's Yamcolo and Stagecoach reservoirs.
6. The Board supports the District's collaboration in partnerships that protect the healthy functioning of reservoirs, rivers and streams, and the riparian and upland ecosystems and hydrology supporting such rivers and streams, where such participation advances the District's mission.
7. The Board supports ranching and irrigated agriculture in the District for its economic, socio-cultural values, aesthetic, and environmental contributions to the community, and healthy functioning of river and stream systems.
8. The Board recognizes that prudent industrial uses, such as energy development and production, may require direct flow and storage water, and that such uses support the economic welfare of the District.
9. The Board supports planning and development of long-term water supply strategies for future municipal uses to ensure a vibrant, diverse, and resilient economy within the District.
10. The Board affirms its support for water-based outdoor recreational activities in the District.
11. The Board supports land use policies by local governments that protect the Upper Yampa Basin's water resources, and projects and works, and that are compatible with ~~are~~ compatible the District's ability to manage and develop the water resources within its boundaries.
12. The Board supports science-based programs related to monitoring, protection, and restoration [of what? I don't understand this phrase], as appropriate, in order to maintain the chemical, physical, biological, and aesthetic integrity of the reservoirs, rivers, and streams within the District.
13. The Board believes the District should participate in local and statewide processes to address co-occurring challenges [I'm sure I'm not up to speed these days, but I don't understand the term "co-occurring challenges"; isn't this concept covered under paragraph 14 below?] such as climate, environmental, social, political, legislative, administrative and economic changes.
14. The Board recognizes the need for collaborative efforts with partners to monitor, and, if warranted and specifically directed by Board action, to support or oppose legislation, regulations, litigation, or administrative actions that could impact the District's mission.

15. The Board opposes any new transfers of stream flow or storage water from the Upper Yampa River and its tributaries to other basins, because such transfers would interfere with existing beneficial uses of water, damage economic stability, may diminish flows supporting the Colorado River Compact and reduce environmental quality of stream flow within the District.

16. The Board supports providing water-related information to the public through District programs and partnerships.

17. The Board values a two-way exchange of ideas and information with our community regarding the District's programs and priorities.

18. The Board should continue to prudently seek to evaluate and develop financially viable water works within the District where appropriate for beneficial uses and conservation of water within the District.

19. The Board is committed to ensuring the financial viability of the District into the future consistent with the District's statutory responsibilities.

20. The Board recognizes the District is a taxpayer supported public entity and is committed to being responsive to and engaged with our community and constituents.

District Goals

The goals below collectively represent the District's vision. The Board believes they capture and advance the policy statements listed above. The bullets represent tasks.

Goal 1 Upper Yampa Basin water resources and local water uses are protected from calls under the Colorado River Compacts, new or expanded transmountain or transbasin diversions, and other plans or projects that would adversely impact those water resources and uses.

Objectives

- 1) Prevent legal transfers of water out of the District or those with potential adverse impacts for the District through the following strategies:
 - a. Oppose relevant water court and legislative activities
 - Monitoring monthly filings, other legal and legislative activities
 - Standing reports at Board meetings
 - Board and staff to raise relevant issues for Board discussion
 - b. Ensure demand management efforts are voluntary, temporary and compensated and further District goals
 - Monitor and participate in local and regional discussions

Commented [R3]: A board member added 'Ensure contract language does not allow export of Yampa water to another Basin - add this here?'

- 2) Increase District understanding and potential role in tools to address Big River issues, such as the Drought Contingency Plan and water banking.
 - Explore water banking concept with state/regional organizations
 - [Schedule Board training to learn about state water plan/tools](#)
 - [Study means of preserving and using pre-Compact water rights in Yampa Basin in event of a water call, to protect District infrastructure and broader Basin needs](#)

Goal 2 ~~Safely operate, maintain and improve the District's existing infrastructure~~ is safe and maintained or improved as needed to serve the needs of the District.

Example Objectives

- 1) [Continue to](#) comply with regulatory requirements (e.g. FERC, dam safety)
- 2) Ensure sufficient funds to maintain and/or improve our infrastructure
 - Budget for O&M activities necessary to maintain and/or improve water infrastructure, including developing/annually updating 5-year capital improvement plan
- 3) [Initiate or support efforts to address algae issues in Stagecoach Reservoir](#)
- 4) [Participate in local emergency preparedness operations with local entities](#)
- 5) [Develop written procedures for District dam operators to follow when operating or entering parts of the infrastructure](#)
- 6) [Develop long-term capital plan for maintaining Stillwater Ditch if District remains the owner.](#)
- 4)7) Maintain Stagecoach (State) Park
 - Initiate discussions for potential renegotiation of Stagecoach lease with CPW; participate with CPW in updating Stagecoach master plan; ask CPW for update of annual activities

Goal 3 ~~All Protect and water uses in the District are protected, consistent with the policy statements above.~~

Objectives

- 1) Improve efficiency of ditch diversions /constituent infrastructure [by expanding grants program](#)
 - [Clarify and expand grant criteria](#)
 - [Initiate or support LARGG program](#)
 - [Consider projects program and/or providing staff resources](#)
- 1)2) Promote District's existing augmentation plans [on Yampa and Elk Rivers](#)
- 2)3) Explore potential expansion or creation of augmentation plans that benefit properties not currently within the boundaries of the District's existing augmentation plans (e.g., above Stagecoach)

Commented [R4]: Add something about outreach, advertising or administration of program?

- 3)4) ~~Explore ways~~ **Increase participation in efforts** to address demand management while helping ensure agriculture is not the sole source of water for addressing Compact issues
 - Explore opportunities to support efforts or partner with others on watershed management and forest health
- 4)5) Increase communications with local municipalities regarding long-term water supplies
- 5)6) Maintain and/or increase level of partnering with entities that may want to purchase District water for environmental and recreational uses (e.g., Water Fund, FOTY, Yampatika, SBS)
- 6)7) Identify amount of the District's current supply that is physically and legally available for environmental and recreational uses within District
- 7)8) Explore tools to enhance water delivery flexibility (Big River)
 - Explore the water banking concept with state and regional organizations
- 8)9) Increase tools to support physical and legal availability of environmental and recreational water
 - Strategies may include:**
 - Continue to look into substitute water supply with D~~W~~**NR** and ~~follow~~ other strategies to support environmental and recreational water uses
 - Participate in legislative discussions to increase flexibility in water law to support environmental and recreational uses
 - Explore storage possibilities that support non-consumptive needs of the District
- 9)10) Clarify District policy and role regarding the use of District water to support non-consumptive water uses
 - Develop Environmental and Recreational (ERC) policy/pricing
 - Schedule Board discussions, with relevant groups to present as useful

Commented [R5]: *does this include potential use of augmentation water? Need to include?*

Goal 4 ~~Represent Upper Yampa Basin water interests~~ **are represented at the local, regional and statewide levels on relevant policy, legislative, administrative, regulatory and judicial matters.**

Objectives

- 1) Ensure representation of District interests on the IBCC, Basin Roundtable, Colorado River District, and CWCB
- 2) ~~Convey Increase~~ **District's message through developing/clarifying District policies in** collaboration with Roundtable partners **to advocate for Upper Yampa Basin interests.**
 - Clarify organizational structure and expectations to ensure Board and staff roles, coordination, and messaging is clear when representing District externally

- Develop policy positions and messages (e.g., Yampa Doctrine, equitable apportionment/percentage of native flow/post-Compact proportional sharing, DCP/demand management)
- Develop a plan for conveying these positions effectively and consistently

3) Ensure representation of District interests in local/state water matters

- Monitor proposed and pending state legislation and local government legislation, report to the Board or Board committee, and appropriately convey Board concerns or positions regarding the same to appropriate government representatives
- Develop relationships with elected state officials representing Routt County

Goal 5 ~~Anticipate Adequate water supplies within the District in light of and plan for future water needs, uses and sources in the District in anticipation of changing climate conditions, population shifts, and other changes.~~

Objectives

- 1) Maintain District's Water Model
- 2) ~~Evaluate and refer to~~ Increase District's understanding of relevant other models to regarding potential effects of climate change, population growth, and demographics for District planning
 - Study and evaluate relevant data, technologies, models and scenarios
 - ~~Periodic agenda Board to stay informed of relevant climate, demographic, modeling scenarios, and other potential changes relevant to the District~~
 - ~~Standing item on agendas~~ for Board to share and receive relevant updates, including from as well as guest speakers
- 2)3) Increase engagement with partners and constituents regarding long-term Basin water needs
- 3)4) Anticipate and respond to changes in water contracts
- 4)5) Increase science-based tools for internal planning
 - a. Develop a science-based, living 'white paper' for the District
- 5)6) Better understand water conservation methods and irrigation efficiencies
- 6)7) Better understand subsurface hydrology (natural lateral flow) and assumed return flows from irrigation
- 1) ~~Better understand projected growth of the population in the District to ensure adequate water supply~~

Commented [R6]: Suggest omitting – covered in Goal 9?

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Goal 6 Healthy reservoirs, streams and watersheds within the District ~~Study, address and promote water quality concerns, in ways that promote the~~

~~policy statements above consistent with the District's role and responsibilities.~~

Objectives

- 1) Support ~~existing monitoring water quality~~ efforts ~~in the District,~~— and, where relevant, respond to concerns that arise, consistent with District's mission
 - Annually fund USGS and County long-term monitoring; continue support for Watershed Group
 - Work with CDPHE regarding current and future needs and role of District in addressing water quality, ~~consistent with District's mission.~~
 - Consider funding and/or partnership support for other water quality work in Basin
- 2) Comply with District regulatory water quality responsibilities
- 3) Anticipate potential future role and responsibilities for the District to support water quality in the District
 - Study possibility of future mandated role to evaluate non-point source influences

Goal 7 ~~Collaboratively engage District constituencies to develop a shared understand water issues in the Upper Yampa Basin and the role of the District in addressing them.~~

Objectives

- 1) Increase public understanding of the District's role and activities
 - Revise website to describe history and achievements of UYWCD, with Board input
 - Develop annual report
 - Email updates to interested constituents
 - Develop social media presence
 - Promote and support other public education programs concerning water resources in the District
 - Explore potential annual event
- 2) Improve Board collaboration, participation and representation with other organizations doing water-related work in the Upper Yampa Basin
 - Consistent with tasks set out in Goal 4, clarify Board/staff roles in external engagement and a plan for clear, consistent District messaging; prioritizing and enhancing collaboration and listening skills
- 3) Improve two-way exchange with stakeholders and partners regarding District priorities and activities
 - Host relevant groups at monthly Board meetings
 - Ensure opportunity for public input in District planning
 - Provide opportunities for public input at Board meetings

Commented [R7]: Staff to add to this!

- Ensure District meeting and planning materials are available and accessible to the public
 - Host forums of thought leaders regarding specific water issues to help clarify the District's role or position
- 4) Increase local awareness of local water issues and resources
- Budget education/outreach funds
 - Support local education groups that offer a balanced perspective of water issues and align with District mission
 - Explore working with local partners to promote on-line adult learning programs
 - Provide education on water issues and policies such as demand management and equitable apportionment
 - Create clearinghouse of relevant programs, organizations, and agencies
- 5) Build engagement of staff and Board, as experts and key stakeholders, to help understand issues and define the District's role
- Continue work sessions
 - Regular Board member updates (in writing, and verbally where needed) at Board meetings

Goal 8 ~~Robust Maintain, protect, and, where possible, enhance the District water rights portfolio, including developing or perfecting water rights.~~
[what about beyond District's rights? This was raised by one member. See last bullet below.]

Objectives

- 1) ~~Protect Maintain and, where appropriate, perfect~~ District's water rights ~~consistent with legal and planning responsibilities~~
- Legal department to anticipate and prepare tasks for upcoming due diligence, ~~based on, in light of~~ court decrees and Master Plan
 - ~~Legal department to prepare list of tasks for upcoming due diligence anticipating and planning for the unforeseen~~
 - Keep Board apprised of legal issues and relevant budget needs
- 2) ~~Ensure Enhance~~ District involvement/advocacy on ~~relevant~~ water administration matters
- Clearly define staff roles in interacting with regulatory agencies
 - Develop tools for more productive dialogue/relationship with DWR
- 3) Evaluate potential and conditional water rights
- Explore potential abandonment of water rights where appropriate
- 4) Explore small tributary storage projects within the Upper Yampa Basin
- 5) Pursue water projects that utilize/perfect Districts water rights and provide water supply for consumptive and non-consumptive purposes for our constituents.

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- 5)6) Support in-stream flow rights for City of Steamboat Springs, in part to help firm the District's portfolio.
- 6)7) Explore increasing flexibility of use for District's stored water rights.
 - Discuss options with Colorado Water Trust
- 7)8) Assist other entities in developing new water resources in District.
- 2) Maintain open dialogue with Division of Water Resources

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Goal 9 ~~District's f~~Ensure the District's financial ability and sustainability, with ability ~~ability to meet its stated goals and on-goings~~ financial viability.

Objectives

- 2)1) Develop short- and long-term financial planning to support District goals.
 - Create a cash-flow projection reflecting anticipated revenues and expenditures over 20-year planning period
- 3)2) Clarify District's business model, i.e., use of tax revenues with respect to contract pricing and enterprise fund model
 - Clarify Evaluate and make decision regarding E District's use of enterprise Fund model
 - Determine how to best utilize tax revenues to support District and constituent priorities
 - Clarify Develop contract pricing policies, e.g., by exploring possibilities for recovering reasonable costs of storing water in light of District goals potentially with criteria to guide budget factors to be weighed and considerations for how to weigh them and contract decision-making-. Policy must be nuanced and not one-size-fits-all.
- 4)3) Increase potential customer base
- 5)4) Increase collaborative, public-service approach to engaging with current and potential customers
 - Enhance tools and capacity for constructive contract negotiations and productive customer relationships

Commented [R8]: Do folks want to include this? It follows directly from the Assessment – and we needed a logical place for the contract negotiation piece, formerly under the 'future planning' Goal.

Goal 10 ~~Maintain a Robust staff, and legal and administrative resources to ensure District's viability and ability to effectively serve its constituents~~ department.

Objectives

- 1) Begin succession planning where appropriate
 - 4)• Consider in-house legal staff possibilities
- 2) Increase redundancy among staff and responsibilities
 - Develop job descriptions, evaluating possibilities for redundancies
- 3) Clarify Board ~~policy~~ goals and objectives and expectations, and the respective roles of Board and staff in achieving them
 - Adopt 5-10 year Sstrategic Pplan

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- Consider and implement Board Committee governance recommendations e.g., related to staffing needs/resources (e.g., staff/ Board roles in external engagement; Board meeting preparation)
 - Clarify staffing needs to reflect needs of District
 - ~~Staff follow up after development of strategic plan, to evaluate and recommend where staffing changes may be needed~~
 - ~~Annual budgeting process~~
- 4) Ensure legal departments reflects needs of the District
 - 5) Create an Upper Yampa Basin records and archive repository to catalogue and preserve historic water resources records.
 - Coordinate with CSU