

**Comments for CWCB Stakeholder Engagement
On the Colorado Climate Plan
Statement by Tom Easley, Director of Programs
The Rocky Mountain Climate Organization
January 27, 2016**

On behalf of the [Rocky Mountain Climate Organization](#), I am pleased to have the opportunity to submit these comments for the record of the Colorado Water Conservation Board's stakeholder input on the [Colorado Climate Plan](#).

Importance of the Colorado Climate Plan

First, we would like to express our appreciation for the plan and especially for Governor Hickenlooper's role in [announcing the plan](#). Climate change poses serious risks to the resources and values that make Colorado such a special place to live, work, and play. Both the plan itself and the Governor's leadership in announcing it provide an important framework for future state government actions to address these risks. As the Governor said, "This comprehensive plan puts forth our commitment from the state and sets the groundwork for the collaboration needed to make sure Colorado is prepared." We also welcomed the Governor's emphasizing the importance of the plan in his recent [State of the State address](#). All of this helps to ensure that all Colorado state government departments and agencies will give increased importance to efforts to reduce both our state's contributions to climate change and our risks from its impacts.

Importance of public engagement

We appreciate the opportunity for stakeholder input on the Colorado Climate Plan. This opportunity is especially important because, unfortunately, there was only very limited opportunity for comment last year on the draft of the climate plan. Only about a dozen organizations were provided an opportunity to comment, and many more than that would have welcomed a chance to do so. Many local governments, in particular, asked for an opportunity to review the draft and comment, but were denied that opportunity, despite the participation of so many of them in the Colorado Local Resilience Project convened by RMCO and the Colorado Municipal League, which outlined a broad agenda for a potential partnership between the state and local governments for assessing and addressing climate-related risks. We realize that the decision to limit public review and comment was not made by the CWCB, but that decision makes it all the more important that every state agency with a role in implementing the climate plan reach out extensively to stakeholders and the general public to provide meaningful opportunities for engagement in shaping agency decisions on how the plan will be implemented.

Of course, the state government has existing mechanisms for public engagement on water matters, including the basin roundtables, the Interbasin Compact Committee, and the CWCB Climate Change Technical Advisory Group. However, these existing mechanisms are not fully adequate to provide all the stakeholder engagement that would improve the state's decision making on climate change/water matters. For one thing, although many organizations and interests are represented on the IBCC and the basin roundtables, many others are not. Also, the CCTAG, as its name suggests, focuses on technical matters, not bigger and broader matters including policy. This is why the Colorado Water Working Group at the Getches-Wilkinson Center, University of Colorado Law School, in its comments on the draft water plan, recommended a new climate change/water panel, to be appointed by the governor, to be

comprised of climate scientists, water leaders, and representatives of key interests to help develop guidance on how we can meet our water needs in a changed future. Whether accomplished through this recommendation, which RMCO has endorsed, or through another mechanism, we urge the CWCB to do more to take advantage of the state's abundance of expertise on climate change impacts on our water resources, with many experts in our universities, government agencies, water providers, private sector, and nonprofit organizations. Further drawing on that expertise would help the state government shape policy and take other actions to meet our climate change/water impacts.

Section 2 of the Climate Plan

The CWCB, uniquely among state agencies, already has been comprehensively addressing climate change in its ongoing plans and management actions, and so it is uniquely appropriate with respect to the climate plan's section 2, on water, that the climate plan should amount primarily to a cross-reference to the ongoing plans and management actions that CWCB is already taking that address climate change.

These include, most importantly:

- Efforts to implement the new Colorado's Water Plan;
- The upcoming Statewide Water Supply Inventory (SWSI) 2016 update, and the individual analyses that will support it;
- CWCB's guidance to and interactions with the basin roundtables in developing basin implementation plans consistent with the new state water plan; and
- Other specific studies that address climate change impacts on Colorado's water supplies and uses, such as a second phase of the Colorado River Water Availability Study.

RMCO compliments the CWCB for the broad framework that the water plan lays out for actions to meet Colorado's water needs. It is important that the state proceed to identify, as the plan says we will, how we are going to eliminate the projected 2050 municipal and industrial water supply gap; how we are going to increase both conservation and storage; how we are going to preserve agriculture, the environment, and recreation; how we are going to raise the funds needed to meet these needs; and how we are going to raise public awareness. Because the water plan sets these goals but mostly does not specify how we are going to meet them, the upcoming processes and decisions on how we are going to meet the goals are at least as important as the plan itself. But we repeat that we applaud the plan and all the work that went into it for identifying goals to guide our future actions.

RMCO submitted three sets of comments on the different drafts of the state water plan. Most of our comments focused on how the plan should provide more detailed information on how climate change is likely to affect both our supplies of and demands for water, to bring into sharper focus what the state government, water suppliers and users, and the general public should understand and can do to fully address the substantial risks that climate change poses to water supplies and water quality. Our continuing concern was consistent with other comments received on the draft plan. In its comments on the plan, for example, Denver Water commented:

the climate change portion falls short. . . . While some general information is provided in the Plan, the full breadth of the potential impacts of climate change needs to be explicitly included and explained.

Similarly, the Front Range Water Council commented, “Climate change is potentially an equal or greater contributor than population growth to the state’s looming future water gap,” and identified five new recommended actions to be included in the plan to address climate change, including:

The state needs to identify potential impacts from climate change in the municipal and agricultural supply and demand projections in the state water plan under reasonable future climate scenarios.

And the Colorado Water Working Group at the Getches-Wilkinson Center, University of Colorado Law School, stated that the plan “offers little guidance about actions the state, water suppliers, and water users should take in response to these effects” [of climate change on our water].

During the development of the plan, continued improvements were made in each new version of the draft plan on its consideration of climate change. However, the CWCB ultimately decided to leave some key steps to be taken in SWSI 2016 rather than in the state water plan. As a result, much of what we and others had to say in comments on the drafts of the water plan still apply, although now to the actions that should be taken in preparing SWSI 2016.

Major points from our previous comments on the draft water plan that we now understand are to be addressed in SWSI 2016 are:

- First, the CWCB should do a quantified analysis to spell out in numerical terms the M&I gaps that would result from the different conceptual scenarios described in the water plan, both for SWSI 2016 itself and for consideration by the basin roundtables in developing basin implementation plans. As before, we recommend that quantified analyses of climate change effects on both water supplies and water demands be used to define the scenarios, and that the underlying analyses be clearly explained and made available.
- Second, the CWCB should prepare for inclusion in SWSI a proper quantified analysis of the extent to which climate change may affect M&I and agricultural demands for water. The analysis should be a separate, stand-alone analysis to promote stakeholder and public engagement and awareness, should be developed with opportunities for review and comment, and should identify the different possible effects that could result from different climate scenarios. On the latter point, it is of course the case that a hotter future would increase water demands more than a future with less climate change, but we do not yet know what that difference might be. Far more is now known about possible climate change impacts on water supplies, but impacts on demands will also shape our future water gaps and needs.
- SWSI 2016 and/or a second phase of the Colorado River Water Supply Availability Study should provide information on the interplay between interstate compacts and climate change. Ultimately, Colorado’s greatest water risk is that the exercise of existing in-state water rights may be curtailed because of the operation of interstate compacts. Particularly for the Colorado River, this risk is greatly magnified by climate change, as compact compliance is determined by flows at Lees Ferry, which depend on runoff from across the entire Upper Basin, including lower-elevation areas in other states which may be even more vulnerable to the effects of climate change on snowpacks than Colorado’s higher mountains are. As this arguably is the strongest reason why new actions may be needed to meet our water needs in a changed future, a straightforward explanation of what is known here is important to inform Coloradans about water issues to encourage engagement and innovation in determining Colorado’s water future, one of the water plan’s major objectives.

- SWSI 2016 should identify other key gaps in the available information and analysis needed to understand and address climate change impacts on water resources, and identify how those gaps can and will be filled.

Major carry-over points from our earlier comments that are more relevant to the implementation of the state water plan include:

- The CWCB should provide clear guidance to the basin roundtables on how they should consider climate change impacts in developing implementation plans. So far, some basin roundtables have clearly considered climate change, in varying ways, and others have not really considered it.
- It is important that the CWCB should provide more detailed information on climate change impacts for consideration by basin roundtables and individual water providers, as now called for in the state water plan. In particular, smaller water utilities in the state simply do not have the resources by themselves to assemble the information they need to assess impacts on their systems. One option to help provide this information is the use of Water Supply Reserve Account Grants to fund needed analyses.

Of course, many new actions will be necessary to implement the Colorado Climate Plan and the related water programs of the CWCB, far beyond those we identified in our comments on the early drafts of the state water plan. As just one example, something that we think it important that the CWCB do in implementing both the climate and water plans is to revise the criteria governing the award of the state's Water Supply Reserve Account grants to call out the eligibility of actions addressing climate change. This could be accomplished by adding to the criteria used by the CWCB to evaluate grant and loan applications explicit statements that water technical assistance, studies, analyses, and other actions to help identify and prepare for climate change impacts on water supplies and demands are eligible for funding. The Metro Roundtable has already done so in the criteria for its funding decisions under this program. We think the CWCB and the IBCC should do the same at a state level.

Other sections of the climate plan

In our comments here, we have focused on section 2 of the Colorado Climate Plan, on water, and not on other sectors. Because of the lead role that the CWCB has within the state government on climate change, though, we want to point out that in the sections of the plan applying to state agencies that have not undertaken the breadth of climate change-related work that the CWCB has, much more work is needed to define the new actions that will be taken to meet the goals of improving Colorado's ability to adapt to future climate change impacts and of reducing emissions of climate-changing pollution. Also, the plan fails to meet one of the statutory requirements for it provided by H.B. 13-1293, that:

The development of a climate action plan in accordance with this section must take into account previous action plans developed by the state and goals and directives contained in executive orders issued by the governor.

We believe that this shortcoming of the current plan is one of the motivating factors behind H.B. 16-1004, to be considered in this session, to amend the law to provide more details on what must be in a state climate plan. RMCO will comment on that legislation in this session of the General Assembly.

Again, thank you for the opportunity to make these comments.