



Legislation Details (With Text)

**File #:** 21-202      **Version:** 1      **Name:**

**Type:** Consent Agenda      **Status:** Agenda Ready

**File created:** 5/14/2021      **In control:** Town Council

**On agenda:** 5/25/2021      **Final action:**

**Title:** A Resolution of the Board of Trustees of the Town of Erie Approving the Memorandum of Understanding Concerning Pilot Project for Winter Deliveries through Boulder Supply Canal

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution 21-072, 2. MOU

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**SUBJECT: Consent Agenda**  
**A Resolution of the Board of Trustees of the Town of Erie Approving the Memorandum of Understanding Concerning Pilot Project for Winter Deliveries through Boulder Supply Canal**

**DEPARTMENT:** Public Works

**PRESENTER:** Todd Fessenden, Public Works Director

**FISCAL SUMMARY:**  
 Cost as Recommended: \$15,000  
 Balance Available: \$42,133  
 Budget Line Item Number: 500-70-110-560100  
 New Appropriation Required: No

**STAFF RECOMMENDATION:**  
 Approve the Resolution authorizing the Town to enter into a MOU Concerning Pilot Project for Winter Deliveries through Boulder Supply Canal.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**  
 The Town of Erie, acting by and through its Erie Water Activity Enterprise, (Erie) owns an interest (Units) in the Colorado-Big Thompson Project (CBT) and the Windy Gap Project (WG), which interest is defined by Allotment Contracts entered into by Erie, the Northern Colorado Water Conservation District (NCWCD), and the Municipal Subdistrict of NCWCD. To maximize use of Erie’s CBT and WG Units, Erie and NCWCD wish to pursue a pilot project to evaluate the feasibility of delivering Erie’s

CBT and WG Units through the Boulder Creek Supply Canal during the months of March and November, in addition to the historical seven month delivery period (Pilot Project). Accordingly, Erie and NCWCD propose to enter into an agreement to describe the terms and conditions on which the Pilot Project will occur (Pilot Project MOU). The proposed Pilot Project MOU between Erie and NCWCD is attached. The Pilot Project MOU has been approved by NCWCD.

CBT and WG water supplies are the primary water source for Erie. Erie owns 7,381 CBT Units (avg. annual yield of 5,167 acre-feet of water) and 20 WG Units (avg. annual yield of 2,000 acre-feet of water).

NCWCD operates the CBT and WG Project water delivery infrastructure on the Front Range, including Boulder Reservoir and the Boulder Creek Supply Canal. Erie's CBT and WG Units can be delivered to Erie in one of two ways: 1) through the Southern Water Supply Pipeline; and 2) through releases of water from Boulder Reservoir into the Boulder Creek Supply Canal, and then into the Erie Pipeline. Erie's ability to take delivery of its CBT and WG Units from Boulder Reservoir and the Boulder Creek Supply Canal provides additional security and reliability in Erie's system because it serves as a backup in case the Southern Water Supply Pipeline becomes inoperable.

Historically, Erie's ability to take delivery of its CBT and WG Units through the Boulder Reservoir and Boulder Creek Supply Canal has been limited to the period between April 1 and October 31 each year. Historically, NCWCD has not operated the Boulder Reservoir and Boulder Supply Canal infrastructure for delivery purposes outside of this April 1 to October 31 delivery period.

Erie and NCWCD wish to engage in a Pilot Project to evaluate whether Erie can take its CBT and WG Units using the Boulder Creek Supply Canal in March and November, in addition to the historical delivery period (April 1 through October 31). Under the Pilot Project MOU, Erie will take delivery of a portion of its CBT and WG Units in November 2021 and March 2022, and NCWCD will operate the Boulder Reservoir and the Boulder Creek Supply Canal to facilitate those deliveries. The Pilot Project will allow Erie and NCWCD to evaluate whether such extended season deliveries are feasible and practical in the future. The Pilot Project MOU contemplates that the Pilot Project will be a cooperative, exploratory venture; however, either party has the right to terminate its participation for any reason, should the Pilot Project prove unworkable. Under the terms of the Pilot Project MOU, Erie will pay \$15,000 to NCWCD to assist with administrative and operating costs associated with the Pilot Project.

Staff recommends that the Board of Trustees authorize the Pilot Project MOU, allowing Erie to take its CBT and WG Units by release from Boulder Reservoir into the Boulder Creek Supply Canal in November 2021 and March 2022. The Pilot Project allows Erie to evaluate ways to maximize Erie's use of a critical water supply and water supply infrastructure, and if the project is successful, it has the potential to become a long-term water delivery option that would increase the security and reliability of Erie's water supply.

**Fiscal Impact:**

The Pilot Project MOU would commit Erie to contribute a total of \$15,000 for administrative costs associated with operating the Pilot Project. If authorized, the funds would be due to NCWCD by October 31, 2021.

**Board Priority(s) Addressed:**

- ✓ Prosperous Economy
- ✓ Safe and Healthy Community
- ✓ Environmentally Sustainable

**ATTACHMENTS:**

1. Resolution 21-072
2. MOU