

**Southwestern Water Conservation District  
Board of Directors Meeting – Teleconference  
May 1, 2013**

**Present:** Steve Fearn                      Bob Wolff                      J. R. Ford \*  
                  Tim Kelly\*                      Monte Naslund\*                      Doug Stowe\*  
                  John Taylor\*

**Absent:** April Montgomery                      John Porter                      Fred Kroeger (Emeritus)

**Staff:** Bruce Whitehead, Executive Director  
                  Jane Maxson, Office Manager  
                  Barry Spear, MBSS

**Guests:** Darlene Marcus\*                      Suzanne Sellers\*                      Mike Preston\*  
                  Ted Kowalski\*

*\*Denotes attendance via telephone.*

Vice-President Steve Fearn called the meeting to order at 9:00 am. Roll was taken and a quorum was present.

## Questions/Comments from Audience

### New Business

#### Legislative Update and Positions

Bruce Whitehead reported on the following based on Report #12:

**SB224                      Trout Unlimited License Plate**

**CWC – not taking a position**

**SB258                      Clarification of Development Permit**

**CWC – not taking a position**

**HB1299                      Government Accountability, SMART**

**CWC – would support if it doesn't create conflict with Interim Water Committee**

The Interim Water Committee is discussing possible legislative topics for 2014. As a result of the CWCB Projects Bill passing and including the term "improve" the natural environment, Jennifer Gimbel committed to further definition of the term, recognizing that the inclusion of the language was not fully supported by individual members of the Water Congress. Jennifer Gimbel will be leaving the CWCB; a replacement could be named by July. Discussion occurred at the Water Congress about how engaged the State Affairs Committee should be with the Interim Committee.

### Dolores River Proposed Wild & Scenic Suitability by the BLM

(time:00:16:19)

Bruce referred the board to the maps sent in their packets. It depicts two segments of the Dolores River that are being proposed for wild and scenic suitability by the BLM Grand Junction office as a part of their

Resource Management Plan. There is a small A portion of the upstream segment of the Dolores River is within the SWCD District; with the rest of this proposed segment and a lower reach near the Utah stateline being in in the Colorado District. At this time, only one designation in Colorado has been made by Congress, and that that is on the Poudre River. An actual designation by Congress would include a Federal Reserved Water Right to maintain the "ORV's" (Outstandingly Remarkable Values). Previously, the Dolores River Dialogue team and a stakeholders group worked with the BLM on tools for protecting river values, but did not reach consensus on the Wild & Scenic issue.. The recent proposal by the BLM is an agenda item at the May meeting of the CWCB. The official comments deadline was extended to June 24<sup>th</sup>. Bruce reminded the Board that if segments are found to be suitable for W&S , the BLM manages these segments to protect the "ORV's" as though, even though Congress has not formally taken action on a designation.. Suitability designation could affect future uses, and would mean a higher level of review for federal permitting Discussion occurred.

Mike Preston, Dolores Water Conservancy District, joined the meeting via telephone. Their District has primarily focused on the Dolores River Dialogue process and legislative alternatives in the reach between McPhee dam and the confluence of the San Miguel River. The segments now being considered for suitability by the BLM are below the confluence of the San Miguel. The DRD's legislative subcommittee is continuing to work on national conservation area legislation (NCA). The thrust of the proposed NCA legislation is to protect the Outstanding Remarkable Values (ORVs) and remove the prospect of Wild and Scenic designation. This stretch of the Dolores River to the San Miguel was put on the "suitability" list in the 1970's. It also has one the earliest CWCB In-Stream Flow water rights that is not met all year round because it is junior to the McPhee storage. Mike's perception is that there is a good chance that this legislation will go forward. Maintaining the native fish population is a big concern of the DRD group. There is understandable concern about the impacts to water management and the operations of McPhee Reservoir if Wild and Scenic suitability is included in the management plan. Mike expressed the desire to have a workshop that would include all three BLM offices affected in this matter as well as other groups that are working on different parts of the river. Discussion occurred and Director input was given. Monte Naslund moved the SWCD take a position of opposition to the Wild & Scenic suitability status, and a position of support of alternative methods to provide appropriate protection. John Taylor seconded the motion, and it passed unanimously. Barry Spear and Bruce Whitehead will draft a letter to the Bureau of Land Management and one to CWCB that will be included in the May CWCB packet to their board members.

Bruce Whitehead reported that there was 1800 cfs on the Animas this morning and that snowpack is at 45%. The Children's Water Festival is being held today at Ft. Lewis College.

## **Executive Session**

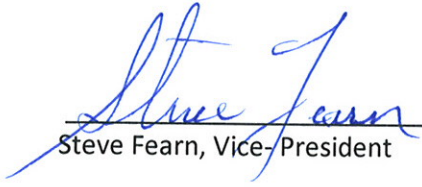
There was not a need for executive session.

## **Next Meeting:**

May 15	9:00 am	Teleconference
Jun 12 (Wed)	10:00 am	Regular Board Meeting
Aug 14 (Wed)	10:00 am	Regular Board Meeting
Oct 9 (Wed)	10:00 am	Regular Board Meeting

## Adjournment

Vice-President Steve Fearn adjourned the meeting at 10:09 a.m.



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Steve Fearn, Vice-President