

**Southwestern Water Conservation District
Board of Directors Meeting—Teleconference
January 23, 2018**

Present: J.R. Ford† David Guilliams† Rusty Hingert
Monte Naslund† Jenny Russell† Charlie Smith†
Doug Stowe Don Schwindt Bob Wolff

Absent:

Staff: Bruce Whitehead, SWCD Executive Director†
Laura Spann, SWCD Programs Coordinator†

Guests: Jose Alanis, U.S. Representative Scott Tipton
Orla Bannon, Western Resources Advocates†
Cindy Dozier, Hinsdale County Commissioner†
Glen Fish, Dolores Water Conservancy District
Marcel Gatzambide, San Juan Citizens Alliance†
Carrie Lile, Harris Water Engineering†
Mike Preston, Dolores Water Conservancy District†
Jodi Schwindt, Public
Beth Van Vurst, Fairfield and Woods†

†Participated by phone.

Robert Wolff called the work session to order at 9:00 a.m. Roll was taken and a quorum was established.

Questions/Comments from Audience

(time: 00:02:50)

There were no comments or questions.

Old Business

CWCB Board Appointment – San Juan/Dolores/San Miguel Basins

(time: 00:03:20)

April Montgomery's term on the CWCB board representing southwestern Colorado expired in February 2017. SWCD had previously supported the appointment of Steve Harris to replace April. Celene Hawkins was appointed by the governor in June 2017 after the legislature had adjourned. The CWCB appointment is required to be confirmed by the Colorado Senate. Celene has been serving on the CWCB board since the June appointment by the Governor, and is awaiting confirmation by the Senate during the current legislative session. SWCD has been approached informally about SWCD's support for Steve Harris; and what their position may be on the Senate confirmation of Celene. There was significant board discussion, with public input, regarding concerns with the political CWCB board appointment process, how SWCD should respond to appointments in general, Celene's work in reviewing the recent instream flow appropriations and coordinating CWCB funding for basin projects, and concerns about southwest Colorado water user representation on the CWCB board for an extended period of time. Charlie Smith moved that SWCD take no position regarding the CWCB board confirmation by the Colorado Senate. Jenny Russell seconded. The motion passed 7 to 2.

New Business

Legislative Update & Position on Bills

(time: 00:41:00)

The Colorado Water Congress (CWC) State Affairs Committee met on January 8, 16 and 22 to discuss water legislation introduced thus far during the 2018 Legislative Session, which convened on January 10. Staff explained the bills and relayed CWC discussion of the bills to the board. He referenced the summary document (Legislative Report #2018-01). The following bills were discussed:

SB 019 – Expanded Duration for CWRPDA Revolving Loans

CWC acted to support the bill. Doug Stowe moved that SWCD support SB 019 (Expanded Duration for CWRPDA Revolving Loans). David Guilliams seconded. The motion passed.

Several bills introduced focus on reclaimed domestic wastewater:

SB 038 – Reclaimed Water Use on Industrial Hemp

CWC acted to support the bill, conditioned on an amendment being introduced to clarify language that the water rights allow for reuse.

HB 1053 – Reclaimed Water Use for Marijuana Cultivation

CWC acted to support the bill, conditioned on an amendment being introduced to clarify language that the water rights allow for reuse.

HB 1069 – Reclaimed Water for Toilet Flushing

CWC acted to support the bill, conditioned on an amendment being introduced to clarify language that the water rights allow for reuse.

HB 1093 – Reclaimed Water Use for Edible Crops

CWC has discussed this bill.

Don Schwindt moved that SWCD support SB 038 (Reclaimed Water Use on Industrial Hemp), HB 1053 (Reclaimed Water Use for Marijuana Cultivation) and HB 1069 (Reclaimed Water for Toilet Flushing). Rusty Hinger seconded. The motion passed.

SB 041 – Authorize Water Use Incidental Sand and Gravel Mines

CWC acted to support the bill, and the SWCD board discussed it.

SJR 003 – Water Projects Eligibility Lists

CWC acted to support the bill, and the SWCD board discussed it.

HB 1008 – Mussel-free Colorado Act

CWC acted to support the bill. Don Schwindt moved that SWCD support HB 1008 (Mussel-free Colorado Act). Bob Wolff seconded. The motion passed.

HB 1073 – Water District Ability Contract Water Assets

CWC and the SWCD board have discussed this bill.

The following legislative concepts were also discussed, for potential introduction in the 2018 session:

NISP Mitigation

A study group convened by Northern Water Conservancy District met several times over the summer to discuss potential legislation which may be needed to protect mitigation flow requirements for the Northern Integrated Supply Project (NISP). Northern proposed similar legislation last year that did not pass out of the Senate Ag Committee.

Mined Land Reclamation

Initial draft legislation to prohibit mining companies from self-bonding for reclamation commitments, and require new mining permits to identify water treatment programs for the life of the mine, has been distributed but not yet introduced.

Pump-Back Hydro

Representative Hansen plans to introduce legislation to increase storage and increase Colorado's energy resources, including providing incentives for pump-back hydroelectric power.

TENORMs

Representative Arndt has convened a working group to draft legislation addressing the safe collection and disposal of technologically enhanced naturally occurring radioactive materials (TENORMs) in solid waste landfills to provide clarity to the oil and gas industry and wastewater treatment plants while ensuring the long-term health of Colorado's groundwater.

Next Meetings

Wednesday, February 7	9:00am	Teleconference
Tuesday, February 13	TBD	Board Work Session
Wednesday, February 14	9:00am	Special Regular Board Meeting



Robert Wolff, Board President