

**Southwestern Water Conservation District
Board of Directors Meeting—Teleconference
September 17, 2018**

Present: J.R. Ford† Rusty Hingert Don Schwindt†
Charlie Smith† Bob Wolff

Absent: David Guilliams Monte Naslund Jenny Russell
Doug Stowe

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

Consultants: Beth Van Vurst, Fairfield and Woods†

Guests: Cindy Dozier, Hinsdale County Commissioner†
Marcel Gatzambide, San Juan Citizens Alliance†
Peter Fleming, Colorado River Water Conservation District†
Andy Mueller, Colorado River Water Conservation District†

†Participated by phone.

Robert Wolff called the work session to order at 8:30 a.m. Roll was taken and a quorum was established.

Questions/Comments from Audience

(time: 00:01:00)

There were no questions.

Old Business

Upper Basin & Intra-State Drought Contingency Planning Efforts and

(time: 00:01:20)

CWCB Board Mtg Sept 19: Demand Management Outreach/Studies/Public Testimony

Bruce Whitehead and Beth Van Vurst reported on recent coordination between SWCD and the River District regarding upper basin drought contingency planning, which includes exploration of demand management and seeking federal legislation to establish a non-equalized upper basin storage account in Lake Powell. The River District held their annual seminar in Grand Junction on September 14, at which General Manager Andy Mueller presented western slope concerns regarding the exploration of demand management. At the CWCB meeting on September 19, the CWCB board may consider potential action and positions regarding the drought contingency plan. A memo was posted on the CWCB website outlining several questions surrounding demand management that their board will be discussing, some of which have not yet been aired publically. The content of the CWCB staff memo included references to a possible future “pivot” to mandatory curtailment. Mike Preston also sent this memo to the Southwest Basin Roundtable members, along with a link to listen in to the CWCB meeting. SWCD and the River District want to ensure that demand management continue to be explored as voluntary, temporary, and compensated with an equitable distribution of participation between the east slope and west slope in order to ensure that western slope communities are not disproportionately impacted. Bruce provided background on recent hydrology and drought contingency planning. Hinsdale Commissioner Cindy Dozier expressed concern regarding the State’s process and transparency as it considers mandatory demand management to fill a non-equalized upper basin storage account.

Executive Session

(time: 00:19:45)

Beth Van Vurst recommended that the board go into executive session for the purpose of discussing upper basin and intra-state drought contingency planning efforts. The statutes covering this session are § 24-6-402(4)b, C.R.S., “conferences with an attorney for the district for the purpose of receiving legal advice on specific legal questions”

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and § 24-6-402(4)(e), C.R.S., “determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.” Don Schwindt moved that the board go into executive session. Charlie Smith seconded. The motion passed unanimously.

On behalf of the Colorado River Water Conservation District, Andy Mueller and Peter Fleming participated in the portion of executive session discussing drought contingency planning in the Upper Colorado River basin and within the State of Colorado. Their participation is permitted pursuant to the common interest agreement between the River District and SWCD.

Beth Van Vurst announced that the board was out of executive session, during which no action was taken. The board developed strategy for negotiations and instructed negotiators on upper basin and intra-state drought contingency planning efforts. Charlie Smith moved to direct staff and legal counsel to continue coordination with the River District to advance western slope positions regarding drought contingency planning before the CWCB board at their September 19 meeting. Don Schwindt seconded. The motion passed.

Next Meetings

Tuesday, October 2 9:00am Regular Board Meeting



Robert Wolff, Board President