

**The Southwestern Water Conservation District**  
The West Building, 841 E Second Avenue  
Durango, CO 81301

NOTICE IS HEREBY GIVEN  
A Regular Board Meeting of the  
Southwestern Water Conservation District  
will be held on

**Tuesday, October 1, 2019**  
841 E 2nd Avenue  
Durango, Colorado  
**8:00am-4:00pm**

Revised, Posted & Noticed September 30, 2019

---

**Tentative Agenda**

*Except the time indicated for when the meeting is scheduled to begin, the times noted for each agenda item are estimates and subject to change. The Board may address and act on agenda items in any order to accommodate the needs of the Board and the audience. Agenda items can also be added during the meeting at the consensus of the Board.*

*Agenda items may be placed on the Consent Agenda when the recommended action is non-controversial. The Consent Agenda may be voted on without reading or discussing individual items. Any Board member may request clarification about items on the Consent Agenda. The Board may remove items from the Consent Agenda at their discretion for further discussion.*

*A call-in option will be available for the meeting, and if possible, please contact Laura Spann at (970) 247-1302 in advance of the meeting to verify and record your participation. Phone option: Call (605) 475-5618, Passcode 797282#*

## **Monday, September 30, 2019**

*Three or more board members may participate in a group dinner upon arrival to Durango to welcome the new executive director, Frank Kugel. ([DoubleTree Hotel](#), 501 Camino del Rio, 6:00pm).*

## **Tuesday, October 1, 2019**

**1.0 Call to Order – Roll Call, Verification of Quorum and Pledge of Allegiance (8:00 a.m.)**

**2.0 Review and Approve Agenda (8:03 a.m.)**

**3.0 Executive Session (8:05 a.m.)**

- 3.1 Colorado River Interstate and Intra-state matters, including drought contingency planning and demand management
- 3.2 Case No. 2019CW3045, Division 4, Rehoboth Land Partners, LLC
- 3.3 Proposed instream flow appropriations on Disappointment Creek
- 3.4 Recognition and administration of pre-existing uses occurring under C.R.S. § 37-92-102(3)(b)
- 3.5 Fair Labor Standards Act, record keeping and employee benefits
- 3.6 Potential Modifications to the SWCD Programs Coordinator Position, including job duties and benefits
- 3.7 Termination of the SWCD-ALPWCD Cost Sharing Agreement
- 3.8 Local Government Budget Law of Colorado and, in particular, the budget message

**General Session (10:00 a.m.)**

**4.0 Report from Executive Session**

## 5.0 Approve and/or Remove Consent Agenda Items

### 6.0 Consent Agenda (10:05 a.m.)

- 6.1 Approval of Minutes (August 6, September 10)
- 6.2 Approval of Treasurer's Report (August 2019)
- 6.3 2020 SWCD Board Meeting Schedule

### 7.0 Questions and Comments from Audience (10:10 a.m.)

### 8.0 Old Business (10:15 a.m.)

- 8.1 Colorado River matters
  - 8.1.1 Interstate and intra-state matters, including drought contingency planning (DCP) effort and exploration of demand management – Beth Van Vurst, Frank Kugel
  - 8.1.2 Update from CWCB and Attorney General's Office regarding DCP and Demand Management – Lain Leoniak, Brent Newman
  - 8.1.3 West Slope Risk Assessment Phase III – Carrie Padgett, Frank Kugel
  - 8.1.4 Water Bank Working Group – Carrie Padgett, Don Schwindt, Frank Kugel

### 9.0 Reports (11:05 a.m.)

#### 9.1 Partner Updates

<i>CPW</i>	<i>CWCB</i>	<i>DWR</i>	<i>SJCA</i>	<i>TU</i>	<i>USBLM</i>
<i>USBR</i>	<i>USFS</i>	<i>USGS</i>	<i>CRWUA</i>	<i>CWC</i>	<i>WRA</i>
<i>WIP</i>	<i>Kogovsek</i>	<i>CWR&amp;PDA</i>	<i>Roundtable</i>	<i>IBCC</i>	<i>WEco</i>
<i>CC</i>					

- 9.2 Board Member Updates
- 9.3 Hydrologic Conditions Update
- 9.4 Office Update

### Lunch (12:00 p.m.)

### 10.0 Old Business (continued) (12:45 p.m.)

- 10.1 CWCB Proposed Instream Flow Appropriations
  - 10.1.1 Disappointment Creek
  - 10.1.2 2020 Proposed Appropriations in Divisions 4 and 7
- 10.2 Potential changes to C.R.S. §37-83-105 authorizing temporary loans of water for instream flow purposes
- 10.3 Interim Water Resources Review Committee – Update from September Meetings
- 10.4 SWCD Mission and Strategic Planning – Timeline
- 10.5 Review of Proposed Budget FY2020
  - 10.5.1 i-Pads for Electronic Board Packets
  - 10.5.2 USGS Proposal for New Gage
- 10.6 Proposed Personnel Policies

### 11.0 New Business (1:15 p.m.)

- 11.1 Report from Fort Lewis College Water Center – Gigi Richard
- 11.2 Animas River Stakeholders Group, Transition to Bonita Peak CAG – Peter Butler
- 11.3 Formation of Board Committees: Colorado River Issues, Instream Flow Program, State Affairs, Federal Affairs, Budget & Investments, Outreach, Litigation, Personnel
- 11.4 SWCD Appointments
  - 11.4.1 Water Congress State Affairs Committee
  - 11.4.2 Water Congress Federal Affairs Committee
  - 11.4.3 SWCD Appointment to the SW Basin Roundtable
  - 11.4.4 CRWUA, NWRA Representation

- 11.5 Termination of Interim Period Independent Contractor Agreements (Whitehead H2O, Harris Water Engineering)
- 11.6 Proposition DD – Beth Van Vurst
- 11.7 Proposed Revision to 2020 SWCD Grant Program Guidelines
- 11.8 Early termination of the SWCD-ALPWCD Cost Share Agreement
- 11.9 Potential modifications to the SWCD Programs Coordinator Position, including job duties and benefits

**12.0 Engineering Report (2:30 p.m.)**

- 12.1 Upper Colorado & San Juan River Basin Recovery Implementation Programs
- 12.2 Paradox Salinity Unit - Draft Environmental Impact Statement

**13.0 General Counsel Legal Report (2:50 p.m.)**

- 13.1 Case No. 14CW3011, San Luis Valley Water Conservancy District
- 13.2 BLM’s Substitute Water Supply Plan Application for the Treasure Pass Diversion Ditch
- 13.3 Waters of the United States (WOTUS)
- 13.4 Regulation #93 – Colorado’s Section 303(d) List of Impaired Waters, and Monitoring and Evaluation List
- 13.5 July and August Water Court Resume Review (Divisions 3, 4, 7), including ratification of Statement of Opposition in the Application of Rehoboth Land Partners, LLC, Case No. 19CW3045, Water Division 4.

**14.0 Executive Session (continuation of 3.0) (3:00 p.m.)**

**15.0 Adjournment (4:00 p.m.)**

**Upcoming Meetings**

Friday, November 1, 2019	8:30 a.m.	Annual Water Seminar
Thursday, December 5, 2019	9:00 a.m.	Regular Board Meeting/Budget Hearing