

**Southwestern Water Conservation District
Board of Directors Special Meeting & Teleconference
February 26, 2020**

Present: JR Ford† David Guiliam† Rusty Hingert†
Monte Naslund† Jenny Russell† Don Schwindt†
Charlie Smith† Doug Stowe† Bob Wolff†

Staff: Frank Kugel, Southwestern Water Conservation District (SWCD) Executive Director
Laura Spann, SWCD Programs Coordinator

Consultants: Carrie Padgett, Harris Water Engineering†
Beth Van Vurst, Van Vurst Law†

Guests: Ken Curtis, Dolores Water Conservancy District†
Keenan Ertel, Montezuma County Commissioner
Celene Hawkins, The Nature Conservancy
Ed Millard, Southwest Basins Roundtable
Mely Whiting, Trout Unlimited†

†Participated by phone.

1.0 Call to Order

Robert Wolff called the meeting to order at 3:00 p.m. Roll was taken and a quorum was established.

2.0 Review and Approve Agenda

(time: 00:02:00)

There was board consensus to approve the agenda.

3.0 Questions and Comments from Audience

(time: 00:02:15)

There were no public comments or questions.

4.0 Follow-up from prior board discussion re: proposed extension of C.R.S. 37-92-305(3)(c) to Water Conservation Program participants in Water Division 7

(time: 00:02:44)

Frank Kugel summarized the discussion at the February board meeting regarding proposed extension of Water Conservation Program protections for historical consumptive use to Water Division 7. In mid-February, staff and counsel heard concerns and feedback from constituents in Montezuma County regarding the SWCD's board position to support efforts by The Nature Conservancy (TNC) and Trout Unlimited (TU) to amend C.R.S. 37-92-305(3)(c) to protect water conservation program participants in Water Division 7. Frank Kugel and Don Schwindt presented at the Montezuma County Commissioner meeting on February 25th. TNC and TU will not pursue this legislative change during the 2020 legislative session and want to move forward at the pace SWCD prefers. At that meeting, Frank communicated that there would be an opportunity for constituent input at today's teleconference, and then at the April 2nd meeting, there will be the opportunity for further board clarification as to how SWCD will be supporting the effort to amend statute. SWCD will be reaching out to stakeholders in Division 7 to get feedback for April 2nd. There was board and public discussion.

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5.0 Legislative Update & Position on Bills

(time: 00:13:45)

The Colorado Water Congress (CWC) State Affairs Committee met on February 18th and February 24th to discuss water legislation introduced thus far during the 2020 Legislative Session. Frank Kugel and Beth Van Vurst explained the bills, relayed questions, concerns and other feedback that have been raised regarding these bills to the board and referenced the SWCD 2020 Legislative Update dated 2-24-20.

The following bills were discussed: SB20-155 (Keep Presumption Noninjury Well on Divided Land), SB20-159 (Global Warming Potential for Public Project Materials), HB20-1119 (State Government Regulation of PFAS), HB20-1138 (Public Real Property Index), HB20-1172 (No Abandonment of Water Rights for Efficiencies), HB20-1233 (Basic Life Functions in Public Spaces), and HB20-1287 (Colorado Rights Act).

There was board consensus to monitor SB 159 and HB 1119. JR Ford moved to oppose HB 1233 (Basic Life Functions in Public Spaces). Monte Naslund seconded. The motion passed 7-0. Jenny Russell abstained.

6.0 Adjournment

Bob Wolff adjourned the meeting at 3:45 p.m.

Next Meeting

March 11, 2020	9:00am	Special Board Meeting & Teleconference
March 25, 2020	9:00am	Special Board Meeting & Teleconference
April 2, 2020	TBD	Regular Board Meeting
April 3, 2020	8:30am	SWCD Annual Water Seminar



Robert Wolff, Board President