

**Southwestern Water Conservation District
Board of Directors Special Meeting via Zoom
April 27, 2023**

Present: JR Ford Dagan Chad David Guilliams
Kenny Heldman Amy Huff Jenny Russell
Charlie Smith (joined during executive session) Rusty Hinger

Absent: Gerald Koppenhafer

Staff: Mo Rock, Programs Coordinator
Steve Wolff, General Manager

Consultants: Garin Vorthmann, Colorado Legislative Strategies
Beth Van Vurst, General Counsel, Van Vurst Law

Guests: Ken Curtis (Dolores Water Conservancy District), Chris Treese, Ed Millard

1.0 Call to Order – Roll Call and Verification of Quorum

President Jenny Russell called the meeting to order at 11:00 a.m. Roll was taken and a quorum was established.

2.0 Review and Approve Agenda

There was unanimous consent to approve the agenda.

3.0 Executive Session

3.1 Colorado River Interstate and Intrastate Matters, including Colorado River Drought Task Force Bill (SB23-295)

Beth Van Vurst recommended that the board move into executive session for the purpose of discussing agenda item 3.1, Colorado River Interstate and Intrastate Matters, including the Colorado River Drought Task Force Bill (SB23-295). The statutes covering this executive 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,” 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.” State legislative lobbyist Garin Vorthmann was invited to join the executive session. Kenny moved that the board go into executive session. Rusty seconded. The motion passed.

Beth Van Vurst stated that no further record of the executive session need be kept based on her opinion that the discussion will constitute privileged, attorney-client communications.

4.0 Summary and Any Action Items from Executive Session

Beth Van Vurst announced that the board was out of executive session at 11:31 a.m. During the executive session, the board discussed agenda item 3.1, Colorado River Interstate and Intrastate Matters, including the Colorado River Drought Task Force Bill (SB23-295). No action was taken during the executive session.

5.0 Questions & Comments from the Public

There were no questions or comments from the public.

4.0 State Legislative Update & SWCD Position on Bills

Steve Wolff and Garin Vorthmann provided the following state legislative updates:

SB23-295 – Drought Task Force.

- Steve Wolff described the bill. He and Beth are generally okay with this bill, but we would like, and think it would be appropriate for SWCD to have a seat on the tribal sub-task force. We will seek to have the bill amended to reflect that. Additionally, any recommendations from the subtask force must go through or meet the same criteria as interstate administrative needs. Third, they expect to see changes in the makeup of the Senate floor, and we want the ability to react to these.
- Ken Curtis asked a question regarding recent amendments. Additional seats were added to the Task Force for Northern Water Conservancy District and the Southeastern Water Conservancy District (SEWCD). The River District suggests adding two large water agencies, Uncompahgre Valley Water Users Association and Grand Valley Water Users. Southwest should have additional ag representation. Dolores Water Conservancy District (DWCD) may put its own name forward. Steve replied that we have heard the recommendation for more west slope ag from Farm Bureau and others. The board is supportive of seeking to add a member to represent southwestern ag.
- Board is also supportive of SWCD seeking a spot on the tribal sub-task force.
- Rusty Hinger motions to take an amended position to continue to seek balanced representation on the task force for Southwest, including but not limited to a seat on the subtask force. Kenny Heldman Seconds. The motion passes unanimously.

SB23-270 - Stream Restoration (Garin) – Bill has been narrowed in focus. Most people that were in opposition have adjusted to support or neutral. There will certainly be future conversations to address the types of stream restoration activities that were removed from SB23-270.

SB23-313 - Land use bill. Significant amendments are being proposed in the House. House committee hearing is next week.

Public Comment

Ed Millard – wants proportionality (east versus west), and by subbasin. Steve responded that those issues are not part of any amendments being sought but are certainly part of the conversation. (SB23-295)

8.0 Adjournment

President Jenny Russell adjourned the meeting at 11:57 p.m.


Upcoming Meetings

July 12 & 13, 2023

September 14, 2023

Regular Board Meeting

Budget Workshop



Jenny Russel, Board President

Date