

**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

**Wednesday, June 12, 2024
1:00 to 5:00 PM
&
Thursday, June 13, 2024
8:00 AM to Noon**

[Click here to join Zoom](#)

Phone Number: (346) 248 7799

Meeting ID: 835 9975 3537

Password: 474186

Posted and Noticed June 11, 2024

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.

Lunch will be provided to the Board and guests starting at noon on Wednesday.

Wednesday, June 12, 2024

1.0 Call to Order – Roll Call, Verification of Quorum (1:00 PM)

2.0 Review and Approve Agenda (1:02 PM)

3.0 Consent Agenda

3.1 Approval of Minutes (02-29-24 Special Board Meeting, 03-28-24 Special Board Meeting, 04-10-24 Regular Board Meeting)

3.2 Acceptance of Treasurer’s Report; 3/1/24 - 4/30/24

4.0 Approve and/or Remove Consent Agenda Items (1:05 PM)

5.0 General Counsel Legal Report (1:10 PM)

5.1 Monthly Water Court Resume Review (Divisions 3, 4, 7)

6.0 Strategic Plan (1:30 PM)

6.1 Review SWCD's Strategic Plan and recommended updates

6.2 2024-25 SWCD Action Plan

7.0 Staff Reports & Updates (2:00 PM)

7.1 2023 SWCD Audit Report Update – Mo Rock

7.2 Proposed 2025 SWCD Grant Program Guidelines – Mo Rock

7.3 August Board Meeting Discussion – Steve Wolff

7.4 Discussion of Draft Policy on Use of Assigned Fund Balances – Steve Wolff

7.5 General Manager Activities – Steve Wolff

7.6 Programs Coordinator Activities – Mo Rock

7.7 Update on Water Conservation Activities – Steve Wolff and Mo Rock

7.7.1 Water Conservation and Infrastructure Partnership Update

7.7.1.1 Partnership Meetings – May 1, July 30

7.7.1.2 CWCB Technical Assistance Grant

7.7.1.3 WaterSmart Planning & Project Design Grant

7.7.2 Growing Water Smart Workshop

7.7.3 Budget Discussion

8.0 Public Comment

Break (3:20 PM)

9.0 Executive Session (3:40 PM)

9.1 Colorado River Compact, Interstate and Intrastate matters, including Post-2026 Colorado River Guidelines

9.2 Settlement negotiations regarding the Application of Montezuma Valley Irrigation Company, Case No. 18CW3052, Division 7

9.3 Settlement negotiations regarding the Applications of the Bureau of Land Management in Case No. 21CW3014 (Water Division 3) and 21CW3029 (Water Division 7).

10.0 Summary and Action Items from Executive Session (4:55 PM)

10.0 Adjourn (5:00 PM)

Three or more members of the board may meet at Taco Libre for dinner at 6:00 p.m.

Thursday, June 13, 2024

11.0 Call to Order – Roll Call, Verification of Quorum (8:30 AM)

12.0 Review and Approve Agenda (8:32 AM)

13.0 Growing Water Smart Special Presentation (8:35 AM)

Sonoran Institute – Meryl Corbin and Waverly Klaw

14.0 Legislative Affairs (9:00 AM)

14.1 State Legislative Update – Garin Vorthmann

14.1.1 2024 State Legislative Summary

14.1.2 Interim Water Resources Review Committee

14.2 Federal Affairs Update

14.2.1 Ongoing Federal Issues – Christine Arbogast

14.2.2 Update on Good Samaritan Legislation – Ty Churchwell and Peter Butler –

14.2.3 Update on Animas River Natural Resources Damage Stakeholders
– Ty Churchwell and Peter Butler

15.0 Request for Emergency Grant from SWCD (9:45 AM)

15.1 Farmers Water Development Company (\$50,000) – Deana Sheriff

16.0 Hydrology Reports (10:00 AM)

16.1 Colorado River Basin Hydrologic Conditions - Steve Wolff

16.2 Hydrologic Conditions, updates from the Division Engineer for Water Division 7 –Rob Genualdi

16.3 Update from USGS – Kevin Murphy

Break (10:45 AM)

17.0 Partner Updates (11:00 AM)

17.1 Harris Water Engineering – Carrie Padget

17.2 Water Information Program – Elaine Chick

17.3 Southern Ute Indian Tribe - Pete Nylander

17.4 *Colorado Water Conservation Board – Lorelei Cloud – Invited*

18.0 Public Comment

19.0 Executive Session (as needed) (Noon)

20.0 Upcoming Meetings

July 10, 2024	Zoom Call	SWCD Board Update and Audit Acceptance
August 7, 2024	Time/Location TBD	SWCD Board Basin Tour OR Workshop
August 8, 2024	Time/Location TBD	SWCD Regular Board Meeting
September 12, 2024	SWCD Office, Durango	SWCD Budget Workshop

21.0 Adjournment (12:30 PM)

6.0 Strategic Plan



THE SOUTHWESTERN WATER CONSERVATION DISTRICT

Developing and Conserving the Waters in the
SAN JUAN AND DOLORES RIVERS AND THEIR TRIBUTARIES
West Building – 841 East Second Avenue
DURANGO, COLORADO 81301
(970) 247-1302

BOARD MEMORANDUM

From: Steve Wolff and Mo Rock

Subject: Agenda Item 6.0 - Strategic Plan Update and Action Plan

Date: June 4, 2024

Staff recently reviewed the Strategic Plan and are recommending some updates to the document. In addition, staff as prepared an Action Plan for 2024-25 for consideration by the Board. Please see the clean and redline versions of the Strategic Plan following this memo.

The main impetus for the changes to the Strategic Plan was to incorporate the Water Conservation and Infrastructure Partnership Program into the document. Other updates include:

- Updated dates and revenues to show 2024 amounts
- Updated indicators as necessary and to show completed tasks and in progress tasks

We see these changes as minor, and this effort does not encompass a full review of the District's Strategic Plan. We assume a complete review and update of the plan will occur in 2027 which will be 5-years after the original adoption.



“To protect, conserve, and develop waters of the San Juan and Dolores Rivers and their tributaries in Southwestern Colorado, and safeguard for Colorado all waters of the basin to which the state is entitled.”

Southwestern Water Conservation District

Strategic Plan: 2022 – 2026

Adopted: February 17, 2022 – Updated May 2024

Background

The Southwestern Water Conservation District (SWCD) was created on April 16, 1941 by the Colorado General Assembly through House Bill #795 ([CRS 37-47-101 et seq.](#)). SWCD is comprised of all or part of nine counties in southwestern Colorado: Archuleta, Dolores, La Plata, Montezuma, San Juan, San Miguel, and parts of Hinsdale, Mineral, and Montrose. Each Board of County Commissioners appoints one representative to the SWCD Board of Directors, which currently meets at least every other month.

SWCD’s statutory authority is to protect, conserve, use and develop the water resources of the San Juan and Dolores River Basins (Figure 1) for the welfare of the SWCD, and safeguard for Colorado all waters to which the state is entitled. Following this mandate, SWCD has assumed a broad strategic role on behalf of its diverse constituents for more than 80 years. That history is an important part of SWCD, and we plan to document the details of that history in a stand-alone document to be prepared in the future.

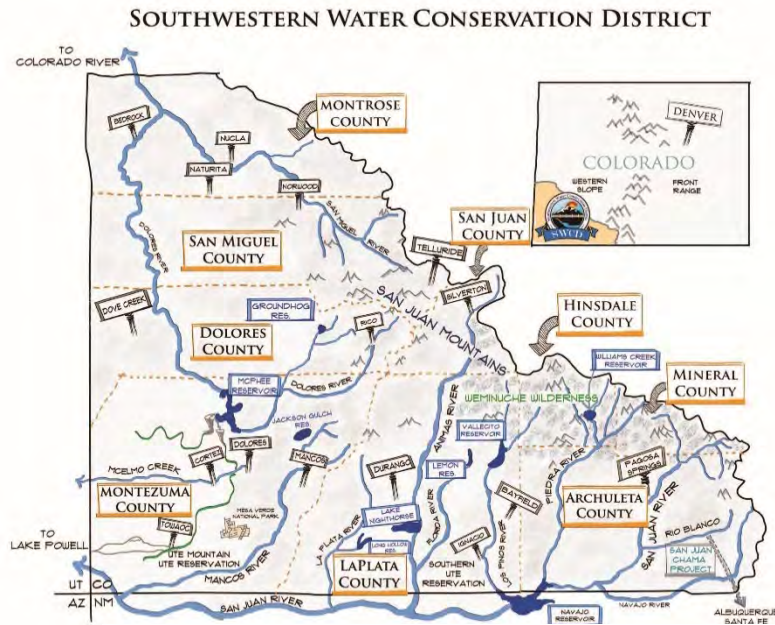


Figure 1. Map of the Southwestern Water Conservation District.

SWCD carries out this essential work thanks to a small tax levied on property within SWCD. For 2024, the Board of Directors adopted a budget showing total revenues of \$2,119,612 with \$2,063,286 in proposed operating expenses. SWCD’s ending fund balance for fiscal year 2023 was \$4,986,893. SWCD currently employs two full-time staff; a general manager, and a programs coordinator. SWCD contracts out for legal, engineering, and other needed professional services.

In 2019, the SWCD Board of Directors initiated discussions about the need to develop a strategic plan. Subsequently, the Board and SWCD staff, with support from Wellstone Collaborative Strategies, have worked to develop this plan.

Strategic priorities

1. In coordination with the appropriate partners, ensure SWCD remains engaged in obtaining, updating and analyzing water supply, demand and quality data necessary to address the water management challenges facing southwest Colorado

Overview: As the demand for water resources increases and supplies simultaneously decline, more innovation and cooperation will be required to continue to manage our water effectively. At the forefront of this is the need for the best possible information on the quantity and quality of our supplies and the demand for those resources. Furthermore, in the face of reduced supplies, SWCD must prepare for inevitably tighter water administration, which only heightens the need for better water data.

SWCD is at ground zero when it comes to climate change and drought in the western United States, necessitating adaptation and resiliency in the face of increasingly hotter and drier conditions. Drought and climate have already impacted agriculture, municipal water supplies, and the environment.

- **Goal 1:** Through SWCD sponsorship and related partnerships, ensure ongoing data collection efforts on water supply, demand, and quality.
 - *Indicator 1:* In 2023, SWCD completed work to better understand intra-district water supply, demand and risks. We now will be working to initiate discussions with local water user entities on future needs and issues based on those findings.
 - *Indicator 2:* Continue to fund and support accurate and increased data collection on water quantity and quality in southwestern Colorado to encourage a common foundation of information for decision-making among diverse interests.
 - *Indicator 3:* By 2024, enhance funding partnerships (state, federal, local, or other) that support drought planning and implementation efforts.
 - *Indicator 4:* By 2026, SWCD is supporting the implementation/development of two to three regional water supply planning efforts for water users and providers at a sub-basin scale.

- **Goal 2:** SWCD and its stakeholders have the necessary data, tools, and agreements in place to understand, adapt to and be resilient in the face of extended drought and climate change.

- *Indicator 1:* Where needed, work to develop or support regional augmentation plans in water-short areas that can be utilized as a tool for climate and drought planning.

2. Lead advocacy for southwest Colorado in Colorado River, interstate, and transmountain issues

Overview: SWCD has a unique and important role to play as one of three entities in state with the statutory charge to safeguard the waters of the Colorado River Basin. As such, a primary goal of SWCD is to protect water for future generations, and interstate Colorado River issues may be one of the greatest threats to water supply certainty. Much of the water development activities in southwest Colorado are relatively recent as compared to some other river basins in Colorado, and there is concern how that may impact those water users. There is uncertainty how that could impact southwest Colorado water users.

Colorado River Basin issues are further exacerbated by a drier future with a decrease in supplies and an imbalance between supply and demand across the entire Colorado River Basin and in several places within SWCD. This priority points directly to our statutory charge to protect, conserve, use and develop the water resources of the San Juan and Dolores River Basins for the welfare of SWCD, and safeguard for Colorado all waters to which the state is entitled.

- **Goal 1:** Waters within SWCD, to the extent possible, are protected for current and future uses.
 - *Indicator 1:* SWCD continues to be engaged and helping to inform Colorado River Basin discussions at the SWCD, state, interstate, and federal levels to protect and advocate for southwestern Colorado's unique risks while leveraging similarities with other river basins in Colorado.
 - *Indicator 2:* Any newly negotiated Colorado River Basin operational guidelines are a product SWCD can support.
 - *Indicator 3:* Continue to monitor activities related to transmountain diversions that may impact the water supply within SWCD's boundaries. Respond accordingly and proportionately.
- **Goal 2:** Continue supporting both the Upper Colorado River and San Juan River Endangered Species Recovery Implementation programs (RIPs).
 - *Indicator 1:* Support the ongoing reauthorization and funding processes for the continued operations of the RIPs for 2024–2031.
 - *Indicator 2:* As appropriate, help facilitate the continued success of both RIPs into the future by remaining an active participant in both programs.

3. Balance meeting multiple water needs amongst a diverse set of priorities, especially when there is potential for conflict or mutual benefit

Overview: Water needs within SWCD are diverse and, in some cases, in conflict. Rather than advocating for any one water interest, SWCD supports balancing needs, being proactive, and identifying opportunities for win-win situations. Specific needs that SWCD hopes to help address through multi-purpose projects and collaborative water management include:

- **Tribal:** Support partnerships to help facilitate meeting tribal water needs.
- **Municipal / domestic water use, especially in small communities:** Try to serve as a resource to smaller communities that have a less certain water supply and/or are in the face of increasing demands.
- **Agriculture:** Agricultural water supplies have also dwindled in some basins due to drought. In addition, some irrigated lands have been subdivided, and the water rights are not being exercised as they were historically. Similarly, there is not as much farming and agricultural water use as there used to be due to generational shifts. There is a need to preserve historic agricultural rights and improve agricultural water conservation tools.
- **Environment:** Having a healthy environment and ensuring that native fish have sufficient clean water to survive is important. The endangered fish species recovery programs and CWCB's instream flow program need to be monitored and supported where appropriate, all the while considering future water development needs. The consumptive needs of the environment, such as cottonwoods and willows, are also important to the region's ecology.
- **Recreation:** The recreational economy, such as boating and fishing, is critical to southwest Colorado communities.
- **Water Quality:** Mine drainage, sediment, and temperature exceedances are specific areas of concern that must be addressed on some stream segments within SWCD.
- **Economic Viability of Local Communities:** Ensure the long-term and sustainable economic viability of our local communities and southwestern Colorado.

Goal 1: Work with and support all stakeholders in water management discussions. Always seek consensus and attempt to minimize potential conflicts through active planning and engagement.

- *Indicator 1:* Support integrated water planning efforts through funding and engagement. As appropriate, meet regularly with local water users to discuss and plan for future water needs. This effort includes understanding the water supply, water rights and water demands in SWCD to meet multiple needs. Scenarios identified in the Southwest Basin Implementation Plan may help guide this effort.
- *Indicator 2:* SWCD will seek to strengthen relationships with the Southern Ute and Ute Mountain Ute Tribes and identify opportunities to partner with on water management issues. Establish regular coordination efforts with Tribal Councils.

- *Indicator 3:* Work collaboratively with the diverse partnerships present in the San Juan and Dolores River basins to support ways to address the multiple sets of water quantity and quality priorities.
- *Indicator 4:* Continue lead role for the Southwest Water Conservation and Infrastructure Partnership efforts.

4. Support investment in improvements to existing and development of new infrastructure, as well as water conservation projects, for multiple uses and users in southwest Colorado

Overview: There is a significant amount of aging infrastructure that requires evaluation, rehabilitation, and reinvestment. The challenges and costs to rebuild and repair are considerable. Yet it is important for maximizing storage, ensuring agricultural deliveries, enhancement of native fish and ecological restoration needs, and supplying municipal needs for communities that this infrastructure be restored and maintained.

Deteriorating agricultural ditches, diversions, and reservoirs need to be repaired and improved. Moreover, efficiency in agricultural water deliveries is a critical issue in record dry hydrologic conditions.

Municipal infrastructure must upgrade water and wastewater treatment to keep up with new water quality regulations. In addition, some municipal water supplies needed for future growth are not fully secured. Several small rural municipalities in southwest Colorado do not have adequate domestic water supply for dry summers. SWCD can support these communities evaluate their supply gaps, implement strategies to address their needs, and seek state funding.

Additional water storage may be a valuable tool for southwestern Colorado, particularly in drier hydrologic conditions. Maximizing existing storage within SWCD can involve activities such as dredging, expanding storage at existing reservoirs, rehabilitating existing dams that have fallen into disrepair or no longer meet public safety standards, and securing and constructing new storage facilities. Several aging reservoirs within SWCD are under storage restrictions to protect the public, and the costs for their repair and rehabilitation are major challenges to continue their operation. SWCD should serve as a key local advocate for state and federal funding to support these much-needed projects.

And finally, under a severe climate scenario, southwest Colorado's risk for natural disasters is greatly increased. Forest fires can have devastating impacts on reservoirs, run-off, and water quality. SWCD is expected to have increased damage due to wildfires. SWCD must remain involved in forest health discussions, to support the connections to water supply conditions.

- **Goal 1:** Water infrastructure restoration needs, water supply planning, conservation and protection opportunities are identified.
 - *Indicator 1:* Ensure that opportunities brought by the 2021 infrastructure bill are realized, which will entail working with federal, state and local entities to identify and develop projects worthy of funding
 - *Indicator 2:* Ensure SWCD’s grant program prioritizes use of funds to leverage state and federal dollars to maximize the benefit of our resources to meet the goals of SWCD.
 - *Indicator 3:* *Indicator 4:* Continue lead role for the Southwest Water Conservation and Infrastructure Partnership efforts.

5. Strengthen the continued professional and efficient operation of SWCD while building a culture of mutual trust and respect

Overview: Building and maintaining a culture of mutual trust and respect among SWCD staff, Board members, consultants, and stakeholders is essential to developing consensus around unifying goals, enhancing partnerships, engendering the engagement of relevant stakeholders, and ultimately advancing SWCD’s mission. SWCD’s internal culture must serve as an example of how our partners, stakeholders, and even adversaries are treated. SWCD’s internal operations must be trustworthy as well, with continued responsible fiscal management, a culture of public transparency in our operations, and a constant effort of “customer service”.

Professionalism is the foundation for building an internal culture of respect and trust, as it empowers SWCD representatives to stay focused on their common goals, undeterred by unrelated issues that derail progress and distract from the SWCD’s statutory obligations to its constituents. For example, having clear staff job descriptions, director responsibilities, and fluid communication with SWCD consultants ensures that expectations of each team member’s contributions are clear.

With SWCD’s lean budget and limited capacity, Board, staff, and consultant commitment to efficiency is critical to achieving SWCD’s other strategic priorities. Improving operational efficiency starts with the development of this strategic plan, which will guide the SWCD team in focusing its efforts and budgeted resources toward identified priorities and related outcomes. Efficiencies can also be sought in small ways, such as seeking improved, cost-effective office management techniques or implementing standing policies to guide financial management so the Board can focus on water policy and advocacy.

- **Goal 1:** Increase professionalism by establishing clear expectations for the SWCD’s team.
 - *Indicator 2:* By 2025, adopt director responsibilities and board code of conduct.
 -
- **Goal 2:** Align SWCD resources and activities with strategic plan priorities.
 - *Indicator 1:* Board and staff annually review and update, as needed, strategic plan.
 - *Indicator 2:* Continue to evaluate SWCD staffing needs with the Board.

- *Indicator 3:* Ensure budgeted resources are directed towards strategic plan priorities.
- *Indicator 4:* Further improve coordination and utilization of SWCD consultant team to ensure agility and efficiency.
- **Goal 3:** Facilitate inclusive conversations, prioritize transparency, and seek active stakeholder input for strategic Board decisions.
 -
 - *Indicator 1:* SWCD Board meetings will be led by the president in a clear fashion that encourages Board engagement, allows space for public participation, and facilitates board consensus on key decisions.
 - *Indicator 2:* SWCD staff will ensure that Board agendas and materials (as appropriate) are available for public review and time allowed for public comment and participation.

6. Cultivate SWCD credibility with decisionmakers and public through targeted outreach efforts

Overview: SWCD’s policy efforts are effective when its voice and mission are easily identified by local and state decisionmakers, as well as its constituents. Building SWCD’s name recognition and credibility will require prioritizing public outreach to brand SWCD as southwest Colorado’s water expert and the “go-to” on water policy in our corner of the state. While the SWCD maintains a group of interested supporters, focused outreach can expand our base constituency, increase communication and collaboration with key partners, and generally improve visibility of SWCD’s work with the public. Moreover, strengthening SWCD’s digital communication infrastructure will prepare its efforts to convey advocacy messages or other urgent information to key leaders and constituents.

Furthermore, any public entity should be able to clearly justify to taxpayers its value and need. In that sense, public outreach reinforces SWCD accountability to constituents by regularly reporting SWCD activities, policy positions, and goals directly to them. Increased outreach would also seek to meet the public’s expectations regarding accessibility in the digital age by entering the communications spaces they engage with regularly. Finally, should a future board wish to request a tax increase from voters, SWCD will be better positioned having already implemented key outreach strategies.

- **Goal 1: Increase** SWCD mission recognition and credibility with target audiences.
 - *Indicator 1:* By 2025, SWCD staff have developed and presented to the Board for consideration an “elevator speech” and tagline that adequately summarizes SWCD’s work.
- **Goal 2: Develop** and operate a SWCD outreach program that can provide information, education and support to water users across the basin.
 - *Indicator 1:* Continue to provide educational opportunities and information on targeted topics to the public via the Annual Water Seminar, Fall Connections Program, Children’s Water Festival, Nine Basins Bulletin and other avenues.

Southwestern Water Conservation District
 Strategic Plan: 2022 – 2026
Adopted: February 17, 2022 – Updated May 2024

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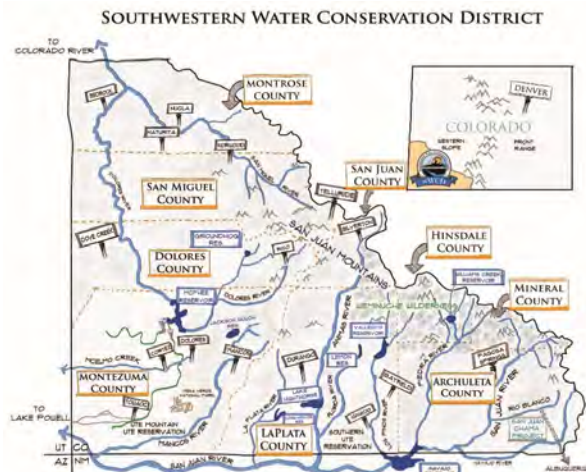


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- *Indicator 2:* SWCD will seek to strengthen relationships with the Southern Ute and Ute Mountain Ute Tribes and identify opportunities to partner with on water management issues. Establish regular coordination efforts with Tribal Councils.
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- *Indicator 4:* Continue lead role for the Southwest Water Conservation and Infrastructure Partnership efforts.

4. Support investment in improvements to existing and development of new infrastructure, as well as water conservation for projects, for multiple uses and users in southwest Colorado

Overview: There is a significant amount of aging infrastructure that requires evaluation, rehabilitation, and reinvestment. The challenges and costs to rebuild and repair are considerable. Yet it is important for maximizing storage, ensuring agricultural deliveries, enhancement of native fish and ecological restoration needs, and supplying municipal needs for communities that this infrastructure be restored and maintained.

Deteriorating agricultural ditches, diversions, and reservoirs need to be repaired ~~and~~ improved. Moreover, efficiency in agricultural water deliveries is a critical issue in record dry hydrologic conditions.

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Additional water storage may be a valuable tool for southwestern Colorado, particularly in drier hydrologic conditions. Maximizing existing storage within SWCD can involve activities such as

dredging, expanding storage at existing reservoirs, rehabilitating existing dams that have fallen into disrepair or no longer meet public safety standards, and securing and constructing new storage facilities. Several aging reservoirs within SWCD are under storage restrictions to protect the public, and the costs for their repair and rehabilitation are major challenges to continue their operation. SWCD should serve as a key local advocate for state and federal funding to support these much-needed projects.

And finally, under a severe climate scenario, southwest Colorado's risk for natural disasters is greatly increased. Forest fires can have devastating impacts on reservoirs, run-off, and water quality. The SWCD is expected to have increased ~~damages~~ damage due to wildfires. SWCD must remain involved in forest health discussions, to support the connections to water supply conditions.

- **Goal 1:** Water infrastructure restoration needs, as well as water supply planning, conservation and protection opportunities are identified.
 - *Indicator 1:* Ensure that opportunities brought by the 2021 infrastructure bill are realized, which will entail working with federal, state and local entities to identify and develop projects worthy of funding
 - *Indicator 2:* Ensure SWCD's grant program prioritizes use of funds to leverage state and federal dollars to maximize the benefit of our resources to meet the goals of SWCD.
 - ~~○ *Indicator 3:* SWCD will continue to participate in forest health initiatives and collaboratives to understand and advocate for benefits to water supply and quality.~~
 - *Indicator 3:* Indicator 4: Continue lead role for the Southwest Water Conservation and Infrastructure Partnership efforts.

5. Strengthen the continued professional and efficient operation of SWCD while building a culture of mutual trust and respect

Overview: Building and maintaining a culture of mutual trust and respect among SWCD staff, Board members, consultants, and stakeholders is essential to developing consensus around unifying goals, enhancing partnerships, engendering the engagement of relevant stakeholders, and ultimately advancing SWCD's mission. SWCD's internal culture must serve as an example of how our partners, stakeholders, and even adversaries are treated. SWCD's internal operations must be trustworthy as well, with continued responsible fiscal management, a culture of public transparency in our operations, and a constant effort of "customer service".

Professionalism is the foundation for building an internal culture of respect and trust, as it empowers SWCD representatives to stay focused on their common goals, undeterred by unrelated issues that derail progress and distract from the SWCD's statutory obligations to its constituents. For example, having clear staff job descriptions, director responsibilities, and fluid communication with SWCD consultants ensures that expectations of each team member's contributions are clear.

With SWCD's lean budget and limited capacity, Board, staff, and consultant commitment to efficiency is critical to achieving SWCD's other strategic priorities. Improving operational efficiency starts with the development of this strategic plan, which will guide the SWCD team in focusing its efforts and budgeted resources toward identified priorities and related outcomes. Efficiencies can also be sought in small ways, such as seeking improved, cost-effective office management techniques or implementing standing policies to guide financial management so the Board can focus on water policy and advocacy.

- **Goal 1:** Increase professionalism by establishing clear expectations for the SWCD's team.
 - ~~Indicator 1: By 2022, review and update staff job descriptions and implement an effective performance evaluation process.~~
 - Indicator 2: By 202~~5~~³, adopt director responsibilities and board code of conduct.
 - ~~Indicator 3: By 2022, the board will consider adoption of a SWCD investment policy to ensure appropriate financial management of its funds.~~

- **Goal 2:** Align SWCD resources and activities with strategic plan priorities.
 - Indicator 1: Board and staff annually review and update, as needed, strategic plan.
 - ~~Indicator 2: Continue to evaluate By 2022, review and discuss~~ SWCD staffing needs with the Board.
 - Indicator 3: ~~Starting in 2023,~~ Ensure budgeted resources are directed towards strategic plan priorities.
 - Indicator 4: Further improve coordination and utilization of SWCD consultant team to ensure agility and efficiency.

- **Goal 3:** Facilitate inclusive conversations, prioritize transparency, and seek active stakeholder input for strategic Board decisions.
 - ~~Indicator 1: Seek to return to in-person board meetings as soon as practicable while pursuing enhanced avenues for Board and stakeholders' engagement in the virtual world.~~
 - ~~Indicator 12:~~ SWCD Board meetings will be led by the president in a clear fashion that encourages Board engagement, allows space for public participation, and facilitates board consensus on key decisions.
 - Indicator 2: SWCD staff will ensure that Board agendas and materials (as appropriate) are available for public review and time allowed for public comment and participation.

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6. Cultivate SWCD credibility with decisionmakers and public through targeted outreach efforts

Overview: SWCD’s policy efforts are effective when its voice and mission are easily identified by local and state decisionmakers, as well as its constituents. Building SWCD’s name recognition and credibility will require prioritizing public outreach to brand SWCD as southwest Colorado’s water expert and the “go-to” on water policy in our corner of the state. While the SWCD maintains a group of interested supporters, focused outreach can expand our base constituency, increase communication and collaboration with key partners, and generally improve visibility of SWCD’s work with the public. Moreover, strengthening SWCD’s digital communication infrastructure will prepare its efforts to convey advocacy messages or other urgent information to key leaders and constituents.

Furthermore, any public entity should be able to clearly justify to taxpayers its value and need. In that sense, public outreach reinforces SWCD accountability to constituents by regularly reporting SWCD activities, policy positions, and goals directly to them. Increased outreach would also seek to meet the public’s expectations regarding accessibility in the digital age by entering the communications spaces they engage with regularly. Finally, should a future board wish to request a tax increase from voters, SWCD will be better positioned having already implemented key outreach strategies.

- **Goal 1:** Increase SWCD mission recognition and credibility with target audiences.
 - *Indicator 1:* By 2025, SWCD ~~Board, staff, and consultants~~ have developed and presented to the Board for consideration agreed upon an “elevator speech” and tagline that adequately summarizes SWCD’s work.
 - ~~Indicator 2: By 2023, SWCD Board and staff have identified target audiences to deliver the agreed upon message of SWCD’s work and credibility on various policy matters.~~
 - ~~Indicator 3: By 2024, SWCD staff has prioritized and begun implementing a suite of selected strategies to reach target audiences.~~

- **Goal 2:** Develop and operate a SWCD outreach program that can provide information, education and support to water users across the basin.
 - *Indicator 1:* ~~Compile and write history of the SWCD~~Continue to provide educational opportunities and information on targeted topics to the public via the Annual Water Seminar, Fall Connections Program, Children’s Water Festival, Nine Basins Bulletin and other avenues.

Accompanying documents to the Strategic Plan:

~~**Action Plan:** An annual work plan for SWCD staff and Board. Developed each year by staff and submitted to the Board for approval each year at the December Board meeting. Action Plan should be informed by and back up annual budget. 2022 Action Plan is being developed.~~

~~**Strategic Plan “One-Pager”:** One page document that shows Strategic Priorities and Goals. Primarily used as a “quick reference” for Board, staff and others. (Attached)~~

Southwestern Water Conservation District

2024-25 Draft Action Plan

Proposed to the SWCD Board on June 12, 2024

SP #1: In coordination with the appropriate partners, ensure SWCD remains engaged in obtaining, updating, and analyzing water supply, demand, and quality data necessary to address the water management challenges facing southwest Colorado.

1. Work with Wright Water Engineers (WWE) to develop “public” packages for each of the nine SWCD subbasins on the water supply and demand risk analysis recently completed. This will be used to present at local public meetings.
2. Continue to evaluate the SWCD stream-gaging funding program, including identifying additional local, state, and federal partners to support current efforts.
3. Assess the possibility of financially supporting additional Colorado Airborne Snow Measurement (CASM) work within the SWCD.
4. Work with partners to upgrade equipment for our three cloud seeding programs.

SP #2: Lead advocacy for southwest Colorado in Colorado River, interstate, and trans mountain issues.

1. SWCD staff will stay engaged in Colorado River interstate discussions. This includes within Colorado (Colorado Water Conservation Board and Colorado River District), Upper Division States (via Upper Colorado River Commission), and the seven basin states as appropriate.
2. Monthly review of water court resumes (Divisions 3, 4 & 7) to identify water applications that need further evaluation and possible action by SWCD.
3. Support efforts to reauthorize and adequately fund the Upper Colorado River and San Juan River Endangered Species Recovery Implementation Programs (RIPs).

SP #3: Balance meeting multiple water needs amongst a diverse set of priorities, especially when there is potential for conflict or mutual benefit.

1. Continue coordinating pertinent activities with representatives of the Southern Ute Indian Tribe and Ute Mountain Ute Tribe and seek regular involvement of tribal representatives at SWCD Board meetings.
2. SWCD staff to continue efforts to develop the Southwest Water Conservation and Infrastructure and Partnership Program.

SP #4: Support investment in improvements to existing and development of new infrastructure for multiple uses in southwest Colorado.

1. Through the Southwest Colorado Water Conversation and Infrastructure Partnership Program, seek federal funding to support identified needs within SWCD.



2. Stay involved in forest health discussions by supporting the authorization of the Agriculture Improvement Act of 2018 (commonly known as the Farm Bill) and pertinent funding elements of the legislation.

SP #5: Strengthen the continued professional and efficient operation of SWCD while building a culture of mutual trust and respect.

1. For the 2024 budget, SWCD will continue to work to align the priorities identified in the strategic plan and the allocation of funds in its budget.
2. SWCD staff, with the General Counsel, will work to ensure we have proper contracts in place for all consultants and related work efforts.
3. By the end of 2025, SWCD staff, with support from the General Counsel, will review all district policies and determine what needs to be updated and what new policies may be needed.

SP #6: Cultivate SWCD credibility with decision-makers and the public through targeted outreach efforts.

1. With support and coordination from the Board, SWCD staff shall continually seek opportunities to interact with and maintain good working relationships with elected officials at the local, state, and federal levels as well as with District water users and constituent groups, including water conservancy districts, the Southwest Basin Roundtable, and county commissioners.
2. Continue to provide educational opportunities and information on targeted topics to the public via the Annual Water Seminar, Fall Connections Program, Children's Water Festival, Nine Basins Bulletin and other avenues.
3. SWCD staff will continue the dissemination of the Nine Basin Bulletin newsletter.
4. SWCD staff will look where and how SWCD could improve our social media footprint to engage new audiences, share events, and create a more comprehensive online presence.

7.0 Staff Reports and Updates



THE SOUTHWESTERN WATER CONSERVATION DISTRICT

Developing and Conserving the Waters in the
SAN JUAN AND DOLORES RIVERS AND THEIR TRIBUTARIES
West Building – 841 East Second Avenue
DURANGO, COLORADO 81301
(970) 247-1302

BOARD MEMORANDUM

From: Mo Rock
Subject: Agenda Item 7.1 – SWCD Audit Report Update
Date: June 6, 2024

As a Local Government, SWCD is required to submit an annual audit. The 2023 audit must be filed with the State by July 31st, 2024. Fredrick Zink and Associates are performing the annual audit.

Fredrick Zink and Associates will provide a draft Audit report to staff by June 28th. Staff will provide initial feedback and mail or electronically send the report to the Board of Directors for their review. On July 10th, at the SWCD Special Board meeting at 12:00 pm, FZA will present the audit.



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(970) 247-1302

BOARD MEMORANDUM

From: Mo Rock and Steve Wolff
Subject: Agenda Item #7.2 - Grant Guideline Update 2025
Date: June 4, 2024

This memorandum overviews the updates staff recommends for the 2025 grant program, detailed in the redline and clean documents provided. It also raises additional questions for consideration and discussion by the Board. Most edits were to update the dates and move the application deadline sooner to accommodate a longer overview process that will include the Board of Directors.

Topics for discussion from previous board meetings:

- Updating the Emergency Request Bucket to add yearly and five-year maximums.
- Adding a Measurement Device Bucket to help address water users' requirements under the upcoming DWR Division 7 Measurement Rules.

Emergency Request Bucket:

- Currently set to only use unspent funds.
- A maximum of \$50,000 per applicant (new).
- Could be moved to assigned funds (Water Development) and have its own set of criteria.

Measurement Device Bucket:

- Can be added to the existing grant program, or funding from the assigned funds (Water Development) could be used.
- The Board would need to set criteria as to total funding, annual and five-year max.

THE SOUTHWESTERN WATER CONSERVATION DISTRICT

Developing and Conserving the Waters of the
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IN SOUTHWESTERN COLORADO

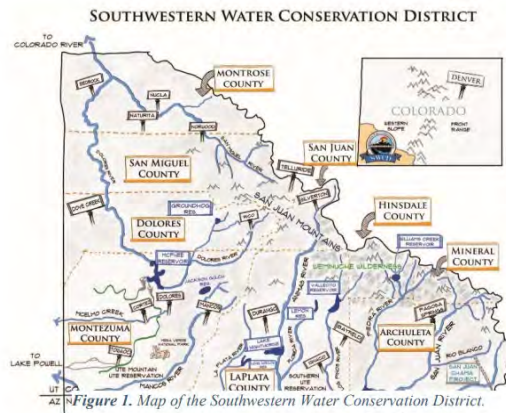
2025 GRANT PROGRAM GUIDELINES

Southwestern Water Conservation District Background

The Southwestern Water Conservation District (“SWCD”) is a political subdivision of the State that was established by the Colorado General Assembly in 1941 to protect, conserve, use, and develop the water resources of the San Juan and Dolores River Basins as well as to safeguard all waters to which the state of Colorado is equitably entitled.¹ SWCD periodically offers financial assistance in the form of grants to qualified entities², that are carrying out projects consistent with SWCD’s statutory purposes. Funding for this program is subject to SWCD’s discretion, annual budget, and appropriation process. The Board retains the right, in its sole discretion, to approve, reduce, or deny any grant request.

Before applying, please ensure you can answer “yes” to each of the following questions:

- Are you a qualified entity²?
- Are you located within the SWCD’s boundaries?
- Is the project anticipated to start and finish in 2024?
- Are you providing cash or in-kind match of at least 25% of the total project cost?
- Is the SWCD grant request for less than 50% of the total project cost?
- Have you spoken with SWCD staff (Mo Rock, 970-247-1302) about the project and grant application before submission?



¹ See C.R.S. § 37-47-101 through -151

² See “Additional Requirements” for definition

General Program Information

For the 2025 grant program, applications may be submitted from **August 1st through November 7th, 2025**. Applicants are encouraged to submit their application as early as possible so that there is adequate time to work with SWCD staff to ensure that the application meets all requirements in advance of the November 7th deadline. Generally, funding decisions on grant applications will be made by the SWCD Board at its first regularly scheduled meeting of 2025 (generally held in February).

Emergency Grant Requests: The deadlines provided above apply to routine grant requests and can be modified to address emergencies. Examples of Emergency Requests include but are not limited to: flood events causing damage to diversion or measurement structures, catastrophic canal or pipeline failure that prevents the delivery of water, spillway or dam failure, regulatory restrictions, wildfire impacts including post-fire runoff, and other impacts, and toxic spills. Contact SWCD staff directly if this occurs to discuss submitting an emergency grant application.

SWCD annually anticipates receiving grant requests well over the available funds. The maximum amount of money potentially available from SWCD in the 2025 calendar year for all grant recipients is listed in the table below.

Grant Funding Category	<u>Proposed 2025 Funds Available</u> <i>Total Grant Program \$250,000</i>	<u>Annual Max Grant</u> <i>Request per Applicant per Category</i>	<u>Five-Year Max</u> <i>Grant Funds received per Applicant per Category</i>
Water Supply/Watershed Restoration: Water supply or watershed restoration or enhancement projects, including design, engineering, and construction	\$120,000	\$60,000	\$120,000
Public Forums/Studies: Public forums, workgroups, studies, planning efforts	\$50,000	\$20,000	\$40,000
Education: Teaching seminars, workshops, and related programs	\$25,000	\$10,000	\$20,000
Measurement Devices	See memo in Board packet.	See memo in Board packet	See memo in Board packet
Emergency requests	See memo in Board packet	See memo in Board packet	See memo in Board packet

If, as part of budget development for the upcoming fiscal year, the board adjusts the total grant program funding available, funding allocations by category will be adjusted proportionally or based on Board recommendations.

Any member of SWCD's Board of Directors or Staff with a financial or property interest in a grant request will disclose any such interest or any other conflict of interest and recuse themselves from participating in any recommendation, vote, or decision-making process related to that grant request.

Additional Requirements

Eligibility:

SWCD will only consider grant requests from “qualified entities” for (1) development or improvement of water supply and watershed restoration or enhancement projects, including related design, engineering, and construction, (2) studies and facilitating stakeholder involvement in water-related matters, including water quality, (3) educational purposes, including teaching seminars, workshop, and related programs, and (4) emergency situations. “Qualified entities” are defined by statute to include any public entity, non-profit corporation, not-for-profit corporation, carrier ditch company, mutual ditch or reservoir company, unincorporated ditch or reservoir company, or cooperative association within the boundaries of SWCD.³ All projects, studies, and program grants will be limited to “raw” or untreated water supplies, except as provided below. Only projects or portions of projects located within the SWCD's boundaries are eligible for grant funding.

SWCD will **not** consider grant requests or funding for;

- a. Completed Projects; however, the board may make an exception for projects completed within the past six months arising from the emergencies;
- b. Municipal or domestic drinking water projects that do not qualify as a “public water system,” which is defined for the purposes of these guidelines to mean any system that does not have a public water system ID number with the state of Colorado;
- c. Any part of a municipal or domestic “public water system” which is unrelated to raw water storage or delivery. Applications for eligible portions of the public water system should include the state ID number for the system;
- d. Wastewater treatment projects;
- e. Legal fees or payroll costs. SWCD will not pay an employee's salary or hourly wages but may consider paying for crew or seasonal work as it pertains to the specific project described in the grant proposal. If your project includes salary or hourly wages for employees, please identify them as a separate line item in the proposed

³ C.R.S. § 37-47-107(1)(j.5).

- budget and explain how you will pay for those costs without using SWCD grant funds. If you're wanting to apply funding to crew or seasonal project work please identify this in your application, extra documentation may be required by the Board to approve such requests. Paying for an employee's time will be at the discretion of the board;
- f. Grant administration costs; or
 - g. Weed management projects, although consideration will be given to programs that specifically remove phreatophytes if the Applicant demonstrates it has a plan, including funding, for appropriate revegetation and ongoing maintenance.

Matching Contributions

SWCD will not award a grant for more than 50% of the total project costs,⁴ and Applicants must demonstrate that they are actively contributing to the project for which they are requesting a grant. Any grant approval and release of funds will be contingent on the recipient demonstrating that they have secured funding for the remaining total project costs.

In addition, Applicants or beneficiaries of the proposed project must also demonstrate that they will provide, through a cash contribution and/or in-kind goods or services, at least 25% of the total project costs (in other words, half of the matching funds)⁵. Applications proposing the use of in-kind goods and services as all or a portion of the required matching contribution must provide detailed information identifying the time and valuation (at an hourly or total project rate) of in-kind contributions. The Board may, at their discretion, consider previous expenditures directly related to the proposed project as matching contributions if those expenditures occurred within six months of the grant application deadline.

Non-profit, or non-governmental organizations, serving on behalf of a broad group of local constituents that do not receive tax revenues and do not have opportunities for third-party contributions for the project, may request a reduction of the match requirement to 10% of the total project cost (subject to approval by the Board) by garnering and documenting strong community or watershed support for the project.

Limits on Grant Funding

The amount of funding each “qualified entity” may receive from SWCD is further limited to the following:

- a. Recipients of grants for the development or improvement of water-related projects may not receive more than \$60,000 in a single year or a total of \$120,000 in any given five-year period.

⁴ For multi-phase projects, “total project costs” shall mean all costs related to the particular phase of the project for which the Applicant is requesting funding.

⁵ The Applicant’s 25% match cannot be met through a loan from SWCD, additionally multi-phase projects, “total project costs” shall mean all costs related to the particular phase of the project for which the Applicant is requesting funding.

- b. Recipients of grants for participation in public forums and the performance of studies may not receive more than \$20,000 in any single year or a total of \$40,000 in any given five-year period.
- c. Recipients of grants for educational purposes may not receive more than \$10,000 in a single year or a total of \$20,000 in any given five-year period.

Additional funds, outside of SWCD's grant program, may be available through SWCD's loan program. Please review the Loan section below or contact SWCD staff to find out more about SWCD's loan program.

Application Instructions and Process

Completion of SWCD's application is required for SWCD to consider grant requests.. The Board will not consider applications that do not meet the minimum requirements. To ensure consideration for funding by SWCD, please apply for a grant before the water project, study or educational program has been initiated. Please use the following application:

Each application should be typed (preferred) or printed legibly and include, at a minimum, the required information indicated by an asterisk, *, and all applications and supporting documentation must be submitted in a single .pdf file. Applications submitted in multiple files will not be considered.

Please attach additional sheets as necessary to fully answer any question to assure that all information that might be helpful in evaluating your application is considered. Please return the **signed copy** of the application to Southwestern Water Conservation District and retain a copy for your records. Please submit to the following address or email: Southwestern Water Conservation District, 841 E. 2nd Avenue, Durango, CO 81301, *or* morock@swgcd.org. Once your grant application is received, it will be reviewed by SWCD staff to ensure that it meets the minimum requirements before consideration by the Board.

The Board will review and consider grant applications at the first Regular Board meeting in 2025. Applicants are encouraged to attend the meeting at which the funding requests will be considered, either in person or virtually, so that they can provide a brief summary of their grant request and answer questions that may arise. The Board requests a thorough, completed application form be submitted in lieu of a formal presentation.

For questions about the application or board meeting, please contact SWCD staff by phone (970-247-1302) or e-mail (morock@swgcd.org). For your reference, agendas are generally posted to the swgcd.org website one week prior to regular board meetings.

Evaluation Criteria

Grant proposals will be evaluated based on how well the proposed project, study, or educational request carries out the purposes, mission, and strategic priorities of SWCD. The Board will give special consideration to grant proposals that further the use or protection of pre-compact water rights and the development of Colorado River Compact entitlements as well as educational-related requests that complement or otherwise further SWCD's existing programs.

Furthermore, Applicants must demonstrate adequate shareholder assessments and reserves for ongoing operation, maintenance, and repair of their infrastructure. The Board will give favorable consideration to grant proposals from Applicants that are proactively and financially planning for their own future needs.

Fund Disbursement

Once a grant application has been reviewed and approved by the Board, a request for the release of grant funds may be made during 2025. If the Applicant will not be able to use the funds in that year, please contact the SWCD office as soon as possible.

For grant funds to be released, the Applicant must complete the following tasks:

1. Sign the "Document of Understanding" that accompanies the grant approval letter;
2. Complete a "Request for Release of Funds" form found on the [website](#);
3. Provide written documentation that all committed matching funds have been secured;
4. Provide written documentation that the Applicant continues to be a qualified entity

The signature of the Applicant's authorized representative on the "Request for Release of Funds" form indicates that the funds are needed at that time and that the Applicant ensures and verifies that the funds are only being used for the specific purpose(s) described in the application and amount(s) indicated in SWCD's grant approval letter. The Applicant agrees to allow SWCD to display a public notice identifying the project or activity as being partially funded by the SWCD. Additional documentation may be requested at SWCD's discretion before the release of funds.

In the event the project, study, or program for which the grant was awarded ultimately comes in under budget, the grant recipient must return a pro-rata portion of the remaining funds to SWCD within 45 days of completion. For example, if the completed project, study, or program is \$20,000 under budget and SWCD contributed 20% of the total anticipated project costs, then the grant recipient must return \$4,000 (20% of \$20,000) to SWCD.

Changing the Use of Funds

If the Board approves funding for the application, and at a future date the intended use of funds changes, please notify staff as soon as possible. Board review and approval of the change is necessary. Otherwise, SWCD requires reimbursement of funds.

Grant Extension Requests

If the Board approves funding for the application, and completion of the project, study, program, or other grant-funded task has not occurred in 2025, the Applicant must submit a written grant extension request to SWCD Staff describing the progress to date and the projected timeline for completion. At that time, Staff may elect to approve a one-year extension.

Grant extensions are usually limited to one year. However, the Board may approve grant extensions of more than one year, the Applicant may be required to submit a new application, or if funds have already been disbursed, the Board may request that the funds be returned.

Annual Reporting Requirement

If the Board approves funding for the application, the Applicant must provide a written report and/or supporting documentation of the work accomplished no later than December 31, 2025. This written report will include a detailed accounting of the use of funds including supporting documentation for any expenses incurred, as well as a detailed outline of the total project budget spent. Additional documentation may be requested at the discretion of SWCD. See sample final reports at swwcd.org. If the Applicant cannot submit the final report by the deadline, they must submit a written request for an extension of time to SWCD staff prior to December 31, 2025, which explains the reporting delay and a proposed final submittal date. The Board will not consider future grant requests from Applicants that do not comply with this provision or submit an unacceptable final report.

Loans

Loans and/or loan-grant packages may be approved for water-related projects or construction, studies, educational programs, and sponsorships. The terms and security for payment will be determined at the time the loan is approved. All documents required by SWCD for the loan shall be executed before SWCD will release the approved loan amount. Documents that SWCD, at its sole discretion, may require to include, but may not be limited to, a loan agreement, promissory note, deed of trust for real property, and/or a uniform commercial code financing statement for personal property.

THE SOUTHWESTERN WATER CONSERVATION DISTRICT
 Developing and Conserving the Waters of the
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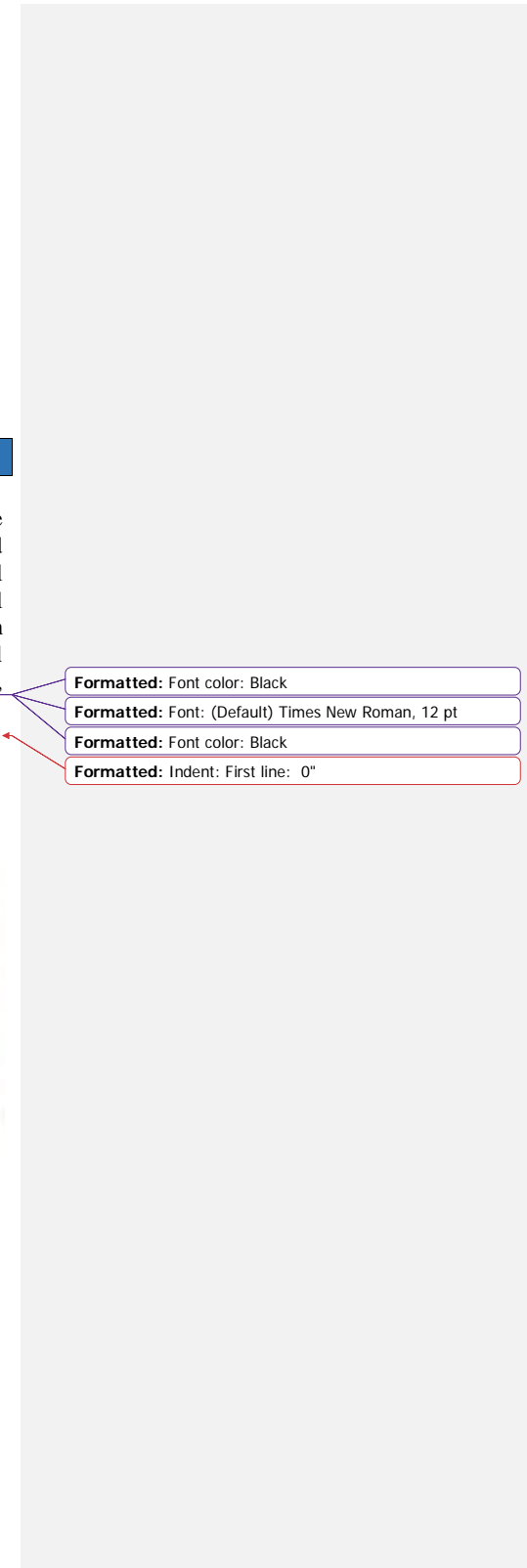
2025 GRANT PROGRAM GUIDELINES (DRAFT)

Southwestern Water Conservation District Background

The Southwestern Water Conservation District (“SWCD”) is a political subdivision of the State that was established by the Colorado General Assembly in 1941 to protect, conserve, use, and develop the water resources of the San Juan and Dolores River Basins as well as to safeguard all waters to which the state of Colorado is equitably entitled.¹ SWCD periodically offers financial assistance in the form of grants to qualified entities², that are carrying out projects consistent with SWCD’s statutory purposes. Funding for this program is subject to SWCD’s discretion, annual budget, and appropriation process. The Board retains the right, in its sole discretion, to approve, reduce, or deny any grant request.

Before applying, please ensure you can answer “yes” to each of the following questions:

- Are you a qualified entity²?
- Are you located within the SWCD’s boundaries?
- Is the project anticipated to start and finish in 2024?
- Are you providing cash or in-kind match of at least 25% of the total project cost?
- Is the SWCD grant request for less than 50% of the total project cost?
- Have you spoken with SWCD staff (Mo Rock, 970-247-1302) about the project and grant application before submission?



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¹ See C.R.S. § 37-47-101 through -151
² See “Additional Requirements” for definition

General Program Information

For the 202~~3~~⁴ grant program, applications may be submitted from **August 1st through November 7~~th~~th, 202~~3~~⁴**. Applicants are encouraged to submit their application as early as possible so that there is adequate time to work with SWCD staff to ensure that the application meets all requirements in advance of the ~~November 17~~ **November 7**th deadline. ~~Applications received after November 17th, 2023 will not be considered.~~ Generally, funding decisions on grant applications will be made by the SWCD Board at its first regularly scheduled meeting of 2025 (generally held in February).

Emergency Grant Requests: The deadlines provided above apply to routine grant requests and can be modified to address emergencies. Examples of Emergency Requests include but are not limited to: flood events causing damage to diversion or measurement structures, catastrophic canal or pipeline failure that prevents the delivery of water, spillway or dam failure, regulatory restrictions, wildfire impacts including post-fire runoff, and other impacts, and toxic spills. Contact SWCD staff directly if this occurs to discuss submitting an emergency grant application.

SWCD annually anticipates receiving grant requests well over the available funds. The maximum amount of money potentially available from SWCD in the 202~~3~~⁴ calendar year for all grant recipients is listed in the table below.

Grant Funding Category	<u>Proposed 2023⁴</u> <u>Funds Available</u> <i>Total Grant Program \$250,000</i>	<u>Annual Max Grant</u> <i>Request per Applicant per Category</i>	<u>Five-Year Max</u> <i>Grant Funds received per Applicant per Category</i>
Water Supply/Watershed Restoration: Water supply or watershed restoration or enhancement projects, including design, engineering, and construction	\$150,000	\$50,000	\$100,000
Public Forums/Studies: Public forums, workgroups, studies, planning efforts	\$75,000	\$25,000	\$50,000
Education: Teaching seminars, workshops, and related programs	\$25,000	\$10,000	\$20,000
Measurement Devices	See memo in Board packet.		
Emergency requests	<u>unrequested funds</u>	N/A \$50,000 or <u>unrequested funding</u>	N/A \$50,000

		<u>remaining</u> <u>(whichever is lower)</u>	
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If, as part of budget development for the upcoming fiscal year, the board adjusts the total grant program funding available, funding allocations by category will be adjusted proportionally or based on Board recommendations.

Any member of SWCD’s Board of Directors or Staff with a financial or property interest in a grant request will disclose any such interest or any other conflict of interest and recuse themselves from participating in any recommendation, vote, or decision-making process related to that grant request.

Additional Requirements

Eligibility:

SWCD will only consider grant requests from “qualified entities” for (1) development or improvement of water supply and watershed restoration or enhancement projects, including related design, engineering, and construction, (2) studies and facilitating stakeholder involvement in water-related matters, including water quality, (3) educational purposes, including teaching seminars, workshop, and related programs, and (4) emergency situations. “Qualified entities” are defined by statute to include any public entity, non-profit corporation, not-for-profit corporation, carrier ditch company, mutual ditch or reservoir company, unincorporated ditch or reservoir company, or cooperative association within the boundaries of SWCD.³ All projects, studies, and program grants will be limited to “raw” or untreated water supplies, except as provided below. Only projects or portions of projects located within the SWCD’s boundaries are eligible for grant funding.

SWCD will **not** consider grant requests or funding for;

- a. Completed Projects; however, the board may make an exception for projects completed within the past six months arising from the emergencies;
- b. Municipal or domestic drinking water projects that do not qualify as a “public water system,” which is defined for the purposes of these guidelines to mean any system that does not have a public water system ID number with the state of Colorado;
- c. Any part of a municipal or domestic “public water system” which is unrelated to raw water storage or delivery. Applications for eligible portions of the public water system should include the state ID number for the system;
- d. Wastewater treatment projects;

³ C.R.S. § 37-47-107(1)(j.5).

- e. Legal fees or payroll costs. SWCD will not pay an employee's salary or hourly wages but may consider paying for crew or seasonal work as it pertains to the specific project described in the grant proposal. If your project includes salary or hourly wages for employees, please identify them as a separate line item in the proposed budget and explain how you will pay for those costs without using SWCD grant funds. If you're wanting to apply funding to crew or seasonal project work please identify this in your application, extra documentation may be required by the Board to approve such requests. Paying for an employee's time will be at the discretion of the board;
- f. Grant administration costs; or
- g. Weed management projects, although consideration will be given to programs that specifically remove phreatophytes if the Applicant demonstrates it has a plan, including funding, for appropriate revegetation and ongoing maintenance.

Matching Contributions

SWCD will not award a grant for more than 50% of the total project costs,⁴ and Applicants must demonstrate that they are actively contributing to the project for which they are requesting a grant. Any grant approval and release of funds will be contingent on the recipient demonstrating that they have secured funding for the remaining total project costs.

In addition, Applicants or beneficiaries of the proposed project must also demonstrate that they will provide, through a cash contribution and/or in-kind goods or services, at least 25% of the total project costs (in other words, half of the matching funds)⁵. Applications proposing the use of in-kind goods and services as all or a portion of the required matching contribution must provide detailed information identifying the time and valuation (at an hourly or total project rate) of in-kind contributions. The Board may, at their discretion, consider previous expenditures directly related to the proposed project as matching contributions if those expenditures occurred within six months of the grant application deadline.

Non-profit, or non-governmental organizations, serving on behalf of a broad group of local constituents that do not receive tax revenues and do not have opportunities for third-party contributions for the project, may request a reduction of the match requirement to 10% of the total project cost (subject to approval by the Board) by garnering and documenting strong community or watershed support for the project.

Limits on Grant Funding

⁴ For multi-phase projects, "total project costs" shall mean all costs related to the particular phase of the project for which the Applicant is requesting funding.

⁵ The Applicant's 25% match cannot be met through a loan from SWCD, additionally multi-phase projects, "total project costs" shall mean all costs related to the particular phase of the project for which the Applicant is requesting funding.

The amount of funding each “qualified entity” may receive from SWCD is further limited to the following:

- a. Recipients of grants for the development or improvement of water-related projects may not receive more than \$60,000 in a single year or a total of \$120,000 in any given five-year period.
- b. Recipients of grants for participation in public forums and the performance of studies may not receive more than \$20,000 in any single year or a total of \$40,000 in any given five-year period.
- c. Recipients of grants for educational purposes may not receive more than \$10,000 in a single year or a total of \$20,000 in any given five-year period.

Additional funds, outside of SWCD’s grant program, may be available through SWCD’s loan program. Please review the Loan section below or contact SWCD staff to find out more about SWCD’s loan program.

Application Instructions and Process

Completion of SWCD’s application is required for SWCD to consider grant requests.. The Board will not consider applications that do not meet the minimum requirements. To ensure consideration for funding by SWCD, please apply for a grant before the water project, study or educational program has been initiated. Please use the following application:

~~[General Application for Financial Assistance 2024](#)[General Application for Financial Assistance 20245](#)~~

Each application should be typed (preferred) or printed legibly and include, at a minimum, the required information indicated by an asterisk, *, and all applications and supporting documentation must be submitted in a single .pdf file. Applications submitted in multiple files will not be considered.

Please attach additional sheets as necessary to fully answer any question to assure that all information that might be helpful in evaluating your application is considered. Please return the **signed copy** of the application to Southwestern Water Conservation District and retain a copy for your records. Please submit to the following address or email: Southwestern Water Conservation District, 841 E. 2nd Avenue, Durango, CO 81301, *or morock@swgcd.org*. Once your grant application is received, it will be reviewed by SWCD staff to ensure that it meets the minimum requirements before consideration by the Board.

The Board will review and consider grant applications at the first Regular Board meeting in 202~~5~~⁴. Applicants are encouraged to attend the meeting at which the funding requests will be considered, either in person or virtually, so that they can provide a brief summary of their grant request and

answer questions that may arise. The Board requests a thorough, completed application form be submitted in lieu of a formal presentation.

For questions about the application or board meeting, please contact SWCD staff by phone (970-247-1302) or e-mail (morock@swwcd.org). For your reference, agendas are generally posted to the swwcd.org website one week prior to regular board meetings.

Evaluation Criteria

Grant proposals will be evaluated based on how well the proposed project, study, or educational request carries out the purposes, mission, and strategic priorities of SWCD. The Board will give special consideration to grant proposals that further the use or protection of pre-compact water rights and the development of Colorado River Compact entitlements as well as educational-related requests that complement or otherwise further SWCD's existing programs.

Furthermore, Applicants must demonstrate adequate shareholder assessments and reserves for ongoing operation, maintenance, and repair of their infrastructure. The Board will give favorable consideration to grant proposals from Applicants that are proactively and financially planning for their own future needs.

Fund Disbursement

Once a grant application has been reviewed and approved by the Board, a request for the release of grant funds may be made during 2023-24. If the Applicant will not be able to use the funds in that year, please contact the SWCD office as soon as possible.

For grant funds to be released, the Applicant must complete the following tasks:

1. Sign the "Document of Understanding" that accompanies the grant approval letter;
2. Complete a "Request for Release of Funds" form found on the [website](#);
3. Provide written documentation that all committed matching funds have been secured;
4. Provide written documentation that the Applicant continues to be a qualified entity

The signature of the Applicant's authorized representative on the "Request for Release of Funds" form indicates that the funds are needed at that time and that the Applicant ensures and verifies that the funds are only being used for the specific purpose(s) described in the application and amount(s) indicated in SWCD's grant approval letter. The Applicant agrees to allow SWCD to display a public notice identifying the project or activity as being partially funded by the SWCD. Additional documentation may be requested at SWCD's discretion before the release of funds.

In the event the project, study, or program for which the grant was awarded ultimately comes in under budget, the grant recipient must return a pro-rata portion of the remaining funds to SWCD

within 45 days of completion. For example, if the completed project, study, or program is \$20,000 under budget and SWCD contributed 20% of the total anticipated project costs, then the grant recipient must return \$4,000 (20% of \$20,000) to SWCD.

Changing the Use of Funds

If the Board approves funding for the application, and at a future date the intended use of funds changes, please notify staff as soon as possible. Board review and approval of the change is necessary. Otherwise, SWCD requires reimbursement of funds.

Grant Extension Requests

If the Board approves funding for the application, and completion of the project, study, program, or other grant-funded task has not occurred in 202~~5~~⁴, the Applicant must submit a written grant extension request to SWCD Staff describing the progress to date and the projected timeline for completion. At that time, Staff may elect to approve a one-year extension.

Grant extensions are usually limited to one year. However, the Board may approve grant extensions of more than one year, the Applicant may be required to submit a new application, or if funds have already been disbursed, the Board may request that the funds be returned.

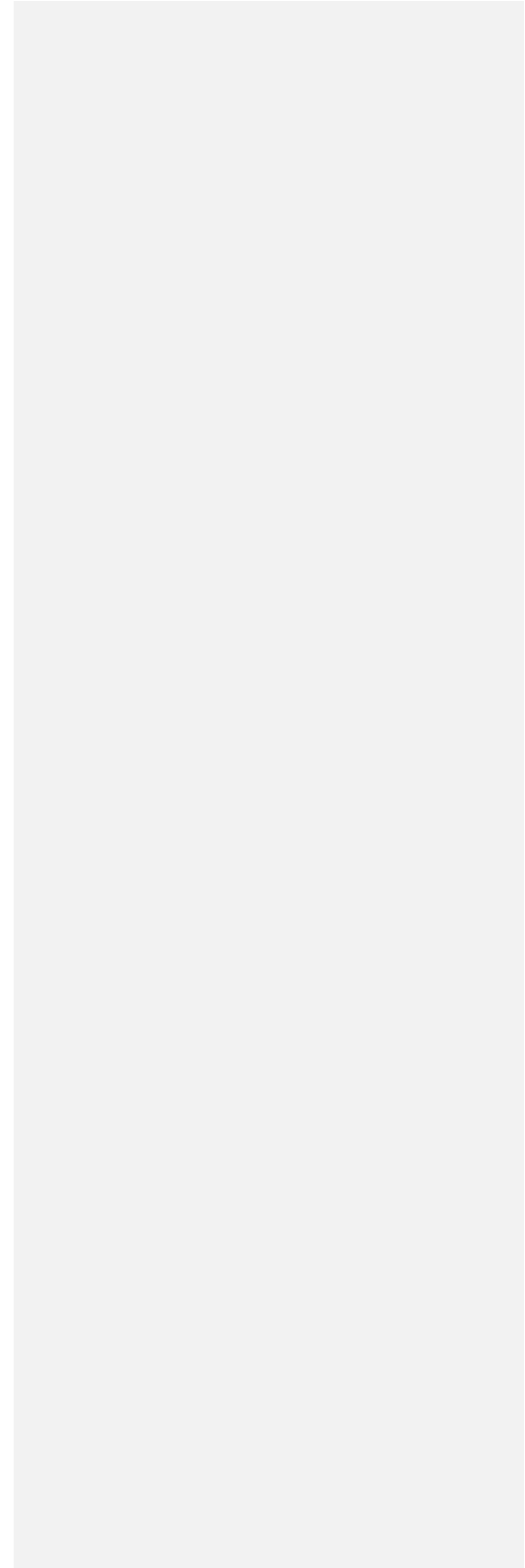
Annual Reporting Requirement

If the Board approves funding for the application, the Applicant must provide a written report and/or supporting documentation of the work accomplished no later than December 31, 202~~5~~⁴. This written report will include a detailed accounting of the use of funds including supporting documentation for any expenses incurred, as well as a detailed outline of the total project budget spent. Additional documentation may be requested at the discretion of SWCD. See sample final reports at swgcd.org. If the Applicant cannot submit the final report by the deadline, they must submit a written request for an extension of time to SWCD staff prior to December 31, 202~~5~~⁴, which explains the reporting delay and a proposed final submittal date. The Board will not consider future grant requests from Applicants that do not comply with this provision or submit an unacceptable final report.

Loans

Loans and/or loan-grant packages may be approved for water-related projects or construction, studies, educational programs, and sponsorships. The terms and security for payment will be determined at the time the loan is approved. All documents required by SWCD for the loan shall be executed before SWCD will release the approved loan amount. Documents that SWCD, at its

sole discretion, may require to include, but may not be limited to, a loan agreement, promissory note, deed of trust for real property, and/or a uniform commercial code financing statement for personal property.





THE SOUTHWESTERN WATER CONSERVATION DISTRICT

Developing and Conserving the Waters in the
SAN JUAN AND DOLORES RIVERS AND THEIR TRIBUTARIES
West Building – 841 East Second Avenue
DURANGO, COLORADO 81301
(970) 247-1302

BOARD MEMORANDUM

From: Steve Wolff and Mo Rock
Subject: Agenda Item 7.3 - August Board Meeting
Date: June 4, 2024

This memorandum is to overview the August Board Meeting location and topics. Historically, late summer SWCD Board meetings were held away from the SWCD office in Durango. Last year, SWCD held their meeting in Telluride (Mountain Village).

Would the Board like to meet at an alternate location, and if so, where?

Once a location is determined for the August meeting, we will also have to decide if we'd like to take a tour of that area. We hope to decide on things ASAP so we can move forward on logistics.

Another option in place of a tour would be to hold another Board workshop (½ day). A possible topic could be financial management and funding issues in the coming years. This will be discussed in more detail during Agenda Item 7.4.

Past Meeting Locations

2023: San Miguel County; Evening Tour of Trout Lake

2022: La Plata County; Lower Animas and La Plata Tour

2019: Montezuma County; Dolores/McElmo Basin (UMU Farm & Ranch)

2017: Mineral/Archuleta County; San-Juan Chama Project

2016: Montrose County; Lower Dolores River



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BOARD MEMORANDUM

From: Steve Wolff, General Manager
Subject: Agenda Item 7.5 - General Manager Activities
Date: June 4, 2024

This memo is provided with the intent of keeping the Board of Directors informed of some of my more relevant activities/meetings between each regular board meeting that are not ongoing or regular duties. This memo covers the period from late February through early June 2024.

- 2/22-23/24 Attended Upper Colorado River Commission (UCRC) work meeting in Salt Lake City
- 2/27/24 Attended Interbasin Compact Committee (IBCC) meeting in Denver
- 3/13/24 Met with San Juan Water Conservancy District Board
- 3/19/24 Presented Colorado River issues to local interest group
- 3/22/24 Held a UCRC Engineering Committee meeting in Salt Lake City
- 3/24/24 Met (on Durango – Silverton train) with CU Natural Resource Policy graduate students to discuss local water issues.
- 4/12/24 Held an accounting subcommittee meeting of the UCRC Engineering Committee in Denver.
- 5/2/24 Met with Montezuma Valley Irrigation Company to discuss our water court case.
- 5/3/24 Met with Forest Lakes Metro District to discuss funding issues.

5/8/24 With General Counsel, met with Colorado River District General Manager and General Counsel in Glenwood Springs to discuss common issues.

5/13-17/24 Took PTO.

5/5/24 Provided a “Welcome” to the 7-State Colorado River Basin Salinity Control Forum meeting in Durango.

Upcoming

6/18/24 Will attend IBCC meeting in Durango.

6/25/24 Will attend UCRC work session meeting in Cheyenne.

6/26/24 Will attend 307th Meeting of the UCRC in Cheyenne.



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BOARD MEMORANDUM

From: Mo Rock
Subject: Agenda Item 7.6 - Programs Coordinator Update
Date: June 6, 2024

This memo is being provided to update the Board on the various water conservation activities the Programs Coordinator has been focused on in recent months that are not addressed in other agenda items.

WEco Board Meeting:

Mo Rock traveled to Denver to attend the May 10th WEco Board of Trustees Spring Meeting. The meeting was a full day and included FY24 Program Updates for publication and digital resources, education and leadership programs, freshwater news, and outreach programs. The meeting dove into the strategic vision of WEco, the financial future, and some specific programs like Project WET and WEN. During lunch, the board toured the Denver Water Quality Lab located at the Colorado State Spur Campus. Overall, the event was a great opportunity for networking and engaging in education. Upcoming events for WEco include the President's Reception, which takes place on September 5th and is WEco's largest fundraiser of the year. I will be on the lookout for auction items if you have any ideas, or connections with organizations that would be interested in sponsoring Water Education Colorado.

Arkansas River Basin Tour:

Mo Rock attended the WEco annual basin tour in the Arkansas River Basin. The agenda and some photos from the tour are attached.



2024 Upper Arkansas River Basin Tour

June 4-5, 2024

Tour Itinerary

Day 1 - June 4, 2024

7:00-7:30am Meet at Comfort Inn - 315 E Rainbow Blvd US 50, Salida, CO 81201
Check in with WEco, Get Nametag, Pick up Tour Materials

7:30am Pre-Tour Introductions

Discussion Topic

Share your name, organization, and what you hope to get out of the tour

8:00am Load Bus for 8:10 Departure to Johnsons Village Collegiate Peaks Overlook

Thank You To Our Bus Sponsor: CoBank

Discussion Topics

Introduction to Water Education Colorado and tour objectives

Speakers

Jayla Poppleton, Executive Director, Water Education Colorado

Sabrina Scherma, Programs Director, Water Education Colorado

Discussion Topics

Overview of the Arkansas River Basin's geography, hydrological characteristics, and water uses, with a focus on the Upper Arkansas. Water administration challenges and priorities in the Upper Arkansas, including connection to interstate compacts and implications for management

Speakers

Greg Felt, Arkansas River Basin Representative to the Colorado Water Conservation Board and Chaffee County Commissioner

Rachel Zancanella, Division 2 Engineer, Colorado Division of Water Resources



8:45am Arrive at Johnsons Village Collegiate Peaks Overlook

Discussion Topics

Connections between surface and groundwater management in the Arkansas Basin, and the water administration tools used in an over-appropriated basin. Understand the role of the Upper Arkansas Water Conservancy District, and a proposed project to use alluvial groundwater recharge to provide additional augmentation for groundwater wells.

Speakers

Rachel Zancanella, Division 2 Engineer, Colorado Division of Water Resources
Greg Felt, Arkansas River Basin Representative to the Colorado Water

9:20am Load Bus for 9:30am Departure for Turquoise Reservoir, Passing Through Hayden Meadows Recreation Area

Discussion Topics

Envision Chaffee County initiative and what Chaffee County is doing regarding water administration, outdoor recreation management, agriculture, forest health, and more.

The history of land acquisition and preservation, led by the Lake County Open Space Initiative, to create the Hayden Meadows Recreation Area, to provide public recreation opportunities along the Arkansas River; connections to Lake County economic development and other initiatives.

Speakers

Greg Felt, County Commissioner, Chaffee County
Bryce Ehrlich, Water Resource Program Manager, Lake County

10:20am Arrive at Turquoise Reservoir, Boustead Tunnel Overlook

Discussion Topics

Overview of Fryingpan-Arkansas Project history, infrastructure, operations and beneficiaries, including the role of Boustead Tunnel.

Overview of the Homestake Project history, infrastructure, operations and beneficiaries, plus evolving plans for Homestake II.

Gain understanding of the role of transmountain diversions in the Arkansas River Basin, plus impacts to basins of origin.



Speakers

Chris Woodka, Senior Policy and Issues Manager, Southeastern Colorado Water Conservancy District

April Long, Executive Director, Ruedi Water and Power Authority

Kim Gortz, Project Manager Source Water Protection, Colorado Springs Utilities

Rick Kienitz, Water Resources Manager, Aurora Water

11:05am Load Bus for 11:10am Departure for Lunch

Thank You To Our Bus Sponsor: Colorado Springs Utilities

Kim Gortz, Project Manager Source Water Protection

11:25am Lunch at Leadville Ice Palace Park

Thank You To Our Lunch Sponsor: Upper Arkansas Water Conservancy District

11:55am Load Bus for 12:00pm Departure for California Gulch Superfund Site

Discussion Topics

Networking

12:15pm Arrive at California Gulch Superfund Site

Discussion Topics

History of heavy metals contamination due to mining that resulted in EPA superfund site designation, remediation efforts and their effectiveness in improving water quality to support the longest stretch of Gold-medal fishing waters in the state.

Speaker

Linda Kefir, Project Manager, California Gulch Superfund Site, U.S. Environmental Protection Agency

Jenelle Stefanic, Water Treatment Supervisor, Leadville Tunnel Treatment Plant, U.S. Bureau of Reclamation

12:55pm Load Bus for 1:05pm Departure for Twin Lakes Reservoir and the Mt. Elbert Power Plant

Thank You To Our Lunch Sponsor: Northern Water

Brian Craig, Water Resources Engineer



1:30pm Arrive at Twin Lakes Reservoir and Mt. Elbert Power Plant

Discussion Topics

Twin Lakes Reservoir's role in three transmountain diversion projects; Tour the Mt. Elbert Power Plant and understand its unique function and operational challenges as a pumped storage plant for hydropower generation.

Speakers

Anna Perea, Public Affairs Specialist, U.S. Bureau of Reclamation
Christopher Longaker, Facility Manager, Mt. Elbert Power Plant, U.S. Bureau of Reclamation
Will Huston, Powerplant Supervisor II, Mt. Elbert Power Plant, U.S. Bureau of Reclamation

2:45pm Load Bus for 2:55pm Departure for the Homestake Arkansas River Diversion

Discussion Topics

How the Roaring Fork River feeds Twin Lakes, the broader system Twin Lakes receives water from, and the impact of the Twin Lakes Diversion on the Upper Roaring Fork through Aspen.

Speaker

April Long, Executive Director, Ruedi Water and Power Authority

3:10pm Arrive at the Homestake Arkansas River Diversion

Discussion Topics

The function of the Homestake Arkansas River Diversion, the purpose and process of diversion reconstruction, and the benefits to river function, recreation and fish passage.

Speaker

Kim Gortz, Water Resources Manager, Colorado Springs Utilities

3:35pm Load Bus for 3:45pm Departure for Otero Pump Station

Discussion Topics

Networking



4:00pm Arrive at Otero Pump Station

Discussion Topics

Tour the pump station and learn about its role in the broader Homestake transmountain diversion system; how the project supplies the cities of Aurora and Colorado Springs, including by diverting both native Arkansas River water and transmountain water.

Speakers

Tom Hankins, Superintendent, Homestake Water Project
Aaron Griggs, Operations and Maintenance Supervisor, Homestake Water Project

5:05pm Load Bus for 5:15pm Departure for downtown Salida

Discussion Topics

Browns Canyon National Monument and the efforts that led to designation, via the Antiquities Act, in 2015.

Speaker

Jill Ozarski, Program Officer - Environmental Program, Walton Family Foundation

6:05pm Arrive in Salida at the Scout Hut for Dinner

Thank You To Our Presenting Sponsors: Chaffee County and Lake County

PT Wood, Chair, Chaffee County Board of Commissioners
Bryce Ehrlich, Water Resource Program Manager, Lake County

Discussion Topics

Salida's whitewater park, including its history, how it was developed, acquisition and function of the Recreational In-Channel Diversions (RICD) water right; Park use and maintenance, and the economic impact to the city.

Speaker

Mike Harvey, Planner and Project Manager, Recreation Engineering and Planning, City of Salida

7:45pm Load Bus for 7:55pm Departure for Comfort Inn and Browns Canyon Inn



Day 2 - June 5, 2024

Tour attendees, to maximize your time at the end of the day we'll be trying to load onto the bus faster than yesterday. Please be considerate of people's travel home at the end of the day!

7:00am **Check out of Comfort Inn and Browns Canyon Inn**

7:20am **Load Bus for 7:30am Departure for Five Points Campground**

Discussion Topics

The role of the Arkansas Basin Roundtable and its priority projects as identified in the Basin Implementation Plan, including forest health.

Speaker

Mark Shea, Chair, Arkansas Basin Roundtable and Watershed Planning Supervisor, Colorado Springs Utilities

8:20am **Arrive at Five Points Campground**

Discussion Topics

Recreational use on the Arkansas River, the role of the Arkansas Headwaters Recreation Area, low-head dam removal along the river corridor, and how the unique Voluntary Flow Management Program operates to collaboratively improve flow conditions for both recreation and fisheries.

Speakers

Tom Waters, Park Manager, Arkansas Headwaters Recreation Area, Colorado Parks and Wildlife

Paul Foutz, Senior Aquatic Biologist, Southeast Region, Colorado Parks and Wildlife

Bob Hamel, Executive Director, Arkansas River Outfitters Association

8:55am **Load Bus for 9:00am Departure for the Cañon City Hydraulic Ditch**

Discussion Topic

Networking



9:25am Arrive at the Cañon City Hydraulic Ditch

Discussion Topics

Quick orientation to Cañon City water infrastructure visible in the area; history and use of the Hydraulic Ditch; current issues for ditches related to stormwater management.

Speakers

Travis Payne, Water Superintendent, City of Cañon City
Mannie Colon, President, Hydraulic Ditch

9:50am Load Onto Bus for 9:55am Departure for Cañon City Whitewater Recreation Park

Discussion Topic

Networking

10:00am Arrive at the Cañon City Whitewater Recreation Park

Discussion Topics

Development and use of the whitewater recreation park plus its role in economic development for Cañon City.

Speakers

Emily Tracy, Cañon City Council Member
Chris Moffett, Director, Royal Gorge RIO
Andy Neinas, Owner, Echo Canyon River Expeditions

10:35am Load Bus for 10:40am Departure for Lake Pueblo State Park Visitor Center

Thank You To Our Bus Sponsor: Southeastern Colorado Water Conservancy District

Chris Woodka, Senior Policy and Issues Manager

Thank You To Our Lunch Sponsor: Southwestern Water Conservation District

Monika Rock, Programs Coordinator

Discussion Topics

Pueblo West's water supply, conditions, and challenges.

Speakers

Jim Blasing, Director of Utilities, Pueblo West Metropolitan District



11:30am Arrive at Lake Pueblo State Park Visitor Center for Lunch

Thank You To Our Lunch Sponsor: Pueblo Water
Alan Ward, Division Manager of Water Resources

Discussion Topics
State park management and use; aquatic nuisance species management.

Speaker
Joe Stadterman, Park Manager, Lake Pueblo State Park, Colorado Parks and Wildlife

12:25pm Load Bus for 12:30pm departure for Pueblo Dam and Hydropower Plant

Discussion Topics
Networking

12:35pm Arrive at Pueblo Dam and James W. Broderick Hydropower Plant

Discussion Topics
Pueblo Reservoir Dam construction and function; Pueblo Reservoir storage accounts and the complexities of accounting, including exchanges; management of the hydropower plant and power generation; and purpose and plans for the Arkansas Valley Conduit.

Speakers
Mike Holmberg, Facility Manager, Pueblo Dam and Field Office, U.S. Bureau of Reclamation
Chris Woodka, Senior Policy and Issues Manager, Southeastern Colorado Water Conservancy District

1:10pm Load Bus for 1:15pm departure for the Southern Delivery System Juniper Pump Station

Discussion Topics
Networking



1:20pm Arrive at the Southern Delivery System's Juniper Pump Station

Discussion Topics

The Southern Delivery System and how it functions to deliver Arkansas River water north from Pueblo Reservoir to Colorado Springs.

Speakers

Garret Richard, Operations Supervisor - Juniper Pump Station, Colorado Springs Utilities

Kim Gortz, Project Manager Source Water Protection, Colorado Springs Utilities

1:45pm Load Bus for 1:50pm Departure for the Pueblo State Fish Hatchery

Discussion Topic

Networking

1:55pm Arrive at the Pueblo State Fish Hatchery

Discussion Topics

Colorado Parks and Wildlife's network of fish hatcheries and use of fish husbandry for both native and sport fish; the Pueblo State Fish Hatchery's history and operations plus challenges that being located in Pueblo pose to the operation.

Speakers

Jeff Spohn, Hatchery Chief - Pueblo State Fish Hatchery, Colorado Parks and Wildlife

Quentin Springer, Manager - Pueblo State Fish Hatchery, Colorado Parks and Wildlife

Katie Rohwer, Wildlife Technician III - Pueblo State Fish Hatchery, Colorado Parks and Wildlife



2:50pm **Load Bus for 3:00pm Departure for Salida - Note, Please Use the Bathroom Before We Depart!**

Thank You To Our Bus Sponsor: Aurora Water
Rick Kienitz, Water Resources Manager

Discussion Topics

Downstream challenges and approaches to water transfers including the Bessemer Farmland Conservation Project, Aurora Water's proposed exchanges, and more.

Speakers

Matt Heimerich, Former Crowley County Commissioner and Water Education Colorado Board Member

Rick Kienitz, Water Resources Manager, Aurora Water

Chris Woodka, Senior Policy and Issues Manager, Southeastern Colorado Water Conservancy District

5:00pm **Return to Comfort Inn, Tour Ends**

Water Education Colorado Upper Arkansas River Basin Tour Staff, Speakers, and Participants

Staff

First Name	Last Name	Job Title	Current Employer	Email
Jayla	Poppleton	Executive Director	Water Education Colorado	jayla@wateredco.org
Sabrina	Scherma	Programs Director	Water Education Colorado	sabrina@wateredco.org
Tess	Koskovich	Marketing, Communications, and Outreach Manager	Water Education Colorado	tess@wateredco.org
Elizabeth	Schoder	Water Supply Planning Seciton Lead - GIS, Environment & Engagement	Colorado Water Conservation Board, and WEco Board Member	elizabeth.schoder@state.co.us

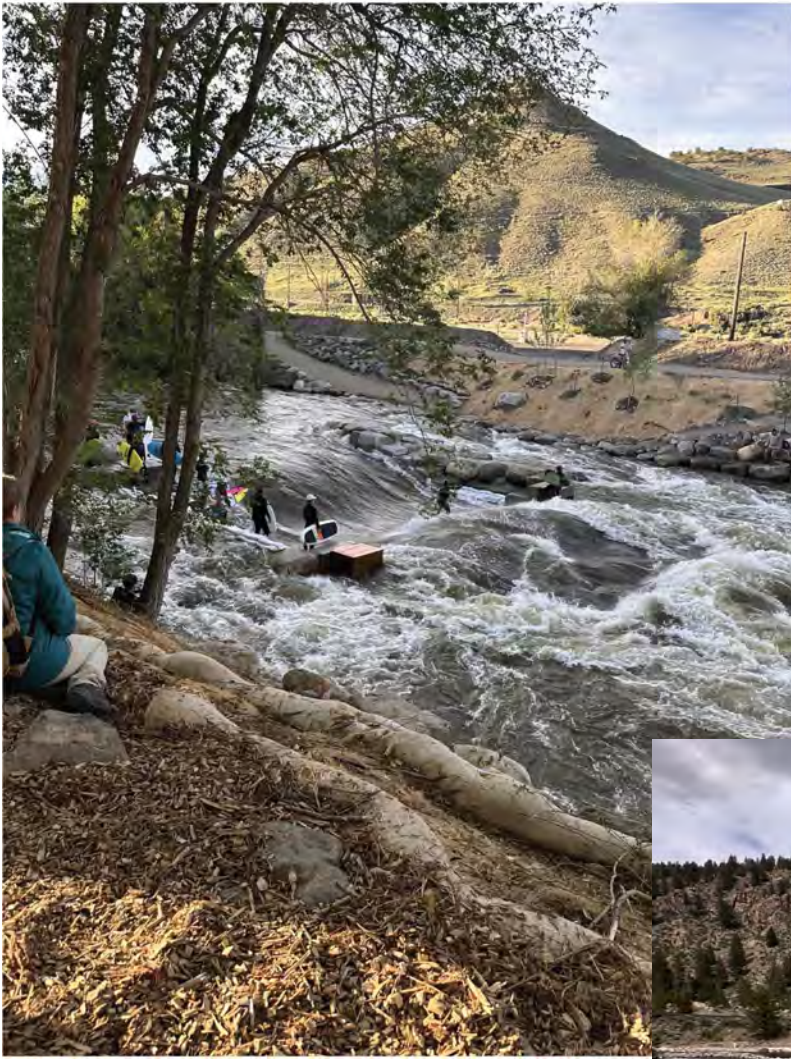
Speakers

First Name	Last Name	Job Title	Current Employer	Email
Greg	Felt	County Commissioner	Chaffee County	gfelt@chaffeecounty.org
Rachel	Zancanella	Division 2 Engineer	Colorado Division of Water Resources	rachel.zancanella@state.co.us
Bryce	Ehrlich	Water Resource Program Manager	Lake County	behrlich@lakecountycyo.gov
Chris	Woodka	Senior Policy and Issues Manager	Southeastern Colorado Water Conservancy District	chris@secwcd.com
April	Long	Executive Director	Ruedi Water and Power Authority	aprilmblong@gmail.com
Kim	Gortz	Project Manager Source Water Protection	Colorado Springs Utilities	kgortz@csu.org
Rick	Kienitz	Water Resources Manager	Aurora Water	rkienitz@auroragov.org
Linda	Kefir	Project Manager	California Gulch Superfund Site, U.S. Environmental Protection Agency	Kiefer.Linda@epa.gov
Jenelle	Stefanic	Water Treatment Supervisor	Leadville Tunnel Treatment Plant, U.S. Bureau of Reclamation	JStefanic@usbr.gov
Anna	Perea	Public Affairs Specialist	U.S. Bureau of Reclamation	aperea@usbr.gov
Christopher	Longaker	Facility Manager	Mt. Elbert Power Plant, U.S. Bureau of Reclamation	CLongaker@usbr.gov
Will	Huston	Powerplant Supervisor II	Mt. Elbert Power Plant, U.S. Bureau of Reclamation	whuston@usbr.gov
Tom	Hankins	Superintendent	Homestake Water Project	thankins@csu.org
Aaron	Griggs	Operations and Maintenance Supervisor	Homestake Water Project	agriggs@csu.org
Jill	Ozarski	Program Officer - Environmental Program	Walton Family Foundation	jozarski@wffmail.com
Mike	Harvey	Planner and Project Manager - Recreation and Planning	City of Salida	harvey@boaterparks.com
Mark	Shea	Chair/Watershed Planning Supervisor	Arkansas Basin Roundtable/Colorado Springs Utilities	mshea@csu.org
Tom	Waters	Park Manager	Arkansas Headwaters Recreation Area, Colorado Parks and Wildlife	tom.waters@state.co.us
Paul	Foutz	Senior Aquatic Biologist	Southeast Region, Colorado Parks and Wildlife	Paul.foutz@state.co.us
Bob	Hamel	Executive Director	Arkansas River Outfitters Association	director@raftthebest.com
Travis	Payne	Water Superintendent	City of Cañon City	trpayne@canoncity.org
Mannie	Colon	President	Hydraulic Ditch	m.colon@colonorchards.com
Emily	Tracy	City Council Member	City of Cañon City	etbreck@gmail.com
Chris	Moffett	Director	Royal Gorge RIO	christopher.b.moffett@gmail.com
Andy	Neinas	Owner	Echo Canyon River Expeditions	andy@raftecho.com
Jim	Blasing	Director of Utilities	Pueblo West Metropolitan District	jblasing@pueblowestmetro.us

Joe	Staderman	Park Manager	Lake Pueblo State Park, Colorado Parks and Wildlife	joseph.stadterman@state.co.us
Mike	Holmberg	Facility Manager	Pueblo Dam and Field Office, U.S. Bureau of Reclamation	mholmberg@usbr.gov
Garret	Richard	Operations Supervisor	Juniper Pump Station, Colorado Springs Utilities	grichard@csu.org
Quentin	Springer	Manager	Pueblo State Fish Hatchery, Colorado Parks and Wildlife	quentin.springer@state.co.us
Jeff	Spohn	Hatchery Chief	Pueblo State Fish Hatchery, Colorado Parks and Wildlife	jeff.spohn@state.co.us
Katie	Rohwer	Wildlife Technician III	Pueblo State Fish Hatchery, Colorado Parks and Wildlife	katie.rohwer@state.co.us
Matt	Heimerich	Former County Commissioner/Board Member	Crowley County/Water Education Colorado	mdheimerich@gmail.com
Participants				
First Name	Last Name	Job Title	Current Employer	Email
Eric	Perramond	Professor, Environmental Studies & Southwest Studies		perramond@yahoo.com
April	Long	Executive Director	Ruedi Water and Power Authority	aprilmblong@gmail.com
Brandy	Logan	Water Resources Specialist	Colorado Water Conservation Board	brandy.logan@state.co.us
Brian	Schaffer	Water Resources Market Manager	Pinyon Environmental, Inc.	schaffer@pinyon-env.com
Nicholas	Hoch	Hydrologist	BBA Water	nhoch@bbawater.com
Becca	Heins	Interested Citizen	Retired	becca.heins@gmail.com
Tim	Imbrock	Interested Citizen	Retired	the.imbork@gmail.com
Daniel	Tucker	Water Resources Engineer	Arkansas Groundwater and Reservoir Association	dan@agraco.net
Katharine	Anderson	Engineer in Training II	Colorado Division of Water Resources	katharine.anderson@state.co.us
James	Butler	Owner	Dynotek	dynotekjb@gmail.com
Troy	Russell	General Manager	Dynotek	dynotekjb@gmail.com
Rick	Kienitz	Water Resources Basin Manager	Aurora Water	rkienitz@auroragov.org
Abba	Ahmed	Water Resources Project Manager	Aurora Water	aahmed@auroragov.org
John	Hottenstein	Deputy Director, Water Resources	Matrix Design Group	john.hottenstein@matrixdesigngroup.com
Gregg	Stonecipher	Director of Plant Operations, Drinking Water	City of Fort Collins	gstonecipher@fcgov.com
Robert	Sakata	Ag Water Policy Advisor	Colorado Department of Agriculture	rtsakata@sakatafarms.com
Alycen	Reinhart	Natural Resource Specialist	NRCS	alycenriley@gmail.com
Katherine	Clough	Program Utilities Coordinator	Pueblo West Metro District	kclough@pueblowestmetro.us
Christopher	Olney	Government Affairs Specialist Senior	Colorado Springs Utilities	colney@csu.org
Wendell	Koontz	County Commissioner	Delta County Colorado	wkoontz@deltacountyco.gov
Swithin	Dick	Water Rights Administrator	Centennial Water and Sanitation District	sdick@highlandranch.org
Alyson	Scott	Owner/Attorney	Alyson Scott Law, LLC	aly@alysonscottlaw.com
Chris	Woodka	Issues Management Coordinator	Southeastern Colorado Water Conservancy District	chris@secwcd.com
Page	Weil	Senior Project Manager	LRE Water	page.weil@lrewater.com
Jeff	Rodriguez	Regional Water Coordination Specialist	Colorado Water Conservation Board	jeffrod90@gmail.com
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Travis	Payne	Water Superintendent	City of Canon City	trpayne@canoncity.org
Brenda	Murr	Finance Manager	LAVWCD	bmurr@lowerark.com
Leroy	Mauch	Vice Chairman	LAVWCD	kathymauch@yahoo.com
Nate	Finnell	Project Technician	LAVWCD	nfinnell@lowerark.com
Blake	Osborn	Water Resources Specialist	LAVWCD	blakeosborn@lowerark.com
Hal	Edwards	County Commissioner	Lake County	hedwards@lakecountyco.gov

Bryce	Ehrlich	Water Resource Program Manager	Lake County Government	behrlich@lakecountyco.gov
Brian	Craig	Water Resources Engineer	Northern Water	bcraig@northernwater.org
Barrett	Donovan	Development & Engagement Manager	Colorado Water Trust	bdonovan@coloradowatertrust.org
Miles	Cottom	Planning Director	Chaffee County	mcottom@chaffeecounty.org
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Monika	Rock	Programs Coordinator	Southwestern Water Conservation District	morock@swwcd.org
Ben	Lenth	Central Colorado Senior Conservation Project Manager	Colorado Open Lands	ben.lenth@gmail.com
Kim	Gortz	Source Water Protection Project Manager	Colorado Springs Utilities	kgortz@csu.org
Karen	McCormick	Colorado State Representative	Colorado General Assembly	rep.karenmccormick@gmail.com
Barbara	McLachlan	Colorado State Representative	Colorado House of Representatives	barbara.mclachlan.house@coleg.gov
Matthew	Martinez	Colorado State Representative	Colorado House of Representatives	matthew.martinez.house@coleg.gov
Mike	Lynch	Colorado State Representative	Colorado House of Representatives	mike.lynch.house@coleg.gov
Jeff	Bridges	Colorado State Senator	Colorado State Senate	jeff.bridges.senate@coleg.gov
Byron	Pelton	Colorado State Senator	Colorado State Senate	byron.pelton.senate@coleg.gov
Cleave	Simpson	Colorado State Senator	Colorado State Senate	cleave.simpson.senate@coleg.gov
Alexa	Kelly	Analyst	Legislative Council Staff	alexa.kelly@coleg.gov
Josh	Abram	Chief Fiscal Analyst	Legislative Council	josh.abram@coleg.gov
Matt	Becker	Principal Research Analyst	Legislative Council Staff	mbecker1206@gmail.com
Janice	Marchman	Colorado State Senator	Colorado State Senate	janice.marchman.senate@coleg.gov

Salida Water Park



Safe boating passage/fish ladder diversion



Pueblo Dam and James W. Broderick Hydropower Plant





THE SOUTHWESTERN WATER CONSERVATION DISTRICT

Developing and Conserving the Waters in the
SAN JUAN AND DOLORES RIVERS AND THEIR TRIBUTARIES
West Building – 841 East Second Avenue
DURANGO, COLORADO 81301
(970) 247-1302

BOARD MEMORANDUM

From: Steve Wolff & Mo Rock

Subject: Agenda Item 7.7 - Update on Water Conservation Activities

Date: June 6, 2024

This memo is being provided to update the Board on the various water conservation activities staff and consultants have been focused on in recent months. This includes activities related to the Southwestern Water Conservation and Infrastructure Partnership, Growing Water Smart Program, and a brief discussion on budget matters.

Southwestern Water Conservation and Infrastructure Partnership

Staff and consultants are continuing efforts to build capacity for the Water Conservation and Infrastructure Partnership program. We held our second Partnership meeting on May 1. Thirty-eight individuals attended (in-person and virtually) representing thirty-three entities. A list of the entities attending our partnership meetings is attached to this memo (Attachment A). These meetings continue to have great discussions surrounding how water users in southwest Colorado can work together to build capacity and increase the opportunities and success of moving multi-benefit projects forward. The project pipeline being developed to inform and support the program continues to be expanded. The next partner meeting is scheduled for July 30. All meetings are held in the SWCD conference room with a Zoom option available.

CWCB Local Capacity Grant: The SWCD (in conjunction with the San Juan Resource and Conservation Development Council (SJRCDC) serving as fiscal agent) was awarded a local capacity grant in January. After working through a few hurdles in getting this grant contracted, things are now moving forward. In short, SJRCDC will contract with Harris Water Engineering (HWE; Carrie Padgett) to manage the work necessary to comply with the grant. SWCD will provide overall oversight and direction for the work to be performed. SJRCDC will act as a fiscal agent and provide financial oversight for the grant. The signed agreement between SWCD, SJRCDC and HWE is included in the Board packet (Attachment B).

WaterSMART Grant – Planning and Design: On May 22, SWCD submitted an application to the Bureau of Reclamation requesting grant funds in the amount of \$345,040. This grant is meant to provide funding to conduct project-specific design for projects that will improve water management or water supplies. Notice of award on these grants is not expected until early 2025. We are grateful to all our partners who provided us with support letters to include in the grant application. These included:

- Animas-La Plata Water Conservancy District
- City of Cortez
- Dolores Water Conservancy District
- Mountain Studies Institute
- Representative Lauren Bobert's Office
- San Juan Water Conservancy District
- Southern Ute Indian Tribe
- The River Network
- Theodore Roosevelt Conservation Partnership
- Trout Unlimited
- Ute Mountain Ute Tribe

In addition, the Theodore Roosevelt Conservation Partnership has provided funding to Strategic by Nature (Stacy Beagh, Mary Cornforth) to provide SWCD with logistical and grant-writing support.

Growing Water Smart Workshop

As previously discussed, SWCD in cooperation with CWCB and the River District will be bringing another Growing Water Smart Workshop to the west slope of Colorado in early 2025. The program sponsors will be making a presentation to the Board tomorrow, so there is no need for us to go into any details here. A flyer describing the workshops is attached (Attachment C).

Budget Discussion

We plan to have a brief discussion with the Board about SWCD budget needs and benefits coming from the above-described water conservation activities. A copy of a slide that will be presented during the Board meeting is attached (Attachment D).

**Southwestern Water Conservation District:
Southwestern Water Conservation & Infrastructure Program**

Attachment 1 - Committed and Supporting Stakeholders

(\$) indicates a monetary contribution to the project and a provided support letter.

(S) provided a letter of support.

(P) partner who actively participates in quarterly stakeholder meetings.

Entity	\$	S	P
American Rivers			P
American Whitewater			P
Animas Watershed Partnership			P
Animas-La Plata Water Conservancy District		S	
Archuleta County			P
Bonita Peak Community Advisory Group (CAG)			P
Bureau of Land Management			P
City of Cortez		S	
City of Durango			P
Colorado Ag Water Alliance			P
Colorado Parks and Wildlife			P
Colorado Water Conservation Board	\$		
Dolores County			P
Dolores Water Conservancy District		S	
Dolores Watershed Collaborative			P
Florida Water Conservancy			P
Fort Lewis College			P
Four Rivers Resilient Forest Collaborative			P
Hinsdale County			P
La Plata County			P
La Plata Water Conservancy District			P
La Plata West Water Authority			P
Lake Durango Water Authority			P
Mancos Conservation District			P
Mancos Water Conservancy District			P
Mineral County			P
Montezuma County			P
Montezuma Valley Irrigation Company			P
Montrose County			P

Mountain Studies Institute		S	
Pagosa Area Water & Sanitation District			P
Pagosa Area Water & Sanitation District			P
Pine River Irrigation District			P
Representative Lauren Bobert's Office		S	
RiversEdge West			P
San Juan Citizens Alliance			P
San Juan County			P
San Juan National Forest			P
San Juan Water Conservancy District		S	
San Miguel County			P
San Miguel Water Conservancy District			P
San Miguel Watershed Coalition			P
Southern Ute Indian Tribe		S	
Southwest Basin Roundtable			P
Southwestern Water Conservation District	\$		
The Nature Conservancy			P
The River Network		S	
Theodore Roosevelt Conservation Partnership	\$		
Town of Dove Creek			P
Town of Pagosa Springs			P
Trout Unlimited		S	
Upper San Juan Water Conservancy			P
Upper San Juan Watershed Enhancement Program			P
Ute Mountain Ute Tribe		S	
Western Resource Advocates			P

Southwest Water Conservation and Infrastructure Partnership Program Agreement

THIS SOUTHWEST WATER CONSERVATION AND INFRASTRUCTURE PARTNERSHIP PROGRAM AGREEMENT (“Agreement”) is made and entered into between the Southwestern Water Conservation District (“SWCD”), San Juan Resource Conservation and Development Council (“SJRCDC”), and Independent Consultant Harris Water Engineering, Inc. (“HWE”) (collectively, the “Parties”), effective as of June 1, 2024.

WHEREAS, SWCD was created by the Colorado General Assembly to protect, conserve, use and develop the water resources of the San Juan and Dolores River Basins for the welfare of all the inhabitants, and safeguard for Colorado all waters to which the state is entitled;

WHEREAS, in furtherance of its statutory charge, SWCD is currently investigating the feasibility of developing a cooperative program that is geared towards identifying and implementing water conservation and infrastructure projects in southwest Colorado;

WHEREAS, SWCD applied for, and was awarded, a local capacity grant from the Colorado Water Conservation Board (“CWCB”) on January 12, 2024 of \$156,706 for up to 75 percent of the cost of performing the Work, as that term is defined below, associated with the initial phase of investigating the feasibility of developing the Southwest Water Conservation and Infrastructure Partnership Program (“CWCB Grant”);

WHEREAS, SWCD agreed to contribute \$100,000 cash and the Theodore Roosevelt Conservation Partnership agreed to contribute \$22,000 of in-kind services as matching funds for the CWCB Grant;

WHEREAS, SJRCDC is a non-profit corporation, exempt from federal tax under section 501(c)(3) of the Internal Revenue Code, formed for the purpose of helping residents of Southwest Colorado to use, protect, and improve natural, cultural, historic, and economic resources;

WHEREAS, SJRCDC helps organizations pursue projects, such as this, that are aligned with its mission by providing fiscal sponsorship and other services when needed;

WHEREAS, HWE wishes to provide consulting services concerning the creation and development of the water conservation and infrastructure program and represents that it has the experience and expertise required to carry out the Work in a satisfactory and timely matter; and

WHEREAS, the Parties desire to enter into this Agreement to facilitate SWCD’s efforts to investigate the feasibility of developing a water conservation and infrastructure program in Southwest Colorado.

NOW THEREFORE, in consideration of the joint and mutual promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto state and agree as follows:

1. Term. This Agreement covers the initial phase of investigating the feasibility of developing the Southwest Water Conservation and Infrastructure Cooperative Program (“Phase I”), which is anticipated to occur over multiple years. The Agreement shall begin on June 1, 2024 and continue through December 31, 2026, unless sooner terminated pursuant to Paragraph 5 below.

2. General Scope of Responsibilities.

a. SJRCD. SJRCD will administer and serve as the fiscal agent for the Agreement. SJRCD will, as further described below: (1) contract with CWCB to serve as the grantee for the CWCB Grant; (2) receive and administer funds from both CWCB and SWCD for the agreed upon tasks outlined in Exhibit A; (3) track the monthly value of in-kind services provided by the Theodore Roosevelt Conservation Partnership; (4) provide a monthly financial status update to all Parties at the end of each month, which will include total funds expended to date, remaining funds available and status of payment requests; (5) maintain all financial records related to the Agreement according to generally accepted accounting principles and the terms and conditions of the CWCB Grant; and (6) comply with all reporting requirements outlined in the CWCB Grant. SJRCD shall be paid a 10% administrative fee for performing the duties contemplated under this Agreement, which it shall collect by adding a 10% administrative fee to the total of any invoice SJRCD processes and submits to either the CWCB or SWCD for payment.

In performing its duties, SJRCD assumes no responsibility, either positive or negative, for the outcome or consequences of the program. SJRCD will not be responsible for any damages to persons or property which may result from the program.

The Parties acknowledge that SJRCD will devote such time to management of program’s funds and to general supervision of program as it sees fit and in its sole discretion.

b. SWCD. SWCD will provide overall oversight and direction of Phase I. SWCD will, as further described below: (1) review and consider each invoice that is submitted for Work performed, or expenses incurred, by HWE or SJRCD under this Agreement; (3) review and consider each invoice that is received for the performance of in-kind services by the Theodore Roosevelt Conservation Partnership; (4) review monthly progress reports and the final report prior to submission to the CWCB; (5) meet with HWE and SJRCD at least quarterly regarding performance of the Work and administration of this Agreement; and (6) review and consider any federal grant applications prior to submittal. SWCD shall also provide up to \$100,000 in funds to be used for the performance of services, payment of SJRCD’s 10% administrative fee or expenses incurred over the term this Agreement.

- c. HWE. HWE will perform the responsibilities, tasks, and deliverables described in **Exhibit A**, including preparing and submitting the monthly progress and final reports contemplated therein, and comply with any other reporting requirements of the CWCB Grant (collectively, the “Work”). HWE shall perform the Work, including all time spent traveling in association with the performance of such Work, at the labor and expense charge rates shown on **Exhibit B**. HWE’s schedule of rates may be amended beginning in 2025, but not more than annually, upon agreement of SWCD.
3. Performance of Work by HWE.
 - a. HWE shall perform the Work in a skillful, professional and competent manner and in accordance with the typical standards of care, skill and diligence in HWE’s industry, trade or profession. HWE shall be responsible for the professional quality, accuracy, timely completion and coordination of all Work performed under this Agreement. HWE will not during the duration of this Agreement devote resources of this program to participation in any political campaigning or lobbying activities.
 - b. HWE agrees to immediately comply with any written request by SJRCD that it cease activities which, in SJRCD’s sole opinion, might jeopardize SJRCD’s tax status, and further agrees that SJRCD may suspend its obligation to administer this Agreement in the event that HWE fails to comply with any such request. Any changes in the purpose for which the CWCB Grant, SWCD’s cash match or any in-kind matches are used must be approved in writing by SJRCD and SWCD before implementation.
 - c. Key Personnel. SWCD and SJRCD designate the following personnel of HWE as Key Personnel: Carrie Padgett, P.E. Such Key Personnel shall be actively involved in the performance of the Work, and SWCD or SJRCD shall each be entitled to terminate this Agreement, in their sole discretion, if the Key Personnel ceases to be actively involved with the performance of the Work.
 - d. Subcontractors. The parties recognize that HWE may at times require the assistance of subcontractors to accomplish portions of the Work. HWE shall be entitled to retain subcontractors at its reasonable discretion, subject to the terms of this Agreement. Notwithstanding the subcontracting of any portion of the Work, HWE shall remain directly responsible to SWCD and SJRCD for the performance thereof. The rates and charges of any such subcontractor shall not exceed those which are identified for HWE on **Exhibit B** without prior written authorization of SWCD. Consultant shall advise any subcontractors of the provisions this Agreement and secure their agreement to adhere to all applicable provisions.
 - e. Independent Contractor. HWE is an independent consultant, not an employee, agent or representative of SWCD or SJRCD. HWE will be free from control and direction by SWCD and SJRCD in the performance of the Work and is customarily engaged in an independent trade, occupation or business related to the

services to be performed. As an independent consultant, neither HWE nor any of its employees or any subcontractors retained regarding the Work shall be entitled to receive any of the benefits of SWCD or SJRCD's personnel system or to place workers' compensation claims against either entity.

- f. Payment of Taxes and Insurance Premiums. HWE is and shall be solely liable and responsible for any federal, state and local taxes applicable to this Agreement or any services provided hereunder, including but not limited to income and withholding taxes, unemployment taxes, FICA taxes, sales taxes and workers' compensation payments and premiums. HWE shall indemnify SWCD and SJRCD for any liability resulting from nonpayment of such taxes and sums.
 - g. Liability and Insurance. HWE shall maintain workers' compensation insurance coverage as required under Colorado law. The workers' compensation insurance policy obtained by HWE, if required by law, must cover each of HWE's employees who perform Work under this Agreement. HWE shall also maintain comprehensive general liability insurance with minimum combined single limits of One Million Dollars (\$1,000,000) per each occurrence and One Million Dollars (\$1,000,000) in the aggregate. In addition, HWE shall obtain motor vehicle insurance for each vehicle HWE may use to perform the Work described in this Agreement. The motor vehicle insurance must meet all Colorado law required minimum coverages.
4. Payment for Services and Reimbursement of Expenses.
- a. Payment of Administrative Fee. SJRCD shall be paid a 10% administrative fee for performing the duties contemplated under this Agreement, which it shall collect by adding a 10% administrative fee to the total of any invoice SJRCD processes and submits to either the CWCB or SWCD for payment.
 - b. Allocation of Cost of Services, Expenses and Administrative Fee. All costs associated with performing the Work contemplated under this Agreement (i.e., SJRCD's 10% administrative fee, HWE's services, and any out-of-pocket expenses incurred by any Party for all actual, reasonable and necessary meeting and travel expenses incurred in connection the performance of the Work) shall be split 75/25 between the CWCB Grant and SWCD's cash match, provided that the total compensation for services and reimbursement of expenses incurred in performing the Work shall not exceed a maximum of \$232,460 over the term of this Agreement.
 - c. Process for Payment for Services and Expenses. HWE shall submit monthly invoices to SJRCD, with a courtesy copy to SWCD, no later than the 5th of every month following the month in which services were provided or out-of-pocket expenses related to performance of the Work were incurred. Each invoice from HWE shall describe the Work performed as follows: individual(s) performing the Work, dates and general description of the Work performed; hours worked for

each Person included in the invoice; and any expense charges incurred by HWE. SWCD will review invoices within 7 days of receipt and promptly notify SJRCD when an invoice has been approved. For each monthly invoice, SJRCD will allocate the cost of services and expenses as well as the 10% administrative fee between the CWCB Grant (75%) and SWCD (25%) and then submit an invoice for payment to the CWCB and SWCD. Unless there is a dispute regarding the invoice, SWCD agrees to pay said invoice within 14 days of receipt. A similar process shall be followed for any requests by SJRCD or SWCD for reimbursement of any reasonable out-of-pocket expenses that are related to all or any portion of the Work.

- d. SJRCD will endeavor to pay all invoices within 30 days of submittal. Notwithstanding the foregoing, SJRCD's obligation to pay for any services and expenses incurred under this Agreement is limited by and entirely contingent upon SJRCD's timely receipt of funds contemplated under the CWCB Grant and SWCD's cash match.
5. Termination. SWCD, SJRCD or HWE may each terminate this Agreement at any time, with or without cause, upon providing the other parties with advance written notice of such termination. Such termination shall be effective 30 calendar days after the notice of termination is received by the other Parties, unless otherwise mutually agreed upon by all Parties. In the event of early termination, HWE shall be paid for all Work performed and all allowable expenses incurred, and SJRCD shall be paid for all administrative fees submitted for payment to CWCB or SWCD, up until the effective date of terminations.
 6. Additional Provisions.
 - a. Assignment. This Agreement is personal in nature and shall not be assigned by any party unless prior written approval is obtained from the other two parties.
 - b. Annual Appropriations. While this Agreement spans multiple years, nothing herein is intended or shall be construed to create a multiple fiscal year financial obligation or debt of SWCD. Where activities or payment obligations provided in this Agreement extend beyond the current fiscal year, continued expenditures or appropriations are contingent on the approval of the Board of Directors of SWCD, in its sole discretion.
 - c. CGIA. The Parties recognize that SWCD is a governmental entity subject to the provisions of the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.* Nothing herein is intended to waive any of the protections provided to SWCD by the Colorado Governmental Immunity Act ("CGIA").
 - d. Entire Agreement. This Agreement constitutes the only agreement, and supersedes all prior agreements and understandings, both written and oral, among the parties with respect to the subject matter hereof. This Agreement may not be amended or modified, except in a writing signed by all parties to this Agreement.

- e. Notices. Any notice or other communication under this Agreement shall be in writing by electronic mail using the email address identified below and shall be deemed sufficient when receipt is acknowledged by the recipient.

SWCD	SJRCD	HWE
Steve Wolff, General Manager	Stephani Burditt, Coordinator	Carrie Padgett, Vice President
steview@swwcd.org	sjrcd@hotmail.com	carrie@durangowater.com

- f. Ownership of Information. All information, data, analyses, documents, specimens, computer programs and associated input and output data gathered, generated or otherwise produced by HWE in the performance of the Work (the “Information”) shall become the property of SWCD and shall be delivered to SWCD by HWE upon demand by SWCD at any time prior to, at or after the completion of the Work. Copies of all such Information may be retained by HWE.
- g. Partnership Not Created. Nothing in this Agreement is intended, or shall be deemed, to constitute a partnership or joint venture between the Parties.
- h. Severability. Each provision of this Agreement shall be separately enforceable, and the invalidity of one provision shall not affect the validity or enforceability of any other provision. This Agreement shall be interpreted and construed in accordance with laws of the State of Colorado.
- i. Signatures. This Agreement may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same Agreement. This Agreement and any amendment thereto may be executed by facsimile or electronic signature and once delivered shall be considered as effective and valid as the original.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions and provisions stated above.



Stephani Burditt, Coordinator
San Juan Resource Conservation and Development Council



Date



Steve Wolff, General Manager
Southwestern Water Conservation District

6/5/24

Date



Carrie Padgett, Vice President
Harris Water Engineering, Inc.

June 3, 2024

Date

EXHIBIT A – SCOPE OF WORK

Task 1

Manage a water conservation and infrastructure project pipeline and funding strategy for SWCD, local partners, and Southwest Basin to obtain federal funding.

Description: A project pipeline will be further developed and managed to identify multi-benefit, watershed-scale, and water conservation and infrastructure projects. These are projects that can bring together collaboration between multiple local partners and stakeholders and support the locally identified project goals on a watershed scale across multiple sub-basins. With an expanded grant program, the basin will have the funding and capacity to implement larger watershed-scale, multi-benefit, and water conservation projects in the near term.

Method/Procedure:

- Inventory projects identified in the SW BIP and other regional water planning efforts (e.g., integrated water management plans, etc.).
- Conduct outreach with Southwest District stakeholders to garner updates and additions to project lists and learn opportunities and potential challenges that may need to be considered in developing the SWCD program.
- Identify which projects are ready for funding in the next 1-3 years and estimate the amount of funding that SWCD could reasonably request from federal sources to support those projects.
- Provide technical project design support to proposed projects to ensure sound design and multi-benefit project outcome consideration.
- Create a process for rolling updates to the pipeline.

Deliverables by December 31, 2024

- An up-to-date inventory/database of projects in the form of an excel file) in the Southwest District.
- A regional funding plan to secure federal funding opportunities for watershed-scale and water conservation projects that identifies new projects with significant community resilience and benefit. The plan will identify specific federal agency/land ownership strategies focused on the U.S. Bureau of Reclamation, U.S. Department of Agriculture, Bureau of Land Management, U.S. Fish & Wildlife Service, and Natural Resources Conservation Service. The plan will highlight specific funding and project roadmaps based on information applicable to each federal funding process.

Task 2

Submit at least three applications for federal funding/implementation.

Description: SWCD will submit at least three project applications for federal funding. Specific funding pools will be prioritized based on their ability to support regional and local organizational capacity to sustain the project pipeline, leverage the most federal funds with this capacity grant (e.g., focusing on IRA funds without non-federal cost-share), projects that have collaborative support, and projects that have significant resilience and community co-benefits. Recognizing that federal programming may change during the project, the following federal programs have been identified for potential applications.

- U.S. Bureau of Reclamation (USBR)
 - USBR Upper Colorado River Basin System Conservation and Efficiency Program funding for drought mitigation (Spring 2024)
 - Cooperative Watershed Management Program (September 3, 2024)
 - WaterSMART Grants (2024-25)
- U.S. Department of Agriculture (USDA)
 - Conservation Inflation Reduction Act (IRA) Conservation Programming, with potential opportunity for the Regional Conservation Partnership Program (anticipated in Spring 2024)
- National Fish and Wildlife Foundation, America the Beautiful (2024-25)
- U.S. Forest Service
 - Watershed Condition Framework/Water Source Protection Program IRA (2024-25)
 - Collaborative Aquatic Landscape Restoration (2024-25)
- Natural Resources Conservation Service Regional Conservation Partnership Program (2024-25)

Method/Procedure:

- Inventory existing agency and regional plans to develop an initial timeline/pipeline for projects, highlighting those projects that could be combined to better qualify for federal proposals.
- Coordinate with the Colorado Water Conservation Board (CWCB) and other state partners on potential USBR grant proposals, as ARPA funds for watershed restoration can match USBR programming.
- Coordinate with the CWCB, Colorado Parks & Wildlife, Colorado Department of Agriculture, and other agencies on proposals that are limited to state eligibility.
- Coordinate with Southern Ute Indian Tribe and Ute Mountain Ute Tribe for proposals that are limited to Tribal eligibility.
- Develop additional capacity-building proposals for the Cooperative Watershed Management Program and the U.S. Bureau of Reclamation WaterSMART Cooperative Management Program.

Deliverables by December 31, 2026

Three copies of complete applications for federal funding submitted to the Colorado Water Conservation Board.

Task 3

Generate awareness about and connect partners to federal funding opportunities.

Description: Navigating available federal resources and aligning them with programs and projects is the most common barrier community organizations and initiatives experience when trying to access federal funds. Opportunities cover multiple federal agencies, have varying timelines, and are often complex in nature.

To address these barriers, SWCD and HWE will engage partners and other critical stakeholders to evaluate the development of funding navigation and facilitation resources for restoring forests, headwater wetlands, habitat, and riparian ecosystems using process-based restoration in the Southwest District. Resources for improving agricultural practices and infrastructure, along with opportunities for water-saving crops and those that boost urban, industrial, and agricultural water conservation and efficiency will also be sought. Funds that support all phases of the project lifecycle (implementation, planning, coordination capacity, monitoring, etc.) will be included in the pipeline.

With input from partners, SWCD and HWE will develop education and outreach materials on federal funding opportunities to disseminate through local stakeholders. SWCD will also conduct outreach activities (webinars, in-person events, etc.) to share information and resources with community organizations. Feedback gathered from these sessions will also inform the development of organization-specific and regional funding strategies.

SWCD and HWE will work with the CWCB local coordinators to include state funding opportunities in materials disseminated to stakeholder groups, including projects related to water storage and supply, water sharing agreements, conservation and land use planning, agricultural projects, and watershed health and recreation projects.

Method/Procedure:

- Engage key partners through one-on-one outreach and the Basin roundtable process to inform the development of navigation resources that are easy to update and are user-friendly.
- Work with key partners to coordinate a series of outreach events, including webinars and field workshops with landowners and agency partners.

- Work with project partners to identify Southwest District projects applying for/receiving federal funds to create a tracking list of submitted applications.

Deliverables by December 31, 2026

- Customize the navigation resource/databases in the San Juan and Dolores River Basins for regional stakeholders that provide information on relevant federal funding resources and alignment with pipeline projects.
- Education and outreach materials, notes from webinars, and field workshops.

EXHIBIT B

**Harris Water Engineering, Inc.
Hourly Rate and Expense Schedule**

Name	Title	Hourly Rate
Carrie Padgett, PE	Vice President	\$120

Rates valid through December 31, 2024
Expenses billed at cost; mileage at published federal rate

Approved 2024 Budget:

CWCB Local Capacity Grant (Community Navigator) Match	\$50,000*	Match Funds for possible CWCB Grant - Grant Writing/Coordination
CWCB Technical Services Grant Match	\$50,000	Match Funds for possible CWCB Grant - Design & Engineering

2024 Budget Needs:

CWCB Local Capacity Grant (Community Navigator) Match	\$50,000*	Match Funds for possible CWCB Grant - Grant Writing/Coordination
Growing Water Smart Workshop & Assistance	\$50,000	CWCB - \$109,939; River District - \$58, 554

2025 Proposed Budget:

CWCB Local Capacity Grant (Community Navigator) Match	\$50,000*	Match Funds for possible CWCB Grant - Grant Writing/Coordination
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* - This \$100,000 can be used as SWCD match for BOTH the CWCB grant and WaterSmart grant (\$627,746)

COLORADO GROWING WATER SMART

Western Slope 2025

The Land and Water Challenge

Colorado is navigating significant uncertainty around water availability, requiring local jurisdictions to fundamentally rethink water use and to assume new leadership roles.

Historically, planning for water resources and land use have been conducted separately. Yet, where and how we build impacts the quantity of water needed and the quality of water that supports our ecosystems.

Elected officials, water resource managers, and land use planners can increase resilience and create water smart communities even as populations grow by collaborating to identify and implement strategies that address local and regional water concerns.

Growing Water Smart



The Growing Water Smart Workshop

The Growing Water Smart workshop brings key community decisionmakers on water and land use planning together to collaborate on sustainable water use. The workshop utilizes a range of public engagement, planning, communication, and policy implementation tools to help community teams realize their water efficiency, watershed health, and water resilience goals.

Growing Water Smart is a joint program of the Sonoran Institute and the Babbitt Center for Land and Water Policy. We intend to deliver a workshop in early 2025 on the Western Slope in partnership with the Colorado River District and the Southwestern Water Conservation District.

Eligibility: Counties, municipalities, and districts located on Colorado's Western Slope.

Costs: The workshop is free. Participants cover their own travel. Meals and lodging are provided.

What makes this workshop unique?

Time: A rare opportunity to for local leaders to focus - away from competing priorities - on the connection between water and land use with a cross departmental and cross sector team.

Structure: A majority of the workshop is spent in team work sessions. Each team gets nearly twelve hours of professionally facilitated discussion to help teams develop a concrete plan of action.

Access: Staff from some of the state's leading organizations working to integrate water and land use including the Colorado Water Conservation Board, Colorado Department of Local Affairs, Colorado State University Colorado Water Center, and many additional leading water experts will be in attendance and serve as facilitators.

Action: The workshop works towards creating a team action plan developed by consensus. After the workshop teams can apply for a follow-up technical assistance grant to implement key components of the action plan.

Network: Spend time learning from your peers and upon completion teams join a Peer-to-Peer network of over 68 communities in Colorado who have participated in the GWS Workshop.

Program at a Glance

The Growing Water Smart workshop offers your team the time to collaborate and focus on the water resource challenges that are influencing your community's growth and development. The program is comprised of the following elements:

Team-Oriented Work Sessions: Teams assess community data, trends, and existing policies; develop succinct messaging around water; identify strategies to become water resilient; and develop an action plan to implement these strategies. Sessions are facilitated by professionals in the field who guide teams through strategic discussions.

Learning Best Practices: Presentations and written materials provide key knowledge around integrating water conservation, efficiency, reuse, and watershed protection into existing and future development.

Peer-to-Peer Networking: Participants meet and exchange ideas with peers from other jurisdictions and past workshop participants.

Eligibility and Team Composition

The workshop is designed to build and foster interdisciplinary teams from counties, municipalities, and districts committed to taking collaborative action around water. Applicants build a team of five to seven individuals with diverse knowledge, skills, and perspectives needed to secure their community's water future and implement the developed action plan. Team composition varies to reflect the needs of each community, and often includes:

- Elected and appointed officials*
- Current and long-range land use planners*
- Water resource managers*
- Economic development leaders
- Sustainability and resilience officers
- Parks and public works staff
- Representatives of regional planning organizations
- Local non-profit organizational representatives
- Community task force members
- Consultants contributing to your current water and land use efforts

* Denotes required representative

Multi-jurisdictional or regional teams may also apply. One or more representatives from each local government should be represented, and the team should be in pursuit of a common water goal.

Follow up Funding

Upon workshop completion, teams become eligible to apply for up to \$10,000 in technical assistance funding to help carry out a water and land use integration strategy identified in the team's action plan.

Previous projects have included:

- Land use code audits and policy recommendations
- The inclusion of water in comprehensive plan updates
- Collaborative stakeholder engagement and facilitation
- Metrics to measure water and land use integration
- Turf removal and low water use demonstration gardens

Contact Information

We are here to help! If you are interested in applying or have questions about the program, please contact: growingwatersmart@sonoraninstitute.org

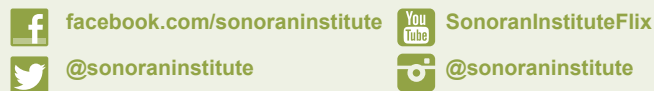
About the Babbitt Center for Land and Water Policy

The Babbitt Center for Land and Water Policy, a Center of the Lincoln Institute of Land Policy, seeks to advance the integration of land and water management to meet the current and future needs of Colorado River Basin communities, economies, and the environment.

About the Sonoran Institute

The Sonoran Institute's mission is to connect people and communities with the natural resources that nourish and sustain them. Learn more about how you can help at [SonoranInstitute.org/donate](https://www.SonoranInstitute.org/donate). Your support preserves the environment for future generations and makes a lasting impact in communities across the Colorado River Basin.

Go to [SonoranInstitute.org](https://www.SonoranInstitute.org) to learn about our programs, history, and recent news. Or find us on Social Media:



BABBITT CENTER
FOR LAND AND WATER POLICY

A Center of the Lincoln Institute of Land Policy



SONORAN
INSTITUTE

14.0 Legislative Affairs

2024 Legislation Highlights

The 2024 legislative session began on January 10 and ended on May 8. This session there were 705 bills introduced – 525 passed (mostly with bipartisan support and often with significant changes from the introduced version) but 105 were voted down and another 75 died on the calendar. The 2024 session was also a bigger year for water policy than in recent years, mostly dominated by the debate around the creation of a state dredge & fill permit program.

Dredge & Fill Debate

In response to the U.S. Supreme Court decision in *Sackett v. Environmental Protection Agency*, much discussion was had on what Colorado could do to address the regulatory gap and what a state permitting program should be on dredge and fill projects. Two pieces of legislation were introduced to create a framework for a state permitting program but in very different ways.

SB24-127, sponsored by Senator Barbara Kirkmeyer (R-Fort Lupton) and Representative Shannon Bird (D-Westminster) created the Stream and Wetlands Protection Act housed under the Department of Natural Resources. The purpose of the bill was to create a state framework and permit program for regulating discharges of dredged or fill material into state waters that were previously subject to federal regulation before *Sackett*. The bill created a new Stream and Wetlands Protection Commission and gave them the authority to promulgate rules for a dredge-and-fill program for regulating discharge of dredged or fill material into state waters. This new permitting program focused on the “gap waters” that no longer were protected under the federal Clean Water Act.

HB24-1379, sponsored by Speaker Julie McCluskie (D-Dillon), Representative Karen McCormick (D-Longmont) and Senator Dylan Roberts (D-Frisco) created a dredge and fill permitting program in the Colorado Department of Public Health and Environment (CDPHE). The bill expands the authority of the Water Quality Control Commission at CDPHE to establish requirements, prohibitions, and standards for the regulation of discharged dredge and fill materials into all state waters, including wetlands. The bill specifies activities that are exempt from dredge and fill program requirements, and exclusions for certain types of waters that may otherwise fall under the definition of “state waters.”

Both bills were the focus of much debate throughout the session, and it was only in the last two weeks of the session that a compromise was finally reached between the two proposals. Amendments were adopted in the Senate Finance Committee to further clarify the exemptions and exclusions from the permitting program and to establish that the state rules would be “as protective as the guidelines set forth in Section 404 33 (b)(1) of the Federal Act”. If the state in the future determines that the federal act guidelines are not adequately protecting state waters, the WQCC could amend or adopt new rules expanding the protections through an official rulemaking process. Once these amendments were agreed to, Senator Kirkmeyer signed on as co-prime sponsor of HB24-1379 and agreed to not move forward with SB24-127. HB24-1379 was signed into law by Governor Polis on May 29.

Colorado River Drought Task Force

At the end of the 2023 legislative session, legislators created the Colorado River Drought Task Force to work over the interim to develop recommendations for legislation to provide tools to address drought in

the Colorado River Basin. The 17-member task force was comprised of representatives from state agencies, local governments, tribes, water engineers, agricultural and environmental interests, and other stakeholders. The task force met multiple times throughout the interim months and came up with multiple recommendations for the General Assembly to consider. SB24-197 implemented the recommendations from the Task Force, as well as one topic that was not an official recommendation but garnered a lot of discussion. The proposals that the Task Force did recommend include:

- Allowing the owner of a decreed water storage water right to loan water to the CWCB for stretches of streams where there isn't a decreed instream flow water right
- Directs the CWCB to establish an agricultural water protection program in all water divisions
- Allows the CWCB to reduce or waive fund matching requirements for water conservation grants to the Ute Mountain Ute Tribe or the Southern Ute Indian Tribe.

The bill also included a provision to allow an electric utility in Water Division 6 (Tri-State Generation and Transmission) to not be at risk to lose historical consumptive use of the water right if the water was not being used between January 2020 and December 2050. The bill also added supportive evidence that a water judge may consider when entertaining a finding of reasonable diligence for a conditional water right. Tri-State came forward with the proposals to protect their water rights associated with a coal-fired power plant in northwest Colorado that is slated to be shut down to meet state environmental goals. The pause in calculating historical consumptive use amounts will give Tri-State additional time to pursue new power generating technologies without fear of losing their water right. These proposals were a topic of discussion by the Task Force for many months, but ultimately were not part of the official recommendation for legislation. The decision to include these proposals in SB24-197 was controversial but Senator Roberts felt very strongly that these protections were necessary to protect a major employer and economic driver in his district.

SB24-197 was signed by Governor Polis on May 29.

Another recommendation from the Task Force was approved through SJM24-002. This Joint Memorial states that the Colorado River Drought Task Force considers the deterioration of the Pine River Indian Irrigation Project an urgent matter of the state of Colorado and requests that Congress fully fund the authorized \$3.5 million to the "Water Infrastructure Improvements for the Nation Act" for necessary improvements the project. https://leg.colorado.gov/sites/default/files/2024a_sjm002_signed.pdf

WRARC Bills Passed

Multiple proposals approved by the Water Resources and Agriculture Review Committee also made their way through the legislative process and were signed into law.

SB24-005 – Prohibit Landscaping Practices for Water Conservation

- Beginning January 1, 2026, the bill prohibits local governments and special districts from installing, planting, or placing nonfunctional turf, artificial turf, or invasive plant species as part of a new development or redevelopment project. Further, beginning January 1, 2025, the Department of Personnel and Administration (DPA) must not use prohibited landscaping in construction and renovation projects on state facilities. The bill does not apply to nonfunctional turf installed before the effective dates, certain grass seeds or sod, or artificial turf on athletic fields of play.
- *Signed by Governor Polis on March 15*

SB24-026: Agriculture & Natural Resources Public Engagement Requirement

- Requires the Colorado Parks & Wildlife Commission, the Colorado Water Conservation Board and the Colorado Agricultural Commission to hold two public in-person meetings each year.
- *Signed by Governor Polis on May 1*

SB24-031 – Local Authority Enforce Violation of Noxious Weed Act

- The bill clarifies that local authorities may enforce provisions of the Colorado Noxious Weed Act. Specifically, it allows each board of county commissioners to assess and collect fines for violations of local laws that manage noxious weeds. In addition, under state law, the bill allows violations of the Noxious Weed Act, or any state or local regulation under the act, to be charged in county court as a civil infraction. This civil infraction is in addition to the authority of the Commissioner of Agriculture to issue civil penalties for violations of the act.
- *Signed by Governor Polis on March 12*

SB24-037 - Study Green Infrastructure for Water Quality Management

- The bill requires the University of Colorado and Colorado State University to collaborate with CDPHE to study the feasibility of substituting green infrastructure, a planned and managed network of natural green spaces, for traditional centralized wastewater and drinking water treatment mechanisms. The purpose of the study is to determine if green infrastructure is a feasible option for alternative compliance for water providers for things such as wildfire mitigation, to determine if such technologies could bring in new sources of funding for water quality compliance and water infrastructure projects and if green infrastructure projects create a cost savings for CDPHE and local water providers. The study must be completed by July 2025. Up to three pilot projects may also be created to demonstrate the use of green infrastructure as an alternative compliance program supported with environmental-focused funding.
- *Signed by Governor Polis on May 24*

Other Important Water Legislation

HB24-1362 – Measure to Incentivize Graywater Use

- Beginning January 1, 2026, the bill authorizes the installation of graywater systems and the use of graywater in new construction projects statewide and allows county, municipal, and consolidated city and county governments to adopt an ordinance or resolution prohibiting the installation of graywater systems for some or all categories of graywater use within their jurisdiction. Local governments may also adopt an ordinance or resolution permitting the installation of graywater systems in existing structures. Local governments must notify the Department of Public Health and Environment (CDPHE) when such a measure is adopted.
- *Signed by Governor Polis on May 29*

HB 24-1435 – CWCB Projects Bill

- The bill appropriates a total of \$55,957,500 for FY 2024-25 to the CWCB and the Division of Water Resources for a variety of water-related projects. It authorizes two loan programs totaling \$256,650,000. It also transfers \$2 million to restore the balance of the litigation fund.
 - o \$380,000 to the CWCB Construction Fund for a satellite monitoring system for water rights administration



- \$1,000,000 to the CWCB Construction Fund for Colorado floodplain map modernization
 - \$500,000 to the CWCB Construction Fund for weather modification permitting
 - \$2,000,000 transfer from unreserved cash in the CWCB Construction fund to the Litigation Fund to restore the fund balance to address legal issues associated with compact compliance
 - \$200,000 from the CWCB Construction Fund for the Colorado Mesonet project
 - \$2,000,000 from the CWCB Construction Fund for improved water supply forecasting
 - \$500,000 from the CWCB Construction Fund for modeling and data analysis by the Upper Colorado River Commission
 - \$1,827,500 from the CWCB Construction Fund for the installation of telemetry equipment across Colorado
 - \$250,000 from the CWCB Construction Fund to establish groundwater resource goals in the Southern High Plains of Colorado
 - \$2,000,000 transfer from the CWCB Construction Fund with appropriation from the Turf Replacement Fund for the statewide Turf Replacement Program, available through June 30, 2028
 - \$4,000,000 from the CWCB Construction Fund for state water plan projects
 - \$20,000,000 transfer from the Severance Tax Perpetual Base Fund with appropriation from the CWCB Construction Fund to purchase Shoshone Power Plant water rights, available through June 30, 2031
- *Signed by Governor Polis on May 29*

SB24-148 – Precipitation Harvesting Storm Water Detention

- The bill allows a facility approved for use as a precipitation harvesting facility located within a storm water detention and infiltration facility to use detained water. The facility must be approved as a pilot project under a State Engineer-approved substitute water supply plan or as a permanent project operating under a water court-decreed augmentation plan. Currently there is only one approved pilot project in place and that is located at the Sterling Ranch development in Douglas County.
- *Signed by Governor Polis on April 11*

SB24-199 – Species Conservation Trust Fund Projects

- The bill authorizes the use of \$5 million from the Species Conservation Trust Fund for specific programs. The programs are designed to conserve native species that are threatened or endangered under state or federal law, or are likely to become candidate species as determined by the U.S. Fish and Wildlife Service. The funds authorized are available in FY 2024-25, and remain available for the designated purposes until they are fully spent.
 - \$1,800,000 for the Upper Colorado River endangered fish recovery program
 - \$650,000 for selenium management, research, monitoring, evaluation, and control
 - \$50,000 for three species recovery efforts
 - \$1,700,000 for native terrestrial wildlife conservation
 - \$800,000 for native aquatic wildlife conservation
- *Signed by Governor Polis on May 17*

SJR24-004 – Water Projects Eligibility Lists

- This is the annual resolution to approve the Drinking Water Project Eligibility List and the Water Pollution Control Project Eligibility List adopted by the Water Quality Control Commission.

- The list of projects can be found here:
https://leg.colorado.gov/sites/default/files/2024a_sjr004_signed.pdf

Other Legislation of Note

HB 24-1454 - Grace Period Noncompliance Digital Accessibility

- Legislation in 2021 (HB21-1110) required state agencies to implement accessibility plans for their information technology systems by July 1, 2024, after which they are liable for discrimination claims. HB24-1454 extends a one-year grace period from liability if the noncompliant agency creates a progress report demonstrating a good-faith effort towards meeting accessibility requirements.
- *Signed by Governor Polis on May 24*

SB24-131 - Prohibiting Carrying Firearms in Sensitive Spaces

- The bill prohibits the carrying of firearms in certain locations.
 - o Government buildings: Carrying firearms is prohibited on the property, offices, and adjacent parking areas of the General Assembly, local government governing bodies, and courthouses. Exceptions are provided for certain individuals in the performance of their duties, and for concealed carry permit holders only when in adjacent parking areas. Local governments are authorized to enact ordinances prohibiting or allowing firearms at government buildings. The penalty for a violation is a class 1 misdemeanor.
 - o Educational institutions: The bill prohibits carrying firearms at public or private schools, colleges, and universities. Exceptions are provided for authorized activities, certain individuals in the performance of their duties, and concealed carry permit holders only when in adjacent parking areas. The bill changes the penalty for unlawfully carrying a firearm at educational institutions from a class 5 felony to a class 1 misdemeanor.
 - o Polling locations: Under current law, open carry of firearms at or near polling locations is prohibited, punishable as a misdemeanor with fines and jail times specified in statute. The bill extends this prohibition to the concealed carry of firearms.
- Finally, the bill clarifies that the current penalty for unlawfully carrying a concealed weapon does not apply to the prohibitions in the bill, and that that a concealed carry permit does not allow a person to carry a concealed handgun in the locations this bill applies to.
- *Signed by Governor Polis on May 31*

Water Resources and Agriculture Review Committee

Members:

- Representative Karen McCormick, Chair (D-Longmont)
- Senator Dylan Roberts, Vice-Chair (D-Eagle)
- Senator Jeff Bridges (D-Greenwood Village)
- Representative Marc Catlin (R-Montrose)
- Representative Mike Lynch (R-Wellington)
- Senator Janice Marchman (D-Loveland)
- Representative Matthew Martinez (D-Alamosa)
- Representative Barbara McLachlan (D-Durango)
- Senator Byron Pelton (R-Sterling)
- Senator Cleave Simpson (R-Alamosa)



Meeting dates have been posted for the WRARC but agendas and topics have not yet been identified .

July 11

State Capitol

Aug. 7

State Capitol – Draft bill requests due

Aug. 21

in conjunction with CWC Summer Meeting

Sept. 18

State Capitol – Finalize Interim Committee bills

CLS will continue to monitor the legislative calendar and will provide updates on future meetings and agenda topics.

Upcoming Important Dates

June 25 – Colorado Primary (*Ballots mailed out June 3. In person voting centers open June 17*)

November 5 – General Election

January 8 – 2025 General Assembly convenes

CLS will send out periodic updates regarding important election information, including a report and analysis of the primary and general election results, including ballot measure results. We will also send out updates following quarterly state budget forecasts.

SWCD

Final Bill Tracker

June 3, 2024

Bill #	Comments	Position	Calendar Notification	Short Title	Sponsors	Most Recent Status
HB24-1007			NOT ON CALENDAR	Prohibit Residential Occupancy Limits	M. Rutinel (D) J. Mabrey (D) / T. Exum (D) J. Gonzales (D)	4/15/2024 Governor Signed
HB24-1024			NOT ON CALENDAR	Extend Outreach Campaigns Wildfire Risk Mitigation	T. Story (D) E. Velasco (D) / L. Cutter (D)	5/20/2024 Governor Signed
HB24-1091			NOT ON CALENDAR	Fire-Hardened Building Materials in Real Property	K. Brown (D) B. Titone (D) / L. Cutter (D) S. Jaquez Lewis (D)	3/12/2024 Governor Signed
HB24-1168			NOT ON CALENDAR	Equal Access to Public Meetings	M. Froelich (D) M. Rutinel (D) / N. Hinrichsen (D)	5/14/2024 House Committee on Appropriations Lay Over Unamended - Amendment(s) Failed
HB24-1178			NOT ON CALENDAR	Local Government Authority to Regulate Pesticides	C. Kipp (D) M. Froelich (D) / L. Cutter (D) S. Jaquez Lewis (D)	5/6/2024 House Second Reading Special Order - Laid Over to 05/09/2024 - No Amendments
HB24-1362			NOT ON CALENDAR	Measures to Incentivize Graywater Use	M. Lukens (D) M. Catlin (R) / D. Roberts (D) C. Simpson (R)	5/29/2024 Governor Signed
HB24-1379			NOT ON CALENDAR	Regulate Dredge & Fill Activities in State Waters	J. McCluskie (D) K. McCormick (D) / D. Roberts (D) B. Kirkmeyer (R)	5/29/2024 Governor Signed
HB24-1413			NOT ON CALENDAR	Severance Tax Transfers	S. Bird (D) R. Taggart (R) / B. Kirkmeyer (R) J. Bridges (D)	5/22/2024 Governor Signed
HB24-1435			NOT ON CALENDAR	Colorado Water Conservation Board Projects	K. McCormick (D) M. Catlin (R) / D. Roberts (D) C. Simpson (R)	5/29/2024 Governor Signed
HB24-1454			NOT ON CALENDAR	Grace Period Noncompliance Digital Accessibility	D. Ortiz (D) R. Pugliese (R) / P. Lundeen (R)	5/24/2024 Governor Signed
SB24-005			NOT ON CALENDAR	Prohibit Landscaping Practices for Water Conservation	D. Roberts (D) C. Simpson (R) / K. McCormick (D) B. McLachlan (D)	3/15/2024 Governor Signed
SB24-026			NOT ON CALENDAR	Agriculture & Natural Resources Public Engagement Requirement	D. Roberts (D) P. Will (R) / B. McLachlan (D) M. Catlin (R)	5/1/2024 Governor Signed
SB24-031			NOT ON CALENDAR	Local Authority Enforce Violation of Noxious Weed Act	D. Roberts (D) / M. Lukens (D) B. McLachlan (D)	3/12/2024 Governor Signed
SB24-037			NOT ON CALENDAR	Study Green Infrastructure for Water Quality Management	C. Simpson (R) J. Bridges (D) / M. Lynch (R) K. McCormick (D)	5/24/2024 Governor Signed
SB24-038			NOT ON CALENDAR	Authorize Conservancy District Water Management	J. Bridges (D) C. Simpson (R) / M. Martinez (D) K. McCormick (D)	3/27/2024 Senate Committee on Agriculture & Natural Resources Postpone Indefinitely

SB24-127			NOT ON CALENDAR	Regulate Dredged & Fill Material State Waters	B. Kirkmeyer (R) / S. Bird (D)	4/25/2024 Senate Committee on Finance Refer Amended to Appropriations
SB24-129			NOT ON CALENDAR	Nonprofit Member Data Privacy & Public Agencies	B. Pelton (R) C. Kolker (D) / C. deGruy Kennedy (D) L. Frizell (R)	5/28/2024 Governor Signed
SB24-131			NOT ON CALENDAR	Prohibiting Carrying Firearms in Sensitive Spaces	S. Jaquez Lewis (D) C. Kolker (D) / K. Brown (D) M. Lindsay (D)	5/31/2024 Governor Signed
SB24-148			NOT ON CALENDAR	Precipitation Harvesting Storm Water Detention	K. Van Winkle (R) / B. McLachlan (D) B. Bradley (R)	4/11/2024 Governor Signed
SB24-165			NOT ON CALENDAR	Air Quality Improvements	K. Priola (D) L. Cutter (D) / M. Rutinel (D) L. Garcia (D)	5/2/2024 Senate Committee on Finance Postpone Indefinitely
SB24-179			NOT ON CALENDAR	Floodplain Management Program	C. Simpson (R) N. Hinrichsen (D) / M. Catlin (R) T. Story (D)	5/8/2024 Signed by the Speaker of the House
SB24-197			NOT ON CALENDAR	Water Conservation Measures	D. Roberts (D) P. Will (R) / J. McCluskie (D) M. Catlin (R)	5/29/2024 Governor Signed
SB24-199			Wednesday, May 8 2024 CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (1) in senate calendar.	Annual Species Conservation Trust Fund Projects	D. Roberts (D) P. Will (R) / K. McCormick (D) M. Catlin (R)	5/17/2024 Governor Signed
SJM24-002			NOT ON CALENDAR	Congress Fund \$35 Million to Water Infrastructure Improvements for the Nation Act	D. Roberts (D) C. Simpson (R) / J. McCluskie (D) B. McLachlan (D)	3/18/2024 Signed by the President of the Senate
SJR24-004		Support	NOT ON CALENDAR	Water Projects Eligibility Lists	D. Roberts (D) C. Simpson (R) / K. McCormick (D) M. Catlin (R)	3/8/2024 Governor Signed



COLORADO LEGISLATIVE STRATEGIES NEWSLETTER

End of Session Newsletter

May 13, 2024

Introduction

The 2024 legislative session – technically the Second Regular Session of the 74th General Assembly – is officially in the books! Well, in legislative terms it's in the journals; but the [House Journal](#) is over 2,000 pages and the [Senate Journal](#) is nearly 1,500 pages so this end of session newsletter is a much better way to get all the big news from this session.

2024 was the sixth year of Governor Polis and total control by Democrats in the General Assembly. And like in those previous years, Governor Polis and leadership in both chambers by and large got what they wanted. So in one sense this session was more of the same but there were also several things that will characterize the 2024 session.

For one thing, the 2024 election loomed large over the session. Of course, there was the normal jockeying of members attempting to run for higher office and members working their way through party assemblies or petitions to get on the primary ballot. But it was the potential ballot measures that really shaped what happened on several issues this session.

After ballot measures filed by both sides led to “grand compromises” at the very end of session on the environment, liability damage caps, and maybe even property taxes (there was a compromise bill but a controversial ballot measure may still appear on the ballot), one lesson from this session is filing and funding ballot measures as a legislative strategy.

Usually the end of session is much more acrimonious. House Republicans even walked out on the final day of last session over a bill introduced on property taxes just three days before the end of session. Fast forward to this session where once again there was a property tax bill introduced just three days before the end of session that instead received Republican support. And the end of this session was generally much more friendly between the parties than year's past.

Another thing that sets this session apart from last session is the difference between a package of bills and one gargantuan bill. The biggest story at the end of last session was the defeat of

Governor Polis' huge signature land use bill. Conversely, this session the Governor broke his land use goals up into small bills that were amended and changed but ultimately all passed.

And last year one big bill on gig workers died in the first committee, but this year it was broken up into two different bills that both were heavily amended and passed this session.

Moreover, last session the massive air quality bill was gutted and turned into an interim committee. This session, proponents broke up their agenda into multiple bills that then forced industry into getting serious about the ballot that then led to historic compromise bills passing.

But don't let all this about compromises at the end fool you into believing it was all sunshine and rainbows this session. The legislative process is still an adversarial process most of the time, and this session had no shortage of winners and losers.

This session there were 705 bills introduced – 525 passed (mostly with bipartisan support and often with significant changes from the introduced version) but 105 were voted down and another 75 died on the calendar. The sheer volume of what gets done in only 120 days is astounding. But you don't have time for all that! So what follows are the big things from the 2024 session broken out into just 12 digestible sections:

Here's what to know from the 2024 session on: 1) Housing; 2) Education; 3) Energy & Environment; 4) Property Taxes; 5) Tax Credits; 6) Technology; 7) Agriculture & Water; 8) Business; 9) Health; 10) Transportation; 11) Guns and 12) General Assembly.

1) Housing

Once again, housing was a major theme for the legislative session. In recent years, Governor Polis has expressed that expanding affordable housing is a top priority for his administration, arguably now more than ever.

Several bills passed as part of the Governor's package including [House Bill 1007](#), which prohibits local governments from setting occupancy limits for non-related residents; [House Bill 1152](#), which deals with accessory dwelling units (ADUs); and [House Bill 1313](#), which requires local governments to change their zoning policies to allow for more housing units around transit.

Other housing bills that passed also took up a significant amount of time on the calendar. [House Bill 1098](#), which requires landlords to renew a tenant's lease unless there is cause to not renew or "just cause eviction"; [House Bill 1175](#), which gives local governments a right of first refusal to purchase publicly subsidized affordable housing; and [House Bill 1304](#), which restricts local governments from enforcing minimum parking requirements for residential buildings, were all among the more controversial bills to be debated on the floor and in committee this year.

Among some of the bigger bills that didn't reach the finish line were [House Bill 1057](#), which would have prohibited landlords from using algorithms to determine rent prices; [House Bill 1230](#), which would have strengthened construction defect laws; [Senate Bill 106](#), which would have eased construction defect laws to increase housing; and [Senate Bill 33](#), which would have quadrupled property taxes for short term rental owners whose properties are rented out for 90 days or more per year. All of those bills faced significant opposition.

Expect to see those bills and more on housing come back next session. It took just cause eviction and right of first refusal two years to pass. And expect housing to continue to be a top issue in future legislative sessions.

2) Education

Another top priority for the General Assembly and Governor Polis was tackling education issues, particularly funding for K-12 education. This year, the legislature was able to pay off the budget stabilization factor, which represented the deficit in public school funding. Through [Senate Bill 188](#), the School Finance Act, the budget stabilization factor was finally paid off.

Additionally, [House Bill 1448](#) addressed public education funding and is awaiting the Governor's signature. By attempting to rewrite the school finance formula for the first time in 30 years, the bill is intended to prioritize rural school districts and school districts with at-risk students.

Some institutions of higher education are also set to receive funding through [House Bill 1231](#), another bill that was a priority for the Governor's office. The bill provides funding for four major projects on higher education campuses, including the creation of University of Northern Colorado's College of Osteopathic Medicine.

Outside the sphere of funding, several other bills were passed to increase accessibility and equity in public school education, such as [Senate Bill 70](#). With bipartisan support, the bill allows for students enrolled in online public education systems to take Colorado's annual standardized test remotely in their traditional educational setting.

However, some of the education bills to pass were also the topic of hours-long debate on both the House and Senate floor. One of the most controversial education bills to pass this year was [House Bill 1039](#), which requires public school employees to address students by their chosen name, and classifies intentionally using a different name as discriminatory. The bill was signed by Governor Polis in April.

[House Bill 1363](#) was another controversial education bill, but didn't make it to the Governor's desk for signature. The bill was aimed at placing limitations on charter schools, but received pushback from both sides of the aisle, as well as the Governor's office.

3) Energy & Environment

It was clear that air quality and ozone would be a big issue this session after the interim committee to look at the issue. Progressive Democrats brought forward several bills that generated a lot of opposition from industry and even the Governor's office.

The first controversial bill to go down was [Senate Bill 159](#) to completely phase out new oil and gas permits in the state. Then several other bills – [Senate Bill 165](#), [Senate Bill 166](#), [House Bill 1330](#) and [House Bill 1367](#)– were killed as part of the end of session deal that paved the way for [Senate Bill 229](#) and [Senate Bill 230](#) to address those issues as part of the compromise. These two “grand compromise” bills increase regulatory authority at the Energy & Carbon Management Commission (ECMC) and the Air Quality Control Division to address ozone emissions and levies a production fee on oil & gas companies to pay for clean transit projects and wildlife habitat mitigation.

Additionally, [House Bill 1339](#), [House Bill 1357](#) and [House Bill 1359](#) all died on the House Appropriations calendar in the last weeks of the session. Another ozone related bill, [Senate Bill 95](#), met its demise in the House Finance Committee even though proponents made many modifications to the bill in order to get bipartisan support from many of the legislators who sat on the interim committee.

There were also significant energy bills that did pass. [Senate Bill 185](#) updates the law on statutory pooling and [House Bill 1346](#) further clarifies the law for carbon capture and sequestration projects and directs the state to consider the cumulative impacts from all ECMC regulated projects before permits can be granted.

There were also several bills dealing with renewable energy. [Senate Bill 207](#) updated the state's community solar program and created more access to distributed energy generation while passing on savings to income qualified customers. There was also [Senate Bill 218](#) to modernize the state's distribution system planning, and [Senate Bill 212](#) on renewable energy siting.

4) Property Taxes

After a sharp increase in property taxes last year, there have been several attempts over the last year to prevent another huge increase in taxes for property owners. In last year's election, there was [Proposition HH](#), a statewide ballot measure to address property tax increases, but that ballot measure overwhelmingly failed.

After the election, Governor Polis called a special session to address property taxes, which created the Commission on Property Taxes. The commission consisted of lawmakers, local leaders, and business community leaders to recommend potential policy solutions to preventing big increases in property taxes.

After months of discussions, negotiations, and recommendations from the commission, [Senate Bill 233](#) was introduced in the last three days of session. The bill caps local property tax growth at 5.5 percent starting in 2025 and decouples assessment rates for school districts and other taxing districts by setting a flat 7.15 percent assessment rate.

Although leaders on both sides of the aisle have expressed that the intention of Senate Bill 233 is to offer a "permanent solution" to property tax issues, there's a catch – the bill is set to go into effect *unless* voters approve a ballot measure in November to address property taxes differently.

A potential ballot measure backed by two conservative groups, Advance Colorado and Colorado Concern, would put a cap on property tax growth that could risk school and local government budgets. The groups appear to be moving forward with the ballot measure, despite Senate Bill 233 being passed. Stay tuned for what happens with that ballot measure and the aftermath.

5) Tax Credits

A big focus for many legislators was affordability as costs continue to rise. How to deploy tax credits most effectively and equitably generated a lot of bills this session. Tax credit bills were a popular idea because TABOR restricts how much revenue there is to spend, and because we are forecasted to be in a TABOR surplus the tax credits are essentially paid for out of that.

Notable tax credit bills that passed include [House Bill 1340](#), which establishes a refundable income tax credit to cover two years of higher education for anyone making under \$90,000. Additionally, [House Bill 1134](#) expands the Earned Income Tax Credit for working families.

[House Bill 1311](#), which creates the Family Affordability Tax Credit, was one of the bigger proposals to make it through the legislative process in the final days of session. Among other tax credit bills that made it to the finish line in the final days of session was [House Bill 1434](#), which expands the existing affordable housing tax credit.

Other bills in the tax credit realm were bills related to workforce development, which is another long standing priority for Governor Polis. [House Bill 1365](#), which expanded Polis' Opportunity Now Colorado grants and incentivizes employers to invest in training new members of the workforce. Another priority for the Governor's office was [House Bill 1325](#), which would create tax incentives for the development of quantum technology in Colorado.

However, many of the bills that would have created additional tax credits didn't make it off the calendar in both chambers. Among the tax credit bills that didn't make it across the finish line were [House Bill 1125](#), which would have created a tax credit for certain costs involved in converting a commercial structure to a residential structure; [House Bill 1208](#), which would have created an income tax credit for eligible teachers; [Senate Bill 146](#), which would have created an income tax credit for certain renters; and [Senate Bill 152](#), which would have created a tax credit for food and beverage retailers that source ingredients from local producers who use regenerative agriculture practices.

6) Technology

Social media, data privacy, and artificial intelligence (AI) were hot topics for the General Assembly this year. However, many of these bills required longer conversations with stakeholders and will likely come back next year.

Bills that passed related to data privacy included [House Bill 1130](#), which adds an individual's biometric data to the Colorado Privacy Act, and [Senate Bill 41](#), which makes changes to the Colorado Privacy Act as it relates to data from a minor's online activity.

Bills that passed related to AI were slightly more controversial. [House Bill 1468](#) shifts the existing Facial Recognition Task Force to focus more specifically on AI policy. [Senate Bill 205](#), which was introduced late in the session and mirrored a similar bill in Connecticut, deals with first-in-the-nation AI regulation. It was pitched as focused on preventing algorithmic discrimination but it was controversial because it would impact a wide range of industries.

As with several bills from this session, Senate Bill 205 could end up on the Governor's veto list.

Bills related to social media were mostly meant to address social media use by youth. [House Bill 1136](#) directs the state to create and maintain a "resource bank" of information and materials related to mental and physical health impacts of social media on juveniles.

Another bill directed at social media use by youth was [Senate Bill 158](#), which did not have the support to pass this year. As introduced, the bill would have allowed law enforcement to access social media activities and data for up to 90 days without a warrant.

7) Agriculture & Water

The regulation of state waters was another pressing issue to be addressed this year. As a result of the Supreme Court's decision in *Sackett v. EPA* last year, which changes how a body of water is protected under the Environmental Protection Agency. So, the state needed to come up with a process for how "dredge and fill" permits and state waters are regulated. The big source of debate here was which department would oversee the regulation.

[House Bill 1379](#), which was introduced by Speaker McCluskie and both chairs of the House and Senate Agriculture committees, called for regulation to be housed under the Department of Public Health and Environment (CDPHE). Proponents of the CDPHE approach argued the department has more experience in permitting, specifically in permits for stormwater and wastewater discharges. However, CDPHE has a historically long backlog in permit approval which caused concern that a new permitting program would not be able to efficiently issue permits. The bill also applies to all state waters, which is an expansion from the federal program

[Senate Bill 127](#), which was introduced by Senator Kirkmeyer and Representative Bird, originally established a new commission under the Department of Natural Resources (DNR) to create and enforce rules related to dredge and fill regulation. Proponents of the DNR approach argued that DNR has more experience in dealing with water issues. Additionally, this bill only focused on the "gap" waters that the *Sackett* case created, which was a much more narrow approach. Eventually, sponsors of both bills came to a compromise and 1379 passed.

The controversial reintroduction of gray wolves at the beginning of this year also influenced different areas of this year's legislative session. In March, three appointments made by Governor Polis to the Colorado Parks and Wildlife Commission were the subject of major controversy during their confirmation. The Senate Agriculture & Natural Resources Committee forwarded the appointees to the full Senate *without* favorable recommendation, a rare rebuke of the Governor's vision for the Wildlife Commission. In the end two of the appointees were confirmed but one withdrew from consideration when it became apparent that he would not have the votes needed to get confirmed.

[Senate Bill 171](#), which authorizes the Division of Parks and Wildlife to reintroduce wolverines in Colorado, also received some hesitation from lawmakers. Compared to the reintroduction of wolves, the bill included more guardrails for the reintroduction of wolverines. The bill passed both chambers in the last week of session and is awaiting the Governor's signature.

8) Business

Several bills related to various business issues were also introduced this year. However, many of the more progressive proposals to regulate businesses didn't make it through.

Of the bills that *did* make it through the process, [House Bill 1260](#) was generally the most controversial. Although it was slightly scaled back through amendments, the bill prohibits retaliation from an employer if an employee declines to participate in an employer-sponsored meeting where the employee believes religious or political opinions are being communicated.

[House Bill 1351](#) was another controversial bill, with negotiations lasting until the final day of session. At surface level, the bill deals with the continuation of the state's Division of Banking. However, a concerning provision in the introduced version of the bill would have allowed for

credit unions to purchase banks. This provision was removed through an amendment on the Senate floor and the bill was ultimately passed without it.

Other business related bills that made it through the process include [House Bill 1121](#), which deals with a consumer “right to repair” requirement for digital electronic equipment, and [House Bill 1129](#), which requires disclosures of certain information to drivers from delivery network companies.

Among the business related bills that *did not* make it through the process were [House Bill 1014](#), which would have removed the significant impact standard used when determining whether a business has committed a deceptive trade practice, and [House Bill 1151](#), which would have required businesses to disclose mandatory fees in advertisements.

Controversial bills related to alcohol sales also didn’t make it through the process. [Senate Bill 181](#), which would have imposed a “fee” on alcohol manufacturers and distributors to pay for substance abuse programs, and [House Bill 1373](#), which would have essentially repealed liquor licenses for large retailers, both failed in committee during the last week of session.

9) Health

Compared to previous years, this year was relatively quiet for legislation in the healthcare space. [Senate Bill 130](#), which would have increased limits on damages an individual can seek for medical malpractice, was a major source of controversy. In the final days of session, Governor Polis announced a compromise had been reached between providers, the business community, and trial lawyers to avoid an expensive fight at the ballot box. As a result, Senate Bill 130 died on the calendar.

[House Bill 1075](#), which would have directed the Colorado School of Public Health to analyze draft model legislation to implement a single-payer healthcare system, also died on the calendar. This bill was similar to a different bill last year, which was amended to remove the “implementation” piece that was included in this year’s bill, but also died on the calendar.

[Senate Bill 54](#), which would have required insurance coverage for diabetes prevention and obesity treatment, ultimately died on the House Appropriations calendar. However, the bill overcame several obstacles and made it further than many bills like this around the country.

Several bills that increase access to care by removing barriers for patients are on their way to the Governor’s desk including [House Bill 1149](#), which requires modifications to prior authorization requirements; [Senate Bill 203](#), which requires Colorado’s Prescription Drug Affordability Board to consider recommendations from the Rare Disease Advisory Council when evaluating drugs for affordability; and [Senate Bill 110](#), which removes prior authorization requirements for certain drugs.

10) Transportation

Transportation, particularly rail, was another top priority for the Governor and Democrats. Several bills this session dealt with finding funding for rail. [Senate Bill 230](#), part of the compromise between environmentalists and industry, establishes a new fee on oil and gas production and directs funds to increase transit service. Additionally, [Senate Bill 184](#) sets a new fee on rental cars to fund construction of long distance passenger rail throughout the state.

Another bill, [Senate Bill 32](#), makes permanent a set of grant programs that allow transit agencies to offer free transit during ozone season and provides free transit for youth year-round. The bill also establishes a committee to develop a proposal for a statewide transit pass.

In his State of the State speech at the beginning of the session, Governor Polis devoted a significant portion to his vision for passenger train transit and he is likely to tout the funding established this session for years to come. But it wasn't all successful for the Governor in the area on transit this session.

Governor Polis pushed [House Bill 1447](#), a major RTD reform bill. The bill generated significant pushback from current RTD elected officials and others because of the way it would have reshaped the way RTD elections work. The bill ultimately died even after the most controversial portion had been amended out.

11) Guns

Similar to previous years, several bills related to guns were the topic of long floor debates and some weekend work. Toward the end of session, there were a few bills in particular that seemed to cause more drama than others.

[House Bill 1349](#) refers a measure to the ballot that would ask voters whether a 6.5 percent excise tax will be imposed on guns and ammunition. When the bill was introduced in the Senate, it was assigned to the Senate Finance committee. Senator Mullica, the chair of the Senate Finance committee, was rather slow to schedule the bill for a hearing until he received pressure from fellow Democrats. In the last days of the session, the bill passed the Senate and is now awaiting the Governor's signature.

[Senate Bill 131](#) was another controversial gun bill. As introduced, the bill outlined a list of places, or "sensitive spaces," in which an individual couldn't carry a gun, even if that individual had a concealed carry permit. After receiving pushback, a strike below amendment was introduced that applied the bill only to institutes of higher education and the Capitol building. The addition of the Capitol was controversial because several legislators regularly carry firearms. However, the bill was passed and is also awaiting signature from the Governor.

That being said, not all gun bills made it to the Governor's desk. [House Bill 1292](#), which would ban "assault weapons" in Colorado, was a repeat bill from last year, but didn't make it through the Senate. Last year, it was widely speculated Governor Polis wasn't very enthusiastic about this bill because of the broad definition of "assault weapon". This year's bill made it further than last year's, but was postponed indefinitely by the bill sponsor in the Senate State, Veterans, and Military Affairs committee at the end of the session.

12) General Assembly

Finally, in addition to all the issues areas above, the General Assembly itself generated a lot of news this session. First of all, the session started with two Democrats (Elisabeth Epps and Bob Marshall) having sued their own leadership and caucus and the entire General Assembly.

The lawsuit was ultimately settled but the ridiculous new procedures around open meetings stifled communication throughout the session. [Senate Bill 157](#) did pass and addressed open

meetings but didn't really solve anything. And results of legislators' funding preferences were released publicly but that just meant that several legislators chose not to participate and in the end it didn't really matter for making final funding decisions.

Leadership changes were also a story this session. After Dominick Moreno vacated his role as Senate Majority Leader and triggered elections that brought Robert Rodriguez in as Majority Leader and Faith Winter as Assistant Majority Leader. Republicans didn't make any changes to their leadership team from last year and it looked like leadership was set for this session. However, news of a DUI changed all of that in the middle of the session.

Early in the session, news broke that House Minority Leader Mike Lynch was issued a DUI a couple of years ago. He never publicly reported it to his colleagues and he ultimately stepped down as House Minority Leader and Rose Pugliese stepped in as the top House Republican. Ty Winter then became Assistant Minority Leader and both were able to successfully navigate a House Republican caucus that can be difficult at times.

The General Assembly is a constantly changing body. This session had several newly appointed legislators and next session will bring even more new faces after the election. Here are all the legislators who will just finished their last legislative session:

[\(Graduation by Vitamin C](#), if you are so inclined)

Termed-out: Senators Fenberg, Fields, Gardner, Ginal, Priola, Smallwood, and Zenzinger; Representatives Catlin, Kennedy, Herod, McLachlan, and Weissman. But we may see Catlin and Weissman return next year because both are running for the Senate. Not running again: Senator Will and Representatives Bockenfeld, Ortiz, and Wilson. Running for Congress: Representatives Evans, Lynch, and Holtorf. Running for the Senate and will probably be back but possibly not: Representatives Amabile, Daugherty, and Snyder.

In that departing group are the last Democrats who know what it's like to be in the minority... So savor this session now, because the next session will be a whole other beast.

Conclusion

Congratulations on making it through the 2024 legislative session! And way to go on making it to the end of a long end of session newsletter. Hopefully you've enjoyed these weekly updates about what's going on at the Capitol and beyond.

Keep an eye out for newsletters over the interim about elections, revenue forecasts, newsworthy legislative activity, and anything else that you should know.

15.0 Emergency Grant Request



THE SOUTHWESTERN WATER CONSERVATION DISTRICT

Developing and Conserving the Waters in the
 San Juan and Dolores Rivers and their Tributaries
 West Building – 841 East Second Avenue
 DURANGO, COLORADO 81301

BOARD MEMORANDUM

From: SWCD Staff

Subject: 2024 Emergency Grant Review

Date: 05/24/2024

The purpose of this memorandum is to provide a summary of the emergency grant application received on 4/23/2024. SWCD staff, with support from Carrie Padgett, reviewed and critiqued this grant application. The Farmers Water Development Company is requesting \$50,000 for the Gurley Dam Slip Repair #2.

In the 2024 budget, SWCD approved \$250,000 for their grant program. At the SWCD Regular February Board Meeting, \$144,155 was approved for grant distribution in 2024. This leaves \$105,845 in grant funding remaining for 2024.

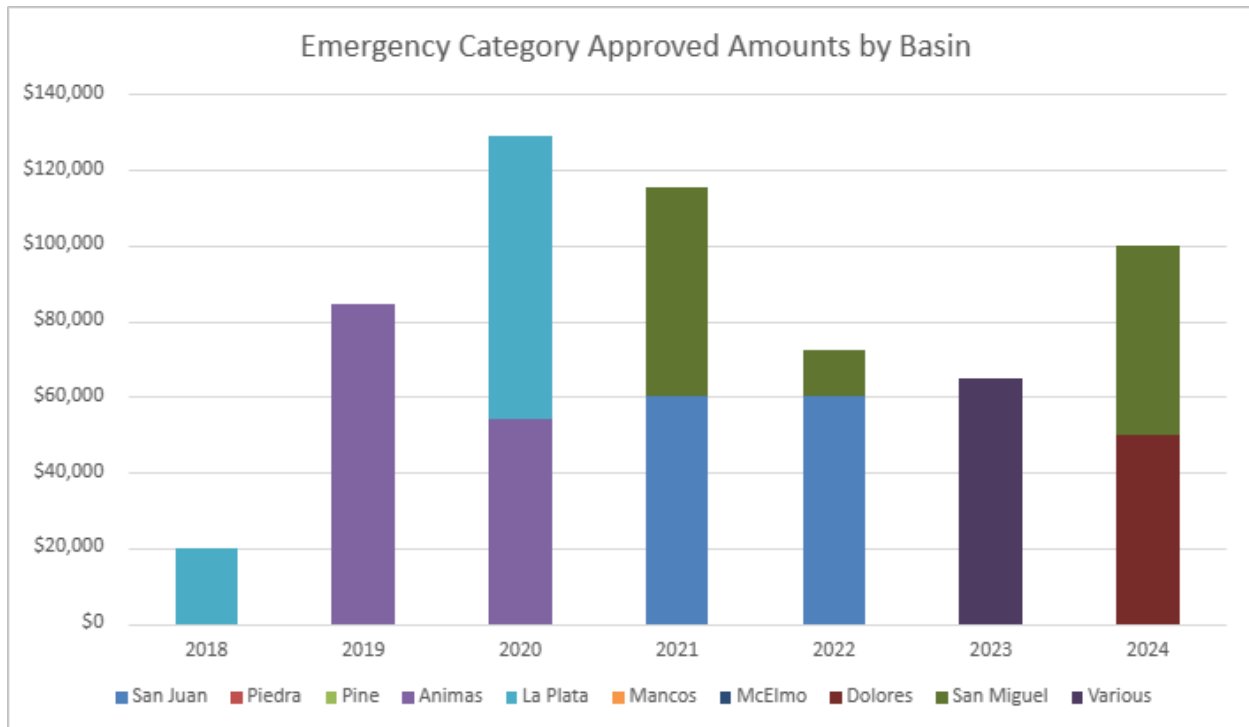
The following memorandum provides a summary of their application, their proposed budget, and recommendations and comments from staff. A summary table is attached. If you have questions about the grant review or recommendations, please contact Mo Rock or Steve Wolff.

2024 Quick Guide

Category	Applicant	Project	Amount
Emergency	The Farmers Water Development Company	Gurley Dam Slip Repair #2	\$50,000

2024 Emergency

The grant funding category for “Emergency requests” does not have a specified maximum for allocation in 2024. There is no maximum grant request per application in this category. There is no maximum amount any applicant can receive in a five-year period. One applicant applied for these funds from this category in February – bringing the current 2024 total to \$50,000. The total amount requested from this category is \$50,000, which will bring the total Emergency allocation to \$100,000.



Gurley Dam Slip Repair #2

The Farmers Water Development Company is requesting \$50,000 to help mitigate the financial burden of an unexpected repair to the Gurley Dam. In 2019, a portion of the Gurly Dam was completely saturated, and a layer of about 3 feet slipped and slid down the slope. This slip was repaired the satisfaction of the State Dam Inspector. However, in late 2023, another portion of the dam also slipped. The new repair will remove and replace material and repair the buttress. The total project costs equals \$272,540. The Farmers Water Development Company is providing match through in-kind labor, totaling \$50,000, and match with cash totaling \$25,000. With \$75,000 in match, Farmers Water exceeds the 25% match requirement for the SWCD Grant Program.

Qualifications:

- Farmers Water Development Company's total project cost are \$272,540
 - MVIC is requesting \$50,000 (18% of the total project cost) from SWCD
 - MVIC is providing a match of \$75,000 (over 25% of the total project cost)
- MVIC is a qualified entity
- MVIC is located in SWCD Boundaries

Recommendations and Comments

SWCD staff see the importance of supporting local organizations, especially in the wake of emergencies. With that being said, SWCD does not have a limit on request for emergencies, either in the current year or over the last 5 years. This flexibility clearly gives the SWCD board the discretion to determine these values on a case-by-case basis. With the initial event occurring approximately 7 months ago, SWCD staff recommend the board discuss their comfort to support the Farmers Water Development Company with this request.

The Farmers Water Development Company has provided a complete application, meets SWCD Strategic priorities, and qualify for receiving a grant, SWCD staff recommend approving the grant.

During the grant guidelines discussion at our June Board Meeting, Staff also plan on asking if the Board would like to move forward with putting a maximum on the emergency grant bucket for Grant Year 2025, as requested by the Board at our February Meeting.



THE SOUTHWESTERN WATER CONSERVATION DISTRICT
 Developing and Conserving the Waters of the
 SAN JUAN AND DOLORES RIVERS AND THEIR TRIBUTARIES
 IN SOUTHWESTERN COLORADO

2024 APPLICATION FOR FINANCIAL ASSISTANCE

**Please review the [2024 Grant Program Guidelines](#) prior to starting this application*

1 - APPLICANT INFORMATION	
Name of Qualified Entity	* The Farmers Water Development Company
Type of Qualified Entity	* Mutual private ditch company <i>*listed on Page 3 of the Grant Guidelines</i>
Mailing Address	* PO Box 10, Norwood, CO 81423
Federal ID Number	84-0201050
Public Water System ID	
Contact Person 1	* Dave Alexander
Title	* President 970-327-4650
Phone Number	* President 970-327-4650
Email	* farmerswdc@yahoo.com
Contact Person 2	Deana Sheriff
Title	Town Manager
Phone Number	970-327-4288
Email	dsheriff@norwoodtown.com

2 - WATER ACTIVITY SUMMARY	
Date of Submittal	* 04/15/2024
Type of Submittal	* Grant <i>*grant, loan, or a combination thereof</i>
Project Name	* Gurley Dam Slip Repair #2
Applicant	* The Farmers Water Development Company
River Basin & County	* San Miguel Watershed; San Miguel County
Amount Request	* \$50,000.00
Total Project Cost	* \$272,540.00
Applicant Match	* 142,470.00
Use of Funds Year	2024

3 - WATER ACTIVITY CATEGORY		
X*	Limit	Category
<input type="checkbox"/>	\$60,000	Water Supply/Watershed Restoration: Water supply or watershed restoration or enhancement projects, including design, engineering, and construction
<input type="checkbox"/>	\$20,000	Public Forums/Studies: Public forums, workgroups, studies, planning efforts
<input type="checkbox"/>	\$10,000	Education: Teaching seminars, workshops, and related programs
<input checked="" type="checkbox"/>	\$50,000	Emergency: Situations arising from catastrophic or unforeseen events
<p>Note: The amount of funding each applicant may receive is further limited by the funding received in any given five-year period, as well as the total amount allocated to each category by the board.</p>		

2024 SWCD Financial Assistance Checklist

4 - SWCD SUBMITTAL CHECKLIST	
✓	*I acknowledge I have read and understand the 2024 SWCD Grant Program Guidelines .
✓	*The request does not exceed 50% of the total project cost
✓	*The applying organization is funding at least 25% of the total project cost
✓	*The request is for funds to be used in 2024, for a project to be completed in 2024
✓	*I understand that SWCD does not fund payroll, legal, or grant administration costs
✓	*I have included a <u>detailed</u> project expense budget
✓	*I have included a <u>detailed</u> project funding budget.
✓	*I have consulted with SWCD staff to ensure all minimum criteria have been met
✓	*I have gathered all of the required attachments indicated below
✓	* The Application is ONE PDF - including attachments in the order indicated below

5 - ATTACHMENT CHECKLIST		
* Attach in this order	Status	Section
✓ *Qualified entity - <i>see guidelines</i>	Required	1
✓ *Financial statements to demonstrate adequate reserve - <i>no more than 5 pages</i>	Required	6
✓ Map and/or photos of project location	Optional	7
Measurable results	Optional	7
“Water Rights Tabulation” Report	Optional	7
Water project timeline supporting documents	Optional	8
✓ Feasibility study/assessments done for the project	Optional	9
Water activity budget supporting documents	Optional	10
✓ Matching requirement supporting documents	Optional	11
✓ *Detailed Expense and Funding Budget - <i>can use space provided in the application</i>	Required	12
Applicant liability or indebtedness supporting documents	Optional	14
✓ Letters of Support	Optional	16

Frequently Asked Questions:

Q: What documentation do I need to submit to prove we’re a “Qualified Entity”?

A: Examples of proper documentation include (but are not limited to) articles of incorporation, corporate bylaws, or a Certificate of Good Standing from the Colorado Secretary of State.

Q: Should I gather everything I need for my application before reaching out to SWCD Staff?

A: The more you can gather, the easier the process will be - feel free to reach out to staff at any point in the application process and we can help answer any questions you may have.

Q: Why are there word/page limits on some application sections, what if I need more space?

A: Limits are set to give you an idea on how detailed answers need to be and to help staff review your application, please reach out if you have any concerns about these limits.

Please refer to our [FAQ Page](#) for other frequently asked questions.

* Denotes required information - applications will be returned if required fields are missing
Questions? Contact: Mo Rock, 970-247-1302, morock@swgcd.org

6 - APPLICANT DESCRIPTION

*Provide a brief description of the applying entity. For ditch companies, please provide the number of shareholders, acres served, and annual assessment. (250-word max)

FWDC provides agricultural water to 210 shareholders, covering approximately 12,000 acres of land, with an annual assessment of \$124,477.50. Crops under irrigation include corn, wheat, alfalfa, apple orchards, and animal production. Additionally, FWDC supplies water to the Norwood Water Commission for municipal water for the Town of Norwood and residents of Wrights Mesa (approximately 450 domestic water taps).

*Describe how the Applicant is proactively and financially planning for their own future needs through adequate assessments, reserves, and other means. (250-word max)

FWDC reviews the assessments on an annual basis to ensure adequate operating funds, reserves are maintained, and if possible, funds are set aside for grant matching funds for future improvement projects and urgent repairs.

7 - PROJECT DESCRIPTION

*Provide a narrative description of the activity's physical location, as well as its purpose. Additionally, provide a description of the water supply source to be utilized or the water body affected by the project. (200-word max)

The project is located in San Miguel County, CO at latitude 30 degrees 02' 8.39"N and longitude 108 degrees 14' 50.60" W. The reservoir has a storage capacity of up to 10,000 acre feet, providing storage for over 700 users.

If possible, include measurable results such as acres served, watersheds impact, types of crops, number of taps, length of ditch improvements, length of pipe installed, area of habitat improvements, or students impacted. Photos, maps, or other graphics can be inserted here or attached.

FWDC provides agricultural water for agricultural irrigation including corn, wheat, alfalfa, apple orchards, and animal production. Additionally, FWDC supplies water to the Norwood Water Commission for municipal water for the Town of Norwood and residents of Wrights Mesa for approximately 450 domestic water taps.

*What are the benefits of the project? Consider the following prompts in your answer, hitting all points if possible:

1. How does the project assist SWCD in furthering its statutory mission to protect, conserve, use, and develop the water resources of southwestern Colorado, as well as safeguard all waters to which Colorado is entitled?
2. In February of 2022, SWCD adopted a strategic plan with six strategic priorities, [read the priorities here](#). Which priorities does this project satisfy and how?
3. Does your project enhance or preserve any pre-compact water rights? If so, please describe the amount, appropriation date and adjudication date of these water rights .

Additionally, attach a "Water Rights Tabulation" report from the Colorado Division of Water Resources (DWR). (750-word max)

For help acquiring water rights information, call DWR (San Miguel Basin: 970-249-6622, Other Basins: 970-247-1845).

1. This project assists SWCD with protecting water rights, water consumption and use, and the development and security of water resources in southwestern Colorado. We cannot afford to lose any existing storage while seeking out locations and funding for future water storage.

2. Goal 1, 2 & 4: This project supports the SWCD Strategic Priorities by effectively managing the exiting water rights and storage capacity currently on the books. The quantity and quality are measured continuously through headgates and via reporting to CDPHE. Conservation measures are being adopted by the Norwood Water Commission (NWC) to help ensure water delivery in the future.

"Water Days" is a new educational offering held each year in the early summer to educate the citizenry on where their water comes from, delivery, and the precious nature of this commodity.

Further, NWC is reviewing all water contracts, taps and other measures to ensure data collected is accurate. NWC is presently improving water lines to ensure breaks are less frequent and that a redundant water line is in place to provide safe delivery of water while new lines are put in place.

* Denotes required information - applications will be returned if required fields are missing
Questions? Contact: Mo Rock, 970-247-1302, morock@swwcd.org

8 - WATER PROJECT TIMELINE

*Provide a narrative description of the timeline for the project’s major tasks and/or a detailed outline (250-word max)

In 2019, a portion of the Gurley Dam was completely saturated, and a layer of about 3 feet slipped and slid down the slope. This slip was repaired to the satisfaction of the State Dam Inspector. However, in 2023, another portion of the dam also slipped.

The new repair will remove and replace material (using contractor produced 3" minus material), remove material for buttress addition, and repair the buttress with on-site material 12" minus). Weak material will be replaced with these contractor-produced and on-site materials pulled from local "borrow" pits per the engineered plan. Most of the labor will be provided in-house (using FWDC excavator, dozer and dump truck), and subcontractors will be used as needed. Mobilization, demobilization and testing of material is included in the estimate received from Davis Engineering. A 20% contingency for materials and construction has been added to the project.

It is anticipated to take approximately 4 to 6 weeks for the full repair.

9 - ENGINEERING AND LEGAL FEASIBILITY
*Will the Project require the acquisition of additional water rights or a change of existing water rights? If yes, please explain. (150-word max)
No
*Will the Project require local, state or federal regulatory permits of any type? If yes, please explain. (150-word max)
No, but it will require inspection from the State Dam Inspection office.
List below and attach to this application any feasibility studies or investigations that have been completed or are now in progress for the proposed project. (200-word max)
N/A

10 - MATCHING REQUIREMENTS			
*Applicants must demonstrate that they are actively contributing to the project for which they are requesting funding. Any grant approval will be contingent upon the recipient ultimately demonstrating that they have secured funding for the full project cost.			
In addition, applicants must also demonstrate that they will provide, through a cash contribution and/or the performance of in-kind services, at least 25% of the total project costs. See the guidelines for more information. Attach additional information if necessary.			
Contributing Entity	Amount	In-Kind or Cash	Approval Date or Anticipated Approval Date
Farmers Water Development Company	\$50,000	In-kind	2/9/2024
Farmers Water Development Company	\$25,000	Cash	2/9/2024
Colorado Water Conservation Board	\$144,540	Cash	6/12/2024
SWCD	\$50,000	Cash	6/20/24
Total Applicant Match (At Least 25%)	\$132,496		
Total Other Funding	\$144,540		
SWCD Request (Up to 50% of Project Cost)	\$50,000		
Total Project Cost	\$272,540.00		

* Denotes required information - applications will be returned if required fields are missing
Questions? Contact: Mo Rock, 970-247-1302, morock@swwcd.org

11 - WATER PROJECT BUDGET		
*Please provide a detailed project budget. You can use the template below or provide a more detailed table in an attachment. *Describe any payroll or legal costs, as well as any costs for administering this and other grants. SWCD will not fund those portions of the project.		
Task/Materials Description	Funded By (Applicant, SWCD, Other)	Amount
Remove & replace material w/Contractor produced 3" minus	SWCD, CWCB, Applicant	194,540
Remove Material for Buttress Addition, Add'l material, Testing	Applicant	22,250.00
Buttress Mat'l Addition w/Onsite 12" minus	Applicant	6,200.00
Mobilization & demobilization	Applicant	15,000.00
Prelim, Design & Construction Engineering	Applicant	30,000.00
Contingency @ 20%	Applicant	37,090
SEE ATTACHED EST. REPAIR COSTS FOR FULL DETAIL		
Total Project Cost		272,540.00
Grant Administration Costs as a Percentage of Total Project Cost		0%

12 - WATER ACTIVITY BUDGET
Provide any narrative description of the project expense and funding budget that is necessary. (200-word max)
Telluride Gravel is the approved contractor for this project. They will remove all the "slipped" material and replace with 3" gravel provided from their off-site gravel pit and sorted on-site material. They will compact the gravel and perform appropriate materials and testing to meet all Colorado Dam standards, Further, volunteers from Farmers Ditch will provide heavy equipment to help move the dross material and crush and sort material by size for Telluride Gravel's on-site use.
*Please include a detailed description of in-kind materials and services, if any, along with the basis for in-kind valuations. Attach supporting documentation if necessary.
In-kind materials and services include the use of volunteers to make repairs, the provision of materials on site (including crushing of material to size), and equipment usage. In-kind services include grant administration including all necessary reporting (not included in the budget, nor is SWCD paying for any grant administration on this project). All volunteers are provided with a time sheet to record their labor hours, and will track their time (using Davis-Bacon wage criteria), hours on equipment (based on daily rental rates), gasoline to operate equipment, etc. Documentation of all activities will be provided during reporting.

* Denotes required information - applications will be returned if required fields are missing
Questions? Contact: Mo Rock, 970-247-1302, morock@swwcd.org

13 - PREVIOUS SWCD AWARDS AND REQUESTS

*Please list all previous requests and awards from SWCD. Please ensure that your entity does not exceed the five-year limits on awards outlined in the [guidelines](#).

Year	Amount	Project Title
2022	\$27,642	Gurley Dam Embankment Slip Reconstruction (extended from 2021)
2013	\$50,000	Headgate projects
2010	\$45,000	Gurley Headgate Repair
		Total \$122,642.00

14 - APPLICANT LIABILITY OR INDEBTEDNESS

*Please list any existing long-term liability (multi-year) or indebtedness that exceeds one thousand dollars. This might include bank loans, government agency loans, or bond issues. Please provide the lender's name, address, remaining principal, annual payment, and maturity date. If any of these liabilities are currently in default or have been in default at any time in the past, please provide a detailed explanation. Attach a separate schedule as necessary.

N/A

15 - FOR LOAN REQUESTS

*Please identify all revenue sources for the applicant that would be available to repay SWCD should financial assistance be offered in the form of a loan.

N/A

* Denotes required information - applications will be returned if required fields are missing
Questions? Contact: Mo Rock, 970-247-1302, morock@swgcd.org

16 - APPLICANT SIGNATURE

*By signing below, I acknowledge I have read the 2024 SWCD Grant Program Guidelines, understand and agree to abide by all program requirements, and that this grant application is complete and true to the best of my knowledge.

Should the grant funds be awarded, I understand that the grant funds shall only be used by a qualified entity for the specific purpose(s) described in my SWCD grant application and up to the amount indicated in SWCD's grant approval letter.

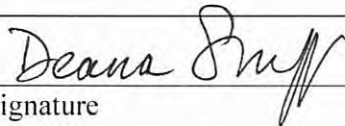
I understand that grant funding may be requested when needed in 2024. Upon the District's receipt of the *Request for Release of Funds* form, documentation showing the applicant continues to be a qualified entity and that all other matching project funds required by the District's 2024 Grant Program Guidelines have been committed and secured, the grant will be made available.

If the intended use of grant funds changes, I am required to inform SWCD staff and further review and approval by the District's Board will be necessary. The District may require additional documentation regarding the use of the funds at its discretion.

In addition, in the event the project, study, or program for which the grant was awarded ultimately comes in under budget, I must return a pro-rata portion of the remaining funds to the District within 45 days of completion. For example, if the completed project, study, or program is \$20,000 under budget, and SWCD contributed 20% of the total project costs, then the grant recipient shall be required to return \$4,000 (20% of \$20,000) to SWCD.

I acknowledge that a final written report, including a description of work completed and a detailed accounting of the use of funds, will be due to SWCD within three (3) months of the final expenditure or by December 31, 2024, whichever occurs first. If the Applicant cannot submit the final report by the deadline, they must submit a written request for an extension of time to SWCD staff prior to December 31, 2024 that explains the reporting delay and a proposed final submittal date. The Board will not consider future grant requests from Applicants that do not comply with this provision and submit an acceptable final report.

If the project will not be completed in 2024, I understand that it is necessary to submit a written grant extension request.

	<u>05/06/24</u>
Signature	Date
Printed Name <u>DEANA SHERIFF</u>	
As Authorized Representative for <u>FARMERS WATER DEVELOPMENT CO.</u>	

Please sign and submit the completed application as one PDF via email to morock@swgcd.org or mail it to SWCD 841 E. 2nd Ave., Durango, CO 81301.

* Denotes required information - applications will be returned if required fields are missing
Questions? Contact: Mo Rock, 970-247-1302, morock@swgcd.org



Norwood Fire Protection District
1605 Summit St, P. O. Box 411
Norwood, CO 81423
970-327-4800
norwoodfiredistrict.org

To Whom It May Concern:

The Norwood Fire Protection District (NFPD) fully endorses all repairs and improvements to the Gurley reservoir. The Gurley reservoir is the sole source of drinking water for the Norwood community which services approximately 2500 residents. It also provides raw water used for field irrigation and the watering of farm/ranch animals, both of which are a mainstay of our community.

The NFPD depends on the water supplied from the Gurley reservoir for all fire suppression within the district to including structural and wildland. Norwood is an extreme risk area for wildland fires and wildland /urban interface. With the continued and increasing drought conditions in Western Colorado, we need all the water possible to combat these growing fires.

The NFPD STRONGLY supports Farmer's Water and their efforts to improve water conditions for the Norwood area.

Please feel free to contact me with any questions or concerns.

Respectfully,

John J. Bockrath, Fire Chief
Norwood Fire Protection District

Office: 970-327-4800
Cell: 970-729-0934
Email: norwoodchief@norwoodcofire.com



April 5, 2024

Southwestern Water Conservation District
841 East Second Avenue
Durango, CO 81301

Regarding: Farmers Water Development Company – 2nd Repair

To whom it may concern:

I am writing in support of grant monies being allocated to the Farmers Water Development Co. for repairs to the Gurley Reservoir outside of Norwood, CO. This reservoir, built in the 1890s, is critical to the economic viability of Wrights Mesa. It is the main source of municipal water for the regional area, including households within the Town of Norwood, and also serves as a key source of water for agricultural interests on the mesa.

While a larger slip was successfully repaired last year, the dam is in need of further repairs as another slip has developed in recent months. The cost of repairing the new slip far exceeds what the budgeted amounts from regional entities can provide.

Thank you in advance for your consideration.

Sincerely,

Tony Daranyi, Chairperson
Norwood Water Commission
Shareholder, Farmers Water Dev. Co.

16.0 Hydrology Reports

Agenda Item 16.1 - Hydrology

An updated hydrology report will be handed out at the Board meeting.

17.0 Partner Updates

HARRIS WATER ENGINEERING, INC.
954 EAST SECOND AVENUE, #202
DURANGO, COLORADO 81301
970-259-5322
carrie@durangowater.com

Memorandum
June 3, 2024

To: SWCD Board of Directors
From: Carrie Padgett
Subject: Engineering Report for the June 12 and 13, 2024 Board Meeting

The following is a summary of the topics Carrie Padgett worked on for SWCD since the last Board meeting, during the months of April and May. For more background and detail please contact me.

San Juan and Upper Basin Endangered Fish Recovery Programs

I attended a series of Biology Committee and other committee meetings in April and May. The annual meeting was held in May and the following summary is from that meeting.

Progress towards recovery for Colorado Pikeminnow can be measured using the following criteria:

1. 15-year adult trends in wild and stocked fish; trends should be stable or increasing
2. Population size of 250 adults or more in the San Juan over a consecutive 10-year period
3. Wild subadult survival is greater than adult mortality over a 10-to-15-year period
4. Mean density of wild age-0 juveniles is greater than 1.4/100 m² over a 10-year period

The May meeting presented that Colorado Pikeminnow are increasing in abundance over time with the last three years having 210 or more unique adults identified. These adult fish support the goal of reaching a population size of 250 adults. While large fish were captured, no detections were made of wild subadults. The mean density of wild age-0 over the last 10 years is 0.07/100 m² with last year providing a significant increase in the mean density.

Progress towards recovery for Razorback Sucker can be measured using the following criteria:

1. Trend in adult abundance does not decline significantly
2. Each point estimate exceeds 5,800 adults
3. Wild subadult survival is greater than adult mortality

Razorback Sucker are increasing in abundance over time with the last three years having 8,000 or more unique adults identified. Similar to pikeminnow, no detections of wild subadult were made.

These recruitment bottlenecks are a large focus of the Biology Committee with new scopes of work being proposed this year to better address these concerns. Program activities addressing these concerns include increasing fish passage at PNM weir, studying impacts of elevation base flows on habitat, creating artificial wetlands to understand recruitment limitations, and stocking larger prey trained fish.

Navajo Reservoir

I attended a Navajo Reservoir Operations meeting in April as well as witnessed two updates on Navajo Reservoir by Susan Behery at the May Recovery Program meetings. For the 2024 water year no spring peak will occur. While the reservoir started the water year with a higher content than in 2023, soil moisture was depleted which meant the near average snowpack resulted in a below-average runoff across the basin.

2023 was the first year that leased water from the Jicarilla Apache Nation to the New Mexico Interstate Stream Commission (NMISC) was released. A total of 20,000 AF was leased by NMISC. This additional water supply extended the 2023 spring peak release by about 3 days. For 2024, the NMISC is proposed two releases. The proposed release pattern is five days at 250 cfs, five days at 500 cfs, and five days at 250 cfs. The first release will likely occur in August with a second release in November.

General

I continue to work with Steve, Mo, and Beth on various other tasks within the District that are outside my typical memo headings/sections. These include:

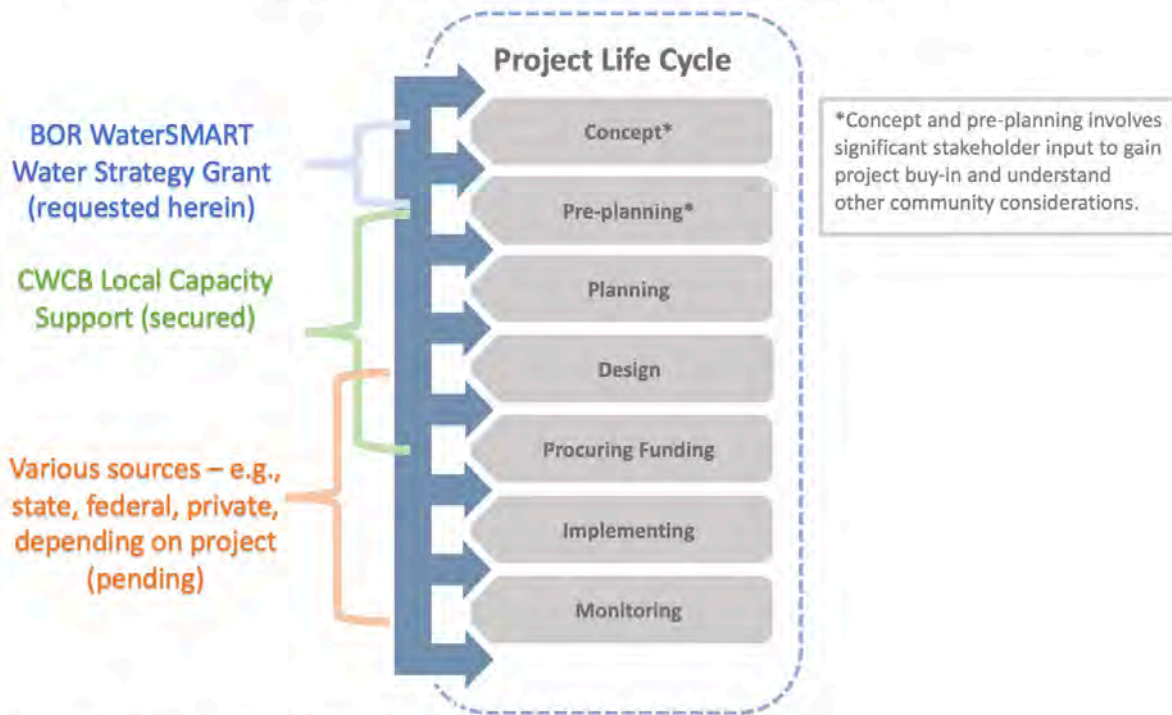
- Prepared Board memos for quarterly meetings.
- I've provided technical review of Notice of Intent applications for use of the District's 06CW127 water rights.

Community Navigator Technical Support

I recently began providing technical support to the community navigator team. The navigator team submitted a WaterSmart grant to the Bureau of Reclamation (BOR) in May. This grant was under their Planning and Project Design Grants category. I provided technical support in completing the grant application. We developed a few graphics for the grant to better explain the program. The below figure shows a project's life cycle and how each phase will be funded. The second figure shows the different components of the program as it relates to requirements to the BOR grant.

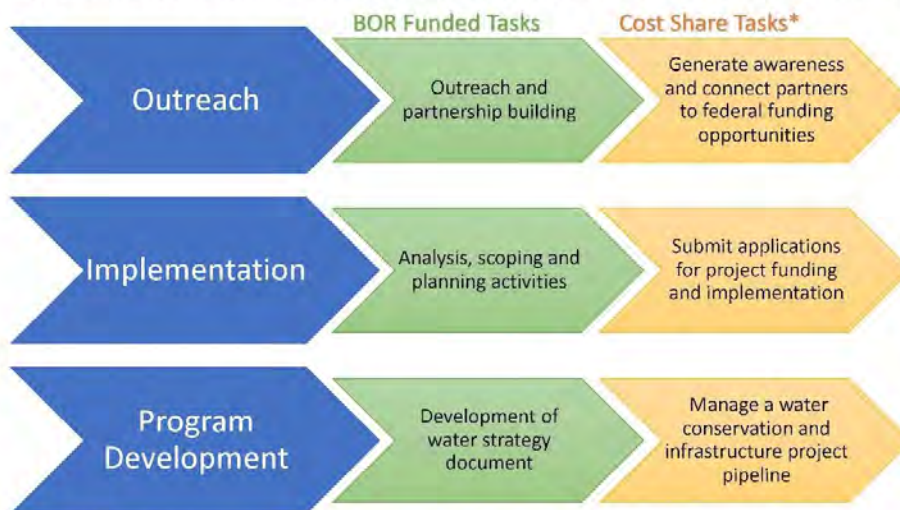
As part of this team, I continue to attend workgroup meetings regarding the Natural Resources Damage Funds (NRDF) available for the Animas River watershed. I see a future opportunity for the community navigator to work with these interested parties in pursuing projects in the basin that leverage these NRDF along with other local, state, and federal funding opportunities.

SWCD Water Conservation & Infrastructure Program Support for Multi-Benefit Project Development



**Note: SWCD is providing funding for all program components and tasks*

SWCD Water Conservation & Infrastructure Program Components



**Note: Cost share is comprised of SWCD, CWCB, and TRCP cash and in-kind support.*



Elaine Chick - WIP Update – SWCD Board Meeting

June 12 – 13, 2024

- **Children’s Water Festival:**

The Children’s Water Festival was held on May 15, 2024, at Ft. Lewis College. As previously mentioned, the festival was rescheduled a week later because Ft. Lewis College needed to accommodate their commencement ceremonies and related events. The college does not have the capacity to host external events so close to their own activities. At that time, Elaine expressed concern about the new festival date being so close to the end of the school semester. Unfortunately, her concerns were valid, as three schools were unable to attend due to transportation issues at that time in the semester.

Despite the scheduling challenges, the Children’s Water Festival was a tremendous success. We welcomed 14 schools, 31 classes, and 600 fifth graders. Thirty presenters covered a wide array of topics. The City of Durango participated with five departments discussing the City’s Water Distribution System, Durango Wastewater, the City’s Water Treatment Plant, the City’s Sewer Collections System, and preventing pollution in stormwater runoff. The Mountain Studies Institute delivered three distinct presentations, and three other presenters focused on agriculture topics like "Water + Soil = Food," "Farm Safety," and "Water to Hamburgers – How Much Water is in Your Food?" Additional presentations covered a variety of subjects, including watersheds, the impact of forest health on water quality and erosion, aquatic insects that feed trout, the role of wetlands in the ecosystems, and understanding pH levels, among many others.

Securing volunteers this year proved to be another challenge, as we had only eight volunteers. Last year we had 21. Nevertheless, we managed effectively. Elaine provided the teachers and presenters with comprehensive information, including maps and schedules, ensuring everyone knew what to do and where to go. Additionally, we added more outdoor signage, which significantly helped in guiding everyone. Hopefully, next year we can increase engagement from our partners and the public to boost volunteer numbers.

Some of the feedback highlighted how organized everything was. I am attaching a couple of letters I received directly from students. As well, here are just a few of the responses from teachers and presenters:

Teacher Responses:

Ft. Lewis Mesa: *“All hands-on lessons were the most engaging for the kids. The kids enjoyed answering questions and helping solve the problems offered. They loved little treats given (books, small chocolates etc.). The visual demonstrations were helpful like spraying water on the rooftop model and watching the runoff. The visual of the tube sucking in the toilet paper vs. the wipe (clogged it). They love the Water Wizard and love the Fire Department - water relay. The kids are asked to consider real issues that relate to their lives regarding water. They are empowered to understand the necessity of water in order to live and why we need to save and not waste it. The pre communication and all the maps and schedules are so helpful.”*

Ignacio Elementary School: *“As always, my students love the water wizard competition. This year my students enjoyed the watershed presentation as well as the soil and healthy forest session. The organization of the event was superior this year. There were no over scheduled events and the timing was great.”*

Mountain Middle School: *“Honestly, they learned a ton at every station. Everything with a hands-on aspect was very effective. I think the variety of stations and the hands-on nature of the activities are the main strengths.”*

Dolores Elementary: *“Engaging activities for the kids, great and knowledgeable workers. You guys consistently do a great job with this, and we’re excited to keep coming back if able!”*

Presenter Responses:

Jake Kursweil – MSI – *“One of the main strengths of the festival is getting students to interface with a wide variety of folks in different industries. All went well from my perspective, no suggestions for improving the festival. Was very smooth on my end, loved the signs, kids were excited, and I had a blast.”*

Erica Holm – High Desert and Mancos Conservation Districts:

“Elaine, thank you for all your hard work and long hours making the water festival a success. It was fun to see it in action. The schedule was great, and the groups did a great job of following it to keep the flow going smoothly. I loved seeing all the different booths and ways we all use water. Great collaborations and exhibits all around.”

Becky Pierce - Society of Wetand Scientists: *“One of the main strengths of the festival is the presenters! I witnessed so much passion for people's roles and the kids.”*

Phyllis Snyder - San Juan Basin Farm Bureau: *“For my part I think it is important to tell our agriculture water story. I know most of the other presenters are not promoting agriculture water rights so my presentation is an important component to a water education program.”*

Laura Rieck – City of Durango: *“Bringing so many disciplines in water to one place, interacting with students, engaging with teachers. Figuring out funding or volunteers to increase transportation for schools that are experiencing trouble getting to the water fest. Maybe suggesting to schools to create a transportation back-up plan in case buses aren't available, like renting vans or parents volunteering to dropoff/pickup groups of students. FLC IT Dept was very responsive when we couldn't access the computers. Thank you for putting their phone number on the email so we could contact them.”*

- **Forest to Faucets Teacher Training:**

Our next Forest to Faucets training will take place in Pagosa Springs on June 12-13, 2024. The Pagosa Area Water Sanitation District has generously provided their conference room for our use as the classroom base. Currently, we have 12 people registered for the program.

WIP supplies all the teacher kits, including everything needed for teachers to replicate our activities. We also assist with coordination and planning, provide lunches for all teachers and presenters for the two days, and Elaine will be facilitating two activities.

WIP/PEPO Educational Video:

We are moving forward with the creation and production of an educational video, funded by the Water Information Program and the SW Basins Roundtable PEPO (Public Education, Participation, and Outreach) grant. The video will focus on agriculture in the Southwest. Elaine is collaborating with Christi Bodi from Moxiecran Media as the videographer and working with Ken Curtis from the Dolores Water Conservancy District and Brandon Johnson from MVIC to provide content suggestions and identify farmers to interview. We've had our first meeting and are awaiting information from Ken and Brandon. Once we receive it, Christi and I will create an outline, video shoot schedule, script, and other necessary elements. Another exciting educational project.

Reflecting on the Children's Water Festival

By: Kyndal

On Wednesday the 15th was the field trip to Fort Lewis College. We got to learn new things. I am so glad that we got invited to this field trip. It was the best. The Water Festival was very fun, especially the Water wizard. I had fun doing that. The stations outside were fun too.

The 5 things I learned was, number one, how they make the dirty water drinkable for us. Number two, how they pack the fish up the lakes and rivers. Number three, about the fire fighters and their job. Number four, I learned about the wetlands and how they absorb the water. And lastly, number five, how to be safe around a farm and large equipment.

My favorite part of the whole water festival was the Water Wizard. I loved being the spokesperson. I loved how we all had to work as a team and had to memorize our questions and our answers.

My not so favorite part was, none of it. I loved it all and I had so much fun.

Thank you so much for inviting us to the Children's Water Festival. I had a great time. You guys taught me so much. I am glad we got to go.

THANK YOU!!!!!!

Field trip

Yesterday, Wed. the 15th, we went to Ft Lewis for a water festival. It was a long drive mostly because I had kids screaming in my ear. The festival was nice, I learned a lot!

Some of the things that I learned is that to stop a wildfire is to dig a little trench around it to stop it from spreading. I also learned how to build a little river, I learned that rainbow trout are not native to the state of Colorado, to never go near a tractor when it's on or when a blade is moving, and to never play in grain.

My favorite part was the water wizard, because it was a lot of fun and I learned a lot.

Not so my favorite part is when we had to learn about bugs, bugs freak me out!

THANK YOU!! Thank you so much for inviting us, I had so so much fun!

By Lily M Edwards 5th grade P.T. dolores

Thank you water festival people. I enjoyed the water festival very much. I learned a lot of things. I learned about watersheds and evaporation. I also enjoyed the questions about water. Thank you very much!

**Sincerely,
Vann Robinson**

THANK YOU!!!

Thank you so much for inviting us to your water festival. I had so much fun, and I learned a lot about water. Even though sometimes it's boring to learn, you guys made it so much more fun! My favorite part was the water wheel. My least favorite was the station that talked about how much water is in the food we eat. I hope all the other kids like it like I did! Goodbye and thank you again

-Josie Nichols

Thank you for the water festival. I liked that we got to have a competition. I liked that since it was hot, we got to have a bucket of water dumped on us. Thank you for letting us come to Fort Lewis, and learn something about water.

From Marissa Hill

Thank you waterfest workers for a great time! I had so much fun along with my classmates and hope you did too! I loved all the fun projects we did! I wish I could come again for another day! I also learned so many cool facts about water! Thank You For A Great Time! -Lacey

Thank You

Thank you for taking time out of your day just for us. We learned so much thank you. Always be yourself. Thank you and have a wonderful day.

-Paisly A

Thank you

Thank you the festival was amazing. I loved all of the new stuff I learned about at this festival. I especially loved the water wheel it was so fun getting soaked on a hot day. And the fire truck it was so fun. And like I said before thank you for everything.

From: Violet Porter

Thank you

Thank you guys so much for the fun time at the water festival. I learned a lot about water. - Nyah

Thank you for helping out for the water festival. I learned so much from everything. I loved getting wet, and everyone was so nice. I liked being there and learning about water. Once again thank you so much for helping out

From Cash Taylor

Thank you water festival workers

Dear water festival workers, I am writing this letter to thank you for letting us come and showing us how you guys do things. It was a blessing for you to let us come. I really enjoyed it and I hope I will be able to come again sometime soon.

From Kaybree Bedker

Thank you, I liked how we got to do the water wheel, the thing about cows and what they do for the Earth. Thank you for taking your time and doing it for my school.

From Makayla Beaudoin

Waterfest was the funnest field trip I have had in fifth grade. I learned so much about water and why we need it. I loved it cause although I was learning it was still fun. Thank you so much for teaching me about water and having fun in the process.

-Cambri

Thank you for making the water wizard. I love the triv. All the stations were a Asom experts. And the college was cool so thank you. And you did it on the perfect Day. wizzerd

-Shane Martin



THE SOUTHWESTERN WATER CONSERVATION DISTRICT
 Developing and Conserving the Waters in the
 SAN JUAN AND DOLORES RIVERS AND THEIR TRIBUTARIES
 West Building – 841 East Second Avenue
 DURANGO, COLORADO 81301
 (970) 247-1302

BOARD MEMORANDUM

From: Steve Wolff & Mo Rock
Subject: Board Committee Assignments for 2024
Date: March 5, 2024 (Amended April 17, 2024)

SWCD’s board committees will be structured to have three or four board members per committee. The board president will chair all committees except Finance, which the Secretary-Treasurer chairs. However, all Board members are welcome to attend any committee meetings. Proposed 2024 board committee assignments are below.

2024 Board Committees

Executive	Finance	Personnel	Legal	Outreach
Jenny Russell, Chair <i>President</i>	Charlie Smith, Chair <i>Secretary-Treasurer</i>	Jenny Russell, Chair <i>President</i>	Jenny Russell, Chair <i>President</i>	Jenny Russell, Chair <i>President</i>
J.R. Ford <i>Vice President</i>	J.R. Ford	Rusty Hinger	Rusty Hinger	David Guilliams
Charlie Smith <i>Secretary-Treasurer</i>	Kenny Heldman	Gerald Koppenhafer	Amy Huff	Dagan Chadd

Committee descriptions:

The following are general descriptions of the scope of each board committee. These committees may propose policies or positions for board consideration and approval.

Finance: This committee will consider finance-related topics, including long- and short-term District financial goals, investment priorities and vehicles, audit, and budget, among others. In addition, this committee will consider and direct District investment actions.

Personnel: This committee will consider items related to District personnel policies and issues.

Litigation & Legal: This committee will consider items related to the District's litigation priorities, including authorizing the filing of statements of opposition. In addition, this committee will handle routine legal matters, such as the review and approval of contract amendments and renewals.

Outreach: This committee will consider items related to the District's strategies and tools for public education and engagement.