

**Southwestern Water Conservation District
Board of Directors Special Meeting via Zoom
March 2, 2023**

Present: JR Ford
Amy Huff
Charlie Smith
Kenny Heldman
Gerald Koppenhafer
Rusty Hinger
Jenny Russell

Absent: Dagan Chadd
David Guilliams

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

Consultants: Garin Vorthmann, Colorado Legislative Strategies, SWCD State Affairs Lobbyist
Beth Van Vurst, General Counsel, Van Vurst Law
Peter Butler, SWCD consultant for water quality matters

Guests: Laura Spann, CWCB; Ken Curtis, DWCD

1.0 Call to Order – Roll Call and Verification of Quorum

President Jenny Russell called the meeting to order at 12:02 p.m. Roll was taken and a quorum was established.

2.0 Review and Approve Agenda

There was unanimous consent to approve the agenda.

3.0 Questions & Comments from the Public

There were no questions or comments from the public.

4.0 State Legislative Update & SWCD Position on Bills

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

- HB23-1065 - Ethics Complaints Against Local Government Officials and Employees
- HB23-1220 – Study Ground Water Withdrawal Economic Impact Within the Republican River Basin
- HB23-1221 - Data Standards for the Determination of a Total Maximum Daily Load
 - Peter Butler explained the bill. The sponsors come from areas where there have been salinity issues - the standard is stringent and hard to meet. Garin stated the bill proponents are from Mesa County; River District is also discussing this bill today; not on the calendar until March 23. The Board may consider taking a position by the next board meeting.
- Draft bill on stream restoration
 - An updated draft of the stream restoration bill has not been released yet. The Colorado Department of Natural Resources (DNR) thinks it will be out next week.
- Budget bill will be introduced at the end of March.
- Water Resource Ag. Committee meeting next Wednesday to discuss the stream restoration bill and receive a Colorado River Compact Update.

After the state legislative update discussion concluded, Beth Van Vurst provided a brief update on the two transmountain water court cases recently filed by the Colorado Parks and Wildlife. SWCD and several other parties filed a statement of opposition in the Division 7 and Division 3 court cases.

5.0 Executive Session

5.1 Colorado River Compact, Interstate and Intrastate negotiation matters

Beth Van Vurst recommended that the board move into executive session for the purpose of discussing agenda item 5.1, Colorado River Compact, interstate and intrastate negotiation matters, including re-negotiation of the interim guidelines. The statutes covering this executive session are § 24-6-402(4)(b), C.R.S., “conferences with an attorney for the [district] for the purpose of receiving legal advice on specific legal questions,” and § 24-6-402(4)(e), C.R.S., “determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.”

Charlie Smith moved that the board go into executive session. Amy Huff seconded. The motion passed.

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

6.0 Summary and Any Action Items from Executive Session

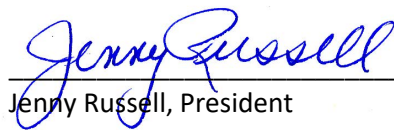
Beth Van Vurst announced that the board was out of executive session at 12:35 p.m. During the executive session, the board discussed agenda item 5.1, Colorado River Compact, interstate and intrastate negotiation matters, including the re-negotiation of the interim guidelines. No action was taken during executive session.

7.0 Adjournment

President Jenny Russell adjourned the meeting at 12:37 p.m.

Upcoming Meetings

March 16, 2023 12:00 p.m.	Special Board Meeting
March 30, 2023 12:00 p.m.	Special Board Meeting
March 31, 2023 8:00 a.m	Annual Southwestern Water Seminar



Jenny Russell, President