

MINUTES¹

SPECIAL JOINT MEETING OF THE BOARD OF DIRECTORS OF THE COLORADO RIVER WATER CONSERVATION DISTRICT AND OF THE COLORADO RIVER WATER CONSERVATION DISTRICT ACTING BY AND THROUGH ITS COLORADO RIVER WATER PROJECTS ENTERPRISE

February 6, 2013

Pursuant to notice duly and properly given, a special joint meeting telephone conference of the Board of Directors of the Colorado River Water Conservation District (CRWCD) and of the Colorado River Water Conservation District acting by and through its Colorado River Water Projects Enterprise was held on Wednesday, February 6, 2013, at the offices of the Colorado River Water Conservation District, 201 Centennial Street, Glenwood Springs, Colorado.

Directors participating during all or part of the meeting:

James Newberry, President	Jon Stavney, Vice-President
Tom Gray	John Ely
William S. Trampe	Gary Martinez
Stephen M. Mathis	Rebie Hazard
Kai Turner	Tom Alvey
Andrew A. Mueller	Stan Whinnery

Directors not participating:

Steven Acquafresca	Thomas R. Sharp
David H. Merritt	

Others participating during all or part of the meeting:

Chris Treese, Manager, External Affairs, CRWCD
Peter Fleming, General Counsel, CRWCD
John Currier, Chief Engineer, CRWCD
Audrey Turner, Administrative Chief, CRWCD
Dan Birch, Deputy General Manager, CRWCD
Laurie DePaolo, Executive Assistant, CRWCD
Jim Pokrandt, Communication and Education Specialist, CRWCD
Danny Williams, Corporate Advocates
Bob Simpson, Corporate Advocates

Quorum.

President Newberry found a quorum and called the meeting to order at 12:00 p.m.

External Affairs.

State Issues:

HB 13-1168 CONCERNING AN EXPANSION IN THE ABILITY OF A DITCH TO OPERATE AS AN ACEQUIA DITCH.

This bill allows certain ditches to operate as irrigation companies know as acequias. Acequias are limited, by statute, to four counties located predominantly in the San Luis Valley and none on the west slope.

Recommendation: No position

Board concurred with the staff recommendation to take no position.

¹ An audio recording has been made of the meeting. The motions described herein may not necessarily represent a verbatim transcription. The audio recordings are available for listening at the CRWCD offices during regular office hours. These minutes are the official record of the Colorado River Water Conservation District's meeting.

HB 13-1188 CONCERNING A COORDINATED SYSTEM TO RESPOND TO FEDERAL DECISIONS REGARDING FEDERAL LAND THAT HAVE ECONOMIC IMPACTS ON THE STATE.

When a local government comments on a proposed federal decision (land use, regulatory) that affects federal lands within its boundaries, that government can forward its economic analysis/concerns to the state Office of Economic Development (OED) which must consolidate the information received from all local governments. The bill then requires the OED to make a recommendation and forward to the Governor for official state comment/input as provided by applicable federal law. Expressed Director concerns included local governments not having the manpower to make accurate fiscal analyses and the possibility analyses would not be uniform.

Recommended position: Monitor

Director Stavney moved, seconded by Director Trampe, to **monitor HB 13-1188**. Motion carried unanimously.

HB 13-1191 CONCERNING GRANTS FOR DOMESTIC WASTEWATER TREATMENT PLANTS TO COMPLY WITH THE WATER QUALITY CONTROL COMMISSION'S NUTRIENTS MANAGEMENT CONTROL REGULATION.

This bill appropriates funds from the Capital Construction Fund and creates a grant program for the "planning, design, construction, or improvement of domestic wastewater treatment" needed to comply with the nutrients control regulations adopted last year by the Water Quality Commission. Concern was expressed that the provisions of this bill may have the potential to benefit only the larger municipalities and thereby may actually reduce funding available from the Capital Construction Fund for smaller, West Slope municipalities.

Recommended position: Support

Director Trampe moved, seconded by Director Stavney, to **support HB 13-1191**. Motion carried unanimously.

HB 13-1212 CONCERNING THE ABILITY OF LOCAL GOVERNMENTS TO FORM JOB CREATION DISTRICTS.

This involved and complex bill allows local governments to create "job creation districts" to support certain projects that generate jobs. The governing authority would be allowed to retain 90% the increased tax revenues collected in district. This is similar to Public Improvement Districts. This bill COULD (unlikely) be an alternative for financing water storage projects, but is more likely to adversely affect the River District by siphoning away tax revenues to Jobs Districts created within the CRD.

Recommended position: Monitor

Director Stavney moved, seconded by Director Martinez, to **monitor HB 13-1212**. Motion carried unanimously.

SB 13-135 CONCERNING THE ALLOCATION OF STATE SEVERANCE TAX GROSS RECEIPTS.

This bill would cap the amount of severance tax credited to the Colorado Water Conservation Board's (CWCB) perpetual base account (for water project loans) and transfer any overage to a newly created state "Rainy Day Fund."

Recommended position: Oppose

Director Alvey moved, seconded by Director Whinnery, to **oppose SB 13-135**. Motion carried unanimously.

SB 142 CONCERNING THE REQUIREMENT THAT THE FEDERAL GOVERNMENT EXTINGUISH TITLE TO ALL AGRICULTURAL PUBLIC LANDS AND TRANSFER TITLE TO THE STATE.

The bill requires the United States to cede all agricultural public lands and transfer title to the state Land Board.

Recommended position: Monitor

Director Hazard moved, seconded by Director Trampe, to **monitor SB 13-142**. Motion carried unanimously.

UPDATES from Chris Treese:

Sally Jewel, president and chief executive at Recreational Equipment, Inc. (REI) will be appointed by President Obama to replace Ken Salazar as Secretary of the Interior.

The US Forest Service announced that they are beginning the public notice and input process for adoption of the permit directive they previously sought requiring assignment of private water rights used on federal lands for ski area recreation. Dan Birch and Chris Treese will meet with Harris Sherman next week when in D.C.

Recent Water Quality Control Commission appointments include Barbara Biggs and Jim Rada.

Russell George has indicated that he will accept or seek reappointment of service on the Colorado Water Conservation Board. Patty Wells will seek appointment on the board for the metro area.

HB 13-1013 passed unanimously in House Ag Committee and headed to Appropriations Committee where it will likely die.

SB 13-041, addressing the Supreme Court's ruling in the Upper Yampa, has been amended as the Board desired and has a good chance of passing the Senate later this week.

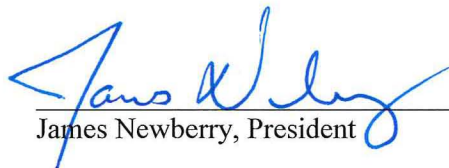
Updates from Peter Fleming:

The Upper Gunnison River Water Conservancy District is planning to request the Colorado delegation to change the potential listing of the Gunnison sage grouse from endangered to threatened. Unless Mr. Fleming hears otherwise from the board, the River District will also encourage the same request.

The Colorado River Cooperative Agreement very close to being signed by the remaining parties following a "very productive" meeting held last week on Green Mountain administration.

Adjournment:

There being no other business before the Board, President Newberry adjourned the meeting at 12:38 p.m.


James Newberry, President

ATTEST:



R. Eric Kuhn, Secretary/General Manager

