

**RIO GRANDE WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS SPECIAL MEETING  
TUESDAY, AUGUST 3, 2017  
9:00 A.M.**

**RIO GRANDE WATER CONSERVATION DISTRICT CONFERENCE ROOM**

**Present:** Greg Higel, President; Brian David, Vice-President; Dwight Martin, Secretary/Treasurer; Peggy Godfrey, Director; Lawrence Gallegos, Director; Lewis Entz, Director; Mike McClure, Director; and, Bill McClure, Director.

**Excused:** Cory Off, Director

**Staff:** Cleave Simpson, General Manager; Cheryl Anderson, Office Manager; and, Linda Ramirez, Administrative Assistant.

**Guests:** Representative Scott Tipton and Brenda Felmlee, Representative Tipton's office.

**CALL TO ORDER**

President Greg Higel called the meeting to order at 9:11 a.m. The Pledge of Allegiance was recited. There was a quorum present for the meeting.

**INTRODUCTION OF STAFF & GUESTS**

President Higel welcomed all those present and asked for introductions.

**APPROVE AGENDA**

President Higel stated he was deformatizing the meeting as Subdistrict #5 is not ready to present their Petitions today. Cleave Simpson stated it is a formal agenda. Mr. Simpson said North Star Farms has signed a Petition to join Subdistrict #5 but the property is under a trust and there is an issue getting documentation on who is authorized to sign for the trust. Mr. Vander Eyk is in Iceland and will not be back until next week. Once this situation is rectified Subdistrict #5 will be ready to present their Petitions to the Board.

**COFFEE WITH CONGRESSMAN SCOTT TIPTON**

President Higel thanked Congressman Tipton for addressing the Board. Congressman Tipton stated Congress is on annual August recess. Congressman Tipton reported on the following:

- Water Rights Protection Act has passed through the House. The Water Rights Protection Act has a couple more supporters in the Senate.
- Rains Act has passed through the House. This bill deals with general regulations across the board and gets Congress back into rule making authority.
- The Congressional Review Act gives Congress 60 days from the rule going final to pass a congressional review act stating legislative intent has been exceeded and the rule is void. There have been sixteen examples passed through the House and fourteen have been signed into law. This will save \$90 billion dollars in regulatory costs.
- The Healthy Forest Management Wildfire Act was rolled into the Forest Resilience Act. This bill would empower County Commissioners and the Governor to identify areas of eminent threat and get expedited approval to get in and treat the forest.
- The Taylor Act has passed through the House and is in the Senate. This bill requires rules and regulations to make sensible policies for small community banks.
- Congress is cosponsoring work on the Endangered Species Act as well as other forest health bills.
- Reintroducing and planning for Americas Energy Future Act which calls for responsible development of energy.

Representative Tipton asked to hear of the potential purchase of water rights. Cleave Simpson gave a brief history of the purchase of the West Medano Ranch from the Nature Conservancy. Mr. Simpson spoke of the District's interest in the surface water rights and the potential benefits. The District is expecting to close on the purchase sometime in October.

Cleave Simpson stated Secretary Zinke asked for comments and Representative Tipton should expect a letter asking Secretary Zinke to reconsider designation of critical habitat for the Southwest Willow Fly Catcher which is an endangered species. The District is a sponsor of a

habitat conservation plan to protect that species in its habitat and the creation of the Rio Grande Natural area. Mr. Simpson understands that a section of the lower Rio Grande has been designated critical habitat for the Southwest Willow Fly Catcher. Mr. Simpson discussed how the HCP has been working with private property owners. Mr. Simpson stated the HCP is sponsored by all counties in the Valley as well as other entities. Discussions were had on what can be done with endangered species habitats.

Cleave Simpson highlighted the trip to Washington and the importance of conservation programs in the San Luis Valley.

Cleave Simpson stated Subdistrict No. 1 will be having a special meeting on August 15, 2017, at 1:30 p.m. to amend their 2017 budget for the West Medano acquisition. Subdistrict #1 will transfer \$4,000,000 to the District to purchase the West Medano on their behalf. The District will then need to have a 2017 amended budget hearing at least 10 days after Subdistrict #1's meeting. Mr. Simpson will confirm the August 30, 2017, meeting with the Board after Subdistrict #1's August 15, 2017, meeting. Mr. Simpson stated the special meeting may have to be broken into two meetings (1) to amend the 2017 budget; and, (2) to accept Subdistrict #5's Petitions. Mr. Simpson stated by statute he has to have a proposed budget available to the Board and the public by October 15, 2017.

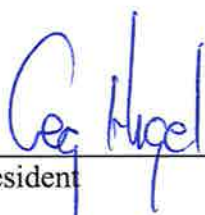
Discussion was had on whether Subdistrict #1 should pay cash or finance the acquisition. Cleave Simpson stated Subdistrict #1's finance committee is recommending a cash transaction. President Higel stated Subdistrict #1 has \$3.8 million dollars designated for post plan depletions that can be used for this acquisition.

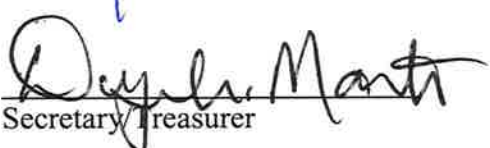
Cleave Simpson stated he has a draft letter put together by staff and David Robbins addressed to Senator Bennet, Senator Gardner and Representative Tipton regarding habitat for the Southwest Willow Fly Catcher.

Cleave Simpson stated he received a call from the EPA asking for a community involvement plan for a superfund site at the Nelson Tunnel in Creede. The District was recommended as a public outreach. Mr. Simpson discussed with EPA the District's willingness to help facilitate in education and public outreach.

**ADJOURN**

Meeting was adjourned at 10:40 a.m. A special meeting has been scheduled for August 30, 2017, at 9:00 a.m. The next scheduled quarterly meeting will be held on October 17, 2017, at 10:00 a.m.

  
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President

  
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Secretary/Treasurer