

**Colorado Association of Conservation Districts  
Board of Directors Meeting Minutes  
May 15th, 2019, at 7:30 AM Teleconference**

**Attendees:**

*Scott Jones, CACD President - Colorado River Watershed  
Mike Cleary, CACD Vice President - Gunnison/Dolores River Watershed  
Gary Thrash, Director - San Juan Basin Watershed /CO Representative to NACD  
Jim Cecil, Director - Republican River Watershed  
George Fosha, Director - Upper Arkansas River Watershed  
Nick Charchalis, Director - North Platte/White/Yampa River Watershed  
Steve McEndree, Director – Lower Arkansas River Watershed  
Nancy Berges, Director - Lower South Platte Watershed  
Tyler Neely, Director - Rio Grande River Watershed  
Bob Warner, CO Alternative Representative to NACD  
Brett Moore, CACD Lobbyist  
Bobbi Ketels, CACD Executive Director*

**Absent:**

*Charlie Carnahan, Director - Upper South Platte Watershed*

**Guests:**

*Cindy Lair, CSCB  
Les Owen, CDA*

**Call to Order:**

*The meeting was called to order by President, Scott Jones at 7:30 AM after establishing a quorum. President Scott Jones asked for any additional agenda items. With no additional requests, the board moved on with the agenda.*

**Prior Meeting Minutes:**

*President Scott Jones asked for a motion to approve the April 2019 minutes. CACD Director Steve McEndree made the motion to approve and Director Gary Thrash gave the second. Without any further discussion, the motion to approve the CACD BOD's April 2019 Minutes was passed unanimously.*

**CSCB Update-Cindy Lair:**

*Cindy Lair stated that we did have a successful Envirothon tournament. There were 7 teams that competed. Cindy referred back to a fall conversation about Envirothon and the transition of moving it to a State-run program. This, 2019, would be the last year in the current set up and volunteers from both CSCB and CACD would help with this year throughout the process. Next year, both boards would take over the competition and broaden its reach to cover the whole state.*

*This year posed many challenges, not all committee members received all emails and communication was poor. Important details were left to the 'last minute' and there were constant misunderstandings on who was doing which piece, what is the process and when it was all coming together.*

*Cindy Lair and Bobbi believed that a face to face wrap up meeting, after the completion of the tournament would be the most appropriate way to begin the transition. An appointment was set up with Brenda Anderson and Anthony Lobato to discuss the next steps moving forward. CACD's goal of Envirothon is really to be a statewide program.*

*Cindy stated she and Bobbi wanted to talk with the CACD board before they have the meeting to make sure that the CACD board is fully aware of the concerns and proposed path forward. The partnership between CSCB and CACD works extremely well on events/training/etc. CSCB is always willing to assist with labor and in any way possible. CACD is great at handling the nonprofit financials and helping anyway they can. Cindy suggested that if CACD would like, CSCB could take responsibility of Envirothon. Shye explained that the CSCB would prefer the partnership but are willing to take control if requested.*

*Cindy finished her update. Bobbi would like to make sure the board is going to give her guidance and clarified that if the current set up of Envirothon continues, CSCB may not be able to commit staff to part time, last minute assistance. In reality, CSCB had at least four people that were dedicated to working this event and working it through-out the year. It is reasonable to expect that by this year, Envirothon should have well over 20 teams. Only 7 teams this year and 5 of them are from the San Luis Valley. It clearly is not getting the statewide emphasis that it needs. Cindy cannot put all CSCB staff onto a program that is only meeting a small part of the state.*

*Cindy clarified that CSCB is on board, but she feels we should draw up an agreement so that both boards and staff know various roles, priorities, and tasks to ensure the success of Envirothon. She recommends making it a 2-3-year agreement that can be revisited as we work out the details.*

*Cindy stated that Commissioner Greenberg supports youth education and engaging the next generation in one of her priorities. With this in mind, she supports CDA's leadership for the Envirothon. It is an important competition that gets young people thinking about their careers and natural resources management and agriculture. Director Tyler Neely thanked Cindy and her staff for stepping up and getting more involved this year. Director Nick Charchalis asked if CSCB could provide a rough draft agreement for review. Cindy said she would get a draft as soon as possible. Bobbi stated she would send over the previous MOU draft.*

*Director George Fosha asked for rough draft numbers if we had them yet. Bobbi stated this is something in the works and that Brenda currently provides a P&L spreadsheet with bank statements and receipts. Bobbi explained they are waiting on the April bank statement and April receipts, along with some additional sponsor checks before we can give final figures or process a reimbursement request from NRCS. Bobbi has receipts for Envirothon expenses that were paid through the CACD general account. Bobbi explained that she is not on the Envirothon bank account. The understanding is Brenda, Anthony, and Tyler are currently on the bank account, which is located in Center, CO. Per previous discussions with our CPA Bobbi is creating a separate register within the CACD quick books for this separate bank account to go along with the P&L spreadsheet and bank statements provided by Brenda. Bobbi stated she should be able to have final figures within about a week, once the Envirothon expenses from the two separate accounts are tied together. From the most current P&L received a few days ago, there is approximately \$2,000.00, but more time is needed to give the final figures.*

*Cindy mentioned the only sense of urgency is to get moving on fundraising to make sure there is enough money to send the team to the national competition. This will include airline tickets, hotel and other travel expenses that need to be covered. We need to get this arranged and not wait much longer and make sure any money still coming in from donors is still coming so that we can ensure this is ready to go without a hitch.*

George asked when the national event will occur. Cindy and Bobbi confirmed in July. Bobbi mentioned the arrangements for travels to national this year needs clarity and will work on getting details together. Director Jim Cecil asked when the meeting with Anthony and Brenda will occur. Cindy stated it is scheduled for Monday afternoon, May 20<sup>th</sup>.

Discussion on the draft agreement and timeline of development of it went through CACD. CACD will go into executive session to discuss and vote if CSCB will be taking over Envirothon.

The other topic Cindy wanted to bring up to CACD, which she does not expect the board to have all their comments right now because she just sent a copy of the draft framework for the State Department of Ag Soil Health Program. It is a four-page framework of how Cindy is proposing it to be structured, what it would do and what it is doing that is not getting done in the state at this point. Cindy does not expect comments now but in the next month or so please give it a look and see if it brings up concerns for you. Cindy does not know where the placement would be right now. It would definitely be in the Conservation Services Division, it might even be in the State Conservation Board program, but that is still in the works.

Right now, our Commissioner and Deputy Commissioner of Agriculture are both pretty enthusiastic about it, but they just want to make sure that they have the full support and they have vetted if fully with their partners in the agricultural sector. There are a lot of other groups that just say this is great and wonderful, yes just go on, but Cindy was happy with Kate's response to say she wanted to see where Ag Council stands on this and CACD is a member of Ag Council and also their closest partner. Please take a month or so and maybe we can talk about it at the next CACD board meeting. Jim confirmed the date of the next call is June 12<sup>th</sup>. Cindy stated that she would not be able to be on this call as she would be flying at that time. She said we will find a time to work on this and feel free to reach out to her individually if you want to talk about it. Bobbi confirmed it was sent out to the board yesterday.

Cindy said she was currently engaging with Terry Fankhauser with Colorado Cattlemen's Association and also Mark Sponsler with Colorado Corn, trying to take the livestock and the crop end of it. They are excellent leaders on the Ag Council, and she thought they would be good to start with too and involving CACD and those two if she gets the green light on things from everyone, then they will keep it moving. They did put in a budget request for a couple of employees and an operating budget for it. This is so far moving forward, but it is still early in the budget process.

Cindy also wanted to tell everyone that the next CSCB board meeting is going to be June 19-20 in Rangeley. Cindy would love to have CACD there. CSCB will send us the agenda. CSCB is wrapping up things from the watershed leadership training workshops. It was well received by the people who attended. There are a lot of good ideas and good pass forward plans for watersheds to use in planning their meetings and developing goals for how they want to make a more robust opportunity for their watershed districts that are not involved or maybe should be involved in their meetings. Cindy is excited to see how this goes. She is actually going to be sending out all of those plans to all of the participants because she thinks it is good for everybody to see all the ideas that were thought of and maybe it is an idea you guys want to capture from somebody else to allow everyone to be able to share in the wealth of ideas. Cindy brought up having Ray Ledgerwood on hold to come to the CACD Annual Meeting, stating we need to give thought if we want more of this kind of training at the Annual Meeting. This is something that would be good for CACD to give some guidance on since we have not really set that agenda yet, because we have been waiting to see if we want to change the format a little and have it be something that Ray does some more training or maybe have the regular format and have Ray doing something on the side. There are a lot of ways to structure that. It may be a good idea to have a couple of board members that are deciding the next steps of the annual meeting and coming back to the board with a proposal, so it is a little more organized.

Bobbi stated that she did have this side conversation with Ray Ledgerwood that once we started our committee meetings, definitely having him as one of the main speaker, but also discussing how we wanted to tie in a follow up to the leadership training and what that would look like as well as maybe having him do a breakout or two. So, we are looking at all of this. Ray is aware that we are looking at all of this and said he was on board with what we decide works best. Cindy asked if anyone had any questions. No further questions.

**CDA Update-Les Owen:**

**Les Owen** gave follow up on SB-186 passed through both sides and he has not heard that it has been signed yet, but he does not have any reason to expect that it will not. This is something within the next couple of years will be ramping up within the department to start monitoring surface water quality and ramp up some major field monitoring. The purpose of this is to show what work is being done and how it is improving water quality from agricultural standpoints and keeping Reg 85 off of producers backs.

They will be going through the process to increase fees. The groundwater program currently is paid for, it gets \$40.00 for every pesticide product that is registered in Colorado and the proposal will be to raise that to \$80.00 to get another \$40.00 for surface water and the other part of the funding is 50 cents on every ton of bulk fertilizer sales. Tack on another 50 cents to that to fund the program. The way that actually works is we won't actually see a dime, if the fee increases go through this summer, they will start to see money from pesticide registration in the November-December time frame, so they will not actually have any money until then to try and get started. Then it will be a full another little over a year because fertilizer tonnage is paid a year in arrears.

It will not be until 2021 until they start collecting the full funding for the program. So, they are trying to figure out internally how they are going to ramp that up. Initial thoughts are increased capacity in their labs at CDA to handle the increased sample load. That will probably be one of the last things. Les thinks just in some preliminary discussions when they start getting the money they will probably concentrate on the extension and outreach of the CSU component of the program to get some folks there where they are out working with producers and figuring out how we are going to implement this thing. Up and coming and they will be reaching out to groups like this to help them design this thing and build it as they go.

There were quite a few other bills regarding hemp and other things that all seemed to go fairly well through the legislative session. Les said Brett could give us a better synopsis of where all those things landed. Here within the department Steve Silverman is the new Deputy Commissioner and he has been on board for about 3 weeks. Steve really likes the work that the conservation districts do, and he is excited about supporting those. They also have a new public information officer, Mary Peck who started just 2 weeks ago. Les had the opportunity to visit with her and they actually talked about Envirothon and how that would be a neat project she would be interested in doing some press releases on as that goes forward and get around to next year. Maybe even publicizing some of the information with the team going to nationals and getting some information out about that to hit the wider audience he thinks we are all looking for to expand that program.

On the federal land side of things there has not been anything come out for public comment yet, but the GMUG forest plan did send out a preliminary draft plan for cooperating agency review. There will be a meeting this afternoon to look over it. Les is about halfway through it and there are a few things in there that are a little concerning. The wording that they use and the way the forest plan is set up provides for each resource area; desired conditions, objectives, standards, and guidelines for how things would be managed. It is really critical to take a hard look at how they word the standards because the standards the way they define them does not provide any wiggle room. They have to do things exactly the way the standards are worded. This is where they tend to paint themselves in a corner for future decisions that may not have enough latitude to do the adaptive management that is needed.

*There will be a public comment period on this preliminary draft. This is different from the normal forest plan division process. This is under the 2012 rule. This is kind of a neat step because it is called the preliminary draft and not the draft, they are going to take comments on their standards and guides and objectives and desired conditions and then go back and look at those. Then it will be put it out to draft forest plan for formal comment that is part of the actual NEPA process. So, this is kind of separate from NEPA and it just provides an opportunity to try and get them to change some things before they invest the time that it takes to actually start writing the environmental impact statement. A lot of times once they have done that, they have got so much invested in it and the analysis is tailored to that it is really hard to get things changed. As this goes forward and goes out for public comment Les will send out a notice and make sure that everyone is aware of it.*

*No announcements on the Eastern Colorado BLM RMB. They did send out an email to cooperating agencies saying that they had not forgotten about it, so they are bogged down and not moving. No word on when the final Rio Grande Forest plan will be released for final comment. This is also kind of stagnated. Beyond this, there is not a whole lot of new things going on within the Federal Lands realm. Beyond that, there are weed crews out killing weeds and all the conservation districts and counties that have grants are out doing the work that they do.*

***Director Nick Charchalis** asked Les if there had been any surface water testing done from predominately agricultural areas in the past. Nick wanted to know if there was a baseline set here for this testing CDA is going to do now that this bill would mandate, or if this would be the first testing that is going to be done in Colorado. **Les** replied by stating that one big piece of it is to get a baseline of what quality is the water before it goes on the field. The water is not extremely pristine before it gets diverted into an irrigation system. There is not a lot of that information.*

***Les** brought up what we talked about at the face to face meeting in January where on Larry Lempka's place where through a grant those folks did some monitoring. This is the only thing that is on the books at this time. This is going to be a very complicated monitoring design because they have to catch the baseline data before it is diverted and capture any return flows afterward to see where the water quality is at within all the different places within the system. It will be challenging. With the quickly changing dynamics of surface water if you take it at a time when some upstream event just happened it can show some higher levels than if you took it 10 minutes later. Something that has to be considered carefully when interpreting any data. Design of the sampling scheme and interpretation of the data is definitely going to be the challenge.*

***Nick** stated that this is a good thing. He said every meeting you go to surface water, water rights and flows are the topic and are going to get a lot of attention at the state level. We are going to have to defend even more on a state level agriculture in a lot of different ways, including water quality and quantity both. **Les** agrees and this is exactly the purpose that this program needs to fill is to defend the good work that is going on. They will need help and guidance from producers, both in designing it and interpretations of the data to make sure they get it right so that someone else cannot take the data and interpret it a way that is not correct.*

**Legislative Update- Brett Moore:**

*Brett Moore sent an email over with the final bill tracking sheet. The legislative session ended Friday, May 3<sup>rd</sup>. We had a good active legislative session this year. We ended up tracking 34 total bills that dealt with private property, natural resources, Ag, rural and water issues. We strongly supported 2 bills; Our own bill 1082 that we ran dealing with water rights ditch easements, which was signed by the Governor on March 28<sup>th</sup>. We also strongly supported the Long Bill which has the district funding in it each year. That was signed by the Governor on April 18<sup>th</sup>. Additionally, we supported 2 wildfire bills; HB-1006 and SB-40 at the urging of*

*Jefferson Conservation District with the approval of our legislative committee and for some other districts that have a forest facing, urban and wildland interface lands. We were able to support those and provide some good support down at the legislature to the Jefferson CD. The bill we opposed was SB-181: Protect Public Welfare Oil and Gas Operations. That bill was signed by the Governor back in April, but we were able to add private property rights element to that discussion.*

*Additionally, the big picture people look at some of the other sectors and pro-business in general that this session on the Ag side was not as radical as some of the other areas of government that you saw of some of the things pushed by the legislature and the new Governor. There were a few good things that came out of it and not a lot of really bad things. Brett thinks we still need to be vigilant and watch for any bills coming that are going to affect animal husbandry, private property rights, districts, and private landowners specifically. Brett certainly does not think we are out of the woods; more things could be coming but he thinks for this session we can call it a win for sure. We have heard some concerns from some districts about 181 affecting our severance tax revenues and in the email, he sent to the board, Brett gave a fairly rigorous breakdown of what that looks like. Essentially, we have 3 budget lines under the Department of Ag. Two of them are general funded and one is you will see in the document cash funds which shows are the severance funding.*

*Basically, you have \$758,767.00 is general funded which means we lobby for it in the budget, to the extent that we can continue to be successful with the legislature in keeping that in the budget, those funds continue to come. The other \$450K is the severance funding line which is what we used to call the Tier 2 severance funding, which will now be slightly branded a little differently, but basically will still be a severance fund that pays to the department in one lump sum based on actual severance tax collections, as opposed to projected which it has been in the past and SB-16 was a bill we watched earlier in the year that made that change.*

*To step back a few years, the severance tax collections that were made in 2017 and 2018 those were the ones that were affected by the BP lawsuit and a dip in the oil and gas prices. The 2018-2019 fiscal year payment running July 1 18 to June 30 19, those are going to be zeroed out. As you recall the severance tax bill that backfilled that \$450K fully funded that fund for 18-19. The 18-19 collections which would be paid out usually in this year are currently projected at \$404,673.00, not quite fully funded, but pretty close. The 19-20 collections which we are right in the middle of right now, in fact right at the end of 18-19 collections, the 19-20 collections which will start on July 1<sup>st</sup> and will be paid out in August 2020 those are projected to be \$386,982.00.*

*Any effects, and if you are hearing from the districts or anyone else that 181 is killing our revenue or choking it off already, that is not the case. We have not seen any decreases yet, however it is a problem that we may have to deal with in the future. If anyone has any other specific questions about how to talk to your watershed or your district about what our funding currently looks like, please let me know, but we are at this current point we are looking at being all but fully funded for this upcoming budget year so that will be the second half of 2019 & the first half of 2020. Then this fall we will be going back in and debate the budget that will be coming up for the next year. This will start just three to four short months from now.*

**Director George Fosha** asked Brett when the severance funding topic comes up in the legislature if he sensed any opposition from various legislators to the whole concept and the program or kind of a fly-through. Brett stated he wouldn't say fly-through, but the severance tax funds go toward funding so many varied projects. For instance, tier 2, which is where we live, you have water supply reserve fund, water efficiency grant program, Species Conservation Trust Fund, LEAP, low-income energy assistance, the Inter-Basin Compact Committee, aquatic nuisance species, abandoned mine reclamations. So, these dollars really fund and this goes back to some of the Prop 112 and SB-181 discussions, the severance funds, largely paid by oil and gas really do fund some of these very important programs and frankly the tier 1 programs are even more

so, not to mention education, transportation, and all of the other funds that they provide for so, it's kind of a base funding for a lot of these programs around that state that affects a lot of different interests and a lot of different constituencies.

Brett stated all in all he feels it was a successful session, and always appreciate the opportunity to work for CACD, the districts and the private landowners across the state. As you are getting out there this summer and visiting with supervisors and folks from the watersheds and districts and you are hearing anything please let him know. The word from on the ground is always good to hear and lets us kind of keep some perspective on what happens up here, which is sometimes hard to do. President Scott Jones stated how much the board appreciated Brett's continued hard work this year as always.

#### **NACD Update-Gary Thrash:**

**Director Gary Thrash** first wanted to mention that just past, April 28<sup>th</sup> to May 5<sup>th</sup> NACD every year sponsors a national stewardship week and it is the last Sunday of April to the first Sunday of May. They have a number of resources available online that he would just encourage districts to think about in future years to use that if you have not been doing that already. This last year with the soil health institute they put together this living soils documentary film, about an hour-long film that is very well done to highlight the importance of soil health. He knows his location district has not taken advantage of that, and every year they sponsor a tree hand-out workshop to 4<sup>th</sup> graders, but they have not scheduled it to coincide with that stewardship week and it is one of those events where they could do that.

Gary sent the Durango TV station the video that CSCB, CACD, and NRCS put together for on the history of conservation districts and the Durango TV station ran it on local TV and put it on their website so that was something he tried to do this year on his own. Another thing coming up is the NACD summer conservation forum and the tour is going to be hosted in Santa Fe, New Mexico and part of the Southwest and Pacific regional meeting is August 2<sup>nd</sup> through 6<sup>th</sup> in Santa Fe.

**Gary Thrash** stated since he is now the designated representative to CACD he should make this meeting and he would ask the board to give him the approval to attend. If anyone would like to make a motion, Gary would be open to attending. **President Scott Jones** asked for a motion to approve sending **Gary Thrash** to the NACD summer meeting. **Director Jim Cecil** made the motion. **Director Nancy Berges** gave the second. Motion passes.

Gary stated NACD came out with their spring resource newsletter and in this the Jefferson CD is highlighted nationally for their work with FEMA on disaster assistance related to the Big Thompson flood from 2013. Gary encourages everyone to look at this and mentioned that we might want to even put it on our website or Facebook page to highlight they got recognition. Bobbi sent out a notice on the technical assistance grant that all 8 of our renewal applications for Colorado were approved in the first round for year 2 of funding so this is a big plus for our state. Gary asked if anyone had any questions.

**Bob Warner** commented that the resource magazine publication indicated that the rooms are filling up quickly for the summer meeting in Santa Fe. This is to encourage everyone to make their reservations for the Drury Plaza hotel. There is a backup hotel at the Hilton. It is a good idea for Gary, himself and anyone that plans to go, this is about as close to Colorado as we will ever get to Colorado for a summer board meeting and the Southwest region meeting, so anyone that can go Bob would like to encourage you to consider going down. Bob stated he will also be attending at his own expense and he appreciates Gary's report.

#### **NRCS Update:**

There was no update from Clint or Randy as they were not able to be on the call.

**Executive Session:**

Scott asked the board for a motion to go into Executive Session while we have the entire board on the call to talk about some of this business first and then come back out and go back through the rest of the agenda. **Director Tyler Neely** gave the motion and **Vice President Mike Cleary** gave the second. Motion passed unanimously. All other guests were excused from the call. With approval from the board, **Executive Director Bobbi Ketels** was approved to join. **President Scott Jones** took roll call. The CACD board went into executive session at 8:34 AM.

**Director Nick Charchalis** made the motion to come out of Executive Session. **Director Gary Thrash** gave the second. The CACD Board of Directors came out of executive session at 9:36 AM. **Director Jim Cecil** made the motion that CACD in partnership with CSCB, assume full leadership role of the statewide CO Envirothon competition for the 2020 year. CACD will appoint the new steering committee for the 2020 year, with the steering committee appointing all sub-committees. **Director George Fosha** gave the second. **President Scott Jones** asked if there was any discussion. With no discussion, the motion passed unanimously.

**President Scott Jones** appointed **Director Tyler Neely** as the new CACD chair for the CO Envirothon. The CACD board is in agreement for **Executive Director Bobbi Ketels** to join **Cindy Lair** in the meeting with **Anthony Lobato** and **Brenda Anderson** at the Center CD office on Monday, May 20<sup>th</sup>.

**Corporate Fundraising:**

**Executive Director Bobbi Ketels** reported that **Vice President Mike Cleary** received official word that **Anadarko** is donating \$10,000.00 to CACD for the fiscal year 2019.

**Camp Rocky:**

The Camp Rocky Face to Face meeting in Franktown is scheduled for next Thursday, May 23<sup>rd</sup>. All other details with Camp Rocky are good. The next few weeks historically between mid-May and mid-June is when the bulk of the applications start coming in.

**Misc. Discussions:**

The board agreed to table all other items on the agenda until the next meeting, including the financials. Scott reminded everyone that the financials had been sent out to everyone for review. **Director Nancy Berges** asked to make a statement about robocalls/scam text messages. Discussion took place about this and the need for caution and possible changes to be made in the near future to help combat this issue.

The next CACD BOD meeting is June 12<sup>th</sup>, via teleconference.

**Director George Fosha** made the motion to adjourn. **Director Nick Charchalis** gave the second. Meeting adjourned at 9:47 AM.

Respectfully Submitted,

**Bobbi Ketels**  
**CACD Executive Director**