

**RIO GRANDE WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS QUARTERLY MEETING
October 15, 2024, at 10:00 A.M.
8805 Independence Way
Alamosa, CO 81101
And By Zoom Teleconference**

Present: Greg Higel, President; Armando Valdez, Vice-President; Zeke Ward, Secretary/ Treasurer; Cory Off, Director; Peggy Godfrey, Director; Mark Deacon, Director; Mike Kruse, Director; Elliott Salazar, Director; and, Doug Gunnels, Director.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C.; Cleave Simpson, General Manager; Chris Ivers, Program Manager; Taylor Chick, Program Manager; Angelo Bellah, Program Manager; Wylie Keller, Water Resource Specialist; Clinton Phillips, Davis Engineering; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; Crystal Benavidez, HCP Coordinator/Program Assistant; Kylie Gregg, Office Manager; April Mondragon, Administrative Assistant; and, Michael Carson, Database Administrator.

Guests: Ryan Unterreiner, Chris Lopez, Rio de la Vista, Chris Schaffer, Paul Formisano, Sally Weir, Marianna King, Leah Juarez, Kathleen S., James Beiriger, Norbert Cibis, Crestone Radio, “Beiriger”, Monica McCafferty, Erin Minks, Christine Arbogast, Michael Nemecek, Maya Sydney, Hannah Thill, Nate Reynolds, Cody Becken, Patrick Ortiz, Josh Romenstien, Stephen Lauer, Tyler Garrett, Craig Cotten, William Myers, Kevin Terry, Heather Dutton, David Hofmann, Randy McClure, and Jeff Derry.

CALL TO ORDER

President Greg Higel called the meeting to order at 10:03 a.m. There was a quorum present for the meeting. The Pledge of Allegiance was recited.

INTRODUCTION OF STAFF AND GUESTS

President Higel welcomed all those present and asked for introductions.

APPROVE AGENDA

President Higel asked for changes or a motion to approve the agenda. The agenda was amended to remove Recognition of Karla Willshau’s Service to the District and remove the Financial Report. A motion was made by Elliott Salazar to approve the agenda as amended. The motion was seconded by Peggy Godfrey and unanimously approved.

APPROVAL OF THE CONSENT AGENDA

President Higel asked for approval of the consent agenda items:

- July 16, 2024-Quarterly Meeting Minutes

A motion was made by Cory Off to approve the consent agenda items as presented. The motion was seconded by Zeke Ward and was unanimously approved.

PRIMARY WATER PRESENTATION-MARIANNA KING

President Higel asked for Primary Water Presentation. Marianna King introduced herself and described the water crisis and the need to explore alternate options. Ms. King gave an overview of her proposal and explained what primary water is and where it can be found. She reported on the potential results and accomplishments should the funding be approved. Norbert Cibis and Stephen Riess presented a summary of their experience and current state of knowledge of primary water. They reported on the different types of primary water and described the methodology of Norbert’s work. A presentation on structural composition of vein water and structural composition of primary vein was shown as well as a map of the Hooper Pool area where they believe primary water could be located. The gentlemen explained how deep a well would need to be drilled in order to come into contact with primary water. Cleave Simpson explained how all groundwater is accounted for and the challenge/legal battle regarding the nonexistence of unappropriated water in the system. Craig Cotten stated primary water is interacting with our aquifers and is considered and administered as tributary water. Marianna King described what they hope to accomplish and asked the Board to consider approving the funding request. Zeke Ward commented on meteorologic water being tributary.

A motion was made by Cory Off to table the Primary Water funding request until the 2025 budget cycle discussions. The motion was seconded by Peggy Godfrey. Doug Gunnels opposed and the motion passed.

PUBLIC COMMENT

President Higel asked for public comment. Rio de la Vista announced a Ditch Water Workshop would be held on October 25, 2024. She highlighted the presenters and sponsors and invited anyone interested to register online.

MANAGER'S REPORT

President Higel asked for the Manager's report.

- *Discuss the draft 2025 Budget*

Cleave Simpson updated the Board on his recent schedule at the Senate. He reported on the need to present the Board with a preliminary draft budget and explained the complexity of making it all come together with the District and six (6) Subdistricts. Mr. Simpson reported the Management Committee would be scheduling a work session to go over the budget in great detail followed by a work session with the entire Board of Directors prior to it being finalized in December. He reported preliminary valuations were provided by the counties in August and reported on a change in assessment rates made by the General Assembly. Mr. Simpson went over the beginning of the year fund balance for the District and where they are projected to end the year. He gave the history of the mill levy and reported in the draft budget it would be left the same. Mr. Simpson reported being close to consuming all of the thirty (30) million dollars of federal money. He provided the amount remaining and stated it should all be expended by the end of the year. Mr. Simpson highlighted the professional services including legal, engineering and special projects. Heather Dutton reported submitting funding requests for ASO flights and SNOTEL. She gave an update on the SNOTEL cooperative agreement and reported installing two (2) new SNOTEL's last year and would be moving forward on the installation of the next two (2). Mr. Simpson reported funding requests would be presented today, discussed in a work session and decided at a public meeting. He updated the Board on the agreement with USGS and the need to reevaluate the program. He explained the necessity to possibly replace two (2) of the older District vehicles next year and reported continuing to work on getting a detached garage built. Kylie Gregg reported on the supplemental budget done in 2023 and the need for one in 2024. She commented on the commonality of supplemental budgets. Mr. Simpson highlighted tabor obligations and mill levy reductions over the years.

- *Consider motion to approve the update of the signers on the First Southwest Bank Safety Deposit Box*

A motion was made by Armando Valdez to update the bank signature cards for the Safety Deposit Box that is held at First Southwest Bank. I officially state, for the record, the people and positions that will be designated on the Rio Grande Water Conservation District Safety Deposit Box are Cleave Simpson, General Manager; Amber Pacheco, Deputy General Manager; Greg Higel, President; Armando Valdez, Vice-President, and Marvin (Zeke) Ward, Secretary/Treasurer. These individuals are granted full authority to access the Safety Deposit Box and to conduct any business or transaction necessary in relation to the box on behalf of the Rio Grande Water Conservation District. This includes the ability to access, review, remove, or add items, as well as to authorize other actions related to the maintenance or use of the Safety Deposit Box. Furthermore, any future changes to the list of authorized signatories, including the addition or removal of names, may only be made with the express approval of the Board of Directors, through formal Board action. The motion was seconded by Cory Off and unanimously approved.

- *Consider a date in November for a 2025 Budget Work Session*

A Board of Directors work session was scheduled for November 13, 2024, at 9:00 a.m.

- *Set the date for the 2025 Budget Hearing*

The 2025 Budget Hearing was scheduled for December 13, 2024, at 10:00 a.m. The Management Committee work session was scheduled for November 1, 2024 at 12:00 p.m.

PROGRAM MANAGER'S REPORTS

President Higel asked for Program Manager's reports.

- *Subdistrict No. 1-Taylor Chick*

Taylor Chick provided an update on the recharge pit project on the White property. President Higel asked to be notified of the christening date in order to be in attendance. Mr. Chick reported they are receiving and entering meter readings for fee assessments which are due to the Counties by December 1st. Mr. Chick described the efforts to find depletion water for Saguache Creek and working on finalizing payout obligations on the SB22-028 incentive program. He highlighted the number of quarters in Subdistrict No. 1 that had been retired, the incentive payout amount and the payout amount from the program. Mr. Chick updated the Board on CREP enrollment, temporary fallow contracts and the revegetation pathways for fallowed lands in Subdistrict No. 1 programs. He reported the Subdistrict would not be using Closed Basin Project water for winter depletions and is working with Trout Unlimited to use depletion water owned by Subdistrict No. 1 from the reservoir to assist with the Winter Flow Program.

- Consider approval of SD#1's 2025 Budget

Taylor Chick presented the Subdistrict No. 1 2025 preliminary budget. He highlighted the amount assessed in Admin Fees last year and the amount of increase in order to cover obligations. He provided the amount of Admin Fee rollover and the CREP Fee per acre-foot. Mr. Chick reported the Variable Fee would remain the same and gave the total projected amount to come into the Subdistrict. He highlighted there is a preliminary plan to reopen the Well Purchase Program (WPP) for permanent well buyouts as well as a temporary fallow program. Mr. Chick went over storage costs and the amount available from escrow to use for programs.

A motion was made by Cory Off to approve the Subdistrict No. 1 2025 budget as presented. The motion was seconded by Peggy Godfrey and unanimously approved.

- Review and possible approval of Rules and Regulations Section 4 update of the deadline

Taylor Chick highlighted the section in the Rules and regulations with the proposed contract deadline change. He explained why the change in the date was necessary.

A motion was made by Mike Kruse to approve the Rules and Regulations Section 4 update of the deadline. The motion was seconded by Armando Valdez and unanimously approved.

- Review and possible approval of access agreement with CPW

Taylor Chick presented a Right of Entry and Access Agreement. He explained the issue with elk on the Medano property and reported working with wildlife management on how to manage the elk. Mr. Chick described what the agreement would allow CPW to do in order to control the elk and how they will release the District from any liability.

A motion was made by Mark Deacon to approve the CPW Right of Entry and Access Agreement. The motion was seconded by Peggy Godfrey and unanimously approved.

The meeting recessed for lunch at 12:32 p.m. and resumed at 1:31 p.m.

- Subdistrict No.'s 2, 3, and 6-Angelo Bellah

Angelo Bellah gave an update on activities and operations of the Subdistricts. He reported all Subdistricts continue to seek water for depletions. Mr. Bellah reported working with DWR/PRT on Phase 7 of the RGDSS Model and on feedback provided regarding the CU rate of fish wells. He described the resolutions passed by Subdistrict No. 3 and 6 to incentivize the SB22-028 program and reported working with the Trinchera Subdistrict on a lease/fallow program on the Los Sauces ditch for the 2025 Annual Replacement Plan (ARP). Mr. Bellah highlighted the permanent forbearance agreement negotiated by Subdistrict No. 2 with the Rio Grande Lariat Ditch.

- Review and possible approval of offer to buy Alpha Tract #8-SD #3

Angelo Bellah reported on the buyers withdrawal to purchase Tract 5 and the new offer for full asking price on Tract 8. He presented a map showing the location of the tract and asked the Board to consider approval of the sale.

A motion was made by Elliott Salazar to approve the sale of Tract 8 of the Alpha Hay Farms tracts at the offered price. The motion was seconded by Mark Deacon and unanimously approved.

- Review and possible approval of Xcel Construction Easement-SD #3

A motion was made by Elliott Salazar to approve the Xcel Construction Easement. The motion was seconded by Mark Deacon and unanimously approved.

Angelo Bellah provided an update on the maintenance and improvements to the Alpha property and recharge pond in Subdistrict No. 3. He reported on the completion of the 2024 SWSP operations and ongoing negotiations with the El Coda Ditch regarding a permanent forbearance agreement. He gave an update on the efforts to achieve aquifer sustainability and an update on meetings held with members. Mr. Bellah updated the Board on the appointment of Virigina Christiansen representing the Alamosa-La Jara Water Conservancy District to the Board of Managers of Subdistrict No. 6. He described the implementation of a pumping reduction program and the goals of the program. He also reported he is working with Subdistrict No. 3 and Subdistrict No. 6 towards implementing ATMs on the Alamosa River.

- Subdistrict No. 's 4 and 5-Chris Ivers

Chris Ivers reported Subdistrict No. 4 continues to work with lessees on six (6) quarters and revegetation efforts on six (6) other quarters. He explained having issues with weeds on three (3) quarters planted this year and insects and wildlife issues on the three (3) quarters planted last year. Mr. Ivers reported Subdistrict No. 4 continues to operate fully on Well Injury Payment (WIP) agreements for all of their replacements on San Luis Creek and Crestone Creek. He gave an overview of Subdistrict No. 5 and their efforts to secure additional supplies for Saguache Creek replacements as and he gave an update on the current augmentation well. Mr. Ivers reported on Subdistrict No. 5's plan to add a small capacity well on the Hazard property and asked for the Board to consider approval of an easement for a large capacity well lower down on Saguache Creek. He explained the option agreement with the land owner and the potential to add another augmentation well. He also went over the Subdistrict's financial status. Mike Kruse asked if the augmentation well has potential to cover Subdistrict No. 1 depletions. Mr. Ivers explained how Subdistrict No. 5 may be able to help Subdistrict No. 1 once they have all of their plans in place and operating.

A motion was made by Mark Deacon to approve the easement for the well in Subdistrict No. 5. The motion was seconded by Elliott Salazar and unanimously approved.

HABITAT CONSERVATION PROGRAM INCENTIVE PROGRAM-CRYSTAL BENAVIDEZ

President Higel asked for Habitat Conservation Program Incentive Program report. Crystal Benavidez asked the Board to consider approval of the Habitat Conservation Plan (HCP) Incentive Program. She gave an overview of the program and explained how the funds would be utilized. Ms. Benavidez invited the Board to attend the upcoming HCP meeting.

DISTRICT ENGINEER'S REPORT-CLINTON PHILLIPS

President Higel asked for the District Engineer's report. Clinton Phillips presented a map of the San Luis Valley unconfined and confined aquifers. He provided the change between October 2023 and October 2024, the current aquifer level, the five (5) year average level and the acre-feet needed to get to the -400,000 level. Mr. Phillips presented a snapshot of the study period, the change in storage and a graph of the entire study period. He updated the Board on the confined aquifer wells being measured by the District and presented measurements according to model layer.

DISTRICT ATTORNEY'S REPORT-PETE AMPE

President Higel asked for the District Attorney's report. Pete Ampe reported being in agreeance with Craig Cotten regarding Primary Water being tributary water. He gave an update on the Texas vs New Mexico and Colorado case and the appointment of a new Special Master. Mr. Ampe provided an update on the new water conservancy district being formed within Subdistrict No. 1. He explained the formation of the conservancy district would make it easier for the SWAG group to secure a loan from CWCB.

KOGOVSEK & ASSOCIATES-CHRISTINE ARBOGAST

President Higel asked for Kogovsek & Associates report. Chrisine Arbogast reported on the election results and the change of leadership to come in some areas. She also reported they are waiting for the end of year bill package. Ms. Arbogast described a conversation held with Wayne Pullan and his intention to visit the District to tour the Valley in order to better understand it and the Closed Basin Project. She provided an update on the expired Farm Bill and the possibility of it getting extended.

SENATOR BENNET'S OFFICE-ERIN MINKS

President Higel asked for Senator Bennet's office report. Erin Minks asked the Board to consider inviting someone from the FSA to report at District meetings. She reported speaking with Stansbury staffers at a conference in Santa Fe and described the ongoing legislative issue with the Rio Grande Water Security Act. Ms. Minks updated the Board on the passing of the Good Samaritan Legislation, conversation around a possible national conservation area south of the Valley, and the lack of funding to administer the Rio Grande Natural Area Management Plan.

SENATOR HICKENLOOPER'S OFFICE-PATRICK ORTIZ

President Higel asked for Senator Hickenlooper's office report. Patrick Ortiz introduced himself and highlighted his prior work history. He reported Senator Hickenlooper would be in town to attend a townhall meeting on Ag/Water at the end of the month.

COLORADO LEGISLATIVE STRATEGIES-GARIN VORTHMANN

President Higel asked for Colorado Legislative Strategies report. Garin Vorthmann was not in attendance, Cleave Simpson provided the highlights of her report. He reported on the advancement of eight (8) bills by the Water Resources and Agricultural Review Committee. He touched on abandoned mines and the impact on Colorado streams, the future of severance taxes, property taxes and provided an update on the Dredge and Fill Bill.

U.S.B.R. REPORT-NATE REYNOLDS

President Higel asked for U.S.B.R. report. Nate Reynolds gave the operations update. (Copy of report attached.)

DIVISION ENGINEER'S REPORT

President Higel asked for the Division Engineer's report. Craig Cotten gave a compact update on the Rio Grande and Conejos Rivers. He reported on the current 5% curtailment on the Rio Grande and zero on the Conejos system. Mr. Cotten highlighted the usual end of irrigation season turn off date is November 1st. He gave an update on the Compact lawsuit and reported Colorado would host the Rio Grande Compact meeting next year. Mr. Cotten requested the use of the District building for the Compact meeting and reported Jason Ullmann plans to be in Alamosa in January to meet with different groups. Discussion was held on releases made in the fall and how they are accounted for.

COLORADO OPEN LANDS-SALLY WIER

President Higel asked for Colorado Open Lands report. Sally Wier described her continued efforts with conservation easements and revegetation. She provided an update on groundwater conservation easements and the need for markets to normalize.

U.S.F. & W.S. REPORT-CHRIS SHAFFER

President Higel asked for U.S.F. & W.S. report. Chris Shaffer reported on the total pumping being within their five (5) year running average and the programs that attributed to the goal. He provided an update on the ongoing GOGO projects and work to be done on agreements with Subdistrict No. 6.

SLVWC DISTRICT-HEATHER DUTTON

President Higel asked for SLVWC District report. Heather Dutton updated the Board on a project at Shaw Reservoir, the completed construction of SNOTEL's this summer and the number of ones yet to be installed. She highlighted the funding request for ASO Flights and reported she would make the reports available to the Board. Ms. Dutton also reported submitting a funding request for science fair.

RIO GRANDE HEADWATERS RESOTRATION PROJECT-DANIEL BOYES

President Higel asked for Rio Grande Headwaters Restoration Project report. Daniel Boyes reported on the continued monitoring of projects completed in the last few years. He highlighted the Alamosa Riverfront Project and the goals of the Independent #2 and Ehrowitz Ditches project. Mr. Boyes described the plan and goals of the Farmers Union Multi-benefit project, the Gunbarrel Road project and a restoration project on upper Saguache Creek. He reported looking to spend time on preparing a wildfire ready action plan, the RGNF Wet Meadows Restoration Project, and RGBRT education efforts. Mr. Boyes reported he had submitted a funding request.

EDUCATION REPORT-HANNAH THILL

President Higel asked for the Education report. Hannah Thill reported submitting a funding request for \$12,500. She went over the education programs including the expansion of the conservation camp, Envirothon, and other events she assisted with.

HEADWATERS ALLIANCE-RANDY MCCLURE

President Higel asked for Headwater Alliance report. Randy McClure gave a recap of 2024 projects and reported submitting a funding request. He provided the Board with an update on the North Creede Project. Mr. McClure highlighted the goals of the project and how the funding would be used.

COLORADO DUST ON SNOW-JEFF DERRY

President Higel asked for Colorado Dust on Snow report. Jeff Derry presented Colorado Dust on Snow Program in the Senator Beck Study Basin. He highlighted the stations that had sensor updates and where cameras were installed. Mr. Derry described the BOR snow water supply forecasting program demonstration and evaluation. He went over three (3) focal points and the objectives of the Nexus of Land and Water Project. Mr. Derry presented a funding summary by water year and invited the Board to attend snow school in February.

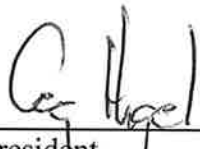
COLORADO STATE PARKS AND WILDLIFE REPORT-RYAN UNTERREINER

President Higel asked for Colorado State Parks and Wildlife report. Ryan Unterreiner gave an update on the replacement of an aquatic well at the native hatchery in Alamosa and how it provides flexibility to the operation. He described the updates to the State Wildlife Action Plan being worked on and invited anyone with comments or information to visit the following link: <https://engagecpw.org/state-wildlife-action-plan>.

ADJOURN

The meeting was adjourned at 4:09 p.m.

The next quarterly meeting is scheduled for January 21, 2025.



President



Secretary/Treasurer

Bureau of Reclamation Report to the RGWCD

October 15, 2024

OPERATIONS

Water salvage operations continued as recommended by the Project Operating Committee to meet Rio Grande Compact and mitigation obligations.

For the YTD (1/1/2024 to 9/30/2024)

A total of 1,697 AF was delivered to the Alamosa National Wildlife Refuge through CHO1 & 2.

A total of 1,614 AF was delivered to the Blanca Wildlife Habitat Area through CHO3 & 4.

Delivery to the Rio Grande has been 5,077 AF.

San Luis Lake is dry at an Elevation of 7509.0 ft.

San Luis Lake (9/30/2024)

San Luis Lake	San Luis Lake Elevation	7509.0 ft. MSL
	Storage	0 acre-feet
	TDS	N/A ppm TDS

Project Deliveries: (1/1/2024 to 9/30/2024)

Deliveries to:	Rio Grande—total	5,077** acre-feet
	Alamosa National Wildlife Refuge—total.....	1,697* acre-feet
	Blanca Wildlife Habitat Area—total.....	1,614* acre-feet
	San Luis Lake—total.....	0.0 acre-feet
	Head Lake (West).....	40 acre-feet
	Total Deliveries as of September 30, 2024.....	8,428** acre-feet

***Preliminary totals subject to review*

**Includes 250 AF exchange delivered to BLM, but credited to USFWS mitigation total.*

**Includes 226 AF exchange of Treasure Pass Water delivered to BLM.*

**Includes 131 AF Treasure Pass Water exchanged into Beaver Reservoir*

**Includes 225 AF one-time sale water purchased from SLVWCD*

MAINTENANCE BRANCH

Well rehabilitation operations were completed for 20 salvage wells to date in 2024. Weed management continued at canal check structures. Blade work continued on lateral roads and canal berms. Preventative maintenance on project features is ongoing.

WATER LABORATORY

A total of 645 samples were collected from the Closed Basin Project during the period of April 1, 2024, through September 30, 2024.

Total Dissolved Solids at the Outlet was an average of 296 mg/L for the period.



2024 Interim Legislative Report – September 30, 2024

Water Resources and Agriculture Review Committee Update

The WRARC held its final meeting for 2024 on September 18 and voted on what bills to forward to Legislative Council as interim committee legislation. The committee approved eight bills, 3 of which have a water nexus.

Bill 4: Mining Reclamation & Interstate Compact (aka, “Legacy Mining and Modernization Act)

The bill creates a new permit type in the Department of Natural Resources for the removal of mining waste and refuse, updates forfeiture and warranty procedures related to mining operations, and ratifies Colorado as a full member of the Interstate Mining Compact.

https://leg.colorado.gov/sites/default/files/images/bill_4_25-0157.01.pdf

Bill 9: Backflow Prevention Devices Requirements

The bill specifies that backflow device inspection, testing, or repair does not require plumbing occupational licensure from the Department of Regulatory Agencies. This corrects unintended consequences of changes made in a Plumbing Board Sunset provision (HB24-1344) last session.

https://leg.colorado.gov/sites/default/files/images/bill_9_25-0162.01.pdf

Bill 12: Future of Severance Taxes & Water Funding Task Force

This bill creates a task force concerning the future of severance taxes and water funding, which will work with a third party to conduct a study on severance taxes and water funding and develop recommendations for ways to continue funding water needs in the face of decreasing severance taxes.

https://leg.colorado.gov/sites/default/files/images/bill_12_25-0165.01.pdf

The committee discussed two other bills related to water but the proponents pulled them from consideration and the bills. Both bills were very controversial and had a lot of opposition as drafted.

Bill 8: Revegetation Requirements Water Rights Holders

This proposal required that an application to change the use of a water right from irrigated agriculture to a different beneficial use include a revegetation standard to be met, and a methodology to evaluate the completion of the standard and revegetation provisions. The bill stipulated that revegetation provisions must be met within five years following the change of use and be certified complete by an independent third party. A water court could reverse the change of use decree if the provisions are not met and reinstate the change decree when the provisions are complete and certified by the independent third party. Finally, the bill included conversions of land from irrigated agriculture to dry land farming to be subject to the revegetation provisions for a period of time following the end of irrigation.

https://leg.colorado.gov/sites/default/files/images/bill_8_25-0161.pdf



PULLED FROM CONSIDERATION/UNCLEAR IF IT WILL COME BACK DURING THE REGULAR SESSION

Bill 10: Transparency in Water Right Transactions

The bill required the Division of Water Resources to create an online database of information detailing the sale and purchase of all water rights in the state. Current law exempts the transfer of ownership of company stock constituting a water right from the general procedures required of real estate transactions. The bill removes the exemption and required that these water right transfers follow the same procedures and formalities that are required for other real estate transactions.

https://leg.colorado.gov/sites/default/files/images/bill_10_25-0163.pdf

PULLED FROM CONSIDERATION/UNCLEAR IF IT WILL COME BACK DURING THE REGULAR SESSION

Special Session on Property Taxes

In August, Governor Polis called state lawmakers back to the Capitol for a special session on property taxes. This was the second special session on the subject in less than a year. Following the defeat of Proposition HH on the 2023 ballot, there was a special session on the issue last November. That special session provided some temporary property tax relief and created a commission that was tasked with coming up with a long-term solution to the issue of property taxes. The commission met throughout the entire 2024 session and a “compromise” bill (SB24-233) passed in May. Many legislators thought that the compromise was also supposed to get proponents of two property tax ballot initiatives to pull the measures from the ballot. However, the proponents of the initiatives did not feel that the bill provided enough tax relief so they continued to move forward towards the ballot.

Because of concerns the ballot proposals would have on state and local government budgets, Governor Polis worked with a bipartisan group of legislators and the ballot proponents on a new “compromise” proposal. In exchange for bigger property tax cuts for homeowners and businesses as well as new limits on future property tax growth, Colorado Concern and Advance Colorado (the primary proponents of the initiatives) agreed to withdraw the proposals.

The compromise bill, [House Bill 1001](#), reduces property tax revenue growth caps on local governments and sets an annual growth cap on revenue collected for schools, while lowering assessment rates on residential property.

As a reminder for how much relief Senate Bill 233 and House Bill 1001 provided, along with how much of an impact the ballot measure would have, here is a chart from the Colorado Sun comparing the different proposals with current law:

Colorado Property Tax Proposals

Lawmakers are headed into a special legislative session to consider a deal to enact further tax cuts in exchange for conservative groups pulling Initiatives 108 and 50 off the November ballot. For tax year 2025, here's how the deal compares to the ballot measures and Senate Bill 233, which was signed into law earlier this year.

	Previous Law	Senate Bill 233	Ballot Measures	Proposed Deal
Residential Tax Rates: School Districts	7.15%	7.15%	5.7%	7.05%
Residential Tax Rates: Local Governments	7.15%	6.4% (6.5%* in 2026)	5.7%	6.4%*
Business Tax Rates: Commercial and Agricultural	29%	25%	24%	25%
Business Tax Rates: Industrial and Other	29%	29%	24%	26% (25% in 2027)
Property Tax Cap	None	5.5% per year for local govt.	4% per year statewide	10.5% over two years for local govt.; 12% over two years for schools
School Tax Cut	--	\$128 million	\$1.4 billion	\$263 million
Local Tax Cut	--	\$386 million	\$1 billion	\$506 million
Total Tax Cut	--	\$514 million	\$2.4 billion	\$769 million

Source: [Colorado Legislative Council](#), Colorado Sun analysis
 Chart reflects tax year 2025. SB233 also cut taxes by \$1 billion in tax year 2024.
 *Effective assessment rate for homes worth up to \$700,000 when factoring in a 10% exemption.



Lawmakers also approved [HB24B-1003](#) during the special session. This bill makes the personal property tax exemptions for agricultural equipment that is used in any controlled environmental agricultural (CEA) permanent. In addition, the bill includes personal property within a greenhouse used on a farm or ranch, or in a CEA facility, whether attached to the greenhouse or not, which is used solely for planting or growing crops in a raw or unprocessed state and the sole purpose of growing crops in the greenhouse



to obtain a monetary profit from the wholesale of plant-based food for human or livestock consumption, as eligible for the agricultural equipment personal property tax exemption.

Reg. 87 - Colorado Dredge and Fill Program Implementation (HB24-1379)

On May 30, 2024, House Bill (HB) 24-1379 was signed into law. The intent of the legislation is to ensure that state waters are protected from the impacts of dredge and fill activity after the U.S. Supreme Court drastically limited the scope of federal protection under the Clean Water Act through its decision in *Sackett v. EPA*.

HB24-1379 directs the Water Quality Control Division to develop a dredge and fill authorization program and the Water Quality Control Commission to establish permitting and mitigation rules by Dec. 31, 2025. The outcome will be Regulation No. 87, a control regulation for avoiding, minimizing, and mitigating the impacts of dredge and fill activity.

2024 scheduled meetings

- Wednesday, Sept. 4, 2024 | 9:30 to 11:30 a.m.
- Tuesday, Oct. 1, 2024 | 1:30 to 3:30 p.m.
- Wednesday, Nov. 6, 2024 | 9:30 to 11:30 a.m.
- Wednesday, Dec. 4, 2024 | 9:30 to 11:30 a.m.

2025 scheduled meetings

- Wednesday, Jan. 29, 2025 | 9:30 to 11:30 a.m.
- Thursday, Feb. 20, 2025 | 9:30 to 11:30 a.m.
- Thursday, March 20, 2025 | 9:30 to 11:30 a.m.
- Wednesday, April 16, 2025 | 9:30 to 11:30 a.m.
- Thursday, May 22, 2025 | 9:30 to 11:30 a.m.
- Wednesday, June 18, 2025 | 9:30 to 11:30 a.m.
- Wednesday, July 23, 2025 | 1:30 to 3:30 p.m.
- Thursday, Aug. 21, 2025 | 9:30 to 11:30 a.m.
- Thursday, Sept. 18, 2025 | 9:30 to 11:30 a.m.
- Thursday, Oct. 23, 2025 | 9:30 to 11:30 a.m.
- Wednesday, Nov. 19, 2025 | 9:30 to 11:30 a.m.

Ballot Initiative Update

There will be 14 statewide ballot initiatives on the ballot this year. A couple of them are of interest to RGWCD.

Amendment G expands eligibility for reduced property taxes under the homestead exemption for veterans. This could result in lower property tax revenues, which could have impacts to special district funding.



**COLORADO
LEGISLATIVE
STRATEGIES**
moving mountains since 1980

Proposition JJ allows the state to keep excess revenue from the sports betting tax, which passed in 2019. This additional revenue would go toward the state's water plan implementation cash fund and water conservation projects. The excess revenue is projected to be between \$2.8 to \$7.2 million over the next three years.

The CLS newsletter summarizing all the ballot initiatives is attached.

Upcoming Important Dates

October 11-18 – Ballots mailed out to voters
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 general election results, including ballot measure results. We will also send out updates following quarterly state budget forecasts.