
RECORD OF PROCEEDING

**SOUTHEASTERN COLORADO WATER
ACTIVITY ENTERPRISE**

MINUTES

March 19, 2009

The regular meeting of the Board of Directors of the Southeastern Colorado Water Activity Enterprise (SECWAE) was held on Thursday, March 19, 2009 at 11:40 a.m., at the District office, 31717 United Avenue, Pueblo, Colorado.

President Long announced a quorum was present.

DIRECTORS PRESENT:

Bill Long	Harold Miskel	Ann Nichols
Scott Reed	Lee Simpson	Edward Bailey
Reed Dils	Gibson Hazard	Greg Johnson
Lissa Pinello	Howard "Bub" Miller	Carl McClure
Kevin Karney	Vera Ortégón	
Alan Hamel-Advisory Board Member		

DIRECTOR ABSENT AND EXCUSED:

Shawn Yoxey

ENTERPRISE OFFICIALS PRESENT:

Executive Director James Broderick; Administrative Manager Toni Gonzales; Projects Manager Phil Reynolds; Chief Financial Officer Kathie Fanning; Director of Engineering and Resource Management Bob Hamilton; Engineering Support Specialist Margie Medina; Attorneys Steve Leonhardt, Lee Miller, and Maria Hohn; and Federal Lobbyist Christine Arbogast.

VISITORS PRESENT:

Roy Vaughan, U.S. Bureau of Reclamation; Chris Woodka, The Pueblo Chieftain; Pat Edelmann, U. S. Geological Survey; Dick Wolfe, State Engineer; Steve Witte and Bill Tyner, Colorado Division of Water Resources- Division 2; Kevin Meador, Black & Veatch; Bill Warmack, Applegate Group; Roy Heald and H.E. Cap Proal, Security Water District; Brett Gracely, Colorado Springs Utilities; Dwight L. Gardner, Senator Michael Bennet's office; Curt Thompson, Merrick & Co.; Jay Winner, Lower Arkansas Valley Water Conservancy District; Terry Scanga, Upper Arkansas Water Conservancy District; Mark Pifher, Rick Kienitz, Gerry Knapp, and Tom Simpson, Aurora Water; Rick Thornton, CDM; Ian Narain and Rick Jones, Kleinfelder; Dan Henrichs, High Line Canal Company; Joe Rall, Congressman Lamborn's office; Ron Gasser, Penrose Water District; Curtis Mitchell, Fountain Utilities; and Ken Weber.

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APPROVAL OF MINUTES:

President Long asked if the members of the Board had received their copy of the minutes of February 19, 2009, and whether there were any corrections or additions. Hearing none, Mrs. Ortegón moved, seconded by Mr. Johnson, to approve the minutes. Motion unanimously carried.

FINANCIAL REPORT:

Treasurer Ann Nichols reported that due to the illness of Chief Financial Officer Kathie Fanning, the financial statements will be approved at the April Board meeting.

CONSENT ITEMS:

None

ACTION ITEM:

None

PRESENTATIONS:

FEDERAL LEGISLATION

Arkansas Valley Conduit

Mrs. Arbogast reported the Senate passed H.R. 146 (77-20), a bill relatively unknown until it became the vehicle for the omnibus public lands measure.

After failure by the House to pass the omnibus lands bill by a two-thirds majority last week, a new strategy was undertaken. Mrs. Arbogast provided copies of articles which attempt to explain this complex plan.

In summary, H.R. 146 has already passed the House. As it is now amended to include the omnibus public lands measures for wilderness, national parks, historic preservation, heritage area designations, a reauthorization of the Endangered Fish Recovery Programs in the Colorado and San Juan Basins and the authorizing provisions for the Arkansas Valley Conduit, it will return to the House. Because the House has already passed H.R. 146, the vote there (planned for next week) will be on the House bill as amended by the Senate. This will preclude, according to the parliamentarian, any amendments or a motion to recommit the bill for further consideration. A simple majority will be required for passage.

Even bill opponents have now conceded that the bill will be enacted. However, they vow to continue to try to obstruct it, amend it, or most certainly criticize it for a variety of reasons ranging from the "land grab" allegation of some to concerns about hunting on public lands to the failure to hold hearings on each and every provision.

Regardless of whether we agree or disagree on any of these arguments, it is clearly important to the Southeastern District that the bill be enacted as soon as possible, and Southeastern District is joined in that effort by many other entities whose bills have been awaiting enactment for a number of years.

Mrs. Arbogast reported efforts to allow for counting previous expenditures on the Conduit for purposes of the local match required by STAG are ongoing through both administrative and the appropriations process.

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Both stimulus and appropriations requests have been filed with the Bureau of Reclamation and Congress respectively. Mrs. Arbogast is awaiting word on the stimulus timeline and the appropriations process will not begin until after Easter at the earliest.

Tamarisk

The recently enacted omnibus *appropriations bill* for FY '09 includes a recommendation that the Corps of Engineers provide funding for eradication in the Arkansas Valley through their Section 206 continuing authorities program, which is for environmental restoration. The Arkansas Valley was one of more than 80 recommendations for funding, with a total of \$29 million for the entire Section 206 program nationwide.

This will require an aggressive effort on the part of the Southeastern District working with the Albuquerque office of the Corps of Engineers (Corps). District staff member, Jean VanPelt has established a strong working relationship with the Corps and a meeting is scheduled for March 20 to seek funding for FY '09 and may also seek stimulus funding through their discretionary authorization. Congressman Salazar is spearheading this effort, and the Southeastern District is grateful for his efforts.

Administration Appointments

Mrs. Arbogast provided copies of the Administration's press release regarding the formal nomination of Mike Connor to head the Bureau of Reclamation. It is hoped that Mr. Connor's confirmation hearing by the committee, for which he currently works, will be scheduled promptly and will go smoothly. On behalf of the Southeastern District, Mr. Kogovsek and Mrs. Arbogast have offered Mr. Connor their support and congratulations. If and when he is confirmed, Mrs. Arbogast would recommend that the District invite Mr. Connor to visit the Fryingpan-Arkansas Project and hopefully meet with the Board at sometime in the near future.

Mrs. Arbogast recommended that the Southeastern District send a letter in support of Mr. Connor. President Long asked the pleasure of the Board, and by the consensus of the Board, a letter will be written in support of Mr. Connor.

Further nominations, including the Assistant Secretary for Water and Science, are anticipated in the near future.

Oberstar Clean Water Restoration Act

Mrs. Arbogast reported federal lobbyist and District staff continue to be engaged in the effort to facilitate a compromise on this proposed legislation. It is viewed that the lack of introduction of the previous measure by Mr. Oberstar to be a good sign, and it is anticipated that another meeting with his staff will be held during the upcoming National Water Resources Association meeting.

INFORMATIONAL ITEMS:

The Board was provided written reports on the following:

- Arkansas Valley Conduit Report
- Legal Matters

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OTHER BUSINESS MATTERS:

President Long said that the Board will honor the outgoing Board members at the April Board meeting. Mr. Bailey will not be present, but will attend the May Board meeting.

President Long asked if there were any other matters to come before the meeting, and hearing none, adjourned the meeting at 11:58 a.m.

Respectfully submitted,

Toni Gonzales
Administrative Manager

Secretary

