

RECORD OF PROCEEDING

**SOUTHEASTERN COLORADO
WATER ACTIVITY
ENTERPRISE MINUTES
February 19, 2026**

A meeting of the Board of Directors of the Southeastern Colorado Water Activity Enterprise (Enterprise) was held on Thursday, February 19, 2026, at 10:08 a.m., at the District office, 31717 United Avenue, Pueblo, Colorado. The ZOOM platform was also made available for Board members and Visitors.

Attendance:

Board Members Present:

Abby Ortega	Curtis Mitchell	Mike Bartolo
Alan Hamel	Dallas May	Pat Edelmann
Andy Colosimo	Greg Felt	Seth Clayton
Ann Nichols	Justin DiSanti	Tom Goodwin
Bill Long	Matt Heimerich	

DIRECTOR(S) ABSENT AND EXCUSED:

Kevin Karney

DISTRICT OFFICIALS:

Executive Director Leann Noga; Staff Attorney Peter Levish; Senior Policy and Issues Manager Chris Woodka; Engineering Manager, Gordon Dillon; Project Engineer, Trevor Singleton; Water Resources Engineer, Robert Banham; Administrative Manager, Misty Bellino; Administrative Support Specialist Patty Rivas; Accountant, Meg Scarlett; H2O Consultant, Roy Vaughan; Jewell, Jimmerson Natural Resources Law, April Hendricks; Wilson Water Group, Lisa Brown (remote); and Kogovsek & Associates, Christine Arbogast(remote).

PRESENT VISITORS:

USGS, Brandon Forbes and Krystal Brown; Colorado Springs Utilities, Dan Tucker; USBR, Derek Mickle and Mike Holmberg; Pueblo West Metro, Elissa Velasquez and Jeffery DeHerrera; Aurora Water, Rick Kienitz.

VISITORS CONNECTED THRU ZOOM:

Colorado Springs Utilities, Scott Lorenz.

CONSENT ITEM:

Mr. Mitchell moved, seconded by Mr. Colosimo, to approve:

- The minutes of the January 15, 2026, Enterprise Board meeting
- Treasurer Report for January 2026

Motion carried unanimously.

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PRESENTATION ITEMS:
FEDERAL LEGISLATION UPDATE

Ms. Christine Arbogast gave an update to the Board:

- Appropriations for all Water Resource funding have all been signed and activated, which includes 3 million towards the AVC
- Energy and water bill, SRS funding at last years levels. Water Smart did take a hit of 15 million dollars.
- FY27, Administration has put in a budget request, no information as of yet, the concern to the District would be, is there a line in it for the AVC
- The house is working on a Farm Bill, it is scheduled to be marked up next week. This included what wasn't in the Reconciliation Bill. Did not include a lot of nutrition components which usually drives the more progressive side of Congressional support, the Democrat support was not very positive. However, there was strong support for Conservation Programs.
- The Senate has not yet said when it will take the Bill before Congress, with Senate Chairwoman Debbie Stabenow retiring, it would not seem she would retire without getting a Farm Bill through after 8 years.
- The House is working hard on Water Shed Health, Wildfire Management specifically The Fix Our Forest Act.
- Of most importance to the District is the Water Resources Development Act (WRDA) legislative process. This is a Bill that authorizes The Corp of Engineers to study, plan, and construct water infrastructure projects, including flood control, navigation, and ecosystem restoration.
- There are currently not any provisions in it for the Bureau of Reclamation. Reclamation always asks of both committees that can authorize appropriations, the answer remains, no. That is currently being worked on by Senators Hickenlooper and Bennett as well as Representatives Boebert & Hurd.
- There is strong Bipartisan support for the AVC project as a result of the Veto. This is favorable to the District on AVC funding.

Questions were asked of Ms. Arbogast

WATER RESOURCES UPDATE

Mr. Robert Banham presented in detail the following information to the Board:

Precipitation Outlook- Data as of 2/09/2026

- Discusses expected precipitation trends and forecasts for the upcoming months.
- Highlights potential impacts on water resources and drought conditions.

Soil Conditions- Data as of 2/11/2026

- Evaluates current soil moisture levels across southeastern Colorado.
- Indicates implications for agriculture and water conservation efforts.

Streamflow Conditions – Data as of 2/11/2026

- Analyzes streamflow data and trends in local rivers and streams.
- Assesses the impact of streamflow on water supply and drought management.

Drought Conditions – Data as of 1/31/2026

- Reviews current drought status in Colorado, including affected areas.
- Provides statistics on drought severity and its implications for water resources.

DROUGHT FOR COLORADO – Data as of 2/10/2026

- Details the ongoing drought situation in Colorado.

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- Discusses historical drought patterns and their effects on water availability.

DROUGHT FOR COLORADO RIVER – Data as of 1/27/2026

- Analyzes the drought conditions affecting the Colorado River.

SNOWPACK – 1/29/2026

- Analyzes conditions:
 1. Upper Basin vs Annual Basin Average
 2. Upper Basin with Individual Sites
 3. Fry-Ark Collection Basin vs Annual Basin Average
 4. Fry-Ark Collection Basin with Individual Sites

Questions were asked of Mr. Banham

AVC UPDATE

Mr. Derek Mickle gave an update to the Board on the following topics:

- **CURRENT CONSTRUCTION**
 1. Boone Reach 1
 2. Boone Reach 2
 3. Injection Site Phase 1
- **FUTURE CONTRACTS: CROWLEY REACH 1**
 1. Construction of approximately 5.3 miles of 30-inch potable water transmission pipe and associated improvements. Work includes horizontal directional drilling, bored crossings, road cuts and restoration.
 2. Construction Award: Working on railroad crossing permits, expected award to contractor, July/August 2026
- **FUTURE CONTRACTS: REG TANK 1/CROWLEY REACHES 2 & 3 AWARDS**
 1. Construction of the trunk line and water storage tanks to convey water from the Crowley Reach 1 connection point to Crowley Reach 4 connection point located along Stae Hwy 96 approximately 2 miles northeast of the Town of Fowler.
 2. Disinfect approximately 5.3 miles of 30-inch transmission piping installed under the Crowley Reach 1 contract
 3. Final design due to the Acquisition Team, September 2026
 4. Award date in 2027
- **FINANCE AND FUNDING**
 1. 2010 – 2019: \$30 million through regular appropriations.
 2. 2020: Congress provided a \$28 million appropriation to move the Project into construction.
 3. 2021-2023: \$31.5 million through regular appropriations.
 4. 2022: \$60 million from the Infrastructure Investment and Jobs Act.
 5. 2023: \$100 million from the Infrastructure Investment and Jobs Act.

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6. 2024: \$90 million from the Infrastructure Investment and Jobs Act + \$10 million appropriations.
7. 2025: \$250 million from the Infrastructure Investment and Jobs Act + \$13 million appropriations.
8. **Total funded through 2025: \$613 million.**
9. **Total estimated federal cost (2023): \$1.3 billion**

Total funding to date brings construction through Manzanola Reach 1, where 9 of 39 communities are served. Total population served is approximately 8,000. Total communities under CDPHE enforcement orders served is 2/18.

Questions were asked of Mr. Mickle

Mr. Chris Woodka reviewed highlights from this month's AVC Newsletter, and the visit from Senator Hickenlooper to the project on Wednesday February 18, 2026.

ACTION ITEM:

RECOVERY OF YIELD AUTHORITY ESTABLISHMENT

Mr. Robert Banham presented an action item to the Board recommending the Board authorize SECWCD to join the Restoration of Yield (ROY) Authority.

The ROY framework was established under the Six-Party Intergovernmental Agreement (IGA) to prevent long-term reductions in historical Arkansas River yield resulting from new storage, exchanges, and operational changes. ROY is implemented by temporarily storing water in downstream facilities within the RICD when exchanges into Pueblo Reservoir are unavailable and later exchanging that water upstream when river conditions allow.

The Authority formation documents have been executed by five participating entities and Pueblo West Metropolitan District. SECWCD participation is tied to its existing ROY cost-share interest and does not expand the District's ROY obligations. Section 9 of the Establishing Agreement provides that Members may elect to participate or not participate in individual ROY facilities or projects, ensuring that SECWCD retains discretion to opt in or out of future projects as they are proposed, subject to separate Board consideration.

The Board was provided a copy of the agreement.

Mr. Mike Bartolo expressed some concerns regarding the agreement. President Long advised his concerns will be taken into consideration by the Board,

With the removal of Mr. Lee Miller from item 10.10 of the agreement, and changed over to Mr. Peter Levish, Mr. Clayton moved, seconded by Mr. Hamel, the Board of Directors authorize the Southeastern Colorado Water Conservancy District to join the ROY Authority.

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POLICY 3 REDLINE – EMERGENCY WATER AND INITIAL RELEASE

Mr. Banham presented to the Board an action item recommending the Board approve the proposed revisions to section 16 of the Allocation Policy.

District staff identified the need to revise Section 16 to reflect current practices and to provide clearer administrative guidance for evaluating emergency water requests. The existing framework, originally adopted in 2006, provides emergency authority but lacks detailed criteria and modern language to address present-day operational considerations.

Consistent with the District’s broader policy modernization efforts, the revised Section 16:

- Updates the definition of emergencies.
- Establishes clear factors for evaluating emergency requests.
- Defines and limits the emergency reserve (1,200–1,500 AF, with 3,000 AF maximum carryover).
- Authorizes creation of a conditional allocation buffer that can temporarily support initial allocations without compromising Tier 1 emergency response capacity.
- Introduces nonbinding guidance tiers (Tier 1–Tier 3) for classifying emergency types.

These changes enhance administrative clarity, maintain operational flexibility, and preserve full Board discretion—an approach consistent with the redline methodology described in the current Allocation Policy update process.

The Board was provided a copy of the Water Allocation Policy.

Mr. Colosimo moved, seconded by Mr. Heimerich, the Board approve the proposed redlined revisions to the Allocation Policy Section 16: Emergency Allocation, as presented by staff.

UPPER ARKANSAS VFMP FIVE-YEAR CONTRACT RENEWAL

Mr. Banham presented an action item recommending the Board of Directors authorize the Executive Director to execute the five-year renewal agreement for the Upper Arkansas Voluntary Flow Management Program with Colorado Parks and Wildlife (CPW), Chaffee County, Arkansas River Outfitters Association (AROA), and Trout Unlimited.

Since 1991, the Colorado Department of Natural Resources (CDNR) on behalf of the Division of Wildlife (DOW), and the Division of Parks and Outdoor Recreation (DPOR), now Colorado Parks and Wildlife or CPW, has made annual recommendations, with annual concurrence and implementation by Reclamation and the Southeastern Colorado Water Conservancy District (District), for operation of a Voluntary Flow Management Program. An integral part of the VFMP is the method in which Reclamation operates Twin Lakes and Turquoise Reservoirs to manage flows in the Arkansas River above Pueblo Reservoir. The flows are managed to benefit recreational and fishery purposes while fully satisfying the primary purposes of the Fryingspan- Arkansas Project (Project) and other contractual obligations, pursuant to its recommendations made by the CDNR in consultation with the District. The District participates in the VFMP as the holder of the decreed water rights for Project Water.

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The VFMP participants have a strong interest in the continued operation of the VFMP in a similar manner to the operations conducted under the “2006 Agreement.” The specifics are described in the attached “Agreement.”

Mr. Colosimo moved, seconded by Mr. Goodwin, the Board of Directors authorize the Executive Director to execute the Upper Arkansas Voluntary Flow Management Program Five-Year Contract Renewal, which is substantially similar to the agreement presented. Motion carried unanimously.

INFORMATION ITEMS:

The Board was provided written material on the following topics, which were posted to the Board website, and OnBoard:

- Arkansas Valley Conduit Newsletter
- JWBHP Update
- Excess Capacity Master Contract Update

President Long recessed the Enterprise Board Meeting @ 11:12 to go into Executive Session.

EXECUTIVE SESSION:

Mr. Peter Levish announced a request has been made for the Southeastern Colorado Water Conservancy District to enter Executive Session for the purpose of:

Discussion on the following matter:

Aurora Water Transfer

Pursuant to:

C.R.S. §24-6-402(4)(b): (Conferences with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions)

“ **C.R.S. §24-6-402(4)(e):** (Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators)

The presence of the following individuals are requested at this Executive Session:

1. Non-Excused Board members, (state for the record any who are excused)
2. Executive Director
3. Staff Attorney
4. Senior Policy and Issues Manager
5. Outside Legal Counsel
6. Water Resources Specialist

MINUTES WILL BE ELECTRONICALLY RECORDED AS REQUIRED BY THE COLORADO OPEN MEETINGS ACT

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MOTION

VOTE (2/3 needed)

At this time the Southeastern Colorado Water Conservancy District will enter into Executive Session.

Mr. Hamel moved, seconded by Mr. Colosimo, that the Southeastern Colorado Water Conservancy District will enter into Executive Session at 11:20 a.m. The vote was unanimous.

At 11:47 a.m. coming out of Executive Session, President Long advised that there was discussion with legal counsel instructing, and that no action was needed for Executive Session Item:

1. Aurora Water Transfer

President Long reconvened the Enterprise Board Meeting @ 11:47 a.m. President Long asked if there were any other matters to come before the Enterprise Board, hearing no other matters, Mr. Long adjourned the Enterprise Board meeting at 11:48 a.m.

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Respectfully submitted,

Patty Rivas
Administrative Support Specialist

Seth Clayton – Secretary

Bill Long – President

Greg Felt

Curtis Mitchell – Vice President

Justin DiSanti

Ann Nichols – Treasurer

Kevin Karney

Abby Ortega

Matt Heimerich

Alan Hamel

Mike Bartolo

Andy Colosimo

Pat Edelman

Dallas May

Tom Goodwin