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Bernhardt bows out of local speech

By DENNIS WEBB



DAVID BERNHARDT

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Deputy Interior Secretary David Bernhardt has decided not to speak at a Colorado River District water forum in Grand Junction on Friday after being advised that doing so could raise concerns about a potential conflict of interest.

Bernhardt, a Rifle native, had tentatively committed to providing the keynote speech at the event, which will run from 9 a.m. to 3:30 p.m. at the Two Rivers Convention Center and focus on drought risks and associated contingency planning in the Colorado River Basin.

Russell George, a Rifle resident who is a former speaker of the Colorado House of Representatives and serves on the Colorado Water Conservation Board, will replace Bernhardt in the keynote role, speaking at 9:10 a.m. George has been a state water policy leader whom Chris Treese, external affairs manager for the river district, described as the father of Colorado's water roundtables and state water plan.

The day-of-registration cost for the event is \$35 and includes a lunch buffet.

Treese said Bernhardt "had to decline our invitation due to an abundance of concern for an appearance of conflict of interest." Working with Interior's ethics office, Bernhardt determined the seminar's focus on interstate Colorado River issues and his previous employment with the law firm Brownstein Hyatt Farber Schreck could be perceived as a conflict, Treese said.

In an email, Faith Vander Voort, a spokesperson for Bernhardt, didn't say specifically what ethics concerns the Grand Junction appearance might potentially have raised, but said the deputy Interior secretary "takes his ethics agreement very seriously and works closely with veteran ethics officials to ensure he complies with all laws, rules, and regulations."

Bernhardt has faced ethics questions dating back to his confirmation hearing because of his past work representing industries he now regulates. He said then that he takes ethics "incredibly seriously," and would go to Interior's ethics office if something came up involving a client or former client of the firm for which he was working.

Nicole Gentile, with the Center for American Progress, which has been among those raising ethics questions about Bernhardt, is curious what would keep him from being able to speak Friday.

"If he can't even speak to a water district, who can he speak to? To me that means isn't he too conflicted to even do the job of deputy Interior secretary?" she said.

She thinks if Interior wants to be fully transparent, it should specify why he can't speak at the water event, while he's been able to do things such as speaking to the American Petroleum Institute.

"I think this just raises a lot of questions about his conflicts of interests. It's something that we've been concerned about from the beginning," she said.

Gentile's group has issued an Interior Department ethics report that highlights, among other things, \$2.75 million the water company Cadiz Inc. paid Bernhardt and his former firm for legal and lobbying services from 2010 to 2016, as it pursued approvals to pump groundwater from beneath the Mojave Desert to southern California cities. The project received a favorable decision from the Bureau of Land Management, an Interior agency, last fall, but Bernhardt claims he wasn't involved in the decision and won't benefit from it, the report says.

Treese said he doesn't see a connection between the Cadiz case and Bernhardt's decision not to speak Friday, but doesn't know if it was a part of the ethics office concern.

He said he's disappointed for Bernhardt, who had been excited to speak and had seemed confident the ethics office wouldn't have a problem with him doing so.

Treese credits Bernhardt and the Interior Department for being cautious — "overly cautious, depending on your perspective" — in trying to avoid even an appearance of conflict that could cause problems with the department's policies and agendas.

While the result can be short-term impacts like not being able to participate Friday, "in the long term I suspect that kind of caution can only serve him and his administration well," Treese said.

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