



**PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP or PROGRAM)  
Governance Committee (GC) Special Session Minutes**

Tuesday, November 12<sup>th</sup>, 2019

***Note: All times Central.***

**Governance Committee (GC)**

**State of Wyoming**

Harry LaBonde – Member (2019 GC Chair)

**Bureau of Reclamation (Reclamation)**

Chris Beardsley – Member

Brock Merrill – Alternate

**State of Colorado**

Don Ament – Member

JoJo La – Alternate

**U.S. Fish and Wildlife Service (Service)**

Steve Small – Member

Tom Econopouly – Alternate

**State of Nebraska**

Jeff Fassett – Member

**Environmental Entities**

Brice Krohn – Member

**Upper Platte Water Users**

Bob Mehling – Alternate

**Colorado Water Users**

Alan Berryman – Member

Deb Freeman – Alternate

**Downstream Water Users**

Mark Czaplewski – Member

Lyndon Vogt – Alternate

Devin Brundage – Member

Cory Steinke – Alternate

Joe Citta – Member

John Shadle – Alternate

Kent Miller – Member

**Executive Director's Office (EDO)**

Jason Farnsworth, ED

Chad Smith, DED

Justin Brei

Bruce Sackett

Tom Smrdel

Tim Tunnell

Seth Turner

Kevin Werbylo



**TUESDAY, SEPTEMBER 10, 2019**

### **Welcome & Administrative**

LaBonde called the meeting to order at 10:04 AM Central Time and the group proceeded with introductions.

### **PRRIP First Increment Extension**

La suggested edits to the proposed motion related to the PRRIP Extension to clarify the intent. La stated that the proposed edits do not change the policy direction the GC is headed, but only serves to clarify and sync with the intent of the Cooperative Agreement amendment. The proposed changes are as follows:

~~moves to extend~~ The First Increment **Extension** of the Platte River Recovery Implementation Program from December 31, 2019 to December 31, 2032, as presented in the Program Addendum, **was** approved by the Governance Committee on **November 6, 2016 and Attachment A, funding, was approved on June 7, 2017. In order to implement the Addendum, this motion the GC moves to recommend signing becomes effective upon approval** of the Amendment to the Cooperative Agreement by the Governors of the states of Colorado, Wyoming, and Nebraska and the Secretary of the Interior.

LaBonde said his Attorney General's (AG's) office believes the GC previously approved the proposal as developed by the GC but that the GC needed to formally approve the Extension. Ament said this is his understanding as well. LaBonde and Fassett stated they preferred the language presented in the agenda as previously discussed with the Signatories.

**GC DECISION** – Fassett moved and Mehling seconded: *The Governance Committee (GC) moves to extend the First Increment of the Platte River Recovery Implementation Program from December 31, 2019 to December 31, 2032, as presented in the Program Addendum approved by the Governance Committee on June 7, 2017. This motion becomes effective upon approval of the Amendment to the Cooperative Agreement by the Governors of the states of Colorado, Wyoming, and Nebraska and the Secretary of the Interior. Motion approved.*

The Signatories gave an update on getting Governor signatures on the Cooperative Agreement Amendment and there was discussion about the status of the Extension legislation in Congress.

### **Public Comment**

LaBonde asked for public comment. None offered.

### **Executive Session**

*Ament moved and Fassett seconded to enter Executive Session. GC entered Executive Session at 10:17 AM Central Time.*

**GC exited Executive Session at 10:29 AM Central Time.**

### **PRRIP Executive Session Motions**

**GC DECISION** – Fassett moved and Ament seconded to put a hold on further acquisition activities related to Tract W1601. Motion approved.

### **FY 2020 PRRIP Budget & Work Plan**

Farnsworth and EDO staff discussed the FY20 PRRIP budget and work plan. Discussion items included:



- Czaplewski noted an edit needed on Page 5 of work plan (change reference to increase over FY19 for ED-1); Farnsworth agreed to make change.
- LaBonde asked how much was being anticipated to put into the phragmites endowment to start. Farnsworth said the amount would be roughly \$12 million to create a non-wasting endowment into perpetuity. Farnsworth said this would be the Program's contribution for phrag control, period. LaBonde said he thought the in-perpetuity number was more like \$50 million. Farnsworth said it is not that high, just need to get an amount that could be considered non-wasting. Diane Wilson at NCF crunched the numbers and came to a full endowment of \$12 million for spending up to \$600,000/year maximum. LaBonde asked if we would be losing ground on the Platte with phrag if we may only spend about \$200,000 and not sure if that makes a strong case for putting \$2.6 million in at this time. He is concerned that if the Program puts that much in and all other contributions are much smaller then the work will just chew up the Program funds and the endowment will run out of money. LaBonde said he is committed to the idea if we can show there is \$10 million being put on the table by other entities so get us to \$12 million with the Program contribution. And we also need to deal with the mismatch between an endowment into perpetuity and the Program authorization which only runs through 2032.
- Vogt said his board will not commit funding to something that will run out of funding, so he also wants to see what funding will be on the table. Ament said this needs to be referenced in the related motion.
- Farnsworth asked if the GC would prefer to leave the estimated endowment funding in the FY20 budget or drop it to the typical \$200,000? LaBonde said he does not believe an endowment will get set up in time next year to expend those funds. He suggests splitting this line item into two separate items – \$200,000 in funding for FY20 and then a separate line item for the endowment with \$2.4 or \$2.6 million. But before he would approve expenditure of those funds, he wants to see a business plan, what the other contributions are, etc. Farnsworth said that business plan is now in development, board structure and membership, funding targets, etc.
- Farnsworth said the EDO will drop this down to \$200,000 for FY20 but put a note in the work plan regarding the potential for \$2.6 million being put into an endowment once all the details of an endowment are real and can be discussed with the GC for future action. LaBonde agreed.
- Fassett said he agrees with the general commentary on this. Where we have landed will be helpful, it will show the Program's willingness to be supportive and put real money into this effort.
- Ament asked if the ISAC contract timelines had always been synced up. Smith said no, they used to be staggered but as we moved closer to the end of the First Increment the contracts all became linked in terms of timing and we have been using one-year amendments until the GC provides guidance on how to structure and manage the ISAC in the extension. Smith said he would be kicking off discussion about this issue with the GC in 2020.

### **Future Meetings & Closing Business**

Upcoming 2019 GC meetings:

- GC Quarterly Meeting – **December 3, 2019** @ Denver, CO; Hotel Warwick Denver – the GC agreed to a 1:00 PM Mountain Time start for this meeting.

**Meeting adjourned at 12:02 PM Central Time.**

### **Summary of Action Items/Decisions from November 12, 2019 GC Special Session**

- 1) Approved the following motion: *The Governance Committee (GC) moves to extend the First Increment of the Platte River Recovery Implementation Program from December 31, 2019 to December 31, 2032, as presented in the Program Addendum approved by the Governance Committee on June 7, 2017. This motion becomes effective upon approval of the Amendment to the Cooperative Agreement by the Governors of the states of Colorado, Wyoming, and Nebraska and the Secretary of the Interior.*



- 97     2) Put a hold on further acquisition activities related to Tract W1601.