

# South Platte Water Related Activities Program, Inc.

220 Water Avenue, Berthoud, Colorado, 80513

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## Meeting Minutes of the Interim Board of Directors

August 16, 2007

1. Call to Order

President David Little called the Interim Board of Directors meeting at Denver Water to order. There was a quorum of Directors.

2. There were no additions to the agenda.

3. Minutes of the July 19, 2007 Board meeting were approved as presented.

4. Dennis Harmon presented the financial report with a handout on the Profit & Loss for January 1 through August 14, 2007. The checking account balance is \$4,742.57 and \$1,622,752.32 in the money market account. Other items pointed out were expenses paid for accounting, \$650.00, and lobbying expenses of \$24,000.

It was agreed that the budget subcommittee of Kevin Urie, Dennis Harmon, and Jon Altenhofen would set a meeting to revisit the 2008 budget and assessment rate in preparation for the 2007 annual meeting.

5. Duck's Unlimited (DU) NAWCA Grant Funding.

The Board continued discussions from the previous months meeting regarding the partnering of SPWRAP and DU on a 2007-2008 \$1M NAWCA grant for recharge/waterfowl projects on the lower South Platte River in Colorado. Deb Freeman covered the components of the draft Funding Agreement between SPWRAP and Ducks Unlimited, Inc. There was good discussion on the draft of which Deb Freeman agreed to further revise and send to the Board for action at the next meeting.

Several questions were asked and Mr. Greg Kernohan from DU was asked to join the meeting to discuss these questions. One question was related to whether or not SPWRAP could keep dedicated funds in SPWRAP accounts or if these funds needed to be placed into a DU account? Mr. Kernohan indicated that SPWRAP could keep the funds in their own account. Another question involved needed language in the Funding Agreement regarding liability to SPWRAP through participation in the NAWCA program. It was agreed that the liability language would be addressed in each individual project specific agreement.

Mr. Kernohan provided some additional information on the timing of the NAWCA grant. He stated that the NAWCA expires two years after the decision date to fund the project. Mr. Kernohan anticipated that the ranking of projects would occur by the end of August with a decision by the end of October and funding to be available by March 2008. DU requires landowners to maintain the project for 30-years and to manage the project for waterfowl habitat, except during drought years.

6. Update on Program Activities

It was reported that the Program has hired Dr. Jerry Kenny as the Executive Director for the Platte River Recovery Implementation Program. Kevin Urie briefly covered the activities of the Adaptive Management Work Group (AMWG) and the Technical Advisory Committee (TAC).

Dennis Harmon reported that the Program Finance Committee was working on a Database contract with USGS. And Jon Altenhofen reported that the Water Management Committee accepted Colorado's revisions to our accounting and reporting based on the recent drought.

7. Operating Committee Report

Water Lease Agreement for 2007 –

Jon Altenhofen provided a draft "Water Lease Agreement for 2007" for consideration by the Board. After discussion, several minor edits were proposed. It was suggested that the title of the agreement be changed to "Option Agreement to Lease Water for 2007/2008." Additionally, it was suggested that "as approved by SPWRAP" be added to the end of the third paragraph. Jon A. will finalize the accounting on available leased water and associated costs, not-to-exceed \$250,000 for 2007, for SPWRAP Board approval at the September meeting.

8. SPWRAP Administrative & Corporate Issues

Dave Little reported that he really liked Deb Freeman's new haircut and Deb stated that it was not what she had in mind when she went to have it cut.

The Board approved Resolution 07-03, as drafted by Austin Hamre, which includes a minimum annual assessment payment of \$50.00.

The Board discussed hiring an SPWRAP Executive Director. Greg Dewey and Kevin Urie will begin working on a draft job description.

The Board again briefly discussed the potential liability of Directors related to Program Activities. John Kolanz agreed to begin developing language on this issue.

The Board discussed the need to set next years SPWRAP assessment rate for announcement at the annual meeting in October. The budget subcommittee will address this issue and provide a recommendation to the Board in September. Kevin Urie committed to begin pulling together the notices and location for the annual meeting. It was suggested that we attempt to hold the annual meeting after the South Platte Forum, in Longmont, much like last year.

The Board revisited the issue on SPWRAP and Federal Depletions. The BLM has identified a need for coverage of up to 350 af. SPWRAP has stated that we would work with the Federal agencies in an attempt to help them with their depletions once water users and the State are sure we can cover our obligations under the Program. Some of these new depletions are already covered under the Program language and some new uses are not covered by the Program. Apparently, the immediate need is not very large and most are 10 af or less. Discussions will continue. Ted Kowalski and John Kolanz agreed to further frame-up this issue and report back at the September meeting.

Documentation Storage – Greg Dewey mentioned that the Big Thompson Watershed Forum has an agreement for document storage and that he would investigate to get more detail on their arrangement.

Kevin Urie agreed to place the number of current members in SPWRAP and the breakdown of Classes on the SPWRAP website.

9. Next Meeting:

September 20, 2007 at NCWCD at 10:00 a.m.