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**Wyoming Water Development Commission  
Special Meeting  
Water Development Office, 6920 Yellowtail Rd.  
Cheyenne, Wyoming  
August 3, 2017**

1. Chairman Sheridan Little called the meeting to order at 8:30 am.
  
2. Roll Call

Commission attendance:	Select Water Committee Attendance:
Sheridan Little, Chairman	Senator Larry Hicks
Nick Bettas, Vice-Chairman	Senator Liisa Anselmi-Dalton
Clinton Glick, Secretary	Senator Curt Meier
David Evans	Senator Ogden Driskill
Karen Budd-Falen	Senator Glenn Moniz
Rod Wagner	Representative Hans Hunt – Via phone
Gerald Geis	Representative Robert McKim – Via phone
Kellen Lancaster	
Larry Suchor	
Jeanette Sekan	

**3. Approval of Agenda**

The Commission discussed removing “Approval of Agenda” as advised by Assistant Attorney General Daniel Solish due to the agenda needing to be advertised at least 8 hrs in advance. The agenda is also distributed 3 weeks, 2 weeks and 1 week respectively to the Commission, public, and media as well as posted on the WWDC website prior to any WWDC meeting. Agenda items remain at the discretion of the WWDC Chairman and the WWDO Director. Nick Bettas had questions regarding agenda items and was not aware it was in final form. He questioned why item no. 8 – “Review of the 2017 Colorado River Basin MOA application submitted by the SEO” discussion was on the agenda. Director LaBonde indicated it was at the request of Karen Budd-Falen. The Commission also wanted to make sure there would be a discussion of the comments received on the WWDC Rules and Operating Criteria in August. Director LaBonde indicated we would be covering those items in August.

**4. Audience Introductions**

**5. Consideration of an alternative planning project schedule**

Barry Lawrence presented two versions of the planning process. The first was the existing process, the second was a proposed alternative schedule based on comments and suggestions from the Commission and Select Water Committee.

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Nick Bettas questioned whether we, in the office, solicit projects and applications or do the applicants come to us? Barry Lawrence indicated it is a sponsor driven program and they submit applications based on perceived need. The office does outreach to inform people of the program and the benefits, but do not solicit applications. Nick Bettas also questioned how many of the project sites are actually visited. Barry Lawrence indicated most, if not all projects are visited. Nick Bettas asked what all was involved in the initial project/site visit. Barry Lawrence explained project managers go to the field, look at areas/issues of concern, and meet with sponsors.

David Evans asked why the Commission felt the changes to the planning schedule should be considered. Barry Lawrence indicated it had been suggested by a couple of Commissioners as well as a few Select Water Committee members.

Barry continued to outline and explain the proposed changes and process in detail. If proposed changes take effect the selected consultant's cost proposal will be the basis of the appropriation included in the Omnibus Water Bill - Planning rather than receiving block funding from the Wyoming Legislature. It will be imperative for RFPs to be concise and thorough. The commission, will, *after consultant selection has taken place*, have the option to approve or decline project funding. The first year of the new process will include Consultant Selection taking place twice, (once from the current process and once from the new process), with an additional meeting scheduled during the year, most likely in October.

Public Comment was requested from the staff and public in attendance. No staff chose to comment. One consultant offered comment. Christine Varah, SWCA, agreed the process would need customization early in the RFP process. She also said the WWDO produces high quality, very applicable Watershed Studies. She also indicated it is costly for consultants to attend and travel to meetings, and participate in the consultant selection process.

The new dates would have to be included in the Operating Criteria and would thus require a new comment period for proposed changes.

Rod Wagner made a motion to approve the alternative planning project schedule. Larry Suchor seconded the motion. The motion carried with Nick Bettas opposed.

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**6. Consideration of allowing “alternate design and construction delivery methods” to be used by sponsors on Level III construction projects.**

Bryan Clerkin presented a Power Point show to the Commission outlining the process, and pros and cons of each method. Methods presented included:

- Design-Bid-Build (DBB)
- Construction Manager Agent (CMA)
- Construction Manager At-Risk (CMAR)
- Design-Build (DB)

Senator Larry Hicks suggested research from Penn State indicated Design Build (DB) had the potential to save the most amount of money. David Evans suggested it could be an option for portions/areas of the state but not all have equal access to contractors. Discussion followed.

Karen Budd-Falen made a motion to include, in addition to the date changes in the Operating Criteria, we should also include allowance of statutorily allowed processes in construction contracts (DBB, CMA, CMAR, and DB). Kellen Lancaster seconded the motion; motion carried. Commissioner Glick was absent and abstained from the vote.

**7. Consideration and approval of repair and maintenance sinking funds for 2017 projects**

Director LaBonde presented two memos and a spreadsheet with information on repair and maintenance sinking funds required for 2017 projects. This was provided as a follow up to a discussion in June with the Commission requesting to approve sinking funds.

Discussion followed. Larry Suchor made a motion to approve the annual sinking funds contributions as presented. Rod Wagner seconded the motion. Discussion continued about the life of the sinking funds, etc. The motion carried with Gerry Geis opposed.

**8. Review of the 2017 Colorado River Basin MOA application submitted by the SEO**

State Engineer Pat Tyrrell and Steve Wolff, Administrator, Interstate Streams Division were in attendance to review and discuss the State Engineer’s Office’s request for funds to continue and further gather satellite images to calculate consumptive use in the basin. Discussion followed regarding consumptive use, curtailment and precipitation factors. Discussion was for information only.

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## 9. Office Update

Director LaBonde gave an update to the Commission on several items including:

- Middle Piney reservoir special use permit
- Willwood dam silt release
- Select Committee on Natural Resources meeting in Casper on June 28, 2017
- Weather Modification meeting in Saratoga on July 11, 2017
- Management Audit Committee meeting July 13, 2017
- PBS Chronicles Weather Modification interview to air in November 2017

Karen Budd-Falen, at the request of Bobbie Frank, asked if we could make meeting materials available for the public. The meeting e-notebook will be available on the WWDC website starting with the August 23-25, 2017 meeting.

## 10. Executive Session to discuss personnel

The Commission voted to recess to Executive Session to discuss personnel at 1:51 pm.

The Commission adjourned from Executive Session back to the public meeting at 2:34 pm.

## 11. Future Meetings Schedule

The next meeting for WWDC/SWC is scheduled for August 23-25, 2017 in Green River, WY. November 1-3, 2017 the WWDC and SWC meet in Casper, WY.

The Commission moved to adjourn at 2:36 pm.

Respectfully submitted,



Clinton Glick, Secretary