

Contingency Plan for Operations in the Absence of FY 2018 Appropriations

Introduction

This summary document provides you, the public, with an update on our planning for a potential lapse in appropriations during FY 2018. Prudent management requires that we continue to prepare for all contingencies, including the possibility that a lapse could occur. In a possible scenario where Congress fails to enact full year appropriations or to fund the government via a continuing resolution, the Mitigation Commission will execute its contingency plan.

Under a lapse in funding, our actions and decisions about what operations continue are governed by legal opinions issued by the Attorney General and the Office of Legal Counsel of the Department of Justice.

We have determined our agency's activities may continue in the event of a lapse of funding because they are considered an "exempted activity". The agency's activities are considered exempted activities because all funds obligated for this work is from a non-lapsing prior fiscal year and/or from a source of federal funds that is not annually-appropriated. The Utah Reclamation Mitigation and Conservation Account established under Title IV of the Central Utah Project Completion Act provides interest-generated funds for the Mitigation Commission's agency administration and programs. Therefore, all work is allowed to continue in the absence of an FY 2018 appropriation or a continuing resolution for the near future.

Should a lapse occur and depending on the length of the lapse period, these determinations may change over time as circumstances evolve. Importantly, the categorization of this agency's activities as exempted activities is not a reflection on the quality of the work or the importance of the agency mission. It is merely a reflection of the legal requirements that we must operate under should a lapse occur.

**Utah Reclamation Mitigation and Conservation Commission
Contingency Plan during a Lapsing Appropriation
September, 2017**

The Central Utah Project was originally authorized in 1956 as a participating project of the Colorado River Storage Project. The Central Utah Project was planned and constructed by the Bureau of Reclamation until passage of the Central Utah Project Completion Act (CUPCA). CUPCA was enacted on October 30, 1992, and provides for the orderly completion of the Central Utah Project. The Act established a partnership arrangement among the Department of the Interior (Interior), the Central Utah Water Conservancy District (District), the Utah Reclamation Mitigation and Conservation Commission (Mitigation Commission), and the Ute Indian Tribe. The Mitigation Commission was established to plan, fund and implement the fish, wildlife and related recreation program for the completion of the project.

There are ten (10) employees in the Mitigation Commission office. Sufficient non-lapsing/carryover funds and funds from a non-appropriated source are available for these employees to continue to perform activities during a shutdown. The following is specific information regarding the Mitigation Commission Employees.

1: Information Required

- Employees engaged in military, law enforcement, or direct provision of health care activities: **0**
- Employees whose compensation is financed by a resource other than annual appropriations (carryover funds; and interest-funded Utah Reclamation Mitigation and Conservation Account): **10**
- Employees who are needed to protect life and property and are not otherwise exempt: **0**

2: Information Required

- Estimated time to complete the shutdown: **0** (no time required since all employees would continue to perform)
- Number of employees expected to be on-board before implementation of the plan: **10**
- Total number of employees to be retained under the plan: **10**

Attachment

Activities/Personnel that would continue based on availability of Carryover:

Exempt Activities	Funding source
Provo River Delta Restoration Project	Carryover funding in the Utah Reclamation Mitigation and Conservation account is sufficient to maintain this function.
Lower Duchesne River Wetlands Mitigation Project	Carryover funding in the Utah Reclamation Mitigation and Conservation account is sufficient to maintain this function.
Jordan River Restoration	Carryover funding in the Utah Reclamation Mitigation and Conservation account is sufficient to maintain this function.
Utah Lake Wetlands Preserve, Provo River Restoration Project, Great Salt Lake Shorelands protection	Carryover funding in the Utah Reclamation Mitigation and Conservation account is sufficient to maintain this function.

Program administration and execution

Exempt Personnel	Function	Funding source
Mark Holden	Executive Director	The Executive Director maintains contact with the U.S. Department of the Interior and the Central Utah Water Conservancy District. The Executive Director has full delegation of authority to oversee the Utah Reclamation Mitigation and Conservation Commission's programs. Carryover funding is sufficient to maintain this function.
Channa Vyfvinkel	Financial Officer	Carryover funding in the Utah Reclamation Mitigation and Conservation Account is sufficient to maintain this function.
Maureen Wilson	Project Coordinator	Carryover funding in the Utah Reclamation Mitigation and Conservation Account is sufficient to maintain this function.
Melissa Stamp	Project Coordinator	Carryover funding in the Utah Reclamation Mitigation and Conservation Account is sufficient to maintain this function.

Richard Mingo	Planning Coordinator	Carryover funding in the Utah Reclamation Mitigation and Conservation Account is sufficient to maintain this function.
Diane Simmons	Information Officer	Carryover funding in the Utah Reclamation Mitigation and Conservation Account is sufficient to maintain this function.
Pamata Lolofie	Accounting Tech	Carryover funding in the Utah Reclamation Mitigation and Conservation Account is sufficient to maintain this function.
Kim Embley	Administrative Asst	Carryover funding in the Utah Reclamation Mitigation and Conservation Account is sufficient to maintain this function.
Isabelle Simmons	Nat Res Specialist	Carryover funding in the Utah Reclamation Mitigation and Conservation Account is sufficient to maintain this function.
Paula Trater	Biological Tech	Carryover funding in the Utah Reclamation Mitigation and Conservation Account is sufficient to maintain this function.