

Water Banking Drafting Group – Pilot Group Sub-Committee

June 26, 2018

Phone Conference CSS Initiating 4:00 – 4:30

**Attendance:**

Steve Clyde - [sec@clydesnow.com](mailto:sec@clydesnow.com)  
Marcelle Shoop - [mshoop@audubon.org](mailto:mshoop@audubon.org)  
Elizabeth Kitchens - [ekitchens@TNC.ORG](mailto:ekitchens@TNC.ORG)  
Rich Tullis - [Rich@cuwcd.com](mailto:Rich@cuwcd.com)  
Nathan Bracken - [nbracken@shutah.law](mailto:nbracken@shutah.law)  
Jani Iwamoto – [jiwamoto@le.utah.gov](mailto:jiwamoto@le.utah.gov)  
Peter Gessel – [pgessel@utah.gov](mailto:pgessel@utah.gov)

**Not in Attendance but following Proceedings:**

Sterling Brown – [sterling.brown@fbfs.com](mailto:sterling.brown@fbfs.com)  
John Mabey - [jmabey@mwjlaw.com](mailto:jmabey@mwjlaw.com)

**Meeting Summary:**

The group met to provide updates on the status of assignments from the last meeting. Discussed which entities have interest in backing this project. Discussed the critical first steps to begin the draft, staffing the project and which entities should be contacted for further support and funding.

**Assignments for Next Meeting:**

- Elizabeth Kitchens will contact Avra Morgan’s colleague, Katie Schultz, with CO Reclamation office to schedule meeting this week to discuss interest and objectives.
- Nathan Bracken to follow up with Sterling Brown and John Mabey regarding interest.
- Everyone to provide comments on the key bullet point list to Elizabeth Kitchens **no later than Noon Thursday** for consideration/inclusion.
- Steve Clyde to follow up with Styler regarding participation and logistics.
- Peter Gessel to reaffirm support from Division of Ag.

**Next Meeting:**

Unknown. Elizabeth will contact Katie Schultz with BOR and ask for her availability in the next couple of days. A follow-up meeting will be scheduled shortly thereafter.

<b>MINUTES:</b> These minutes are taken contemporaneously as a record of the group’s conversation. Please excuse any inadvertent attributions, accidental misstatements, or omissions.	<b>MAIN THEMES/USEFUL TOOLS:</b>
Steve Clyde: <ul style="list-style-type: none"><li>- Introductions.</li><li>- Update on meeting with Styler, who indicated that Water Resources would be happy to get involved in the project.</li></ul> Rich Tullis: <ul style="list-style-type: none"><li>- Met with Gene who was supportive of the project and said he would appeal to the managers of the other large districts for support. Everyone is in agreement with the key points presented.</li></ul> Nathan Bracken: <ul style="list-style-type: none"><li>- Spoke with Sterling Brown and sent him the documentation. Initial impression was that he was interested, but he would look at it.</li></ul>	<b>Staffing/guidance:</b> Will have meeting with Reclamation to present bullet point of ideas, obtain guidance going forward and see if they will assist in formulating the proposal.  <b>Garnering Public Support:</b> Need to obtain public endorsement and letters of endorsement to include in the

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<ul style="list-style-type: none"><li>- Farm Bureau would likely support.</li><li>- Having a small group meeting on Monday and will follow-up.</li><li>- Also had a discussion with John Mabey and sent over the details. Will follow-up.</li><li>- Also had a conversation with Jennifer Gimbel, overseer of the Water Smart Program. Jennifer expressed that the nature of the project is nebulous and that could be a challenge, but indicates it would be good to get on the Reclamation radar this month. Utah needs more involvement and they are certainly interested.</li><li>- Jennifer said it may take a couple shots to get the request through and suggested that Avra Morgan at Denver Reclamation may be a valuable resource and may help put the application together.</li><li>- How do we fashion in a way that works?</li></ul> <p>Elizabeth Kitchens:</p> <ul style="list-style-type: none"><li>- Has had some contact with Avra Morgan and Katie Schultz from recent webinar.</li><li>- Indicated they would work with us on the application.</li><li>- Need to set up a call with Katie, since Avra is currently on leave. She can help put together the proposal.</li><li>- General concept is very positive and eager.</li><li>- Need more details, then will schedule call with Katie. S.</li></ul> <p>Rich Tullis:</p> <ul style="list-style-type: none"><li>- Managers of District don't know all the details yet and are unfamiliar.</li><li>- Suggested that the language may not be strong enough to give the project higher priority to them.</li><li>- Suggested adding themes such as future changes in climate variability and changes in pattern of water supply, as those themes may elicit more interest in the project.</li></ul> <p>Steve Clyde:</p> <ul style="list-style-type: none"><li>- Maybe the conversation with Conservation group can help give guidance as to priority.</li></ul> <p>Elizabeth Kitchens:</p> <ul style="list-style-type: none"><li>- 2 funding groups: 1) requests up to \$200k if the strategy is completed within 2 years. 2) \$400k if strategy is completed within 3 years.</li></ul> <p>Rich Tullis:</p> <ul style="list-style-type: none"><li>- Where did the 800k come from? (referring to 2017 strategy grants)</li></ul> <p>Elizabeth Kitchens:</p> <ul style="list-style-type: none"><li>- Total project cost, total funding was half of that.</li></ul> <p>Rich Tullis:</p> <ul style="list-style-type: none"><li>- Some would have gone way over \$400k.</li></ul>	<p>FOA. Start talking to more people. The more stakeholder interest/involvement, the better.</p> <p><b>Strengthen the Language:</b> Include language and buzzwords that will elicit more support and priority from the Districts.</p> <p><b>Water Resources/Division of Water Rights:</b> See if the two entities can't join forces to ensure support and seamless implementation of the outcomes in the proposal.</p>
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Rich Tullis:

- Go after \$400k.
- Depending on the scope. If you have money for dedicated staff member, you'll make better headway.

Nathan Bracken:

- That is where Reclamation staff will be very helpful. 1) to herd cats and 2) to help implement.
- May have issue with it, maybe it won't pass.
- If not funded this year, we're in a much better position for funding next year.

Steve Clyde:

- There is definitely a learning curve, which may take a couple of years.
- Refine plan to streamline funding.
- Which committee member would have time to rally the troops? Little to no time.

Jani Iwamoto:

- Does it help to have legislature from different states help fund it?

Elizabeth Kitchens:

- 50% cash or in kind. State funding can be part of the cash share.

Nathan Bracken:

- That will be a question for Reclamation. How do we account for "in kind" contribution?

Steve Clyde:

- There is likely a standard contract for in kind activities.
- Jani, have you had any discussion with Tim Hawkes?

Jani Iwamoto:

- He has been invited to several functions, but says that he is not invited, or that he was not available. Having some communication difficulties. Would like to discuss with Steve Clyde later.

Steve Clyde:

- He (Tim) reached out to Styler and recommended it get back on Task Force Group, as there seems to be some overlapping interests.

Marcelle Shoop:

- The conversation with Reclamation should be very helpful - how soon can we do that?
- Looking at other grants from Elizabeth, how do they set up and follow format? Is there is more work on the components to get started on?
- Perhaps we could take information from the existing grants and flesh it out to help model our request.

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- Can devote some time to piecing this together. Thoughts?  
Should we wait?

Steve Clyde:

- Best wait to get guidance.
- If we can get phone meeting next week with Reclamation for additional guidance.
- Kittitas FOA discussion on support for this FOA.
- It would be good if we could get more public endorsement. Grand Valley didn't have as much public endorsement.

Elizabeth Kitchens:

- Grand Valley has one of the top applications; don't let it intimidate our efforts.
- Agree that we should look into getting letters of support. Start talking to people. The more stakeholders to provide letters of support, the better.
- What is everyone's availability to speak with Katie Schultz in the next few days?

Nathan Bracken:

- Out the rest of week.
- Since Elizabeth has had the outreach with Reclamation staff, she should find a time that works with Reclamation and the rest of this group will participate at their convenience.

Steve Clyde:

- Concur.

Rich Tullis:

- It would be a good idea to outline what want out of this sooner than later, that should make it easier to start working on.
- Agrees with the bullet point list, but would add a few things to make it stronger.

Steve Clyde:

- Encourage everyone to take the time to look at Emily's memo and make sure she's captured the group's thoughts. Email group with any additions or subtractions to the document ASAP.

Elizabeth Kitchens:

- Will share the completed document with Katie.

Marcelle Shoop:

- From whom should we get letters of support? Emails from Kim in Sacramento.
- Are we looking in state or all over?

Elizabeth Kitchens:

- In state.

Steve Clyde:

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- Local in state support from players, such as: Trout Unlimited, TNC, Farm Bureau, Districts, Audubon Society, Friends of the Great Salt Lake, etc. They would be good local support.

Rich Tullis:

- Would Provo City have any interest?

Elizabeth Kitchens:

- Don't know.

Steve Clyde:

- Rich, talk to Wayne Pullan at USBR and see. Should be supportive.

Elizabeth Kitchens:

- Did Styler have questions or is there someone we need to have an early conversation with regarding what we're asking for?

Steve Clyde:

- Talked to Styler about five minutes before this meeting. He expressed willingness to participate and said he would likely get Todd to deal with it.
- Styler has the materials assembled. Not sure who at the division will do it, but Water Resources would be appropriate planning department.
- Steve to follow up with him tomorrow.

Marcelle Shoop:

- Is there a way to join forces - Water Resources' interests with the Division of Water Rights?
- Seems that part of the application deals with how change applications can be done and possibly in a quicker manner.
- From last week, DWR had a real desire to be more involved in the discussion and how they may impact other water planning issues.

Steve Clyde:

- Good thought.
- Will ask that question as well. We do need Water Rights' involved whether they're the applicant or not.

Rich Tullis:

- Change Applications are just one component. Assuming it all worked out and came together, it would need to be administered in a completely different way.

Steve Clyde:

- This will be a challenge, as some systems are easier than others. Eg) Emery and Price River Water Users Association exchange water back and forth constantly and are tracking that somehow.

Peter Gessel:

- Department of Agriculture would be happy to help.
- Volunteered to get a decent draft of the grant application

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<p>together and propose billing some of his time as “in kind” . Approximately \$5-10K.</p> <p>Steve Clyde:</p> <ul style="list-style-type: none"><li>- That would be very helpful.</li></ul> <p>Elizabeth Kitchens:</p> <ul style="list-style-type: none"><li>- To the group: submit your comments to the bullet point list, no later than noon on Thursday.</li><li>- Will reach out to Katie at Reclamation and try to set up a meeting in the next couple of days.</li><li>- Will send completed bullet point list to her for feedback.</li><li>- Appreciates all of Emily’s work on this document.</li></ul> <p>Steve Clyde:</p> <ul style="list-style-type: none"><li>- Reiterates that the target to submit comments to the bullet point list is no later than Thursday, June 28<sup>th</sup> at noon. If you don’t hear back from the group, assume they’re happy.</li></ul> <p>Nathan Bracken:</p> <ul style="list-style-type: none"><li>- Talked with Emily before she left and she incorporated comments ahead of time.</li></ul> <p>Elizabeth Kitchens:</p> <ul style="list-style-type: none"><li>- Will send out Katie’s availability in the next couple of days.</li></ul> <p>Peter Gessel:</p> <ul style="list-style-type: none"><li>- Even though he volunteered AG’s in kind assistance, please do not incorporate it into the draft until he’s had a chance to talk with his people.</li></ul> <p>Adjourn.</p>	
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