

MINUTES
of the
EXECUTIVE COMMITTEE
Coeur d’Alene Resort
Coeur d’Alene, Idaho
October 25, 2018

Table of Contents

Welcome and Introductions4

Approval of Minutes4

Report on Budget and Finances4

Sunsetting Positions6

2018 Western States Gubernatorial Elections.....7

Executive Director’s Report / WSWC Activities and Events.....7

Future WSWC Meetings.....8

Spring 2019 Meeting Sunsetting Positions9

Other Matters9

**MINUTES
of the
EXECUTIVE COMMITTEE
Coeur d'Alene Resort
Coeur d'Alene, Idaho
October 25, 2018**

MEMBERS AND ALTERNATES PRESENT

ALASKA	--
ARIZONA	Einav Henenson
CALIFORNIA	Jeanine Jones
COLORADO	Amy Moyer
IDAHO	Jerry Rigby Mat Weaver
KANSAS	Tracy Streeter
MONTANA	Tim Davis
NEBRASKA	Steve Goans
NEVADA	--
NEW MEXICO	Tom Blaine
NORTH DAKOTA	Garland Erbele
OKLAHOMA	--
OREGON	Racquel Rancier
SOUTH DAKOTA	Kent Woodmansey
TEXAS	Jon Niermann
UTAH	Eric Millis
WASHINGTON	Mary Verner
WYOMING	Steve Wolff

STAFF

Tony Willardson
Michelle Bushman
Sara Larsen
Cheryl Redding

WELCOME AND INTRODUCTIONS

Chair of the Executive Committee Jeanine Jones called the meeting to order, and requested introductions around the table.

APPROVAL OF MINUTES

The minutes of the meeting held in Newport, Oregon on August 2, 2018 were moved for approval. The motion was seconded, and the minutes were unanimously accepted into the record with no changes.

REPORT ON BUDGET AND FINANCES

Tony Willardson described the WSWC budget status. As you know, our primary source of financing has been from state dues. Over the history of the WSWC, every state has paid the same amount. To date, we have received nearly all of the dues from our member states. We hope to receive payment from the states with outstanding balances before the end of the calendar year, so we don't get caught up in any transition between administrations due to the 2018 gubernatorial elections.

Tab D in the briefing materials includes a budget sheet that shows the actual 2018 budget performance compared to the approved budget. We were a little under in our revenues, but substantially under in expenditures. Thus, overall the budget is in the black. In part, that is also due to some of the grant funding we have received.

Actually, we are in the situation where we have received more grant funds, due to interest in the Water Data Exchange, and we'll need to figure out how to spend it. At this time last year, we were about to end our agreement with the States of California and Texas with the Exchange Network funding from EPA grants. We had applied for another grant but did not receive it. Since then, working with a number of foundations that have expressed interest, we have received significant resource commitments. The Water Foundation sent us a check for the current fiscal year for \$290,000. We just received a commitment from the Cynthia and George Mitchell Foundation for another \$50,000 to help with WaDE. The Gordon and Becky Moore Foundation have been very interested in funding what is called the Internet of Water (IoW). They are working with Duke University and others and they have committed nearly \$2 million to a group.

In turn, that group has committed to us over \$600,000 for WaDE. That will bring nearly \$1 million in commitments to help with the Water Data Exchange. Sara has put together a budget. This will provide some challenges, but a good share of the money will be pushed to our member states. The WSWC has already made a commitment to Montana to help with some of the state's instrumented streamgaging data to be provided in an open platform. We will continue to work with the USGS, but also wish to work with member states where there are opportunities for the WSWC to provide financial assistance through the grants so that more data can be made available through WaDE and otherwise.

The WSWC has announced a new job position opening. An offer was made to our current intern who is a doctoral candidate expecting to complete his schooling in January, after which he could work full-time. During the course of the job opening, we found that it was difficult to find a candidate who had a background in civil engineering, hydraulics, and water informatics. This position will provide substantial support to WSWC member state programs, as well as to support an update to the next iteration for each of the states for WaDE. Sara looks forward to working with member states on this mutually beneficial effort.

Having these additional grant funds is a little unusual for the WSWC. We will have to budget for it a little differently. We are looking to probably separate the individual grants to the extent that we need to in order to account for the revenue from the grant and the expenditures under the grant. We will be billing some of our time to the grants. Some of the grants require more oversight than others. It is interesting to see the confidence that these funding sources have in WaDE and the interest and commitment to the work that we've been doing in trying to bring out more water data. The WaDE program will be well funded through 2021.

Dues have not been increased for over a decade now. Alaska is now a full dues paying member of the WSWC.

A couple of years ago, the WSWC moved to having the audit performed every other year as a cost savings measure. This year, the fee increased, making the total amount payable the same as if the audit was performed annually. Thus, we will likely go back to having the audit performed annually. A unique aspect of the WSWC is that we are a government entity and we are audited under government accounting standards. Thus, we have to have an accountant who is familiar with those requirements.

Tony also noted that there are two special budget funds: (1) for sick leave and annual leave payouts, and (2) for equipment replacement. After this fiscal year, those will be fully funded. A number of years ago when we made the transition in the Executive Director's position with Craig Bell's passing, there was no separate fund to pay for his leave. We have since taken care of that.

Furthermore, we purchased the building that we had been renting. That is saving about \$20,000 per year. Therefore, we are now property owners. Tony is the chief handyman. This has also helped us in terms of not having to raise the dues. Technically, we may not be subject to

property tax as a government entity. From the IRS definition, we are an instrumentality of each and every participating state. However, we are paying property tax.

SUNSETTING POSITIONS

Of the sunseting positions, most will be discussed in their respective committees, so we don't need to go over them in this meeting. We heard about those covered by the Water Resources Committee this morning.

One is under the jurisdiction of the Executive Committee, and that is the Vision on Water. For those of you who have been WSWC members for a while, you know this was a very long and drawn-out process to get to a one-page vision statement.

Tony commented that originally the WSWC did not sunset its positions. Once adopted, the positions stood until they were changed. As part of the process of coordinating with the Western Governors' Association (WGA), which has a three-year sunseting requirement, the WSWC aligned ourselves with them and similarly sunset our positions after three years. We have to be vigilant in keeping aligned with the Governors. Whatever position the WGA adopts, is essentially the WSWC's position.

Recently the WGA adopted two resolutions – one on water quality (which the WSWC originally drafted); and one on water resources, which again the WSWC initially drafted and they adopted. Our relationship has changed in some regards. Their resolutions are vetted through their Staff Advisory Council (SAC), comprised of members of the staff in the Governors' offices. In the past, the WGA would send resolutions to the WSWC for review prior to adoption. The WSWC does send our resolutions to the WGA for review before we adopt them. Our point of contact is the SAC member. We strive to ensure that any actions we take are consistent with the Governors' positions.

The Vision Statement was adopted after a number of discussions and the language was word-smithed quite carefully. In looking at the document as a vision statement, Tony stated he believes that is consistent with the WSWC rules of organization it could be adopted as an internal document (as a vision and mission statement), and not as an external policy position. It could still be used as a basis for external policy positions, but would not be something that would come up for review every three years.

Mary Verner expressed her initial reaction was to adopt this document as a vision/mission statement, but she would like to hear from Colorado in order to determine if it should continue as an external policy subject to sunseting.

Amy Moyer shared that Colorado's suggested changes are based on the idea that this document would be adopted as a vision/mission statement that would survive a three-year annual review to make it more powerful. Amy said she could provide a document with track changes denoted. The suggestions Colorado offered were under the notion that the Vision would be carried for more than a three-year time period. The first was to add the word "critical" to the first bullet, so that it would read: "Water must be recognized as a critical public policy priority..."

The second offer of language is in the second bullet adding a sentence right after the first sentence, noting that western states have and will continue to face unique hydrologic, legal and infrastructure challenges. The Committee opted to have the language insert posted tomorrow during the Full Council meeting for all to review. A work group opted to discuss the language in the evening between meetings.

2018 WESTERN STATES GUBERNATORIAL ELECTIONS

Tony Willardson noted there will be a number of changes in state administration, which will likely lead to changes in leadership in the states as well. Our membership will undergo changes as a result. We hope that you will help with the transition. Please encourage those who may be newly appointed to investigate, attend, and participate in the Western States Water Council.

EXECUTIVE DIRECTOR'S REPORT/WSWC ACTIVITIES AND EVENTS

Tony Willardson referred members to a brief one-page summary of some of the work that has been done over the last three months, from July to October 2018. The WSWC continues to work in coordination with the Western Governors' Association, and Tony attends their meetings.

Ward Scott will be calling in to the Water Quality Committee meeting to bring us up to speed on work being done with a coalition on the Clean Water Act (CWA) 401 issue. The WGA and WSWC signed a letter raising concerns prior to federal legislation being introduced and heard. Tony's testimony indicated it is a rare occurrence that a 401 certification holds up a project. In the instance of the Millennia coal terminal in Washington, it is a huge project, and the State of Washington denied a certification application. The constitution pipeline that would cross New York state crosses about 256 streams and is another controversial project. There were a lot of uncertainties as to the impacts of projects. Denying 401 certification has been viewed by some states as other states being obstructionists. Several Attorneys General have weighed in on the Commerce Clause question. We continue to represent that Clean Water Act Section 401 is an important state prerogative. It is an important tool for the States to require that any federal permit that is issued for any project complies with the states' water quality standards. It remains controversial. The Water Quality Committee will consider a position specific to CWA Section 401.

We coordinate with a number of different agencies. We have talked about the WaDE development and the work Sara is doing. Sara met with the Advisory Committee on Water Information (ACWI) Streamflow Information Collaborative Workgroup, as well as with the State of California on the Open Water Information Architecture (OWIA).

The WSWC has coordinated with WestFAST agencies. Specifically, the WSWC and WestFAST held a webinar on the U.S. Department of Agriculture's Economic Research Service's efforts to develop a survey for water and irrigation districts, which we heard about during the Water Resources Committee meeting this morning. David DeWitt of the National Oceanic and Atmospheric Administration's Climate Prediction Center came to Salt Lake City (SLC), and Tony met him and both visited the National Weather Service's River Forecast Center.

Additional coordination with other organizations is included on the summary page.

FUTURE WSWC MEETINGS

Jeanine Jones briefed members on the upcoming meetings as indicated on Tab L in the briefing materials.

Jeanine noted the infrastructure symposium was discussed during the Water Resources Committee.

She turned time over to Einav Henenson to inform the committee about the upcoming Spring meetings to be held in Arizona. Einav reported that the dates have been narrowed to March 19-22, 2019. The meetings will be held at the Gila River Wild Horse Pass hotel and casino. Tour sites are being reviewed.

The 2019 Summer meetings will be held in Leavenworth, Washington. Mary Verner commented that Leavenworth is a quaint destination in northcentral Washington. They look forward to visiting some interesting sites on the field trip, one of which is an historic national fish hatchery that works in collaboration with the Yakima Nation and the Confederated Tribes of the Colville Reservation on salmon restoration. We look forward to having you visit Leavenworth next summer.

Inasmuch as there will likely be some turnover in members appointed to the Council due to the November 2018 elections, Jeanine would ask WSWC staff to put together a list of field trips to help inform those new to the Council that may be planning to host future trips.

The CDWR and WSWC will cosponsor a workshop on sub-seasonal to seasonal precipitation forecasting in May in San Diego.

Jeanine remarked that visits to Washington, D.C. with new Congressional committee leadership and others will be discussed in coming months, in particular due to the elections and

anticipated changes. There are also several new appointees in the Executive Branch that the WSWC has not yet connected with. Generally, the WSWC officers and any other WSWC members who would like to participate are invited to these visits.

SPRING 2019 MEETING SUNSETTING POSITIONS

A list of positions that are scheduled to sunset at the upcoming Spring meetings is included in Tab XYZ of the briefing materials for your review. Jeanine commented that Position #389 could possibly sunset because it is repetitious of things contained in positions already adopted.

OTHER MATTERS

Jeanines Jones noted that since we face the likelihood of changes in WSWC membership in the future, it may be time to ask staff to send a survey to the membership to identify hot button issues or the things you are particularly interested in the looking at. The committee work plans were previously adopted, and with potential turnover, it's time to check and see what our priorities should be.

Thanks again to our Idaho hosts for the field trip. There being no other matters, the meeting was adjourned.