

**Instream Flow Council
Executive Committee Meeting
August 29, 2019
12:00pm MST**

**Number: 888-865-8337
Meeting ID: 8408#**

Voting Officers

- | | |
|---|----|
| <input checked="" type="checkbox"/> Dave Weedman (President) | DW |
| <input checked="" type="checkbox"/> Eric Nagid (Past President) | EN |
| <input checked="" type="checkbox"/> Robert Holmes (President elect) | RH |
| <input checked="" type="checkbox"/> Andy Brummond (Treasurer) | AB |
| <input checked="" type="checkbox"/> Rebecca Quiñones (Secretary) | RQ |
| <input type="checkbox"/> Joe Klein (RD 1) | JK |
| <input type="checkbox"/> Josie Lathrop (RD 2) | JL |
| <input checked="" type="checkbox"/> Jim Burroughs (RD 3) | JB |
| <input type="checkbox"/> Brian Murphy (RD 4) | BM |
| <input checked="" type="checkbox"/> Lauren Makowecki (RD 5) | LM |
| <input checked="" type="checkbox"/> Tom Annear (Director At-Large) | TA |
| <input checked="" type="checkbox"/> Christopher Estes (Director At-Large) | CE |
| <input checked="" type="checkbox"/> Mark Van Scoyoc (RD 2-elect) | MV |

- Regional Director Elects** (not present)
- RD 1 Elect Del Lobb - Wyoming
 - RD 3 Elect Vann Stancil – North Carolina
 - RD 4 Elect Chris Bellucci - Connecticut
 - RD 5 Elect Rich McCleary-British Columbia

CLARIFICATION FOR EXCOM ACTION
Majority of Members Constitutes a Quorum (thus 7 members out of possible 12) (Sect.VI)
ExCom functions by 2/3 majority (Sect. XI)

Number Voting	Votes needed (i.e., 2/3)
7	5
8	6
9	6
10	7
11	8
12	8

Actions items identified are in **RED**.

Agenda Items

1. Determination of Quorum
DW opened the meeting at 12:05 MST. He asked the group if MV could be a voting member since JL was not present. EN and TA agreed that there was precedent for a RD elect to vote on the behalf of an absent RD. A quorum was established with 10 voting members present, including MV.
2. Review and Approve Agenda
DW then requested that the agenda be modified to allow TA to provide updates on his tasks as he would need to leave the meeting early. All agreed.
3. Secretary Report (RQ and all)
 - Approve April 2019 Ex Com Minutes (draft was distributed prior to call).
DW sent the latest version of the April 2019 minutes prior to the meeting. RQ had incorporated comments from EN and TA. DW and LM reviewed the minutes but had no additional edits. RQ and AB noted that the minutes needed one correction;

the number of members in April should have been 30 (not 37). DW made a motion to approve the minutes with that one change. All agreed.

(Agenda adjusted to allow for TA's input)

From old business:

- IIFPI monthly topics engagement (TA)

TA discussed the responses he had gotten once a template for the topics was sent. He reminded the group that topics were a way to familiarize new members and remind old members of IFC resources. He reiterated that the topics were not an assignment for members but rather a way to generate discussion within the group. He asks for feedback as folks have it. TA also suggested that time could be allotted at the next biennial meeting to discuss how the topics could be used. DW suggested that scheduling be discussed with RH. However, DW's concern also had to do with how and if to store responses to the topics so they could be more widely used. EN mentioned that if the goal is to generate interaction within IFC then perhaps there may not be a need to archive responses. DW agreed. TA thought it would be helpful to get members' feedback on potential use and storage at the biennial meeting.

CE suggested that making the responses available to the entire group was very useful and had already coordinated with Tom to individually work with the RDs and RD elects to increase the number of responses. He added he would be contacting each RD and RD elect in the next few weeks to follow-up regarding scheduling teleconference calls and had already sent an email directly to RD and RD elects re scheduling such. CE thought archiving of the listserv responses didn't need to be complicated; he thought responses could be stored in the member's only side of the website for retrieval in the future especially for when the members-only site makeover is complete and has been tested to be fully functional and user friendly.

From new business:

- Flow XX workshop potential – discussion

TA suggested that discussions begin soon for the next FLOW workshop if Excom and the membership wishes to host another of those meetings. Planning and venue reservation typically requires at least an 18 months lead time. He is willing to take the lead again but would like a younger helper to work closely with him. He asked the EXCOM whether a poll should be sent out to members to look for a volunteer. He reminded the group that there are risks and benefits to hosting a workshop but that responses to workshops have been very positive and that workshops elevate the IFC standing and bring members together. He noted that participation in previous workshops has been around 200 so planning should be done to accommodate a group of about that size. CE asked that topics for a next workshop be considered at the biennial meeting if it fits into RH's draft agenda schedule. RH stated that it was difficult to think about planning for a next FLOW workshop without identifying a topic first. RH was supportive of the idea but recognizes that it

would take a lot of the memberships' time to get it planned and should be balanced with all desired actions for similar time period. TA presented the idea of having a joint workshop with the environmental section of the American Bar Association with the central theme of better improvement of laws and regulations, better application of laws, and the future of water law and rights. DW agreed that was an interesting idea and he noted that could be an opportunity to influence instream flow and water level related interests and take advantage of a meeting by the bar association that is already established. He noted this would be useful in AZ. TA believed that bringing the two groups together could also improve attendance as well as bring science to water law partners, including administrators and Governors. CE liked the theme and noted that such a meeting would help water lawyers meet one another as well as provide benefits to newer IFC members and per comments he added after Tom had to get off the phone explained it would mimic an annual conference (typically held in San Diego) that is currently coordinated by the Western States Water Council and the ABA, including state AGs. TA reminded the group that speakers are by invitation only so speakers could be high profile. The WSWC also cosponsors an annual federal reserved rights water law workshop (post notes add on). RH also liked the theme but hoped that the theme could be expanded to include other topics such as surface/groundwater interactions and surface water law so that the workshop could appeal to a wider audience. TA thought that the workshop's planning committee could be organized by topic to address each of those themes as well as others. CE added that the topics were also a great way to expand on and update the earlier pre IFC NIFPA Public Trust Doctrine workshop online case law materials at <https://www.instreamflowcouncil.org/the-public-trust-doctrine/> (where as the basic foundation materials remain unchanged. The PTD is central to IFC membership criteria, and IFC's mission, goals, and objectives. DW asked TA to flush out topics with his contacts at the American Bar Association. TA agreed to do so. DW thanked TA. [TA leaves meeting. Note: TA has tried to contact a couple of the folks in Orlando but have not heard back from anyone.]

Per other notes above, CE also mentioned that the Western States Water Council could be a potential partner with IFC. CE offered to help TA coordinate with the WSWC so that participation to a potential IFC FLOW workshop would at a minimum not be diluted should the two meetings take place at the same time and on similar topics.

(Back to original agenda)

- Dues/Membership updates (RQ)
RQ reported that dues invoices have been sent twice to unpaid members and asked if she should send out a third set. DW thought it would not be useful to do so. He recommended that phone calls be made to individuals. He will ask the RDs to get that done. RQ will send the EXCOM a list of members who haven't paid. RDs will make individual phone call to those who have not paid. CE noted some potential

GC members' fish chiefs that are not in good standing and that do not have a current IFC contact can be approached at the next AFWA meeting to see if they will join if they attend the AFWA meeting. AB noted that WY and KS have paid since the last meeting. CE will continue to help with recruitment.

4. Treasurer Report (AB)

AB started his report asking the group to note that text in the revenue and expense spreadsheet "approved in 2018" should read "approved in 2019." He noted that the % income by June 30 was at about 80% of expected from dues. He filed the annual corporate report to Michigan already (due October 1) and is in the process for completing the one for MT (due in January). He has begun tracking the biennial meeting budget and asks that everyone send him projected expenses and budget items to be included in 2020 and 2021. He noted a budget section for the biennial meeting and that a section for the next Flow workshop would be added once/if the decision is made to move forward. He has used grant funds from Tennessee in order to make a deposit for the hotel in Columbia. In regards to investment, he notes that the annuity still has a few more years; what to do next could be a good topic for discussion at the EXCOM meeting after the next biennial gathering. DW asked RQ to remind them of this. AB asked that folks contact him with questions and concerns over reports or finances. DW thanked AB.

5. Committee Reports:

- Investment Update (AB) – see above

6. Old Business - outstanding items from November minutes

- Criteria for posting in the Resources Section of public IFC Website (LM and CE)
LM started the update by stating that most existing member agency listings need updating, formatting and addition of more links; some member agency's listings are more developed than others. She and CE would like to contact and collaborate with those IFC agencies that have better existing information posted to help them polish their listings as examples they can use as a model for other member agencies to mimic. She recommended that corresponding Governing Council representatives be responsible for the content and that EXCOM can help with decisions on what that would look like. The idea would be that EXCOM could sign off on the protocol used to fill pages. She recommended EXCOM take time after she and CE complete several example updates and review the revised examples at a future meeting to obtain ExCom feedback and whether it is a good idea to attempt to reach out to all IFC member agencies to populate the resources section based on the model examples. CE thanked LM for the thorough update. DW asked if each rep would decide on what would be posted publicly. CE thought this was not a concern if a protocol was established and model examples of finished pages provided. He and Lauren want to work with the subset of model agencies to improve their existing pages so that others in ExCom and eventually other GC member reps will see a benefit to posting their information and going onto the IFC website as resource to

learn what each member agency has posted regarding the their instream flow and water level program and activities and related links.. DW asked that LM and CE provide the EXCOM a protocol that could be reviewed as a next step. CE agreed that is already plan but would also include the model examples of what could be done. CE suggested that RDs could then coordinate populating the other pages. After giving his support, and asked if DW wanted to volunteer to work with LM and CE to use the AZ page as one of the model examples. DW said yes and thanked them both for their efforts.

- Flow 2018 Summary (DW)

DW stated that he had yet to write a summary of FLOW 2018 outcomes and benefits and asked if there is still value to completing the work. RQ thought this was already done by TA at some point as a close-out report to the workshop. CE thought an additional summary was not necessary as the website has links and several summaries, including the closing session. EN agreed that another summary is probably not necessary as links and products are already available. CE reminded the group that a summary of past FLOW workshops is usually part of the marketing for sponsors and participants for future FLOW workshops and so could be dealt with at that time. RQ introduced a motion to absolve DW from completing an additional summary. CE supported the idea. DW agreed that this is no longer an action item because we already have a closing session summary.

- List serve update (DW)

After working with LM, DW stated that only two folks were found to have problems with the listserv. It's unclear why. During that process, DW found that many members are not signed up (and so are not getting emails), including some Governing Council members. DW noted that these members were sent instructions for signing up but ultimately it was up to them whether to do so. This action item is now completed. CE thought listserv protocols being revised by EN should be distributed in order to prevent future misuse by members similar to experiences with the successor to the current Listserv. EN stated that handbook revisions are underway but that the listserv policy did not seem to need revisions. He said that the handbook is not really on the website but that the current version could be distributed. His goal is to have revisions to the handbook completed before the next biennial meeting. CE suggested that the current version of the handbook and policies be sent to members by email as a solution. The current version is accessible in the EXCOM section in the members only site but buried under several folders. LM mentioned the route to the materials is from the member's only page to the IFC library and then EXCOM folder. EN noted that bylaws were updated in 2018. CE suggested that this be mentioned as a footnote in an email from DW when the handbook is sent out. CE and EN volunteered to help DW craft an email to send the IFC handbook to members. [10/18/19: EN noted that it would make more sense to send out the handbook once revisions are completed. The listserv policy could be sent out on its own.] JB stated that he has been having problems with IFC emails.

He is receiving emails but is not sure that his responses are being sent. He asked if anyone had received an email from him this morning. LM, DW, and RQ replied that they had not. LM suggested that he not reply to emails but rather start a new email with the listserve address. **CE asked JB to send an email and let folks know to see if it's working.** CE also suggested that we not rely on the Members Only site for critical information until it better organized and easier to use which includes some needed beta testing.

- Books 2 and 3 sale, online sales and conversions to ebooks (DW)
Before leaving, TA asked DW to fill the group on recent developments. DW reminded the group that issues around sales taxes were stalling sales of hard copy books. Those issues have not been resolved because each state has its own process, making it difficult for AB to track different rules. EN asked if books can be given in exchange of donations. AB consulted with an accountant who discouraged prolonged periods of doing this (seen as selling rather than as a promotion). AB thought this could be done once, perhaps during the conference. CE mentioned that TA will take some of the books for his class; some books could be sold after a call-to-purchase from members; remaining books can go to libraries. AB supported the idea of distributing to state and university libraries. DW proposes that remaining hard copies be given to individuals, preferably members. DW reported that he had given TA the go-ahead to turn the books into ebooks and then find a distributor. His idea is that a hyperlink could be added to the webpage for book purchases. CE noted that ebooks are intended to be a replicate of the hard copy books and will not have links within them. His idea is to have a next iteration of ebooks that have links (including the IFC website) and appendices as updates. He is willing to serve as lead on any necessary updates. He also thought updates could be paid for through multistate grant funds from excise taxes. He will get details on the grant at the next AFWA meeting; themes for a grant cycle are released in the winter or spring. DW proposed that a committee be put together to evaluate potential updates, especially the science in book 2, with CE as the lead. CE proposed that the group wait until the e-versions are completed and tested before deciding whether to put a grant proposal together since granted funds will need to be used in a defined period of time. He also mentioned that this type of effort has to be balanced and timed with other IFC strategic plan priorities including the potential of hosting another FLOW workshop. In other words he cautioned that IFC can't typically do more than one comprehensive activity that requires a large commitment of members' time and expertise. He recommended that proposed updates wait until after the biennial meeting when all IFC members can hear options and voice their preferred support for different priority options. He also continued reiterating concerns that work required for updates may conflict with work needed for a next FLOW workshop or other priority activities. He added that the next grant application for a multi-state grant would likely be May 2020 and if IFC were to apply and be successful, IFC would have from late summer early fall for one or possibly 2 years to complete a project (specifics guidelines that will likely

beccirculated by AFWA in early 2020). DW also noted that overlapping the timing of having a biennial meeting and planning a proposed FLOW workshop may be an issue. EN noted that it would be hard to do both; he suggested the group needs to make a choice on what they want to invest in. DW thought this could be a topic for the next Governing Council meeting. CE mentioned that the strategic plan could also give some guidance on the issue but strongly believes these types of commitments require full membership input as it takes much greater proportion of the entire IFC membership beyond ExCom that is needed to host a FLOW workshop, revise or write a book etc.

- Website update (DW and LM)

DW thanked LM for the updates that had been completed on the website. However, several members (EN, CE, MV, AB, RH) had problems using the public website (presence of drop down menu) whether they were using Chrome, Explorer or Firefox. LM thought this was due to an update on the previous day. **She will follow up to see why there are issues.** LM discussed how a contractor was hired to overhaul the website. Overhauls included a new look, fixing or updating layers of software that were not working, and added security. The completed work will also enable members to upload and download files of different formats more easily. However, the uploaded materials need organization. **She recommended that the group take a look and weighs in on what to keep and what can be deleted.** She is also looking for formal rules on what should and should not be uploaded. CE noted that some materials are difficult to download. DW agreed; he tried downloading the handbook and only got the front page. He did get access to the entire file by opening it in adobe. **LM will follow up to make sure handbook can be downloaded.** CE recommended that DW send the handbook and bylaws to members by email until the members only website is updated, better organized and tested for functionality. EN thought the listserv policy could be sent out at the same time by email; each policy has already been put into a separate pdfs so are easy to send out by email. DW noted that it will be important to send out the travel policy by email soon so that members can plan for the April biennial meeting. In looking at the website generally, EN noted that the public website looked great but that one of the pictures on the first page is low resolution; he would also like to add a photo from the southeast. **LM will send EN the resolution requirements for photos for the public website. EN will send LM a photo to use in the scrolling slide show.**

- 2020 Biennial Meeting update (RH)

RH sent updates on the meeting via email for planning purposes. He is working with JP to finalize agreements with the hotel, although they are still waiting for a signed contract. Once the contract is signed, he believes room and food costs will be better estimated. He has also drafted a registration form, skeleton agenda and travel grant information. He asked for input on flushing out the details of these. He listed several proposed key activities/topics, including members helping members (from TA), training on PHABSIM, and a site visit to a hydro project. Additionally, the agenda included a social on Monday night, orientation on the first day, core meetings Tuesday thru

Thursday, time for member presentations, the banquet on Thursday night and an EXCOM meeting on Friday. DW, EN, AB and CE all offered to help RH draft the agenda and with meeting details in general. DW identified a next step as getting a draft agenda to the group by the end of 2019, if not sooner. RH mentioned that JP is working on travel logistics which could be tricky because only a couple of airlines (American, Delta) fly into Columbia. Travel from the second nearest airport would require a long drive. RH expressed concern that the meeting will conflict with the AFS meeting. LM thanked RH for all the hard work and encouraged that a draft agenda be made available sooner rather than later to help with getting agency approval for travel. RH stated that sending out a draft agenda, registration information and travel information will be his first priorities. CE asked if travel grants will cover car rentals or travel by bus or rental car if flights do not come into Columbia. RH noted that travel in this way is expensive. DW stated that rental cars should have at least three people in them. CE thanked RH for all of his hard work. AB asked if the hotel contract had been signed. RH was not sure it had; it was likely the hotel still needs to sign contract. AB thought that room costs are likely to stay the same regardless.

7. New Business

See notes above.

DW opened the floor to additional business. None was brought forward.

8. Adjourn (DW)

With no additional new business, CE moved to adjourn the meeting; LM seconded the motion. The meeting was adjourned at 3:06 pm MST.