

## Public Involvement Facilitated Discussion FLOW2018

Gerrit Jöbbsis: I think you all know the routine now. We're going to have a question period for the panelists. There's a live mic here, it's all being recorded, so we do ask you to state your name and the organization you represent as you ask your question, and the same with panelists, to identify yourself when you answer the question. Go right ahead! Eager to get started! Thank you!

Paul Tashjian: Hi, I'm Paul Tashjian, I'm with Audubon, New Mexico. Question for Corey, really enjoyed your presentation and Tom's presentation. I think it's analogous for what we're trying to get going in New Mexico. My question to you is, you describe this legislative KO ... but how important do you think legislation is to the work that you're doing and how are you able to provide assurances to landowners that doing this transfer to [inaudible 00:00:55] is fitting within the state legislation?

Cory Toye: Thank you. The legislation that I think we could use is expanding the definition or allowing the ... expanding the definition of beneficial use in Wyoming to include compact compliance. We have a temporary change statute on the books that allows for irrigators to temporarily change the use of their water to another purpose for two years at a time. To date though, that has been restricted to only other consumptive uses so it's a consumptive use to consumptive use temporary change.

I think the most obvious legislation in Wyoming that could help what we are trying to do is something that will allow compact compliance or a similar word to be included under the existing change statute so participating landowners can have documentation of their water being protected by participating in this program. The abandonment statute that is often brought up when we talk about nonuse in Wyoming is five years of nonuse puts you at risk of abandonment if another water user that operates on the same system brings an action against you.

So, we haven't had anything legislative to prevent that, but by moving to the tributary model you have every tributary water user involved so there will not likely be an action against the neighbor if they are all participating in the same water management plan. We are thinking that a statutory change to address that part of the code may not be necessary because it's going to be a non-regulatory voluntary thing with partners.

Speaker 2: I'll talk to Cory, also. First of all, as an adult parent I wanted to compliment you on your choice of spending last season. My question is ... I was impressed with the fact that you got landowners to give up some water. How do you think we might get landowners to be willing to conserve their riparian vegetation in order to build storage capacity for downstream users?

Cory Toye: Always a tricky one. I think what we've been arguing with the split season fallowing approach that we're doing is that there is still that huge plug of water that's going across these meadows that are ... that is allowing the sponge to soak up some of that water early on. I think a lot of wetlands in Wyoming are dependent on the river but, there is

also a lot now that are depending on flood irrigation. So, maintaining that's important and I think that split season fallowing addresses that.

We work with landowners, when we can, with riparian fencing and encouraging them to stay out of the system is something we try to incorporate with our restoration projects. A lot of the funding that we receive for our restoration work through the game and fish and the Federal Government require that we do some sort of fencing as well. We encourage those guys to do that. I think that when you start having examples on the ground of what can happen to a riparian area if you maintain it and improve it, is appealing to landowners because there's places now across the state where people are losing 40 feet or more of bank because their riparian habitat is dried up. So, it's just getting on the ground and having some examples to show them and then finding a solution that doesn't interfere with their operations even if we change their grazing from intensive, as it has been in the past, to just occasional or not at all. It's becoming an easier conversation when there's working examples to show them so they can choose for themselves rather than telling them what they are doing wrong.

Gerrit Jöbsis: Any other questions?

John Faustini: John Faustini, US Fish and Wildlife Service South East region, based in Atlanta. Question is for Ben, very interesting presentation. One of the things that I was wondering about though is to what extent does your Upper Flint River working group coordinate or work with the lower part of the basin where you have some different issues? Obviously agricultural withdrawals are a big issue, may not affect your water but it will affect your [inaudible 00:05:43]. So, I'm just curious to what extent you are coordinating with the rest of the basin?

Ben Emanuel: Yeah, that is a good question John. I meant to mention, for folks that who do know the Flint River Basin, you may know it because of agricultural water use and water scarcity issues in the lower part of the basin so the upper basin being very different from that. John, with this group in particular, we're not really yet connecting up but it is very important that Flint River Keeper is an anchor of this group along with all the other participants ... so that is there. We actually had a form of this conversation in depth at our workshop. What's the value of working at this tighter geographic scale in the piedmont and what is the value of investing some resources in conversations further downstream?

We are sort of at threshold point now moving towards deeper work on certain issues and a broader approach too. I think that will be coming but it's not something we've really dived into just yet. We do talk about, despite the challenges in the ACF river basin as whole, the value of working on the Flint for the benefit of the Flint and for the benefit of Georgians with the hope that one day that can benefit our neighbors downstream in Florida as well as basin scale management is reformed. That applies at even the sub-basin scale and the upper Flint too. We want to see benefit here and scale it up from there.

So, good point and I think something that's out more on the horizon for us that we need to do more of, but thank you. You mention [inaudible 00:07:25] and for those folks that

don't know, these shoal bass run, couple hundred miles, from the lower Flint Basin up into the upper Flint so it's significant biologically speaking.

D. Mayhorn: Alright, Darion Mayhorn Bureau of Reclamation, I have a briefing next Thursday with the Commissioner. Maybe we can get some sponsorship for the next video, for the watershed group if nothing else. Let's see, this is more for Barney. Just kind of a plug in the other way, Barney and the nations did an excellent job with their draw plan and I would encourage everybody to go and take a look at it, the approach that they took. They did a really good job especially on the outreach part where they created a website, they have these press releases. I even get the emails when there is a draw notification. I'm like, oh that's cool, right? They did a really good job.

So, kind of a self-serving question for the program. Would you speak to the benefit that you guys saw of having all those sections come together, right, [inaudible 00:08:39] guys, the recreation, the M&I [inaudible 00:08:44]. What benefit that brought to the overall planning process?

Barney Austin: Yeah. The stakeholder process can be a little scary, I guess. Sometimes you really want to reach out to everyone but then are some sectors you think, how are we going to align ourselves with what the mining industry wants over the aquifer, for example. Actually, I was pleasantly surprised that there were more commonalities in desired outcomes amongst this diverse group of stakeholders than I thought there would be. There really wasn't any antagonism or reluctance on the part of these stakeholders to participate in the process and offer ideas about how to protect the aquifer.

There was really a good sense of community amongst these folks. They are all living over the aquifer. The mining ... the folks that are working for the mines go home and are turning on the tap and they want water to be there. They're inviting their family and friends to the region and want the springs to be running and be able to swim in the lake and things like that. It was actually very encouraging, like I said, a little apprehensive reaching out to all these diverse stakeholder groups but the outcome was actually very, very positive.

I think if there is any reluctance in reaching out to a really diverse group of stakeholders in one of these processes. I would suggest that you don't hold back and reach out to everyone. Even the folks that are not particularly supportive may have some useful and important information to bring to the table.

Ben Emanuel: Thanks. I want to add on because it was very important for me to see in Barney's talk a little bit about commonality, which is that you can have local ... you can have stakeholders who have local expertise. This came up in the workshop on Tuesday in Steve Nebiker's workshop about stakeholder relationships and processes. Sometimes we have this idea that all the expertise is external and we have to bring in the modelers and everybody else. Well, the folks managing it have tremendous expertise as well. I feel like I was hearing that in your question as well and that was very important for me to see in your work Barney.

Jonathan Kohr: Johnathan Kohr, Washington State Fish and Wildlife. Again, with Corey, I'll make an assumption that you're buying dry at \$150 an acre foot was both non consumptive and consumptive water so it was not specific. Correct?

Cory Toye: Could you say that again? Sorry.

Jonathan Kohr: That the purchase of the 150 per acre foot, I'm assuming that's both consumptive and non-consumptive used water.

Cory Toye: That's just consumptive use.

Jonathan Kohr: That's just consumptive use?

Cory Toye: Yeah, just for the ET.

Jonathan Kohr: Okay, I got to talk to you, or I'm spending too much money. Secondly, I just wanted to find out if you got ... we catch hell basically from the landowners that are stating there's a shop down in the city that sells the seed, there's the pipe place that sells the pipe, there's my neighbor that has a tractor service and he sells tractors and he can't sell tractor ... and the neighbor to him is a barber and the barber has nothing to do with it but he likes to complain because everybody else is complaining. How do you deal with all that?

Cory Toye: Yeah, I heard a lot of that when we were trying to pass stream flow legislation. In fact, there were a couple of water committee meetings that for agriculture industry where I'd be introduced as the guy trying to dismantle traditional ranching. Corey, please.

Yeah, there is that community component and what we try to highlight with this program, with the temporary fallowing or the split season fallowing, is that this a way to conserve water while maintaining the water or the water is still attached to the land and production is maintained.

There is still that driver going. Agriculture is still occurring often where we're working one cutting of hay is the norm is the max and they're still getting that and so that's helping.

With some of those other arguments, it's tough for me to answer that. Before we had this program come into play, we really didn't have anybody that could support or stand up for us. It was mostly just us trying to convince others that ranchers would like it. Now we have ranchers that are willing to fight for this thing. They are going the D.C., they're talking to their local representatives. Now the message is becoming, and I don't know if this is similar in other Western states, but often times the leaders of the Ag industry groups don't necessarily speak for all the Ag industry. So, the people that we are working with in the upper green now, are starting ... it's getting hard for them to walk around with someone else's hand in their wallet. That's what we say. These guys are willing to stand up and say that. This is something that we've identified as a value to our operation. There is still money coming into the system. They're getting paid for that

water. There's not money leaving these communities. I think in some places there is actually more now.

Gerrit Jöbsis: Thank you so much. No, I think we got it. Christopher Estes is going to get up here and wrap it up but before we do that I did want to thank our panelist. Great presentations and ... I want to thank you all for staying here until the end. These were five different presentations about different ways to engage stakeholders and different ways to get the public involved. While they may not all be the same, they certainly aren't all the same, they all may not be applicable what you're doing. I hope that they do provoke thought about how you can better engage the public and better engage stakeholders in the work you're doing to help you achieve your goals.

Again, thank you very much to the presenters and I want to personally thank Christopher, Tom, and everyone here has done such a great job in putting this workshop together. It's been truly a great few days for me and by the representation of all the people who are still here at the end, it just shows what great value is being provided by this workshop. Thank you all.