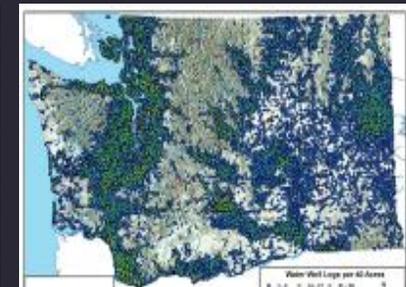
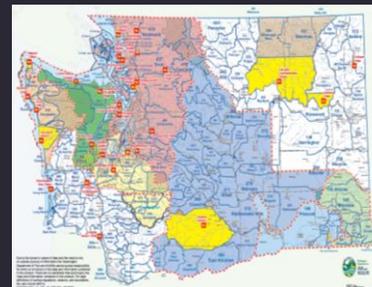
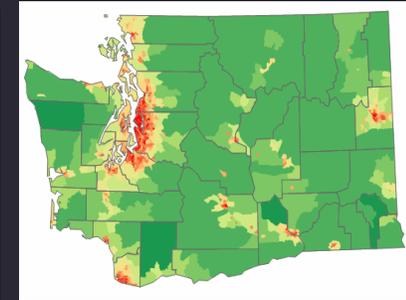
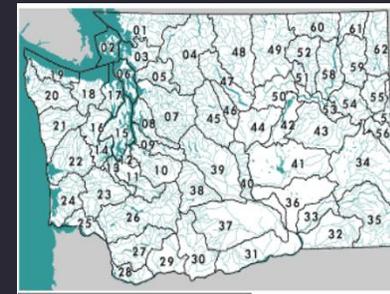
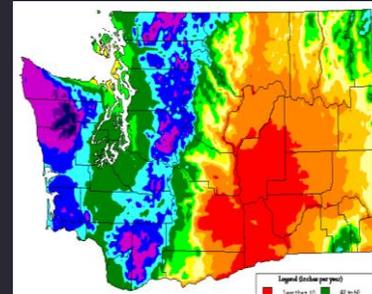
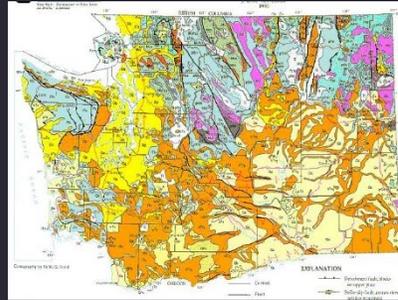


Advisory Group on Water Trust, Banking, & Transfers

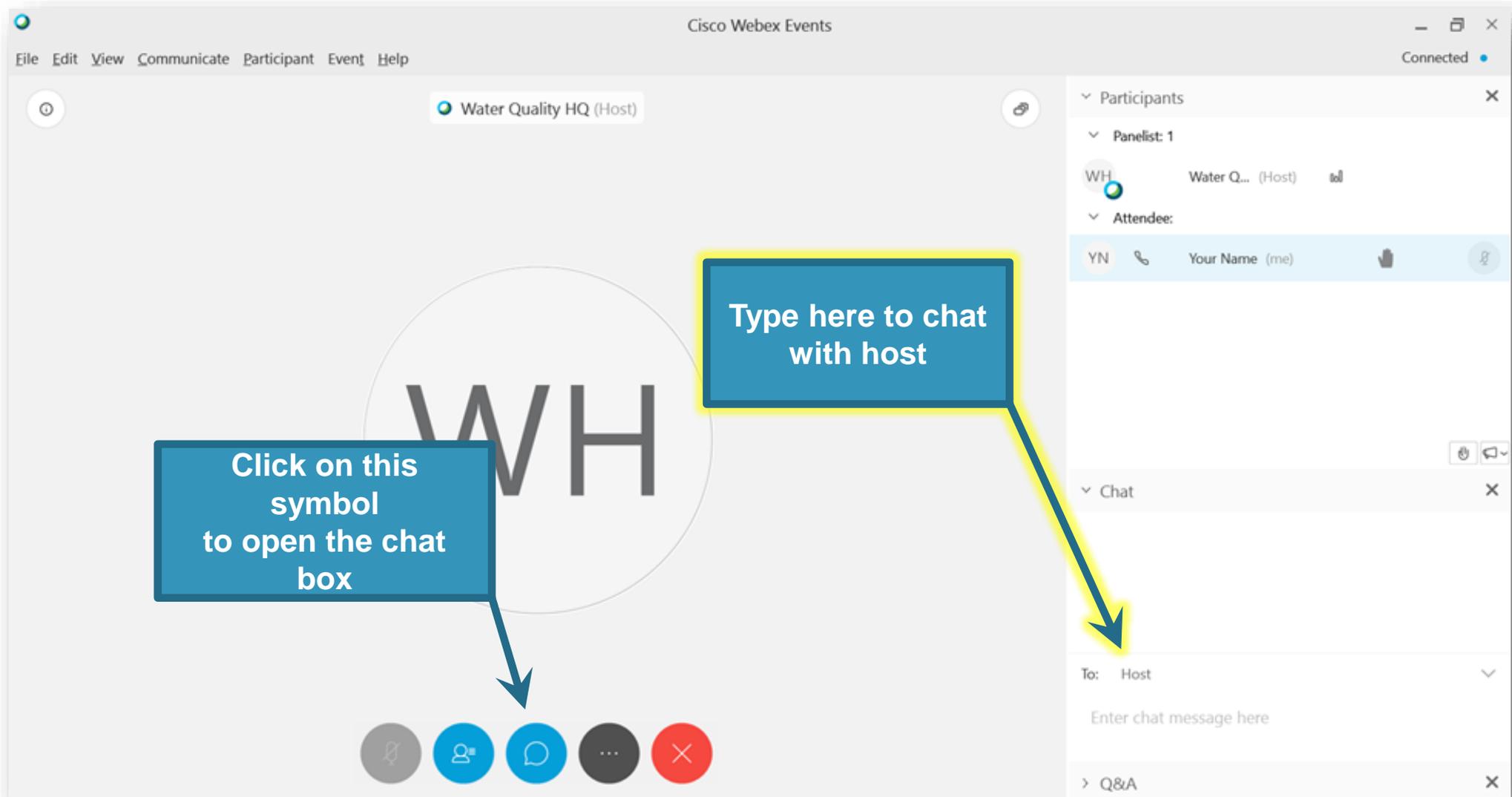
Meeting 1
Kickoff
April 16, 2020
9:30am – 12:30pm



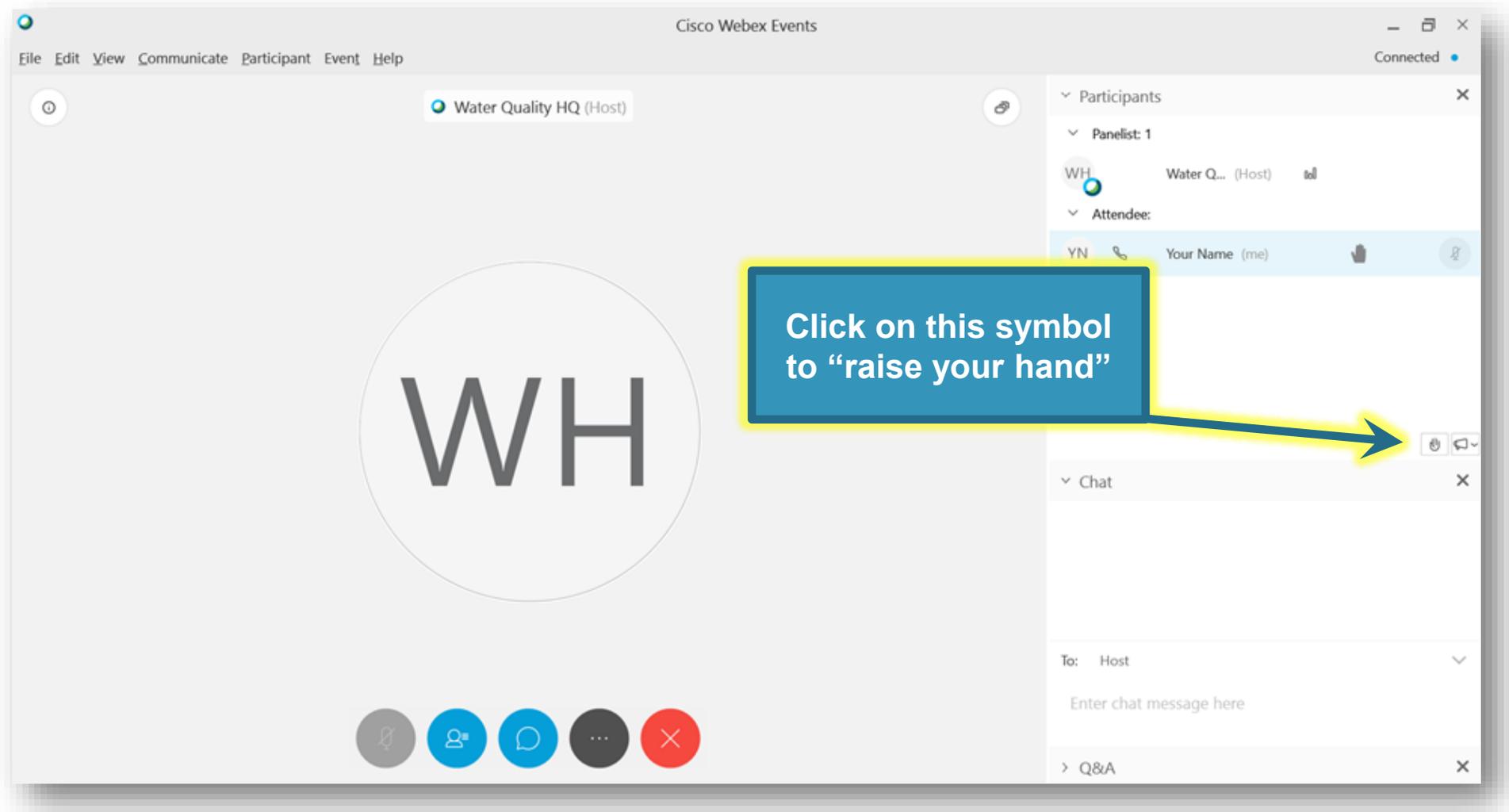
Today's Agenda

Time	Topic	Presenter
9:30 – 9:50	Welcome, review agenda, introductions	Carrie Sessions
9:50 – 10:10	Opening remarks	Senator Warnick Representative Springer
10:10 – 10:50	Process overview: Objectives and administrative issues	Mary Verner Carrie Sessions
10:50 – 11:00	Break	
11:00 – 11:30	Background presentation: Legal background of water transfers, trust water, and water banking	Peter Dykstra
11:30 – 12:15	Discussion on concerns and priorities related to water trust, banking, and transfers	Dave Christensen Carrie Sessions
12:15 – 12:30	Wrap up and look ahead to next meeting	Carrie Sessions

WebEx Practice



WebEx Practice



Participants in Today's Meeting

- Susan Adams, Washington Water Trust
- Linda Atkins, Davis Wright Tremaine LLP
- Matt Baerwalde, Snoqualmie Indian Tribe
- William Barnett
- Joel Baxter, House of Representatives
- Justin Bezold, Trout Unlimited
- Henry Bierlink, Whatcom Ag Water
- Amy Boyd, Cowlitz Indian Tribe - Policy
- Jody Brown, Stillaguamish Tribe of Indians
- Jacqui Brown Miller, ODW, DOH
- Chuck Brushwood, Okanogan County Water Conservancy Board
- Dale Budzinski, Parkland Light and Water Co.
- Kathleen Callison, Law Office of Kathleen Callison
- Megan Cardenas
- Tyson Carlson, Aspect Consulting
- Benjamin Carr, Ecology
- Joseph Carroll, Attorney representing water purveyors in Spokane County
- Bruce Chandler, Legislator
- Alan Chapman, WRIA 1 Planning Unit
- Jay Chennault, AESI
- Dave Christensen, Ecology
- Bill Clarke
- Kim Clarkin
- Marcie Clement, Chelan County PUD
- Kelsey Collins
- Joe Cook, Washington State University

- Stuart Crane, Yakama Nation
- Carol Creasey, Clallam County
- Amanda Cronin, AMP Insights
- John Crotty, Western Legal PLLC (representing KID)
- Mark Crowley, Kittitas County Conservation District & Water Conservancy Board
- Jon Culp, WA State Conservation Commission
- Jeanne Cushman, Attorney/Contract Lobbyist
- Seth Defoe, Kennewick Irrigation District
- Jeff Dengel, WDFW
- Tom Dent, House of Representative
- Atul Deshmane
- Jeff Dickison
- Emily Dick, Washington Water Trust
- Rick Dieker, Yakima-Tieton Irrigation District
- Nathan Draper, Irrigation District
- Peter Dykstra, Plauche and Carr LLP
- Urban Eberhart, Kittitas Reclamation District
- Chris Elder, Whatcom Co. Public Works
- Clancy Flynn, Columbia Irrigation District
- Anna Franz, Attorney
- Elizabeth Garcia, Seattle Public Utilities
- Martin Gibbins, League of Women Voters of Washington
- Davor Gjurasic, Nisqually, Swinomish, Port Gamble S'Klallam
- Keith Goehner, State Representative
- Jack Goldberg
- Adam Gravley
- Sharon Haensly, Squaxin Island Tribe
- Dan Haller, Aspect Consulting
- Jaclyn Hancock, WSDA
- Ann Harrie, Snoqualmie Indian Tribe
- Rob Hatfield, Office of Program Research at the Legislature
- Jim Hay
- Corina Hayes
- Mike Hermanson, Spokane County
- Bob Hunter, Kitsap PUD
- Chris Hyland, WWWMP
- Paul Jewell, Washington State Association of Counties

- Alvin Josephy, Ecology
- Mike Kaputa, Chelan County
- Isaac Kastama, Yakima Basin Joint Board
- Megan Kernan, WDFW
- Patricia Kirk, OCR
- Ted Knight
- Jessica Kuchan, Confluence Law, PLLc
- Natalie Kuehler, Ryan & Kuehler PLLC
- Yoshi Kumara, House of Reps
- Wendy LaRocque, Public Utility District No. 1 of Skagit County
- Debra Lekanoff, State Representative
- Amber Lewis
- Sarah Mack, Tupper Mack Wells PLLC
- Scott Mannakee, Stillaguamish Tribe
- John Marsh, Cowlitz Indian Tribe
- Larry Martin
- Mike Martinez, NWIFC
- Kerrie Mathews, Bureau of Reclamation
- Mark Mazeski, Washington Dept. of Health
- Wes McCart, County Commissioner
- Paul McCollum, Port Gamble S'Klallam Tribe
- Mary McCrea, Methow Valley Group
- Tom McDonald, water right attorney
- Ken Merrill, Kalispel Tribe
- Cassandra Moore, Pierce County - Planning and Public Works
- Jamie Morin, Confluence Law, PLLC
- Joe Morrice, Pacific Groundwater Group
- Holly Myers, Ecology-Office of Columbia River
- Tom Myrum, Washington State Water Resources Association
- Craig Nelson, Okanogan Conservation District
- Bill Neve, Water Right Solutions, LLC
- Mark Nielson, Franklin County Water Conservancy Board
- James Paribello, Cowlitz Tribe Lobbyist
- Lisa Pelly, Trout Unlimited
- Mark Peterson, Crown
- Nigel Pickering, Washington State University

- Joseph Rehberger, Cascadia Law Group
- Alan Reichman, Attorney General's Office
- Scott Revell, Roza Irrigation District
- Brandy Reynecke, Ecology
- Kristina Ribellia, Western Water Market
- Sandra Richartz
- Katherine Ryf, Landau Associates
- Susan Saffery, City of Seattle, Seattle Public Utilities
- Jesse Salomon, Senator, Washington State Senate
- Fern Schultz, Office of Drinking Water
- Jesse Schwartz, Muckleshoot Indian Tribe
- Mike Schwisow, Washington State Water Resources Association
- Danielle Shaw, Washington Environmental Council
- John Sirois, Upper Columbia United Tribes
- Suzanne Skinner, Washington Water Trust
- Jeff Slothower, Kittitas Reclamation District
- Larry Springer, House of Representatives
- Lorah Super, Methow Valley Citizens Council; Okanogan Conservation District
- Tom Tebb, Department of Ecology Office of Columbia River
- Arden Thomas, Kittitas County
- Benjamin Tindall, Washington State Farm Bureau
- Jason Van Gilder, City of Sumner, RWPCP, WWUC
- Jill Van Hulle
- Mary Verner, WA Ecology Water Resources
- Dawn Vyvyan, Tribal lobbyist
- Bruce Wakefield, Colville Tribes
- Judy Warnick, WA State Senate
- Jim Weber, CELP
- Gary Wilburn, WA Senate staff
- Mike Wolanek, City of Arlington, PW Utilities
- Jonathan Yoder, Washington State University



Opening Remarks

Perspective from our Program Manager

- Role of water trust, transfers, and banking in water management
- Protection of the “public interest”
- Importance of hearing a diversity of perspectives
- Fostering a healthy dialogue to provide timely input for the next legislative session



Process Overview

Objectives and administrative issues

Background

Oct 2018: Ecology launches internal workgroup to study trust water and water banking.

June 2019: Evans School students publish report on water banking in other Western States.

Oct 2019: Ecology does external outreach to identify concerns & problems and brainstorm policy solutions.

Jan 2020: Ecology introduces request legislation on water banking and trust water. The legislature debates several related bills.

Mar 2020: Legislature passes budget proviso to further study the issues.

Legislative Direction – ESSB 6168

Sec 302(37): Ecology shall...

- Convene a work group ... to study the design and use of the state water trust, water banking, and water transfers...
- Invite representatives to serve on the work group...
- Consult with affected federally recognized tribal governments upon request...
- Present its findings, including a summary of discussions and any recommendations on policy improvements...

Advisory Group Objectives

- Inform Ecology's findings and recommendations to the Legislature.
- Convene discussion to enhance understanding among entities on priorities, concerns, and potential solutions.
- Increase shared understanding of trust water, banking, and transfers in Washington.

Schedule of Meetings

1. **Kickoff** (April 16)
2. **Policy discussion:** Transparency in water right sales & out-of-basin transfers of water rights (May 7)
3. **Policy discussion:** Private investment and marketing of water rights (part A): Use of the state water trust (May 26)
4. **Policy discussion:** Private investment and marketing of water rights (part B): Water banking (June 10)
5. **Review session:** Draft policy options (June 30)
6. **Wrap-up:** Finalization of Advisory Group feedback (July 16)

Tribal Consultations

- Ecology will participate in Government-to-Government consultations with federally-recognized tribes as requested.

After the Advisory Group Concludes

Ecology will:

1. Summarize Advisory Group activities and findings.
2. Internally vet findings and recommendations.
3. Evaluate pursuing request legislation.
4. Present findings and recommendations to the Legislature by December 2020.

Administrative Tools

- Advisory Group webpage
- Email listserv

The screenshot shows a webpage header with the 'EZ view' logo on the left and 'Department of Ecology Committees, Boards, and Workgroups' on the right. A navigation bar below the header has 'Overview' and 'View our committees' tabs. The main content area features a green title 'Advisory Group on Water Trust, Banking, and Transfers' followed by three paragraphs of text. The first paragraph discusses the advisory group's purpose. The second paragraph talks about water marketing and transfer activity. The third paragraph is italicized and discusses COVID-19 precautions. Below the text are two bolded lines of text: one about subscribing to an email list and another about meeting agendas. At the bottom, there are sections for 'GENERAL RESOURCES' with three links and 'MEETINGS' with one entry.

Department of Ecology
Committees, Boards, and Workgroups [Portal ID #1962]

Overview View our committees

Advisory Group on Water Trust, Banking, and Transfers

There has been growing interest about the purchase, sale, and transfer of water rights in Washington. We are convening an advisory group to discuss these topics through a series of meetings this spring and summer. Their input will inform our findings and recommendations that we will present to the Legislature this fall.

Water marketing and transfer activity will continue to increase in our state. As that happens, it's essential that we chart a thoughtful path forward to build a framework that supports transparent and effective water transfers and banking, while also protecting our valuable natural resources and local economies.

Given current precautions on the spread of COVID-19, we are actively exploring options for how to conduct these meetings in a safe and productive way. Though we have planned for in-person meetings, we know the situation is evolving. We will reassess as needed and communicate any schedule changes.

Please subscribe to our [email list](#) to receive updates about this group's activities.

The meeting agenda and registration link will be sent to the email listserv approximately 2-3 weeks ahead of each meeting.

GENERAL RESOURCES

- [Save the Date](#)
- [Program Overview](#)
- [WebEx Tips](#)

MEETINGS

April 16 - Kickoff



Questions?

Online Polling – Practice

1. Grab your cell phone
2. Go to: www.menti.com
3. Enter code **66 63 69**
4. Complete the survey
5. Exit and vote on another

Sign up for Mentimeter

[See voting results](#)

[Exit and vote on another presentation](#)



Please enter the code

| 2 3 4 5 6

Submit

The code is found on the screen in front of you

What is the best part about working from home?

You may choose multiple options.

Staying in my pajamas

Being with my family

Results – Practice Poll

- <https://www.mentimeter.com/s/d9868a5e4f9e652bfcc739d2c18d630/9f219ebea919>

Break & Polling

www.menti.com

Enter code: 24 30 45

Background Presentation

Legal background of
water transfers,
trust water, and
water banking



Discussion

Concerns and priorities related to water trust, banking, and transfers



Poll Results – PART 1

Results:

<https://www.mentimeter.com/s/2df7448c3458c240326f9ee8f564993e/141859c046c9>

One More Poll

www.menti.com

Enter code: 23 44 02

Poll Results – PART 2

Results:

<https://www.mentimeter.com/s/116242obb4d27dea00c8852bd6ab78f9/878fco8a6ceo>

Next Meeting

- Policy discussion
- Transparency in water right sales & out-of-basin transfers of water rights
- May 7, 9:30am to 12:30pm
- Likely WebEx



Thank You!

Contact: Carrie Sessions, Carrie.sessions@ecy.wa.gov, (360) 742-6582

Polling Questions - Priorities

On a scale of 1 – 10, how concerned are you about the following issues in our state:

- Lack of transparency in sales of water rights
- Social and economic impacts of downstream, out-of-basin transfers
- Private investment in water rights
- Speculation in water rights
- Use of water banks in ways not in the public interest

Polling – Trust Water

On a scale of 1 – 10, please rate the degree to which you agree or disagree.

1 is strongly disagree, 10 is strongly agree.

- a) I have a good understanding of how the Trust Water Rights Program (TWRP) functions.
- b) I think the TWRP functions well.
- c) I value the functions of the TWRP.

Discussion Questions

A related issue I'm concerned about and haven't heard about today is _____.

I will consider the Advisory Group successful if it accomplishes _____.

My advice for Ecology in this endeavor is to _____.