

Workshop Report:

Arizona Water Settlements Act Planning Workshop IV

Background:

On February 23, 2008, the fourth in a series of Arizona Water Settlements Act (AWSA) Planning Workshops was held at the Grant County Administration Complex in Silver City, New Mexico. The purpose of the workshop was to refine and extend efforts from the first three workshops toward the development of an informed, inclusive and transparent planning process supporting the 2004 Arizona Water Settlements Act. The agenda for the workshop included:

8:30-10 Reports

- Brief review of planning process
- Update on membership for the Implementation Committee
- Update on state legislation
- Update on federal legislation

10-12 Decisions on Planning Logistics

- Discuss fiscal agent for state projects
- Discuss alternates for the Implementation Committee
- Decide on frequency, location, and duration of Stakeholder and Implementation Committee Meetings
- Discuss division of labor between Stakeholder and Implementation Committees
- Develop plan to create the Communication and Technical Committees

12-12:30 Lunch

12:30-4 Define Desired Future Conditions

A total of 30 people participated in the workshop representing a broad range of interests in the Gila/San Francisco Basin (see Appendix A for the participant list). Below we discuss the principle outcomes of the workshop.

Outcomes:

Membership of the Implementation Committee:

- Mary Reece (U.S. Bureau of Reclamation)
- Craig Roepke (New Mexico Interstate Stream Commission)
- Sarah Cottrell (New Mexico Governor's Office)
- Robert S. Jenks (New Mexico Fish and Game)
- Wally Murphy (U.S. Fish and Wildlife Service)
- Dave Ogilvie and Topper Thorpe (Gila Basin Irrigation Commission)
- Howard Hutchinson and Anthony Gutierrez (Gila-San Francisco Water Commission)
- Todd Schulke (Gila Conservation Coalition) and Adrian Oglesby (The Nature Conservancy)

Federal Legislation:

- The Bureau of Reclamation received \$590K to support planning efforts in the Gila-San Francisco Basin
- Some portion of this funding will necessarily need to cover BoR participation in the process as well as efforts associated with the U.S. Fish and Wildlife Service
- Remaining funds would be available to support studies agreed upon by the Stakeholder Group

State Legislation:

- The State Legislature appropriated \$800K (House Bill 2) for AWSA planning that has been signed by the Governor.
- There is another bill for large capital outlays that the Governor vetoed (containing numerous projects) that also contained AWSA funding. The legislature then reworked the bill and resubmitted it. No action has occurred on this yet.
- There may be a special session in which case both bills would be reconsidered. So anything could happen at this point.
- Language in the bills was that developed through this stakeholder group.
- The language is as follows:
 - o APPROPRIATION TO OPTIMIZE NEW MEXICO'S BENEFITS UNDER THE 2004 ARIZONA WATER SETTLEMENTS ACT.— [Insert dollar amount] of non-recurring revenue of the general fund shall be appropriated to the interstate stream commission to support the multi-stakeholder planning process developing a plan to utilize the Arizona Water Settlements Act (s.437) in a cost-effective manner to balance historical and future demands against uncertain supply while protecting the environment.

and, where appropriate a shortened version would read:

 - o Multi-stakeholder planning for implementation of NM portion of Arizona Water Settlement Act of 2004

Desired Fiscal Agent for State Funds:

- Suggested that we should not make decision on who should be fiscal agent for money at this time. First, let's determine what works need to be done first. Then, we can decide who should be the fiscal agent for the various tasks identified
- Need to be informed on functioning of DFA, maybe invite someone from DFA to explain process to group

Implementation Committee Alternates:

- Alternatives provide flexibility but hurt continuity
- Need to have alternative because members can't make all meetings, continuity can be achieved with good notes and communication
- Alternates can attend meetings and enter in discussion but not vote (unless covering for absent member)
- One alternate for each voting member. If alternate cannot attend in place a member some communication to the Implementation Committee is necessary (so someone doesn't just show up and vote).

- Need names of alternates to be recorded
- Alternates are not required to attend all meetings

Implementation Committee At Large Member:

- Concern is that current Implementation Committee members all represent a specific concern.
- Should there be someone that has no ties to a particular agenda?
- GSFIC, GSFWC, and environmental groups are felt to represent the general concerns of basin inhabitants
- The Implementation Committee does not bring any real power, the Stakeholder group is really the voice for the project.
- There would be real difficulty in electing a true at-large member
- Concern that issues outside that represented by the GSFIC, GSFWC, and environmental community are never raised without an at-large member
- All meetings are open so no one is excluded and can raise issues
- Agreement that don't need at-large member but do need good communication
- May be some other groups that need to be included like sportsman, this encourages that we periodically need to review membership. Yet we need to get team together and working before we make changes.

Time and Location of Stakeholder Group

- Doodle.com is a potential tool to aid in scheduling
- Any date picked will conflict with someone. But need to make sure that representatives of all key concerns can attend meetings (time don't exclude a particular group)
- Do we need to schedule meetings, don't schedule unless we have work to do? But at least in the short term there are many decisions to be made so there is a need for fixed date.
- Possibly a large quarterly all-day meeting with periodic meetings at night for a couple of hours.
- Have lots of work to do so probably need something more on a monthly basis.
- Should consider working the meetings in concert the Water Commission or Irrigation Commission
- Evening meetings of shorter duration would probably be better attended
- Likely to evolve, more frequent to start then reducing to maybe a couple of large meetings a year.
- Strong support for Saturday meetings. Works best for most people.
- Final decision, Saturday, every other month. Next meeting will be April 12, 2008

Stakeholder Meeting Location

- Silver City provides a convenient and central meeting location
- Gas costs become in issue for travel.
- Could consider setting up a conference call option
- Should consider having initial set of meetings at Silver City (while we are having our every-other month meetings) and then have subsequent meetings in other locations

Implementation Committee

- First meeting will be in Silver City on Wednesday March 26 from 10-2

Division of Labor

- The Stakeholder Group has responsibility for setting the overall direction for the AWSA planning process; specifically, this will involve setting the goals, vision and alternatives on which planning will be predicated.
- The stakeholder group will come up with the specific questions and goals that need to be met by the planning process
- In terms of studies, the Technical Committee will then look at the existing studies, data gaps and key legal drivers. The Technical Committee will then develop a set of scopes of work that will meet the needs as stated by the Stakeholder Group.
- The Implementation Committee will work with the Technical Team to prioritize the studies and suggest potential contractors.
- This package of prioritized scopes of work and potential contractors will then be vetted and approved by the Stakeholder Group

Communication Committee:

- Roles are to external communication (get word out to community) and internal communication within the Stakeholder group and other various committees. Also, to help coordinate communication with state and federal decision makers (e.g., coordinating communications with legislative members).
- We need to have a couple of people to take the lead with this committee. They should have some experience with communication.
- Need to make better use of the internet. ISC already have a staff and website (should have some representation on committee).
- Need to develop lines of communication with other regional groups like the GSFIC.
- Members of the committee should include
 - o ISC web support type person
 - o Someone from the facilitation team
 - o others
- Committee should be more advisory in nature. Need paid staff to implement communication strategies

Technical Committee

- Clarify scopes of work and access current state of data for the basin
- Identify potential contractors
- Identify data gaps
- Need of synthesis of existing base of data as well as new information as it comes available. Look at past studies conducted both within and external to the basin.
- Develop recommendations to bring to the Stakeholder team
- Support the Communications Committee (updates)
- Monitor progress of on-going studies and help interpret and synthesize results (jointly with the Implementation Committee)

- Membership of the committee will developed by the Implementation Committee and then vetted and approved by the Stakeholder Group
- There will need to be a chair to the committee that helps lead the effort

Define Desired Future Conditions:

- Note that this was the first effort in defining future conditions. Additional work will be required in future meetings.
- What is the geographic extent—must include the 4 county region
- What is the time frame of consideration—use 2050 which is a time that is likely to be beyond the time when a project would be finished. But should also really think that we want a condition that lasts (not bound by a particular time frame)
- Broke the group into 4 groups in which the various interest groups were broken up
- What the groups agreed as a preferred or avoidable future condition (votes in parenthesis):
 1. Keep water in the basin (10)
 2. Utilize 14,000 AF while maintaining custom, culture, quality of life and health of the river (8)
 3. Promote conservation at all levels (10)
 4. Desire a restored river condition (3)
 5. Balance the ecology with the economy (4)
 6. Keep current senior water right protected (7)
 7. Explore cutting edge and current technology for conservation and restoration (4)
 8. Preserve a healthy river recreation economy (3)
 9. Prevent uncontrolled growth and avoid demand outpacing supply (7)
 10. Provide for a reliable source of water (3)
 11. Harmonizing agricultural and ecologic water management (6)
 12. Maintain a healthy and diverse rural community (4)
 13. Improve watershed conditions, erosion control, and flood buffering zones (12)
 14. See free flowing rivers with healthy watersheds that include a healthy non-human community (9)
 15. Avoiding listing of new species under ESA and improve river/watershed conditions to actually de-list species (9)
 16. Protect private property rights (6)
- General themes (numbers refer to conditions above)
 - o Health of the river (8, 12,13,14,2,15)
 - o Conservation (3,7,9,13,14,15)
 - o Economy(2,4,6,8,16)
 - o Custom and Culture (2,12)
 - o Property/water rights (6,11,16)