

Laramie County Control Area Steering Committee

Meeting Summary

November 30, 2015

Herschler Building, Cheyenne, WY

Draft for Review

Approved

Participants:

Jay Burnett, *Irrigator*

Jim Cochran, *LC Conservation District*

Bill Edwards, *Southeast Wyoming Builders Association*

Dennis Ellis, *Industry*

Dan Frank, *Laramie County Stock Growers*

Greg Gross, *Ag/Irrigators*

Kristi Hansen, *University of Wyoming*

Jim Hastings, *Alternate*

Gary Hickman, *Cheyenne/Laramie County Health*

Scott Horgen, *Industry*

Judy Johnstone, *Small municipalities*

Ron Kailey, *Laramie County Commissioner*

Jim Lerwick, *Ag/Irrigators*

Leslie Mead, *South Cheyenne Community Development Association*

Jim Murphy, *Cheyenne Board of Public Utilities*

Bonnie Reider, *South Cheyenne Community Development Association*

Tim Wilson, *Cheyenne Board of Public Utilities*

Facilitators:

Steve Smutko, *UW Ruckelshaus Institute*

Shannon Glendenning, *UW Ruckelshaus Institute*

Agenda:

1. Welcome; Steering Committee member introductions; Agenda review & approval; Announcements
2. Review and adoption of the 11/02/15 meeting summary
3. Progress Review and Approval
4. Discussion and approval of Plan Objectives
5. Adjourn

Handouts:

1. Meeting Agenda
2. Draft Meeting 11/02/15 Summary
3. Proposed Control Area Management Area Map
4. Groundwater Management Plan Guidance Document updated from 11/02/15 Meeting

Summary:

Q=Question R=Response C=Comment

1. Welcome; Steering Committee member introductions; Agenda review & approval; Announcements

The meeting agenda was approved.

2. Review and adoption of 11/2/15 Meeting Summary

Meeting summary approved with minor changes about discussion between Jim Lerwick and Judy Johnstone. Changes will be reflected in the summary.

3. Announcements

Kristi Hansen- I've noticed that there is a need for people in the Control Area and the County to be educated about what this committee has done, understand the history of groundwater in the county and possible next steps. Shannon and I have been working on an Extension Bulletin to serve as this outreach mechanism. It will be informative and be good educational material for the county.

4. Progress review and approval

Steve: We're taking this guidance document, and the changes from discussion - it provides the language from where we are currently. This will be the informative document that will document the progress It's on the website, but this is the document we need to pay attention to.

Starting at page 2, Groundwater management areas. At this point the proposal the management areas will coincide with the Control Area Advisory Board Districts. Within each district we have the specific

conservation areas, the drawdown areas, the underlying areas, and unaffected areas that were defined by the state engineer's April 1 Order.

This might be a good time to have that discussion about the management areas.

C: My only concern is that we don't get ourselves in a position where we're talking about one thing, and the elected people to the advisory boards are talking about a different thing.

Steve: As it was proposed, those numbers on the map are a proposal for reorienting those districts.

Q: Are those districts are set in stone?

R: No.

C: We need to be careful about using the word proposed in defining those districts

C: Call them committee district 1, etc.

C: This is important because it becomes a voting issue.

Q: Are you proposing to redraw the control area board districts?

R: that's the proposal, yes.

R: To redesignate the districts within the current control area it requires a petition to the board of control from 5 petitioners own land within the control area. There must be 5 districts according to Statute.

C(Lisa Lindman): There's an informational hearing on January 26th at 9am to change the boundary to extend the line to the outcrop.

C: If the boundary of the Control Area gets changed then I envision that committee district 5 gets bigger, 3 gets bigger, and 2 gets bigger. 1 and 4 stay the same size.

Steve: There's a proposal to redraw the control area board districts to reflect and make groundwater management areas, to make them match

C: change the numbers 4 and 5 on this map.

C: I don't think that will hurt anything.

C: I feel this is a decision that needs to be made by those in the control area.

Vote: Everyone present agrees with the lines, some people who do not live in the control area did not vote.

Back to the guidance document with updates-

Steve: This is where we got into semantics or local control.

C: As the committee gets into what management occurs in these 5 New districts, I think the people within those districts should be the ones to define drawdown areas, conservation areas, and unaffected areas using a common definition. This committee will take their input and then make a plan and we send it to the State Engineer.

C: We will put together an outline as a committee for each area and they can use it and fill it in. We'll look at their work and take a good hard look at it. There will be back and forth.

C: I see the line between management areas 1 and 3 being determined by the people in the Lodgepole drainage.

Steve: Local control and local input. Local input and approval of the plan through outreach, then the committee submits a plan to the SEO

C: Do we want to have something in our plan that allows for a certain number of appropriators to resist the plan or restrictions.

S: We'll write up some language in section 4 about local input

C: Input later gives me the creeps.

C: To me that is chaos.

C: Once the plan is set in stone I don't see any reason to have a backstop

C: You could write your management scenarios, each watershed sets its own drawdown limits, which would end up in the plan and then we adopt the plan and it is set.

C: If the SEO wants to modify a plan, then he has to get input for any modification. You can't leave it to a public vote.

Steve: It sounds like local input is meaningful input for what the plan contains.

Lisa: the SEO wants a plan, going forward to remove the existing order. There will still be an advisory board to the SEO. You have to have a solid plan and no lose ends.

C: I think the mechanism is already in place.

Q: The SEO may get a petition or complaint and according to state law, --if in 3 years someone decides that it doesn't

Lisa: Wyoming Statute 41-3-915(c). "agreement may be terminated ...agreement" if you're developing a plan it has to be well defined, make a plan, be consistent, and not vary.

C: There's still the advisory board and the SEO makes a decision, that will still be in place. There's still a place for them to make a case to the advisory board.

C: When we get done we'll adopt most of that the SEO has done, and modify some things that we think are more manageable, and give him some tools that he didn't have. He's asked us to help enhance what he did.

C: The beauty of the plan that this committee is developing is that it's voluntary and it's not the heavy hand of government.

Steve: Local control is really local input and approval of the plan.

Steve: Management units and we've defined them, conservation, drawdown, underlying, etc. Is this still helpful to you?

C: If applicable

C: If people in those areas want to consider it,

C: I think the general units are fine, but each district might have a different definition

Discussion on Page 7

Goals and objectives:

C: In Section 2.2.1, excessive or extreme and I think they are 2 different things,

C: And they are both subjective

Update to 2.2.1: Prevent the emergence of New drawdown areas inside the control area

Red line track changes and without will be sent out

5. Plan objectives (continued)

Steve: We can start to have a discussion around 2.2.3 and 2.2.6. The plan will evaluate and implement feasible water conservation measures.

C: We should add, identify water recharge areas, some projects for recharge

C: Put in "manage groundwater recharge areas" in section 2.2.3 as a bullet

C: I'm a big advocate for reservoirs and dams for collecting water, I want to see reservoirs and dams, ponds and pools.

C: I think this group can recommend that, but at this time there's little money to do these project, but things will improve in the future.

C: Within our plan, we can recommend that there's a list of activities that can improve the groundwater situation.

Lisa: At this time there are certain things that you can implement sooner than later.

Section 2.2.4 develop a financial incentive program.

C: this is a good placeholder

Q: is this something you want to have in the plan?

C: include water trading as a potential activity

Lisa: that may take a change of statute

Lisa: the State Engineer can't be party to a financial development, I don't believe our current water law allows trading. You can voluntarily abandon a water right now, if there is a financial incentive that's above the SEO's revenue.

C: I can see trading coming in when an area has a voluntary cap

C: A concern I have with an incentive program, is where someone comes in and takes a payoff by abandoning a water right, but that benefits their neighbor, we haven't gained anything, there's no reduction.

C: That's where a cap needs to be in place in a

C: You take 2 quasi-good pieces of land, retire one water right, then the other land owner can have high rates of production, there's a benefit to the community.

Steve: are there any other objectives you want to include?

No response.

2.3 management area objectives

You want to be able to define specific objectives for the management areas discussed and approved before.

We have 5 districts, then in this plan there would be an objective, a summary for each area- and then what would occur to achieve a target. The plan is specific to each management area

C: Some of these scenarios come from the AMEC report.

Steve: this is going to take work and discussion.

First sentence in 2.3 needs to refer to each management area.

Steve: We'll need to think about how to present that-- we can provide strawmen

C: I think these are going to be 5 different documents for each area.

C: We need to think about the political ramifications in dealing with these very different groups of people and messing with people's water is dangerous. How do you get people out of their chairs to these meetings and then how do you get their input?

C: You may have to make them mad, before you make them interested.

C: There are water users you might want to exclude, like small residential

C: We're not talking about current uses, we're talking about how we prevent the destruction of the remaining resource, and how we define the greatest economic benefit with the least amount of damage to the aquifer.

Q: Are we talking about existing wells or just New wells?

R: We're talking about the activity in the drawdown areas, and how to reduce that. We have an order based on new wells, but we haven't defined what we're looking at as a committee.

C: The county is in the process of doing their comprehensive plan and I like the way the planner presented

information and I think that would work good for us. But the problem is getting people to the table.

C: You don't want meetings where people are totally pissed off.

C: I think that we need to get lots of notice that there is a water meeting.

C: The only thing I see changing outside of the SEO's plan, is the drawdown areas without showing harm.

C: I disagree.

C: I see pushing conservation across the board as a good strategy.

C: I think conservation is the only component that reaches outside of the drawdown areas.

Lisa: This system is self-regulating. We're not seeing new applications in certain areas because the lack of water and the specific geology. The State Engineer is almost compelled to issue new permits.

C: I'm trying to get more definition, I find we're not all on the same page with our discussions. Getting information to the public is the hard task. I'd like to get on the same page.

Steve: You've said an objective should be to prevent the emergence of new drawdown areas, then how do you do that? That's worthy of your discussion.

R: The SE has done that with the rules in the drawdown areas.

Steve: Is that something you want to be able to do? And going forward how do you do that in the management areas you defined?

C: I want definitions so we can move through this to define where there is and isn't a problem.

R: The problem is that the SEO and the advisory board saying this is fully appropriated. We need to look at the thing as a plan.

C: we need to also talk about preventing the unaffected areas from becoming affected areas.

Steve: You have 2 objectives that prevent emergence of new drawdown areas, and you also have a financial incentive program and a conservation objective that can help you achieve the first objective. Before you get to the community, you need to figure out what this looks like and what's feasible. Then you can get meaningful feedback. We need to talk about how. Do you feel you have the information you need to move forward and if not, how do you get it? There's the AMEC report, the current order, and other documents.

C: My vision is broader than preventing a new drawdown area.

Steve: If you could think about a new objective you want this to address and bring it with you next time.

C: I think we need to focus on the users.

S: Think about what this looks like to you. If you can come with ideas we can get somewhere.

Q: I keep seeing the issue of end guns, how much does one save over the other?

R: An end gun is using 10% of your water to water 55 of your acreage, it's not efficient.

Jim: it's throwing it in the air and the wind takes it and it evaporates it.

Next meeting December 14.

Next Meeting

Date: December 14, 2015 5:30-8

Location: Herschler Building, Room 1699 "Hearing Room," 122 West 25th Street, Cheyenne, WY