WYOMING WATER DEVELOPMENT COMMISSION

WWDC Workshop
Historic Roundhouse & Railyards
1500 Main Street| Evanston, WY
Tuesday August 6, 2024

Workshop Minutes

1. Chairman Liisa Anselmi-Dalton called the meeting to order at 1:30 p.m.

2. **Recognition of Members Present to Establish Quorum** – Commissioner Mark Kot

Commission Attendance:
Liisa Anselmi-Dalton, Chairman
Leonard "Lee" Craig, Vice-Chairman - Virtual
Robert "Bob" Choma, Secretary - Excused
Clinton Glick
Todd Hoese
Ron Kailey, Jr - Excused
Mark Kot
John Lawson - Excused
Dennis Pince - Excused
Larry Suchor

Advisor Attendance:
Patrick Kent, Attorney General's Office
Greg Kerr, UW Office of Water Programs

3. **Financial Status Update (A)**
Fiscal Manager David Ray went over the status of Water Development Accounts I, II, and III. The estimated balance available for Appropriation in Account I is $39,485,998. The estimated balance for Appropriation in Account II is $16,955,507. The estimated balance for Appropriation in Account III is $44,584,385. Fiscal Manager David Ray then discussed Reservoir Operations and Maintenance (O&M) Accounts and associated balances. Discussion ensued.

4. **Idle Wells Update**
Project Manager George Moser provided a reminder and overview of the idle well topic. George reviewed the background for the three categories of state-funded idle wells, including those drilled as part of strategic water-exploration efforts, Level II projects where the Sponsor has yet to acquire the wells, and Level II projects where the Office does not anticipate that the project Sponsor will be acquiring the wells. George provided more information for each situation, relevant updates, and the strategy that the Office will be using to find resolution for each project well. Significant discussion ensued.

5. **Operating Criteria (B)**
   Director Mead walked through proposed changes to the Water Development Program Operating Criteria. Specific proposed changes included language cleanup for the Upper Colorado River MOA 2 and Basin States Salinity Control programs; requiring coordination with the WWDO for planning studies completed outside of the Program and requesting construction funding; changing language whereby typical grants "shall not exceed" 67% instead of "shall be 67%"; adding language that the loan rate shall consider market rates and conditions; and further clarification on ineligible engineering fees. It was further discussed that the proposed changes were not substantive in nature and if the Commission so chose, could be approved at the next day's meeting.

6. **Small Water Projects Program**
   Program Manager Jodie Pavlica gave a presentation on the Small Water Project Program. She went over program timeline, general program concepts, statistics, eligible projects, project definitions, public benefit requirements, project funding priorities, eligibility, project timelines, and guidance documents. Director Mead brought forward recommended edits to the Small Water Criteria. Those changes included the addition of "guzzlers" as a project type; adding language whereby "Notice to Proceed" review requests shall be submitted by sponsors to the WWDO by August 1st and how requests submitted after that date would be handled as a lower priority; and adding language whereby final payment requests shall be submitted by sponsors to the WWDO by December 1st of the year of the expiration. Discussion ensued again that these changes were not substantive in nature and if the Commission so chose, could be approved at the next day's meeting.

7. **Inflation Reduction Act (IRA) Discussion**

   Director Mead explained the Inflation Reduction Act (IRA) funding for the Upper Colorado River Basin (approximately $500 million) for financial assistance agreements to or with public entities and Indian Tribes. He described Bucket 2E funding and Bucket 2W funding. He noted the authority provided by the Wyoming Legislature, during the 2024 Session, to the Commission to administer IRA funds. Discussion ensued in regards to the Office seeking approval from the Commission to administer funding from the IRA on their behalf in order implement projects as efficiently as possible, similar to the authority provided at the May 2024 WWDC/SWC meeting by the Commission to the Office, for the administration of the Regional Conservation Partnership Program (RCPP) funding. Action on the IRA request would be taken by the Commission at their August 8, 2024 meeting.

8. **Sponsor Contingency Account Requests (C)**
   Deputy Director of Construction Bill Brewer discussed Sponsor Contingency Account requests. He gave a reminder that the Sponsor's Contingency funds were set up to keep projects moving along that experienced some sort of shortfalls in funding related to inflation, engineering requirement changes, geological conditions and other circumstances that may be out of their control that have increased the cost of the project. Mr. Brewer explained that the Lander Well and Transmission Pipeline 2021 Project was pulled from this Sponsor Contingency Account Request. Owl Creek Irrigation District System Improvements, Northwest Rural Water System Improvements 2022 and Torrington Well Connection all requested Sponsor Contingency Account funds. Discussion ensued.

9. Discussion

Deputy Director of Planning Barry Lawrence discussed the tour to be held the following day. Scheduled stops included the Naughton Power Plant, TerraPower Kemmerer Unit 1 Site, Bear River State Park, Sulphur Creek Dam Outlet Facility, and the Morrel Ditch Diversion No. 2 Small Water Project. A brief discussion ensued.

10. Adjourn

Chairman Liisa Anselmi-Dalton adjourned the meeting.