

UTAH WATERSHED COUNCIL MEETING

Meeting Minutes

Department of Natural Resources

Salt Lake City, Utah

January 6, 2022 @1:00 pm.

Welcome Candice Hasenyager and Todd Stonely-

Candice-Division director, Welcome everybody. I am Candice Hasenyager. I am the division director at the Division of Water Resources, so welcome all. Thank you so much for being here and we are really excited to kick off the first Utah Watersheds Council meeting. Its is just exciting to be here and a quick thank you to all the work that has gone into this. The Watershed Council Project team that includes Dan Adams and Allison, and I'm going to miss people because I have started naming people. But Peter, Gessel, Nathan Bracken, Um, and more. Dan you can add the ones I've missed and a big thank you to Carmen McDonald, Who's doing our AV behind this screen. So we really appreciate her. Thank you. And Todd you had a few remarks too? Yeah, if you are done. I just had a few things that I wanted to mention.

Todd-My Name is Todd Stonely; I am the assistant director at the Division of Water Resources and I'm the project lead for the Watershed Council implementation. And I want you all to know, You are the Captain of this ship, and the divisional water resources is here to support your efforts but not direct them. So you're welcome to take that ship and sail off into the sunset on The Great Salt Lake if you like to or get into a wooden boat and go down the perils of the Colorado river like John Wesley Powell did it's up to you. But we're here to support you in whatever you decide. Want to let you know that here at the division; we have a area planning specialists for each of the planning areas. So when the local watershed councils are set up, well have the support through our area planning specialists and they will engaged with those councils.

We have an assistant. She is in the back here behind the roster and that is Shannon Clough. She will be helping us with travel, reimbursements, so forth, and posting minutes and coordinating the administration of this council. Therefore, she will be there to support you as well. As I noted in the email I sent previously, you are eligible for per diem and travel reimbursement. So if you want any of that done, I didn't get any responses by email. But we have some forms here for you. If you want to take advantage of this in the future. I can hand you one and you can get back

to us. Or for today's meeting as well. And one last thing, if you'd please state your name when speaking that will help Shannon know who you are. That will help as she transcribes the minutes later. And that's all I had. Thank you for being here.

Dan Adams- I'll take this off from them. I will run through our agenda real quick and kind of talk about a couple of things for our meeting today and since this is your meeting its our first kick off meeting. If you guys have anything you want to add or do not want to do, let me know. I do want to let everyone know that this is being recorded. If anyone has any questions or concerns about being recorded let me know too.

The Agenda; you all have in front of you there's one thing we want to do here in a second, is go through and do kind of an expanded introduction. So how many of you know everybody at this table? Some may not know everybody. I think this would be important because one of our Homework assignments after today will be to think about who you would like to be the chair and the co-chair for the upcoming council. So at our next meeting that will be one of the things on our agendas to work through that. So this is kind of a Chance to get to know each other a little bit. So when we do introductions, I thought it would be good to have you say who you are in the organization, and whom you work with, but also to let us know, what are the things that you feel like watershed councils can do? And what are you hoping they will be able to do? Because we want this to be a valuable experience for you. So go ahead and take a minute to do that. We are asking everyone to take about 3 minutes to introduce yourself. We know some of you would maybe take 30 seconds, some of you might want to go longer, but were just going to shoot for a three minute window there. Then we have Warren Peterson with us today. He is calling in from Delta. He is going to go through and kind of talk about the history of the act. What are those things that led to its creation and brought us here today? And so that's going to be great to have Warren walk through and help us with that. Help give a context. Then Candice is going to give us kind of a State of the State of water in the State of Utah. We are going to want to get your thoughts about that and from what you see from your positions as well. But Candice will help us all beyond that same page. Then we'll take a break and then Peter and I are going to walk through kind of creating the governing policies of the organization documents and we will not make any decisions on that today, but we will at least review. We have a draft for you all to look at and you can all decide what things you want or you want to change in that. So then we are going to go through the biggest things today and to adopt the electronic meeting resolution so that in the future people can participate virtually and we did have a few people who did want to participate virtually. But until we get that done, we can't do that. So that's one of our big things today. And for those of you in the audience that will be the one thing that will stop and open up for the public's comments, before we take that vote. And then the last thing will be what would you like watersheds to accomplish the Watershed Council to accomplish this year? And so, we will spend some time on that and then talk about our next meeting and then we will wrap up there. So does that sound good? Any other things you are wanting to get out of this meeting today.

Okay let's go ahead and I can actually have Peter give his introduction because he's played a long historical role in this as well, tied to drafting of the act. So I'm going to start with you Peter, state your name, where you work and what you're hoping to get out of the watershed.

Peter Gessel- (speaking) If you want to start further back, we got methuselah of the Watershed Council act up there in the left hand corner and maybe he should start? Speaking to Warren Peterson, he will have plenty of time. I am Peter Gessel, I'm an attorney at Smith Hartfixon. We're participating as a policy council. A Langdon group in this project is working for Dan. Prior to my coming on at Smith Hartfixon about 5 months ago, I was doing the water policy with the Utah Department of Agriculture and Food and it was while I was there I was tapped to be engaged as the person behind the keyboard of writing the watershed Council Act. So it's been a long ride and I did not expect to be sitting here today in this role at this point, but it's exciting to see these things come to fruition.

Question asked: What are and what do I think was the potential?

Peter: Watershed Councils and what can be done here. You know and a priority, even the policy work I was working on over water quality with someone else. I do not remember the name of her at the moment or who she was, but point being having worked as a state regulator and worked in these different roles in the water world. One of those disconnects right between agencies, and then sometimes too often between the agencies and the people that are responsible for serving and regulating whatever. And just the thought; which really I think was put into writing and conceptually brought together and the stakeholder state water strategy, and 2017, that Warren will be addressing the idea people that maybe we form something more lasting more permanent and have that come from the grassroots ground up in these areas that we are trying to regulate and that we are trying to work with. We are trying to get those on the ground. Build those relationships between each other. And give the state agencies, these regulators, those in those positions the opportunity to get to know those folks and to hear from their perspective before the big projects come in, before this or that regulation dropped. Build those relationships and hear what's important to them. So what I hope for is to see this really mature to the point where we do have local councils with local water answers. Users and different sectors are showing up and talking together, whether officially sitting there on the council or not, so that they get together and build those relationships and understand where each is coming from. And then to have the state agencies, a number of which are represented here and have the folks that are here number one, hear from those local groups both here and then as they do out from their agencies, how the agencies talk to each other. Hopefully this will help that. There have been a number of initiatives to improve that, but then to have them be able to hear from those folks beforehand and then be more prepared and have to have those relationships when they go out. That works. It can be said more elegantly but that is it.

Rikki Rhenko-Browning (Speaking) I am the President of the Utah Petroleum Association. We represent Upstream Midstream Downstream Oil, and gas interest in the state of Utah. My seat here today, and on this board I am representing industrial interests and the nominating entities

associated with that are obviously petroleum, but also mining and manufacturing here in the state of Utah. So that's kind of the focus that I bring to this group. And in terms of what I think would be interesting for us to achieve, and what's really motivating to me. As you mentioned the regulatory component, and obviously that's in front of me for industrial users and we recognize that we play a very significant role in this puzzle of how we're going to responsibly manage the state's water resources, and the challenges associated with that regulation are front of mind. However, I think we also have many large water users that want to find opportunities to collaborate on projects and to understand how they can play a more proactive role and be better stewards of that very limited resource. And so I think this is a great opportunity for us to have a better understanding of what those opportunities might be. And have a seat at the table and bring some of those things to fruition. I think from an industrial and an agricultural perspective, we know those have a big role to play in terms of how we can more effectively manage our state's water resources. So thank you.

Kris Hamlet-I'm the director of the Utah Division of Emergency Management under the Department of Public Safety. This was kind of an interest to us and in many ways in our office we focus on mitigation preparedness response and recovery and there's just a lot of elements of watersheds that we talk about directly or indirectly and how they are impacted. And for us it's probably right now. This is a great time for us to meet with this group and collaborate because we have the ability to reach into some new programs and parts of funding for mitigation efforts that are larger than we have ever seen from the federal government. And so FEMA's got some great opportunities for us there to maybe look into investing in our infrastructure in the way that we deal with watersheds and other infrastructures throughout our state. But also in dealing with hazards and natural disasters, especially drought wildfire debris flows, other types of hazards like that were always interested in what the impacts are on the watersheds before and after these events occur. We also are in charge of the state floodplain mapping. We do a lot of floodplain management and have a lot of interest in the waterways and what they're looking like statewide.

So for me, I think it's an opportunity to learn a lot from some of these groups that we don't normally get to work with. Some of them we do and we see Kim all the time lately. And I think DNR, we've been closely working with for quite a while with the drought issues and I think this is an opportunity to work with some other groups and talk about how we can work more closely together on some of these issues. Thank you.

Candice Hasenyager-(Director at the division of Water Resources) I have been at water Resources for almost 15 years. I grew up at water resources in my career to say and I have just been grateful for the opportunities to work on some of the projects. The people that I have ended up working with, and there are many faces that are very familiar around this table that I have got to interact with. I think as we go forward and some of the challenges that we are looking at ahead, I think this collaboration is key to be able to address those challenges and work towards solutions in the future. I am excited to participate.

Dan Adams-I've had multiple conversations the last two days about this part, we all have fires in front of us in our jobs, all these things we have to do. I do think the part about having a Statewide Watershed Council is kind of a unique opportunity to think ahead and to look ahead and have the moment to pause and look at the big picture. In the kind of research we've done on this, we've researched and met with other states and looked at what they are doing around watershed councils and we don't know of another state that has a statewide watershed council. We wanted to see what we could learn from them. This is why this is so unique and we are meeting today to kick this off with the statewide Watershed Council. I wanted to add real quick that this group will expand by at least 12, once we get the 12 local watershed councils up and running. Warren can talk about him a little bit. By having the local and the state it's a great opportunity for all of those things going on all over the state to roll up into one form and to also roll back to give information out. So that part about funding those opportunities you're talking about Kris. That's what can be a great example about what can be done here.

Macelle Shoop- I am the Director of the Saline Lakes Program for National Audubon Society, which is actually part of Audubon's Western Water Initiative. And I'm here to represent the environmental and conservationist interest for the state and be appointed by the Governor. But based on recommendations from the department head of the Department of Environmental Quality and Department of Natural Resources, I'm super pleased to be here and hope I can do a good job representing all these other environmental and conservation interests. There are a number of organizations and people that have a lot of interests in the natural environment and how well it functions. I think one of the things this group can do particularly on the education and learning front is to start bringing in some of the new thinking around watershed management, particularly natural infrastructure, the ability to store more water in the watershed not necessarily using hardscape and other innovative ideas as well as bringing in. We have the opportunity to bring in federal liaisons and given you know the amount of federal lands that are managed by some of those agencies, the importance of ensuring that we have got cross communications and looking for innovation ideas, could be beneficial. So that would be one of the things that I would hope this group could focus on as well. Thank you.

Scott Paxman-I work with Weber Basin Water Conservancy District representing as a water supplier. And a sponsor of a large reclamation project that we were the Basin Project. We operate and maintain seven large reservoirs and dams on the Weber and Ogden rivers and we have had some sort of Watershed Council since I started work at the district 30 years ago. We have been very successful, just by providing and coordinating all the activities that are going on in the Watershed. Whether its petroleum lines being installed or work on the river or one of the dams or a new diversion, or whatever it might be, so that everyone is aware of what's going on and can provide some input. I think this is an awesome ability to provide a platform for that coordination on all the watersheds throughout the state. I think it is very important. Thank you.

Corey Cram-Executive Board for the Utah Association of Special Districts. I work for Washington County Water Conservancy District as an associate general manager working on new project

development. And in a lot of ways it's kind of like an ordinary day in our life because we work with industry, floods, we worked with FEMA, water resources, natural resources, water rights and all of our state agencies. I do not know what to expect or where this will go, but I think it's a good thing! We work with endangered species and conservation groups all the time. I have been with the Water Conservancy District for 17 years. When I was hired, I was actually hired as a watershed manager and prior to being in Utah, even though I am originally from here, I worked for the state of Pennsylvania for 10 years as a watershed manager and I coordinated activities in the north central part of the state. And there we had regional and statewide watershed managers. Then local watershed groups that we worked with. I worked with the local groups where the "rubber meets the road" and worked on watershed improvements, water quality projects, mine reclamation, nonpoint source reductions and all kinds of stuff related to that. This is not a new thing; it is a tried and proven approach that can have some good results. I'm glad to be here and be a part of this.

Mark Stratford-Im a Deputy City Attorney for Ogden City and in that role, I work a lot with the League of Cities and Towns on water issues. I have worked for the Attorney General's Office doing general work with water rights, adjudications throughout the state. Now I'm able to represent The League of Cities and Towns. I'm also on the Water Task Force. When I look at this opportunity of this body, I see really a number of things and primarily I guess the opportunity to provide. I would not say direction, but to support the local watershed councils as they are created and as they start to figure out what they are going to do. Because honestly they are not all going to do the same thing, right? They will all be focused on different interests, and so I see us as how do we provide the maximum support so that the local watershed councils can be productive in what they need to accomplish at their level. Because we're not going to tell them what to do. We want to be a resource. The other thing I see here is the opportunity, I don't call it breaking down silos but when you look at the whole watershed, I think all of us in our individual jobs, we know how to interact with water. We know what we do in relation to water and I'm pretty sure we all think what we do is most important. But we don't always so in that silo world we don't always appreciate sometimes concerns that other people who interact with the should have and the opportunity to create that network. A few days ago I was reading something that really disturbed me about another state and some concerns that certain water interests holders had and about how water was being managed. It created a lack of interaction between water users there, and it led to conspiracy type theories that maybe there was some bigger power at work trying to deny them of their rights. In order to serve some hidden purpose and I think people don't know who else is involved and they don't have opportunities to interact with them then it breeds that kind of distrust. And the more that we can know each other, we can sometimes disagree and have conflicts, but the more we know each other and talk to each other, the more mutually beneficial decisions that everybody can understand, then make the best of a difficult situation.

Kim Shelley-Executive Director of the Department of Environmental Quality, been in this role for about a year. I've been with the department for nearly 20 years, and like Candice I grew up

through the division of water quality. So water is near and dear to my heart. As many of you know, the Department and one of our mandates is to protect and preserve the waters of the state. Which include groundwater and surface water as well. And we accomplish that through the Clean Water Act in Utah and the Water Quality Act. And so one of my goals for this group should be something Scott and Mark have already touched on, and that is to integrate those existing really high functioning work groups and to make sure that we don't lose any momentum that they've built on with this group. I know, like the Jordan River Commission and the Utah Lake Commission they have been highly successful and we really want to make sure that we can support them and build on that. Successfully integrate their efforts into this larger statewide effort. I'm really looking forward to what this group can accomplish and I am happy to be a part of it. Thanks.

Craig Butters-Commissioner of Agriculture and Food for the State. I came on with Kim the same time, but I've only been with the department for a year. Prior to that I served in local office and county. In Cache County I was the County Executive and I've had other experiences as a Legislator, and a County council member in Cache Valley. My background is in the Dairy Industry, including irrigator and property owner. So I've had a lot of interest in that of course, in this role. As you all know AG is responsible for the use of about 80% of the diverted water here in the state. I think it is very important that our agriculture producers are represented well and that the correct information goes to the public. I think the public perception of agriculture and irrigation at this time is good. But there are questions that are being brought up as we deal with drought issues that need to have the correct messages sent out to the public. So they truly understand the role agriculture and irrigation play in their lives. That is what I would like to see.

Allison Adams-I work with the Langdon Group and have been helping organize this group. I've been the one pestering you with all the emails. I will continue to be a resource as we carry on.

Dan Adams-comments-Let me Take one quick second, in the Back of my mind I've thought about the little survey team that's been helping with this. It's kind of been mentioned at the beginning one of the things we started this effort was to try to have an understanding about people's thoughts and ideas around Watershed Councils. I started visiting with folks on January 28th of this last year. In doing that I have been able to meet with about 350 people around the state to get their thoughts and ideas. It has been fantastic. That is why there has been a lot of dialogue and I've met with a lot of you here as well. People have been super positive and that is going to be an exciting part as we bring all those other thoughts and ideas as these lists are expanded. It is going to be fun.

Dustin Jansen-I have been the director for the Utah Division of Indian Affairs since February 2020. I'm originally from New Mexico, I am Navajo, I grew up on the reservation there. I have lived in Utah quite a bit in my adult life. By trade, I'm an Attorney and I've been a Judge for a long time. I feel like you know or at least with our office what we do is we facilitate good working relationships between governmental entities and I think this is an example of how that can be used and to better the relationships between that State and the Tribes. And to just make

a healthier Utah. I think, especially now with Governor Cox, I think he understands that healthy native community creates a healthier state. And so I think something like this is something that is so integral to human life. We can use this platform as a way to make things better overall.

Dan-Warren comments?

Audience introductions-

Wendy Crowther-the Attorney General's Office representing the Division of Water Resources.

Giselle Terry-Jordan Valley Water.

Brandon Nielsen-JUB Engineers, helping Dan on part of the project team.

Ross Anson-Sitting in for Teresa Williamson today as the acting state engineer for the Division of Water Rights.

Stephanie McGinnis-Water Conservation Manager Division of Water Resources.

Jordan Nielsen-Trout Unlimited

Soren Simpson-Executive Director of the Jordan River Commission.

Michael Sanchez-Public Information Officer, Utah Division of Water Resources.

Todd Adams-Deputy Director Department of Natural Resources.

Shannon Clough-Division of Water Resources Administrative Support.

Overview of the Act-

Warren Peterson-Lets go through this history. This is what my backyard looks like in February (showed a Picture). An Oasis and that is why I like to be here. If you are seeing the Bagley cartoon of an artist's conception of what the Watershed Council might look like. This came from when we were working on Gov. Herbert's water strategy at Paige Flint Tim Hawks and I met with The Salt Lake Tribune editorial board one day he made a comment at a water meeting in Dallas, he said if you're not at the table you're on the menu. And following that meeting with the editorial board. We put out this cartoon the next day, and I think it tells the story and just wonderful detail. A lot of the interest we see around the table, we need to make sure you know you are calling. This is a historic event. We have seen other historic events; but where this council now is being charged by your appointment and by state law to organize watershed councils. So Mark, I was very glad to hear States. You have volunteered and stepped up for that, because you do that so well. I hope everybody remembers that Mark volunteered to help on this effort. So that we have now for those history buffs in the group. All of you know the story, the articles of incorporation or articles of confederation were weak. And something stronger

needed to be done. And I submit that we are acting under sort of an Articles of Confederation approach and how to water in Utah instead of a strong united effort. So what you can do while you are here is help lay the foundation that we can act on Utah water needs rather than just being reactive. And we've got some excellent examples. Scott you pointed out the one with the Weber River Watershed Council. Or Kim, your agency has certainly had some good history with us. So help us lay the foundations and build what needs to be built. So the history is run something like this. We've had all these watershed success stories. One of my favorites because it's close to home, is that when the general adjudications began on the Sevier River in 1916, the water users litigated. The first couple of events of that and ran an attorney's fees. This is the early 20's by this time of 350,000. The only room in the state big enough to accommodate the hearing was the house chambers of the capitol. The water users quickly realized that their irrigation costs were going to enrich a lot of attorneys, but not many farmers, so they resolved into watershed councils.

Why are you here? To: Implement the Watershed Councils Act. Replace the current "Articles of Confederation" status with a designed system. Lay foundations so we can act on Utah's water needs (rather than merely react).

By state law to organize. Article of how to approach strong united effort. Help lay the foundations excellent example Scott, Weber River. Kim's good history helps us lay the foundation. Successful story's Sevier River water events raise attorney fees, the only room big enough was to enrich the attorney, not farmers. Watershed councils happened. Corry you too know the story, Governor Herbert 2013-14 years of experience, microphone equipped. You all bring that experience. Keep going. You all bring this experience with the watershed councils with water quality will be very valuable. How do you make them meaningful? How do you set them up? Keep them going. The State engineers Water Distribution Committee. I'm glad the Division of Water Rights is being represented here today, because they have had great success in the various river systems with the distribution committees. Those all have been very successful if we look now though, how do we approach? State water statewide water policy.

How do we approach the legislature? How many Legislatives really understand water?

History of UTAH WATER COUNCIL showing on POWERPOINT.

Success stories:

- Cox Decree on Sevier River: 1916-1936
- WCWCD project committees
- Gov. Herbert's Water Strategy Advisory Team 2013-2017
- Division of Water Quality watershed councils
- State engineer water distribution committees
- River committees, e.g., Weber River, Provo River, etc.

Ongoing statewide water policy?

- Legislature
- Legislative Water Development Commission
- Board of Water Resources
- Utah Water Task Force-power to recommend only

I am trying what was called the Governors Water Strategy Advisory Team. I have got the letter here with me that Governor Herbert said it would take about maybe four meetings in a year to put this together. It took many meetings in four years and we came out with this document with recommendations across the board. It was a marvelous experience. 41 people all across the political spectrum. The water economy that came together and produced a consensus document. One of the consensus recommendations that appeared several times says the document was to establish watershed councils. And so, what we're doing here today is a fruition of that recommendation. It's pretty exciting to see.

Recommended State Water Strategy

- Accepted by Gov. Herbert on July 18, 2017
- Developed by a 41-member team of expert water stakeholders

Repeated recommendations to establish watershed councils

I asked one of the people that was highly involved in the process, what would you like to see in it? He said the Transportation Commission.

Utah Transportation Commission Comparison:

Transportation:

- Local planning through MPOs
- Prioritization at the local and then state level
- Consolidated plan used and lobbied
- Disputes usually worked out in the planning process
- Coordinated

Water:

- DNR: Water Resources loans and grants, planning
- UDAF: Irrigation cost share programs
- DEQ: Drinking Water Board and Water Quality Board loan and grant programs, planning
- Community Impact Board
- Federal programs

- Siloed

Both have loan and grant programs with the federal partnerships that go on there. I know from experience that we will not see the community impact board. Then there's all kinds of federal programs, but the thing to note here, all of this is silent except to the extent and thank goodness that Executive Directors and division directors and so on, spend time communicating with each other to coordinate this but there's no real central formal way to do it. This council would become the ones to fulfill that function. So we didn't go out and just put this scene together over a weekend.

The first thing we did was the Water Taskforce. Put together a team and then allow open membership. Anyone that wanted to participate and several of the people did want to participate. Therefore, we kicked ideas around for about two years. We went on and talked to others for ideas. James Ecklund who ran this same process for the state of Colorado. When we look at Colorado's first comprehensive plan, developing state water, they did it through regional roundtables that then rolled up to the state level and that's where their estate plan came from. But look at the things they had to deal with, protecting the state's water supply, threatened by regional politics, population growth and climate change. James gave some very good advice on how to put this together and the efforts were made to look at other states and how they did things. It wound up being a 2-year process.

Watershed Councils Act

- Two year drafting process
- Repeatedly vetted to the water community-UWF
- Passed Legislature-final passage votes were unanimous

It was vetted repeatedly to the water community, and believe me, the bill changed and more of those that were on the drafting committee. We worked and reworked based on feedback from the water community, but in the end with Hawks. Grateful for Representative Hawks, who stayed with us and worked with us very closely through the whole process. Including he sponsored in the legislature. Ralph Oakland was the Senate sponsor and the final passage votes after concurrence between the two chambers. The legislature was the unanimous vote. So it was off to an auspicious beginning.

73-10g-301. Title—Implementation of part.

- (1) This part is known as the "Watershed Councils Act."
- (2) This part shall be liberally construed to:

- (a) Develop diverse and balanced stakeholder forums for discussion of water policy and resources issues at watershed and state levels that are not vested with regulatory, infrastructure financing, or enforcement powers or responsibilities; and
- (b) Use local expertise and resources found in universities and other research institutions or in regional, state, and federal agencies.

Looking into the Act itself, one of the comments about the Act is that we didn't really spell things out carefully. Well because we wanted local watershed councils to be able to essentially define their future. So the reason I'm referring to this group is kind of a constitutional convention and Part of your job is to designs and foster local charters, with the regional watershed councils.

What are we doing here?

State levels to design, focus, and use local expertise.

Test-drive this. Not what I intend to do? Develop for other r things. Regulatory enforcement powers responsibilities. Big opportunity to get together. Resource collaboration with Zack local involvement San Juan County have a forum

Potential Benefits

- Coordinate management of water quantity and quality issues
- Better conjunctive management
- Coordinate scientific sampling, research, and analysis
- Balance allocations for the economy and the environment
- Identify and resolve water conflicts
- Resource sharing
- Information sharing Planning drought resilience
- Communication
- Education
- Collaboration, Utah style
- A single coordinated architecture-local involvement, statewide roll-up

The outcome should be and I hope for a greater acumen.

Improved Water Acumen

Acumen: Astuteness-the ability to make good judgements and quick decisions, typically in a particular domain.

Contrast: Dunning Kruger Effect – A cognitive bias in which people wrongly overestimate their knowledge or ability in a specific area. Also described as, “We don't even know what we don't know.”

We see this a lot in Water and that is why experts like you coming together with this opportunity. You can provide some guidance that frankly this state does not have.

Let's talk about the local councils. They will be organized locally and with local rules. But you as the State Watersheds committee will need to certify that they hit the target. Once the target is to have balance, stakeholder engagement and sufficient rules of operation to comply with the Open Public Meetings Act and these sort of things. Then each of those local ones do send a representative to the state council. So your state council will enlarge as your work goes forward.

Local Watershed Councils

- Act authorizes 12 councils-counting Great Salt Lake Council
- Organized locally-local rules, state certification
- Send representatives to State Council
- Those in GSL basin designate a representative to the GSL council
- State council to certify local councils

One of my favorite comments and from a good friend said, "you have to guarantee that this is not just another 'damn meeting"! Is this worthwhile?"

Can Watershed Councils Build a Better Future?

- Or "is it just another dam meeting"?
- What came out of those "dam" meetings?
- What have we learned since then?
- Can we do a better job?
- What if we do nothing?

So I thought about what comes out of dam meetings. This meeting came out of some of those dam meetings. We learned a lot since Hoover Dam. Can we do a better job based on the learning and experience in this room? Yes! Then you have to ask the question, What if we do not move forward? The legislatures got us on a short fuse, they are going to review in 2024 whether this effort was worthwhile or not and whether to continue it. There is a mandate for those who participate or are familiar with envisioning Utah on what they do. I know that most of you in this room worked with envision Utah and one way or the other. The Utah Value study that was done in 2014, you'll probably recall that in 2014 water was ranked as the highest issue, by Utah, by the public scoring on a scale of 1 to 10 of 6.4 was the highest round. Its highest ranked again this year with a 6.5 ranking.

Those of you that sat through the Great Salt Lake meeting yesterday were able to participate in Speaker Wilson's speech. He said that he has heard probably five times as much discussion of water issues then he has heard in the last 10 years put together. So there's a very strong mandate and a very strong interest.

I have a younger sister who lives in Helsinki. She travels Europe, extensively fluent in nearly all European languages. She landed in Spain last year and ran across these two things. She had to send me pictures of the Valencia Water Court and the Council of Wise Men of the Plain of Mercia. What's cool about these two organizations is that they are the oldest ongoing Democratic institutions in the world. And what are they? They're both water councils and they've been in business particularly the Valencia Water Court has been in business for a thousand years. So we're hoping that with the work you'll do for the people in Utah, for a thousand years will be saying thank goodness for the Utah Watershed Council.

I was asked to express my view on it, and as I thought about it, the best thing I could do is read to you some of the vision statements from the 2017 recommended State Water Strategy. It was a title recommendation but Governor Herbert stepped up to the microphone and said I'm accepting this as the state water strategy, so that was good and he endorsed it. The end of it reads we foresee working with a prior appropriation system to refine transparent cost-effective and fair processes to resolve conflicts and allocate water. We anticipate new levels of cooperative effort to collect data and conduct research necessary to ensure balanced and informed decisions consistent with this vision. You're probably at the forefront of that. I expect watershed councils will be the best tool to accomplish. From an institutional architecture standpoint. What this vision sees. So back to where we started. If you don't have a seat at the table, you're on the menu. Your job is to see that we have balanced stakeholder engagement in order issues. We have collected wisdom instead of the Dunning Kruger effect. Forward looking and coordinated in what we do. Thank you! I hope this has been useful to you, one person's view at least of the history of why you are here today. Thank You!

Questions- NONE

Candice—Short presentation (Pictures) State of Water in Utah.

Normally I like to start my presentations with a beautiful picture. This one is actually provided by the Weber Basin Conservancy district, and I guess it goes with what this year has kind of brought to all of us. We have been in extreme drought this year. And the intensity that it came on and how we really had very little relief until August, really at all. Maybe it will be a really tough year for all of us. I have had tons of meetings with many of you on drought. I appreciate all of your coordination this year.

The Great Salt Lake is at an all-time low since lake level monitoring began in 1847. Lake Powell dropped below the previous record low. The good news is our situation is getting better. If you compare July, that kind of extreme point in July to just today the drought monitor came out with 71% extreme but not exceptional. So that's fantastic. We've seen our soil moisture improve. One of the hard parts is coming from this rough year; and over half of all our biggest reservoirs are below 50% of capacity. We all recognize we needed this big snowpack to refill those reservoirs, and to put us in a good situation. We're doing pretty well. Hip Hip Hooray for the snow and we hope that it keeps coming. It is still early so we will just keep hoping it keeps

coming. And so were about 141% of normal right now. So that's great. As part of the State of Water, I guess for Utah, I can't help but think and it's probably partially because in my organization we plan for 50 years into the future, I kind of know what's coming. What's around the corner? And one of the big things that you are probably all extremely aware of, is we projected population growth that will nearly double by 2065. It's hard for me to wrap my brain around that. I know it's coming. I know it's going to happen. I live in North Ogden and even in my small town, my beloved farms around my house are now popping up as developments and I see it. And I recognize that not only do I have to share my water and my trails and recreation. My mother once told me I'm not a good sharer. So I've got some growing to do as a person and I'm going to have to share more.

One of the opportunities that we have at my division and in our planning agency is we get to model what these projected outcomes mean. And we've taken the last 4 years to improve our modeling. So we can do scenario demand modeling, and I'm not going to get into all the details. I mainly just want to show you some results and talk a little bit more. We took three scenarios, so the no change scenario is really just like if we just take the expected growth rates of how we look today as far as our landscaping, how we use water and project that forward which we all recognize. That's not realistic for me but for me it gives me a good sense of knowing what we use now and I recognize our landscaping and how we're growing and all those things. So this is our no change scenario. And if we look at our baseline, if we have the expected growth rates but we meet our regional water conservation goals, I'm happy to go through any of this in the future. If you want more details or we are just working on our water resources plan at the moment that you can review. We have a Water Supply vs System Demand for State of Utah chart. If we look at three scenarios, this assumes that the 2015 reliable supply will stay constant into the future, which we recognize that could change in a variety of ways. We could add bigger wells; increase our supply that way we are going to have affected some climate change. So we could change but this is just making that baseline assumption. And then we also recognize that from through willing sellers and willing buyers. Agriculture is changing from AG lands like I talked about around my house into housing units. So where will that potential water come from those areas and then what we all added could be the impact of climate change on our supply? So it is when we look at charts, it becomes difficult. Because we're looking like well if we conserve and do okay we might make it to 2070 without too many problems. The challenge is assuming that 2015 reliable supply stays the same way. Then we also recognize we can't share water from Bear River to St. George. So we broke these down into areas including the Wasatch Metro area which includes the Wasatch front and the Wasatch back, so you can see what those charts compare. And then also in the Kanab Virgin River basin where they're one supply of the Virgin River and their really extreme growth is going to cause them some real changes and why they're looking for additional supplies.

I thought a lot about the Division of Water Resources, this is our 75th year anniversary and we've done amazing work and we're gonna compile that and share that as a document out with the water community because it's pretty exciting and something to highlight all the opportunities

that we've had to be involved in. But as we look into the future we are really seeing the competing uses and needs of water in the Great Salt Lake. We had a fantastic Great Salt Lake Summit. Now how do we protect The Great Salt Lake and how do we continue to grow? We have some real hard choices ahead of us, not only as a water community, but as a state and we're going to all have to work together to achieve those or get through those. Because the future is uncertain. That is all I have to share today. Thank you

Mark commented: I do want to say one thing because the first picture she used for my employer Ogden City. That was a picture of the reservoir that we are based in and takes water from for multiple purposes that Ogden City relies upon and many other AG users. It could have been way worse than it was in that picture. According to the information that I have, it reached the second lowest level ever in probably 40 years and yet because of collaboration it was not as bad as it could have been. Working together is a benefit.

Create Governing Policies---Dan with Pete. We will do the part I'm sure you are all excited about, which is to go through the governing policies. It's in The act, it talks about that as one of the first things we need to do. Therefore, we will be fulfilling the law here. Peter will go through and touch on some of the points in the draft we hand out. Take home it has a place for thoughts and feedback. Our goal will be in our next meeting to go through and to finalize the documents. We can go and put this on a SharePoint or on Google Docs, so you can add your thoughts and ideas. That will be an easy way to do it and it will be in the living document. And you can see the rest of the group's thoughts because they'll be in there as well. If we all agree to that we will add it to Google Docs and share it.

Peter: Utah Watersheds Council Rules of Order and Procedure.

Because of people needing to leave early. We have to get a base vote on having electronic virtual meetings. On the 3rd page, we're gonna go ahead and do this part about adopting the electronic meeting resolution rule.

We will open up for public comments, if anyone sitting in the back has a comment. We will give you a chance to share your thoughts or comments about the electronic meeting resolution or rule. Then we as a group will vote. If everyone supports that virtual meeting rule.

Peter- this is the policy we want to make. Allison mentioned no one could participate via zoom or any other electronically way until we get this. Utah code requires you have a policy. We have used this one with other government entities, under these same laws. The Department of Natural Resources will always serve as the anchor location where members of the public can come attend in person if they do not wish to access the meeting electronically. They may come in person to observe and to comment on their means here, in which the council can decide whether individual members can make a motion to or request that it be held electronically. But

this will be what allows you to do and are not able to do today and probably others that really wish they could for multitude of reasons hold these via zoom or electronic.

Marcell-asked to strike out the part of how many members of the council will be connected to electronic meetings ahead of time. It puts a burden that is unnecessary.

Peter will take out the words members; the second sentence will read the public. Notice shall include the agenda date time location and description of how the council will be connected to an electronic meeting. This will also be posted on the open public meeting page. In addition, I will follow all open meeting rules. All rules of order and procedure and all policies will be available to the public at each meeting. It is a statutory requirement for a watershed council. I would recommend we have a couple of printed copies at each meeting.

Scott Paxman moved to make a motion to adopt the Utah Watersheds Council electronic meeting policies and procedures with the amended amendments.

Craig Buttars seconded the motion and all were in favor and the motion passed.

Peter---Draft and highlights use gray to mark things at the council and framework bare bones version. Role, Authority, and Duties.

Section 1 straight cut and paste-guiding star. Can always come back to this. Section 2 & 3 are the same. In 2 not a regulatory body. Sec 3 straight out of the act. Section 4 yes Division of Water Resources handles the staffing. Membership by statue. More in-depth. Can appoint someone to represent you. Some by statue. Personally have authority if adopted. Personally or electronic. Term life up to you 3 years is a number. Staggering of terms A thru G, as it is. (See the list). Up to you.

Todd would like to add an H-water council added for appointed/and members. Ask AG's off ask bored and locals as far as those named.

Rikki---Sometimes occasions where board members' terms expire perhaps as part of the normal rotation or they have to step down. Some boards by statute are allowed to have that individual continue to serve to fill that seat until loan reappointment is made and in some boards that is not the case and the seat goes vacant.

Peter---We could add the flexibility that could allow for that. We will add said DAN

Todd—local water appoints members. Reading from the policy. Section 1

Peter-this is just the skeleton-real opportunity. Please expand. A Guide.

Section 4-copy from other things. More food for thought what other persons need to know. Straight from the statue. The officer's Roman numeral 3 chair and vice chair. Up to you. Other officers are up to you. Chair and vice lot of latitude. 5 & 6 from statue.

3rd meeting. Something else beneficial vice and chair. Staggering because of the legislative time.

Sections 1, 2, and 3 I attempted to pull those straight out of the act or other statutes. That one was definitely relying on the AG's office to make sure I covered those properly. Those are the specific things referenced in the act. In section 4 the council only needs to meet Semiannual/or quarterly.

Dan comment votes for 2 times a year or 1 year or more, semiannual and necessary. In addition, if we needed to add more we could. Many factors will come into play on when and how many times we will meet.

Peter- section 5 Federal Liaisons. It does say that the council may invite federal agencies as liaisons to the committee meeting. It's a matter of again building on that principle of getting these agencies talking and communicating and building relationships again. Section 5 can be stricken in its entirety. Nothing is required to be there. More to draw your attention. We will leave this a little more open for now. We are now going over sub committees; the statute says that in the meeting you have to adopt policies to govern the state council's activities. And that's what we're going over now. Its meant to be flexible.

Dan commented that Oregon and Colorado do have funding for their Watershed Councils. And Utah is not funded. But I am learning that there's a lot of folks out there that have money that they feel like could work really well with the watershed councils. So I think that is kind of a thing to think about; when you think about the inclusion of the federal agencies, which ones have those types of grants and funding resources? When I have met with the local folks and in these interviews they talk about is there a way that they could learn and get networked into these different funding sources and resources that are available to be very helpful to them. This one is very interesting, not sure if it would need to be a Non-profit to receive money. There are places in the state where people know about those grants and then they find out or people that don't know about it then they find someone else in the state that was doing it, and they're like Oh my Gosh! I wish I would have known about that.

Kim-commented we would like to add EPA, USDA who we would like to add. Todd USGA also.

Rikki-Commented Kim on building on that in terms of broadening it, I don't know if they have funds for projects like this available, but they would certainly be an important partner in some areas of our state and that would be the Bureau of Land Management as well.

Kris-Commented I think FEMA should be on there, also the State Hazard Mitigation Team that brings many of these agencies together at the state and federal level and they meet quarterly right now. So that might be an opportunity to involve them in some capacity because they have been meeting for years and talking about lots of issues but including water issues.

Corey Cram-commented we would need to remember the next meetings working around the legislative session. (Section 2) I also want to say the benefit to serving longer terms in office or having a natural transition having the vice chair move up to chair. So you have time in the office and some observation time. I think that would be very beneficial. And I would recommend that.

Dan commented something to think about the Chair or vice chair, we are not limited to one. We can adopt these now or at the next meeting.

Peter-yes absolutely no minimum we can have 18 vice chairs if you want. Think about other officers. I don't see needing a treasure. I did add a chair pro TEM that is 100% optional. Section 123 I attempted to pull those right out of the act.

Section 5 Meeting of Members-Quarterly meetings and being flexible for semi-annual meetings. You can have any number or any method of selecting it, so long as we meet the notice requirements. This will be left to you however you want to do it. Also, to make motions etc.

Dan-asked to take a vote-If you want to meet 4 times a year raise your hand. (Only 1 person) How about 2 times a year or maybe if your undecided. Someone said they like the idea semi-annual and then as necessary. Because the first year or two were going to meet more often. Just to get things established. If the chair needs to call more meetings, they can if needed. Dan said when more watershed councils are added it will affect that also. As mentioned earlier there might be times that we go and meet in those places too around the state that might be valuable to this group.

Peter now to talk about subcommittees. Dan said I've noticed some of the local watershed councils are so big and the folks I've been meeting with are really struggling to see how they make one council. So this idea of maybe having subcommittees within the local watershed councils. Even some of the smaller ones like Utah Lake the Provo River Watershed Council and there you have the Utah Lake folks in the potentially Utah Lake authority. And then you have Juab County, the two counties to the south. Those folks all feel like they're kind of like three distinctly separate things and they do not want to be merged all together. So that may be something to look at in the future. This idea of subcommittees has been brought up multiple times.

VI. Procedures –

Section 3 majority vote that is from the statue. It's the difference between the majority of the quorum present versus a majority of the council. Cannot change section 3. But everything else is open there.

The local group[s] will go through a similar process of what we're doing today. And will talk about the same things. And where do they want to focus and build to have that kind of local ownership of their council and how to put that together.

Peter yes we other than trying to provide some outlines and try to have a broad representation and try to check certain boxes in terms of getting everyone to the table. Beyond that I would love to try to leave it open. Ultimately, this group certifies those local councils. We will let them determine their own fate. You can make it as big as you want.

Dan as you move around the state geographically it's distinctly different and the needs and issues. So many different challenges. Some talk about water storage and others about flooding, or they have other events that happen. So that's where the other local watershed councils will have to do their part and figure these things out and what's most important to them.

Peter-Reading over line 182 & 183 page 7. Same as the state council. Candice asked, is their quorum defined for this council. The majority. so right now 7.

Any more questions. How long would we have to review and provide comments?

Schedule of events March 8th (benchmark) and maybe a week after that.

** April 14th next meeting 1-4.

**April 4th for everyone's edits.

Peter-Do you want me to prepare and put in the interim the proxy matter that the ability to appoint a representative in your state? Okay I will put one together and let you all edit as well. In addition, we will do the same deadline on that.

Dan-What to accomplish this year? We would like to hear the things you would like to tackle. So we can think of agendas. Do we want speakers? What can we do to make these meetings valuable for you? What are the challenges of the people you represent? What are they facing? What are all those things that maybe we should all be thinking about? Obviously drought.

Corey-I envision that a lot of the success and the real action is going to take place on the local level. And have a lot of correspondence back and forth with them and find out what local issues are and to see if we can address those here. See if there are benefits that can also be addressed. I guess that we envisioned that much of the real world problem solving and solutions are going to be implemented on the ground local level and were not going to solve those day to day issues.

Kim-comments I just want to make sure we know how we can incorporate them. Focus on the gains by these groups. I know there's a lot of uncertainty by those groups because of this council and the boundaries don't exactly line up and I just want to make sure we can get them some certainty.

Dan-That would be great. It's been helpful to learn what they're doing and compare notes. That's an idea to have some of those existing groups. And since we have the virtual meeting they could participate.

Marcelle- I really like the idea of having some of the local watershed groups come in and talk about what they are working on and what issues they see. I would like to see a list that showed all those different small basin groups out there. I would like to see more detailed information. Dan said it is something he could put together.

Corey-asked so what is our role here? Versus Todd and your staff?

Todd-I think that when we cross that bridge, having a process of certification that is in your policies and procedures would help address that or standardized it. So you're treating each council certification process the same. Just meeting basic criteria that is outlined in the legislation etc.

Dan-and a thought to add to that in the act it talks about year one goals of having the statewide council up and then having two local watershed councils. I think that might be part of what I could bring when I can give the findings from the assessment. I think if we could find two that represent a lot of the other things going on in the state. It would make it easier for those other councils. I do have two in mind. I could come with that recommendation or thought for you for the next meeting.

Mark-Just wondering if there should be some presence at the Utah Water Users.

Candice-I have been discussing doing a presentation at Utah Water Users. It currently is not on the agenda but we are working on it. I had envisioned Todd or Dan from the State perspective. It would be awesome if one of you were interested in either presenting or being there to talk about it. A watershed council panel is a great idea. We could have Alison send out some information. I guess it would be up to whoever is willing to attend. I love the idea of sharing learning. I think we just so much by having similar facts and understanding and being on the same page.

Peter encouraged everyone to attend the Utah Water users meeting. It's a good place to mingle with the water community.

Candice-The funding issue that this legislation statue did not come with that much funding or for the local watershed councils. I think it could be interesting to have presentations on what those funding sources are and what options they could be, how they could help this council. How could they potentially help local watershed councils and be able to compile those resources for this group and the locals.

Marcelle-It might be interesting for the council to sponsor a session. Have all that recorded and available to all watersheds.

Dan-How does this council engage cities? That question was asked a bunch. Last night in St. George talks about how Water Conservancy districts really don't have any enforcement power, but cities and municipalities can require things. An example I've heard Central Utah water used a few times is about you know they're still cities that require x amount of green grass and grass

parking strips and things like that. So if you have those ideas about changing those things then your best bet is to go to the city municipality. Any thoughts?

Kim-the key is to get local officials involved. We do need to engage everyone. All the decision makers and folks that could influence change. I think that is a good point.

Dan-Do we tap into those existing councils that DEQ has been working with and water quality is working with.

Mark-There's a lot of energy around in water in general and I think one of the things we could do in our next meeting might be to actually review what actually gets passed in the legislature and how it affects what we are doing. One thing we could try if you are familiar with Prep 60 which is 4 major water districts working together on what's called the H2O Collective to try to help contact policymakers. Maybe try to coordinate to get the message out. We don't want to overwhelm the existing groups. We just want to work with them again.

Corey-There are some statewide watershed improvement initiatives. The Sage Grouse work and other things like that. Some might be more of our focus to try to understand to better support and to coordinate with and many other things to tackle on the local level. We really need to support those under Kim. Let's not duplicate things that already are not working. Not waste our time. Just support that and move things forward.

Marcelle-If I could just go back to your city question with the land and water planning integration effort and the workshops that are starting, if there is an opportunity many of these cities and counties may know these local watershed groups that are working. If you already have the information and that could be shared with the consultant who is doing those workshops maybe that can help them with their stakeholder list. That might be a good connection. Another idea maybe later in the year is finding out what is happening cutting- edge in terms of watershed management and hearing from some experts out there, I think would be really fantastic and then getting that information out.

Dan-I had that thought if you have something that's cutting-edge and maybe the rest of the group does not know it would be good to have a person come speak to the group. Candice talked about being a learning organization. I like that idea of always trying to find something new and something we have not thought about.

Candice-Hopefully we will have our snowpack peak on April 1st. So it might be interesting for this group to have a water supply update. If that is something that might be interesting. So we can kind of know what's happening then. I'll offer up the NRCS service. They are great with the snow survey and they do a lot of them.

Warren-I will go over some things with Peter on the rules of operation. I like what I am hearing and I am glad to see this group taking this idea and opportunity and making something of it.

Peter-I do like what I'm hearing today. It started with those ideas of local councils and Warren talked about Colorado. But what got me excited about this group right here? As I was going through the drafts in the initial meetings with Todd and Dave, was the opportunity where we had so many people from different agencies in there and I know several of you in here too, were there. And what we're having is a lot of program people coming up and saying what they are doing with water. And this is what we're doing in watersheds and I learned so much in those meetings. These are people who are doing this day in and day out. Not zero communication but I don't believe they are having enough communication. In this group, I can already see some of the communications and opportunities being observed. It warms my heart and is great to see.

Scott-I was hesitant to bring it up but there are things that come up every year as far as watershed issues. One harmful thing is algae blooms that happen at every reservoir and along the rivers. I would like to get an understanding of how to deal with those. Another one is forest health and forest fire issues and mitigation. It's just a huge concern of everybody that has water or has a watershed. Therefore, at some point, we need to and it would be nice to understand and grasp a little bit.

Dan- That might be an idea, is that we have some of the folks that are launching all that and doing tons of work, that would be a good presenter to come talk. Hopefully Candice, in April, was able to have this fantastic snow report. We may have to alter our agenda and talk about some of those things. This is great. Thanks everybody.

Warren-I'm not council for this but is everyone satisfied with Dan managing the agenda again for purposes of the open public meeting and actually for the next meeting. And should they delegate that to you? So that it is clear that you have that authority from the council.

Dan-That's a good question. Until we have a Chair, I think you are stuck with me.

Comment and feedback-please take a minute and fill out your form.

Todd- please be ready at the next meeting to elect officers. That would be helpful as we move forward and put agenda items together and work with the chair to do that.

Dan-We will get a chair at the next meeting. It will be on the agenda. Put your thoughts on the meeting evaluation form. Give us ideas.

Candice-Thanks to everyone. I know it has been a long meeting and I am really grateful for all of your participation and your willingness to serve on this council. It will be a work in progress and we have a long way to go, but I think it will be worth the effort that it will take and I appreciate your participation. Thanks to everyone who has helped put this together so far, Todd, Rachel, Shannon, and my staff that has worked on it and Wendy and the entire group. Thank you.

The meeting ended at 3:51pm.

