

UTAH WATERSHEDS COUNCIL MEETING  
(Approved) Meeting Minutes  
Department of Natural Resources  
Salt Lake City, Utah  
July 14, 2022  
1:00 PM

**COUNCIL MEMBERS PRESENT:**

Chair Corey Cram, Utah Assoc. of Special Districts	Kris Hamlet, DEM Director (Virtual)
Vice-Chair Scott Paxman, Reclamation Project Rep.	Ken White, USU Extension VP (Virtual)
Joel Ferry, DNR Executive Director	Warren Peterson, Water Attorney (Virtual)
Marcelle Shoop, Environ. / Cons. Groups Rep.	Craig Buttars, UDAF Commissioner (Virtual)
Kim Shelley, DEQ Executive Director	Kim Shelley, DEQ Executive Director
Mark Stratford, Utah League of Cities & Towns (Virtual)	Rikki Hrenko-Browning, Industry Rep. (Virtual)

**OTHERS PRESENT:**

Todd Stonely, DWR Assistant Director	Peter Gessel, Langdon Group
Rachel Shilton, Division of Water Resources	Andy Rasmussen, Langdon Group
Shannon Clough, Division of Water Resources	Dan Adams, Langdon Group
Lanli Pham, Division of Water Resources	Eric McCulley, URMCC
Tom Moore, Division of Water Resources	Norm Evansted, NRCS
Soren Simonsen, Jordan River Commission	Ben Stireman, FFSL
Jodi Gardberg, Division of Water Quality	Bronson Smart, NRCS
Marty Bushman, Legal Counsel	Evan Curtis, GOPD
Scott Morrison, Jacobs Engineering Group	

CHAIR COREY CRAM called the meeting to order at 1:02 p.m. Everyone was welcomed and both council and audience members were recognized and thanked. Assistant Director Todd Stonely announces Joel Ferry's position as the new Executive Director for the Department of Natural Resources as well as a member of the Council.

## Approval of Agenda

CHAIR COREY CRAM makes a motion to approve the meeting agenda as presented at 1:08 p.m. MARCELLE SHOOP moved to approve the agenda as presented, VICE-CHAIR SCOTT PAXMAN seconded, and all approved.

## Land & Water Planning Integration Announcement

Before launching the announcement, Marcelle Shoop provides background information on integrated land and water management planning.

RACHEL SHILTON: I want to introduce you to the Integrating Water and Land Planning Workshops that the Division of Water Resources in conjunction with Forestry, Fire and State Lands, and the Great Salt Lake Advisory Council are promoting.

This workshop is available to municipalities, counties, and communities. It's not an individual-person workshop because it's designed for those communities to gather together to build a plan that they can implement. So, we're looking at having all those players that are important to creating an actionable plan that they will be able to implement in their communities. The information is available on the DWR website.

The Division of Water Resources contracted with a consultancy team that is made up of the Babbitt Center, Western Resource Advocates, and the Center for Water-Efficient Landscaping. CWEL gives us the specifics unique to Utah, so it is customized for our communities and provides that insight and information. This team has vast experience with successful workshops like this in Colorado, Arizona, and New Mexico. This will be the first one in Utah so we are excited to have that inaugural workshop coming up in November.

The workshops are active working groups being engaged in the process. The community comes away with an action plan to develop its planning process and how to implement it. At the close of the workshop, the consultancy provides technical assistance in developing and implementing that plan. I encourage everyone to spread the word among their communities.

CHAIR COREY CRAM: Any Questions for Rachel?

VICE-CHAIR SCOTT PAXMAN: Yes. I see the eligibility for municipals and municipalities and counties, but how about the water providers? Are they invited to this?

RACHEL SHILTON: Absolutely, Scott. That's the intent of this is to get the planning divisions and the water providers to work together.

VICE-CHAIR SCOTT PAXMAN: Let me ask you about the locations. Is that to be determined and will it be at different locations? Or is it three days in the same location or what's to be expected there?

RACHEL SHILTON: The location for this first one is in Salt Lake City. We believe it's going to be at a Utah State University satellite campus in Taylorsville. It will be at the same location for the entire workshop and it is scheduled for mid-November, the 15<sup>th</sup> through the 17<sup>th</sup>. We do ask that the applicant that is accepted that they commit those three days to the workshop. The second workshop will be at a different location somewhere else throughout Utah.

CHAIR COREY CRAM: Okay, so the workshop is a three-day workshop? It's not a repeat, three different days?

RACHEL SHILTON: Right.

CHAIR COREY CRAM: Thank you for the information and the presentation. Thanks for joining us Kim, we appreciate you being here.

WARREN PETERSON: In the presentation that Rachel gave us, you're dealing with some moving targets as we have elections and new people taking office in counties this year. Is the timing of the second workshop such that it will be after January so that new county commissioners will be sworn in by then? Or do we need to make sure they get invited to a workshop before they even take office?

CHAIR COREY CRAM: Marcelle or Rachel, can you address that question? The timing of the second workshop?

MARCELLE SHOOP: The second one would be after the first of the year which is my understanding. So that's the 16<sup>th</sup>/17<sup>th</sup>. So, I don't know that the newly elected officials would be sworn in by then.

WARREN PETERSON: They're sworn in on the first Monday of January, so the second one they should be able to pick up and should be available to them. That's good, thank you.

Chair Corey Cram formally recognizes Warren Peterson as being an official member of the council and then turns the time over to Executive Director Joel Ferry to introduce himself. Following Executive Director Joel Ferry's introduction, Chair Corey Cram introduces the next presenter, Jodi Gardberg.

### DWQ Watershed Management Section

CHAIR COREY CRAM: With our Watersheds Council, we're working to form local councils, but would also like to get information out as to what efforts are in place to support local watershed efforts, improve conditions on the ground, integrate land and water planning, and these kinds of things. So, we appreciate the opportunity to hear more about what we have in the works with water and environmental quality.

JODI GARDBERG: We have three main programs in our section: the Integratory Report, Total Maximum Daily Loads (TMDLs), and the Nonpoint Source Program. I do want to emphasize though, that this is watershed protection from a water quality perspective. Meaning we have rules and regulations that we have to follow.

The latest Integrated Report was in 2022. We do six years of records starting with the water year in 2014 to the end of the water year in 2020. We assessed 15,820 miles of rivers/streams, 774 assessment units that are essentially a watershed, 1,682 monitoring locations, and delisted 47. Now, this delisting is important because this is our measure of success. This means that a water body went from impaired to fully or partially supporting, so that is our measure of success. For lakes/reservoirs we assessed a total of 1.5 million acres (the Great Salt Lake counts for 1.1 million of those acres), 142 assessment units, and delisted 12.

More information about the 2022 Integrated Report can be found at the following website: <https://deq.utah.gov/water-quality/2022-integrated-report> as well as in the PowerPoint presentation given by Jodi Gardberg titled, "*DWQ Watershed Protection Program - Gardberg (7-14-22)*".

The latest TMDL is the Jordan River Watershed Wide *E. coli* TMDL. There were 14 impaired assessment units - Most of the east side tributaries, west side tributaries, and the main stem. This TMDL was different because it was an urban watershed. We usually work in mixed watersheds like urban-rural or only rural. The sources of pollutants are different in an urban watershed than in a rural one. Because of this, we took a different approach and also because the Jordan River system is so hydrologically complex. We took a concentration-based approach meaning all sources will need to meet the water quality standards instream. We found after our analysis that the source was primarily stormwater. So, this will be the first time that we're implementing a TMDL in a stormwater permit.

Some examples of nonpoint source pollution projects that we do are pasture and riparian fencing, off-channel livestock troughs, urban floodplain restoration, and stream restoration. We give out \$2 million in grants every year. \$1.5 million is for nonpoint source projects and the other half million goes to local watershed coordinators in partnership with UDAF.

We also have the Utah Lake Water Quality Study. This is to develop criteria for water quality standards for the lake. It has problems with excessive nutrients. It has large seasonal algal blooms, elevated pH, and then sometimes cyanotoxin production that can make you sick if you recreate in it. We have set out a goal to develop water quality standards (nutrient criteria) to protect the designated beneficial uses.

CHAIR COREY CRAM: So, I guess a question for Jodi is, one of the challenges that we've been tasked to do is to establish local watershed councils. You're out on the ground, your people are out on the ground, we already have existing efforts assessing waters, people doing volunteer sampling and monitoring, establishing TMDLs, and then taking steps to achieve the TMDLs with your grants and these efforts. What can we do to better coordinate with your efforts to achieve our goals?

JODI GARDBERG: There are some groups like the Provo River Watershed Council, East Canyon Creek Committee, and the Weber River Partnership that are long-established groups. They might have started with water quality but they have broadened. So there has to be some synergy between the councils that you're creating and these long-standing groups and I've heard some really interesting ideas. The Weber River Partnership suggested a subcommittee of the partnership that would become the Weber River Watershed Council, which is a fantastic idea. Having some way of bringing these

interested entities into the council and making sure that they're heard and that the issues that they're facing are heard, whether they can bring it to the Council or the Council brings it to them by some process of communication.

CHAIR COREY CRAM: Thank you. Any other questions for Jodi?

WARREN PETERSON: When we receive excellent information like this, do we have access to these presentation slides?

CHAIR COREY CRAM: Todd will email that out to the committee and put it on our Council records.

Chair Corey Cram proceeds to introduce the next presenters, Norm Evansted and Bronson Smart who will be presenting about the programs and grants that they have.

### NRCS Watershed Programs and Grants

CHAIR COREY CRAM: There are a lot of good things going on out there and we need to make everyone aware of that and do our best to take advantage of it. These guys are incredible at leveraging funds and working with people and there is a lot we can learn from here.

BRONSON SMART: Thank you Corey for inviting us, and thank you to everyone for joining. Our watershed programs operate a little differently. They require an entity of government to sponsor a project. Over the last 15 years, we're up to around \$350 million or so invested in Utah through our emergency watershed program following fires, floods, and natural disasters. With our active projects, we're currently around \$65 million. These projects are here to rehabilitate the landscape and prevent issues like this from happening. NRCS pays 75% and the local communities pay 25%.

Another part of our watershed program is our dam rehabilitation program. We've rehabilitated 21 dams across the state. We've built our watershed programs kind of around these two programs with our emergency watershed programs and our dam rehabilitation programs.

JOEL FERRY: While we are on the emergency side of things, you talk about kind of the rehabilitation side, so the back-end after a flood has occurred. We currently have an active situation where we've got fires in Stockton and then up above Fillmore, we anticipate that there will be flooding and some work that needs to be done. Is that something that you could help participate in now?

BRONSON SMART: Yes. Yesterday our guys were in a meeting down in Fillmore.

JOEL FERRY: So preventative measures not just clean up? I'm talking upfront stuff so that we don't have such damage occur to prevent some of these things to a certain extent.

BRONSON SMART: Yes, certainly. Congress added funding again to our watershed programs and that's the preventative program just like you're talking about, Director.

Norm Evansted proceeds by presenting information on the Watershed Protection and Flood Prevention Program.

NORM EVANSTED: With this program, we need to have a sponsor. So, we need a city entity, a county entity, a water conservancy district, or a sponsor like that to run the funds through. So that's one of the first things we must do to move forward with a project. The sponsors carry the project out, it's not an NRCS project. We work hand in hand with an applicant or a group of partners that are part of the project, and then NRCS in turn carries out the technical and the financial end of the program. We pay for 100% of all the technical services like the engineering, investigation, and inventory work.

More information about the current projects and PIFRs can be found in the PowerPoint presentation given by Bronson Smart and Norm Evansted titled, "NRCS Watershed Programs - Evansted & Smart (7-14-22)".

### **Watershed and Flood Prevention Operations: Federal Cost Share by Purpose**

<b>Purpose</b>	<b>Engineering</b>	<b>Construction</b>
Flood Prevention	100%	100%
Watershed Protection	100%	Varies
Fish/Wildlife/Public Rec.	100%	Up to 50%
Agricultural Water Mgmt.	Up to 100%	Up to 75%
M&I Water Supply	0%	Up to 50%
Water Quality Management	Up to 100%	Varies
Rehabilitation	Up to 100%	Up to 100%

For more information about the NRCS Watershed Protection and Flood Prevention Operations Program, please refer to the shared document titled, "NRCS\_WatershedFloodPrev\_Fact Sheet-2021".

### **Projects: Cove Reservoir**

This is a proposed dam that's down just right outside of Orderville. Washington County Conservancy District and Kane County Water Conservancy District are the sponsors. We are looking at about 6,000+ acre-feet that are proposed for storage. This project started as an EA and got through a draft, and then with the public comment we had to go into an EIS format.

### **Spanish Fork Watershed**

Utah County is the sponsor for this project. Several flood control dams, diversions, irrigation infrastructure, and stream bank protection structures have been proposed.

### **Lower Price River (Olsen Reservoir) Carbon Canal**

The Utah Division of Wildlife Resources is the sponsor for this project. This is an environmental assessment where we're looking to improve the canal and delivery systems, and then install a new dam right below the old dam. We're essentially going to be improving the wildlife habitat there with Olsen Reservoir. We're doing access road improvements as well to help with better access to the

reservoir and recreation components that the reservoir will provide. We're getting toward the end of the EA on this one.

### **Santaquin City Watershed**

We have five debris basins that were proposed on the east bench to help protect that community. Those are now under design. We made it through the EA and it's been finalized and authorized and so we're underway with the final design of those structures.

### **Pleasant Creek Watershed**

Mount Pleasant City is the sponsor for this project. We're looking to help restore the two debris basins here and then the upper debris basin we're looking at converting it into a storage reservoir with a number of acre-feet to help provide Ag water or secondary water into Mount Pleasant.

### **Cottonwood Creek Watershed (Joes Valley Reservoir)**

Emery County is the sponsor for this project. It is currently in an EA draft plan status. The community pushed us to see if there's something that could be done to help with the sediment delivery into Joe's Valley Reservoir because they're concerned for their water supply, drinking water supply, and all the aspects of having a large reservoir.

This gives you an idea of the type of projects that we can work with. This program is broad and has a lot of authority so we can get involved with a variety of different projects. Any questions?

CHAIR COREY CRAM: You mentioned that the PL566 is soft money, so you have to go through various stages and congressional authorization, right? First, authorize the project, then authorize engineering and environmental work, and then authorize construction. Is that kind of the way it all works?

NORM EVANSTED: Yes, that's the progression. We go from that preliminary report, and then from there we decide if there is enough information to move forward with planning, and then we submit a request for a plan - an EA, or an EIS. Once that is completed and authorized, we put in another request for the final design. Then, once that final design is done we go after construction, so it's three phases.

## **Formation and Certification of Local Councils (Update)**

Dan Adams gives an update on his efforts and work on the ground to create, form, and certify local watershed councils.

DAN ADAMS: The potential candidates for 2022 are the following:

- Bear River
- Jordan River

- Weber River
- Uintah Basin

The Bear, Jordan, and Weber are the three that we're the most focused on right now. I also met with the BLM State Office and they would like to participate and be involved with the local watershed councils. The pathway for federal agencies and specific tribes is through the local councils.

**Bear River Response/Update:** Slow down. Looking at Fall 2022 for convening a council.

RIKKI HRENKO-BROWNING: Can you share a little bit more detail as to what concerns need to be addressed more or what's driving that slowdown response from Bear River?

DAN ADAMS: I think part of it is people wonder, what is the real intent of watershed councils? What's the value? Is it just another meeting? What does that first year look like? I think if we can help these watershed councils to kind of have a vision of what that first year looks like and what it looks like after that, I think it'll be a way to help them envision how they and their constituency can fit in with that resource and process.

**Weber River Response/Update:** Weber River Partnership playing host and having the Watershed Council as a standing sub-committee of the Partnership. Possible January 2023 Symposium convening.

VICE-CHAIR SCOTT PAXMAN: For the Weber River Watershed Council, I think that Weber River Partnership should be under the Watershed Council, not the other way around.

**Jordan River Response/Update:** Merge the Jordan River Commission with the Jordan River Watershed Council.

#### Next Steps:

- Draft Year One Council Onboarding Process and Schedule.
- Continue to convene Bear, Jordan, and Weber's Stakeholders.

WARREN PETERSON makes a motion to establish a group to explore and come back with recommendations for what certification looks like and what we are expecting at 2:34 p.m. VICE-CHAIR SCOTT PAXMAN seconded, and all approved.

Kim Shelly, Warren Peterson, and Vice-Chair Scott Paxman are the representatives from the Council that will be participating in the group committee alongside Todd Stonely, Dan Adams, the Langdon Group, and staff resources.

CHAIR COREY CRAM: We'll follow up with our next meeting to talk about an update on formation and recommendations from this group on what certification means.

Public comments?

ERIC MCCULLEY: I'd like to comment on the Jordan River. I've been working on the Jordan River for 28 years. Over that time, there's been so much work done as far as process and getting these groups



set up like the Jordan River Commission. While there's a lot to do on the Jordan River, I think it's a great place to work through this. As was mentioned, a lot of the entities are already represented, there are a lot of people already at the table, and significant capacity that's already been developed. Working through the details with Soren and the Jordan River Commission is a good idea.

RIKKI HRENKO-BROWNING: Dan, you originally had the Uintah Basin group on the list, but then with the groups that you suggested we focus on for proceeding, they were not on the list. Just a little curious about why – if they just need more time to form together with all the stakeholders or what the differentiator there was.

DAN ADAMS: I think it's going to be quite easy for a lot of the other watershed councils and the locals to come together after we get the certification process and what that first year looks like going. So, I think it was just a matter of scalability.

SOREN SIMONSEN: We have enjoyed meeting with Todd Stonely and Dan Adams several times over the course of the last year. We are excited to see this process coming to fruition that was envisioned when the legislature first started talking about it. In my recent conversation with Dan Adams about an October timeframe for trying to present the commission, we're not bound to that if there's more time needed to think about your processes. I want to thank this Council and the work that you're doing and we look forward to contributing to that however we can in the coming months and into the future. So, thank you.

WARREN PETERSON: One thing we might consider putting on the agenda too, is whether we've reached the point of needing any amendments to the act during the coming year. That might be a worthy topic for discussion in the October meeting.

### Wrap-up & Confirm Next Meeting

CHAIR COREY CRAM: Our next meeting was on October 13<sup>th</sup> and I understand that we have some conflicts.

After discussion with members of the Council, the next meeting is scheduled for Wednesday, October 5<sup>th</sup> at 9:00 a.m.

TODD STONELY: I had a programming note. You might have noticed that we didn't have the minutes available for review. If it's okay with you Chairman Corey Cram, can we bring this meeting and the April 14<sup>th</sup> meeting notes and have them distributed prior to our next meeting?

CHAIR COREY CRAM: Sounds good. We'll do two for one at our next meeting.

CHAIR COREY CRAM motioned to conclude, VICE-CHAIR SCOTT PAXMAN seconded, and all approved.

The meeting ended at 2:51 p.m.