

[Approved] UTAH WATERSHEDS COUNCIL MEETING MINUTES

April 4, 2024

1:00 p.m. - 3:00 p.m.

Department of Natural Resources Auditorium
1594 W. North Temple
Salt Lake City, UT

Council members present:

- **Scott Paxman**, Chair, Reclamation Projects
- **Nathan Daug**s, Bear River Watershed Council
- **Marcelle Shoop**, Environmental and Conservation Groups
- **Warren Peterson**, Water Attorney
- **Sterling Brown**, Utah Lake Watershed Council
- **Robert Moore**, Utah Association of Special Districts
- **Kim Shelley**, Department of Environmental Quality
- **Rick Smith**, Weber River Watershed Council
- **Laura Briefer**, Jordan River Watershed Council
- **Brett Palmer**, West Desert Watershed Council
- **Kris Hamlet**, Division of Energy Management (virtual)
- **Andy Nickle**, Sevier River Watershed Council (virtual)
- **Michael Noel**, Kanab Creek/Virgin River Watershed Council (virtual)
- **Kelly Pehrson**, proxy for Craig Buttars, Department of Agriculture and Food (virtual)
- **ValJay Rigby**, Farm Bureau

Others present:

- **Todd Stonely**, Division of Water Resources (DWRe)
- **Carly Payne**, DWRe
- **Christie Hansen**, Bear River Watershed Council
- **Marty Bushman**, Attorney General's Office (virtual)
- **Eric McCulley**, Jordan River Watershed Council
- **Brett Prevedel**, Uintah Watershed Council (virtual)
- **Rachel Shilton**, DWRe (virtual)
- **Brandon Yardley**, Cedar/Beaver Watershed Council (virtual)
- **David Jessop**, Kanab Creek/Virgin River Watershed Council
- **Michael Sanchez**, DWRe
- **Teresa Wilhelmsen**, State Engineer
- **Shannon Clough**, DWRe
- **Soren Simonsen**, Jordan River Watershed Council
- **Paul Monroe**, West Desert Watershed Council
- **Jordan Nielson**, Utah Lake Watershed Council, Trout Unlimited

Council members not present:

- **Joel Ferry**
- **Dustin Jansen**
- **Ken White**
- **Victor Iverson**
- **Mark Stratford**
- **Rikki Hrenko-Browning**
- **Scott Chew**

Meeting Minutes

1:05-1:09 - Welcome and introductions

Chairman Scott Paxman conducted the meeting and led introductions of attending council and audience members. There was one proxy member: Kelly Pehrson was proxy for Craig Buttars. Paxman confirmed that the council had a quorum present. He also announced that the Division of Water Resources hired Carly Payne as the Watershed Councils Coordinator.

1:09-1:11 - Approval of minutes, January 18, 2024 meeting

Sterling Brown moved to approve the January 18, 2024 minutes. Marcelle Shoop seconded the motion. Warren Peterson suggested two changes: correction of a typo and a clarification that the Chair did not ask “each council member” to submit a nomination for Vice Chair, but “any council member interested”. With those corrections, the motion to approve the minutes passed unanimously.

1:11-1:18 - Election of Vice Chair

Chairman Paxman received five nominations for Vice Chair: Sterling Brown, VallJay Rigby, Warren Peterson, Marcelle Shoop, and Rikki Hrenko-Browning. There were no additional nominations received during the meeting. Carly Payne distributed a ballot to each council member in the room. Council members participating virtually texted their votes to Carly.

None of the nominees requested to be removed from the ballot, but Marcelle Shoop noted that her term on the council will expire at the end of this year. Warren Peterson moved to close the nominations for Vice Chair. Nate Daugs seconded the motion and it passed unanimously.

Warren Peterson gave a reminder that the selected candidate must receive votes equal to or greater than a majority of the members to qualify as an official action of the council. Payne gathered and counted the ballots while the meeting continued.

1:18-1:40 - Certification of the Cedar/Beaver Watershed Council

Brandon Yardley attended the meeting on behalf of the Cedar/Beaver Watershed Council. Marty Bushman from the Attorney General's Office previously reviewed the council's application documents and had some clerical notes, but he did not see anything that would interfere with certification. One such note was that they should ratify the appointment of their officers after certification.

Warren Peterson and Bushman recommended that the council write "a majority of the members" instead of a specific number to account for potential changes to council membership in the future. Peterson also suggested a reorganization and reclassification of some of the listed members, including removal of the "Local Sponsors of Reclamation Project" seat.

Sterling Brown questioned the relevance of two governmental representatives under "Industry". Paul Monroe, an active attendee at the Cedar/Beaver Watershed Council, responded that those two members' day jobs are in industry. Laura Briefer added that governmental entities represent all their constituents, including industry.

The Utah Watersheds Council (UWC) discussed the possibility of the Cedar/Beaver Watershed Council adding a dedicated seat for "Groundwater Interests" to better fit the watershed's needs. Brown also suggested re-examining the placement of members under "Water Planning and Research Institutions" and "Agriculture" to better fit their expertise.

Warren Peterson moved to certify the Cedar/Beaver Watershed Council with the recommendation that they make adjustments to their organizing documents as appropriate to meet their local circumstances and ratify the appointment of their officers at their next meeting. Rick Smith seconded the motion and it passed unanimously.

1:40-1:41 - Election of Vice Chair (continued)

Sterling Brown had the most votes, but not enough to constitute a majority. Warren Peterson had the second most votes. Chairman Paxman asked to conduct a second round of voting with only those two names in the hopes that one candidate would have a majority. Voting was conducted in the same manner as before.

1:41-2:00 - Legislative update

Kim Shelley gave an overview of bills from the 2024 legislative session that affect the DEQ. Warren Peterson provided additional information on HB 280 and its effects on multiple entities, and the council discussed the bill's impact on watershed councils and the State Water Plan. Peter Gessel was unavailable to attend to provide an update on bills that affect the DNR. Todd Stonely gave a brief summary in his place, followed by council discussion.

2:14-2:15 - Election of Vice Chair (continued)

Sterling Brown had a majority of eleven votes. Warren Peterson moved that the council approve Sterling Brown as Vice Chair. Laura Briefer seconded the motion and it passed unanimously.

2:15-2:25 - Open time for local councils

Eric McCulley, Chair of the Jordan River Watershed Council, expressed appreciation for the watershed councils and the associated partnerships and interactions across the watersheds. He gave an overview of the Jordan River Watershed Council's areas of focus. He proposed a future statewide Watershed Council Symposium to discuss issues and opportunities in the watersheds.

Laura Briefer added that the Jordan River Watershed Council had met prior to this meeting and had a great discussion with Deputy Great Salt Lake Commissioner Tim Davis. She recommended that other councils invite Davis to their meetings as well.

Mike Noel, UWC representative from the Kanab Creek/Virgin River Watershed Council, gave an update on the development of off-stream reservoirs along the Virgin River.

2:25-2:28 - Finalize the schedule for local council reports

Scott Paxman announced the schedule for local watershed councils to report to this council:

- July 11 - Bear River, Weber River, Utah Lake
- October 9 - Jordan River, Uintah, West Desert
- January 2025 - Kanab Creek/Virgin River, Sevier River, Cedar/Beaver
- Spring 2025 - West Colorado River, Southeast Colorado River, GSL

Mike Noel invited the UWC to Kane County for the January 2025 meeting.

2:28-2:36 - Public comments

Nathan Daug's asked about the status of the Great Salt Lake (GSL) Watershed Council. Todd Stonely reported that Commissioner Brian Steed told DWRe leadership that he wants to pursue legislation to have the Great Salt Lake Advisory Council (GSLAC) double as the watershed council. In response to this, WRe leadership advised the DWRe's consulting group not to move forward in organizing the GSL Watershed Council for the time being.

Soren Simonsen noted that it would be valuable to have the appointed GSL representatives from the five existing councils within the GSL basin be involved in those discussions.

Warren Peterson expressed his discomfort with slowing down the creation of the GSL Watershed Council because it is statutorily mandated. He believes the current chair of GSLAC would be open to constructive discussions with an established GSL Watershed Council. Scott Paxman agreed and expressed hope that we don't have to wait until the 2025 legislative session to figure out the GSL Watershed Council.

Christie Hansen, Bear River Watershed Council Chair, relayed concerns from her council members that not allowing the five watershed councils within the basin to sit on the GSL Watershed Council would remove some stakeholders from the conversation who may hold majority water rights.

2:36-2:46 - Administrative updates

Todd Stonely shared some draft logos for the state and local watershed councils. He also suggested that Rachel Shilton's section could give a presentation on incorporating water into General Plans at the next meeting.

Stonely discussed Carly Payne's new role as the Watershed Councils Coordinator and her new reporting structure in the Division. Scott Paxman encouraged agenda items and other suggestions to go directly to Payne with himself copied.

2:46 - Wrap up & confirm upcoming council meeting

The next meeting will be on July 11, 2024. Warren Peterson moved to adjourn. Nathan Dausg seconded. Meeting adjourned at 2:47 pm.

