

[APPROVED] UTAH WATERSHEDS COUNCIL MEETING MINUTES

July 11, 2024

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

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

Meeting recording: https://www.youtube.com/live/11Hbl7o3_z0

Council members present:

- **Scott Paxman**, Chair, Reclamation Projects
- **Joel Ferry**, Department of Natural Resources
- **Nathan Daug**s, Bear River Watershed Council
- **Marcelle Shoop**, Environmental and Conservation Groups
- **Warren Peterson**, Water Attorney
- **Sterling Brown**, Utah Lake Watershed Council
- **Dustin Jansen**, Division of Indian Affairs Director
- **Kris Hamlet**, DEM Director
- **Candice Hasenyager**, non-voting member, Director of Water Resources
- **Michael Noel**, Kanab Creek/Virgin River Watershed Council
- **Peggy Killian**, Uintah Watershed Council
- **Teresa Wilhelmsen**, non-voting member, Director of Water Rights
- **Rick Smith**, Weber River Watershed Council
- **Soren Simonsen**, proxy for Laura Briefer, Jordan River Watershed Council
- **Rikki Hrenko-Browning**, Utah Petroleum Association
- **Brett Palmer**, West Desert Watershed Council
- **Kim Shelley**, Department of Environmental Quality
- **Craig Buttars**, Utah Department of Agriculture and Food
- **Robert Moore**, Utah Association of Special Districts
- **Mark Stratford**, Utah League of Cities & Towns

Others present:

- **Todd Stonely**, Division of Water Resources
- **Carly Payne**, Division of Water Resources
- **Summer Dawn Shumway**, Division of Water Resources
- **Marty Bushman**, Attorney General's Office
- **Eric McCulley**, Jordan River Watershed Council
- **Brett Prevedel**, Uintah Watershed Council

- **Rachel Shilton**, Division of Water Resources
- **Brandon Yardley**, Cedar/Beaver Watershed Council
- **Bill Winfield**, Southeastern Utah Watershed Council
- **Kevin Cotner**, West Colorado River Watershed Council
- **Cody Allred**, West Colorado River Watershed Council
- **David Jessop**, Kanab Creek/Virgin River Watershed Council
- **Ashley Sampson**, Division of Water Resources
- **Kerry Cook**, West Colorado River Watershed Council
- **Mack McDonald**, Southeastern Utah Watershed Council
- **Trisha Hedon**, Southeastern Utah Watershed Council

Council Members not present:

- **Tammy Pearson**
- **ValJay Rigby**
- **Victor Iverson**
- **Andy Nickle**
- **Ken White**

Meeting Minutes

1:04-1:06 - Approval of minutes, April 4, 2024 meeting

Rick Smith moved to approve the April 4, 2024 minutes. Brett Palmer seconded the motion and it passed unanimously.

1:06-1:08 - Welcome and introductions

Chairman Scott Paxman conducted the meeting and led introductions of attending Utah Watersheds Council (UWC) and audience members. Soren Simonsen said he was attending as proxy for Laura Briefer. Candice Hasenyager, Division of Water Resources Director, and Teresa Wilhelmsen, Division of Water Rights Director and State Engineer, officially joined the UWC on May 1 as non-voting members. Peggy Killian from the Uintah Watershed Council said she had been selected to replace Scott Chew as the council representative.

1:08-1:13 - Decision regarding January 2025 meeting location

Chairman Paxman opened discussion regarding the January 2025 UWC Meeting. At the April 2024 meeting, Mike Noel proposed that the January 2025 meeting take place in Kane County. The Kanab Creek/Virgin River Watershed Council will be presenting and Noel has offered to provide a tour. The council tentatively agreed to host the meeting in Kane

County. Carly Payne will coordinate the schedule.

1:13-1:50 - Certification of the West Colorado River and Southeast Colorado River Watershed Councils

West Colorado River Watershed Council

Cody Allred, Kerry Cook, and Kevin Cotner attended the meeting on behalf of the West Colorado River Watershed Council. Cody Allred presented to the UWC. Due to the large geographic area of the council, the council members felt it necessary to create two regions within the council, each with one co-chair. The regions will divide along the northern border of Wayne County, with the intention of alternating between regions for meetings.

Marty Bushman from the Attorney General's Office reported that he previously reviewed the council's application documents and had some clerical notes, but did not see anything that would interfere with certification. He felt comfortable with the council having two co-chairs. He also clarified that the local council's organizing document did not need to require members to specify whether they would appear in-person or electronically for meetings, as this is no longer required by statute.

UWC council members suggested a few changes to the local council's organizing documents, such as there are no Bureau of Reclamation projects in the watershed, so the category can be removed from their organizing documents. Kim Shelley requested they add the local Division of Water Quality Watershed Coordinator as a liaison. Robert Moore noticed a typo in Section 9A, which Mr. Allred confirmed they will correct. Bushman commented on the language in the document referencing how long a proxy can serve, and Marcelle Shoop asked if the Utah Watersheds Council had the same language in their documents. Chairman Paxman stated this could be followed up upon if any issues arose. Warren Peterson moved to certify the West Colorado River Watershed Council without qualification or condition, with the understanding that the certified council can go back and make changes to their document at a future date. Soren Simonsen seconded the motion and it passed unanimously.

Southeast Colorado River Watershed Council

Bill Winfield, Trisha Hedin, and Mack McDonald attended the meeting on behalf of the Southeastern Utah Watershed Council. Bill Winfield presented to the UWC. Like the West Colorado River Watershed Council, they decided that the council will have two regions, divided by the border between San Juan and Grand Counties, each with a co-chair. They will alternate meeting locations between the two regions. They are awaiting confirmation from two potential members.

Edits to the certifying documents were discussed, including correcting two names on the list, as well as adding the word “business” to the top of page 8 where it should specifically reference “council business.” There was deliberation regarding the proposed name change from Southeast Colorado River Watershed Council to Southeastern Utah Watershed Council. Mr. Winfield clarified the purpose for the name change was to differentiate from the state of Colorado, highlighting this council’s location in Utah. UWC members discussed whether having a different name than the watershed itself may cause confusion. Mr. Bushman pointed out that by statute it would still be referred to as the Southeast Colorado River Watershed Council within any legal context. An idea was presented to have the council identify the watershed’s legal name in Section 1 of their organizing documents to clarify the distinction between the watershed and the council name.

Warren Peterson moved to certify the Southeastern Utah Watershed Council, including the change in name, with the word “business” being added to the certification documents.

Sterling Brown seconded the motion, also requesting the motion include direction to the Department of Natural Resources to approach a legislator to conduct a bill to clean up language so that documents at all levels could have matching verbiage. It was suggested this motion be made separate from the certification motion. Carly Payne reminded the council that they could not make a motion during this meeting that had not been included in the agenda. It was noted to put this requested change as an agenda item for the next meeting. The motion to approve the Southeastern Utah Watershed Council’s certification passed unanimously.

Chair Paxman mentioned recent discussion at the Great Salt Lake Advisory Council meeting regarding other related changes to the Watershed Councils Act.

1:50 - 2:00 Discussion regarding Legislative Involvement

Todd Stonely mentioned that as part of its annual report to the legislature and governor, the UWC has the opportunity to present any suggestions regarding policy and other matters, as well as highlight state and local watershed council accomplishments over the past two years. Mr. Paxman announced that anyone who would like to be involved in drafting the report should reach out to himself, Todd Stonely, and Carly Payne. Rick Smith mentioned that this report is where requests for language change in the Act and other concerns can be housed.

Chairman Paxman stated that Carly Payne will be the point of contact for the report. It was requested that Ms. Payne ask local watershed councils to have similar discussions at their council meetings and submit any recommended changes or concerns to this group to be added into the report. They also requested that Ms. Payne review previous UWC meeting minutes to gather any legislative changes, recommendations, and concerns for discussion at the October meeting.

Todd Stonely also added that in addition to the council's annual report, the review of the Watershed Councils Act by the Natural Resource and Environment Interim Committee is scheduled to begin no later than October 1 of this year. The interim committee shall submit a report of its recommendations by January 1, 2026. As part of this review, the committee will seek input from the UWC on "the public purposes and interests for which the councils were originally created and whether those public purposes and interests are still relevant and are being adequately addressed through the councils".

2:00-2:50 - Reports from Bear River, Weber River, and Utah Lake Watershed Councils

Bear River Watershed Council

Nathan Daug's represented the Bear River Council. Currently, he said, the chair and vice

chair seats are empty. They hope to fill those seats at the next meeting. The council has had eight meetings and two tours: one tour with the Bear River Canal company to look at canal automation systems and agricultural optimization projects by farmers in the region, and another tour of the Logan River system and USU Water Research Lab.

Mr. Daug's also commented that they have had some discussion on legislative matters, one being the status and future composition of the Great Salt Lake Watershed Council. The council has provided assistance to the Division of Water Resources' technical groups for the Great Salt Lake Basin Integrated Plan (GSLBIP), with the division stating they hope to do this type of collaboration with all local councils.

Jordan River Watershed Council Chair Eric McCulley asked if there was a plan for involvement with the Bear River Project and the Division of Forestry, Fire and State Lands to evaluate the watershed. Mr. Daug's stated that the council has neither coordinated nor spoken with either of these developing plans. Mr. McCulley stated that watershed councils would be a perfect fit for technical advisory groups to future projects and if there had been any discussion regarding the in-stream functional flows work group. Mr. Daug's responded that he has attended the meetings and they should be producing a report for the council to review.

Weber River Watershed Council

Rick Smith represented the Weber River Watershed Council. He said they have focused on getting to know each other and understanding each other's concerns. They have held two tours, including Ogden Bay and river management of the Weber River. In addition, the council has hosted various presentations, including the GSLBIP, the history of water management in the basin via Weber Basin Water Conservancy District and the Davis and Weber Counties Canal Company, beaver dam analogs and the Sageland Collaborative, and more. There is a scheduled tour of the Upper Weber Watershed and the Weber-Provo Diversion in September.

Utah Lake Watershed Council

Sterling Brown represented the Utah Lake Watershed Council. Mr. Brown reported that council members have had two meetings and four tours. Tours have included: Jordan River Pump House, sewer district, Utah Lake shorelines, Deer Creek dam, Spanish Fork River drainage, and Provo City Aquifer Storage and Recovery. Mr. Brown stated that their council is fully staffed and attendance is strong, but they do not yet fully understand their purpose and would like direction in that regard.

Chairman Paxman thanked the councils for their reports.

Open discussion of the UWC's' recommendations ensued. Representatives from local councils stated they believe they are fulfilling their purpose but need time to develop and progress. They would like to be reminded of their purpose and agenda, what the legislative mandate is, and what the "end goal" looks like. Other UWC members expressed that the "end goal" should be driving recommendations to the UWC and Legislature. It was suggested that there is appreciation of goal sharing among the local councils, along with direction, objectives and other information.

Following information in Mr. Brown's presentation, several council members discussed the Spanish Fork River, stating that all partners want a comprehensive plan for its future but are reluctant to commit time and resources to developing and implementing a plan. Comments about how local fires impact these issues were also mentioned, specifying a need for more interest in the source cause of all the fires and resulting runoff, eventually leading to conversation about how the public lands are managed. It was suggested that these issues be placed on a future agenda and perhaps involve other state and federal entities.

Todd Stonely asked the presenters if they were experiencing good participation from both state and federal agencies as liaisons to their councils. They all responded affirmatively. Mr. Stonely also mentioned how valuable the councils are for the Division of Water Resources and commented on how they have opened up a whole new connection to local watersheds that wasn't previously there, and asked how they would feel about working with Water

Resources to provide local content for the State Water Plan that is set for completion by the end of 2026. It was stated they want to contribute, but it would be challenging while they are still trying to gain their own understanding of their purpose and goals.

Joel Ferry asked what could be done to encourage local input to the State Water Plan. It was then suggested that Water Resources staff attend local meetings to present and discuss the specific items on which they are seeking input. Structured guidance was discussed, with local council representatives stating that specific questions would be helpful. Director Ferry stated that the end goal of the department's involvement would be to alleviate burden and to provide direction.

Bill Winfield stated that the watershed councils feel overloaded, and that they would greatly appreciate increased assistance via a state-funded administrative support position for each council.

Candice Hasenyager expressed her support for the local watershed councils and the desire for Water Resources to work with them without adding additional burden. The Division wants to understand their challenges and get their thoughts and feedback to be incorporated into the State Water Plan.

2:50 - 2:50 Public Comments

There were no public comments.

2:50 - 2:55 - Administrative Updates

Todd Stonely gave the following administrative updates:

- As a public body, this council is required to have annual training on the Open and Public Meetings Act. A brief training was suggested for the October agenda.
- With the addition of Candice Hasenyager and Teresa Wilhelmsen as non-voting members, the council's Rules of Order and Procedure may need to be modified. Carly Payne will make suggested revisions and provide them at the next meeting.

- Payne is writing a guiding document for local watershed councils, which will be shared with this council for review before distribution.
- The division has developed logos for each watershed council. Payne will send out a survey for feedback. After logos have been chosen, a style guide for use will be distributed to each council.

2:55-2:59pm - Wrap up & confirm upcoming council meeting

Chairman Paxman stated the next meeting will be on October 9th 2024 at 1pm. He also requested to present a draft legislative report at this meeting. He stated that Jordan River, West Desert, and Uintah Watershed Councils will present at the next meeting.

It was stated that if local councils would like to share information or ideas, to work with the Watersheds Councils Coordinator to distribute any ideas among all councils. The possibility of having future workshops at this council meeting was proposed. Nathan Daugs moved to adjourn and Soren Simonsen seconded. Meeting adjourned at 2:59 pm.