MINUTES
EMERY COUNTY PUBLIC LANDS COUNCIL
MARCH 3, 2020
EMERY COUNTY COURTHOUSE
SWELL CONFERENCE ROOM

PLC: Rod Player, Ed Geary, Sherrel Ward, Kim McFarlane, Leon McElprang, Laren Huntsman, Les Wilberg, Ben Grimes, JR Nelson

PL STAFF: Ray Petersen, Commissioner Gil conover, Commissioner Lynn Sitterud, Commissioner Kent Wilson, Carol Cox

EXCUSED:

PUBLIC: Dana Dean (OGM), Gordon Rowe (Attorney General), Steve Christensen (OGM), John Baza (OGM), James Wells (State Parks), Craig Johansen (EWCD), Darren Olsen (USFS), Larry Johansen (State Parks), Greg Funk (ECSO), Chuck Lawrence (DWR) Marc Stilson (DiWR), Bryan Torgerson (SITLA), Nate Roberts (UDAF), Tyler Wiserman (SITLA), Ryan Jones (UDAF), Chris Wood (DWR), Chris Conrad (BLM), Clay Crozier (Senator Romney Staff), Kim Birkinshaw, Kevin Allbrecht, citizens: Nick Manning, Kim Edgehouse, Dennis Fuller, Tracy Addley, Cliff Snow, Doris Quinn, Wayne Pahl, Dennis Behling, Jordan Leonard.

WELCOME:

APPROVAL OF MINUTES: Motion to approve the minutes of the February 4, 2020 was made by Les Wilberg, seconded by Ed Geary and the motion passed.
Rod Player commented that BLM is preparing an environment impact statement revising the grazing regulations. Comments are due in 2 days. At 1:00 today in the Box Conference Room there will be an opportunity to see what is proposed for the Old Spanish Trail. Rob Sweeten, Old Spanish Trail Administrator and two interns Carly Lansche and Isabel Lingenfetter will provide information on proposed plans for the trail.

COMMISSION REPORT ON EMERY LAND BILL: Ray Petersen reported that the Advisory Council application period has ended. BLM received 15 applications. These applications will go through their process to determine who is on the Advisory Council. Ray reported that he, Commissioner Wilson, Brady Shepard from P.L.P.C.O met with the State BLM office last week. The director has retired so they met with the acting director to outline what Emery County feels is high priority regarding the Dingel Act.

TYLER WISEMAN, SITLA: HELIUM POTENTIAL IN EMERY COUNTY: Tyler Wiseman, SITLA gave a presentation regarding Helium potential in Emery County. Tyler has a Bachelor Degree in Geology and a Master Degree in Geo Science. He talked about the Helium potential in Emery County. He gave a brief history of Helium in the area. He talked about uses for helium and it's potential resource for industry, manufacturing and technology.

JAY HUMPHREY, EWCD: JOE'S VALLEY DAM CONVEYANCE: Craig Johansen explained that four years ago EWCD started the process of obtaining title of the Emery County Project- Joe's Valley Reservoir-Cottonwood Canal, Huntington Reservoir and facilities. The Emery County Project, which includes Joe's Valley and these other facilities, is the most significant economic resource that Emery County has. It provides a secure water supply for our cities, industry, and agriculture. In the last 10 years agriculture has spent nearly 200$million dollars in this county improving irrigation facilities. Joe's Valley is the central mechanism to make that work. We have a unique opportunity to make sure this resource is in the hands of the county. The window of that opportunity is upon us. The operation of the facility will not change. The District is in charge of the operations and maintenance and replacement of these facilities. The Forest Service has jurisdiction of recreation and wildlife. That will not change. He commented that they are here today to present where they are with the process and solicit the support of the Public Lands Council and hopefully receive a letter of support from the Lands Council for this effort.
Jay Humphrey, Manager for the District for 33 years explained the reason for the title transfer. He provided a brief history of the Emery County Project/Joe's Valley Reservoir. In 2016 the district paid off all the contractual obligations to the Federal Government for the construction cost that they were obligated to pay. Responsibility for repairs to the dam and the other facilities lies with the owner. This is one of the biggest reasons for needing transfer of title to the County. Without ownership of the title they cannot make costly repairs to systems that require a loan to pay for rather than relying on the unpredictable federal appropriation process. Ownership of the title would provide better, more efficient management of the asset. If there is surplus water we can control the use and where it goes. Assets are critical to the financing of replacement cost. You cannot get a loan if you do not own the asset. The timing is good because they have paid off all the obligated construction costs. They have operated the dam for 55 years. Technology over the years has changed the way they manage the dam. Federal regulations do not allow them to be as efficient as they can be. Because of the Emery County Project there were five reservoirs that were stabilized for recreation, Grassy, Potter's Pond, Pete's Hole, Soup Bowl and Academy Mill. Jay reviewed all the water rights in the county. Nothing will change. Things will continue as they are. The State Engineer will take over the Dam Safety Program. Operation of the dam will continue as it has been. The Forest Service will continue to manage recreation on the perimeter of the reservivor and its other Forest Service activities. Recreation can not change. Boating,fishing,hunting, and camping will still be allowed. Because of safety issues, it is very important to keep the public off the dam.
Jay fielded questions from the public. Issues of most concern, regarding access to the lake for recreation.

Darren Olsen, Forest Service, indicated that they have been working with Jay on the proposal from EWCD. He commented that the FS likes the management of the land as it is now. They would like to make sure that it continues in the future. He indicated that the FS supports the transfer of the dam to EWCD. As far as the lake and the land around the lake, the document states the management of the land will remain the same. As long as that is the case, they are fine with that. They have campgrounds, pavilions, Reeder Trail, etc. and other things that we want to remain under the same management.
JR Nelson talked about safety issues and Emery County's stake in the importance of the dam

ownership being local.

JR Nelson made a motion to write a letter of support for the transfer of title for the Joe's Valley Dam Conveyance to EWCD and that the letter includes language that the district be mindful of protection of access for recreation remain the same. The motion was seconded by Ed Geary. The motion passed.

AGENCY REPORTS AND COUNCIL MEMBER COMMENTS:

Bureau of Land Management (BLM): Chris Conrad talked about the RAC nominations and the 15 applications for the seven member board that are now in State office and will then go to Washington with the DOI for review and appointment. They have route evaluations for the San Rafael Swell next week. The San Rafael Desert route evaluations are slowed down a bit. They did submit their opinion with Fish and Wildlife. They are looking at possibly spring/ early summer for a decision. Lila Canyon and William's Draw EA's are coming to fruition. William's Draw EA will be finished this Friday and move to the next step. Diamond K, they gave their biological opinion to Fish and Wildlife. Regarding the Dingle Act, they are working on the conveyances. They are working on Helium projects. He talked about grazing overhaul nationwide. They are in the public comment process at this time.
Division of Water Rights (DWRi): Marc Stilson indicated that they had one agency action last month for a hearing on a permanent change application. This is for use on SITLA property, north and west of Tesher Diversion Dam. they held a public hearing. There were several protests from local users. SITLA has amended their application to address the concerns. Decision is pending. The Water Banking bill has passed with overwhelming support in the House and the Senate. It is awaiting the Governor's Signature. This applies to First and Second Class counties only.

Division of Oil, Gas, and Mining (DOGM): John Baza, Director, Dana Dean, Deputy Director over Mining, Steve Christensen, Coal Program Manager, Gordon Rowe from AG's office. They are in the 6th week of the legislative session. They received a harsh audit of their oil and gas program. Because of that they have had some changes in management. They have a new Deputy Director Bart Kettle over Oil and Gas. John will introduce Mr. Kettle in the next PL meeting and he will give a report of what they are doing in response to the legislative report. Gordon Rowe, Assistant Attorney General addressed the Murray Energy bankruptcy. Most of the action thus far has been procedural. Lila Canyon and Crandal Canyon are the two coal mines in Emery County owned by Murray Energy. Things are going well for protecting the mining assets of Murray Energy.

Division of Wildlife (DWR): Chris Wood reported the division is open to doing additional things to help with handicap access and opportunity with regard to recreation use. They have spent a lot of money stocking Joe's Valley over the last few years. In 2019 they stocked almost 40,000 fish in Joe's. 32,000 Rainbow Trout (30,000 fingerlings) 2,000 were 10 inches. 2017 they stocked over 76,000 fish, 56,000 were Splake at least 3inches long, 20,000 were 5 inch Rainbow Trout. The application period for the Big Game Hunt ends on Thursday. RAC meeting is April 15th, Board meeting is April 30. Topic will be Big Game permit numbers. Success rates for the hunt last fall. On the Manti, general, any weapon hunt had a 27 % success rate. This is down,

the five year average, prior to last year was 35% success rate. They are working on things to help bring the success rate up. They have a Turkey Clinic in Price on April 4th.
School and Institutional Trust Lands Administration(SITLA): Bryan Torgerson thanked Tyler for his presentation on Helium. Bryan indicated that they are excited about the helium prospects that we have going on in Emery County. He talked about mineral lease funds and how they are distributed by SITLA. They work closely with DOGM and appreciate what they do. SITLA continues to work closely with BLM on their travel management plan. He added that they appreciate being a participating agency. He talked about management changes in SITLA. Green River Industrial Park lease that they have with the County is expiring at the end of the year. He put the County on notice that this is something they need to begin talks about. Cottonwood Creek sale is a done deal. All the contracts have been executed.

Manti-LaSal National Forest (MLNF): Darren Olsen talked about the Forest Plan process. They are planning open house meetings. In Castle Dale they will have an open house on March 30th from 5 to 7 pm. In Price on April 1st. Roads and gates are open. They leave them open all winter. The time that they close them is when the snow starts to melt and the roads get muddy. They just sent out a scoping letter on a pines fuel project above Emery at the top of Link Canyon. They will be opening bids for Timber Sale in Reeder Canyon (42,000) in a continual effort to get rid of dead wood in the area.

Utah State Parks and Recreation: Larry Johansen reported that they just hired a law enforcement(seasonal) officer for Goblin Valley State Park who starts in April. They have submitted a campground proposal to add 60 to 70 new campsites on the backside of the butte. They will have food concessions available at Goblin Valley. The golf course in Green River is now open. They will be doing snow grooming operations until the 15th. North Huntington, the ice is off and they have campers there for the power plant overhaul.

Utah Department of Agriculture: Resource Coordinator for Conservation Districts, Ryan Jones reported they will have a zone meeting on March 24th in Green River. They will be discussing things that are pertinent to conservation in the zone. Skyline Cooperative Weed Management will meet tomorrow at the EC Weed Department. Green River Conservation District has asked NRCS and USDAF to put together a Watershed Plan. They are now working through that. They will have a technical committee meeting for that on April 2nd in Green River. Steering Committee meeting on April 23rd. Nominations for the local conservation districts, Green River and San Rafael, board appointments have to be in April 7th.

Washington Delegation Staff : Clay Crozier, Senator Romney's Staff, reported on completed Utah priorities. They were able to get $45 m dollars for Moab Uranium Tailings removal. $35 m for rural broadband projects within the state. Substantial amount went to Uintah County but some came to Emery Telcom for their projects. $25 m additional funds for the Wildhorse and Burro program to assist in management. The Public Land legislation. They were able to get some additional PILT funds which will help small rural counties. Upcoming Utah priorities, Co Sponsor with Senator Lee on the Pure Act which would make Utah exempt from the Antiquities Act. Top priority is Navaho Water Rights. They will work on this until it is done. On a national level, they are working on the Trust Act, creating a separate committee for each trust fund to help

save our trust funds. The Climate and Energy Act that will come from the Natural Resources Committee getting funding for Carbon Capture Projects.

8. ADDITIONAL ISSUES FROM COUNCIL MEMBERS: Sherrel Ward provided a water and precipitation report.

9. CONCERNED CITIZENS WITH EMERY COUNTY RELATED ISSUES: Doris Quin reminded everyone to comment on the NEPA process. The comment period closes in 7 days. He indicated that UTV Utah is backing this also. Jack Johnston, a public lands advocate provided comments regarding continuing to leave trails open.

10. ADJOURN

Motion to adjourn the meeting was made by Wade Allinson, seconded by Sherrel Ward, and the motion passed.