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Topic: Enoch City Water Board Meeting
Time: Oct 14, 2021 04:30 PM Mountain Time (US and Canada)
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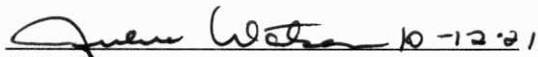
ENOCH CITY WATER BOARD
NOTICE AND AGENDA
October 14, 2021 at 4:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

1. **CALL TO ORDER OF REGULAR MEETING**
 - a. **Pledge of Allegiance –**
 - b. **Invocation –Audience invited to participate.**
 - c. **Approval of agenda for October 14, 2021 –**
 - d. **Approval of minutes for September 9, 2021-**
 - e. **Conflict of Interest Declaration-**
2. **DISCUSS CURRENT WATER SYSTEM AND FUTURE PLANS-City Mgr. Dotson**
4. **PUBLIC COMMENTS**
5. **BOARD/STAFF REPORTS**
6. **ADJOURN**

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call the City Offices at 586-1119, giving at least 48 hours advance notice.

CERTIFICATE OF DELIVERY

I certify that a copy of the forgoing "Notice and Agenda" was delivered to each member of the City Council, emailed to "Cedar City Daily News", posted on the Enoch City website, on the City Office door and published on the Utah Public Meeting Notice website on 10-12-21.


Julie Watson, Recorder **10-12-21**
Date

MINUTES
ENOCH CITY WATER BOARD
September 9, 2021 at 4:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT: Doug Grimshaw, Alan Miller, Spencer Jones. Steve Woolsey was absent.

STAFF PRESENT: Rob Dotson, Public Works Director Hayden White and Council Member David Harris and Lindsay Hildebrand, Deputy Recorder. Julie Watson, Recorder was on Zoom.

PUBLIC PRESENT: none

1. **CALL TO ORDER OF REGULAR MEETING-** By Doug Grimshaw at 4:35 pm.
 - a. **Pledge of Allegiance-**Led by Alan Miller
 - b. **Invocation-**Audience invited to participate. Given by Spencer Jones
 - c. **Approval of agenda for September 9, 2021-Spencer Jones made a motion to approve the agenda. Motion was seconded by Alan Miller and all voted in favor.**
 - d. **Approval of minutes for February 11, 2021-Doug Grimshaw made a motion to approve the minutes. Motion was seconded by Alan Miller and all voted in favor.**
 - e. **Conflict of Interest Declaration-**Alan Miller had no conflicts. Spencer Jones said he does own underground and surface rights but has no conflict. Doug Grimshaw said he also owns underground water rights but has no conflict.

2. **CONSIDER CHANGING THE POLICY ON WATER GIVEN TO THE CITY FOR DEVELOPMENT-City Mgr. Dotson-The Water Board will consider a policy change for accepting water for development.**

Doug asked City Manager Dotson to give a presentation on this. City Manager Dotson went to the website and referred to the map. He said one long term approach regarding surface water shares has been discussed for years. How do we obtain surface shares and use them throughout the City for irrigation? The idea has been to create a citywide system, long term, which would involve pumping to areas of town that are uphill. He told about the surface shares we have now due to Dave Hatch subdividing property. He only had surface shares so we created a formula that was a ratio of underground rights to surface shares. The acceptance formula was "in lieu" of underground water rights. Union Fields and East Irrigation Company is what we will accept as they are accessible to this area and he described where they are located. We put this in our Code as an option to accept surface shares at a ratio of one share of surface water is equal to two AF of underground water. This included any supplemental rights because they are connected.

The situation now is there is a huge increase in demand for development and the choke point is underground water rights. The surface water is an option the City has and that option is on a case-by-case basis. We do not have a surplus of underground rights to assign to properties in lieu. The question is do we want to change our policies. We have farmers who want to develop on the west side and they have surface shares. This leads us to the other question. Do we want the expense to mix the surface water with culinary water because surface water is often high in nitrates? Spencer Jones noted, for the record, people came to him in his real estate capacity in Enoch and Cedar City and he said he couldn't give, sell or trade them water. He talked to City

Manager Dotson and as they talked he remembered when this was done with Dave Hatch for his development and it was not in the Code then. We wrote the Code after that. He said with surface water there are different priority dates and he owns some in at least one company and he is looking at the interest of the City. It is his opinion we stick to underground water and not accept surface water. One problem could be when the surface rights are disallowed or go away due to the new Groundwater Management Plan? Then the City is stuck. We are talking about a diminishing inventory. He said he is trying to be transparent. City Manager Dotson said he has heard it from others also. They have surface water and the City Council will decide about accepting it and it will be subject to what is available. We can't guarantee the Council will take that water. Precedence is an interesting thing, City Manager Dotson said. The mindset of an individual applying may sway the City Council. Alan said if it is in your policy and you have done it before and someone else comes and wants that too you are stuck. City Manager Dotson said that could be so unless you write it in your policy to change that. Doug said he was on the Water Board when we did this and we haven't done it since. We set an equation but the City does not have a lot of senior water rights to exchange for the surface water. He asked if we still want to do it. City Manager Dotson said the only other way to obtain surface rights for irrigation is to buy it. We could go into the Subdivision Ordinance and require a secondary system in all new subdivisions. We are just not there yet to require it. We do not have the infrastructure to use it in most areas of the City. The rule has been when a property is within a certain distance from the pipes at secondary wells then you have to install secondary irrigation but if farther away then you don't have to have it. Spencer told about what is happening in Cedar City. He said city has first right of refusal on deals where they have provided water to a subdivision. Spencer thinks there is a lot of merit to that. He noted he is on the CICWCD Board and he represents Enoch on that Board as does Council Member David Harris.

Council Member David Harris said there is discussion of the plans of the Conservancy District with the irrigation companies to pipe the water that comes out of Coal Creek in the winter so that it does not freeze and go to waste. This is to help with recharge of the aquifer. Instead of getting surface water he suggests we work on the infrastructure. City Manager Dotson gave more details of studies being planned for that project saying we have permission to come up with a plan on piping the surface water out here. Spencer suggested maybe we should put that to the forefront to get that infrastructure first and then work on getting the surface rights after that. There is a lot of water that comes out of Coal Creek and comes out here to our area and is now going to waste in the winter. City Manager Dotson said the only issue is these farmers are slowly selling off to development and they only have surface shares. They will have to do something with it and how do we appropriate that water unless there is way for the City to acquire it. We want it but money is short and we don't want to buy it. We will want it for our use long term in the future although we can't use it now. Spencer still suggested getting the infrastructure in place first as there is a lot of water that is going to waste with no infrastructure. There was more discussion of the issues. City Manager Dotson said the goal was to acquire some surface rights so we created the incentive when a developer (Dave Hatch) came with this water and we did a deal. We did not know what we were getting and we are still providing homeowners water. Alan confirmed we need infrastructure to use the water and asked if we have a plan for that. City Manager Dotson said no because the ditches belongs to the water companies and not the City.

Alan asked where the Council stands on this. Council Member David Harris said he has expressed the suggestion that it would be smart to bond to create a system of infrastructure for drainage as we do have plans for that and also in response to the recent floods. He added we have challenges with sourcing water and have done some things to take pressure off the culinary system explaining what has been done to hook up big users to the secondary system. David said any way we can get extra water for the City we consider it but if we have to install a lot of infrastructure to use it the cost could make it prohibitive. He thinks that as a City Council

Member he would be a little worried if we were forced to take surface water in exchange for underground water as our ability to use it is not there. He hates to turn down water but we have to be careful. The whole situation has changed since we first did this for one developer. We need to firm up our plan on how to use it before we take more. Spencer agreed adding, "use it or lose it". He went on that since we don't have the ability to use it that is enough reason not to do it. The Dave Hatch deal was the first and maybe the only deal we do. Council Member Harris said the City's plan on building infrastructure for surface water is not as high a priority as fixing the drainage issues which we do have plans for. Alan asked if the goal is to eliminate the people who obviously want this deal to sell property. City Manager Dotson said if they say, this is what we have regarding water, he'll take it to the City Council, but he does not have an agenda regarding this. Right now the City Council needs the Water Board's recommendation on what to do. Underground water rights are at 1934 or older to develop. They are expensive if they can be found at all.

Doug said as we go back in history we changed the Code in two processes. The Dave Hatch deal for surface rights was first and the 1934 requirement was second. Doug said item B should be rewritten so we have more flexibility. Spencer said rather than revision we could just eliminate it and bring something else back later when we can use the water. City Manager Dotson said the biggest challenge is we don't have the infrastructure to use it and we have other priorities. We hate missing opportunities but we have to be realistic too. He never says "no" to anybody but we need the infrastructure so we can accept the shares and use them. We don't want to get a bunch of surface shares and then be forced to fund installing infrastructure. Alan said since the City is open to surface water right acquisition maybe we don't even need that in Code. Just a policy statement that is a little more open to take advantage if we get a good deal but not bond for it or be locked in. City Manager Dotson said if it is subjective it leaves too much out there. We need detail in Code to explain our policy and a plan. If tied to development it has to be written in the Code. If tied to acquisition then it has to be in Code too so it is clear what we are going for. There was more discussion of the need to eliminate any subjectivity and be specific. It would have to be in our Code if tied to development. A landowner has to know what is required exactly. We can't make it up on the fly. Alan said the way it is written now it creates the notion that this is what we will do. Council Member Harris said we need to address it right away to change this. Alan suggested we could just delete item B.

Spencer Jones made a motion that we remove item B from the Enoch Subdivision Ordinance. The motion was seconded by Alan Miller and all voted in favor to make that a recommendation to the City Council.

4. PUBLIC COMMENTS-none

5. BOARD/STAFF REPORTS

Hayden White-Alan asked Hayden if he said sees a change since going to odd/even watering days. Hayden said it is all good except Tuesdays which have been the bad day when the tanks get low. Mondays used to be the bad day. Now, every other day is better and easy except the hit on Tuesdays. We are only running two wells this year and last year all were running all of them. The positive thing, Spencer said, is we got 15 inches of water through all the storms. It takes years to see it in the aquifer however and snowpack is what really makes the difference.

Council Member Harris said City Manager Dotson brought up the idea of the Conservancy District's ideas regarding higher density housing requiring less water than one AF. There are financial disincentives and he would love to get creative ideas to help to keep development going but help the high price of housing by maybe lowering requirements for multi-housing units. Education on conservation efforts would be good to help homeowners also. The 1934 date has manipulated the water market but we are trying to protect Enoch. If we could make housing more

accessible by lowering the water requirement from one AF that would be a good thing to help families afford homes.

Doug Grimshaw brought up the haircut when we convert wells from irrigation to culinary and City Manager Dotson said it is a 40% loss. Spencer gave an explanation of change applications and best practices. City Manager Dotson said one of the biggest challenges of going from irrigation to culinary is money to be able to use the water. Pipe and other equipment required are expensive so we move water when it is feasible. There was a discussion of secondary wells and culinary wells and the hooking up of the big users to secondary water. Enoch Elementary has been converted however to do the LDS Church we would have to dig up the parking lot and that is not feasible.

City Manager Dotson said the decisions we make can't be driven by the building industry regarding our policy. It has to make sense for the City and future of the City. We can incentivize people to use less water and there was discussion of ways to do that. If we require xeriscaping in order to grant developers/homeowners the right to be able to give less than one AF of water, the biggest issue is enforcement of the xeriscaping. The only way would be in their rate. Council Member Harris said if you go over the amount we give you, you will pay big time and that is how to enforce it. That may work for things like PUD's where they often do the landscaping. Alan asked about the zones. He was told most new developments are going to the R-1-11 and not R-1-18 to maximize the lots and offset costs. Council Member Harris said the smaller lots require less outdoor watering naturally but we can also encourage less use of grass. Alan told about agricultural systems that are smarter and react to the actual demand from the crop being grown. He gave a great many details. There was more discussion of those methods and Council Member Harris told about going on a field trip to see what is being tried. We had an issue with our rocky soil here for that type of system. We tried it in the small dog park and another park. With new construction you can make it work by bringing in topsoil. We got mixed results because installation was not as expected due to the rocky soil. City Manager Dotson said with the type of soil we have here we have some limitations and the Conservancy District is working on things. Council Member Harris said as new things come up he will report.

6. **ADJOURN**-It was noted the meeting ended when Spencer had to leave. There was no motion to adjourn as a quorum was not present. The meeting ended at 5:40 pm.

Julie Watson, Recorder

Date

Meeting ID: 889 7966 5544