BOARD OF WATER RESOURCES

Briefing Meeting Minutes

Department of Natural Resources

Salt Lake City, UT

December 7, 2021

8:00 am

BOARD MEMBERS PRESENT

Chair Blaine Ipson

Vice-Chair Kyle Stephens

Juliette Tennert

Charles Holmgren

Norman Johnson

Jim Lemmon

STAFF PRESENT

Director Candice Hasenyager

Deputy Director Joel Williams

Assistant Director Todd Stonely

Marty Bushman

Wendy Crowther

Shalaine DeBernardi

Steven Gregerson

Stephanie McGinnis

Michael Sanchez

Russell Hadley

Ben Marett

Jaqueline Pacheco

Carmen McDonald

Lindsay Russell

Emily Lewis

CHAIR BLAINE IPSON called the meeting to order at 8:05 am.

All members present except Wayne Andersen and Randy Crozier

DIRECTOR CANDICE HASENYAGER announced staff present.

It is Charles Holmgren’s 70th birthday today.

CHAIR BLAINE IPSON any changes or comments on the minutes?

CHARLES HOLMGREN mentioned some minor changes on the minutes but none that change the substance.

CHAIR BLAINE IPSON In the board meeting, we will have the NRCS Snow Report and then we will get into the project reports

PROJECT REPORTS

FEASIBILITY REPORT

RE454 West Cache Irrigation Company

CHARLES HOLMGREN met with Russell and the company and they have had some great projects previously funded through the Board of Water Resources.

RUSSELL HADLEY this is the third in the series of piping projects done with this company. We will leave the cost as is for today and when the bids come in, we may revisit that amount. They have a WaterSMART grant and they are looking for the remaining amount to be funded by the board. The applicant will be asking for a 30 year repayment plan instead of 25 years.

The purpose of the project is to replace three miles of a canal with a pressurized pipe. Five individually owned pumps will be replaced with one high-efficiency centralized pump.

NORM JOHNSON is this an Idaho water right? Is that okay for us?

SHALAINE DEBERNARDI they actually have an exchange right so there is technically a Utah Water Right at this time. We already own it for their other projects.

CHARLES HOLMGREN there are several irrigation companies on the Bear River that have Idaho Water Rights and we have worked with them.

JULIETTE TENNERT is the cost difference we are expecting massive or more feasible?

RUSSELL HADLEY it is around $200,000 and we will have a solid number to come back with later.

CHAIR BLAINE IPSON this will put the amount over $1 million which will require interest.

CHARLES HOLMGREN if they go 30 years, what will the dollar amount be?

RUSSELL HADLEY $31,400 and it would be 0% interest over approximately 30 years.

CHARLES HOLMGREN are those pumps in the cost estimate description included in the pump station specifically?

RUSSELL HADLEY yes. I just wanted to inform you that the President, VP, and engineer will be here for the meeting.

COMMITTAL OF FUNDS

RE444 Willow Creek Irrigation Company

CHAIR BLAINE IPSON this company came in 3 months ago to go over the feasibility of this project and it is for secondary metering but part of it is for irrigation for houses. They are ready to get going on this project.

BEN MARETT the project was authorized in the August board meeting and nothing has changed since that time. The applicant has moved forward with purchasing a few pilot meters to ensure they will work with the system and they are ready to start work on this. They provide water agriculturally and through secondary use. This project will meter all the secondary and agricultural connections on their system.

SPECIAL ITEMS

RE453 Huntsville South Bench Irrigation Company

VICE-CHAIR KYLE STEPHENS this is a relatively small project and they are ready to move forward with the project so they are coming for authorization and committal of funds today.

BEN MARETT this project is the third that they have done with the Board. The purpose of the project is to replace 1,100 feet of open canal with 20” HDPE pipe and bore a new road crossing below Highway 39. There will be representation from the company today.

RL585 Powder Mountain Water & Sewer ID

VICE-CHAIR KYLE STEPHENS this project has had a lot of moving parts and there has been a change in scope and the cost has gone up.

BEN MARETT due to shortages and other manufacturing issues, the original cost estimate has changed and they are coming forward to ask for additional funds. They will construct an additional booster pump station and an additional 4,000 feet of pipe. The project cost was increased by nearly $1.6 million.

CHAIR BLAINE IPSON do they not need additional storage?

BEN MARETT the storage was there for fire flow and they feel that with the pumps that exist on the eastern side and the spring box, they will be able to meet their fire flow demands.

CHARLES HOLMGREN when they came forward last time, was there a different engineer?

BEN MARETT this is the second project with the Board. The first one had CRS doing the engineer work and that situation devolved into some legal issues so they are working with Jim Milligan now. They will have to rebond because they did this through a bond so this is a unique situation.

2021 WATER RESOURCES PLAN REPORT

RACHEL SHILTON gave a brief update of the 2021 Water Resources Plan.

CHAIR BLAINE IPSON there is no board action on this item.

CHAIR BLAINE IPSON Joel Williams will be giving the Lake Powell Pipeline report and one thing to note; the Deputy Director position has been filled since our last meeting. There were two fantastic candidates to choose from and ultimately, Joel has been selected as the Deputy Director of the Division of Water Resources so we are excited for him.

LAKE POWELL PIPELINE REPORT

DEPUTY DIRECTOR JOEL WILLIAMS gave a brief update of the Lake Powell Pipeline Report

JIM LEMMON some of the issues were coming from the Kaibab Tribe and they felt that groups were not including them in meetings but the meetings that have been set up were cancelled by the tribe so has there been success in holding a meeting?

DEPUTY DIRECTOR JOEL WILLIAMS Washington County Water Conservancy District has reached out to the tribe and they have had 1-2 meetings but the pandemic has set things back. One of the challenges was the motion that was passed by the membership of the tribe that specified working with us only on the southern alignment. The negotiations are ongoing and we are hoping to get back on a regular meeting schedule.

CHAIR BLAINE IPSON there is no board action for this item.

WATER BANKING REPORT

EMILY LEWIS and JAQUELINE PACHECO gave a brief update of the Water Banking Report

CHARLES HOLMGREN I felt the forms looked appropriate but there were two grammatical errors that needed to be corrected.

EMILY LEWIS those will be corrected.

CHAIR BLAINE IPSON so there will be a need for 2 motions today.

VICE-CHAIR KYLE STEPHENS will make the motions.

ARPA FUNDING GUIDELINES

DEPUTY DIRECTOR JOEL WILLIAMS gave an update on the use of the ARPA funding guidelines.

VICE-CHAIR KYLE STEPHENS as you have gone through the process, it has been specified that this grant money is only for unmetered systems. This is a $50 million grant amount, so is there enough need to meet that threshold?

DEPUTY DIRECTOR JOEL WILLIAMS we know that the need is high, we have heard excess of $200 million. We don't know exactly what to anticipate.

VICE-CHAIR KYLE STEPHENS if the need was not there, would we want to move to the next phase, which would be replacing those with existing meters that are beginning to fail?

DEPUTY DIRECTOR JOEL WILLIAMS if there was not as much of a demand to install secondary meters on existing systems, there are other options that we can go with.

CHAIR BLAINE IPSON these are initial guidelines and they can be amended down the road if need be.

NORM JOHNSON I thought it was interesting that it was mentioned that one entity could come in and use the entire chunk so I like that the guidelines allow smaller entities to have access to this.

CHAIR BLAINE IPSON who knows what the Legislature will come forward with in the future as well. This could become mandatory and I hope we have resources for those entities that can’t cover that cost on their own.

JULIETTE TENNERT I like the guidelines but I have a technical questions: is there an appropriations act with intent language? I would like to preserve flexibility for the board so I just want to know if there is going to be specific language.

DIRECTOR CANDICE HASENYAGER we do have some initial items. There was $100 million appropriated and of that, there was a small working group that met and divided up the amount. This has been presented before the executive appropriations committee. $50 million is going to secondary metering, $25 million is going to Drinking Water projects, $20 million is going to agricultural optimization, and $5 million is going to the Great Salt Lake to dredge the marina and adjust the breach to help with salinity control to help with declining lake levels. So, the money has already been appropriated and it was discussed at that executive appropriations meeting that there would be a 75/25 split, so there is flexibility. There is a time sensitivity with this money in getting this out the door as quickly as possible so we can set the dates of when we want to get the application process going.

CHAIR BLAINE IPSON would it be possible to get a draft application sent to us before the next meeting so we can look it over and take action on that?

VICE-CHAIR KYLE STEPHENS I agree, I think we need to move quickly on this.

CHAIR BLAINE IPSON I like things early and I know that presents a bit of a challenge. But I would appreciate that.

DEPUTY DIRECTOR JOEL WILLIAMS yes, we can do that.

INTERSTATE STREAMS BEAR RIVER COMMISSIONER

CHAIR BLAINE IPSON there are 3 Commissioners from the state of Utah, Charles Holmgren and Blair Francis are currently serving. Historically, the Director of the Division of Water Resources has also served in that role. We will be ratifying Governor Cox’s appointment of Director Candice Hasenyager to be a Bear River Commissioner

DIRECTOR CANDICE HASENYAGER Wendy and Shalaine were working on the motion.

SHALAINE DEBERNARDI the Governor does not actually make the appointment for the Bear River Commission, that is done by the Board of Water Resources and subject to approval by the Executive Director of the Department of Natural Resources. The motion we have written states “I nominate Director Candice Hasenyager to act as the Board’s Representative on the Bear River Commission subject to the approval of the Director of Natural Resources and the Governor”. I got some legal clarification after we printed the agenda.

ELECTION OF 2022 BOARD OFFICERS

Nomination of KYLE STEPHENS as CHAIR and JULIETTE TENNERT as VICE-CHAIR of the Board of Water Resources. We will need a motion for each of those in the full meeting.

DEPUTY DIRECTOR JOEL WILLIAMS gave an update on the Status of Funds.

DIRECTOR’S REPORT

DIRECTOR CANDICE HASENYAGER we have two additional new staff members to introduce.

DEPUTY DIRECTOR JOEL WILLIAMS introduced STEPHANIE MCGINNIS as the new Water Conservation Section Manager.

DIRECTOR CANDICE HASENYAGER introduced WENDY CROWTHER as a new member of the AG’s office and will be working with water entities in the state.

There will also be an update in the main meeting on the Land Use and Water Planning status. There was $270,000 appropriated to integrate land use and water planning in the 2020 legislative session. I will also talk about the Bear River Commission and some of the issues we have been facing. Also, some issues on the Colorado River will be discussed in the board meeting. With Lake Powell hitting record lows this year, there has been a drought response operations emergency that was issued and the BOR had 181,000 acre-feet released to increase Lake Powell by about 3 feet. The BOR is considering doing additional emergency action but they are considering changing the release volumes at Lake Powell. They would reduce the releases from Jan-April and increase the releases from June-Aug to make up for that. This is not official but this was discussed with the Colorado River Authority of Utah Board.

CHAIR BLAINE IPSON how is the communication going between you and Gene Shawcroft and the other Basin states?

DIRECTOR CANDICE HASENYAGER there has been a lot of effort to make sure we are communicating regularly and we have had monthly meetings with the DNR Colorado River groups and a smaller group with Brian Steed, Theresa Wilhemson, Gene Shawcroft, Amy Haas, and myself. This is all meant to ensure we are working together and communicating. Theresa, Amy, and I meet weekly to discuss these issues.

The Governor is announcing his budget recommendation today as well so we will have more information on that at the full board meeting. We also need to change the motion on verbiage a bit for the Upper Colorado River Commission.

NORMAN JOHNSON moved to adjourn and JIM LEMMON seconded. All approved at 9:28 am