



BOARD MEETING MINUTES
June 4, 2015

BOARD MEMBERS IN ATTENDANCE: Board Chair Brent Hunter; Board Members: Paul Cozzens; Rick Bonzo; Tim Watson; John Black; and Spencer Jones.

STAFF PRESENT: District Manager Paul Monroe; and Office Manager Mandi Williams.

OTHERS PRESENT: Kelly Crane, Curtis Nielson (Ensign Engineering); Gary Player (Citizen); BLM CCFO Staff: Michelle Campeau; Elizabeth Burghard; Brooklynn Shotwell; and Gina Ginouves.

CALL TO ORDER: Board Chair Hunter called the meeting to order at 6:45 AM

AQUIFER BALANCE PROJECTS: •Monroe-What we will be discussing are some of the things Kelly and I have been talking about. Moving forward on creating an analysis on a lot of the water proposals and water projects that could be available in Cedar Valley, and then putting a cost per acre dollar sign with each project. We would like to show what the cost of each project would be, and how much water would be produced from each project. Each of these projects will either save us water or bring water to Cedar Valley. In this work meeting we wanted to share what our thoughts are moving forward. We want to make sure that the board feels that we are moving in the right direction with that we want to do. Some of the concerns or thoughts that we've heard are whether the scope would be so broad that it would basically cost a lot of money, so how do we narrow everything down, still make sure we have done our due diligence, and also make sure that we give every project the attention it needs. We also have the responsibility of identifying all of the potential projects out there, so that we can show that we have looked into every available resource within our valley. Ultimately I would like to be able to show on a map every project, the cost associated with each, and the date that the project should come online in our area. (3:17) For this work meeting we are not going to leave anything off of the table as far as potential projects. We have broadened what we are looking at to encompass both the Aquifer Recharge and Aquifer Balance. •Crane-We want to put a dollar amount to every acre foot of water that the valley is gaining, regardless of where the water is being gained from. (4:43) Balancing the aquifer is really only gaining us time, opposed to recharge projects that will help restore the Aquifer. Brining the water in from the Pine Valley is a net gain of essentially 15,000 acre feet. •Hunter-You know in just the last week, all of that water that has come down the creek, it rained four inches. No sense of me pumping that water out onto the ground, in that case the only one smiling is the power company. For a week that creek was running one to two hundred CFS and it has all gone somewhere out in the buses, whether that's Rush Lake or out to Quichipa. The cheapest way to save water, by far, is the Coal Creek recharge. We put two million dollars into that and in seven years we will save 10,000 to 20,000 acre feet of water. •Monroe-That is right and that is exactly what we want to show. •Jones-Ok, If the State says our over draft is 9,000 acre feet, and say Coal Creek is plus or minus 3,000 to 4,000 acre feet annually and you are going to have your peak years of maybe higher than that. We have the



sewer treatment, there is another 3,000 acre feet. That is 66% of the total overdraft that the State is saying there is here. I mean 66% is a big cut in the deficit. (7:39) ▪Crane-What was talked about at the Board Meeting is potentially narrowing the list down to the most viable projects before we begin the analysis. However, today we are looking for recommendation from you to have the analysis done to encompass all of the projects, and at that point narrow it down to the most viable. To make it more efficient Paul and I could do most of the front end work. We could put together the gathered data and information and could potentially have the project 25% to 50% done before turning it over to the person or persons contracted to produce the final report. They will of course have to evaluate our information. The report should show us a complete picture of all the potential projects our valley has. This will give us a good solid direction on where the projects are; the cost; and the timelines on each of the projects. We want to know that what we move forward with is giving us “the most bang for our buck.” (9:21) We want to recover any water we can but also plan for the future. ▪Hunter-I think you are on the right track, we need to have a credible plan that the community can get on board with before we start committing money to any of the projects. ▪Bonzo-The only thing I can see on this is that I like the concept of having everything done altogether, but we spread ourselves so thin. I want our main focus to still be on the West Desert. I know these little projects are important, but let’s not spread ourselves so far out there that we are not taking care of the big picture. ▪Monroe-That’s exactly why I think this report is so important. There are some things that we can do and need to do here within our own valley, but we need to see what projects are worth our time and make the most sense. Obviously it may make a little more sense to move forward with the Coal Creek project if we have the National Guard coming in to help us. I just want to have the analysis to support that decision and show the benefit of that. Now (11:42) with the wastewater being cleaned up, just like Spencer said, it will bring us closer to two-thirds our deficit. I would like to show that we can utilize these waters and do it in an efficient manner. ▪Watson-So basically we are going to be taking the lists that we have been making for the last two years and make them more focused, right? ▪Monroe-Yes, and we are going to be putting a dollar amount to the projects so the economic analysis can be behind it. WE will be able to say, here is the project, benefit, and cost per acre foot. We have the list and we also have a lot of research on other projects that has already been done, it already exists. Crane-I think we should leave every potential project in there, and check them off the list as we go. Obviously we’ve been doing a lot of work on this for a long time. I really think that we are going to look at this report and see that the water we can pull out of Pine Valley, just for the fact that we have that kind of volume there, is going to define this whole thing. I mean we have no other 15,000 acre feet anywhere else. My guess at this point is that it will fall out at the end and result in saying that, for what we are trying to accomplish, Pine Valley is where we need to go (13:57) in order to take care of the next 50 years. ▪Watson-I think that makes sense and I do think that there are going to be good projects that are small but could benefit the community. It might not be a full 15,000 acre feet, it may be only be 3,000 acre feet. If the economic side of it is realistic and doable within a couple of years the let’s quickly look at those projects.

Paul invites the members of the BLM to join the meeting at 7:00 am. Brent Hunter is excused at 7:00 am for another meeting.

ENVIRONMENTAL PROCESS FOR THE WEST DESERT PROJECTS:



Board Member Rick Bonzo, acting as Board Chair, welcomes the BLM and turns the time back over to Paul Monroe at 7:05 am.

▪Monroe-What we would like to do is have you walk us through the steps we'll be taking over the next ten years or less. Most recently, Kelly and I have put together where we would like to do some test wells. If you could start by walking us through those steps, then we can open it up to an informal Q & A. I hope that this can clear up a lot of the questions from both sides here, and we can keep moving forward.

▪Michelle C.-I don't know if many of you knew that a group of us met in February and went over a couple of items. We looked over a couple of items and the West Desert Pipeline as a whole. I think today we are focusing more on the Pine Valley project. I have put together some maps that could cover some of the things that might pose issues with the National Environmental Policy Act (NEPA) documents that the BLM committed to writing for the test pumping locations in Pine Valley. The first is the sage Grouse, this item will be discussed heavily in the NEPA documents. The second page is the Mule Deer, this will effect construction in the winter months, so if you constructed outside of that winter range time zone, then this item would already be mitigated. ▪Watson-What is that winter time frame or time zone? ▪Gina G.-December 15th to April 15th. ▪Michelle C.-On that same map I include the Utah Prairie Dog (UTP). The UTP is something to think about that may come up, but when we were out there with Paul and Kelly I noted that the area did not look occupied. We didn't see any out there, but the weather conditions were bad, and could have contributed to that. The third map is the Pronghorn. I debated on whether or not to pull this shape file, because our whole field office is Pronghorn habitat basically and we will have a stipulation to have a monitor on site if there is construction going on within the winter range time frame. This item could possibly be mitigated as well if there wasn't construction during winter range. ▪Bonzo-What does the monitor look for during construction, whether or not you are pushing them around? ▪Gina G.-One Example of what they'd look for is, say you had a bunch of pronghorn sitting right on top of your well site we would delay construction, that isn't something you see often but is possible. ▪Bonzo-Mule Deer and Pronghorn both move around quite a lot, but I don't know about the Sage Grouse they probably stay in one place. ▪Michelle C.-You are right, the biggest issue in this area will be the Sage Grouse. ▪Monroe-How will this change the new plan? ▪Elizabeth B.-Well the new plan was just released last Thursday. As of now the draft plan is out and the final statement is expected by the end of the summer, so obviously some things could change. With the current plan your main issue would probably restrict any activities within four miles of Leks we have the research to show that the Leks location is the most critical to the Grouse. It would also require timing limitations. You would most likely be looking at restrictions from late summer into the fall, just because of the brooding issues, but we would have to study where the Les' are. Keeping the end goal in mind here, we would be working with the DWR on impacts and figuring out what steps need to be taken in protecting the Sage Grouse.

▪Elizabeth B.-Leks is the location where the birds actually breed in the late winter and early spring. It is a large flat area where all the females line up along the edge while the male birds basically strut and make a whooping noise with their chests. That is why these areas are places of critical activity. These birds usually will Leks in the same areas from year to year, and



the four miles around the areas are where the females will go to nest and raise their broods so that is why it is also critical. A lot of the research coming out of Wyoming related to wells, specifically in these critical activity locations are a concern because of predator perches. This is why they don't want structures built around the areas we wouldn't want a structure, fence line or pole, really anything that a predator could use as a perch. It would not be permitted. Again we will hopefully be working with the State on the Sage Grouse but if there is any that are listed as threatened or endangered we would be working with the division.

▪Bonzo-So you don't see this as a big hurdle? ▪Elizabeth B.-I think it will be something that we need to deal with but I guess I don't necessarily see it as a complete show stopper. The last hurdle that I've seen and that I am unsure of what the outcome would be is the draft plan. There are limits on the habitat disturbance. Essentially we do not want to lose any sagebrush. In the plan it says once you get to 3% level of brush loss, then you have to create more. (30:19) Part of our requirements would be that the sagebrush would constantly be growing and we have plans in place that should allow for that.

▪Bonzo-Would it be beneficial to you for us to try to include places in our line that would allow for water to put into a trough for the habitat use? ▪Elizabeth B.-That could be something that we could talk to the state about, I don't know how the state handles water sources like ponds and things, we (BLM) do those kinds of things on occasion for Range Improvement projects, I'm just not sure if that would be a permitting factor on this project. The main issue everyone is focused on here is the predator opportunities and habitats. (31:47)

▪Watson-When did you say that the Leks took place? ▪Elizabeth B.-The timing frame for the Leks is pretty much parallel to everything else, I think the big difference would be if we have restrictions on actual facility disturbing the Leks, so we will have to talk about the placement of wells, but again it is a little preliminary. We do know where a lot of the Leks are but some projects if we don't have the data will have to have surveys done to see if there is any that have been missed.

▪Gina G.-Part of the environmental analysis process that I'm a part of is seeing exactly where you want to put these wells and what is there. I would look at those locations and see whether or not they will work or if we need to move them. That is something that I think should be our first step. We need to know where your priorities are and if you need to move them, this really needs to be number one.

▪Bonzo-Other than the wildlife, do we have other obstacles? I mean are there other concerns we should address out there? ▪Michelle C.-The only things addressed on these maps are wildlife concerns, this doesn't include anything cultural. I don't have that data but there will have to be a Class 3 Cultural survey where we walk the grounds at each site and if there is anything found, we will have to work with the State Historic Preservation Office (SHPO) to decide whether we were going to treat it or remove it. ▪Elizabeth B.-Yes, if the site is significant we would either move the well or do mitigation.

▪Crane-Really at this point, if it is plus or minus a half mile we are really okay. There would be no reason to start mitigating anything. ▪Gina G.-Bottom line is, we will need an archeologist and biologist to check the sites and then we go from there. ▪Monroe-Do you use the DNR biologist? ▪Gina G.-Usually we have our own Biologist and Archeologist they can usually handle up to three sites, but with this many sites I think we will have to have people contracted



or have the District find their own. (37:33) Barbra Frank is a local biologist that is very good.

▪Monroe-We have a lot of wells proposed, do we want to select a few and handle it “in-house” or do we want to do all of them at once. ▪Gina G.-I would recommend finding out what cultural you have upfront and then typically on wildlife if a project is going to be spread over a five year time frame, generally we will say do a general habitat study to begin with and then before you actually start construction you would have an archeologist go out and look at the site to let you know how things will adapt and how things will be listed in your project. (39:27) This is something that will need to be done on the frontend of your project.

▪Monroe-Will we want to get the DNR involved pretty early in the process to start the research in this project area? Or do they have the information already that they could provide us?

▪Elizabeth B.-I believe they have information on the Leks. I would list that as an action item to have our Wildlife Biologist get with the Water District so that we are all on the same page as we move forward. I think that Sherri from the DWR needs to meet with Paul and Kelly. ▪Gina G.-If (40:30) you could talk them into it, I think it would just be a great idea to try and get the biologist and archeologist and take them out on a field trip, just show them all of the sites. I think it would save you a lot of time. At least for this initial phase, I’m willing to write up the NEPA document for the District. This will save you about \$20,000.00. That means you get the application in and I’ll write up the documents. I can’t do that until you have your cultural done.

▪Michelle C.-How fare are you along in the application? ▪Crane-We are about halfway, we just need to finish up the mapping really. ▪Michelle C.-I think you should probably keep all of your points on there and not drop any at this point. Until you can go out there and figure out if there are Leks or different things. ▪Watson-What is the time frame that the Archeologist and Biologist have to be out there? Is there a shelf life to the document? ▪Elizabeth B.-Once the Archeologist is done, it’s done. However, they can’t do what they need to in the snow. Wildlife, yes this is where we will want to talk to the DWR and Sherri our biologist about timing for upfront studies and because the shelf life on those is usually a year we wait until you are completely ready to construct. (43:32)

▪Crane-Will you, Gina maybe walk us through those next few steps in that application process. ▪Gina G.-Submit you application, then basically we can take from the application the proposed action. ▪Michelle C.-It is the District’s proposed action, then we take that action and a checklist of all the different resources that we manage for. Then they basically tell you if there is going to be an impact. There are three different little codes that they can use. Based on those coding will depend on what we have to further detail and analysis in our NEPA document. ▪Gina G.-All impacts on the effected environments will have to be listed in the NEPA document. The tricky part is you have to take into consideration all that has happened in the past and what could possibly happen in the future. This determines what stipulations will have to be part of the grant to try to protect those resources. It is not saying that if there are impacts we cannot do the project. It is just letting the public know what the impacts could possibly be, and how we can minimize those impacts. ▪Michelle C.-Then the draft application will usually go out for a thirty day comment period.

Discussion about the NEPA application process continues for several minutes from 47:12 until 49:28.



▪Watson-What is the anticipated time it takes to get through the test pumping NEPA process? ▪Gina G.-If you have the cultural and biology clearances up front and you include the 30 day public comment period there is a chance that you could get it out in three months. The big hang ups are usually the cultural and biology clearances. It also depends on the time of year. There isn't really an expiration time on the NEPA application. Once things get going you will probably be required to do a yearly Biological (52:18) (Discussion and clarification of terms with the NEPA process, EIS & EA documents, pipeline questions, and power to well houses continues through 1:09:00)

Main points of that discussion:

·There are two issues that could throw this project into an EIS. Sage Grouse Leaks and Public Comments on water withdrawal.

·The District needs to plan on an at least two to four year timeline. Be sure to always budget for those unknowns. Though the District may get an early start, it would be wise to plan on a longer timeline.

·Focus on making sure there are no surprises. Keep lines of communication open. It is important to keep talking, keep everyone on the same page. Be transparent and give everyone a seat at the table.

·Come to the table with a lot of idea. Let's get together with the state, the biologist, and archeologist. *Tim Watson was excused at 7:50 am*

▪Michelle C.-One last thing I would like to mention before the meeting adjourns. I know money is always a big topic. When I pulled up the last authorization that Brandon had done for test pumping there was a code of federal regulation showing that the District will be exempt for that temporary type of style, so we will move forward that the District will be exempt from rent for those three years. Typically, temporary right of ways are three years, so if the District can be based on the regulation that Brandon found. ▪Gina G.-If you talk the DWR into doing your Biology Plan it would save the District a lot of money as well. If you can get Barbra she is very reasonable because she is not paying the overhead of a big company. ▪Monroe-Thank you so much for being here and I think you have given us a lot of information that we are grateful for. Crane-Like I said we should have our application done in the next few weeks. ▪Michelle C.-Great. Don't wait to figure out who's going to do what surveys get that application in, I have a couple of things I have to do before I can get the proposed action and checklist out. Include as much detail as you can. Be very specific.

ADJOURN:

Board Member Bonzo motioned to adjourn. Second Board Member Jones; vote was unanimous at 8:05 AM.