

**Bear River Water Conservancy District
Board Meeting
Wednesday July 22, 2020 7:00 p.m.
Bear River Water Conservancy District Conference Room
102 West Forest Street, Brigham City, Utah**

Minutes

Present: Trustees: Roger Fridal, David Forsgren, Charles Holmgren, Jay Capener, Mark Larson, Tyler Vincent, Jeff Scott, Richard Day, Russ Howe, Jay Carter

Absent: Neil Capener

Staff: General Manager Carl Mackley, Systems Operator Robert Thayne, Administrative Assistant Jill Jeppsen

Other: Trevor Nielson; Bear River Canal Company, Chris Slater, Cindy Gooch; JUB Engineers

Welcome: Chairman Roger Fridal

Invocation: Dave Forsgren

Pledge of Allegiance: Russ Howe

Adoption of the Agenda – Chairman Roger Fridal

A motion was made by Financial Chairman Holmgren to approve the agenda. The motion was seconded by Board Member Vincent. All Board Members voted in favor of the motion.

Declaration of Conflicts of Interest: None

Approval of the Minutes for the Board Meeting held June 24, 2020

The minutes of the Board Meeting held June 24, 2020 were included with the packet that was provided to the Board Members.

Board Member Vincent made a motion to approve the minutes of the meeting held June 24, 2020. The motion was seconded by Board Member Day. All Board Members voted in favor of the motion.

Change date of August Board Meeting from the 26th to the 19th due to the County Fair

The Board Members decided to keep the board meeting on August 26th as scheduled.

Trevor Neilson, General Manager, Bear River Canal Company (BRCC)

Mr. Neilson gave a presentation on the BRCC application for PL566 Funding. A packet was supplied to the board members with information on the application, which included a map of the proposed project. BRCC had a catastrophic failure on the Hammond canal and they were out of water for 6 days. It was expected it to be 3 weeks and severe crop failure was expected. This is the fourth failure in twenty years. The only catastrophic failure there has been occurred during irrigation season. One failure occurred

outside irrigation season and two others occurred during irrigation season but still allowed for operation. These failures are dangerous situations.

The failures have led the BRCC to re-evaluate what they need to do with the canal system on a Master Plan level. On the east side of the river there is limestone in the soil. The limestone is soft and is bedded on an angle into the earth. On the west side the limestone is bedded with the gradient of the canal. Between the limestone and the subterranean water activity on the east side of the river, or rather the south side at the location in question, BRCC has concluded that that portion of the canal is not tenable for a long-term solution. They are looking at applying for a large grant program from the Natural Resources Conservation Service (NRCS) called PL566. It is a program capable of supplying large grants up to \$25 million.

The idea would be to bring all 900 second-feet of water down the west side of the river near the mouth of the canyon at which point a siphon would be built under the Bear River that would carry the 170 second-feet that is required to deliver the Hammond Canal portion (east side) water back across the river and abandon a portion of that canal. The west side would have a concrete liner installed, and they are looking at installing box culverts. The PL566 grant program is meant to be a watershed development project. The BRCC has asked Pacificorp and the Chesapeake Duck Club to partner with them on this project. They are also asking the Bear River Water Conservancy District (BRWCD) to be a partner and represent the governmental entity that is required for the grant.

The price tag for this project is estimated at about \$23 million. The BRCC investigative portion, engineering and environmental impact assessment, is paid by the NRCS 100%, the participation rate for construction is 75% NRCS and 25% BRCC. BRWCD would be a partner and would have some say and input on how this goes forward. This project is about developing the watershed. It is not just about helping the BRCC have a more secure delivery. It is about developing the project in a way to help meet BRWCD goals as well. There is a potential to have projects that help the watershed that more directly involve the BRWCD to be part of the exploratory section. Then, BRWCD can seek to construct our projects using funds from the same PL566 application. The exploratory engineering is paid at a 100% participation rate. Again, this would be a joint effort and the BRCC would like to coordinate with BRWCD.

The government entity is required to have the ability to tax and exercise eminent domain. There is no expectation to have to use eminent domain for the project that the BRCC is doing, but it could possibly be required when dealing with landowners affected by the project. PL566 is meant to explore many different options. Mr. Nielson presented some statistics from the BRCC Master Plan regarding the impact on the County if there was a catastrophic failure across the system that would take 3 to 4 weeks to repair during the operation season. There would be an estimated \$60-million-dollar loss in crops.

There was a discussion about the capacity of the canal, and the canal lining project that is on-going. The BRWCD level of participation does not require any financial commitment, it only requires the District to be willing to participate and give input and review plans for now.

Cindy Gooch, JUB Engineers gave the following Power Point presentation on the PL566 funding grant and how it can also help BRWCD:

NRCS Watershed Program

Watershed Operations Program
 Purpose and Need

Authorized Purposes

- Flood Prevention (Flood Damage Reduction)
- Watershed Protection
- Public Recreation
- Public Fish and Wildlife
- Agricultural Water Management
- Municipal and Industrial Water Supply
- Water Quality Management
- Watershed Structure Rehabilitation



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Watershed Operations Program

Financial Assistance

Purpose	Engineering Technical Assistance	Installation Construction	Real Property Rights
Flood Prevention	100%	100%	0%
Watershed Protection	100%	Variable	5%
Agricultural Water Management (Drainage, Irrigation, Ground Water Recharge, Agricultural Water Supply Structures, Water Conservation, Water Quality)	Up to 100%	Up to 75%	0%
Nonagricultural Water Management (Public Fish & Wildlife Development, Public Accession Enhancement, Recreation Facilities)	100%	No more than 50%	No more than 50%
Water Quality Management (Municipal & Industrial Water Supply)	Up to 100%	0	0%
Groundwater Recharge	100%	Up to 75%	0%
Rehabilitation	100%	60%	0%

This table is an excerpt from the National Watershed Manual Figure 500-E2. It should not be used to establish program cost sharing amounts by Purpose.

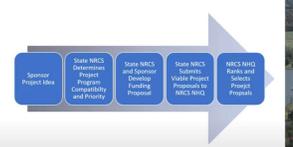


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NRCS Process to Prepare Proposal

Watershed Operations Program
 Working with your State NRCS Staff



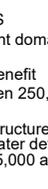
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NRCS Opportunities

NRCS Program Requirements

- Submitted through Washington NRCS
- Sponsor or Partner must have eminent domain and taxing authority
- Project must have 20% agricultural benefit
- Watershed Project acreage is less than 250,000 acres in size
- Project **does not include** any single structure that provides more than 12,500 acre-feet of floodwater detention capacity and provide **no more than 25,000** acre feet of total capacity
- Cost benefit must be greater than 1
- Projects less than \$25 Million



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NRCS Watershed Projects in Process

- North Ogden Reservoir and Detention Basin - \$4,457,000
- Mt Pleasant Reservoir and Pressure Irrigation System - \$15,369,925
- Ashley Valley Flood and Irrigation Water Projects - \$12,114,523
- Utah County Flood Protection and Erosion Prevention Project - \$13,732,555
- Evanston Irrigation and Flood Protection - \$13,483,916
- Raft River Flood Protection and Groundwater Recharge - \$23,629,728



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NRCS Watershed Awards

Funding Team 2017 - 2020 NRCS Awards



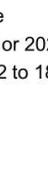
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NRCS Opportunities

NRCS Program Rough Schedule

- Funding Proposals (July 2020 or 2021 Round)
- Environmental Assessment (12 to 18 Months)
- Design (10 to 12 Months)
- Construction



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NRCS Opportunities

NRCS Program Main Opportunities

- Flood Prevention Projects – Up to 100% Grant
- Agricultural Water – Up to 75% Grant
- Recreation – Up to 50% Grant

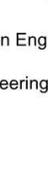


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NRCS Opportunities

- Next Steps**
 - Contact NRCS State Conservation Eng. and Field Office District Conservationist
 - Selections of Grant Writing/Engineering Team
 - Project Element Development
 - Preliminary Proposal Outline
 - Engineering Support
 - Final Proposal Preparation
 - Submission of Proposal July/August 2020 or Next Round 2021



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The grant allows for the possibility of culinary water tanks, pipelines from the tank and reservoirs. For these projects the funding percentages are not as good as for some of the other areas. It is an opportunity for the District to have some plans and evaluate where those projects could be in the watershed created for the BRCC application. After the Plan-EA (Environmental Assessment) is complete BRWCD could come back and apply for additional funds for our project(s). Any potential projects must be included in the Plan-EA process. The Plan-EA lasts for 10 years and after it is

complete, you can come back anytime in those 10 years and ask for more funding for engineering or construction. After 10 years an update to the Plan-EA would be required.

It was also mentioned that Bear River Canal Company will be looking for other ways to make up the 25% of the nearly \$24 million dollar project, such as loans state grants, and the State Water Smart Program to match the federal funding.

Board Member Scott made a motion that Bear River Water Conservancy District become a partner with the Bear River Canal Company for the watershed project as outlined. The motion was seconded by Board Member Larson. All voted in favor of the motion.

Financial Chairman Holmgren and Board Member Jay Capener declared they are share-holders in BRCC and wanted to make sure there is no conflict of interest.

Financial Business – Charles Holmgren Approval of Financial Statements

The financial statements for June 2020 were prepared and provided to the Board Members. Financial Chairman Holmgren has reviewed the reports and asked for the Board to approve them.

A motion was made by Vice Chairman Forsgren to approve the financial statements as presented. The motion was seconded by Board Member Day. All Board Members voted in favor of the motion.

System Operations – Robbie Thayne

Flat Canyon Well – Rod Mund has been swabbing and putting chemical in the Flat Canyon well to get rid of the drilling mud. He will be pumping it out and giving us a baseline of what it can produce. Then we can measure improvement from there and decide what to do with the well.

Collinston pipeline extension has been started. They have laid about 1100 of the 1900 feet of pipe. UDOT requires 90% compaction and they are behind on their testing so Landis is leaving portions open so the compaction test can be made.

Bothwell – We have had some real serious issues at times with our SCADA system. The transducer continues to give us problems. We figured out this week that it is really the radios that are losing communication, the radios were replaced today. The signal is stronger and more consistent than it has ever been.

The farm has put on a couple new wheel lines and they are taking more water than they have before. The Newman well is running about 22 hours per day, the backup well is running 6 to 8 hours. The static level in the Newman well has stayed even, the farm is taking 2900 gpm consistently.

West Corinne is taking 300 gpm from Bothwell. Next week they will begin taking water from the Harper Ward system, as well.

Riverside North Garland – There have also been communication problems between the RSNG meter to the Tremonton booster station. The new farm next to us has installed a 26-foot building that has interrupted the signal from our radio that is 22 feet high. They will be helping us to raise it on the pole. Rocky Mountain Power wants to move the pole on the north end of the RSNG line, they will provide the new pole and we will have to move the equipment. It will need to be coordinated carefully so Ukon's water service at the blending station is not affected.

The **Beaver Dam Springs** are down about 5gpm. It is expected this time of year and it is consistent with past years. The normal flow rate is about 25gmp.

We hired Tyler Nevins to help us for the summer. He will be changing out meters in Harper Ward and helping with other things.

GIS locating is on-going. Andrew is inspecting the waterline installation in Collinston and is locating it for the asset management system at the same time. We have a workorder program that is part of the asset management system that is really working well. It keeps a history of the maintenance on each piece of equipment.

We have 4 new connections to install in Collinston. We will be running a 2" line under Hwy 38 and splitting it for all 4 meters on the west side of the highway.

South Willard Well – we have an iron bacteria problem. Potable divers have cleaned the entire tank. We are waiting for the water quality tests to come back before we put water back into the tank. They were sent to a lab in Kansas for analysis. The bacteria off the well casing and any iron in the system. The biggest problem we have is the low demand for water on the system. We are looking to run the pump for an hour to waste before we put any water into the tank. We may have to pump more water to waste just to keep it moving. When we do put water in the tank again, we will only fill it 5 or 6 feet.

Another solution will be to place a mixer in the tank. Because the inlet and outlet are so close together there is no movement in the tank. The overflow pond holds up to 350,000 gallons. General Manager Mackley added some information about solutions to the iron bacteria problem, and how this well will always have this problem until the demand increases. We have asked Kyle Widdison to give us a bid on treating the well, running a camera down it to see the condition and to clean the pump. We have asked LeRoy Palmer with AmeriWest Water Services Inc. out of Idaho to put the chemical bid together. We hoped to have the bids back this afternoon, but we have not received them. If we could use 100 gpm or more it would really help. The current demand is only 10 to 15 gpm. There was a discussion about a few ways to use more water from the system.

General Manager Mackley asked the Board for approval to spend up to \$40k for a mixer and for approval to spend the money necessary to clean the well.

The question was raised if we need to have additional uses for the water before we spend this much money to clean the well. General Manager Mackley responded that at a minimum the recommendation is to do a disinfection of the well, which is chemical treatment without pulling the pump. It would be significantly better to pull the pump and clean everything at one time. He further explained that the use pattern in the future will determine how long it takes until we will have to do this type of treatment again.

Vice Chairman Forsgren made a motion to authorize the General Manager to proceed with the mixer in the tank and proceed with the cleaning of the well as long as there is money in the budget to do so. The motion was seconded by Board Member Day. All Board Members voted in favor of the motion.

Trustee Reports

Jeff Scott – There is a fire in west part of the county that has burned about 4,000 acres, it may be out. Hopefully, this is all we will have this year. Starting tree grinders.

Jay Carter – We could use some rain.

Russ Howe – Marble Hills had a broken waterline on Sunday morning and drained their tank. As soon as the break was fixed the tank was filled back up.

Richard Day – No Report

Mark Larson – Everyone is using a lot of water. Ukon is getting push back from customers because of the tiered (conservation) rates.

Tyler Vincent – Everything is good in Brigham City.

Jay Capener – Appreciates the District's support of BRCC and the PL566 grant application.

Charles Holmgren – Last week in the paper there was a notice that someone filed on 38-acre feet of irrigation water south and west of Bear River City.

Dave Forsgren – Reported he spoke with Troy McNeely, the springs in Honeyville are flowing at 450 gpm, they have not changed since winter. The north well runs about 3 hours per day. They have a contract to install some pipe to connect the two wells, but the contractor has not started yet.

Roger Fridal – The new secondary water in Tremonton has taken some pressure off the culinary system. The new meters for the culinary water have an app for your phone to show how much water is being used every day.

Public Comment – No comments

General Manager's Report – Carl Mackley

General Manager Mackley showed the asset management system map to the Board Members and explained a little about the work orders.

Vance Smith is the developer for a subdivision in East Garland and he has approached the District to help him get water to it. The subdivision is on the waterline that Ukon Water Company (Ukon) is leasing to purchase. He has proposed a 30-lot subdivision. General Manager Mackley attended the Ukon Board Meeting to see if he could get a better understanding of their position in supplying water to the subdivision. Ukon has not agreed to provide water to the development at this time. General Manager Mackley is wanting to propose a solution that will work for everyone involved.

It seems Ukon cannot give Mr. Smith a straight answer, and he has a large financial investment. Ukon by-laws limit them to giving only 10 connections per year, on a random draw. Ukon needs more funding to help maintain their system and they could gain over \$300,000.00 from this development if the shareholders would change the by-laws and allow more than 10 connections per year.

The District has the water supply available for this subdivision. There was a discussion on the water right for Ukon and noted if they purchase water from the District it does not go against their water right. The property is within Ukon's service area and it is in the District's service area. Ukon is not denying Mr. Smith, but they cannot guarantee him water, either.

General Manager Mackley is proposing that we wholesale the water to Mr. Smith until he can collect enough Ukon shares (by paying the \$10,000 impact fee for each share). He has 6 shares that came with the property he purchased for the development. By wholesaling water on a temporary basis, this would allow Ukon to benefit by collecting the impact or connection fees. We would only do this working with Ukon Water Company. There would be an agreement with Mr. Smith that when he collected enough shares from Ukon, we would no longer provide water to him. We are doing what we are supposed to do, providing water where needed, and/or helping to find a solution for the developer. Mr. Smith needs some certainty that he can get water to his development.

General Manager Mackley asked the Board Members for support for the District to work in conjunction with Ukon Water Company to temporarily supply water to the Vance Smith subdivision. The questions were raised; 1) Where would the control be to ensure the subdivision would purchase the needed shares from Ukon rather than continue to be supplied by the District and 2) What if Ukon decided not to provide water to the development. There was a discussion regarding the answers.

If the Ukon Shareholders decide to control growth by limiting the number of connections they sell each year that is their choice. If they want to collect the money they need to maintain their system, they will either need to sell more connections or triple the amount they are billing their customers. Mr. Smith is willing to pay Ukon the money for each connection today if they could sell him the shares.

We are not in the business to control growth, but we are in the business of providing water for the developments that are going in. This subdivision has been approved by the County Planning and

Zoning. The Board Members agreed that Ukon's non approval is a denial. There is a distinction between this scenario where the waterline is already in place and a new development where we would be installing a new system.

The Board Members would like to hear Ukon's perspective on if they are willing to sell water to the development. General Manager Mackley is asking for support to attend the next Board Meeting for Ukon Water Company and present this proposed solution.

Vice Chairman Forsgren made a motion to authorize General Manager Mackley to attend the Ukon Water Company Board Meeting and propose that we supply water to Mr. Smith as we discussed tonight. The motion was seconded by Board Member Day. A favorable vote was given by Financial Chairman Holmgren, Board Member Vincent, Board Member Howe, Board Member Carter, and Board Member Scott. Board Member Jay Capener voted in opposition to the motion and Board Member Larson abstained from the vote due to a conflict of interest.

Steve and Craig Adams have some wells near Little Bear Hollow that are 100 feet deep and run at about 100 gpm. General Manager Mackley asked the Board Members for support to investigate the wells as an optional water source for Collinston by taking water quality samples and finding out what it might cost to pursue this. It would only be about 2 miles to connect to our Collinston system. They drilled the wells for a subdivision, but did not want to be classified as a public water supplier. They have Ukon water now. They use the wells to some degree, but not to their full potential. They filed for single family domestic applications with about 6 on each well and most of those have lapsed. They do not have water rights to offer us, we are just looking at the potential water source. We could not use the wells as constructed for a culinary source. They would be like 3 test wells that have already been drilled. Larger production wells would have to be constructed to meet culinary standards.

A motion was made by Board Member Carter to look into the possibility of obtaining the Bear Hollow wells. The motion was seconded by Board Member Vincent. All Board members voted in favor of the motion.

General Manager Mackley concluded his report by handing out a survey he created for public water supply companies in the County. He asked the Board Members to review the survey and give their feedback to him. He mentioned the possibility of sending out an electronic survey so we would have instant feedback from the water companies.

A motion was made by Board Member Vincent to adjourn the meeting. The motion was seconded by Board Member Larson. All Board Members voted in favor.

The meeting adjourned at 9:35 PM.