**2015 UACD RESOLUTIONS**

**FOR THE UACD CONVENTION**

**NOVEMBER 5-6, 2015**

**ST. GEORGE, UTAH**

**NEW AND SUNSET RESOLUTIONS OF THE**

**2015 UACD CONFERENCE**

**NOVEMBER 5-6, 2015**

# ST. GEORGE, UTAH

***NEW 2015 RESOLUTIONS (0):***

***2015 SUNSET RESOLUTIONS (19):***

STRENGTHENING DISTRICTS COMMITTEE

2015 SUNSET SD #1: Statewide Envirothon Competition **RE-ADOPT WITH CHANGES**

2015 SUNSET SD #4: New Funding Appropriations for Conservation District Technical Assistance **RE-ADOPT WITH CHANGES**

LAND USE COMMITTEE

2015 SUNSET LU #1: Conservation Tree Planting Program **RE-ADOPT**

2015 SUNSET LU #2: Noxious Weed Control **RE-ADOPT**

2015 SUNSET LU #3: Wilderness Management **RE-ADOPT**

2015 SUNSET LU #4: City and County Planning Commission Involvement **RE-ADOPT**

2015 SUNSET LU #5: Predator/Raven Control **RE-ADOPT WITH CHANGES**

WATER RESOURCES COMMITTEE

2015 SUNSET WR #1: Zebra (Dreissena bugensis) and Quagga (Dreissena polymorpha) mussel **RE-ADOPT WITH CHANGES**

2015 SUNSET WR #3: Opposition to the Snake Valley Aquifer Pumping Agreement **RE-ADOPT**

2015 SUNSET WR #4: Due Process Requirement for Relinquishing Water Rights **RE-ADOPT**

2015 SUNSET WR #5: Support for the Central Utah Project **RE-ADOPT**

2015 SUNSET WR #6: Water Rights Ombudsman **RE-ADOPT**

2015 SUNSET WR #7: Water Banking **RE-ADOPT**

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET SD #1

**TITLE:** Statewide Envirothon Competition

**SPONSOR:** Education Committee

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_\_\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_**X**\_\_\_ RETIRE\_\_\_\_\_\_\_

WHEREAS, the North AmericanEnvirothon is a program supported by the National Association of Conservation Districts and aimed at teaching high school students more about natural resources and their management, and,

WHEREAS, UACD will continue to spearhead the effort to organize and produce a Utah Envirothon program and send a team to the North AmericanEnvirothon competition, and,

WHEREAS, UACD has resolved to support Envirothon, along with Agriculture in the Classroom and other conservation education programs,

BE IT THEREFORE RESOLVED that the Utah Association of Conservation Districts sponsor, as well as provide staff and financial assistance of a minimum of $2,000 annually to a Utah Envirothon competition. Partnerships with both private and public entities will also be actively pursued.

BE IT FURTHER RESOLVED that local Conservation Districts encourage and provide resources to local high schools to participate in the Utah Envirothon.

Be IT FURTHER RESOLVED that UACD should recommend to Utah Department of Agriculture and Food (UDAF) to support and provide staff for the Envirothon.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET SD #4

**TITLE:** New Funding/Appropriations for Conservation District Technical Assistance

**SPONSOR:** Duchesne Conservation District

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_**X**\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_\_**\_**\_\_\_ RETIRE\_\_\_\_\_\_\_

WHEREAS, the Utah’s Conservation Districts have completed or are working on local Resource NeedsAssessments, these assessments show the need for conservation planning and technical assistance to support federal, state, local community and landowner needs in Utah;

WHEREAS, assessments have consistently shown that field-level persons are needed to plan and implement existing federal, state and local conservation programs/needs, and;

WHEREAS, Conservation Districts know the local needs and are expected to maintain existing staff and provide for additional staff to service such programs/needs, and;

WHEREAS, Conservation District staffing which is funded primarily by state appropriations, Agriculture Resource Development Loan (ARDL) fees, and local government funds, have not been increased and state appropriated funding has been cut, new sources of funding are needed to maintain the current trained and functioning staff, and fund new staff if needed;

WHEREAS, Utah’s Conservation Districts have demonstrated the ability to employ and manage qualified planners, specialists, and coordinators needed to fill the districts’ responsibilities including, but not limited to, ARDL, non-point source pollution control, federal conservation programs, assistance to counties and cities addressing the condition and health of the State’s soil, water, and other natural resources;

THEREFORE BE IT RESOLVED, that the 38 Conservation Districts in Utah use the local Resource NeedsAssessments for their respective to connect with local, county, and state legislative officials; to identify the most critical natural resource needs; and to work with partnering agencies to identify combined financial resources,existing staff and funding levels, and any additional staff and funding, needed to satisfy the future workload to develop natural resource goals.

LET IT BE FURTHER RESOLVED that the UACDassist the districts, obtainfunding, and recruit and employ related staff as needed. When the revenues of the State of Utah increase, seek to restore previously cut funding and/or obtain new funds for conservation districts to be able to maintain and build upon existing staff levels, only as sufficient to achieve the needs documented by the districts.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET LU #1

**TITLE:** Conservation Tree Planting Program

**SPONSOR:** Land Use Committee

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_\_\_**X**\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_\_\_\_ RETIRE\_\_\_\_\_\_\_

WHEREAS, the UACD, NRCS, Utah Division of Forestry, Fire and State Lands, have a common obligation to conserve and enhance the natural resources of the State of Utah, and,

WHEREAS, conservation tree plantings serve a multi-conservation purpose for erosion control, livestock, crop and farmstead protection, wildlife habitat, beautification**,** water quality, storm water control, timber, and,

WHEREAS, a conservation tree planting program benefits Utah’s conservation effort and enhances Conservation District’s (CD’s) visibility and involvement in the communities they serve, and,

WHEREAS, conservation tree plantings are an important part of the Conservation Reserve Program and other parts of the Conservation Titles of the 1990 Food Security Act,

BE IT THEREFORE RESOLVED that the UACD support the continuation of a conservation tree planting program for Utah by:

1. Memorandums of Understanding between UACD, UCC, UFFSL, NRCS and other

 interested organizations facilitating tree sales and planting programs by individual

 CD’s, and

 2. Developing a cooperative effort of tree planting services between private land

 owners and CD’s, with state and federal programs.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET LU #2

**TITLE:** Noxious Weed Control

**SPONSOR:** Land Use Committee

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_\_**X**\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_\_\_\_ RETIRE\_\_\_\_\_\_\_

WHEREAS, the UACD is established to assist the Conservation Districts throughout the state, and,

WHEREAS, the CD’s are charged with the stewardship for all land within their Districts, regardless of other administrative boundaries, and,

WHEREAS, the noxious weed control policy of the federal, state, county, and city lands management agencies directly affects conservation programs of CD cooperators,

BE IT THEREFORE RESOLVED THAT, the UACD supports the prudent use of chemical and biological weed control agents on federal, state, county, city**,** and private lands, and,

AND BE IT FURTHER RESOLVED THAT, the UACD supports the continued control of noxious weeds on federal, state, county, city and private lands in accordance with the Utah State Noxious Weed Law and wise and prudent practices and appropriate application rates.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET LU #3

**TITLE:** Wilderness Management

**SPONSOR:** Land Use Committee

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_**X**\_\_\_ RE-ADOPT WITH CHANGES\_\_\_\_\_\_\_\_ RETIRE\_\_\_\_\_\_\_

WHEREAS, pressure from some special interest groups is being put on federal land management agencies in the State of Utah to manage non-wilderness lands as wilderness, and,

WHEREAS, such management prohibits the multiple use concept which is strongly supported by UACD,

BE IT THEREFORE RESOLVED, that UACD oppose the concept of wilderness management on non-wilderness lands and areas of critical environmental concern (ACEC) and strongly urge federal land management agencies to not adopt such management practices, and to maintain multiple use status.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET LU #4

**TITLE:** City and County Planning Commission Involvement

**SPONSOR:** Land Use Committee

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_**X**\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_\_\_\_ RETIRE\_\_\_\_\_\_\_

BE IT RESOLVED, that the CD supervisors and UACD staff actively solicit representation and involvement on City and County Planning Commissions, and that UACD continue to update and distribute information for CD distribution to Planning and County Commissions/County Councils.

BE IT FURTHER RESOLVED, that the CD Boards offer assistance and expertise in urban development.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET LU #5

**TITLE:** Predator/Raven Control

**SPONSOR:** San Juan Conservation District

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_\_\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_**X**\_\_\_ RETIRE\_\_\_\_\_\_\_

WHEREAS, high numbers of predators, especially ravens, are having a negative impact on crops and sage grouse.

WHEREAS, raven numbers are excessivein many local areas.

WHEREAS, local farmers are seeing significant damage to statewide crops.

WHEREAS, ravens are known to target and eat sage grouse eggs and are known by local land owners and operators to have a significant impact on sage grouse populations (No study required to see this).

WHEREAS, millions of dollars have been spent to create or improve sage grouse habitat and employ biologists to study the species.

WHEREAS, many areas have sufficient habitat, yet sage grouse numbers are declining or holding (despite the increase in the number of leks counted each year, the average number of males counted on the leks has shown a decline from 1967-2001. Sage-grouse nest success varies from 12 to 86%. *Source: Strategic Management Plan for Sage-Grouse 2002*.

WHEREAS, Utah Division of Wildlife Resources contracts with U.S.D.AWildlifeServices to control a specified number of ravens each year.

WHEREAS, a more cost effective way to control ravens is to allow public involvement.

THEREFORE BE IT RESOLVED that the Utah Association of Conservation Districts encourage and support efforts to reduce raven and predator numbers in the State of Utah.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET WR #1

**TITLE:** Zebra (Dreissena bugensis) and Quagga (Dreissena polymorpha) mussel …

**SPONSOR:** Price River Watershed Conservation District, San Rafael Conservation District

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_\_**X\_**\_\_\_ RETIRE\_\_\_\_\_\_\_

WHEREAS**,** Zebra and Quagga mussels are invasive freshwater mollusks (clams) that infest water in large numbers, attaching to any hard surface;

WHEREAS**,** Zebra and Quagga mussel invasions have cost billions of dollars in damages by clogging water pipes, degrading water quality, and competing with fish populations in the eastern United States;

WHEREAS**,** Zebra and Quagga mussels have now been detected in Utah’s lakes, and if left uncontrolled will have a devastating impact on Utah’s water resource,

THEREFORE BE IT RESOLVED**,** that the Utah Association of Conservation Districts support the Utah Division of Wildlife Resources (UDWR) and its partners in working diligently to keep Zebra and Quagga mussels from spreading further into Utah’s waters, even to the point of closing streams, lakes and reservoirs to boating and other activities deemed contributing to the spread of these invasive species;

THEREFORE BE IT RESOLVED, that the Utah Association of Conservation Districts support efforts to control Zebra and Quagga mussels in lakes throughout the State of Utah.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET WR #3

**TITLE:** Opposition to the Snake Valley Aquifer Proposed Draft Agreement

**SPONSOR:** Juab and Millard CD Boards

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_\_**X**\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_\_\_\_ RETIRE\_\_\_\_\_\_\_

Whereas, the State of Utah has proposed to enter into an agreement with the State of Nevada and;

Whereas, the State Of Utah has held public meetings wherein the public, affected water rights holders and local agricultural interests, concerned conservation organizations, Wasatch Front governmental organizations and many others, have overwhelmingly voiced dissatisfaction and urged rejection of the proposed draft agreement and;

Whereas, the predicted drop in water table resulting from SNWA pumping will affect the fragile desert environment resulting in loss of vegetation, water sources for wetland, livestock and wildlife, economic devastation of the local residents, loss of protective ground cover, exposing the desert soils to wind erosion and resulting in negative effects to the air quality of populated areas and;

Whereas, there are minimal benefits to the State of Utah, its residents or its natural resources by the implementation of the agreement in the current form and;

Whereas, several threatened species are found in this area which have cost the citizens of the State of Utah vast monetary and other resources in efforts to protect and delay listing of these species as endangered and will surely be affected by dropping the water table and diminishing surface water supplies and;

Whereas, the primary impetus for the rushed implementation of this agreement is the current political climate.

Now therefore be it resolved, that the Utah Association of Conservation Districts (UACD) is adamantly opposed to the proposed draft agreement and the proposed Southern Nevada Water Authority (SNWA) pipeline project. The UACD encourages the State of Utah to include in the final agreement stronger measures with respect to mitigation, agricultural interests, social and economic impacts, as well as environmental protection measures to better protect the resources and citizens of the State of Utah.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET WR #4

**TITLE:** Due Process Requirement for Relinquishing Water Rights

**SPONSOR:** Water Resources Committee

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_**X**\_\_\_ RE-ADOPT WITH CHANGES\_\_\_**\_**\_\_\_ RETIRE\_\_\_\_\_\_\_

WHEREAS, in the late ‘90’s when the State of Utah required that “Dam Safety” work be done on the Huntington Reservoir near the top of Huntington Canyon, the Huntington-Cleveland Irrigation Company, (HCIC), applied to the Forest Service for a “special use permit” to do the necessary work, and,

WHEREAS, the HCIC was informed that, in order to get the permit, they would have to set aside 900 acre feet of water as a conservation pool (“C-pool”), to remain year around in the reservoir for recreational purposes, and,

WHEREAS, the HCIC protested to the Forest Service and was told that either the “C-pool” was to set aside or they couldn’t do the work the State of Utah was demanding, and,

WHEREAS, the HCIC had no recourse but to establish the “C-pool” and implement the work required, and,

WHEREAS, during 2002 the HCIC applied to the Forest Service for “permanent easements” for our reservoirs, in order to do routine maintenance without having to continually apply for “special use permits”, and was told by the Forest Service that getting “permanent easements” would require even more water being put into the “C-pool”, and,

WHEREAS, all water from the Huntington Creek drainage is fully appropriated, which requires that all water set aside for a “C-pool” must be taken from HCIC shareholders, (i.e. local farmers, towns or industries), and,

WHEREAS, HCIC insists that any action to take water, without due process, is unethical and illegal,

BE IT THEREFORE RESOLVED, that no government agency, be it Federal, State or Local, shall demand that water right holders relinquish water or water rights, for any purpose, without due process and fair market value compensation.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET WR #5

**TITLE:** Support for the Central Utah Project

**SPONSOR:** Water Resources Committee

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_\_**X**\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_**\_**\_\_\_ RETIRE\_\_\_\_\_\_\_

UACD supports the completion of the Central Utah Project Completion Act.

*(If this resolution is passed it is recommended that a letter be sent to the Central Utah Water Conservancy District, with UACD president’s signature, stating UACD’s continued support for the C.U.P.)*

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET WR #6

**TITLE:** Water Rights Ombudsman

**SPONSOR:** Grand Conservation District

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_\_**X**\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_\_\_\_ RETIRE\_\_\_\_\_\_\_

WHEREAS, individuals, farmers and ranchers often find themselves needing to defend their water rights in court with little funding to hire appropriate representation, and

WHEREAS, there is a need for individuals, small farmers and ranchers to have a means for assistance in finding information and guidance about water rights issues and

WHEREAS, there is a need to establish a Water Rights Ombudsman office or expand the current property rights ombudsman office to assist individuals, farmers and ranchers, and

WHEREAS, there appears to be support for an Ombudsman office from water attorneys in the State of Utah;

THEREFORE BE IT RESOLVED, that Utah Association of Conservation Districts support efforts to establish a new Water Rights Ombudsman office, or expand the current property rights ombudsman office as an effort to support individuals, farmers and ranchers needing assistance in obtaining information on water rights or defending their water rights in court.

**UTAH ASSOCIATION OF CONSERVATION DISTRICTS**

**NUMBER:** 2015 SUNSET WR #7

**TITLE:** Water Banking

**SPONSOR:** North Cache Conservation District

**COMMITTEE RECOMMENDATION:**

RE-ADOPT\_\_\_**X**\_\_\_\_ RE-ADOPT WITH CHANGES\_\_\_\_\_\_ RETIRE\_\_\_\_\_\_\_

WHEREAS, Utah Code, 73-5-15, Groundwater management plan, defines a “Critical Management Area” as, “a groundwater basin in which the groundwater withdrawals consistently exceed the safe yield”.

WHEREAS, “Safe Yield” is further defined as, the amount of groundwater that can be withdrawn from a groundwater basin over a period of time without exceeding the long-term recharge of the basin or unseasonably affecting the basin’s physical and chemical integrity.

WHEREAS, the best scientific method must be used by the state engineer to determine; hydrology conditions including surface water connections, physical characteristics of basin, geographical spacing and locations of withdrawals, water quality, local well interference, and any other factors that can affect the safe yield for the groundwater management plan.

WHEREAS, the state engineer may regulate groundwater withdrawals within a specific groundwater basin by adopting a groundwater management plan, the plan limits groundwater withdrawal to safe yield to protect the integrity of the aquifer. If the groundwater withdrawal in a basin exceeds the safe yield the state engineer shall regulate groundwater rights; water users may agree to participate in a voluntary arrangement for managing water consistent with other law.

WHEREAS, a substantial amount if not all of the water in Utah is appropriated Utah code 17B-1-202 1,c,ii states; “[a] groundwater right held by a local district to satisfy the provisions of a groundwater management plan is not subject to the forfeiture provisions of Section [**73-1-4**](http://le.utah.gov/~code/TITLE73/htm/73_01_000400.htm)”.

WHEREAS, state statute empowers Conservation Districts to support local government in planning, adopting, and developing required data and acts as a moderator or contracting agent for local entities, a local District may acquire by any lawful means a groundwater right necessary or convenient to the full exercise of the district’s power, and the district may manage the groundwater rights it acquires under Subsection 17B-1-103 (2)(a)or(b) consistent with the provisions of a groundwater management plan described in Subsection (1)(c); now

THEREFORE BE IT RESOLVED, a groundwater management plan may include a voluntary water banking arrangement in consultation with the state engineer, with special considerations of the safe yield and groundwater rights. The Utah Association of Conservation Districts (UACD) supports the lawful use of voluntary water banking where “Water Banking” is defined as the managing of water rights by a local district created in Section 17B-1-202 to facilitate and coordinate the voluntary use, lease, or sale of water by water right holders and water users. Further, the UACD supports continued development of law that will promote conservation of water and the wise use under established water rights.