

**MINUTES OF THE  
JOINT MEETING OF THE  
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT INTERIM  
COMMITTEE**

**AND THE  
STATE WATER DEVELOPMENT COMMISSION**

Wednesday, September 21, 2005 – 2:00 p.m. – Room W125 House Building

**Natural Resources, Agriculture, and Environment Interim Committee**

**Members Present:**

Sen. Thomas V. Hatch, Senate Chair  
Rep. Roger E. Barrus, House chair  
Sen. Gene Davis  
Sen. Beverly Ann Evans  
Sen. Parley G. Hellewell  
Sen. Michael G. Waddoups  
Rep. Jackie Biskupski  
Rep. Craig W. Butters  
Rep. Margaret Dayton  
Rep. Carl W. Duckworth  
Rep. James R. Gowans  
Rep. Kory M. Holdaway

Rep. Bradley T. Johnson  
Rep. John G. Mathis  
Rep. Ronda Rudd Menlove  
Rep. Michael E. Noel Rep. David Ure  
Rep. Mark A. Wheatley  
Rep. Richard W. Wheeler

**Staff Present:**

Mr. J Brian Allred, Policy Analyst  
Mr. John L. Fellows, Deputy General Counsel  
Ms. Emily Brown, Committee Staff  
Ms. Joy L. Miller, Legislative Secretary

**State Water Development Commission**

**Members Present:**

Sen. Thomas Hatch, Senate Chair  
Rep. David Ure, House Chair  
Sen. Gene Davis  
Sen. Mike Dmitrich  
Sen. Peter C. Knudson  
Rep. Craig W. Butters  
Rep. James R. Gowans  
Rep. Bradley T. Johnson  
Rep. Patrick L. Painter  
Mr. Larry Anhder  
Mr. Ivan Flint  
Mr. Tage Flint  
Mr. Irvin Haws  
Mr. Dallin Jensen  
Ms. Dianne Nielson  
Mr. Michael Styler  
Mr. Ron Thompson

**Members Absent:**

Commissioner Leonard Blackham  
Mr. Don Christiansen  
Mr. Chris Fullmer  
Rep. Brad King  
Mr. Darrell H. Mensel  
Mr. Dale Pierson  
Mr. Paul Riley

**Staff Present:**

Mr. J Brian Allred, Policy Analyst  
Mr. John L. Fellows, Deputy General Counsel  
Ms. Emily Brown, Commission Staff  
Ms. Joy L. Miller, Legislative Secretary

**Note:** A list of others present, copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

### **1. Committee Business**

Chair Hatch called the meeting to order at 2:15 p.m.

**MOTION:** Rep. Gowans moved to approve the minutes of the July 20, 2005 meeting of the Natural Resources, Agriculture, and Environment Interim Committee. The motion passed unanimously. Sen. Evans, Sen. Davis, Sen. Waddoups, Rep. Noel, and Rep. Ure were absent for the vote.

### **2. Update on the Energy Policy Working Group**

Rep. Barrus stated it is the intent of the working group to draft legislation to provide for the responsible development of energy to address the needs of the state and the nation. The Committee is authorized to meet jointly with the Public Utilities Interim Committee to discuss the proposed energy policy.

### **3. Water Development Financing Task Force Report**

Mr. Ed Alter, State Treasurer and Water Development Financing Task Force Chair, stated that even after developing readily available water resources and meeting the state's conservation goal, there will not be enough water to meet the projected population growth needs. As a result, the Lake Powell Pipeline and Bear River projects have been planned to address those needs. They are relatively close to population centers in Southern Utah and the Wasatch Front where growth is most rapid and water will be needed in 2020 and 2035 respectively. The two projects are expected to cost more than \$814 million in today's dollars. He reviewed the recommendations of the Task Force contained in the report.

Mr. Larry Anderson, Director, Division of Water Resources, reviewed the provisions of the Colorado River Compact. Utah's share of Colorado River water is 1.3 million acre feet. There is approximately 370,000 acre feet not being used today and is currently going to fill Lake Powell. He commented that there are many issues that must be dealt with to determine what is best for Utah.

Mr. Dave Ovard, JWCD (Jordan Valley Water Conservancy District), stated that the JWCD and Weber basin have been acquiring easements from Weber County to accommodate the Bear River project. They have acquired 60 percent of the easements needed for a future right-of-way for the pipeline to Salt Lake County.

Mr. Jeffrey Steadman, Utah Rivers Council, noted that the state's current goal of water reduction means that future demand is reduced by 500,000 acre feet. He questioned if conservation is being given enough attention. He stated that if better and cheaper alternatives are available, they should be considered.

Mr. Ron Thompson, Washington County Water Conservancy District, indicated that conservation is only part of the solution. The Lake Powell Pipeline is critical to Southern Utah to meet long-term needs and should be considered an investment in the future.

**MOTION:** Rep. Barrus moved to accept the concepts and recommendations contained in the task force report and requested that staff develop legislation to accomplish the implementation of the recommendations. The motion passed with Rep. Biskupski voting in opposition. Sen. Evans, Rep. Butters, Rep. Holdaway, and Rep. Johnson were absent for the vote.

#### **4. Colorado River Water Rights**

Ms. Brown provided some background information on the time limits municipalities and agencies have to develop water.

Mr. Jerry Olds, State Engineer, distributed information on Utah's Upper Colorado River entitlement and current, estimated, and potential depletions. The potential depletion from approved but undeveloped applications totals 493,100 acre feet. He explained that the account for the Upper Colorado River is over appropriated on paper but there is more than 360,000 acre feet of unused water annually.

#### **5. Watershed Improvement**

Mr. Mike Styler, Executive Director, DNR (Department of Natural Resources), gave a video presentation on Utah's Watershed Restoration Initiative. He distributed "FY 2006 Watershed Initiative Projects." Healthy watersheds yield higher quality water; add more water into rivers, streams, and aquifers; and have less problems with the potential for fire.

Ms. Sylvia Gillen, Natural Resource Conservation Service, stated that normally the agency has a \$64 million budget. However, it was doubled this year due to flooding in St. George.

Mr. Rory Reynolds, Wildlife Water Initiative Coordinator, DNR, pointed out that the list of initiative projects does not address the inkind contributions that have been received. He noted that there are many projects that address pinion juniper issues.

#### **6. Public Lands Coordinating Council**

Mr. Lynn Stevens, Coordinator, Public Lands Coordinating Council, reported on the activities and progress that the newly created agency has made. He stated that RS 2477 roads have been a major issue and the 10th Circuit Court of Appeals recently ruled in favor of the state. He said it will be very useful to have these roads recorded. The cost of recording will be significant but less than the cost of litigation. He distributed a press release "A New Plan for Identifying Public Roads in Utah."

Mr. Steve Boyden, Public Lands Policy Office, discussed the APPLE initiative and said they have tried to craft legislation to implement it. He stated that Congressman Rob Bishop has introduced two pieces of legislation. The legislation is intended to apply to the 13 western states - 9 of which have adopted resolutions supporting the APPLE initiative. The western states would form a coalition and work for the

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passage of the federal legislation.

**7. Other Business / Adjourn**

**MOTION:** Rep. Dayton moved to adjourn. The motion passed unanimously.

Chair Hatch adjourned the meeting at 4:55 p.m.