

MINUTES OF THE LAKE POWELL PIPELINE MANAGEMENT COMMITTEE

Minutes of a public meeting of the Lake Powell Pipeline Management Committee held on Thursday, March 17, 2016 at 2:00 p.m. at St. George, Utah.

Committee Members present: Jim Lemmon (Utah Division of Water Resources), Eric Millis (Utah Division of Water Resources), Mike Noel (Kane County Water Conservation District) and Ronald Thompson (Washington County Water Conservancy District).

Also present: Brian Liming (MWH), Tim Sickles (Horrocks Engineers), Jaqueline Pacheco (Division of Water Resources), Joel Williams (Division of Water Resources), Kathy Leeflang, Jane Whalen (Citizens for Dixie's Future), Lisa Rutherford, Paul Van Dam, Joshua Palmer (Division of Water Resources), Dirk Clayson (Kane County Water Conservancy District), Bill Leeflang (Utah Division of Water Resources), Barbara Hjelle (Washington County Water Conservancy District), Corey Cram (Washington County Water Conservancy District), Karry Rathje (Washington County Water Conservancy District), Tina Esplin (Washington County Water Conservancy District).

Welcome and Introductions—Eric Millis conducted the meeting. He welcomed those present.

Approval of October 14, 2015 Minutes—**Jim Lemmon made a motion to approve the minutes of the October 14, 2015 meeting, Ron Thompson seconded the motion and all voted aye.**

Briefing on Progress in Process—Brian Liming gave a briefing on the Lake Powell Pipeline Project (LPPP) Integrated Licensing Process (ILP):

- Utah Board of Water Resources (UBWR) will file the License Application with Federal Energy Regulatory Commission (FERC) by April 30, 2016.
- Utah and Arizona State Historic Preservation Offices (SHPOs) requested additional field studies on private lands not surveyed, previously recorded sites not relocated in Class III surveys, and also survey of isolated occurrences that the SHPOs thought could actually be archeological sites. When the surveys were done in 2015, we were not able to get permissions for approximately 30 miles of private lands. The districts sent out letters and contacted landowners, and were able to get permissions for an additional 16 miles of private lands in both Arizona and Utah so we were able to do those surveys as well as the isolated occurrences. The isolated occurrences did not yield any new sites, but it did change the boundaries of several previously recorded sites on primarily state and federal lands.
- The Class I literature search was updated per the SHPOs' requests to inform primarily the private lands that hadn't been part of the surveys previously done to make sure that they had Class I literature that would accompany that Class III survey.

- The SHPOs requested those Class III field surveys, and those were completed in early December, 2015.
- The analysis of that survey data that was collected has been completed, and updated Draft Class III report has been submitted to the agencies and the BLM for distribution to the Native American Tribes and Nations (Tribes) for 90 days for their review and comments.
- The full Class III report will be revised to incorporate any review comments that are received.
- The Final Draft Class III report will then be reviewed by BLM and comments incorporated.
- The Final Class III report will be submitted to SHPOs for their 30-day review and concurrence and we will incorporate any comments they have. SHPOs for both Arizona and Utah previously reviewed and provided comments on the 2015 reports which resulted in these additional field studies. They will have another 30-day review on the Final Class III report, we will incorporate any comments they have and that Final Class III report will be filed with FERC.
- The Class III cultural resources activities will continue beyond License Application filing with FERC, and plan to have completed in September, 2016.
- The Historic Properties Management Plan (HPMP) and Historic Properties Treatment Plan (HPTP) covering site mitigation measures will be submitted to the Tribes and agencies for their review and comment, and then submitted to Arizona and Utah SHPOs for their review and concurrence, and then filed with FERC. So the SHPOs will have a review of the draft and then the final.
- The BLM will continue formal consultation with individual Tribes to receive and document their input on LPPP.
- The Bureau of Reclamation (BOR) has updated the Colorado River System Simulation (CRSS) modeling results of both Lake Powell and Glen Canyon Dam releases, and we have incorporated that modelling report into Final Study Reports. There were no significant changes, but there were some changes in temperature and dissolved oxygen simulations in both releases that were favorable towards avoiding impact on the resources.
- The Preliminary Licensing Proposal (PLP) was filed with FERC, including revised Draft Study Reports, on December 2, 2015.
- The 90-day review of the PLP by agencies and the public and comment submittal ended on February 29.
- Other sections of the License Application, Draft Plan of Development documents for BLM, and other applications for federal permits (Section 404 of the Clean Water Act, Section 401 of the Water Quality Certifications by both Utah and Arizona Departments of Water Quality and the Right of Way applications for submittal to the National Park Service, BOR and BLM). Those drafts are in preparation or in internal review and will all be submitted with the License Application to FERC, with copies also going to each cooperating agency.
- We are presently in the 60-day period to produce Exhibit E and complete the other License Application Exhibits for filing with FERC by April 30, and are working very hard to address the comments made both in the comment response documents as well as

making the revisions to the study reports so they can be finalized in Exhibit E. It is the new and improved version of the PLP.

- Following the License Application filing by the UBWR, FERC will review the License Application and determine if it is ready for environmental analysis.
- Once they make that determination, they will start the NEPA compliance process by first preparing the draft EIS with the participation of cooperating agencies and the Kaibab Band of Paiute Indians, who have been granted cooperating agency status by FERC for their NEPA compliance. That process could be delayed by the extended cultural resources process with the BLM and SHPOs.
- We had less than 200 comments and a majority were comments resulting from Utah Rivers Council mass messaging that included five comments so we have a table for all the people that made the same comment and we will have 5 responses addressing those comments, and we had comments from BLM, National Park Service, BOR, Bureau of Indian Affairs (BIA), Colorado River Commission of Nevada and comments from special interest groups including the Lake Powell Pipeline Coalition, American Rivers, Western Resource Advocates, Western Lands Project, the Data Plant Society and several other special interest groups. The BIA is not a cooperating agency, but if the project were to extend across any portion of the Kaibab Paiute Indian Reservation, then BIA would become a cooperating agency for NEPA compliance. The Kaibab Band of Paiute are cooperating agency for the NEPA compliance and they did submit comments.
- There is still approximately 14 miles we did not get permission for cultural resource surveys and some were no responses and some were “no we don’t want you on this land.” They are scattered and are in both Utah and Arizona and most are along power transmission alignments. Once FERC issues a license order for the project, one of the conditions would be that those private properties would have to be surveyed for cultural resources and anything else NEPA would require.

Financial Report—Bill Leeflang said MWH has done a significant amount of work in the last six months. The expenditures approved by the Utah Board of Water Resources are as follows:

Total expenditures in last report in September was \$27,352,000

September, 2015	\$100,405.14
October, 2015	\$334,646.03
November, 2015	\$161,119.89
December, 2015	\$261,197.53
January, 2016	\$176,341.06
February, 2016	\$213,161.43

Total expenditures for last six months was \$1,246,871.08

Total expenditures to date is \$28,598,871.08

Mike Noel made a motion that the Management Committee ratify the financial report given by Bill LeeFlang for \$1,246,871.08 with a total of \$28,598.871.08, Ron Thompson seconded motion and all voted aye.

Other Items—Eric Millis called for questions or comments from the committee and audience, and there were none.

Next Meeting—The next meeting is tentatively scheduled for September 15 at 2:00 p.m. in St. George, Utah

Adjournment—Ron Thompson moved to adjourn, Jim Lemmon seconded the motion and all voted aye.

There being no further business, the meeting was adjourned.
