

MINUTES OF THE LAKE POWELL PIPELINE MANAGEMENT COMMITTEE

Minutes of a public meeting of the Lake Powell Pipeline Management Committee, held on Tuesday, July 21, 2009, at 9:00 a.m. at 533 East Waterworks Drive, St. George, Utah.

Board Members present: Harold Shirley (Board of Water Resources), R. Scott Wilson (CICWCD), and Mike Noel (KCWCD).

Also present: Eric Millis (Utah Division of Water Resources), D. Larry Anderson (Utah Division of Water Resources Consultant), Harold Sersland (Utah Division of Water Resources Consultant), Brian Liming (MWH), Marc Brown (MWH), Mike Small (Citizens for Dixie's Future), LeAnn Skrzynski (Kaibab Paiute Tribe), John Mabey (KCWCD), Ken Spiers (Bowen Collins & Associates), Ronald W. Thompson (WCWCD), Barbara Hjelle (WCWCD), and Tina Esplin (WCWCD).

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

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Approval of May 12, 2009 minutes—Minutes of the May 12, 2009 were approved with the correction on the bottom of page two of “\$450 million dollars” being changed to “\$450 thousand dollars.” **Harold Shirley moved to approve the minutes of May 12, 2009, Ron Thompson seconded the motion and all voted aye.**

Progress on Environmental Resource Studies and FERC Schedule—Brian Liming gave a power point presentation and brief update on the status of the environmental studies being conducted along the various pipeline alignments and transmission line alignments:

Archeological and historic-era resources class III surveys. He showed a map of where access has been obtained on public (federal or state) and private lands. Some land owners have not given permission and some have said they are not going to allow us to get on their land. About 34 percent of the private landowners have given us approval, but it is spotty, so we don't have continuous coverage of those areas. We have been working with the Kaibab Band of Paiute Indians to do studies on the Kaibab Indian Reservation along Highway 389 for the existing highway alternative and also along the Toroweap Road down to the south alignment alternative. We have about 95 percent coverage for the archeological and historic-era resources class III surveys. Site recordation is a continuing activity and that will continue for at least another month and a half.

Paleontological reserves field surveys. Everything has been pretty well completed from the east all the way through St. George and up into Toquerville. For paleontological resources, the access isn't quite as important because we are really looking at outcrops of rock and rock surface. We have quite a bit of coverage and will be continuing up along the Cedar Valley pipeline alignment and finish up in the next couple of weeks.

Special status vegetation species and noxious weed assessment. Primarily, the focus has been on the pipeline alignments. They have done just a little bit of the transmission alignment on the east

side from the Glen Canyon substation working north. The first set of studies across the Kaibab Indian Reservation have been completed, and they will be back out in the middle of August and September to do follow up studies throughout not just the Kaibab Indian Reservation but the entire study area when those plants that are flowering in August and September are visible and available to be characterized, and they will continue to do the noxious weed assessment. They haven't hit as many of the private lands because we are waiting to get more responses from landowners.

Special status wildlife species. Right now they have been confined to the areas where there are riparian crossings where they have been looking at southwest willow flycatcher and the yellow billed cuckoo habitat. Those studies are continuing along with the protocols that are specified by the Fish and Wildlife Service, and they will be starting up the desert tortoise survey soon. These are the three species that are on the radar right now for special status. Wildlife Resources parallel what we are doing with the vegetation surveys, so most of the pipeline alignment is done, except in the private land areas; and we are looking at large and small mammals, reptiles, amphibians, birds and invertebrates. The desert tortoise is in selected areas and primarily in the area around the Hurricane Cliffs and north of that area. The BLM and Fish and Wildlife Services has indicated to us that there are some areas in there that are marginal habitat, so where we go north below the Hurricane Cliffs and then down into Hurricane for those transmission lines and the pressure irrigation connection, are areas of potential habitat. We are just doing a survey in our corridor and following the protocol defined by the HCP.

Geology and soil resources. They have worked primarily from the fore-bay alternative site up on top of the Hurricane Cliffs along that pipeline alignment and up close to Cedar City where they made some recent changes in the alignment up near Cedar City and the Cedar Valley to get to what is now the water treatment plant site, so we still have some additional work to do. After they finish that, they will be working their way eastward on the geology.

Pending environmental field studies. Today we are starting wetlands and riparian resources at all the different sites along the alignments. With respect to air quality and noise, we will be doing some spot checking to get baseline conditions to make sure we are getting the regional data verified. Visual resources will be out doing the baseline surveys and looking at the various key observation points starting the week of August 3. Recreation resources will be doing the week of August 10 and ethnographic resources will start doing interviews with some of the interested tribes on the traditional cultural properties near the end of August. There are other historical items that the National Park Service has raised. They want to make sure we capture any of the homestead type of areas that could be on some of the national park service administered land in the Glen Canyon National Recreation Area so we will be looking at those as well.

Things are on schedule as far as all the studies and coordination with the various agencies and the tribes. The first year reports are due January 21 to FERC. So, before that, we will be doing internal reviews of those study reports and also sending them out to agencies and tribes for their comments, and then the revised reports incorporating comments will be given to FERC on January 21.

Report of Bureau of Reclamation Modeling and Water Supply—Larry Anderson reported that the bureau recently submitted the modeling that they completed for us, and we are still in the process of evaluating that modeling to see if there are any errors or not, and we still need to have

some meetings with the bureau to make sure we understand how the modeling works. There will be additional modeling on impacts to hydropower for the project that has to be done. There could be another set of model runs on water quality downstream of the dam because of the project, so we will be looking at those. Larry handed out a copy of what has happened at Lake Powell the last few months and explained that Lake Powell was at its lowest elevations for the year on April 17 with an elevation of 3,609. Lake Powell is considered full at 3,700, but it is unlikely the bureau will ever take Lake Powell back up to 3,700. They usually stop at around 3,690, so we were down at least 80 to 90 feet of being full on that date. It held about 12.7 million acre feet of water on that date. Since that time, Lake Powell has risen to an elevation of 3,642, which is about 32½ feet, between April 17 and today. It is now rising at a very small rate of a couple of hundreds of a foot a day. Lake Powell's increasing capacity is 3.6 million acre feet because they are always releasing water out of Lake Powell. They are currently releasing about 13,400 cfs into the lower basin daily. The peak inflow on May 28 was at 5,400 cfs. The current inflow was 16,900 cfs. The current releases were about 13,400 cfs, so Powell on the last few days when they had measurements, came up a couple of hundreds of a foot. It will probably still come up in the next little while, but probably no more than a foot in additional elevation before it starts going back down and they start releasing more than is coming in. The releases start going up this time of year because demands are high in the lower basin states, and it is the time of year when inflows start going back down. We have had a good water year, almost 33 feet of increase at Lake Powell, probably more than was expected at the beginning of the year. June was a very wet month and flows stayed up a little higher because everything was saturated and everything ran off of the northern part of the watershed. Mike said in a 36 hour period this spring, it put in all the water needed for the entire project for the whole year.

Approval of Project Expenses—Eric Millis passed around a Memorandum dated July 21, 2009, and went over the expenses:

To-date costs to be reimbursed through the eventual sale of water are the charges by MWH, the Bureau of Land Management and the Bureau of Reclamation.

MWH has billed the Division each month and staff has reviewed and approved payment.

Total at last report	\$7,253,902	34.6 %
April 2009	\$ 389,620	1.9 %
May 2009	\$ 656,255	3.1 %
June 2009	<u>\$1,174,716</u>	<u>5.6%</u>

Total: \$9,474,493 45.2% of the \$20.953M contract

The first payment to the Kaibab Paiute Tribe for the cost of tribal monitors and business activity tax was made last week. This payment covered the month of June and amounted to \$3,458.22.

To date \$141,000 has been paid to the Bureau of Reclamation and \$190,000 to BLM for their expenses on the project.

Eric said we didn't have the April billings when we met in May, and that is why we have the three months listed here. Right now, because of the environmental studies that are going on and geotechnical investigations that are planned, that curve rises very fast; and we are at a point where we are spending a lot of money and the June report reflects that. So all total to this point, MWH has billed \$9,474,493. All contracts and amendments totaled up, and about 45% of the total contract has been approved by the management committee and by the Division of Water Resources. One point new to the report is as the studies were done on the Kaibab Paiute tribal reservation, they wanted us to pay for one or two tribal monitors there each day while the studies were done, so that is reflected. Also, there was a business activity tax that was required for work on the reservation, Totals of those expenses for the month of June, which has been the only time the studies were done on the reservation, was \$3,458, which has been sent to the tribe. Payment was for 70 hours at \$40 per hours. Brian said the archeological crews went out in ten day periods so it was during those ten day periods that they did the archeological and vegetation work on the reservation. The tribe taxes quarterly, so for that quarter, it is just the month of June. It is any of the studies we do on tribal lands. Eric said Harold has a process in place whereby we make an application to the tribe where we request access and tribal monitors. Harold said so far we have not had delays or problems with the monitors being available so it has worked out very well. **Ron Thompson made a motion to approve the budget, Scott Wilson seconded the motion and all voted aye.**

Other Items—Dennis said the seven basin states continue to meet and talk about the operation of the reservoirs and the river cooperatively, with a lot of emphasis right now being focused on bi-national discussions with Mexico, and it is an interesting process. We have had a face-to-face meeting with Mexican counterparts, and will have another one next month, so those negotiations may take a long time, but it is an exciting time. We are continuing to work cooperatively with the stakeholders and environmental communities in the process.

Next meeting—Dennis suggested the September 22 meeting be cancelled because we are in a period of time where we would be doing more of the same. The next meeting will be November 10 at the Washington County Water Conservancy District office. **Ron Thompson made a motion to cancel the September 22 meeting, Mike Noel seconded the motion and all voted aye.**

There being no further business, the meeting was adjourned.

Secretary

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