

MINUTES OF THE LAKE POWELL PIPELINE MANAGEMENT COMMITTEE

Minutes of a public meeting of the Lake Powell Pipeline Management Committee held on **Tuesday, November 8, 2011** at 2:30 p.m. at 533 East Waterworks Drive, St. George, Utah.

Board Members present: Scott Wilson (Central Iron County Water Conservancy District), Ronald Thompson (Washington County Water Conservancy District), Dennis Strong (Utah Division of Water Resources), Michael Noel (Kane County Water Conservancy District) and James Lemmon (Utah Division of Water Resources).

Also present: James Dahl (Stanley Consultants), Harold Sersland (Utah Division of Water Resources Consultant), Corey Cram (Washington County Water Conservancy District), Barbara Hjelle (Washington County Water Conservancy District), Brian Liming (MWH), Marc Brown (MWH), Eric Millis (Utah Division of Water Resources), Roger Pearson (Utah Division of Water Resources), Pete Samuolis (Kennedy/Jenks Consultant), Ken Spiers (Bowen Collins & Associates), LeAnn Skrzynski (Kaibab Paiute Tribe), Jane Whalen (Citizens for Dixie's Future), Lisa Rutherford (Citizens for Dixie's Future), Paul Van Dam (CDF), and Tina Esplin (Washington County Water Conservancy District)

Welcome and Introductions—Dennis Strong welcomed those present and conducted the meeting.

Approval of the July 11, 2011 Minutes— **Scott Wilson made a motion to approve the minutes of July 11, 2011, James Lemmon seconded the motion and all voted aye.**

ILP Schedule Status and Upcoming Events—Brian Liming gave an overview of the integrated licensing process filing schedule:

- UDWR Submit 4 Modified Study Reports – December 21
- Submit Draft Ethnographic Study Report – December 21
- Initial Study Report Meetings – January 4 (SGU) and January 5 (SLC) on 5 Study Reports
- File Initial Study Report Meeting Summary – January 20
- Comments Due on 5 Study Reports – February 20
- File Responses to Comments – March 21
- FERC Ruling on 5 Study Reports – April 19
- File Preliminary License Proposal w/FERC – April 19
- FERC/Public Comments due on PLP – July 18
- File FERC License Application/ROW Appl. – September 17

He said there were a number of comments generated from our initial study report meetings and that process last spring. We responded to those comments and filed that response with FERC in July. In August we received a letter from FERC stating that, with the responses to the comments in those study reports, additional studies would be required based on those comments. So, we

have continued to move forward with those studies and the four modified studies on air quality, noise, socioeconomic and visual resources. In addition, we now have a pretty good working draft of the Draft Ethnographic Study Report. The Draft Ethnographic Study Report is information protected by regulation and will not be allowed to be viewed by the public because it contains information sensitive to the various Native American tribes.

The schedule for the integrated licensing process is to submit the four Modified Study Reports, along with the Draft Ethnographic Study Report on December 21. The Initial Study Report meetings are scheduled for January 4 in St. George and January 5 in Salt Lake City. An Initial Study Report Meeting Summary of these meetings will be due on January 20. Then, comments will be due on the five Study Reports that are available to the public on February 20, after which the Division will work on its responses to those comments, which will be similar to the process that we previously went through and due to be filed with FERC on March 21. FERC will then have 30 days following that, or until April 19, to rule on whether or not those Study Reports are complete or if additional studies will need to be done. On that same day, we would be prepared to file the Preliminary License Proposal with FERC, which then has a 90-day comment period from FERC’s staff and other agencies, due on July 18. The earliest FERC could file its License Application would be September 17. The same day that FERC would issue that ruling, we would be prepared to submit the Preliminary License Application permit, the right-of-way permit applications and the application with Bureau of Reclamation. That starts FERC’s process for their post-license submittal where they prepare the Draft Final Environmental Impact Statement, issue it as a draft for public and agency comment, and prepare a Final Impact Statement that would cover all the agencies’ NEPA compliance requirements. Following that, a decision would be made on the license and the separate records of decision on the right-of-way applications. Dennis Strong said the process has a lot of very strict timelines in it. Brian Liming said the post-application process in FERC’s hands that is not defined is the preparation of the Draft EIS. We expect it to be around nine months to a year, but our intent is to complete the environmental document submitted as Exhibit E to the License Application that would closely match the EIS.

Project Expenses—Eric Millis presented a memo detailing the expenses billed by MWH for work they have done since the last meeting for June, July, August and September totaling \$23,164,558 as follows:

Total at last report	\$22,549,131	92.6%
June 2011	\$ 207,322	0.8%
July 2011	\$ 133,948	0.6%
August 2011	\$ 96,442	0.4%
September 2011	<u>\$ 177,715</u>	0.7%
 TOTAL:	 \$23,164,558	 95.1% of the \$24.352M contract

He said the staff has reviewed these bills and gone through them with MWH where there were questions and recommends these bills for payment. **Ron Thompson made a motion that the Management Committee ratify the payments for June, July, August and September by MWH, Scott Wilson seconded the motion and all voted aye.**

2012 LPP Management Committee Meeting Schedule—Eric Millis said that, given the schedule that Brian has outlined and talked to us about today, we are recommending two Management Committee meetings next year to be held on Thursday, March 15, in the morning, and Tuesday, September 11, in the afternoon.

Other Items—Dennis Strong said the water legislative taskforce will meet next Monday to talk about funding water projects as well as non-profit water corporations.

There being no further business, the meeting was adjourned.

Secretary