

# SOUTHWEST UTAH PLANNING AUTHORITIES COUNCIL (SUPAC)

## Minutes of a meeting held September 11, 2007

1. The Southwest Utah Planning Authorities Council (SUPAC) met at SUU Hunter Conference Center, Cedar City, Utah, on Tuesday, September 11, 2007, at 1:00 p.m. Those in attendance at the business meeting are listed on the roster attached as Appendix A to these minutes.
2. Vice Chairman Wes Curtis called the meeting to order and conducted the meeting. He welcomed those present and called for introductions.
3. The minutes of the meeting of May 1, 2007 were moved for approval by Kevin Carter. Jim Crisp seconded the motion and all voted aye.
4. **SUU & Dixie Economic Study Update** – Wes Curtis reported that it was started at the suggestion of Dixie State looking at the economy of this region. The intent is to examine what the region is oriented toward either Utah/Salt Lake or Utah/Las Vegas. What are the economic drivers? The Business and Economic Research Institute are doing the study and Ken Sizemore has met with them to discuss what areas should be included as a region. Originally it was proposed to confine to Washington and Kane. The Five County Association of Governments requested that all five counties be included in the study. USU is also doing a socio-economic study and for the first time in a long time southwest Utah will have a comprehensive study to give direction as to where we are heading. One thing we do know at this point is our economic growth is being driven from within. Jim Crisp stated that BLM does a poor a job of economic growth but are working with two projects who have applied for wind energy. BLM wants to be involved with the community at large in public land use.
5. **Lt. Governor Gary Herbert** reported on the success of the Native American Summit. The Governor gave a “state of the state” address to tribal leaders and tribal leaders gave their state of tribes address. The tribes spoke about 9/11 in the 1800’s and Lt. Gov. Herbert stressed the need for further discussion to heal the pain involved with our own terrorism. One principle of dialog/communication is essential and that is listening to each other. He reported that we are the strongest economically as a state within our Nation. Our unemployment rate overall is 2.6 % and personal income is up 9%. We have great natural resources and an attractive community to live in. We’re investing a great deal in education. 37% increase in public education - - He wants teacher’s salaries up so we don’t lose them. Keeping up with the growth in regard to infrastructure is extremely important. There are currently 203 state projects for transportation. The Governor’s Mansion is being made “green” to set an example for all Utahns to stress the importance of conservation. We have a great strength in being a community of volunteers in this state. John Keeler, Farm Bureau asked the Lt. Governor about tribal lands having charged money in the past to have cattlemen go across their range, but now they are denying access altogether. John will find the name of the tribe and call Lt. Governor to find out why the cattlemen cannot use the range anymore. Ken Sizemore asked what about work force housing shortages? The Lt. Governor said it’s a problem in all growth areas of the state of Utah. He and the Governor have visited the rural communities and have it on their minds that we need more affordable housing. We need to work

with the suppliers to find out. This is a significant issue. He'll be speaking at the League of Cities and Towns and will be speaking about this issue too.

6. **Mercury levels on Fish:** John Chartier, District Engineer for Division of Environmental Quality – Bill Sinclair had prior commitments and couldn't attend today. Fish advisories - New Castle Upper Enterprise and Gunlock – There are pamphlets [www.fishadvisories.gov](http://www.fishadvisories.gov) - Samples of mercury levels found in the fish (incorporated in the minutes) - Rainbow trout in Upper Enterprise Reservoir is 1.5 to 2 times of mercury levels than was last year. They are going to do a source assessment: A baseline test will be done at the hatcheries. They are trying to determine if it's a sediment problem; airborne problem; geology; or coming from food sources. Go to the DEQ website to check on the progress of the mercury study.
7. **Ground Water in Utah** - Jerry Olds, Water Treatment Director – Ground Water management in Utah for the Beryl-Enterprise area is overdrawn. He reviewed the new Ground Water Management Plan Bill and gave an update: 950K acre feet use from 2000-2005. Southwestern Utah's ground water supply is both for drinking and agricultural. He showed the red zone where appropriations are closed; Iron County is closed because of growth (along with several other counties where there is concentrate growth). Beryl-Enterprise has a serious overdraft; Pahvant Valley overdraft; Milford Valley overdraft; slight overdraft in Cedar Valley; Parowan Valley overdraft; Curlew Valley overdraft; Salt Lake Valley is over appropriated. 80 k – 90 k acre-feet used annually in the Beryl Enterprise – the re-charge is only 35k acre feet annually. The legislature was approached in 2004 and a Water Issues Task Force was established. Ground Water Management legislators were Dave Ure; Mike Styler; and Peter Knudson. In the 2006 Legislature, a bill was introduced HB 228 – Ground water management plan bill and is now under state law 73-5-15.

Definitions:

Critical management area – a groundwater basin in which the withdrawals consistently exceed the recharge

Safe yield – withdrawals are commensurate with re-charges

Regulate and adopt ground water management plan

Plan is based on the principles of prior appropriation

Objectives to limit the withdrawals to safe yield

Protect the physical integrity and the water quality

Sustainable Yield (Safe yield)

Critical Ground Water management areas – Take into consideration the economic impact on community and individuals. Public input is taken. Two requirements are set in stone:

1. It has to be based on prior appropriation principle and the concept of safe yield.
2. Everything is up for discussion; The bill requires public notice and process for input.

In the bill it allows for voluntary arrangements - - if a group wants to agree to pool AF with each other and if less than all water users are not involved it does not affect the rights of others. The public input has brought about five scenarios to stimulate debate and thought with a target to consider.

- a. Leave as is for a set period of time; end of initial period; reduce diversions by set amount (%) monitor for a period; continue until safe yield reach AF over → time being reduced gradually. This is just to stabilize and is based on prior appropriation.

- b. Lake Powell pipeline – Importation of water – Issue is economics – Where is the funding
- c. Steady and gradual reduction in use - - immediately reduce diversions; 1 % reduction each year; monitor water levels and use;
- d. Reduce diversions by changing crops; adjust cropping pattern from alfalfa to grain, potatoes, and corn to implement over time.
- e. Escalante water users suggested 1 year to develop; reduce the duty from 4.0 to 3.2 AF/A; 3.2 AF/A average over 5 years; meter using power records; cut water use 10%, over 40-years (2,500 acs); compensation program (\$10 million 50% local and 50% compensated by the state).

Overall: We need to have a safe yield. When it comes to water rights nothing is set in stone; They are accepting comments through September 30<sup>th</sup>. Summary; We needed a good Ground Water Management Statute. We need to manage based on sustainable yield; consider the effects on individuals/communities. Larry is committed to work through the process and said we can't ignore it.

Alma Adams suggested Scenario #6: He believes the State over-appropriated the water and should pay for the error. Although there were good intentions back then and no one abused it in 1950 it was over drafted. If forced to impose the use of 3.2 AF/Annually down to a quantity of water used for the crops at 2.25 AF/Annually it will be a hardship.

Jerry Olds said that they approach the recharge data with monitoring over a period of time and taking into consideration climatic conditions each time and allow for fluctuation in water levels.

Ken Sizemore asked about the plans for recharging of the red sandstone at Big Water and making a pipeline into Washington County. They also want a Pecan field out in Big Water. Larry Olds said that he hasn't received all the data yet from the group in Big Water on the recharging of the red sandstone. He isn't aware of a plan to place a pecan field in Big Water.

8. **Legislative Updates:** Marreen Casper – Senator Reid is introducing Voter Rights bill; they need to finish before October – Senate is working on transportation Hub appropriation bill next week of defense authorization bill – vehicle will be debate over Iraq; September last week – look to complete the continuing or extend the Farm bill and Homeland Security bill. Senators Hatch & Bennett have a resolution before the Senate to honor Crandall Mine victims.

Bryan Thiriot – Senator Bennett will be going to Peru and Panama on a senatorial meeting; Senator Harry Reid staff will be here in Washington County and Bennett's staff will be hosting along with Hatch's staff.

Mike Empey reported that bills are passing on the ground field trip. They are also working on additional acquisition of property for the new St. George Airport. They may be flying in 2011.

9. **Other Business:** Wes Curtis invited everyone to list interested topics Headline roundtable. Resource issues are critical;

Future Topics: John Keeler said critical species on public and private lands as many of the land agencies are becoming more restrictive; private lands are the critical answer to recovery of endangered species;

Envision Dixie – Where are we in the process – Work through the commission to get someone here to speak to SUPAC.

OHV Technical Advisory Group – Appropriation requests are in for the next step high desert trail. (The senate and house said they may not go anywhere and maybe it will be preserved on the Lands Bill – Next step is Archaeological clearance and NEPA on the ATV trails.)

Jim Crisp suggested Endangered Species plants – review of Washington County weed management Range fire restoration - Report on Milford Flats fire restoration

Park Service Project in Zion – Plateau work is going well – EA will be done and restoration being done on parts of the park.

BLM-RMPs - Requirements in planning process won't go until FY 2010 for BLM - We should be talking now and considering our County Management Plans to coincide

Alton Coal Field

Iron County – Coal/Copper Mines, Oil, gas, and wind farms

Dixie State & University of Utah – The announcement was premature to a formal partnership being established

Zion National Park Centennial projects

SUPAC should meeting and tour Big Water and the resort

**10. Roundtable:**

Utah Department of Environmental Quality has a new director, Rick Sprott

National Park Centennial is in 2009 – National budget request Cedar Breaks, and Zion

Jim Crisp. BLM is in the process of holding public meetings on the pipeline; public dialogue meetings on rehab of Milford flats; working with partners; funding release from D.C. is difficult; Todd Christensen is in D.C. as an Asst. Director so this might speed funding releases. UPC has a wind energy project they'll be discussing: Tuesday 9/25/07 in Cedar at the Public Library: 9/26/07 in Delta at 6 pm

John Keeler said grouse, prairie dog, and elk working groups are being reconvened; several meetings relating to Aspen regeneration as well are being held.

**11. Next meeting:** November 6, 2007. Noon – 3 pm - LOCATION to be determined.

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Secretary

**APPENDIX "A"**  
**SUPAC ATTENDANCE LIST**  
**SEPTEMBER 11, 2007**

Kevin Carter, SITLA  
Jock Whitworth, Zion NP  
Paul Mater, Zion NP  
John Willie, Commissioner Washington County  
John Chartier, Utah DEQ  
Bryan Thiriot, Senator Bennett  
Marreen Casper, Senator Orrin Hatch  
Mike Empey, Congressman Jim Matheson  
Brian Cottam, GOPB  
Wes Curtis, SUU Regional Services  
John Keeler, Farm Bureau  
Ken Sizemore, Five County AOG  
Alma Adams, Washington County Commissioner  
Gary Herbert, Lieutenant Governor, Utah  
Jim Crisp, BLM St. George & Cedar City  
Kathleen McDowell, SUU Regional Services  
Jerry Olds, State Water Department

EPA Significant Value 3 ug/g

STORET	County	Site Description	Year Sampled	Result ug/g	Species	Lab Tested
4940E10	Iron	Newcastle Reservoir Above Dam 01	2006	0.5244	Rainbow trout	UPHL
4940E10	Iron	Newcastle Reservoir Above Dam 01	2006	0.401	Rainbow trout	UPHL
4940E10	Iron	Newcastle Reservoir Above Dam 01	2006	0.4465	Rainbow trout	UPHL
4940E10	Iron	Newcastle Reservoir Above Dam 01	2006	0.5016	Rainbow trout	UPHL
4940E10	Iron	Newcastle Reservoir Above Dam 01	2006	0.5024	Rainbow trout	UPHL
4940720	Washington	Upper Enterprise Reservoir Above Dam 01	2006	0.6722	Rainbow trout	UPHL
4940720	Washington	Upper Enterprise Reservoir Above Dam 01	2006	0.6505	Rainbow trout	UPHL
4940720	Washington	Upper Enterprise Reservoir Above Dam 01	2006	0.7071	Rainbow trout	UPHL
4940720	Washington	Upper Enterprise Reservoir Above Dam 01	2006	0.7455	Rainbow trout	UPHL
4940720	Washington	Upper Enterprise Reservoir Above Dam 01	2006	0.6972	Rainbow trout	UPHL
4950520	Washington	Gurlock Reservoir Midway Up Lake 02	2000	0.284	Channel catfish	National Pesticides Study
4950520	Washington	Gurlock Reservoir Midway Up Lake 02	2000	0.324	Largemouth bass	National Pesticides Study
4950512	Washington	Gurlock Reservoir Shoreline by Dam	2005	0.85	Largemouth bass	ACZ (Cold Vapor)
4950512	Washington	Gurlock Reservoir Shoreline by Dam	2005	0.38	Largemouth bass	ACZ (Cold Vapor)
4950512	Washington	Gurlock Reservoir Shoreline by Dam	2005	0.39	Largemouth bass	ACZ (Cold Vapor)
4950512	Washington	Gurlock Reservoir Shoreline by Dam	2005	0.32	Largemouth bass	ACZ (Cold Vapor)
4950514	Washington	Gurlock Reservoir Shoreline NW Rock Point	2005	0.95	Largemouth bass	ACZ (Cold Vapor)
4950514	Washington	Gurlock Reservoir Shoreline NW Rock Point	2005	0.22	Largemouth bass	ACZ (Cold Vapor)
4950514	Washington	Gurlock Reservoir Shoreline NW Rock Point	2005	0.27	Largemouth bass	ACZ (Cold Vapor)
4950514	Washington	Gurlock Reservoir Shoreline NW Rock Point	2005	0.41	Largemouth bass	ACZ (Cold Vapor)
4950514	Washington	Gurlock Reservoir Shoreline NW Rock Point	2005	0.26	Bluegill	ACZ (Cold Vapor)
4950514	Washington	Gurlock Reservoir Shoreline NW Rock Point	2005	0.11	Bluegill	ACZ (Cold Vapor)
4950514	Washington	Gurlock Reservoir Shoreline NW Rock Point	2005	0.22	Bluegill	ACZ (Cold Vapor)