

URC Sues Reclamation Over Green River Water Grab



P: Bloxham

The amazing Green River is the largest tributary to the iconic Colorado River. The Green River's flows support endangered fish populations, world class fishing and whitewater rafting that are a key part of the regional economy.

The Utah Rivers Council and a cadre of conservation groups sued the Bureau of Reclamation over a complicated water rights transfer designed to hide the water rights for the Lake Powell Pipeline. Known as the Green River Block Exchange Agreement, the deal would swap Utah's water rights coming from tributary streams out of the Green River for guaranteed water stored upstream in Flaming Gorge reservoir.

In theory, the deal is contingent on 'surrendering' water rights from these tributaries for water in the mainstem of the river, but no controls are in place to stop new water diversions from the tributaries of the Green River.

The reckless decision was made by the Provo Office of the Bureau of Reclamation without accounting for tribal water rights, reduced Colorado River basin flows from climate change and impacts to endangered species and recreational uses.

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State Agency Opposes Water Conservation

During the last legislative session, the Utah Rivers Council supported two pieces of legislation, HB 143 and SB 214, which could have saved billions of dollars in spending and billions of gallons of water in our cities. But the massive special interest at the Utah Legislature working to convince legislators to spend \$5 billion for itself on proposed Bear River Development and the Lake Powell Pipeline put a stop to both water-saving bills.

HB 143 would have amended the Utah Water Conservation Plan Act, a law written by the Utah Rivers Council in 1998, to require that cities consider what they would have to do to reduce their water use to 175 gallons per person per day (gpcd). HB 143 wouldn't have required cities to actually reduce their water use, simply to study what measures they would have to implement to reduce their water use to 175 gpcd.

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The Biggest Water Waster in Utah's Cities Keeps Wasting

Last legislative session the legislature took a baby step toward putting a stop to one of the biggest kinds of water waste in Utah: secondary water. Secondary water is untreated water used to water grass in Utah's cities. According to a 2018 water use report, a whopping 31% of Utah's municipal water use is secondary water, and most of these water users have no idea how much water they are using because it isn't measured.

This secondary water is some of the cheapest water in Utah and much of it is wasted because these users pay a monthly or annual fee to use as much water as they want and most don't know how much water they use. That's why installing meters greatly helps reduce water use. Some cities have reduced secondary water use by nearly 60% just by installing secondary meters on users.

For the second year in a row, Senator Jake Anderegg ran SB 52 to require that all secondary water users have meters installed to measure their water use. URC staff worked with the bill sponsor and stakeholders before the session and lobbied legislators hard to pass SB52. Many of our wonderful citizen lobbyists joined us to lobby for the bill. But in the end only a watered down version of the bill passed in the 2019 Legislature. All new secondary water connections must be metered starting in 2020 and every secondary water supplier must submit a plan for how they will implement metering in the future.

The sorry defeat of SB 52 in its original form is a deplorable statement about the power of special interests at the Utah Legislature that want to waste money on unnecessary water spending. Some of the opponents to SB52 were secondary water suppliers inside Washington County, who are using massive quantities of water yet they would be delivered water from the \$3.2 billion Lake Powell Pipeline. While we hoped for more after a two-year process, we'll keep pushing to ensure Utah's precious water resources are used more efficiently.



URC staff spent weeks lobbying at the State Capitol during the 2019 legislative session and will remain active throughout the year trying to implement sustainable water policies.

URC Sues Reclamation Over Green River Water Grab

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Not only was the Provo office of the Bureau of Reclamation's analysis rushed and incomplete, the agency and the Division are pretending the Green River Block has nothing to do with the Division's desire to lock up a shaky water supply for the proposed Lake Powell Pipeline with a complicated shell game.

This sneaky scheme came at the request of the Utah Division of Water Resources which is often engaged in subterfuge. The Division's goal is to avoid an analysis of cumulative impacts for the Lake Powell Pipeline, the largest new proposed diversion of the Colorado River, and keep water users downstream oblivious to the scheme.

With a combined depletion of 158,890 acre-feet per year (enough water for 750,000 people's annual use) the two agreements will have significant impacts on the Colorado River water supply. Millions of people in lower Colorado River basin states like Arizona, Nevada and California are facing the likelihood of water shortages as reservoir levels drop in coming years. By negotiating two smaller contracts in this shell game, the Division is hoping nobody will notice the impact of their massive water grab.

The lawsuit was filed in the U.S. District Court in Washington D.C. in March. The URC and other groups are being represented by attorneys from the Center for Biological Diversity. Go to utahrivers.org to sign up for our email alerts and we'll be sure to keep you informed about developments with the Green River Block lawsuit and our other campaigns to protect Utah's iconic rivers.

Help support our legal work by making a donation on our website, utahrivers.org, or simply writing a check to the Utah Rivers Council.

April Showers Bring... Discounted Rain Barrels!

The Utah Rivers Council is proud to announce another banner year for our popular RainHarvest program. This year the URC partnered with Millcreek, Murray and the Salt Lake County Watershed Program. Millcreek, Murray and Salt Lake County residents were able to buy these user-friendly rain barrels for the greatly subsidized price of just \$50, while supplies lasted. Rain barrels were also available for residents outside Millcreek, Murray and Salt Lake County for just \$75. Both prices are a significant discount from the barrel's \$129 retail price.

You can sign up to be notified about future discounted rain barrel offers by going to utahrivers.org/rainharvest.



Division of Water Resources Opposes Water Conservation

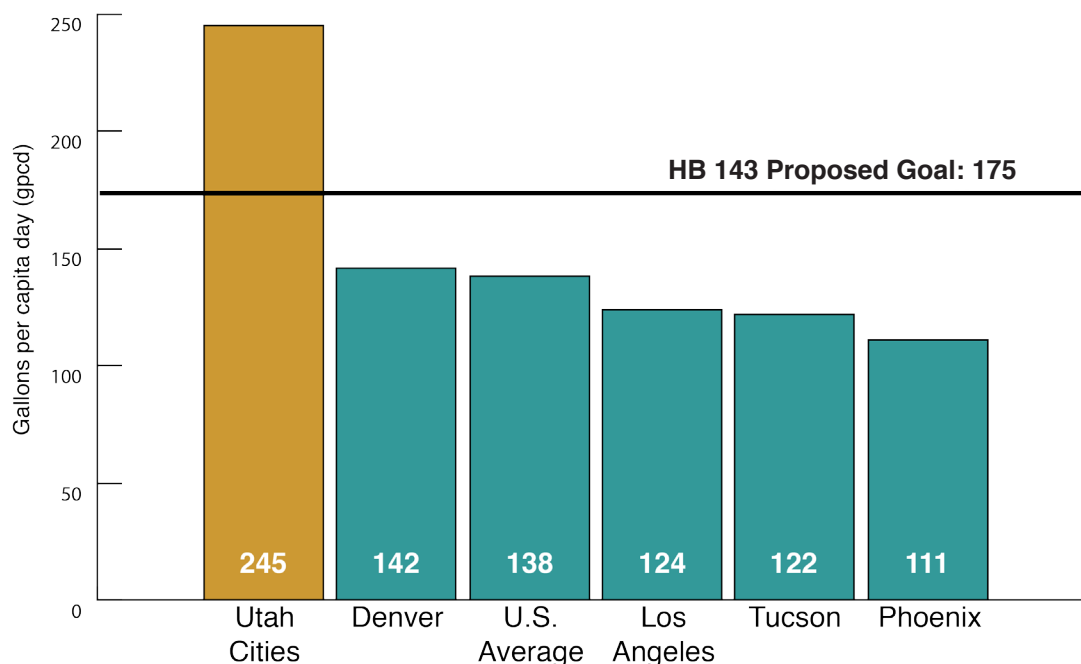
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HB 143 was killed by the Utah Division of Water Resources, which is proposing to spend \$5-6 billion of Utah taxpayer money on both proposed Bear River Development and the Lake Powell Pipeline. We invited Division staff to help us get this legislation passed as soon as it was written, but Division leadership told us they were opposing the measure from the outset, and they poisoned the well to stop Utahns from conserving water.

The Division doesn't want to lower water use to 175 because they claim it can't be done, even though most Americans -- and for that matter most residents of Earth -- use less water in their cities than Utahns do. In truth, Division staff know that Utahns can use much less water, but they are trying to protect the agency's desire to acquire \$5-6 billion in Utah tax money.

In other words, the Division of Water Resources opposed HB 143 because the agency has a massive conflict of interest when it comes to water conservation. If Utah gets serious about water conservation, the water from the destructive Bear River Development and the Lake Powell Pipeline won't be needed, but that means the Division won't receive billions in funding. Numerous cities across the West, including many cities in Utah, have already reduced their water use below 175 gpcd by implementing simple conservation measures.

Average Per Capita Municipal Water Use



Although Utah is America's #1, highest per person water user, special interests at the Utah Legislature, led by the Utah Division of Water Resources, lobbied against legislation that would have conserved water because reducing water demand jeopardizes \$5 billion in new water spending.

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The Division has also prepared a draft 2019 Water Conservation Plan which proposes that Utahns reduce their water use by an anemic 0.5% per year between now and 2065, down from the current goal of 1% per year from 2000-2025. This new “conservation” goal constitutes a 50% decrease from the current goal at a time when many western states and cities have far more ambitious goals of reducing water use. Between 2008 and 2013 Denver reduced their water use by 4.2% annually. The State of California decreased water use 25% each year in 2015 and 2016.

The other bill opposed by big spending proponents at the Utah Legislature was SB 214, a bill to provide taxpayers relief from property taxes for water. Currently, Utah homeowners, car owners and business owners pay property taxes to Utah water conservancy districts to lower the price of water in our cities. These water conservancy districts have spent millions of dollars on lobbyists over the years to defeat five separate bills authored by the Utah Rivers Council to phase out these property taxes. The water districts have run a public misinformation campaign to prevent Utahns from paying the full cost of their water use in their water bills, such as is done by most other U.S. states.

The URC hosted a Property Tax Luncheon at the Alta Club for elected officials to explore the many benefits of phasing out tax subsidies which encourage water waste and unnecessary government spending. The event was moderated by Jonathan Johnson and well attended by many fiscal conservatives.



Property taxes collected by water suppliers subsidizes the cost of water, and explains why Utah has the cheapest water rates and highest municipal water use per person in the nation. SB 214 would have reduced property tax collections by water suppliers, saving billions of gallons of water and eliminating unnecessary government spending. Unfortunately, the bill was modified substantially to only require water districts to submit a written report outlining the percentage and amount of revenue that comes from property taxes, water rates, and other revenue sources.

Conserving water is the environmentally sound and fiscally responsible way to expand our water resources, rather than spending billions of taxpayer dollars to perpetuate water waste and justify proposed Bear River Development and the Lake Powell Pipeline. Reducing demand is the most cost-effective way to extend Utah’s water supply for future residents, protect our agricultural water supply and ensure we leave enough water in our rivers for fish and wildlife.

A Packed House for Earth Day Brunch to Honor Local Heroes

Some 130 people spent Easter morning with the Utah Rivers Council and Utah Open Lands for our inspiring Earth Day Brunch at Squatters downtown. We had a very special morning honoring four individuals who worked together 10 years ago to protect the largest remaining open space on the Jordan River. This incredible area is known as the Galena Soo'nakahni Preserve but its survival was threatened 10 years ago because of UTA and several prominent Utah legislator-developers.

In 2000, the Utah Legislature passed a law in cooperation with Utah Open Lands, directing that these Jordan River lands be forever protected through a conservation easement. The area is home to a 3,000 year old Native American village which all the Tribes of Utah believe they have shared ancestry with. But in 2008, developers with deep influence over several Utah legislators worked to advance a massive UTA transit development on top of the same lands.

The city of Draper had approved zoning for the project to allow building of unlimited height and density on the 250-acres of state-owned land adjacent to the Jordan River in Draper. The development would have literally allowed the Sears Tower to be constructed on these lands, all under the encouragement of the UTA board of directors.

A massive controversy ensued that led to allegations of conflicts of interest, state audits of UTA, an FBI immunity deal and the eventual restructuring of the UTA board of directors. What few realize is the scope of hard work and the costs to the individuals who helped protect this land for future generations.



We had a great turnout to celebrate some really great people at our annual Earth Day breakfast. Special thanks to Squatters for hosting us again and for their continued support of the local conservation community.



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The Galena Soo'nkahni Preserve on the Jordan River is home to a 3,000 year old Native American village and vibrant riparian habitat. The Preserve is the largest remaining open space on the entire length of the Jordan River.

At our Earth Day Brunch we honored the four Utahns who helped us protect this special place:



Forrest Cuch, was the Director of the Utah Division of Indian Affairs in 2010. Mr. Cuch worked tirelessly as a liaison between the State and the Tribes in Utah, but paid a heavy price when he was terminated from his position after the Conservation Easement was signed.



Janice Fisher, former Representative in the Utah Legislature from West Valley who in 2010 initiated the first state audit of UTA and was the first to call for reforms of UTA to ensure transparency and accountability of the transit agency.



Kevin Jones, was the Utah State Archaeologist in 2009 and oversaw the archaeological inventories of the lands on the Jordan River. Mr. Jones was terminated after the conservation easement was signed when his position was eliminated by Governor Herbert.



Rupert Steele, was the Chairman of the Confederated Tribes of the Goshute Reservation in 2010 and Chair of the Utah Tribal Leaders. Rupert and other Tribal leaders worked to ensure that the State of Utah signed the Conservation Easement granted to Utah Open Lands thereby protecting the land in perpetuity.

Lake Powell Pipeline Environmental Analysis Underway

For years the URC has been leading the fight against the proposed \$3.2 billion Lake Powell Pipeline because of this boondoggle's unnecessary, expensive and environmentally destructive nature. We have been asking hard questions, demanding transparency, stopping shady funding schemes and advocating for the many viable alternatives to the Pipeline. This foolish idea has been delayed at least six times because of its lack of purpose, exorbitant costs and troubling repayment economics which have been swept under the rug by big-spending proponents eager to pocket taxpayer funding.

Now the massive 140 mile-long Pipeline is finally being vetted by regulators at the Federal Energy Regulatory Commission (FERC) who are preparing the Draft Environmental Impact Statement (DEIS). The DEIS is expected to be released some time in the late summer or fall of 2019 after which the public will be allowed to voice their concerns with the massive dinosaur of a project. The \$3.2 billion Pipeline is the largest new spending proposal of any kind in Utah and will subjugate all other needs in the state budget including education, transportation, law enforcement and health care among others.

The DEIS will likely be thousands of pages long including appendices, yet the public could have as little as 60 days to comment on the document.

The \$3.2 billion Lake Powell Pipeline is the largest new proposed diversion of the Colorado River and the most expensive spending proposal in the State of Utah. The Pipeline will have massive impacts on the environment, the regional economy and all Utah taxpayers – and it is completely unnecessary since an abundance of less expensive water sources exist for future supplies.



This massive spending project comes with enormous impacts to the very population it intends to 'serve.' This boondoggle will burden these unlucky residents with massive increases in water rates, impact fees and property taxes for at least the next 50 years purely so spending advocates can profiteer off the public dime. One wonders why so many elected officials are unconcerned about the impacts to the residents they claim to represent.

As the strain of overuse and diminished snowpacks have reduced the Colorado River water supply, reservoir levels in Lake Mead and Lake Powell plummeted to critically-low levels in 2018. Water users throughout the Colorado River Basin have agreed to take severe cuts to their water supply when it happens again in the future.

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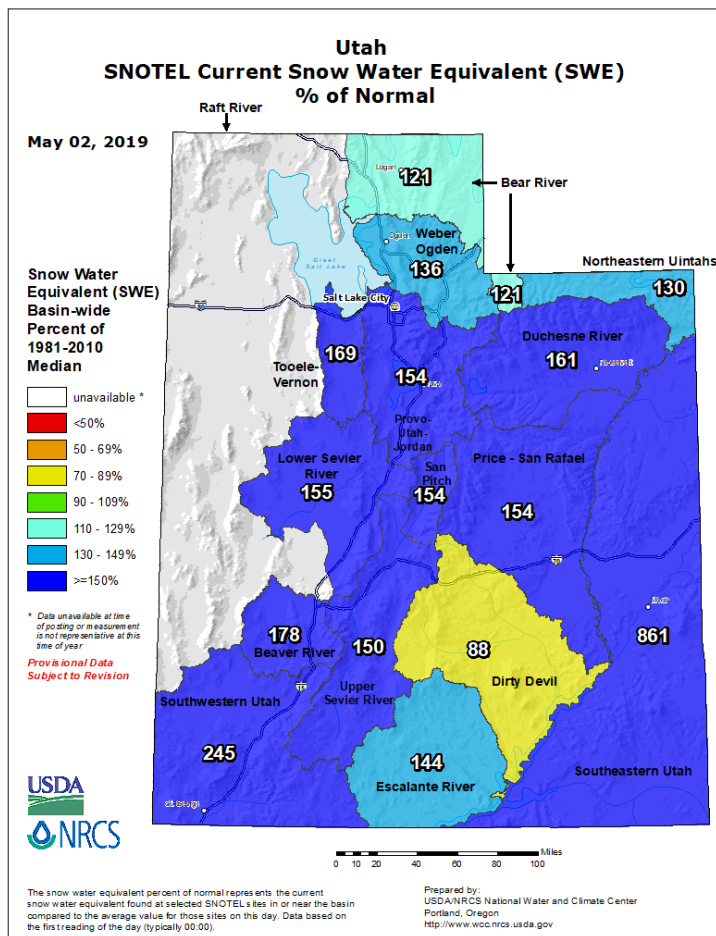
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Incredibly, the Utah Division of Water Resources concedes that after the Pipeline is constructed it will be mostly empty for many decades. Their plan is to not take all the water until at least the year 2050 because of a lack of need. Other Pipeline documents note the likelihood that the water supply will not be available for diversion in the future.

In updated information submitted to federal regulators last December, the Division admitted:

“...if there is an interruption of LPP deliveries due to a Colorado River system shortage declaration, it would be temporary in nature, may not entail more than a partial curtailment of LPP deliveries, and would be accommodated under applicable comprehensive water supply plans. Project beneficiaries would, for a period of time, rely on underground storage, enhanced groundwater pumping, and other interim measures.”

Impressive Snowpack to Swell Utah's Rivers



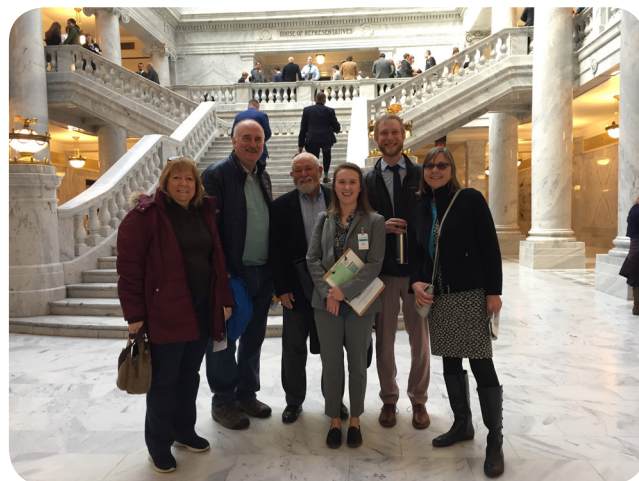
If you are a skier or even just a shoveler of sidewalks you know that a lot of snow fell in Utah this winter. With most of our rivers fed by snowmelt this is good news, especially after years of persistent drought.

Most regions across Utah have higher than average snow water equivalents or SWE. The SWE is important for understanding how much water we can expect to enter our rivers, streams and lakes when the snow melts. According to the US Department of Agriculture, southwestern Utah has a SWE of an astonishing 861% of normal, while the Dirty Devil region is currently at just 88% of normal.

Such a robust snowpack may help water providers sleep easier, but it means sleepless nights for river runners eager to hit the big water. Most importantly, these high flows are good for the health of our rivers and endangered fish species that evolved to thrive in wildly fluctuating hydrologic conditions. Have good runs out there!

URC Hosts Lobbying Workshop Series

The URC would like to thank everyone who joined us for our citizen lobbying workshops this legislative session. Dozens of intrepid citizen advocates stood alongside URC staff to lobby for several pieces of legislation that are vital in our efforts to implement alternatives to destructive projects like Bear River Development and the Lake Powell Pipeline. These workshops are a great opportunity for would-be river advocates to learn about the process behind water-related legislation and to engage decision-makers to help create a sustainable water future.



Pictured above are some of the fantastic citizen lobbyists who attended our lobbying workshops. We appreciate that they took time out of their busy lives to advocate on behalf of Utah's amazing rivers.

We hosted four workshops during the hectic 45-day session and greatly appreciate everyone who helped us bring rivers a voice to the Utah Legislature. When it comes to the legislative process there really is strength in numbers and the more people that come to advocate for Utah's amazing rivers, the more success we can have. It's also fun to be on the front lines with other passionate people who are trying to make a difference in our world. If you couldn't make it, we hope you will join us next year.

Are You Signed Up for URC Email Alerts?

Go to utahrivers.org to sign up for URC email alerts and make sure you stay in the know about important issues affecting Utah's amazing rivers. We promise not to flood your inbox with too many emails or to share your info with outside parties. You can also stay up to date by following us on Facebook, Instagram and Twitter and you can contact us directly by calling the office at (801) 486-4776 or by sending an email to info@utahrivers.org.

Yes, I want to support Utah's rivers!

Become a proud advocate of Utah's rivers. They need your help, now more than ever.

Questions? Call 801-486-4776 or email info@utahrivers.org

Annual Membership Levels

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