

# BEAR RIVER COMMISSION

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## MINUTES

### BEAR RIVER COMMISSION ANNUAL MEETING NINETY-SECOND COMMISSION MEETING

Utah Department of Natural Resources  
Salt Lake City, Utah  
April 20, 1999

#### COMMISSION MEMBERS

##### Chair

Denice Wheeler

##### Idaho Members

Karl J. Dreher  
Rodney Wallentine  
Don W. Gilbert

##### Utah Members

D. Larry Anderson  
Blair Francis  
Charles W. Holmgren

##### Wyoming Members

Gordon W. Fassett  
James Crompton  
John A. Teichert

#### ENGINEER-MANAGER

Jack A. Barnett  
Suite 101  
106 West 500 South  
Bountiful, UT 84010

The annual meeting of the Bear River Commission was called to order by Chair Denice Wheeler at 1:30 p.m. on Tuesday, April 20, 1999 at the Utah Department of Natural Resources Building in Salt Lake City, Utah. This was the ninety-second meeting of the Commission. Chair Wheeler welcomed everyone to the Commission meeting. It was requested that all Commissioners introduce themselves. Chair Wheeler acknowledged the reappointment of Commissioner Wallentine and expressed the congratulations of the Commission on the reappointment. It was noted that Commissioner Don Gilbert from Idaho was not in attendance. Commissioner Jeff Fassett was excused and it was indicated that Sue Lowry, an Alternate Commissioner from Wyoming, was representing Commissioner Fassett. An attendance list of all individuals in attendance is attached as Appendix A.

Chair Wheeler presented the agenda for the meeting. It was moved that the agenda be approved without change. The motion was seconded and carried. A copy of the approved agenda is attached as Appendix B. The Commission then considered the proposed minutes from the Regular Meeting of the Commission held on November 17, 1998 in Salt Lake City. John Teichert and Karl Dreher pointed out some editorial and spelling corrections. There was a motion to accept the minutes with the editorial and spelling corrections to be made. The motion was seconded and carried.

The time was then turned to Larry Anderson for the Secretary-Treasurer report. Anderson invited Randy Staker to report on the financial status of the Commission. Staker had previously distributed a Statement of Income and Expenditures sheet and a sheet showing the approved budget and proposed budgets. A copy of these sheets is attached as Appendix C. Staker quickly reviewed the income and expenses. Page one reflects the income and expenses of the Commission for the period of July 1, 1998 to April 1, 1999. The total income through April 1, 1999 was \$181,613.65. The expenses for this same period totaled \$82,202.31. The cash balance as of April 1, 1999 was \$99,411.34. Page two shows a detailing of the expenditures during the period. There were no questions for Staker.

Larry Anderson then referred to page three of the handout which shows the approved budget for FY 99, which was approved at a previous Commission meeting. Anderson indicated that it appears that the Commission will be very close to the budget amount at the end of the fiscal year. He pointed out that to date nothing has been spent in the Contingency line-item. Anderson indicated that he had spoken with the Engineer-Manager and it is felt that perhaps \$1,000 might be spent by the end of the fiscal year for this line-item, dependent upon how much time is required of the Engineer-Manager in the next two months. It appears that the Commission will be under the total budgeted amount and there will probably be a greater carryover than the \$85,589.81 that is shown at the bottom of the first column. Anderson pointed out that the next two columns were proposed budgets for FY 2000 and FY 2001. The dues to the three states remain the same at \$30,000 per year. There is a 3% increase in the contract with the Engineer-Manager. The Commission has about one year's budget in surplus.

Anderson indicated that the U.S. Fish & Wildlife Service's projected cost for the Corrine Gage has been increased. With regards to the U.S. Geological Survey's (USGS) stream gaging costs, the \$46,735 contract for FY 1999 has already been entered into as per the instructions of the Commission. The proposed budget for FY 2000 for stream gaging is \$48,400. Anderson indicated that before the Commission acts on the budget, Kim Goddard from the USGS needed to explain the changes taking place within the USGS. As a preface, Anderson indicated that as Secretary-Treasurer he is requesting permission from the Commission to enter into a contract with the USGS for up to \$48,400. The contract is given to Anderson in September, which is before the next Commission meeting. The Commission and the USGS work under different fiscal years.

Kim Goddard then reported on the changes in the USGS program with regards to internal financing. The changes could dramatically impact how the USGS will fund projects, and there could be variations in the cost of stream gaging stations. Other changes in the short-term could mean shortfalls with matching money on the USGS side. Goddard then discussed programming changes and structure changes. He discussed the USGS internal assessment. The USGS funds a lot of the internal funds (overhead) through an assessment on the program dollars. There is a proposal for two new line-items, science support and facilities. Congress has not yet acted upon this proposal.

Goddard indicated that the process is just beginning and it should take two to three years to fully implement. The USGS will identify all the functions within the USGS that are federal and fund

those functions with appropriated dollars rather than to assess program dollars. There are a number of goals for the USGS: 1) have a single model for all USGS divisions; 2) have the lowest possible assessment rate; 3) provide complete information to Congress and the public regarding functioning costs; and 4) reduce or eliminate different assessment rates throughout the country. The basic gaging cost for FY 99 in the Utah district is \$9,000. There was \$4,500 of cooperator offerings and \$4,500 of federal matching funds from the USGS. In FY 2000, if all the changing practices were not to occur, it is estimated that the gaging costs would be \$9,700. Based on the new model, the gaging costs are estimated to be \$8,620, but the issue of cooperator offerings/matching funds becomes complicated. Goddard discussed the fact that the program restructure is not new money but money that is reprogrammed. He then went through many numbers and scenarios. He indicated that about \$500 per gage in federal matching funds needs to be saved in order to run the whole program without dropping stream gages because of the loss of money. The USGS is proposing, at this stage, an uneven split at 54/46, or \$4,650 cooperator offerings and \$3,970 federal matching funds.

Goddard further indicated that if the cooperators buy off on this program, there is a fairly small impact on cooperators in FY 2000. Two or three years from now, a cooperator dollar will buy a lot more cooperation with USGS because a lot of the finances will be handled internally. The USGS is proposing to the Office of Management and Budget a National Streamflow Information Program (NSIP), a program on the scale of NAWQA that would support stream gages throughout the country with federally appropriated dollars if that gage had federal interest. It is estimated that approximately 6,000 gages will be picked up with federally appropriated dollars across the country at a cost of about \$85 million or \$1,400 per gage.

Karl Dreher indicated that a number of states, Idaho included, have written letters to the Appropriations Committee objecting to this proposed program because of the fact that when you cut through what appears to be an improvement in business practice, what really is happening is there are fewer federal dollars going into the stream gaging program, leaving the states to pick up a bigger piece of it. It is not only unfair but not appropriate because the states have shared equally in the investment in those existing stations with the federal government. For the federal government to unilaterally choose to move the money to an integrated science office and not honor the investment that the states have shared in is wrong. Money is taken out of the cooperator program to pick up the full cost of the 6,000 gages and the states are left holding the bag. Dreher indicated that Idaho suggested in its letters that the USGS needs to fulfill its role in basic data collection first before getting interested in the integrated science business.

Karl Dreher moved that the Commission direct the Secretary/Treasurer to pay the increase in the USGS amount. The motion was seconded. Barnett pointed out that if the Commission moves back to the status quo and if Goddard's projections were to hold, then with the dollars the Commission has authorized, the Commission could not afford all the gages it supports. The TAC has previously determined that if there is a gage on the edge it would be the Pescadero gage. The TAC will be following this issue closely as the year progresses. Larry Anderson pointed out that if the motion passes he would have the authority to enter into a contract for up to \$48,400. If it is something greater than that amount then he would not have the authority to enter into the contract

and would take it back to the Management Committee. Karl Dreher pointed out that perhaps this is another reason for moving the November Commission meeting to September in conjunction with the proposed symposium. One alternative is to hold a conference call or make individual calls. There was no further discussion. The motion authorizing the Secretary/Treasurer to enter into a contract with the USGS for up to \$48,400 on the present gages was carried by unanimous vote. A motion was then made to adopt the FY 2000 budget. The motion was seconded and carried. Anderson pointed out that the increase in the stream gaging amount is the smallest increase the Commission has had in the last three years. It was further moved that the Commission accept the report of the Secretary/Treasurer. The motion was seconded and carried. Kim Goddard was thanked for his report.

Chair Wheeler then turned to agenda item IV, the election of officers. It was indicated that the Vice Chairmanship has been rotated between the three states and it is Utah's turn to have someone in this position. Charles Holmgren was nominated as the Vice Chairman. The motion was seconded and carried. It was moved that Larry Anderson be reelected as the Secretary-Treasurer. The motion was seconded and carried.

The time was turned to Don Ostler to cover agenda item V, the report of the Water Quality Committee. Ostler indicated that the Water Quality Committee met yesterday, April 19, and all three members of the committee were present; Mark Lowe (ID), Gary Beach (WY) and Don Ostler (UT), along with many other interested persons. Ostler reported that the activities of the committee to date have yielded unprecedented coordination of water quality work on the Bear River. It is hoped that the coordination will translate into efficiencies in managing water quality and actual improvements in the field as data and priorities are shared.

Three items were discussed in the Water Quality Committee meeting. The first item discussed was this coming year's sampling and monitoring efforts. There are significant water quality monitoring efforts that will be going on by all three state agencies. Utah has a largely chemical based sampling effort, with some biological monitoring. Wyoming and Idaho have very substantial biological monitoring, supplemented with some chemistry information. The second item discussed was an update on the status of TMDL development, the court-ordered requirement for states along impaired waters to develop waste load allocations that will bring the waters back into meeting water quality standards. Idaho has a contract for doing the TMDL work on the Bear River in Idaho. Utah has completed a TMDL on part of the Bear River in Utah but the lower portion of the river still needs work done. The committee discussed the need to possibly raise the priority for getting this work done. Wyoming will be doing their basic assessment work to decide if a TMDL is needed. The third item discussed is that the committee did receive a report from the Bear River Water Quality Task Force, which is partly staffed by the Bear Lake Regional Commission. The Task Force, at the last meeting of the Water Quality Committee, presented a very detailed and thorough summary of the differences in state water quality standards among the three states. In yesterday's meeting, the Task Force came back following a working meeting which focused on identifying which differences were really important. The list has reduced very substantially. It appears that the most significant difference is the issue of temperature, especially between Wyoming

and Idaho. It was agreed that this will be evaluated further as the TMDL work is done to decide if there are effects on one state versus another and whether it needs to be addressed by the Water Quality Committee. There are some differences in beneficial use classification relative to fisheries. For example, at the Idaho-Utah border it changes from a cold water fishery to a warm water fishery.

Ostler indicated that the Water Quality Committee did not have any action items to bring to the Commission. It is proposed that the Water Quality Committee meet again on October 6 in Salt Lake City in conjunction with the Western States Water Council and the Western Governors' Association seminar on TMDL development where they will be focusing on quantity and quality issues. There were no questions or directions for the Water Quality Committee.

Karl Dreher pointed out that Idaho's member on the Water Quality Committee, Mark Lowe, has accepted a Director's position with the Lava Hot Springs Foundation. Steve Allred is the new head of Idaho's Department of Environmental Quality and Dreher will be talking with Allred as to the appropriate replacement for Lowe to make sure that someone at a policy level is participating with the other states. Mark Lowe was thanked for his work on the Water Quality Committee. Lowe voiced his appreciation to the Commission for establishing the Water Quality Committee. He felt that it is a valuable forum for the three states to come together and work under the umbrella of the Commission.

Chair Wheeler then turned to agenda item VI, the report from the Records & Public Involvement Committee. Charles Holmgren indicated that the committee met earlier in the morning. Don Gilbert was not in attendance at the committee meeting. The notes of the last committee meeting were read and Holmgren was elected as chair of the committee. It was determined that there were to be no changes in the stream gages. The committee discussed stream gaging costs and determined that the Commission, in the short-term, will be participating on a 54/46 basis in these costs. The major focus of the meeting was regarding ways the Commission can provide the public with information. Jack Barnett issued press releases to all the newspapers in the Bear River drainage concerning the Commission meeting. Barnett also explained to the committee his participation at the Wallace Stegner Center Symposium where he was on a panel, along with Jody Williams who chaired the panel. Holmgren indicated that the Bear River has been listed by the American Rivers as one of the top ten endangered rivers. Commissioner Anderson and Engineer-Manager Barnett have already received some calls regarding the history and operation of the Bear River as a result of this American Rivers listing.

Holmgren indicated that Barnett has suggested, and the Records & Public Involvement Committee concurs, that the Commission work with the Bear Lake Regional Commission and the USGS LACS (Lake Assessment Catchment Systems) group to plan a potential symposium on Bear Lake to help the public understand Commission functions and the effects of water and environment on the Bear River. It is anticipated that it will not be an extremely expensive event. It is hoped that various irrigation companies, PacifiCorp and other interested parties might be interested in helping to cosponsor the symposium. The symposium would be held in late August or in September. Holmgren reported that the committee did debate the issue of holding the Commission meeting to

coordinate with the Bear Lake symposium. In the committee meeting, Commissioner Teichert suggested that the Commission maintain its regular schedule.

Holmgren reported that Don Barnett explained to the committee the progress on the Tenth Biennial report. The 1998 data is in and the report is in a draft mode. The photograph on the cover will be of the State Line Gage. There will be a slight change in the format of the map which is included in the report. It is anticipated that the report will be printed within this fiscal year. The committee heard a presentation on the internet access to Commission reports. Todd Adams from the Utah Department of Water Resources and Don Barnett demonstrated to the committee what could be found on the water rights website. There was some discussion regarding the format on the internet. The processes will be analyzed and fine tuned by the next Commission meeting.

There was then a motion that the Bear River Commission, through the efforts of Jack Barnett, communicate with the USGS LACS group, the Bear Lake Regional Commission and other entities to set up a symposium, provided that it is overseen by the Management Committee regarding the cost of the symposium. It will be contingent upon the approval of the Management Committee. There was some discussion concerning why this symposium was being held. Jack Barnett felt that some history needed to be given and explained that at the last Commission meeting Joe Rosenbaum, the leader of the LACS group, discussed the group's efforts. Rosenbaum has USGS and other federal employees and several college professor-type people scattered throughout the nation who are working on this effort. He is trying to bring together a cadre of his "management" sometime early in the summer and then will arrange for all of the participants to come together at Bear Lake in the late summer or early fall. They are finding that Bear Lake is a very fruitful place to be investigating past climates. There will be at least another year of intensive data gathering. Craig Thomas, of the Bear Lake Regional Commission, took a moment to indicate the Regional Commission's willingness to cosponsor a symposium. Through the Bear River Task Force and the Regional Commission, Thomas has secured some funds to help sponsor the effort. The motion was then reread by Chair Wheeler and the motion was seconded and carried. There were no questions for Holmgren.

Chair Wheeler turned to agenda item VII, the report of the Operations Committee. Commissioner Blair Francis reported that the committee met during the morning and the discussion centered on Appendix C of the Lower Division Procedures, the water delivery schedule. PacifiCorp had some changes in contracts and they made a proposal at the November 1998 Commission meeting. Following the November Commission meeting, PacifiCorp submitted a revised list. There was an issue with the Skabeland listing and it was decided to leave this contract as it now stands since the contract ends in the year 2003. PacifiCorp has 11 claims under the Section 243 provision of Idaho water law. It was the feeling of the committee to create a fourth box for those 11 claims. The consensus of the committee was to take all the notes at the bottom and insert them below the last water delivery (Mr. Stewart) and before the boxes. The Commission staff is to create appropriate language explaining the notes. There was no action needed by the Commission. Francis indicated that the committee approved the name changes as submitted. In the future, Appendix C will be changed as needed.

Commissioner Francis then indicated that the committee had received a report from Kelly Holt of PacifiCorp. Francis asked Holt if he would give his report to the Commission. Holt distributed handouts to the Commission and the audience. A copy of the handouts is included with these minutes as Appendix D. Holt reviewed the information found on the handouts. One item of interest which was not included on the handout is that the low Bear Lake elevation this year was 5919.00 (on March 21, 1999). There were no questions for Mr. Holt. Francis indicated that there was no regulation last year. The snowpack this year is not extraordinary so there is the possibility of some regulation this year. The Operations Committee had no action items for the Commission. There were no questions for Francis. It was pointed out that Jim Crompton is now the Chair of the Operations Committee.

Chair Wheeler turned to agenda item VIII, the report from the Engineer-Manager. Jack Barnett reported that the Water Quality Committee reelected Don Ostler as the Chair. The Technical Advisory Committee (TAC) met on Monday morning and covered many agenda items. The TAC had no action items for the Commission but identified seven items that the TAC would continue to address. These items were listed on a handout which was distributed to Commission members. A copy of that handout is attached as Appendix E. Barnett indicated that the TAC will potentially meet this summer and then possibly in connection with the symposium at Bear Lake.

Barnett reported that he has been invited to attend a Western Governors' Association symposium on TMDL issues in May. The Bear River has been selected as an example of how interstate cooperation can be effectuated. This selection is reflective upon: 1) the important leadership that the Bear River Commission took in creating the Water Quality Committee; 2) the great way that the water quality leads from the three states have embraced the opportunity of the Water Quality Committee and have moved ahead; and 3) the early and continued in-the-field work of the Bear River Task Force. As a result of these things, Don Ostler, Craig Thomas and Barnett are going to participate in a panel to talk about these accomplishments. There were no questions for Barnett.

Chair Wheeler turned to agenda item X, the state reports. The time was turned to Karl Dreher for the Idaho report. Dreher reported on the initiation of Idaho's ground water study in the Idaho portion of the Lower Division of the Bear River. This study was prompted as a result of the procedures that the Commission has negotiated to distribute water during water emergencies in the Lower Division and the need to include some accounting for ground water. Idaho has not adjudicated the water rights in the Bear River Basin. In some regards, Idaho does not have good documentation as to the location of all the water rights. In the early part of Idaho's history, one could establish a water right without any sort of administrative or court action. Idaho is not attempting to do an adjudication in the Bear River Basin. Idaho is attempting to inventory the existing ground water use and develop a quantification of the depletion effects on flows in the river. When Idaho has compared the rough estimates that it currently has against the estimates that have been provided by Utah, it appears that it is not on a consistent basis because there are significantly more wells in the Lower Division in Utah than there are in the Lower Division in Idaho. Yet, using

the rough estimates, it would show that Idaho would use more ground water than would be used in Utah. Idaho does not think that this is the case.

Idaho has retained a consultant, Spatial Dynamics, to do the ground water inventory work. The principal investigators will be Kim Johnson and Sabrina Buse. Kim Johnson used to work for the Idaho Department of Water Resources and so he is familiar with the technology that has been developing for some time. Kim also worked for Steve Allred, who is the new DEQ Director. Idaho will use a combination of aerial photography to identify where wells are potentially located, water right records, and the claims and county records that would lead to the ownership of a particular well. When permission to go on the property is obtained, an employee will use a GPS instrument to more precisely locate the well. Part of the reason for doing this is that Idaho is in the process of shifting all of the water right data bases into a GIS format. If you enter into the computer a water right number or a water right owner, you will gain access to an aerial photograph of the place of use. It will automatically tell you how many acres are irrigated under the water right, the priority, and the owner. In a few years, this information will be accessible by the public. The staff spends an inordinate amount of time on water rights and this will allow them to get out of the loop and spend time on management, administrative and regulatory issues. There were no questions for Dreher.

The time was then turned to Larry Anderson for Utah's report. Anderson distributed several pages of newspaper articles concerning the Bear River which he had distributed to his board members. A copy of these newspaper articles is attached as Appendix F. Anderson pointed out that there has been a lot more interest in the last few weeks on the Bear River, partly caused by the symposium held a week ago, but mostly because the American Rivers put the Bear River on its top ten endangered river systems list. Anderson indicated that he was not sure how American Rivers makes that determination but he felt that it was a political decision.

For the last 3-5 years, Utah has just been collecting water quality data on the Bear River and evaluating the data. No additional geotechnical work has been done on either the Barrens or the Honeyville sites, the two sites where the most time and effort have been spent. If a dam was to be built anytime in the foreseeable future on the Bear River to provide a water supply, these are the two prime sites to date. Anderson felt that the building of a dam is still many years away and also feels that there can be some development of the Bear River without building a new dam. The Bear River still flows at about 1,200,000 af each year into the Great Salt Lake. The Bear River Development Act passed in 1991 by the State of Utah Legislature allocated Utah's share of the Bear River among various entities, including Salt Lake County Water Conservancy District, Weber Basin Water Conservancy District, Bear River Water Conservancy District and all the water users in Cache Valley. Each entity got either 60,000 af or 50,000 af. Anderson's department was directed to look at different ways to develop that water. If growth in Utah continues as projected, the waters of the Bear River will be further developed at some time, and it will likely require the construction of a reservoir on the Bear River. There are some options that are being looked at that would not require a reservoir immediately, but possibly down the road thirty years. There were no questions for Anderson.

The time was then turned to Sue Lowry for Wyoming's report. Lowry indicated that Commissioner Fassett has reported at previous meetings the water planning effort that is going on in Wyoming. Wyoming has not had a water planning program per se in the state since the early 70's. The Bear River has been used as a pilot program. Basin advisory groups were started within the Bear River Basin to advise the state agencies as they were putting the program together. Wyoming was successful in getting the program funded during the last legislative session. Five new state positions were approved; one position in the State Engineer's office, three positions in the Water Development Commission and one position at the University of Wyoming. Wyoming's water website is maintained by what is remaining of Wyoming's water center. One legislative session ago, the Wyoming legislature decided to get rid of the water center that is affiliated with the University of Wyoming. A portion of the center was salvaged and they deal with water data. Wyoming was given funding for consultants to complete the Bear River Basin and the Green River Basin plans. It is hoped that these plans will be completed in five years. Interviews for the consultant selection will be held on May 6. The Water Development Commission will make the determination as to who will be offered the contracts on May 7. The consultants will be ready to begin on July 1. A total of \$1 million was appropriated for the consulting fees to do the two basins' plans.

Lowry indicated that another issue that is getting a lot of attention in the State Engineer's office is the coal bed methane development that is happening in the northeastern part of Wyoming. The ground water section is getting 300-400 applications per month. Most of the activity is near Douglas (near Gillette) where there are open pit coal mines. Wyoming is now the largest coal producing state. The methane development is of gas that is affiliated with the coal seam. When the drilling companies drill down into the top part of the coal seam, they encounter water that is associated with the methane gas. The gas is held in solution and then they pump both the gas and the water up to the surface. Generally the water is of quite high quality. The question has been raised as to whether bringing ground water to the surface just to get methane gas out of it is a beneficial use under state law. Up to this point, the State of Wyoming has encouraged well developers to try and find some other use for the water, whether it be wetland development or stock watering. Lowry pointed out that there is a prediction that another 3,000 wells could be drilled in the area between Gillette and Buffalo. Carly Burton indicated that there is the same kind of a program in Price. There they are re-injecting water back into the ground water system. He asked Lowry if that is what they are doing in Wyoming. Lowry indicated that they are not doing that at this point. There is concern that they can't put it back into the coal seam. It is difficult to put it back in the aquifer that it came from because not only would you make it more expensive for the other coal methane development people, but it runs right out the coal seam. If they did look at any re-injection, it would be to a different aquifer.

Eulalie Langford pointed out that at one time there was a plan to build a slurry pipeline from Gillette to the Mississippi River. She asked Lowry if that has ever been done. Sue indicated that the pipeline spurred a decade long litigation between the State of Missouri and the State of South Dakota in the early 80's. The railroad companies appear to have the market on transporting coal. There is no new talk of additional slurry lines.

Karl Dreher asked Lowry how Wyoming is handling water quality in its water planning process. Lowry thought that Wyoming would include it but to what extent would vary from basin to basin. Wyoming was a state which was sued with the TMDL debate. Wyoming has been successful in working with the EPA in whittling down the list. There is a monitoring list which has about 360 streams on it. There is an eight-year plan to work around the state and to do a beneficial use reconnaissance study on each of the 360 streams. The plan, at this point, would be to recognize where those stream segments are and look at the impaired list. Wyoming will look back to the basin advisory groups for help. Chair Wheeler pointed out that the Bear River Basin Advisory Group that was organized in Evanston discussed water quality and included it as part of their report. Lowry indicated that Jack Smith, who works for Gary Beach within DEQ, was a faithful member of the group and one meeting was dedicated to answering questions about TMDL's and water quality. There were no further questions for Sue Lowry.

Chair Wheeler turned to agenda item IX, the Management Committee report. There were no items to report from the Management Committee. Chair Wheeler then asked for any items from the audience. Richard Thomas, President of SaltGrass Farms in Brigham City addressed the Commission. Mr. Thomas indicated that during eight of the last ten years, the river has flooded his property out in the spring and dried it up in the late summer. Some of the spring runoff needs to be staved off so that there is some water down river in the fall. He has written letters to PacifiCorp and he mentioned trying to obtain a response by e-mail. Carly Burton indicated that PacifiCorp does not have an e-mail system for issues such as these.

Jack Barnett recognized that Will Atkin and Bill Ondrechen often participate with the TAC and they have spent a tremendous amount of time working through the Idaho and the Utah models to see if a person gave the two models similar instructions whether one would get similar results. Their efforts have brought about the confidence of the Commission that if there were to be a water emergency in the Lower Division, there is computer support to allow the accounting that would be necessary. More recently, PacifiCorp asked these two gentlemen if they could use the models to do something the models weren't created for and that was to recreate, so to speak, how diversions would have occurred in the past. PacifiCorp is looking at the scenario where if you use a basinwide model, how would deliveries have been made in the past in contracts using the Idaho only model. It is worthy to report that the models are doing well on this request. The models are giving similar results.

Carly Burton announced that there will be a meeting of the Bear Lake Preservation Advisory Committee following the Commission meeting.

Chair Wheeler turned to agenda item XII, the next Commission meeting. Wheeler pointed out that if the Commission meeting were held on the scheduled day, the Commission meeting would be held on November 16, 1999. There was some discussion concerning having a combined meeting with the Bear Lake symposium in September, as well as some discussion about the pros and cons of changing the meeting date. A few Commissioners indicated that most likely they would not be able to attend both the symposium and the Commission meeting if they were held at separate times.

**Bear River Commission Meeting**  
**April 20, 1999**

The issue of holding a Commission meeting in one of the local areas was discussed. It was suggested that, for planning purposes, the date of November 16, 1999 be scheduled as the next Commission meeting, and that it be left to Jack Barnett to look at the scheduling. When the symposium date is set, the Commission could re-evaluate the issue of the date of the next Commission meeting.

It was moved that the Commission meeting be adjourned. The motion was seconded and carried. The meeting was adjourned at 3:30 p.m.

## ATTENDANCE ROSTER

### BEAR RIVER COMMISSION ANNUAL MEETING

Utah Department of Natural Resources Building  
Salt Lake City, Utah  
April 20, 1999

#### IDAHO COMMISSIONERS

Karl J. Dreher  
Rodney Wallentine

#### WYOMING COMMISSIONERS

James L. Crompton  
John Teichert  
Sue Lowry (Alternate)  
Gordon Thornock (Alternate)  
Jade Henderson (Alternate)

#### FEDERAL CHAIR

Denice Wheeler

#### UTAH COMMISSIONERS

D. Larry Anderson  
Blair R. Francis  
Charles Holmgren  
Joseph Larsen (Alternate)

#### ENGINEER-MANAGER & STAFF

Jack A. Barnett  
Don A. Barnett  
Nola Peterson

#### OTHERS IN ATTENDANCE

##### IDAHO

Mark Lowe, Department of Environmental Quality  
Bill Ondrechen, Department of Water Resources

##### UTAH

Todd Adams, Division of Water Resources  
Will Atkin, Division of Water Rights  
Bob Fotheringham, Division of Water Rights  
Bob Morgan, State Engineer  
Don Ostler, Department of Environmental Quality  
Randy Staker, Division of Water Resources  
Norm Stauffer, Division of Water Resources

##### OTHERS

Nelden Barker, Bear Canal Ditch Company  
Carly Burton, PacifiCorp (Utah Power)  
Richard Burton, R. Harold Burton Foundation  
Jim Christensen, Bear River WCD  
Patti Fiedler, Fish & Wildlife Service  
Kimball Goddard, U.S. Geological Survey  
Kelly Holt, PacifiCorp (Utah Power)  
Scott Johnson, PacifiCorp (Utah Power)  
Jim Kimbal, Bear Lake Preservation Advisory Committee  
Jim Kolva, U.S. Geological Survey

**APPENDIX A**  
**PAGE TWO**

Eulalie Langford, Love Bear Lake, Inc.  
Evan Simpson, Sunrise Engineering  
Dave Styer, Bear River Canal Company  
Craig Thomas, Bear Lake Regional Commission  
Richard Thomas, SaltGrass Farms, LLC  
Al Trout, Bear River Refuge  
Jim Watterson, Small Irrigators Association  
Jamie A. Wayman, Public/Student  
Jody Williams, PacifiCorp (Utah Power)  
Cheryl Williss, U.S. Fish & Wildlife Service

AGENDA

Bear River Commission Annual Meeting  
April 20, 1999

Utah Department of Natural Resources  
Auditorium  
1594 West North Temple  
Salt Lake City, Utah

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COMMISSION AND ASSOCIATED MEETINGS

April 19

9:45 a.m. TAC Meeting, Room 314  
1:00 p.m. Water Quality Committee Meeting, Room 314 Ostler

April 20

9:00 a.m. Operations Committee Meeting, Room 314 Francis  
10:30 a.m. Records & Public Involvement Committee Meeting, Room 314 Holmgren  
11:30 a.m. Informal Meeting of Commission, Room 314 Barnett  
11:45 a.m. State Caucuses and Lunch Dreher/Fassett/Anderson  
1:30 p.m. Commission Meeting, Auditorium Wheeler  
3:30 p.m. Potential adjournment

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ANNUAL COMMISSION MEETING

April 20, 1999

**Convene Meeting:** 1:30 p.m., Chair Denice Wheeler

- I. Call to order Wheeler
  - A. Welcome of guests and overview of meeting
  - B. Approval of agenda
- II. Approval of minutes of last Commission Meeting Wheeler  
(November 17, 1998)
- III. Report of Secretary/Treasurer and Budget Action Anderson
- IV. Election of Officers Wheeler
  - A. Vice Chair
  - B. Secretary/Treasurer
- V. Report of the Water Quality Committee Ostler
  - A. Interstate cooperation on issues
  - B. Efforts of the Bear River Basin Water Quality Task Force
  - C. Other

**APPENDIX B**  
**PAGE TWO**

VI.	Report of the Records & Public Involvement Committee	Holmgren
	A. Biennial reports	
	B. Stream gaging records	
	C. Special Events	
	D. Other	
VII.	Report of the Operations Committee	Francis
	A. Amendments to the Lower Division Procedures (Appendix C)	
	B. Anticipated 1999 river operations	
	C. Other	
VIII.	Engineer-Manager report and items from the TAC	Barnett
IX.	Items from the Management Committee	Fassett
X.	State Reports	
	A. Idaho	Dreher
	B. Utah	Anderson
	C. Wyoming	Fassett
XI.	Other Items	Wheeler
XII.	Next Commission Meeting	Wheeler

**Anticipated adjournment: 3:30 p.m.**

**\*\*Commission meeting will be followed by a meeting of the Bear Lake Preservation Advisory Committee.**

BEAR RIVER COMMISSION

STATEMENT OF INCOME AND EXPENDITURES

FOR THE PERIOD OF JULY 1, 1998 TO APRIL 1, 1999

INCOME	CASH ON HAND	OTHER INCOME	FROM STATES	TOTAL REVENUE
Cash Balance 07-01-9	\$81,466.81			\$81,466.81
State of Idaho			\$30,048.00	30,048.00
State of Utah			30,000.00	30,000.00
State of Wyoming			30,000.00	30,000.00
US Fish & Wildlife		\$5,300.00		5,300.00
Interest on Savings		\$4,798.84		4,798.84

TOTAL INCOME TO APRIL 1, 1999	\$81,466.81	\$10,098.84	\$90,048.00	\$181,613.65
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DEDUCT OPERATING EXPENSES

EXPENDED THROUGH U. S. G. S.

	APPROVED BUDGET	UNEXPENDED BALANCE	EXPENDITURES TO DATE
Stream Gaging	\$46,295.00	0.00	\$46,295.00
SUBTOTAL	\$46,295.00	0.00	\$46,295.00

EXPENDED THROUGH COMMISSION

Personal Services	Jack	\$37,830.00	\$6,305.00	\$31,525.00
Travel (Eng-Mgr)		1,200.00	1,127.17	72.83
Office Expenses		1,400.00	248.76	1,151.24
Printing Biennial Report		2,200.00	899.29	1,300.71
Treasurer Bond & Audit		1,200.00	1200.00	0.00
Printing		1,400.00	(457.53)	1,857.53
Contingency		6,000.00	6,000.00	0.00
SUBTOTAL		\$51,230.00	\$13,223.40	\$35,907.31

TOTAL EXPENSES	\$97,525.00	\$13,223.40	\$82,202.31
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CASH BALANCE AS OF 04-01-99	\$99,411.34
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APPENDIX C  
PAGE TWO

BEAR RIVER COMMISSION

DETAILS OF EXPENDITURES

FOR PERIOD ENDING APRIL 1, 1999

472	JACK BARNETT	9,457.50
473	JACK BARNETT	3,335.96
474	JACK BARNETT	5,509.34
475	JACK BARNETT	4,148.16
476	USGS	46,295.00
477	JACK BARNETT	6,920.79
478	JACK BARNETT	3,379.56
479	JACK BARNETT	3,156.00

TOTAL EXPENSE	\$82,202.31
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BANK RECONCILIATION

Cash in Bank per Statement 04-01-99	\$3,645.98
Plus: Intransit Deposits	0.00
Less: Outstanding Checks	0.00
Total Cash in Bank	\$3,645.98
Plus: Savings Account-Utah State Treasurer	95,765.36
TOTAL CASH IN SAVINGS AND IN CHECKING ACCOUNT	\$99,411.34

BEAR RIVER COMMISSION

APPROVED BUDGET FOR FY 99, AND PROPOSED BUDGETS FOR FY2000 AND FY2001

DESCRIPTION	FY 99 APPROVED BUDGET	FY 2000 PROPOSED BUDGET	FY 2001 PROPOSED BUDGET
a INCOME			
BEGINNING BALANCE	81,466.81	85,589.81	88,344.81
IDAHO	30,000.00	30,000.00	30,000.00
UTAH	30,000.00	30,000.00	30,000.00
WYOMING	30,000.00	30,000.00	30,000.00
U S F&W	5,300.00	5,600.00	5,800.00 *
OTHER INCOME	48.00	0.00	0.00
INTEREST ON SAVINGS	6,300.00	6,500.00	6,500.00
TOTAL INCOME	183,114.81	187,689.81	190,644.81
EXPENDITURES			
b STREAM GAGING-U.S.G.S.	46,295.00	46,735.00	48,400.00 *
c PERSONAL SERVICES CONTRACT-BARNETT	37,830.00	38,960.00	40,130.00
TRAVEL	1,200.00	1,200.00	1,200.00
OFFICE EXPENSES	1,400.00	1,600.00	1,600.00
PRINTING BIENNIAL REPORT	2,200.00	2,000.00	2,000.00
TREASURER'S BOND & AUDIT	1,200.00	1,250.00	1,300.00
PRINTING	1,400.00	1,600.00	1,600.00
CONTINGENCY	6,000.00	6,000.00	6,000.00
TOTAL EXPENDITURES	97,525.00	99,345.00	102,230.00
UNEXPENDED CASH BALANCE	85,589.81	88,344.81	88,414.81

\* ESTIMATED AMOUNTS

NOTE. a. THE "OTHER INCOME" OF \$48.00 IS FOR BEAR LAKE HISTORY BOOKS  
PURCHASED BY THE STATE OF IDAHO DIVISION OF PARKS AND  
RECREATION, FROM THE OFFICE OF JACK BARNETT.

b. FOR CONTRACT PURPOSES, THE FY2001 USGS STREAM GAGE CONTRACT FOR \$48400.00 NEEDS TO BE  
APPROVED, SO THE CONTRACT CAN BE SIGNED BY SEPT 1999. THE CONTRACT RUNS FROM  
OCTOBER 1, 1999 TO SEPTEMBER 30, 2000.

c. THE PERSONAL SERVICE CONTRACT FOR BARNETT HAS BEEN INCREASED BY 3% IN FY2000 AND FY2001.

SUMMARY OF BEAR LAKE/BEAR RIVER OPERATIONS  
AS OF APRIL 19, 1999

INFLOWS

1998 INFLOWS TO BEAR LAKE (RAINBOW)	547,000 AF
1998 % OF AVERAGE	205%
1999 INFLOW TO BEAR LAKE TO DATE	123,000 AF
CURRENT FLOW	750 CFS

OUTFLOWS

1998 OUTFLOW (OUTLET CANAL)	606,000 AF
1998 % OF AVERAGE	207%
1999 OUTFLOW TO DATE	316,000 AF
CURRENT OUTFLOW	295 CFS

BEAR LAKE ELEVATIONS

1998 HIGH ELEVATION (JULY 10, 1998)	5922.85
ELEVATION ON SEPTEMBER 30, 1998	5921.44
PRESENT ELEVATION	5919.24
PROJECTED HIGH ELEVATION	5921.90

BEAR RIVER BELOW CUTLER DAM

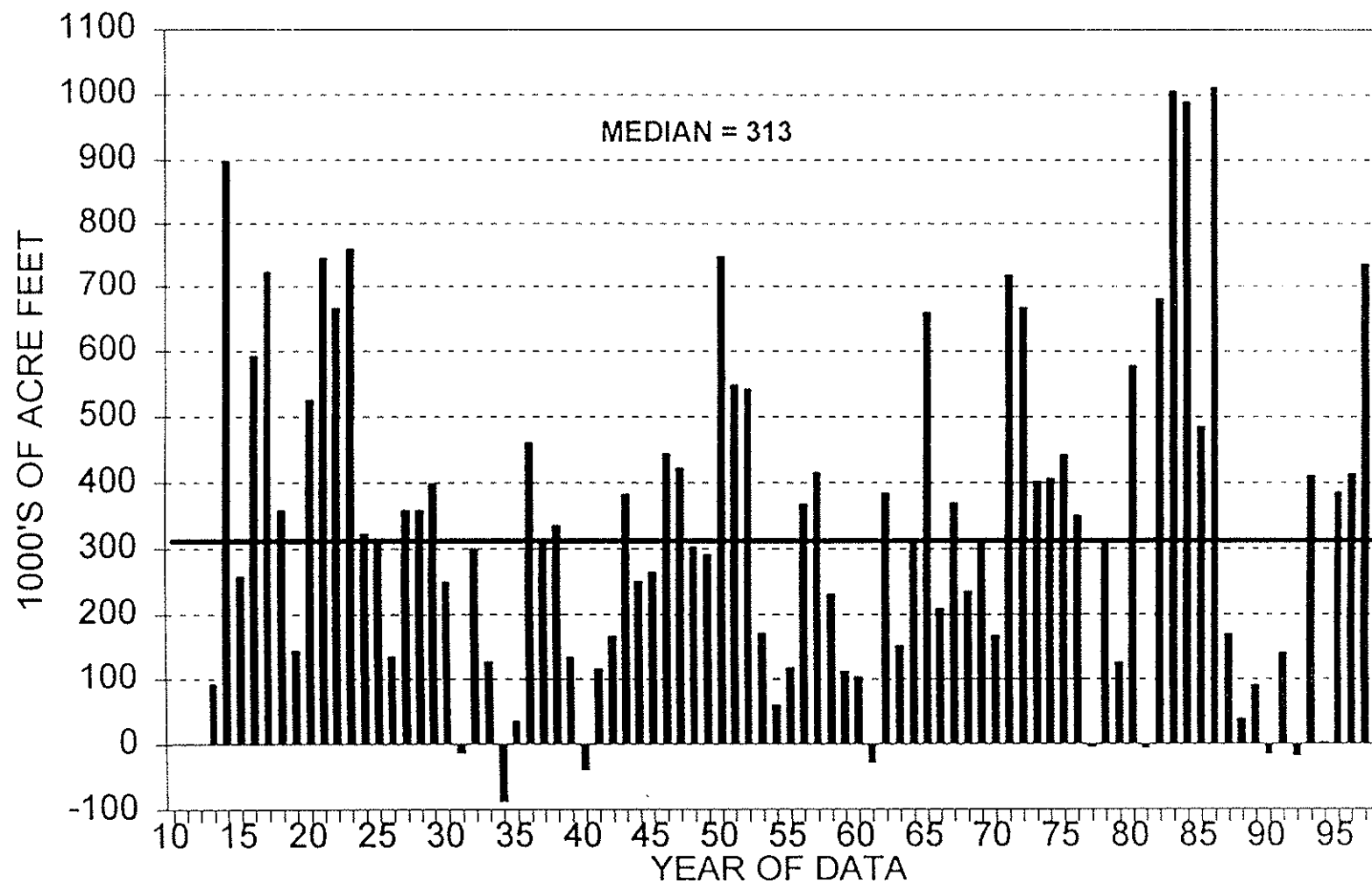
1998 FLOW (TOTAL)	1,821,000 AF
1998 % OF AVERAGE	166%
1998 FLOW (IRRIGATION SEASON)	731,000 AF
1999 FLOW TO DATE	923,000 AF

BASED ON 1999 BEAR LAKE ELEVATION AND PROJECTED RUNOFF, THE 1999 STORAGE ALLOCATION FOR IRRIGATION WILL BE 230,00 ACRE FEET. ACTUAL STORAGE DELIVERY IS LIKELY TO BE 100,000 ACRE FEET

THE EXCELLENT SNOWPACK AND PROJECTED RUNOFF BELOW BEAR LAKE IS EXPECTED TO SUSTAIN IRRIGATION NEEDS WELL INTO JUNE. OUTLET CANAL RELEASES WILL BE ADJUSTED AS NEEDED, DEPENDING ON WEATHER CONDITIONS AND DOWNSTREAM RUNOFF OVER THE NEXT 2 MONTHS.

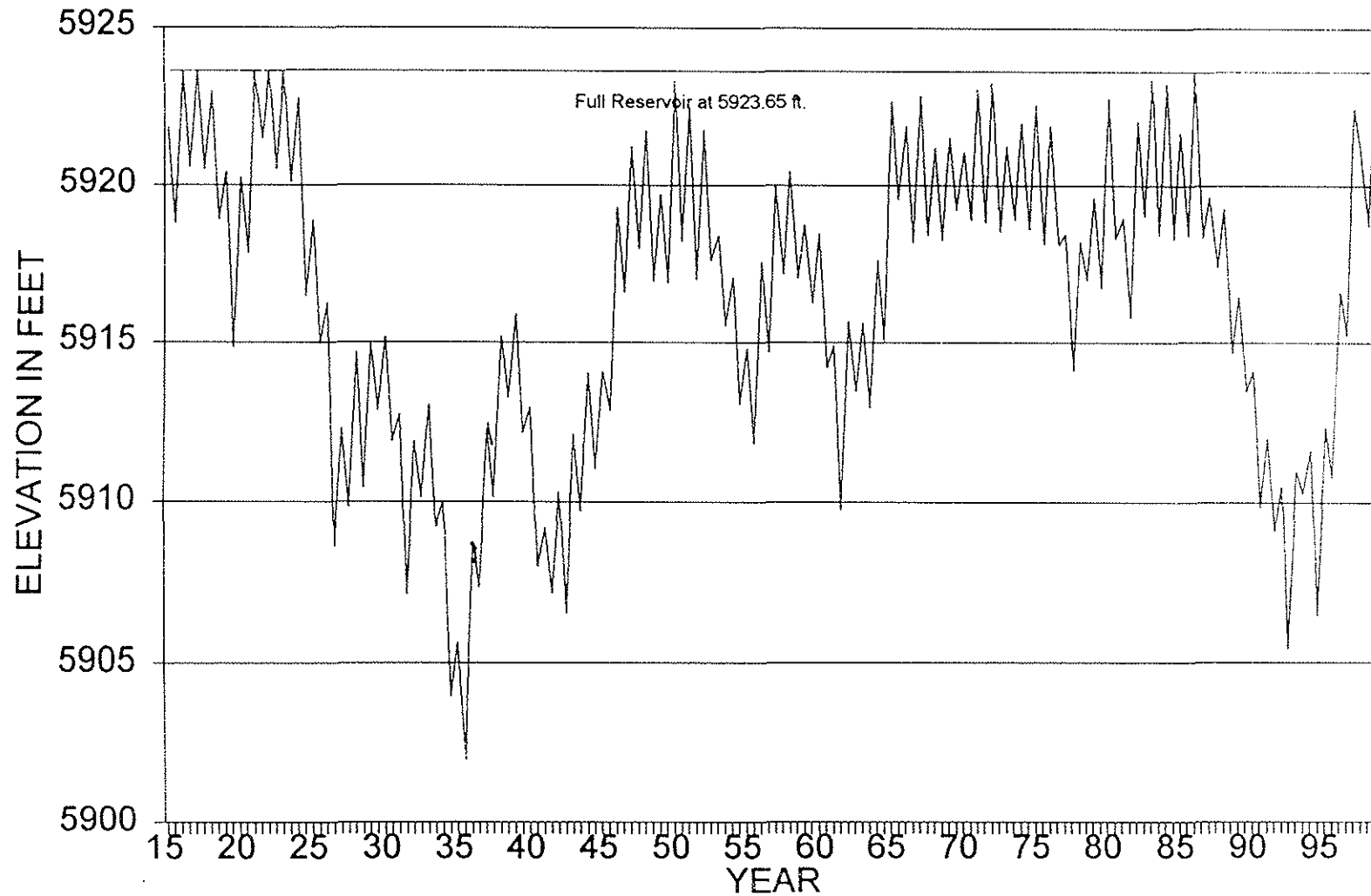
# BEAR LAKE NET RUNOFF

FROM 1913 - 1998



# BEAR LAKE ELEVATION

## FROM 1916 TO 1998



Potential Work Assignments for the TAC

1. Water transfers from one division to another
2. Ground water studies and implementation
  - a. Following the studies and the potential for a report to the Commission one year from now
  - b. How are the depletions factored into impacts on the river/models
  - c. What language needs to be added to the procedures
3. Keep abreast of the stream gaging funding issue
4. Follow the model runs/contract changes issue
5. Understand and observe the technical Bear Lake studies
6. Examine criteria for review and modification of procedures/Appendix C
7. Look at when the next depletion study should be entered into

*tribune 3-12-99*

## Study Discourages Building of Dam At Amalga Barrens

THE ASSOCIATED PRESS

AMALGA — A proposed \$300 million dam and reservoir at Cache County's Amalga Barrens would cost farmers their profits, according to a town study.

Joe Maynard, chairman of the Amalga Barrens Reservoir Committee, told the town council Wednesday night that at least 14 farms would become too fragmented to be profitable if the dam is built.

About 40 families depend on land in the site area to make a living, Maynard said. He plans to send his information to the state Legislature and Cache County officials in hopes someone will pay attention. The Barren's project could hold as much as 200,000 acre feet of water and include about 12 miles of earthen berms that, at their highest point, could rise 50 feet. Some farmers worry that, at that height, they could block the sunset.

But nonfarming residents aren't thrilled about the proposed dam either. Maynard surveyed about 400 of the town's 450 residents and found 86 percent were opposed to the dam.

State officials say the Barrens Dam is needed to comply with the Legislature's 1991 Bear River Development Act, which requires the construction of storage for 200,000 acre feet of water from the Bear River.

But that also angers the town's residents. "The big thing is that the reservoir will not benefit anyone in Cache Valley," Maynard said. "The water rights for the 200,000 acre-feet in the Bear River are owned by Wasatch Front communities."

Thursday, March 11, 1999

LOGAN HERALD JOURNAL

Page 2

# Study: Dam will sink farmers

## Amalga-area farms would go under if reservoir is built

By Nicole G. Farrell  
staff writer

AMALGA — Farmers will watch their profits drown if the proposed Barrens Dam is built, a town study says.

If the reservoir proposed by the Utah Division of Water Resources is built, it would occupy at least 4,300 acres just northwest of Amalga. This land has been farmed by Amalga-area families for at least three generations, said Joe Maynard, chairman of the Amalga Barrens Reservoir Committee.

Maynard, an independent software consultant, plans to send this information to the state Legislature and Cache County officials in hopes someone will pay attention.

When he met with the Amalga Town Council on Wednesday night, he identified 14 farms that would become too fragmented to be profitable if the

200,000-acre-foot dam is built. These farms would go from sources of livelihood to hobbies, Maynard said.

All together, about 40 families depend on land in the site area to make a living, Maynard said.

Councilman and farmer Don Hansen said he would lose 280 acres of his farm, leaving too small an area — 20 acres — to make any sort of money.

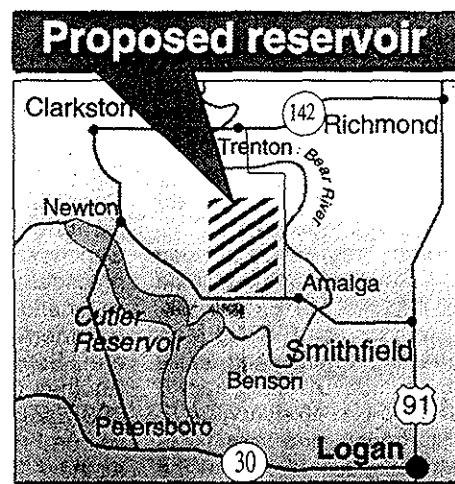
His colleague on the council, Lloyd Jensen, faces a similar plight. He would lose 170 acres and be left with 40.

"There's a lot of farms from here to Newton," Amalga Mayor David Wood said. "Most people can't farm half a farm."

Nonfarming residents aren't thrilled about the prospects of a dam in their back yards, either.

The second part of Maynard's study surveyed about 400 of Amalga's 450 residents. Eighty-six percent were opposed to the dam outright. Thirteen percent said they approved of the reservoir only if certain conditions were met, such as guarantees that property values wouldn't be diminished and a recreation facility would be built.

Besides loss of farmland, those sur-



Herald Journal map

veyed cited the dangers of having a 46- to 66-foot dike within blocks of their homes, a potentially higher water table and declines in property values as reasons for their disapproval.

Maynard said his next step is to involve affected landowners in Newton and Trenton.

The state contends the Barrens Dam is needed to comply with the Legislature's 1991 Bear River Development Act, which requires the construction of

storage for 200,000 acre-feet of water from the Bear River, state officials say.

At a January meeting hosted by the Bridgerland Audubon Society, Dennis Strong, assistant director for the Division of Water Resources, said the water will be needed on the Wasatch Front in 20 years.

But that's another sore spot for Amalga residents.

"The big thing is that the reservoir will not benefit anyone in Cache Valley," Maynard said. "The water rights for the 200,000 acre-feet in the Bear River are owned by Wasatch Front communities."

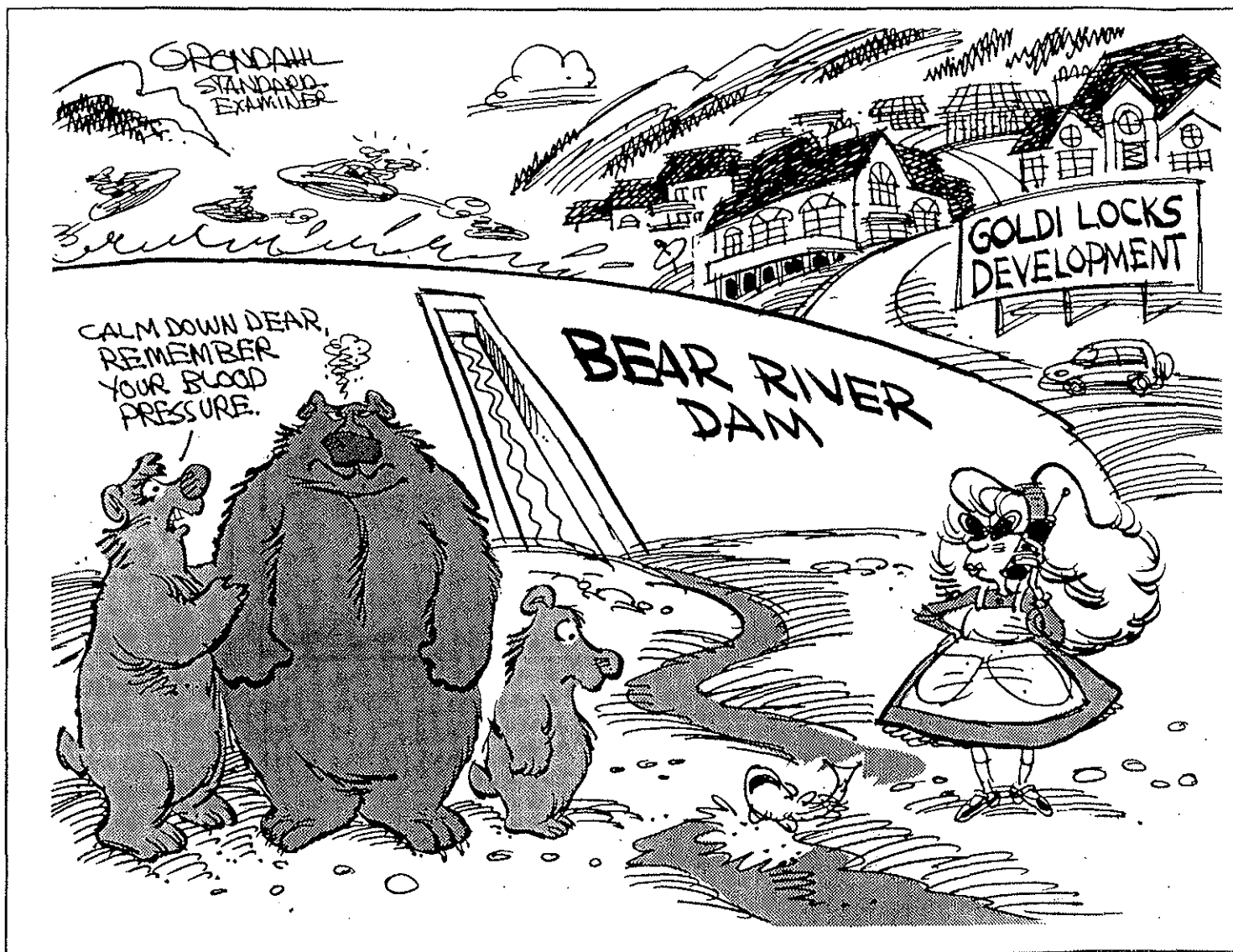
Strong was not available for comment this morning.

The Division of Water Resources is proposing two plans to get its 200,000 acre-feet. The first provides for two dams containing 100,000 acre-feet each, one at the Barrens site and one in Honeyville. The second would place the entire 200,000 acre-feet at the Barrens site.

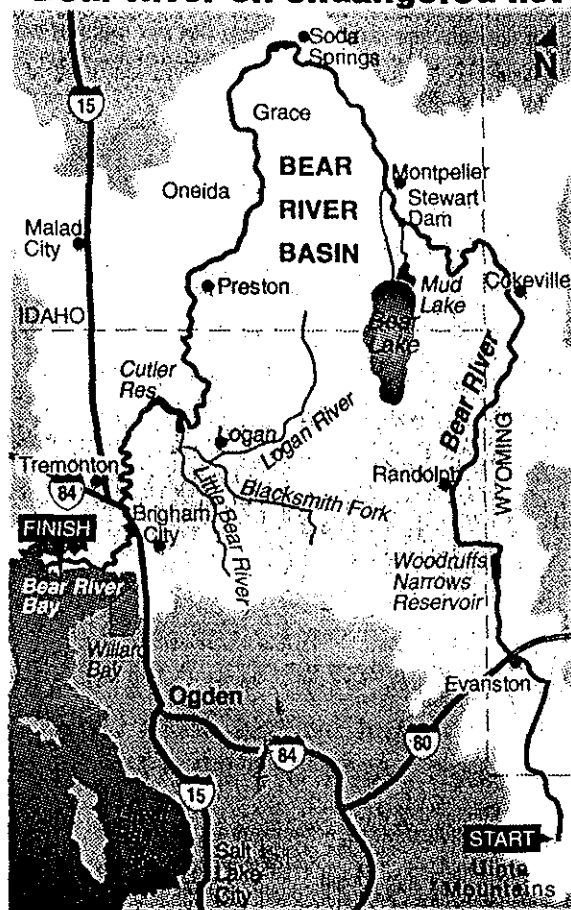
The division will eventually forward one of the two proposals to the Legislature. If approved, the reservoir would be completed by 2010 or 2015.

Opinion

Standard-Examiner



## Bear River on endangered list



# Bear on list of rivers in peril

□ Group cites efforts to dam the waterway to aid development

By PAT BEAN

Standard-Examiner staff

The Bear River, which winds its way 500 miles through Wyoming, Idaho and Utah, was 10th on American Rivers' annual list of the nation's most endangered rivers.

The list, released today, was topped by the Snake River, where dams in Washington state have brought the salmon runs to the brink of extinction, Rebecca Wodder, president of Washington D.C.-based American Rivers, said.

The Bear made the list because of the pressure to dam it to supply water for growing development along the Wasatch Front.

Mary Orton, director of American Rivers' Southwest office, said wasteful water consumption throughout the sprawling Salt Lake City area is threatening the Great Salt Lake ecosystem and the Bear River Migratory Bird Refuge, both of which depend on the river's water.

"We risk losing these incredible natural

► See RIVER/10A

# Rivers

## From 1A

treasures if the Salt Lake City area continues its rate of rampant growth while allowing such profligate water use," she said.

Utah's last major undeveloped water hole, the Bear already has numerous users lining its banks.

Farmers use it to water their crops and herds, Utah Power uses it to create electricity, boaters float it, anglers fish it, and wildlife depends on it.

And Salt Lake City, which estimates it will run out of available water within the next 25 years, now wants to drink it.

The state, Orton said, has the second highest per capita water

consumption rate in the country while also having the lowest water prices in the Rocky Mountain region.

The Salt Lake County Water Conservancy District estimates the city's water needs will double in the next 25 years and quadruple in the next 50 years because of growing demands.

The Weber Basin Water Conservancy District is also drooling over future development of the Bear River to supply growth in Weber, Morgan, Davis, Box Elder and Summit counties.

Present controversy rages over where a reservoir will be located. The top two locations are Cache County and Honeyville in Box Elder County.

Weber/Ogden River Commis-

sioner Blaine Johnson said eventually both sites might be developed.

Orton said the Bear was nominated for inclusion on the endangered list by grass-roots conservation groups, and then chosen by the organization's conservation staff.

She said criteria for the choices included severity of the threat and likely decision points within the coming year.

Orton said sprawl appears to be one of the major things destroying the nation's rivers.

Her organization's goal, she said, is to "let rivers be rivers by giving them room enough to do what they need to do, including flooding or changing course."

"There's a cheaper and easier

way for Utah to meet its water needs than damming the Bear," Orton said.

American Rivers' recommendations include water conservation measures and higher water prices so as to more accurately reflect the value of the resource.

This year marks the 14th time American Rivers has brought attention to rivers it considers threatened.

The purpose of the list, Wodder said, is to mobilize communities to protect and restore significant waterways.

*You can reach reporter Pat Bean at 625-4224 or pbean@standard.net.*

# Bear River lands on at-risk list

## Proposed dam, urban sprawl are blamed

**By Lee Davidson  
and Jerry Spangler**  
Deseret News staff writers

WASHINGTON — A national environmental group declared Monday that Utah's Bear River is among America's 10 most endangered because of a proposed dam and wasteful lawn watering by Utahns.

So the group, American Rivers, called on Utah water agencies to dramatically increase water prices to encourage conservation and do away with the need for a new dam on the river.

"There are cheaper and less destructive ways to get Salt Lake water, but dam proponents refuse to consider them," said Zack Frankel, executive director of the Utah Rivers Council. "They're trying to ram a \$350 million dam that nobody wants down our throats."

Utah officials say a dam on the Bear River is probably 20 years away from reality and the designation of the Bear River as endangered is premature.

"They make it sound like the bulldozers are lined up ready to go, and that is not the case," said Brad Barber, deputy director of the governor's Office of Planning and Budget.

The American Rivers report said the Bear and the Bear River Migratory Bird Refuge (where the river empties into the Great Salt Lake) "could soon fall prey to the Salt Lake City region's

*Continued from A1*

growing thirst."

The group is most worried about a proposed dam on the river near Honeyville to divert water to Weber and Salt Lake counties through pipelines and aqueducts.

The group said that would inundate 13 miles of farmlands and divert 14 percent of the water now flowing to the bird refuge. That would endanger wildlife while encouraging more of what it says is wasteful watering of desert lawns, yards and golf courses.

"We must not put our precious wildlife at risk for the sake of green lawns," said Mary Orton, director of American Rivers' Southwest Office.

"Many generations of pioneer, farming and American Indian history would vanish on Salt Lake lawns," added Arthur Douglas, president of the Utah Farmers Union.

The Bear River is the last source of undeveloped water now available to the Wasatch Front, which is expected to grow by more than 1 million people over the next 20 years and by 3 million more over the next 50 years.

Barber said water conservation is a key element of the Envision Utah initiative in which various scenarios are being considered to manage growth. The demand for water will vary greatly according to which management scenario is selected.

"We are addressing water needs and looking at water infrastructure costs, and there is a lot that can be done about this issue as we decide how we grow and where we grow," Barber said. "But it might be a little premature to say the Bear River is endangered (before a management scenario is selected)."

A statement by American Rivers said, "Low water prices throughout the state encourage overuse of water. . . . Utah has the second highest per capita water consumption rate in the country coupled with the lowest water prices in the Rocky Mountain region. Almost 50 percent of water in the Salt Lake City area is used for watering yards, lawns and golf courses."

Orton said, "State officials must institute water conservation measures and make water price adjustments so that the value of this resource is properly reflected in its price to consumers — rather than developing new sources at taxpayer expense."

While American Rivers said "wasteful water consumption throughout the sprawling metropolis of Salt Lake City is reducing flows in the Bear River," none of the current water supply in Salt Lake County comes from that river — although officials are looking at it as a possible future source.

Still, the environmental group said too much water is already being diverted out of the river by northern Utah urban sprawl, and that is endangering the bird refuge.

It added that low flows and declining wetlands historically were linked to outbreaks of avian botulism on Bear River/Great Salt Lake wetlands in 1910 and 1920 that killed 3.5 million birds.

"The strong reaction on the part of the public to these epidemics convinced Congress to pass legislation in 1928 protecting the estuary as a national wildlife refuge," American Rivers said. More than 250 bird species have been identified there.

But it is more than just bird habitat. Patty Timbimboo Madsen, the great-great-granddaughter of Shoshone Chief Sagwitch, said the dam project would destroy many sacred and historical places "critical to the continuation of our cultural traditions."

American Rivers releases a list each year of what it considers to be the nation's 10 most endangered rivers. This year's list stressed the threat that many rivers may face from urban sprawl or uncontrolled development.

"Few people understand how singularly destructive unplanned, rapid growth can be on rivers," said American Rivers President Rebecca Wodder. "In 14 years of compiling this report, we have not seen a threat to rivers so insidious and far-reaching as sprawl."

The Bear was No. 10 on the list of endangered rivers. Last year, the organization listed the Uinta River as endangered because of a proposed dam there. The Virgin River in southwestern Utah has also made the list previously.

The others making the list this year, in order, are (1) the Lower Snake River (Washington); (2) Missouri River; (3) Alabama-Coosa-Tallapoosa River Basin (Georgia and Alabama); (4) Upper San Pedro River (Arizona); (5) Yellowstone River (Montana and South Dakota); (6) Cedar River (Washington); (7) Fox River (Illinois and Wisconsin); (8) Carmel River (California); and (9) Coal River (West Virginia).

*Please see **BEAR RIVER** on A3*

*S.L. Tribune 4/14/99*  
**Ebbs and Flows of the Bear**

Just because a Washington-based environmental organization lists Utah's Bear River as one of the 10 most endangered rivers in the country does not make it so. But the message behind the listing — that man's careless use of nature's resources can have unintended consequences — is worth conveying.

American Rivers has been releasing its annual list of endangered rivers for 14 years now, and this year's rundown, unveiled Monday, includes the Bear River in the No. 10 spot. The Bear flows into the Great Salt Lake at the site of the Bear River Migratory Bird Refuge in Box Elder County; as such, it is a critical lifeline for bird and wildlife habitat and for wetlands.

The apparent justification for listing the Bear River as endangered is that its flows into the Great Salt Lake are already reduced, and a proposed dam of the river to divert water for the benefit of the growing Wasatch Front population would further diminish the Bear's flows to the point of threatening the ecosystem of the bird refuge area.

One could quarrel with the listing from at least one angle: One of American Rivers' criteria for the rankings is that the threat to a candidate river must be imminent, yet the Bear River dam project, which is several years in the future, is not imminent. Still, it is on the drawing board, and the atten-

tion from the listing should focus Wasatch Front residents on the consequences of the choices they make.

What American Rivers is saying is that Salt Lakers, encouraged by their low water rates, overuse their water (Utah has the nation's second highest water consumption rate) and waste much of it on their lawns, and that there is ultimately a natural consequence for that behavior. If the overconsumption leads to the construction of the Bear River dam, then the cost could be serious impacts on the river and the magnificent bird refuge.

Utahns need to think about that. In fact, Salt Lake Water Conservancy District officials acknowledged the need for greater awareness of water conservation last month by revealing a plan that could cut water use by the district's customers by 10 percent over the next 20 years. That reduction would not preclude the district's eventual tapping of the Bear River, but it would delay it.

The point is, a connection must be made in the minds of Wasatch Front residents: Keep up the profligate consumption of water, and the consequences will show up in natural environs like the Bear River and the migratory bird refuge. If the American Rivers listing of the Bear as endangered alerts urban Utahns to this interconnectedness, then it will have served a valuable purpose.

## American Rivers' ranking all wet

Another year has passed and another Utah river is among the nation's most endangered — if you buy the annual list propagated by American Rivers. This year it's the Bear River; last year it was the Uinta, and the Virgin made the top 20 rankings in 1997.

This year's list is a bit suspect due to the organization's extreme left-leaning environmental tilt. In fact, it's downright phony.

Before reviewing the ratings, let's put them in some semblance of political perspective. Salt Lake-based Glen Canyon Institute, which is campaigning to drain Lake Powell, recently hired Pamela Hyde as its first full-time executive director. This page already is on record opposing that rather absurd notion.

Hyde most recently worked as regional director for American Rivers — an organization that does some good but delights in waltzing on the fringe. Because Hyde jumped from one waterlogged ship to the other does not mean American Rivers endorses pulling the plug on Powell, but it gives an indication of the similarity in philoso-

phies between the two organizations.

So when locals read that northern Utah's Bear River is No. 10 on the endangered list due to wasteful water practices in Salt Lake City, thus reducing its flow to harmful levels, they shouldn't panic. In fact, they ought to chuckle. Bear River water is not used at all by Salt Lake residents.

The state has planned eventually to ship Bear River water south to the Salt Lake Valley. But as of now, nary a drop has been consumed by valley residents. So when American Rivers says Bear River is endangered because of waste in Salt Lake, don't believe it.

Bear River and the Green-Colo-rado river system are the only two sources with significant undeveloped water remaining in the state. The Bear River Development Act was passed in 1991, allocating a share for development in Cache, Weber and Salt Lake counties. But little of that has been tapped to date, leaving the Bear River mostly undeveloped — misrepresentations by American Rivers notwithstanding.

# Bear River Is on Group's 'Most Endangered' List

BY ERIN KELLY

GANNETT NEWS SERVICE

WASHINGTON — Sprawling, out-of-control development is polluting and depleting rivers from Washington state to Georgia, says a leading environmental group in its annual report on America's most endangered rivers. Suburban sprawl is soaking up six of "America's 10 most endangered rivers of 1999," according to the 14th annual report to be unveiled today by the American Rivers environmental group.

The 10 rivers are: the Snake River in Washington state; the Missouri River in Montana, North Dakota, South Dakota, Nebraska, Iowa, Kansas and Missouri; the Alabama-Coosa-Tallapoosa River Basin in Georgia and Alabama; the Upper San Pedro River in Arizona and Sonora, Mexico; the Yellowstone River in Montana and North Dakota; the Cedar River in Washington state; the Fox River in Illinois and Wisconsin; the Carmel River in California; the Coal River in West Virginia; and the Bear River in Utah.

Burgeoning development is increasing the demand to withdraw water from the rivers, sucking the life out of the waterways, the report says. In the Chicago area, fertilizers and pollutants from suburban lawns and parking lots are polluting the Fox River, and sewage plant discharges threaten to increase 50 percent during the next 10 years.

While the Virgin River in southwestern Utah has appeared on the group's endangered list before, the appearance of the Bear River is new — and based on a threat to the Box Elder County river from sprawl in the Salt Lake Valley. Conservationists maintain that the Salt Lake Water Conservancy District would not be eyeballing the Bear River for more water if residents would abandon their love affair with

lush green lawns and yards full of plants that are not native to Utah, much of which is a desert.

In 1992, the Legislature passed a law that directed state officials to find ways to bring 100,000-acre feet of water every year from the Bear River into Willard Bay, a reservoir next to the Great Salt Lake north of Ogden. The water would be divided equally between the Salt Lake County Water Conservancy District and the Weber Basin Water Conservancy District — which serves growing water needs in Morgan, Weber and Davis counties.

"Sprawl is one of the fastest-growing, most ominous threats to our nation's rivers," said Rebecca Wodder, president of American Rivers. "Sprawl devours wetlands and flood plains and destroys wildlife habitats. Sprawl also wreaks havoc on both the quality of water in a river and on the amount of water flowing between the banks."

Sprawl has become a hot topic in the White House and Congress, spurred by angry suburbanites stuck in traffic jams and farmers fearful of losing their way of life as their fields are gobbled up by de-

velopment. But few people realize how destructive unplanned growth can be on rivers, Wodder said.

"In fourteen years of compiling this report, we have not seen a threat to rivers so insidious and far-reaching as sprawl," she said.

But sprawl is not the only culprit. Dams, levees and mining practices have endangered the four other rivers highlighted in the report.

Dams in Washington state are destroying endangered salmon and steelhead in the nation's most endangered river — the Lower Snake River, which flows from Lewiston, Idaho, to the Columbia River, the report says.

Four dams have replaced the once free-flowing river with slackwater pools, creating lethal obstacles to migrating fish, the environmental group says.

The dams must be removed if the fish are to be saved, Wodder said.

"A terrible hoax is being perpetrated on the American taxpayers," she said. "Every year we spend millions more on bizarre schemes to try to save these fish, and every year fewer and fewer fish return to spawn."

But dam removal is controversial in the Northwest, where the dams help create cheap electrical power and allow barges to navigate the river to transport farm products to market.

The Clinton administration, by law, must come up with a recovery plan for the salmon by the end of this year, and the environmental group is urging the White House to support dam removal. Congress would have to approve any such proposal.

Dams and channels created to support navigation and reduce flooding also have drastically altered the Missouri River, threatening 100 wildlife species and making it the second most endangered waterway in the nation, the report says.

The river's few remaining natural sections are threatened, in part, by poor grazing practices — particularly in Montana, where ranchers allow cattle to munch up riverside cottonwoods and create erosion.

Also in Montana, the Yellowstone River that flows from Yellowstone Park to the Montana-North Dakota state line is threatened by bank-stabilization and flood-control efforts, the report says.

Private landowners' efforts to stabilize the river's banks to reduce erosion and flood losses are turning the waterway into a rock-lined channel, endangering the river's lucrative trout fishery and the cottonwood trees that line its banks, the report says.

American Rivers is urging the federal government to buy land from willing residents in flood zones along the Missouri and Yellowstone rivers to allow the waterways to flow more naturally.

In West Virginia, the Coal River, which flows through the Appalachian Mountains in the southwestern part of the state, is being buried by a controversial coal-mining method called "mountaintop removal."

Mining companies blast off mountaintops to expose valuable seams of low-sulfur coal. The leftover soil and rocks are dumped into adjacent valleys and have already buried more than 200 miles of streams in the Coal River watershed, the report says. In addition to choking the river, the mining practices threaten the river's appeal to tourists as a fishing and recreation spot.

Environmental groups are challenging mountaintop mining in court, and American Rivers is calling on the Environmental Protection Agency to deny permit requests for mountaintop-removal operations that violate the Clean Water Act.

"Never before have people had such power over land and riverscapes," Wodder said.

Four of the rivers on this year's endangered list — the Snake, Yellowstone, Missouri and San Pedro — have been on previous lists. The six new rivers were spotlighted this year because they symbolize increasing environmental threats from sprawl and other human activity, Wodder said.

## America's Endangered Rivers

These are "America's Most Endangered Rivers of 1999," according to a new report by American Rivers, a conservation group founded in 1973.

