

**TESTIMONY OF
DALE PIERSON**

**ON BEHALF OF
THE NATIONAL RURAL WATER
ASSOCIATION
RURAL WATER ASSOCIATION OF
UTAH**

**BEFORE THE
SUBCOMMITTEE ON WATER AND
POWER
HOUSE RESOURCES COMMITTEE
U.S. HOUSE OF REPRESENTATIVES**

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HR 4418
RURAL WATER SUPPLY ACT OF 2005**

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Good morning, Mr. Chairman and Members of the Committee. My name is Dale Pierson; I am the Executive Director of the Rural Water Association of Utah – a non-profit association of 498 small and rural communities’ water and wastewater supplies. We are a typical state rural water association in our federation under the National Rural Water Association. In addition to my current position with Utah Rural Water, I was the General Manager of the Grand Water and Sewer Services Agency for 20 years. Grand Water is a typical rural water district made up of local governments, which supplied water and sewer service to the residents of Utah’s Spanish Valley (south of Moab) and to Grand County citizens. We provided water and sewer for approximately 3,000 people – and provided irrigation water to approximately 120 farmers from an impoundment of Mill Creek. I also chaired the Utah Drinking Water Board and served on the Utah Water Development Commission – both of which are state-appointed advisory panels.

Mr. Chairman, western rural and small communities join me in thanking you and this Committee for your support in our efforts to improve and protect our drinking water – and for the opportunity to testify before the Committee on your bill, HR 4418.

Of the approximately 54,000 community water systems in the country, more than 50,000 serve populations under 10,000. Due to a lack of economies of scale, small-town consumers often pay high water and sewer rates. Water bills of more than \$75 per month are not uncommon in rural areas – especially the west. At the same time, rural areas have a greater percentage of poverty and lower median household income. These factors result in a high regulatory compliance cost per household, coupled with an increased inability to pay. Providing quality water to rural families at an affordable cost is the challenge. We believe this committee fully understands the need to keep the cost affordable while maintaining our drinking water standards.

In Utah and the other western states, the Bureau of Reclamation has left a large and beneficial footprint on the state and region’s development – greatly benefiting civil progress. In addition to the Central Utah Project, numerous Bureau Projects have been authorized to advance civilization in Utah. (I have included a summary of the Bureau’s Utah projects at the end of this testimony.) Thanks to these Bureau projects, Utah citizens have drinking water, farmers have access to irrigation water, we are better protected from flooding, we are provided power, fish and wildlife protection is enhanced, and recreational opportunities are made available.

I am here to support passage of HR 4418. However before detailing the reasons for our support, I would like to acknowledge and sincerely thank Congressman Pearce for sponsoring HR 4418 in the House of Representatives and also thank the bill’s cosponsors: Representatives Cannon and Carozza. Thousands of small and rural communities in the western states also thank you for standing up for them and sponsoring this measure that will be a giant step forward for western water development.

The one main point that Rural America would like to leave with the Committee regarding HR 4418: Expanding the Bureau’s mission to develop rural water supplies is the right step toward a solution to the water problem facing the rural west. Here-to-fore, the Bureau of Reclamation has made water development, and the corollary human progress, of western America one of the unique enterprises of modern civilization; reordering the understating of society’s interaction with its natural environment. We believe that HR 4418 allows the Bureau to modernize its

mission to meet current and future western water needs. To broaden the scope of the Bureau to drinking water supplies is a bold and dramatic new initiative for western America – and one that is sincerely supported and welcomed by rural communities and families.

Currently there is no governmental instrument assessing the long-term needs and planning of western states' rural water supply. This is happening at the same time development is advancing in many western states. If we want to “do it right” and be the most effective, farsighted, and at the same time limit unintended consequences – we need the comprehensive and locally supported planning effort that is proposed in HR 4418. Such a new direction for the Bureau will result in improvements for western rural water supplies in the coming decades that will compare to the Bureau's historical advances in water development for energy and commercial development.

Mr. Chairman, as you well know, the west's water needs are changing – and Utah is allegorical to the rest of the western states with regard to water and the Bureau. The current and future water need is for drinking water – commonly called municipal and industrial water (M&I). HR 4418 recognizes the changes in the west and modernizes the Bureau's mission to take into account changes in our society in three important aspects that are NOT part of any other federal agency (including the U.S. Department of Agriculture [USDA] and the U.S. Environmental Protection Agency [EPA]) and are needed to address the unique water needs in western states. These three elements in HR 4418 that are needed to address emerging water trends in the west include: (1) conservation and development of secondary water distribution supplies, (2) conversion of agriculture uses of water to domestic, and (3) development of new supplies of domestic or M&I water.

In Utah, there is a need to covert Bureau water that has historically been dedicated to agricultural purposes to the current needs of domestic drinking water or M&I. We are witnessing many farmlands being converted to concentrated housing areas and other types of urban or suburban development.

A new federal interest and mission in the development of secondary water distribution systems is also desperately needed in the west to supplement and enhance developed sources of drinking water. Secondary water supply simply means the development of a second water distribution system in a community for the delivery of non-potable water for outdoor household needs including the watering of lawns and gardens. Installing these new distribution systems provide homeowners with a less expensive alternative to treated water – and perhaps more importantly allows the community to conserve its limited supply of high quality drinking water.

This is what is happening now in the Spanish Valley and Moab area of Utah. There is rapid growth, available drinking water supplies are limited, and farms are being converted into subdivisions. The drinking water supply will not meet all future needs. However, by converting the current agricultural water that is no longer needed for farm production because the farms are being converted to homes, and by installing secondary water distribution systems, the strain could be reduced on the drinking water supply while providing enough secondary water for homeowners and business for their outdoor watering needs.

Another example is Iron County, Utah, where the community is currently withdrawing more ground water than is sustainable by their aquifers. Additional water sources are needed now and for the future and those sources will only come from surface sources of water. HR 4418 would provide this County the opportunity to look at the development of secondary water to supplement existing developed groundwater sources used for drinking water and to expand their search for additional water supplies outside of their traditional geographic and jurisdictional boundaries.

The third element of the bill that needs to be added to the Bureau's mission to address current western water needs is water supply development. Many western rural areas have never had adequate water supplies and have a need for a reliable water supply to attract and maintain economic growth and sustain public health. Also, many areas are facing limitations on population growth by the lack of additional and sustainable water supplies.

Future areas of potential water shortage in Utah include all of the most rapidly growing areas in the state from St. George in the southwest to the entire Wasatch Front which includes Salt Lake City and its associated metropolitan area. These areas are some of the fastest growing in the west – and even the nation. While most of these areas are urban and contain large present populations, scattered amongst them are small rural communities such as Hurricane in the southwest and Woods Cross on the Wasatch Front. These small rural communities are facing the same water development pressures as are their larger brethren and yet have far fewer resources to meet those pressures. HR 4418 will provide them with additional resources and the ability to partner with their larger neighbors in the conversion and development of Bureau of Reclamation water for future sources of supply.

The unique situation of rural communities should make them the priority for federal assistance for drinking water. The fact that unfunded mandates disproportionately impact rural households – and these mandates are increasing – and that most rural communities have greater economic need than large communities, merits additional federal water development assistance. The Bureau of Reclamation should become involved in rural water development as they have a unique mission not accomplished by other federal agencies (namely the USDA and EPA).

Rural Americans have been living with inadequate water conditions that large communities could never imagine. According to the USDA, at least 2.2 million rural Americans live with critical quality and accessibility problems with their drinking water, including an estimated 730,000 people who have no running water in their homes (USDA study available on the Internet at www.ruralwater.org/water2000.pdf). The results of the USDA's six-month assessment of the nation's most critical safe drinking water investment needs show that as many as eight million people have critical or serious drinking water quality problems. According to the 1990 Census, there are about 1.1 million people without indoor plumbing (RUS). These problems include undersized or poorly protected water sources, a lack of adequate storage facilities, and antiquated distribution systems. Today, many rural families are still hauling water to their homes and farms. For example, in La Plata County, Colorado – there is an ongoing effort to organize into a rural water district. Lack of water is forcing hundreds of families to haul water for their home use and their livestock. Their wells and springs are drying up due to the drought.

In our Senate testimony last year, New Mexico Rural Water Association's Board of Director Jim Dunlap provided an example of what is commonplace in the west. He detailed work to develop a means to regionalizing the growing city of Durango, Colorado, and portions of two large unincorporated areas, one in Colorado and one adjacent to it in New Mexico. Residents of both of these rural areas are either hauling water or have an extremely limited supply. That's right, they fill up tanks in their trucks to drive water to their house to drink and use for cooking. Due to the complexity and variety of the problems in each of these communities, the only real solution is a regional cooperative effort. In this example, it is critical to note that the unused municipal and industrial water rights held by the Conservancy District could be used by the other communities if there was a large distribution system to move the drinking water. This is just the type of situation that could be solved by HR 4418.

In certain circumstances, it is more cost-effective to develop large regional water supplies as opposed to multiple local supplies. For example, the regional Rocky Boys rural water supply, authorized by Congress for Bureau construction will allow many smaller communities to comply with the EPA's Surface Water Treatment Rule which they can't afford on their own, it will ensure long-term supply to numerous communities that currently lack quality supplies, it will provide an economy of scale for future regulations like disinfection byproducts, and it will ensure the necessary infrastructure for those local economies.

Another example is the Navajo-Gallup pipeline project in New Mexico. This is a project to supply much-needed drinking water to the Navajo Reservation, parts of the Jicarilla Apache Indian Reservation, and to the city of Gallup. This will involve 41 Chapters in New Mexico and two Chapters in Arizona (a Chapter is similar to county government). It will involve a population of some 98,000 people utilizing 38,000 acre-feet of surface water and 4,000 acre-feet of ground water. The project will start from Farmington, NM, with a 48-inch pipeline, and extend to the community called Yah Ta Hey, which is adjacent to the City of Gallup. This pipeline will be approximately 520,000 feet with laterals to Window Rock, Arizona, and Crownpoint, New Mexico, with lateral extensions of 388,000 feet. There will be a separate lateral extending from Cutter Dam to Pueblo Contado and Ojo Encino. This lateral will be approximately 400,000 feet in length.

HR 4418 provides for a new authorization for the Bureau to study opportunities to construct rural water projects and report back to Congress on feasible projects for funding – through the Congressional appropriations process. We think this is the proper way to try to identify feasible projects. Also, we support the authorization of a new process that would act as an incentive for the Bureau to develop cost-effective projects in a timely manner. This option for local advocacy would serve as an incentive for the Bureau to work cooperatively with the locals. If the local organizations and the Bureau had different options on which projects were feasible and how they should be designed, Congress could be provided both options – and the Bureau would be able to comment on any local plan/study submitted to Congress. This would also serve as an incentive to move projects through the process in a timely manner.

One of the main concerns in our testimony last year was to include an independent process of submitting projects to the Bureau to serve as an incentive to timely analysis and completion of projects. I would like to thank the authors for including such a provision in the bill. We support

the bill's provision for a local or independent process that could determine cost, feasibility, coordination, and planning in the legislation. We urge the committee to include a provision for expanding technical assistance to small communities, allow for independent engineering, and annexation protection. However these suggestions should prove to be non-controversial. I will only briefly mention them here to put them into the record – not diverting attention away from our overwhelming support and appreciation of this legislation.

The Bureau of Reclamation should become a part of rural water development, as they have a unique mission not accomplished by other federal agencies. If projects would better fit in the USDA program or the EPA program then they should be referred to those agencies. However, it is clear to us working in the western states that there currently is no program to meet many of these pressing water problems. In closing, I would like to acknowledge that small and rural communities sincerely appreciate the thought that went into the bill. If this legislation is enacted, the Bureau will come to be known as a solution to immediate and long-term western rural water challenges. We will see dramatic public health improvements: farm families receiving clean water for the first time, entire regions that have been out of compliance for years developing solutions, and intractable western water arguments being settled with communities moving forward. We encourage the Committee and the Congress to make the Bureau a permanent and recognized solution to some of the nation's most challenging water issues. Thank you, and I am happy to answer any questions.

The Committee Has Passed Similar Legislation as Part of Cal-Fed:

Two years ago the House passed HR 2828 (Passed the House on July 9, 2004) which contained a provision to authorize a rural water mission within the Bureau. This is similar in principal to HR 4418.

Water Supply, Reliability, and Environmental Improvement Act (Reported in House)
SEC. 301. RURAL WATER SUPPLY PROGRAM.

- (a) In General- The Secretary shall conduct a study to determine the feasibility of constructing rural water systems in coordination with other Federal agencies with rural water programs, and in cooperation with non-Federal project entities.
- (b) Requirements- The study referred to in subsection (a) shall consider each of the following: (1) Appraisal investigations. (2) Feasibility studies. (3) Environmental reports. (4) Cost sharing responsibilities. (5) Responsibility for operation and maintenance.
- (c) Criteria- As part of the study referred to in subsection (a), the Secretary shall develop criteria for determining which projects are eligible for participation in the study referred to under this section.
- (d) Reports to Congress- The Secretary shall submit to Congress the study developed under this section.
- (e) Reclamation States- The program established by this section shall be limited to Reclamation States.

Bureau of Reclamation's Water Development in Utah

Source: U.S. Bureau of Reclamation

Central Utah Project: The Central Utah Project has been the largest, most anticipated and complex water reclamation project in Utah history. In its final configuration, it will consist of dozens of reservoirs, aqueducts and recreational facilities ranging from the Uintah Basin on the east to the Sevier Valley in central Utah on the west. The Central Utah Project comprises three units: the Bonneville Unit, the Jensen Unit, and the Vernal Unit.

Bonneville Unit: The Bonneville Unit of the Central Utah Project, which is still under construction, currently provides 36,500 acre-feet of supplemental irrigation water and about 95,000 acre-feet of municipal and industrial water to lands and communities in Salt Lake, Utah, Juab, Wasatch, Summit, and Duchesne Counties. Other project benefits include flood control, power, fish and wildlife, and recreation. Principal features include six new dams and reservoirs (Jordanelle, Upper Stillwater, Currant Creek, Soldier Creek, Starvation, and Bottle Hollow), three reconstructed dams and reservoirs (Lost, Washington, and Trial), the Strawberry Aqueduct System, and the Diamond Fork System.

Jensen Unit: The Jensen Unit of the Central Utah Project in northeastern Utah provides about 5,300 acre-feet of water for municipal and industrial uses and 4,600 acre-feet for irrigation. Key project features include Red Fleet Dam and Reservoir, Tyzack Aqueduct Reach 1, and Tyzack Aqueduct Reach 2.

Vernal Unit: The Vernal Unit of the Central Utah Project in northeastern Utah, supplies supplemental irrigation water to about 14,700 acres and approximately 1,600 acre-feet of municipal and industrial water annually to the communities of Vernal, Naples, and Maeser. Key project features include Steinaker Dam and Reservoir, Forth Thornburgh Diversion Dam, Steinaker Service Canal, and Steinaker Feeder Canal.

Emery County Project: The Emery County Project in east-central Utah provides 28,100 acre-feet of water to an irrigable area of almost 19,000 acres, as well as 8,576 acre-feet of industrial water for coal-fired electrical power generation and 289 acre-feet of municipal water to Orangeville and Castle Dale. Project features are Joes Valley Dam and Reservoir, Swasey Diversion Dam, Cottonwood Creek-Huntington Canal, Huntington North Service Canal, Huntington North Dam, and East and West Dikes which form Huntington North Reservoir.

Hyrum Project: The Hyrum Project in northern Utah includes Hyrum Dam and Reservoir, Hyrum Feeder Canal, Hyrum-Mendon Canal, Wellsville Canal, Wellsville Canal Pumping Plant, and appurtenant structures. The system stores and diverts water from the Little Bear River to furnish supplemental water supplies to 6,800 acres of project lands.

Moon Lake Project: The Moon Lake Project in northeastern Utah provides supplemental irrigation water for 75,256 acres of land in Duchesne and Uintah Counties plus 10,000 acres under the Midview Exchange. Project facilities include Moon Lake Dam and Reservoir, Midview Dam and Reservoir, Yellowstone Feeder Canal, the Duchesne Feeder Canal, and the Midview Lateral.

Newton Project: The Newton Project in northern Utah includes Newton Dam and Reservoir which provides supplemental irrigation water to 2,861 acres of land. Approximately 7 miles of main canals carry the water to the distribution system.

Ogden River Project: The Ogden River Project in north-central Utah, furnishes a supplemental irrigation supply to almost 25,000 acres of land and municipal and industrial water for the city of Ogden. Project features include Pineview Dam and Reservoir, Ogden Canyon Conduit, Ogden-Brigham Canal, South Ogden Highline Canal, and the gravity-pressure distribution system constructed for the South Ogden Conservation District.

Provo River Project: The Provo River Project provides a supplemental water supply for the irrigation of 48,156 acres of highly developed farmlands in Utah, Salt Lake, and Wasatch Counties, as well as an assured domestic water supply for Salt Lake City and major cities in northern Utah County. Key project features include Deer Creek Dam and Reservoir, the powerplant, the 42-mile Salt Lake Aqueduct, Weber-Provo Diversion Canal, Duchesne Tunnel, Murdock Diversion Dam, Provo Reservoir Canal Enlargement, and the Jordan Narrows Siphon and Pumping Plant.

Sanpete Project: The Sanpete Project in central Utah includes the Ephraim and Spring City Tunnels. Water made available through these tunnels provides supplemental irrigation water supply to approximately 14,700 acres.

Scofield Project: The Scofield Project consists of Scofield Dam and Reservoir on the Price River. The project provides seasonal and long-term regulation of the Price River for supplemental irrigation of about 26,000 acres of land.

Strawberry Valley Project: The Strawberry Valley Project, constructed from 1906 to 1922, comprises about 45,000 irrigable acres of land centered around Spanish Fork, Utah. This project provided the first large-scale trans-mountain diversion from the Colorado River Basin to the Bonneville Basin. It also was one of the earliest Bureau of Reclamation projects to develop hydroelectric energy. Project features include Strawberry Dam and Reservoir, Strawberry Tunnel, two diversion dams, three powerplants, a main canal system, and a portion of the lateral system. Strawberry Dam is now breached and the reservoir enlarged in the construction of Soldier Creek Dam, a feature of the Central Utah Project.

Weber-Basin Project: The Weber Basin Project conserves and utilizes, for multiple purposes, stream-flows of the Weber and Ogden Rivers in northern Utah. Principal features include four new reservoirs (Wanship, Lost Creek, Willard, and Causey), two enlarged reservoirs (Pineview and East Canyon), four diversion dams, three pumping plants, two powerplants, and many miles of canals and aqueducts. The project provides an average of 164,000 acre-feet of water annually for irrigation and 50,000 acre-feet for municipal and industrial use in a heavily populated and industrialized area.

Weber River Project: The Weber River Project, in the vicinity of Ogden, Utah, supplies supplemental irrigation water to about 109,000 acres of land. Project features include Echo Dam

and Reservoir and the Weber-Provo Diversion Canal. This canal was enlarged as part of the Provo River Project.

The Central Utah Water Conservancy District (CUWCD) is a political subdivision of the State of Utah. It was formally established in 1964 to act as the local entity to contract with the United States of America in connection with the construction, operation, and financing of the Central Utah Project (CUP). The purpose of the CUP is to enable the State of Utah to beneficially use a substantial portion of its allotted share of the Colorado River water under the Colorado River Compact. The District sponsors the CUP which includes five specific units. Each unit consists of a series of dams, pipelines, reservoirs, tunnels, and aqueducts designed to assist in meeting the water needs of all ten counties through approximately the year 2020. The District, primarily a wholesaler of water to other cities and agencies, has the responsibility to plan, design, construct, operate and maintain project facilities, administer the sale and delivery of project water, and repay the federal government the reimbursable costs of the CUP.

Jordan Valley Water Conservancy District is a political subdivision of the State of Utah. It was created in 1951 under the Water Conservancy Act and was called the Salt Lake County Water Conservancy District. Jordan Valley is primarily a wholesaler of water to cities and improvement districts within Salt Lake County. It also has a retail service area in unincorporated areas of the county. Jordan Valley is now the largest municipal water district in Utah, with 90 percent of its municipal water delivered on a wholesale basis to cities and water districts and 10 percent on a retail basis to unincorporated areas of Salt Lake County. In addition, Jordan Valley treats and delivers water to Metropolitan Water District of Salt Lake & Sandy for delivery to Salt Lake City and Sandy City, even though neither city is within Jordan Valley's service boundaries. Jordan Valley also delivers untreated water to irrigators in Salt Lake and Utah Counties to meet commitments under irrigation exchanges.

The Washington County Water Conservancy District was organized in 1962 as a regional water supply agency to develop a water supply for rapidly growing areas in Washington County. The District is primarily a wholesaler of water to other agencies. The main role of the District is to develop or purchase water where it is available for its service area. The District is committed to serving its water customers in an efficient and cost-effective manner. The District serves water on a retail basis only when other local providers are not available or do not have facilities to do so. The District is dedicated to the development of a resource in an environmentally sound manner.