

Did Water Leaders Deceive Utah Legislators over Lake Powell Pipeline?

Letter Seeks Investigation to Determine if Legislative Testimony Violated Utah Law

A Utah conservation organization is asking the Utah State Auditor to investigate whether testimony given by state water agencies at a legislative committee meeting violated Utah law. At issue is whether false information was provided to Utah legislators to intentionally mislead them into spending \$2-3 billion on the proposed Lake Powell Pipeline.

“Is it a violation of Utah law for an agency to intentionally misinform legislators to help make a case for spending billions of dollars?” asked Zach Frankel, Executive Director of the Utah Rivers Council.

During the August meeting of the State Legislative Water Development Commission, a representative for the Washington County Water District testified about the highly controversial Lake Powell Pipeline, a \$3 billion spending proposal.

Under questioning from Representative Joel Briscoe, the Water District General Manager claimed residents in Washington County were using just 140 gallons of water per person per day (Audio minute 2:16:51 from Aug 22, 2017 Water Dev Meeting.) But written information presented by the Water District during the committee, and separately to the federal government, clearly shows the County’s water use is around 300 gallons per person per day.

Table 3-3 WCWCD Total M&I Water Demand Forecast

Year	Per Capita Use with Conservation (gpcd)
2010	325
2020	311
2030	295
2040	295
2050	295
2060	285

The U.S. average of municipal water use is 148 gallons per day, making Washington County’s water use among the highest in the country at twice the U.S. average. This means the county could effectively double its water supply by simply implementing basic water conservation measures.

“Are these government agencies inflating water use by 100 percent to create the false need for this porkbarrel project, or are they hiding the fact that inexpensive water conservation options negate the need to spend \$3 billion on it?” asked Frankel.

“Whichever the answer is, it’s clear we can’t trust these agency leaders to be truthful.” said Frankel.

Testifying next to the Water District was the Utah Division of Water Resources, which did not attempt to correct this misstatement given to Utah legislators. The Division has spent \$32 million preparing studies on the Pipeline, including documents showing that Washington County's water use is 325 gallons per person per day.

“Most Utahns hate the idea of government agencies deceiving us and our elected officials – especially when it comes to spending billions of dollars” said Frankel.

The Utah Rivers Council submitted a 14 page letter to the Utah Auditor which outlines this misinformation provided to Utah legislators, summarizing 7 statements made to the legislative committee that should be examined for accuracy. According to state code section 36-11-303, *Prohibition on Communicating False Information to a Public Officer*, such conduct is against Utah law:

“A person may not intentionally communicate to a public official any false information materially related to a matter within the responsibility of the public official.”

The other problems identified in the letter include:

- 1. Deceiving Legislators About the Need to Spend \$1-3 Billion**
- 2. Hiding Information About Surplus Water Sources Presented to Bond Rating Agencies**
- 3. Misstating Districts' Population Served and Ignoring Other Available Water Sources**
- 4. Exaggerating Water Conservation to Procure Funding**
- 5. Ignoring Inexpensive Sources of Water to Procure Funding**
- 6. Ignoring Agency-Documented Risks From Expected Water Supply Shortage Declarations**
- 7. Hiding the Districts' Inability to Repay Utah Taxpayers**

Many believe the \$3 billion Lake Powell Pipeline is unnecessary for the future of Washington County since the area's water use is so high. An abundance of other water sources are available that are being ignored by government agencies and vested interests seeking to spend Utah taxpayer money.

Call 801-699-1856 for more information

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