

1 **CONCURRENT RESOLUTION ENCOURAGING A BALANCED**
2 **APPROACH TO THE RELEASE OF WATER FROM FLAMING**
3 **GORGE**

4 2021 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Scott H. Chew**

7 Senate Sponsor: David P. Hinkins

9 **LONG TITLE**

10 **General Description:**

11 This concurrent resolution expresses support and recognition of the Green River
12 Stakeholders and the need to reduce the adverse effects of current Flaming Gorge Dam
13 operations to the local communities, recreational businesses, ranchers, farmers,
14 landowners, and individuals who work and live within the river corridor.

15 **Highlighted Provisions:**

16 This resolution:

- 17 ▶ describes the Green River Stakeholders and their concerns associated with the
- 18 management of the Flaming Gorge Dam;
- 19 ▶ describes an alternative method of managing the Flaming Gorge Dam;
- 20 ▶ describes the need for investigations and cooperative discussions related to
- 21 management of the Flaming Gorge Dam; and
- 22 ▶ supports the creation of a new management plan.

23 **Special Clauses:**

24 None

26 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

27 WHEREAS, the "Green River Stakeholders" is a group of local communities,
28 recreational businesses, ranchers, farmers, landowners, and individuals who work and live
29 within the river corridor associated with the Flaming Gorge Dam and who are adversely

30 affected by the current methods employed by the Western Area Power Administration, the
31 Upper Colorado River Endangered Fish Recovery Program, and ultimately the Bureau of
32 Reclamation because of releases of water from the Flaming Gorge Dam;

33 WHEREAS, the Green River Stakeholders, wishing to reduce the physical and
34 economic impacts of current river flow management, propose an alternative method of
35 protecting the endangered fish species, while complying with Section 7 of the Endangered
36 Species Act, thus preserving the balance that has been desired in the Upper Colorado River
37 Basin water rights discussions;

38 WHEREAS, the Green River Stakeholders, from the dam to the confluence of the
39 Colorado River, propose partnerships with private landowners that provide for private
40 landowner benefits, such as compensation or shore recovery, and that also provide for recovery
41 of endangered fish in the river so that the fish would no longer be listed as endangered;

42 WHEREAS, the benefits of these partnerships with private landowners can be achieved
43 with more predictable flushes of the Green River each year, allowing the local stakeholders to
44 support and enhance the Upper Colorado River Endangered Fish Recovery Program;

45 WHEREAS, the economic impact to the communities along the entire length of the
46 Green River is affected by the daily operations of the Flaming Gorge Dam dictated by the
47 Bureau of Reclamation as guided by the 2006 "Record of Decision";

48 WHEREAS, current flow requirements have resulted in what may be unintended but
49 are real consequences of the current management plan such as erosion of banks, issues with
50 sediment, the sub-saturation of private land due to high water levels, and floods over banks of
51 the Green River whenever highwater flows occur;

52 WHEREAS, it is essential that the government and private stakeholders participate in
53 an investigation of how to mitigate the harms of the highwater releases to address the
54 environment, recreation, and economic impacts related to these releases;

55 WHEREAS, private landowners may demonstrate loss of private property as erosion
56 creates a dynamic stream bed along the river corridor, which has impacts such as recreation by
57 the public on the sandbanks created by the erosion and on the adjacent private land and the loss

58 of agricultural viability of the land;

59 WHEREAS, the amount of water that is bypassed through the dam system without
60 going through turbines constitutes missed opportunities for producing low cost and carbon free
61 power; and

62 WHEREAS, a new management plan for the Flaming Gorge Dam should be developed
63 in the near future and would benefit from input from a diverse group of stakeholders, including
64 local communities, recreational businesses, ranchers, farmers, and individuals who work and
65 live within the river corridor associated with the Flaming Gorge Dam:

66 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
67 Governor concurring therein, supports the creation of a new management plan that allows
68 stakeholders to participate in the development and implementation of the plan and provides a
69 balanced approach to the release of water from the Flaming Gorge Dam.

70 BE IT FURTHER RESOLVED that a copy of the resolution be sent to the
71 Commissioner for the Bureau of Reclamation, the director of the Upper Colorado River
72 Endangered Fish Recovery Program, the administrator and CEO of the Western Area Power
73 Administration, and the executive director of the Department of Natural Resources.