

Congress shuts down what activists see as an attempt to fast-track the Lake Powell Pipeline



A push by Utah's U.S. Senator Mike Lee to pass an amendment to the [INVEST in America Act](#) — which some see as a thinly veiled attempt to bypass requirements for federal environmental review in order to fast-track the Lake Powell Pipeline project — [failed by a narrow vote margin in Congress](#) Wednesday night.

Forty-seven Republican Senators voted in support of the amendment, which introduces a water infrastructure provision

into a transportation bill. But fifty votes were cast against it, including those from 48 Democratic Senators and both Senators from Maine, one of whom is registered as a Republican and the other as an Independent.

Two Republican Senators and one Independent did not vote. The amendment would have required a supermajority vote of 60% to pass.

The [INVEST in America Act](#) was introduced in the House in June as a plan to revitalize transportation infrastructure across the country. The bill summary mentions initiatives to fund highway improvements and transportation safety programs, rebuild and repair rural bridges and evaluate strategies to reduce the climate change impacts of transportation surfaces, to name a few. It did not specifically address water infrastructure.

Another environmental fight: [Group files suit against Northern Corridor](#)

Lee's amendment to the Act aims "to establish a project delivery program under the National Environmental Policy Act of 1969 (NEPA) for water storage infrastructure projects."

Given that the controversial Lake Powell Pipeline project, which has been pursued by Utah leaders for decades, is currently tied up in the NEPA environmental review process

while public comments on the Draft Environmental Impact Statement are addressed, regional environmental groups interpreted this move as an attempt to weaken environmental laws in order to advance the project.

"Pipeline proponents at Lake Powell will do whatever they can to try to bring their boondoggle to life with as little public input as possible," Kyle Roerink, Executive Director of the Great Basin Water Network, said in a press release. "As the West's drought continues to siphon water away from the river, we need our bedrock laws to remain intact in order to protect our communities, our resources, and our futures in the nation's driest states."

The Washington County Water Conservancy District (WCWCD) — the main proponent of the Lake Powell Pipeline project along with the [Utah Division of Water Resources](#) — however, responded to a request for comment about their stance on Lee's amendment by stating that "there's not any correlation between H.R. 3684 and the Lake Powell Pipeline."

Proposed route of Lake Powell Pipeline



Source: Stantec • Created with Datawrapper

The [Lake Powell Pipeline project](#) would transport up to 28 billion gallons of water per year through a 140-mile buried pipeline from Lake Powell to Sand Hollow Reservoir to meet the needs of fast-growing Washington County. At an estimated cost of between \$1 and \$4 billion, the project has been controversial, with some local groups saying that water conservation is the more cost-effective and environmentally responsible solution. The WCWCD, meanwhile, maintains that water conservation alone could not make enough of a difference to support local population projections.

Investigation: [How Washington County residents feel about Lake Powell Pipeline](#)

The project has also seen resistance from across the Colorado River Basin. Last fall, the six other states that rely on water from the river [sent a letter](#) to the secretary of the interior requesting that the project not be approved as it would tap into a shared water source that is already severely strained by drought.

Water levels in both [Lake Powell](#) and [Lake Mead](#) are currently at all-time record lows, which has affected hydroelectric power generation at Glen Canyon and Hoover Dams, as well as recreation opportunities in the reservoirs, as dropping lake levels leave boat ramps inaccessible.

"Anyone who thinks Utah has surplus Colorado River water should go talk to people who've had to pull their houseboats out of Lake Powell," said Zach Frankel, Executive Director of the Utah Rivers Council, in a press release.

More: [Opposition to pipeline heats up, activists call for federal investigation](#)

Last month, Roerink, Frankel and other water [activists gathered on the Hoover Dam](#) to protest all new infrastructure projects that would siphon off more water from the dwindling Colorado River. The Lake Powell Pipeline represents the

largest of these and, while Utah insists it has the legal rights to the water it intends to withdraw — and even [created a new governmental body](#) this spring to strategize about how to get it — [mounting scientific evidence suggests that the total quantity of water available is just not what it was](#) when shares of the river were divided among western states nearly one hundred years ago.

In light of these obstacles facing the Lake Powell Pipeline project and despite WCWCD's assertions that there is no connection, environmentalists



suspect that the proposed amendments to the INVEST in America Act, [which include more than just the one voted down on Wednesday](#), aim to weaken the federal environmental review process intended to estimate and manage negative impacts of such projects by expediting or exempting them from the NEPA process and shifting regulatory and permitting decisions to the states.

This would not be the first time the GOP has taken steps to dismantle parts of the NEPA environmental review process in order to pave the way for more infrastructure projects. Last summer, [a group of environmental and outdoors organizations](#)

[sued the Trump Administration](#) over its efforts to loosen federal requirements that agencies consider input from the public before breaking ground on new projects.



More: [Lawsuit to uphold environmental law has implications for major local projects](#)

"[Trump's] various executive orders are putting pressure on the agencies to move faster, particularly with those big-ticket construction projects," Susan Jane Brown, staff attorney with the Western Environmental Law Center, [said at the time](#).

Changes to agency consideration of public comments would still have possible implications for three major southern Utah projects that are currently stalled in the environmental review process: the Lake Powell Pipeline, [the Northern Corridor Highway project](#) and [Iron County's Pine Valley Water Supply Project](#).

Who owns water underground? [Controversy over Pine Valley Water Supply project](#)

Environmentalists worry that these changes to the NEPA process initiated by the Trump administration last fall combined with this spring's exemption of Utah's new Colorado River Authority from laws requiring public access to meeting minutes and now Mike Lee's recent amendment to fast-track water projects amount to a pattern of excluding citizens from decisions that affect how our shared natural resources are managed.

"Pipeline lobbyists have been planning this legislation for a month, but they kept the public from knowing what they're doing until the last possible second," Frankel said.

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