

IN THE SENATE

SENATE JOINT MEMORIAL NO. 105

BY JUDICIARY AND RULES COMMITTEE

A JOINT MEMORIAL

1
2 TO THE GOVERNOR AND LEGISLATURE OF THE STATE OF UTAH AND TO THE GOVERNOR OF
3 THE STATE OF IDAHO.

4 We, your Memorialists, the Senate and the House of Representatives of
5 the State of Idaho assembled in the First Regular Session of the Sixty-fifth
6 Idaho Legislature, do hereby respectfully represent that:

7 WHEREAS, the State of Idaho is committed to protecting and enhancing
8 Bear Lake storage water supplies, maintaining its pristine water quality,
9 and enhancing recreational and economic opportunities for Idaho's citizens
10 and tourists who add to Idaho's economy; and

11 WHEREAS, Bear Lake is a large freshwater lake straddling the border of
12 Utah and Idaho with approximately half of the lake in each state, and it is
13 the second largest natural freshwater lake by area in the State of Utah as
14 well as in Idaho, second only to Lake Pend Oreille; and

15 WHEREAS, Bear Lake has a surface area of 110 square miles, being approx-
16 imately 20 miles long and 7 miles wide; and

17 WHEREAS, Bear Lake is the oldest known continually "wet" lake in North
18 America and one of the five oldest lakes in the world, being at least 250,000
19 years old; and

20 WHEREAS, international scientists study Bear Lake for clues to the cli-
21 mate and ecology of the region; and

22 WHEREAS, Bear Lake has unique water chemistry, giving it the intense
23 turquoise blue color for which it is known all over the world; and

24 WHEREAS, Bear Lake has an extensive shoreline with areas of cobbled and
25 sandy beaches that offer prime recreational opportunities; and

26 WHEREAS, in addition to having more endemic fish species, four found
27 only in Bear Lake, than any other lake in the United States, Bear Lake is home
28 to the largest and most genetically pure population of Bonneville cutthroat
29 trout in existence, and the cutthroat trout is the state fish of Utah and
30 Idaho; and

31 WHEREAS, since about 1912, the upper 21.65 feet of Bear Lake, approx-
32 imately 1,400,000 acre-feet of water, has been used as a storage reservoir
33 replenished from natural inflow sources and from diversions from the Bear
34 River in Idaho made by PacifiCorp; and

35 WHEREAS, the storage reservoir in Bear Lake has been operated by Pacifi-
36 Corp to supply irrigation water to approximately 150,000 acres of prime ir-
37 rigated agriculture on family farms and ranches downstream in Utah and Idaho
38 for over 100 years and will remain an essential irrigation water supply into
39 the future; and

40 WHEREAS, the historic Bear Lake irrigation water supply is protected by
41 many agreements among PacifiCorp, the states of Utah, Idaho, and Wyoming,
42 the Bear River Water Users Association and its members, and Bear Lake Watch,
43 each with individual and unique interests in Bear Lake; and

1 WHEREAS, in addition to the irrigation water supply, and aesthetic and
2 recreation uses, PacifiCorp also operates Bear Lake for flood control, and
3 water released and pumped from Bear Lake is used to generate 107 megawatts of
4 electricity downstream on the Bear River; and

5 WHEREAS, at times when water is low or is released or pumped from Bear
6 Lake, the exposed lake bed is vulnerable to nonnative vegetation invasion
7 and degradation, which create hazards to navigation and impair recreational
8 use for tens of thousands of visitors and thousands of homeowners; and

9 WHEREAS, Bear Lake is a major recreation destination, with five Utah
10 state park recreation areas and two Idaho state park recreation areas, the
11 Bear Lake National Wildlife Refuge, private marinas, and Boy Scout camps;
12 and

13 WHEREAS, Bear Lake is vital to local and regional economies in Utah and
14 Idaho; and

15 WHEREAS, the State of Idaho is committed to work in collaboration with
16 the State of Utah, PacifiCorp, irrigators, and local stakeholders to protect
17 existing uses and plan for the future uses and enjoyment of Bear Lake.

18 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-
19 sion of the Sixty-fifth Idaho Legislature, the Senate and the House of Rep-
20 resentatives concurring therein, that we urge the states of Utah and Idaho
21 to work together in seeking solutions to address challenges regarding Bear
22 Lake, including recreation and economic development interests, water qual-
23 ity, invasive species, lake bed management and preservation, and enhance-
24 ment of irrigation water storage and water supply functions.

25 BE IT FURTHER RESOLVED that we urge the states of Utah and Idaho, in con-
26 tinued cooperation, to develop joint expectations for the continued health,
27 beauty, and enjoyment of Bear Lake.

28 BE IT FURTHER RESOLVED that we encourage the states of Utah and Idaho,
29 in continued cooperation, to develop opportunities for participation with
30 stakeholders, to develop recommendations to protect and enhance existing
31 beneficial uses, to maintain a healthy and sustainable lake, to encour-
32 age economic development, to protect irrigation water storage, to enhance
33 recreation, and to preserve and protect Bear Lake for future generations.

34 BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is
35 hereby authorized and directed to forward a copy of this Memorial to the Gov-
36 ernor and Legislature of the State of Utah and to the Governor of the State of
37 Idaho.