

**Members**

Rep. David Cheatham, Chairperson  
Rep. Steven Stemler  
Rep. Peggy Welch  
Rep. William Friend  
Rep. Jack Lutz  
Rep. Richard Dodge  
Sen. Phil Boots  
Sen. Ed Charbonneau  
Sen. Sue Landske  
Sen. James Lewis  
Sen. Robert Deig  
Sen. Richard Young



# WATER RESOURCES STUDY COMMITTEE

Legislative Services Agency  
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**Authority:** IC 2-5-25

## MEETING MINUTES<sup>1</sup>

**Meeting Date:** August 21, 2008  
**Meeting Time:** 2:00 P.M.  
**Meeting Place:** State House, 200 W. Washington St., Room 404  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 1

**Members Present:** Rep. David Cheatham, Chairperson; Rep. Steven Stemler; Rep. William Friend; Rep. Jack Lutz; Rep. Richard Dodge; Sen. Phil Boots; Sen. Ed Charbonneau; Sen. Sue Landske; Sen. James Lewis; Sen. Robert Deig; Sen. Richard Young.

**Members Absent:** Rep. Peggy Welch.

The Chairperson called the meeting to order at 2:00 p.m. and asked the attorney for the Committee to explain the Committee's charges. He then called upon the representative from the Department of Natural Resources (DNR) to report on the activities of the Water Shortage Task Force (Task Force).

Ryan Hoff, legislative liaison for DNR, distributed copies of the report (Exhibit A) and introduced Ron McAhron, deputy director, Bureau of Resource Regulation, DNR, to explain the report. Mr. McAhron explained that in response to the 1988 drought, the General Assembly enacted legislation charging DNR with developing a drought plan,

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

leading to the 1994 water shortage plan. In 2006, the General Assembly enacted legislation creating IC 14-25-14, which created the Task Force to update the 1994 plan as needed, and to continue working on water shortage issues. Under IC 14-25-13, the Task Force makes an annual report to the Committee of its progress during the previous year. He also informed the Committee that the DNR website has more information on topics covered in the report, and is updated with new information.

Among the tasks the Task Force has completed are:

- a review of the 1994 Indiana Water Shortage Plan;
- a review of available monitoring information;
- a review of conflicts over surface and ground water allocation;
- the development and distribution of a suggested model ordinance for local units of government to have in place before a water shortage or drought;
- the review and modification, together with the State Climatologist, of existing drought trigger mechanisms;
- a review of consumptive uses of water; and
- the definition of water shortage management areas.

Tasks still to be accomplished include the consideration of a base flow policy for water resource planning projects; a review of policies and procedures regarding water conservation; and the establishment of water usage priorities.

Mr. McAhrn informed the Committee that, from his perspective, the biggest success of the Task Force thus far has been the development of the suggested model ordinance for local units of government, which Indianapolis is currently considering.

In response to questions from the Committee, Mr. McAhrn stated that:

- the state has registered water withdrawal sources since the 1980s, and there are currently around 7,000 registered withdrawal sources;
- whether a drought exists is a determination made by DNR working with the state climatologist, based upon a lack of rainfall and drops in streamflow;
- streamflows are measured by gages, for which funding has been reduced by budget concerns in recent years, leaving gaps in data; DNR will be bringing a presentation on stream gages and funding to a future meeting;
- and
- the Great Lakes - St. Lawrence Seaway Basin Compact will probably pass Congress this fall.

The Chairperson called upon Dave Stults of the Vernon Fork Water District to give an overview of water districts. In this regional approach to water supply and use planning, representatives of an affected area jointly determine available water resources and needs, including quality issues. The regional board program is administered by the Indiana Department of Environmental Management (IDEM); currently, there are around 20 regional water boards in the state. While the Vernon Fork district primarily depends on surface water, other districts use more ground water. Funding for the districts is a problem, as no state funds are provided, and county funds are inadequate to carry out tasks such as engineering and accounting. The Vernon Fork district is exploring revenue sources, and will report its findings to IDEM.

In response to questions from the Committee, Mr. Stults explained that a steady supply of water is important for economic development; for example, while Greensburg's water supply is currently adequate for the new Honda plant, they may have to add capacity in the

future to accommodate the plant. He also explained that the cost of water is determined by a variety of factors, including production and distribution costs, together with administrative costs and the cost of financing.

The Chairperson next called upon Andrew Maddocks and Kate Wright of the Depauw Environmental Policy Project to present information concerning the impact of confined feeding operations (CFOs) on drinking water in rural communities (Exhibit B). They raised three main areas of concern: (1) insufficient monitoring of farms by IDEM; (2) lack of detailed public information concerning the location of manure spreading fields; and (3) multiple farms spreading manure on the same fields.

In public testimony, Glenn Pratt, Sierra Club, stated that gaging systems are critical, and should have their own line item in the state budget. He pointed out that the model water shortage ordinance is voluntary; he would prefer to have the state require that local units of government adopt a drought plan ordinance, with use priorities being established locally. In addition, he urged the Committee to consider ground water usage, including usage rights.

The Committee discussed possible topics for future meetings. These topics include funding for stream gages, a report on flooding issues and dams, and a response from IDEM to the issues raised concerning CFOs.

The meeting was adjourned at 3:30 p.m. The next meeting is scheduled for September 23, 2008, at 1:00 p.m.