

**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:** October 29, 2008  
**Meeting Time:** 1:00 A.M.  
**Meeting Place:** State House, 200 W. Washington St., Room 233  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 3

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

**Members Absent:** Rep. Peggy Welch; Sen. Ed Charbonneau; Sen. Sue Landske.

The Chairperson called the meeting to order at 1:10 p.m., and asked the Department of Natural Resources (DNR) to present information concerning stream, lake, and reservoir gages and groundwater observation wells. Ron McAhron, DNR, gave a PowerPoint presentation demonstrating the declining number of the gages and wells (Exhibit A). In 2003, there were 343 gages and wells, while in 2008, there are 221. Because of the declining number, there is a lack of historical and real-time data concerning stream flow, hindering flood and drought monitoring. Funding is the primary reason for the declining number, with DNR, the United States Geological Survey, and local units of government having reduced funds for monitoring. DNR asked the Committee to consider a resolution

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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.

dealing with funding for the gages and wells (Exhibit B). After Committee discussion, the resolution was amended to remove SECTION 2 concerning funding, and the resolution was adopted as a recommendation of the Committee by a vote of 9-0.

Several members of the public spoke in favor of the resolution and increased funding for gages and wells. Glenn Pratt, Sierra Club, stated that gages are critical for both flooding and drought data, and that more ground water data is needed as well. Vince Griffin, Indiana Chamber of Commerce, supported increased gage funding, as businesses need daily water data. Terry Bush, Hoosier Canoe Club, stated that recreational stream users consult gages to determine whether to run streams, which leads to both interstate and intrastate tourism, and that public safety officials use gaging information to determine whether to close streams for recreational use.

The Chairperson called upon Krista Carr to explain why she had suggested a three-mile setback for confined feeding operations (CFOs) and concentrated animal feeding operations (CAFOs) from state parks and reservoirs at a previous meeting. Ms. Carr pointed out that with a three-mile setback only a small percentage of land would be affected. In addition, she stated that 800 signatures had been gathered from campers at the Brookville Reservoir on a petition supporting the three-mile setback.

Sandra Pflum, Indiana Department of Environmental Management, distributed a map showing CFOs and CAFOS within three miles of federal, state, or county managed land, or a river, reservoir, or body of water (Exhibit C). She explained that the Indiana Administrative Code has setbacks in place that are less than three miles, and that she is unaware of data that supports three miles as the correct distance for a setback. In addition, the federal government is looking at CAFO regulations, and once those are in place Indiana will probably need to modify its rules, and setbacks can be addressed at that point. The Agricultural Regulatory Task Force has been looking at regulatory issues for over a year, with a report due by the end of 2008. CFOs have been a major part of its work, so it would be premature to modify the rules before the report has been issued.

The Chairperson called for any other proposed recommendations for the Committee. Mr. Griffin distributed a statement concerning water availability in Indiana (Exhibit D). After Committee discussion, a motion was made and adopted to specify that the statement applied to drinking water availability. With the change, the Committee voted 9-0 to make the statement a part of the recommendations in the Committee's final report.

Mr. Pratt stated that he strongly supported the recommendation, and that availability needs to be examined on a regional basis.

The Committee adopted its final report with a unanimous voice vote by the nine members present.

The meeting was adjourned at 2:10 p.m.