SENATE CONCURRENT RESOLUTION NO. 136

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This sentence is marked with strikethrough and italic, indicating text to be removed.

Bill Status

SCR136.....................................................by STATE AFFAIRS
AQUIFER MANAGEMENT PLAN - Stating findings of the Legislature and requesting the Idaho Water Resource Board to prepare and submit a comprehensive aquifer management plan for the Eastern Snake River Plain for legislative review and approval.

03/31 Senate intro - 1st rdg - to printing
04/03 Rpt prt - to 10th Ord
Rls susp - ADOPTED - 33-0-2
   AYES -- Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stennett, Sweet, Werk, Williams
NAYS -- None
Absent and excused -- Gannon, Stegner
Floor Sponsor - Davis
Title apvd - to House
04/04 House intro - 1st rdg - to 2nd rdg
04/05 2nd rdg - to 3rd rdg
Rls susp - ADOPTED - voice vote
Floor Sponsor - Raybould
Title apvd - to Senate
04/05 To enrol
04/06 Rpt enrol - Pres signed - Sp signed
04/07 To Secretary of State

Bill Text
A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND REQUESTING THE IDAHO WATER
RESOURCE BOARD TO
PREPARE AND SUBMIT A COMPREHENSIVE AQUIFER MANAGEMENT PLAN
FOR THE EASTERN
SNAKE RIVER PLAIN AQUIFER FOR LEGISLATIVE REVIEW AND
APPROVAL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the extended drought, changes in irrigation practices and ground water pumping have resulted in reduced spring discharges and reach gains from the Eastern Snake River Plain Aquifer and areas of declining aquifer levels; and
WHEREAS, declining aquifer levels have resulted in insufficient water supplies to satisfy existing beneficial uses; and
WHEREAS, declining aquifer levels have lead to conflicts between holders of water rights diverting from surface and ground water; and
WHEREAS, the conflict between water users poses a significant threat to the state's economy; and
WHEREAS, the welfare of the people of the state of Idaho is dependent upon the management of the Eastern Snake River Plain Aquifer in accordance with state law; and
WHEREAS, the Idaho Legislature has enacted legislation to create water measurement districts for gathering and reporting of water diversion data; and
WHEREAS, the Idaho Legislature has enacted legislation authorizing the creation of ground water districts for the purpose of implementing mitigation plans; and
WHEREAS, the Idaho Department of Water Resources has expanded and created new water districts for water sources hydraulically connected to the Eastern
Snake River Plain Aquifer for the purpose of conjunctively administering all surface and ground water rights diverting from the interconnected sources; and

WHEREAS, the Idaho Legislature provided funding to facilitate implementation of water supply projects through the Idaho Department of Commerce and to ground water users for implementation of the Sandy Pipeline Project in 2004;

and

WHEREAS, the Idaho Legislature's Natural Resource Interim Committee in 2004 and 2005 sought resolution of the Eastern Snake River Plain Aquifer water supply conflicts and has provided support for voluntary mediation between affected parties; and

WHEREAS, Section 42-1734, Idaho Code, provides authority to the Idaho Water Resource Board to cooperate in water studies, planning and research; and

WHEREAS, the Idaho Water Resource Board prepared an inventory of data and information as part of the Board's comprehensive basin planning study of the Eastern Snake River Plain Aquifer and tributary basins entitled the "Resource Inventory Upper Snake River Basin," in 1998, which provides information for the development of a comprehensive aquifer management plan; and

WHEREAS, the state of Idaho has taken initial steps to address the Eastern Snake River Plain water supply conflict through funding and development of, among other things, a Conservation Reserve Enhancement Program; and

WHEREAS, the Idaho Legislature enacted Section 42-620, Idaho Code, in 2005, to provide for funding necessary to support and to expand the Eastern Snake River Plain monitoring and data gathering activities of the Idaho Department of Water Resources; and

WHEREAS, certain holders of surface and ground water rights have been engaged in good faith negotiations to develop a potential framework for resolution of the Eastern Snake River Plain surface/ground water rights conflict; and

WHEREAS, the Idaho Legislature is determined to facilitate and encourage a
resolution of the surface/ground water rights conflict that respects existing water rights.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we request that the Idaho Water Resource Board expeditiously pursue, with support from the Idaho Department of Water Resources, development of a comprehensive aquifer management plan for the Eastern Snake River Plain Aquifer for submission to and approval by the Idaho Legislature.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board receive public input regarding the development of goals, objectives and methods for management of the Eastern Snake River Plain Aquifer from affected water right holders, cities and counties, the general public and relevant state and federal agencies; and

BE IT FURTHER RESOLVED that the Idaho Water Resource Board is requested to report to the First Regular Session of the Fifty-ninth Idaho Legislature on the status of the development of the comprehensive Eastern Snake River Plain Aquifer management plan. The report should set forth a framework for the plan, including appropriate interim goals and objectives in accordance with state law, a method to fund implementation of the plan and a time schedule for finalization of the plan.

Statement of Purpose / Fiscal Impact

STATEMENT OF PURPOSE

RS 16310C1

The primary parties who are in dispute over the use of surface and groundwater hydraulically connected to the Snake Plain Aquifer system have been negotiating to settle their differences outside of litigation. These parties are negotiating a framework for that settlement that makes it critical that the State of Idaho Water Resource Board establish public policy with regard to future management of the aquifer system, under state water law. This Senate Concurrent Resolution directs the IWRB to begin that plan of
development under their water planning authority, and to report it's progress to the next session of the Idaho Legislature. Adoption of the resolution, and direction to the IWRB is critical to the continued progress to settle the dispute outside of litigation and is in the public interest.

FISCAL NOTE

There is no fiscal impact anticipated beyond FY2007 appropriated funds.

Contact
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