EASTERN SNAKE RIVER PLAIN AQUIFER

COMPREHENSIVE AQUIFER MANAGEMENT PLAN

FRAMEWORK FOR 2007 LEGISLATURE

PUBLIC INVOLVEMENT PLAN

PREPARED BY:

CDR ASSOCIATES

VERSION: SEPTEMBER 26, 2006

I. INTRODUCTION

The Idaho Water Resource Board (Board) has been charged with developing an Eastern Snake River Plain Aquifer (ESPA) Comprehensive Management Plan Framework for the 2007 Legislature (Senate Concurrent Resolution No. 136). The desire of the Legislature is to establish public policy for future management of the ESPA. The first phase will be development of a 'Framework', which will identify aquifer management goals, determine the level of management required to adjust water demand and legally and administratively available water supply, and address funding mechanisms, including a fee structure. The second phase, depending on guidance from the Legislature, will be development of a comprehensive management plan. The Framework will be presented to the Idaho Legislature during the 2007 legislative session for review and comment.

The Board has retained the services of CDR Associates to facilitate the development of the Framework. CDR Associates (facilitation team) will work with stakeholder groups, relevant state and federal agencies, local governments, and members of the public to develop the Framework. This process will include:

1. Identifying aquifer management goals;
2. Determining the level of management needed in order to adjust water demand and legally and administratively available water supply; and
3. Identifying funding mechanisms to pay for implementation of management alternatives, including a fee structure.

The purpose of this public involvement plan is to outline factors related to public input, decision-making responsibilities, and opportunities for public input during the Framework development process. This is a living document, and will be periodically updated as information is available. Appendices will be added as appropriate.

1.1 PURPOSE OF PUBLIC INVOLVEMENT PLAN

The Board has been charged by the Idaho Legislature to involve the public in the development of the ESPA Framework. Building broad support for Framework elements is critical. The major goal of the public input process is to effectively involve affected water rights holders, cities and counties, other stakeholders, the general public and relevant state and federal agencies in the development of the Framework. The objectives of such engagement are to help identify aquifer management goals, build support for the Framework elements and lay the foundation for a Comprehensive Aquifer Management Plan.

Public involvement activities will be implemented to accomplish a dual goal:

- To keep the public informed by providing user-friendly access to information so that public opinion is based on knowledge and a realistic understanding of the issues and decisions under consideration; and
- To use multiple means to elicit input and to refine proposals that aid the Board in the development of the ESPA Framework.

1.2 KEY FACTORS RELATED TO PUBLIC INPUT

The public involvement strategies take into account the history and legal and political context of this project as well as the physical characteristics of the aquifer and region. Key factors related to public input are summarized below:

1. The ESPA Framework process is not starting from scratch. Earlier efforts to address the management of the aquifer have already occurred through the ESPA Aquifer Mitigation, Recovery and Restoration Agreement, development of the ESPA Conceptual Settlement Framework and other processes. Numerous stakeholders have been actively organized and engaged in previous efforts to influence the management of the aquifer. These stakeholders are already identified and are actively involved, so they can (and expect to) serve as a starting point for public input.

2. In addition to organized stakeholder groups there are numerous stakeholders who do not have as extensive a background regarding ESPA issues. Efforts to raise the level of general awareness of ESPA issues are needed.

3. The "ESPA Conceptual Settlement Framework" (2004) was extensively explored with key stakeholders. The goal of the Settlement Framework was to create a positive change of 600,000 acre feet (KAF) to 900,000 acre feet (KAF) annually in the ESPA water budget. The Framework outlined how the aquifer water budget would be adjusted through a combination of 1) increasing water supplies, 2) improving water management and 3) decreasing water demand. Interviews and conversations initiated by the facilitation team will start by exploring perspectives and issues regarding the elements outlined in the 2004 Settlement Framework.

4. Identifying potential funding mechanisms for management alternatives will be an essential component of the ESPA Framework. Exploring options and principles regarding how to financially support the management alternatives and who should contribute is a necessary part of developing the Framework.

5. Idaho Senate Concurrent Resolution No. 136 outlines a limited charge for the Framework process regarding 'goals, objectives and methods for management' of the ESPA. While some stakeholders may desire an approach that addresses items such as water administration and other legal issues, the public involvement effort will focus on public policy issues where the IWRB has authority. All legal and administrative decisions dealing with water rights will continue to be addressed through the courts and the IDWR Director's office.

6. The Framework must ultimately support the development of a Comprehensive Management Plan for the aquifer. Efforts undertaken during Framework process will highlight and anticipate issues that need be addressed in the development of the Comprehensive Aquifer Management Plan. The goal is to seamlessly link the Framework process to the development of the Comprehensive Management Plan.

7. The schedule for developing the ESPA Framework is aggressive. As a result, the public involvement process is on an accelerated schedule. A proactive approach to public input is essential to ensure that the public does not feel left out or left behind during the decision-making process.

1.3 THE LINK BETWEEN PUBLIC INVOLVEMENT/INPUT AND THE DECISION-MAKING PROCESS

Consistent with the Board's planning authorities, the Framework will identify aquifer goals and alternatives, including water demand and supply, and funding mechanisms. The Framework will be developed using public and stakeholder input and Framework recommendations will be made by the Board to the Idaho Legislature.

Framework Decisions

The Board will have many discussions and make several decisions during the development of the ESPA Framework including:

- Reviewing and assessing of existing studies and information for management alternative development;
- Identifying goals and alternatives for aquifer management;
- Determining the level of management required to adjust water demand and the means to accomplish such management;
- Identifying funding strategies, including a fee structure to pay for the aquifer management alternative(s); and
- Identifying interim implementation measures.

This process will be marked by milestones, which will serve as focal points for broad public input that will result in input to decision makers. The Framework will anticipate issues to be explored in the Comprehensive aquifer management plan, such as economic and environmental impacts of aquifer management alternatives; water conservation; and other topics.

The Decision Makers

The Board will balance the perspectives of stakeholders in formulating a Framework. The Board will present the Framework to the Idaho Legislature for review and comment during the 2007 legislative session. Legislative approval will be required to proceed with the development of a Eastern Snake River Plain Comprehensive Management Plan.

The Role of the Facilitation Team

The Board retained the services of CDR Associates (facilitation team) to provide independent facilitation assistance in the development of the ESPA Framework. The facilitation team will work with all stakeholders and remain impartial to the substance of the Framework. The facilitation team will advocate for the development of a Framework that is broadly supported and can be presented to the Legislature during the 2007 legislative session.

The facilitation team, with support from the IWRB, will produce a Framework that highlights areas of broad agreement and outlines areas of disagreement. Additionally, the facilitation team will capture and identify various options and stakeholder suggestions for addressing differences regarding goals, management alternatives and funding mechanisms. Interviews and public meetings will be used to refine the initial Draft Framework.

The Role of Stakeholders in Decision Making

The ideas, perspectives, and needs of stakeholders are critical elements in the decision-making process that will result in the Framework. It will be essential to create transparency in the process and to report back what the Board heard from the public and how public input has influenced the Framework. Public input will be summarized and included as a part of the project record; where divergent views exist, the facilitation team will capture the diversity of opinion and highlight these views for the Board.

II. PUBLIC INPUT ACTIVITIES

The project team, composed of the facilitation team and Board staff, has identified categories of activities to facilitate the public input process for this project. These categories are based on those identified in the facilitation team's scope of work.

2.1 KEY PERSON INTERVIEWS/SMALL GROUP MEETINGS

A key person interview is a face-to-face conversation with a recognized leader or a small group assembled by such leaders. For the ESPA Framework, key person interviews will be conducted with affected water rights holders, elected officials and their key staff, representatives of organizations or interest groups, identified opinion leaders, and business leaders. (See Appendix A when added for a list of organizations, categories of individuals, and dates of key person interviews).

Purpose: The goal of the interviews is to:

- Introduce the Framework process,
- Identify issues of concern relevant to the Framework,
- Discuss aquifer management alternatives, and
- Build relationships with members of the community.

Information from interviews will be combined to produce an overall status report of stakeholder perceptions of the Framework, areas of agreement and items of concern. Attribution of specific points will not be made since these interviews seek to obtain honest expressions of perceptions.

Approach: The informal interviews will explore the views of the individual and his/her constituents both on the process and substantive issues of the ESPA Framework.

Draft Interview Questions

Questions related to the public input program include:

- What is your understanding of the ESPA Framework and decision-making process?
- Are there open and/or unresolved caution-flag issues we should be aware of?
- Do you have a mailing list that we should/could add to the ESPA Framework project mailing list? If you are unwilling or unable to provide us with the list, will you distribute information yourself to your constituents?

- Whom else should we consider speaking with?

Questions related to the substantive issues of the study include:

- Identify what their major issues, from your perspective, to the management of the alternatives?

- Are you familiar with the Settlement Framework (Strawman Proposal) and Aquifer Mitigation, Recovery and Restoration Agreement (2004)? If yes, talk about how you view the elements outlined in each one. What elements of Settlement Framework are most important to you, and why?

- What is your perspective on the proposed management alternatives including:
    - Idaho CREP program,
    - Thousand Springs demand reduction,
    - Recharge program (50 or 190 KAF),
    - Conversion of ground water irrigation lands to surface water, and
    - Acquisition of high-lift irrigation water and exchange for flow augmentation releases above Milner?

- What ideas and suggestions do you have for developing a fee structure to pay for the management alternatives? What principles are important in how this occurs?

- Given that the Framework was developed in 2004, what do you see as having changed within the aquifer (cropping patterns, land use, economic situation, and political climate)? Have these changes affected your thinking about the management of the aquifer?

- What criteria would you use to compare the management goal alternatives?

- What other alternatives or variations should be examined, and why?

- What information/data do you have that will be useful to the study?

- Anything else?

The project team will conduct approximately fifty key person interviews in the first two months of the study. The team will conduct additional public involvement activities during the study to obtain periodic feedback on the public input program and sample public/stakeholder opinion.

Documentation: A Key Person Interview Table (Appendix A) will be appended to the Public Involvement Plan, indicating the names, titles, and organizations of persons interviewed, and the dates of the interviews. The interviews will be confidential, to encourage frankness and open discussion of issues and concerns; therefore, **notes taken at the interview will remain within the facilitation team**. A summary of what the facilitation team learned from the interviews will be prepared as part of the project record and posted on the website.

2.2 Identification of Public Email/Mailing List

The facilitation team, in conjunction with the Board and other stakeholder groups, will develop a email/mailing list that includes water right holders, cities and counties, the general public and

relevant federal and state agencies. Previous efforts have been conducted and it is anticipated that a mailing list can be produced quickly. Throughout the process, the email/mailing list will be updated with additions gathered through the public input activities. Public meeting notification and Framework process updates will be mailed to stakeholders.

Purpose: The goal of the email/mailing list is to:

- Provide ongoing information about the project
- Describe what is being learned in the study
- Provide information about where to find out more about the study
- Identify progress in the study
- Provide opportunities for public input.

2.3 – Public Meetings

Public meetings will be held in conjunction with key milestones in the planning process. Each round of public meetings will consist of a minimum of two meetings, one in each geographic area of the ESPA:

- **Western ESPA Hagerman/Twin Falls/Burley,**
- **Eastern ESPA Idaho Falls/ Pocatello area**

Public meetings will be held in locations sufficiently large for at least **200 persons** and accessible for persons with disabilities. **(See Appendix B for public meeting locations, schedule and format for the October 2006 public workshops.)**

Purpose: The public meetings will provide an opportunity to solicit and consolidate comments in order to provide input to the facilitation team and Board. The goal is to provide an opportunity for members of the public to learn about the project and to express their concerns and ideas to the Board, the facilitation team, stakeholders and other members of the public. Questions designed to elicit relevant and timely input from the public will be framed to focus attention on the particular issues in the Framework process associated given round of public workshops.

Public Meeting Milestones

October 2006	Process and team introduction, clarification of roles, discussion of interview themes, solicitation of public input regarding the process.
December 2006	Outline of preliminary management goals, identification of alternatives, and funding approaches and solicitation of public input.
January/February 2007	Presentation of draft Framework elements for public review and discussion prior to Board decisions and presentation to Legislature.

Options for providing input:

- Comment cards will be available for participants to complete and turn in at the meeting or mail within 7 days of the meeting.
- Comments offered by participants will be written by facilitation team members.
- Comments made during the open discussion segment of the meeting will be captured on flipcharts.
- All comments received at public meetings will be compiled and summarized in a Public Meeting Report.

Outreach for public workshops

Outreach for public meetings will be accomplished through:

- Distributing meeting announcements electronically to key stakeholder groups
- Placing flyers in strategic locations across the ESPA area including libraries, City Halls, County Court Houses and other locations
- Posting announcements on the website.
- Mailing copies of flyers to the mailing list
- Developing and distributing press releases for use using public information officers

2.4 Project Website

An integral part of the public involvement program will be the project website, providing electronic access to project information and an opportunity for the public to contact the project team.

Purpose: The purpose of the website will be to make information on the project available to a broad spectrum of the public who can access this information from their homes and businesses. The website serves as a cost-effective means to reach many people.

Approach: The IDWR will design the web site and update the website regularly with content provided from the facilitation team. Key features and functions of the web site include:

- Available project data, documents, images, and other project-related information for stakeholder and public education;
- Keeping the public informed as the project progresses through the milestones by posting of documents, reports, images, notices and calendar of public input activities;
- Posting summaries of public input received; and
- Providing contact information the facilitation team.

The website will be reviewed periodically to determine its effectiveness.

2.5 Information Repositories in the ESPA Area

Copies of website postings and meeting flyers will be posted through out the ESPA area including libraries, City Hall, County Court House and others.

2.6 Frequently Asked Questions:

As an effort to be responsive a set of responses to “Frequently Asked Questions” will be prepared. These may be used as responses to inquiries from the media and responses to written public comments. They may be posted on the web page.

ESPA Framework Timeline

A draft schedule will be appended to this document.

Facilitation Team Contact Information

Interested parties may contact either or both members of the facilitation team, through the contact information listed below.

CDR Associates
100 Arapahoe Ave, Suite 12
Boulder, CO 80302
1-800-MEDIATE
Fax: 303-442-7442

Diane Tate
dtate@mediate.org
Office line: 303-442-7367 x222
Cell phone: 303-335-8407

Jonathan Bartsch
Jbartsch@mediate.org
Office line: 303-442-7367 x201
Cell phone: 303-918-3005

APPENDIX A – KEY PERSON INTERVIEW

List of Stakeholder Discussions with Facilitation Team 08/15/2006 to 09/15/2006

Listed in alphabetical order by first name (56 names).

Name	Organization
Bill Graham	Idaho Department of Water Resources
Bill Hazen	Idaho Water Alliance
Bill Jones	Self
Billy McCarthy	Buckeye Farms
Billy Thompson	Minidoka Irrigation District
Brian Patton	Idaho Department of Water Resources
Bruce Newcomb (Rep.)	Representative (Speaker of the House)
Chuck Brockway	Brockway Engineering
Chuck Coiner (Sen.)	Senator
Clive Strong	Office of the Attorney General
Dan Shewmaker	Twin Falls Canal Co. (Board)
Dan Temple	A&B Irrigation District
Dean Tranmer	Attorney, City of Pocatello
Dell Raybould (Rep.)	Chair, House Committee on Environment, Energy, and Technology
Dick Wyatt	IWRB Member
Donnie McFadden	Billingsley Creek Ranch
Gary Chamberlain	IWRB Member
Gary Lemmon	Self
Gary Marquardt	SeaPac of Idaho
Gary Schroeder	Chair, Senate Committee on Resources & Environment
Gerald Tews	Twin Falls Canal Co. (Board)
Hal Anderson	Idaho Department of Water Resources
Harriet Hensley	Office of the Attorney General
J. Dee May	Counsel for Rangen Inc.
James Lochhead	Brownstein, Hyatt and Farber
Jerry Rigby	IWRB Chairman
Jim Tucker	Idaho Power
John “Bert” Stevenson (Rep.)	Representative, Natural Resources Interim Committee
John Simpson	Barker Rosholt & Simpson
Jonathon Bowling	Idaho Power
Julie Conrad	Milner Irrigation District
Karl Dreher	Idaho Department of Water Resources (Director)
Kay Hardy	Idaho Trout Company
Larry Cope	Clear Springs Foods
Name	**Organization**
Leonard Beck	IWRB Member
Linda Lemmon	Thousand Springs Water Users/Idaho Aquaculture Association

Lyle Swank	Watermaster/Eastern Regional Manager
Lynn Harmon	AFRD #2
Lynn Tominaga	Idaho Ground Water Appropriators
Mary McGown	Idaho Department of Water Resources
Neeley Miller	Idaho Department of Water Resources
Pat McGrane	Bureau of Reclamation
Randy Bingham	Burley Irrigation District
Randy MacMillan (Dr.)	Clear Springs Foods
Rich Rigby	Bureau of Reclamation
Roger Chase	Mayor, City of Pocatello
Roger Fuhrman	Idaho Power
Ron Carlson	Former Watermaster District 1
Scott Breeding	Milner Irrigation District
Ted Diehl	Northside Canal Co
Tim Deeg	Self
Tom Arkoosh	Arkoosh Law Offices
Vic Armacost	IWRB Member
Vince Alberdi	Twin Falls Canal Co. (Manager)
Walt Mullins	Milner Irrigation District
Wayne Courtney	Rangen Inc.

The facilitation team continues to contact stakeholders, and will provide updates to this list as appropriate.

APPENDIX B - PUBLIC MEETING SCHEDULE. LOCATIONS AND FORMAT

Proposal for October 2006 Public Meetings
REVIEWED by the Idaho Water Resources Board

Appendix B outlines proposed objectives, dates, locations, format, outreach and other details regarding ESPA Framework public meetings in October 2006. The Board reviewed this information at the September 21st and 22nd Board meeting in Pocatello.

Objectives for Public Meetings:

- Introduce Facilitation Team
- Introduce ESPA Framework process
- Clarify roles for Framework process: facilitation team, board, department, stakeholders
- Discuss what the facilitation team heard during interviews, in the form of themes, areas of agreement, areas of divergent views, and topics that need more discussion
- Outline the process for continued engagement between Board, Facilitation Team, and stakeholders to develop the ESPA Framework
- Solicit feedback from stakeholders regarding roles, themes and process
- Build list of interested stakeholders for the ESPA Framework process
- Meet legislative objective of providing opportunities for public involvement in this effort

Tentative October Meeting Dates and Locations:

- Pocatello, October 12th depending on meeting space availability
- Twin Falls, either October18 or 19 depending on meeting space availability
- Idaho Falls, October18 or 19 depending on meeting space availability

Meeting space must be secured before exact location confirmation.

Proposed October, 2006 Meeting Format (identical for each location):

6:00 p.m.	Doors open; participants arrive and sign in; refreshments available
6:30 p.m.	Introduction by Board Representative (Explain goal for this meeting)
6:45 p.m.	Facilitation team presentation ▪ Introduction of Facilitation Team ▪ Introduction of Website ▪ Discussion of Roles ▪ Overview of process for developing the ESPA framework ▪ Activities to date (project launch, stakeholder interviews) ▪ Themes heard during interviews
7:15 p.m.	Comments from the public and facilitated discussion (with Board involvement)
8:00 p.m.	Meeting ends

Meeting Outreach:

- Send meeting announcement via email to all stakeholders contacted during the interview process
- Encourage stakeholders to re-distribute announcement via email or print to their constituencies
- Place paid advertisements in local newspapers (Twin Falls, Idaho Falls, Pocatello)
- Distribute meeting announcements via email or fax to local radio stations
- Coordinate proactive media strategies with the public information officer

Opportunities for public comment:

- Comment forms available during meeting; can be returned at meeting or mailed back to CDR Associates.
- Distribution of facilitator contact information, including email addresses and phone numbers.
- Facilitated discussion after presentation during meetings.

Handouts at the meetings:

- Agenda with contact information for Facilitation Team
- Comment form
- Copy of facilitation team power point presentation

APPENDIX C – ESPA FRAMEWORK TIMEFRAME