

ESPA Comprehensive Aquifer Management Plan Framework Process

Third ESPA Management Alternative Working Group Meeting

CDR Associates
Jonathan Bartsch and Diane Tate
January 10, 2007

Agenda

- Morning: Review Management Alternatives as presented in the draft framework
- After Lunch: Review Funding Principles and Strategies
- Late Afternoon: Discuss goals and objectives for aquifer management
- Time permitting: Process for Plan development

So what's in this Framework?

- Mandate from the Legislature
- Process followed in developing the Framework
- General goal and objectives
- Discussion of management alternatives
- Discussion of funding
- Interim measures
- Implementation and Next Steps, including Plan Development Process

Management Alternatives

Morning Session

Management Alternatives

- Alternatives to Increase Supply
 - Managed Recharge
 - Incidental Recharge
 - Site-Specific Supply Augmentation
- Alternatives to Reduce Withdrawals from the Aquifer
 - Conservation Reserve Enhancement Program (CREP)
 - Groundwater to Surface Water Conversions
- Alternatives to Decrease Overall Demand for Water
 - Thousand Springs Demand Reduction
 - Buyouts or Buy-downs
 - Conservation Reserve Program

Managed Recharge

- What should the Board recommend to the Legislature in the Framework?
 - Carry Managed Recharge forward into the Plan development process?
 - Interim measures?

Managed Recharge

- Factors that influence the efficiency, effectiveness, and cost of managed recharge:
 - Source of recharge water
 - Recharge rights
 - Water from rental pool
 - Water quality considerations
 - Effects from other agreements/operations
 - Targeting recharge benefits
 - Incentives to participate

Risk Factors

- Weather
- Surface Water Quality
- Responsiveness
- Others?

Incidental Recharge

- Operational changes could result in less incidental recharge
- How can the Plan provide incentives to continue today's level of incidental recharge?
- What are the “hidden costs” of keeping things the way they are?

Site-Specific Supply Augmentation

- How can the Board identify where opportunities exist?
- How much potential is there to make a difference?

Conservation Reserve Enhancement Program

- Program enrollment ends in 2007 – before completion of the Plan
- Should action on CREP be an interim measure for the Board?

Current Limitations to Enrollment

- Only 25% of the farm acreage in each county may enroll in a Federally-funded conservation program.
- Limit on the payout any individual farmer may receive from conservation programs in any one year of \$50,000.
- Unless ground is within a “priority area”, it must be designated as “highly erodable” to be eligible for CREP.
- CREP requires that every acre to be enrolled must have been planted at least once in the past X years.
- Case-specific limitations.

Reasons for Low Enrollment in CREP

- Value of keeping land in production is greater than the amount the CREP payments and state incentive payments.
- Farmers need to maintain large tracts to make farming economically viable, and cannot afford to put a portion of their land out of production.
- A 15 year commitment limits flexibility – anyone opting out of the CREP program must repay all benefits received in one lump sum (including a purchaser of CREP-enrolled acreage)
- Some may not have the correct information about eligibility, including assuming that if their land is not highly erodible, it is not eligible (exception in “priority areas”)
- Land is within a county where the combined 25% CREP/CRP cap has been reached.

Possible Board Actions

- Investigate ways to transition temporary acreage retirement under CREP permanent to reduce groundwater pumping past the 15 year CREP period.
- Increase the state incentive payments to make enrollment an economically viable alternative for those that currently qualify but have chosen not to participate.
- Negotiate changes to the program with FSA that could increase enrollment. However, original negotiations between FSA and the state were thorough, and there may not be willingness to re-open issues. Possible negotiated modifications to the program include:
 - Increase the extent of “priority areas” to make more land that does not meet the highly-erodible designation eligible for CREP
 - Raise 25% ceiling in certain counties
 - Develop a protocol for dealing with land that uses both surface water and groundwater for irrigation that allows this land to enroll with certainty that water consumption from surface water will not increase.

Conversions – GW to SW

- Limited by canal capacity and delivery demands from existing customers
- In what areas does potential exist?
- How should the Board pursue this alternative?

Thousand Springs Demand Reduction

- What role does this play in the overall picture?

Buy-downs or Buyouts

- Where will this yield the biggest bang for the buck?

Conservation Reserve Program

- Do potential benefits to making more use of the CRP program outweigh the hassle?

Funding Principles and Strategies

Afternoon Session 1

Stakeholder Funding Principles

- No one subset of water users should bear the entire burden of paying for management alternatives.
- The distribution of “who pays what” should be equitable.
- Everyone who benefits from ESPA management should be part of the funding solution.

Stakeholder Funding Principles

- Some funding should come from statewide sources, and some from Eastern Snake area sources.
- Many different mechanisms should be used together to gather the necessary resources.
- Funds raised should be clearly identified for specific activities that “solve the issue” and not merely provide temporary fixes.

Funding Needs

- Management alternative implementation, including feasibility analysis, engineering, and construction; purchase of water rights, etc...;
- Ongoing refinements to the ESPA groundwater model to support analysis for management purposes; and
- Additional funding for IDWR for ongoing monitoring and administration of management plan on behalf of the Board.

Funding Options

Dedicated funding sources:

- Portion of statewide sales tax for a “water fund” to be used where it is needed across the state
- Per acre or acre-foot levy for groundwater users and surface water irrigation users
- Per well fee for domestic well users in the ESPA
- Surcharge for municipal customers
- Transferable conservation tax credit

Funding Options

Temporary funding sources:

- State government surplus or severance tax
- Temporary per well fee for domestic well users, per acre/acre-foot levy for irrigation water users, or surcharge for municipal customers

Questions

- What other funding options/strategies should be included?
- What funding principle(s) should the management plan be based on?
- What is the appropriate balance between state and ESPA contributions?
- What dedicated funding sources should not be considered further?

Goal and Objectives

Afternoon Session 2

Criteria for Goal and Objectives

Goal(s) for management of the ESPA should:

- Be realistic and achievable
- Be measurable by objective standards
- Actually “solve the problem”
 - Less litigation
 - Greater predictability
 - Better outcomes for water users
- Be consistent with state law and statute
 - Prior appropriation doctrine
 - Idaho Ground Water Act
 - Ground Water Management Areas
 - Critical Ground Water Management

Draft ESPA Goal

Maintain the economic viability and social and environmental health of the Eastern Snake Plain by **achieving and sustaining a balance between water use and supplies**

Other Stakeholder Goals

- Provide greater predictability for water users
- Stabilize the aquifer
- Ensure continuity and protection of water supply
- Establish and achieve a 'full mark' for the aquifer, i.e. a specific aquifer level target
- Meet the 'full economic development' goals of the state
- Establish equivalent treatment across water uses
- Ensure that new water development is congruent with other surrounding uses

Draft Objectives

Supporting this goal are several objectives:

- Objective A: Increase recharge to the aquifer
- Objective B: Reduce withdrawals from the aquifer
- Objective C: Decrease overall demand for water within the Eastern Snake Plain
- Objective D: *Increase predictability for water users by managing for reliable supply and create alternatives to administrative curtailment*

Questions

- Are the draft goal and objectives realistic, measurable, achievable?
- Can you live with the draft goal and objectives as they are framed?
- What changes do you suggest?

Monitoring

- Possible Measurement: Water budget (supply and demand)
 - 5-year target: ? kaf annual net change
 - 10-year target: ? kaf annual net change
 - 50-year target: Balance in supply and demand

Process Recommendations for Development of the Comprehensive Aquifer Management Plan

Afternoon Session 3

Strategic Considerations

- **People support what they helped create.** Meaningful public involvement in the development of the CAMP will help ensure that the end product is supported by those affected by water challenges in the ESPA.
- **Stakeholders want results they can see.** The Legislature asked the Board to undertake the Framework process because of the number and severity of the water challenges faced in the Eastern Snake Plain. It is important that the CAMP process move quickly and generate actionable recommendations for the Board to begin to improve the situation.
- **ESPA issues are technically complex.** The water challenges faced on the Eastern Snake Plain are complex, and affect a significant percentage of those who live and work in the region, as well as the rest of the State.

Recommended Process

■ CAMP Advisory Committee

- Make recommendations to the Board
- No more than 30 members
 - Representative of all stakeholder groups and governmental entities
 - Who should select?
- Meetings will be public
- Technical sub-committee