



Eastern Snake Plain Aquifer (ESPA) Comprehensive Aquifer Management Plan

Advisory Committee

Meeting Notes

Date: Thursday, July 26, 2007

Time: 10:00 am - 5:00 pm

Location: Red Lion Inn at the Falls, Idaho Falls

Attendees:

Advisory Committee Members

1. Vince Alberdi Twin Falls Canal Co.
2. Hal Anderson IDWR
3. Randy Bingham Burley Irrigation
4. Roger Buchanan Domestic Well
5. Barry Burnell Idaho Department of Environmental Quality
6. Rebecca Casper Ball Ventures
7. Roger Chase City of Pocatello
8. Scott Clawson Water District 110
9. Lance Clow City of Twin Falls
10. Tim Deeg Water District 120
11. Craig Evans Water District 120
12. Jared Fuhriman City of Idaho Falls
13. Lloyd Hicks Burgess Canal Company
14. Matt Howard Bureau of Reclamation
15. Steve Howser Aberdeen Spring Field Canal
16. George Katseanes Blackfoot
17. Alex LaBeau Idaho Association of Commerce and Industry
18. Linda Lemmon Idaho Aquaculture Association
19. Albert Lockwood Northside Canal Company
20. Randy MacMillan Clear Springs Foods
21. Roy Mink IWRR
22. Damien Miller U.S. Fish and Wildlife Service
23. Don Parker Water District 110
24. Dave Parrish Idaho Fish and Game
25. Jeff Raybould Fremont-Madison Irrigation District
26. Dan Schaeffer A&B Irrigation District
27. Steven Serr Bonneville County
28. Dean Stevenson Magic Valley Ground Water District (MVGWD)
29. Max Vaughn Minidoka County Assessor
30. Will Whelan The Nature Conservancy

Other Attendees

31. Gary Chamberlain – IWRB
32. Jerry Rigby – IWRB
33. Neal Powell
34. Stan Clark
35. Marla Tribble
36. Jack Barraclough
37. Lyle Swank – IDWR, WD1
38. David Blew – Idaho Power
39. Jon Bowling – Idaho Power
40. Brian Patton – IDWR
41. Harriet Hensley – Attorney General’s Office
42. Diane Tate – CDR Associates (facilitator)
43. Jonathan Bartsch – CDR Associates (facilitator)

MEETING AGENDA

1. Welcome, Introductions, Agenda Review and Meeting Note Finalization
2. Discussion: Revisit Work Plan and Proposed Agendas and Outcomes document
3. Discussion: Proposed Caucus Meetings to coordinate interest group representation and explore issues and challenges
4. Discussion: Proposed sub-committee to develop recommendation on process for setting quantitative goal
5. Exercise: Respond to the question: “The problem the Advisory Committee is trying to solve is ...”
6. Report: Meeting with the ESHMC and earlier sessions
7. Discussion: Review of aquifer Management Alternatives listed in Framework; brainstorming of additional ones which should be considered by Committee
8. Discussion: Brainstorming of criteria and questions to use when evaluating Management Alternatives - JDB
9. Discussion: Review listed Management Alternatives; suggest speakers for presentations about these alternatives at future meetings.
10. Public Comment

WELCOME, INTRODUCTIONS & AGENDA REVIEW

The facilitators welcomed everyone to the meeting and led introductions. Diane Tate reviewed the agenda with the group. The Committee discussed the notes from the 06-05-07 meeting, and asked that the reference to the rental pool on page 8 be clarified. The facilitators made note of the change, and will send revised meeting notes to the group.

WORK PLAN & AGENDAS

Jonathan Bartsch led a discussion about the Agenda Planning document distributed prior to the meeting, and reviewed the previously approved work plan with the group, to solicit input on planning for the rest of 2007. He outlined one possible approach to establishing a quantitative goal: creating a sub-committee to discuss proposals and develop a recommendation for a process to set targets to the entire Committee (also discussed later in the agenda). In addition, the facilitators asked for feedback on scheduling additional informational meetings for the Committee on the day prior to or the morning of Advisory Committee meetings.

The Committee had the following comments:

- Make some of the additional meetings on Thursday evening, as it is hard for some of us to attend on Wednesday.
- Concerned about it taking four months for the quantitative goal sub-committee to come up with a recommended process. The lack of water is a critical issue for some of us. Why not have the committee meet more than just once a month? Coming up with a process for setting the goal should be accelerated.
- The goal sub-committee can't meet the day before; needs to meet earlier so that you can actually prepare for the meeting based on what the sub-committee suggests. Four months to develop a process is too long, however that sub-committee could be useful after the process is developed. Perhaps a process could be developed in one or two meetings?
- Need to expedite getting the goal in place. Until we have that goal, we don't know quite where we need to get to.

PROPOSED CAUCUS MEETINGS

Diane raised with the Committee the possibility of holding small "caucus" meetings between the facilitators and each interest group prior to the next Committee meeting, to provide time for candid discussion of the challenges some face representing diverse interest groups. These small meetings would also allow Committee members time to share with facilitators their thoughts about the Advisory Committee process, and hear feedback on how to be more effective in the group meetings

The group raised concerns that meeting as interest groups could create a feeling of separation within the Committee. Some felt that, as long as the purpose of the meetings was clear and they remained voluntary, small meetings would be useful. The group agreed that those groups

interested in holding caucus-type meetings to discuss process issues could contact the facilitators after the meeting and arrange for these to be held in person or over the phone.

PROPOSED GOAL SUBCOMMITTEE

Continuing discussion that started under the Work Plan agenda item, the facilitators outlined a proposal to establish a sub-committee to develop a recommended approach to quantitative targets for the ESPA Comprehensive Aquifer Management Plan (CAMP). Jonathan remarked that having a smaller group deliberate and recommend an approach to the entire Committee may expedite the process, as it is generally easier to develop written proposals with fewer than ten people participating. The Committee decided to establish a sub-committee, and determined that membership would be limited to one representative from each interest group, with none required to participate. The facilitators committed to preparing a short document outlining the purpose of the sub-committee and a proposed agenda for the first meeting, to be distributed to Committee members for approval. Each interest group committed to provide the names of their representative to Jonathan and Diane, if that interest group decides to participate. Because of Committee requests to hold the sub-committee in advance of the August meeting, the first meeting date was tentatively set for August 17th.

RESPONSES TO EXERCISE

The facilitators asked Advisory Committee members and others attending the meeting to put responses to the question “**The problem the advisory committee is trying to solve is**” on post-it notes on the wall at the front of the room. Responses have been loosely grouped by topic, and are show below.

Stabilizing the aquifer

- Restore aquifer levels to sustainability ... water levels equal to aquifer supplies of the future.
- How to recover the aquifer’s legacy of depletion to sustainable levels for the future, including growth
- Balance aquifer water levels so inputs equal outputs in a 2 to 5 year time period
- Stabilizing the level of the aquifer
- Stabilize the water supply so everyone knows what they have
- Stabilize the aquifer through actions that are practical, provide long-term certainty, avoid disputes, consider impacts and benefits to fish and wildlife, consider social and economic issues, and are adaptable to a changing Idaho
- Determine how far we will let the water table fall

Maintaining or increasing spring flows

- Maintain spring flows and return flows to the river
- Rebuild 1950’s spring flows
- How a management plan of the ESPA affects the Snake River spring flows

Balancing the water budget

- The imbalance between water supply and demand within the ESPA system

- Balancing the water budget
- A change in the water budget and allocation of a resource
- Overcoming an either over-allocation or misallocation of resources that change over time given a multitude of variables
- Water users allocation
- The over-allocation/use of water in one area that is injuring other water users
- The change in water use, sprinkler from flood irrigation, ESA, & hydropower
- How to reconcile the competing demands for water and prepare a plan with certainty for the users

Dealing with scarcity

- More water allocated than there is
- Distribution
- Reducing demand for water
- How to make a little water go a long way
- Lack of Water

Protecting all water uses

- How to sustain economic viability and social and environmental health of the ESPA
- How to allocate a finite resource without negatively impacting local economics or the environment
- How can water issues be resolved in ways that do not harm business, agricultural, and domestic users
- Ensure that any plan of the ESPA takes into consideration social and economic impact of all interests involved

Providing water for economic and urban growth

- Water needs for future urban growth
- How to provide adequate water management for sustained economic development
- Provide continued economic growth for the state
- A way to buy out water rights and bank it for future needs

Creating alternatives to Administrative Curtailment

- Creating alternatives to Administrative Curtailment
- The plan should include tools for avoiding curtailment
- Determining who will quit farming so others can have their water
- Determining how the problems associated with or generated by IDWR administration of water rights can be solved

Being fair and making people happy

- How to measure and appropriate water to sustain all water needs
- What is ultimately “fair” in terms of allocating limited water supplies from the ESPA
- Keep or make everyone happy with the water they want
- Keeping everyone happy
- Solve allocation of water to uses in a fair and balanced manner

- How to allocate water without devastating a particular group or stopping growth
- Find the answer to give everybody all the water they want, at minimal cost

Dealing with an old dispute

- The same problem no one else wanted to solve
- The territorial mentality
- A resolution to a decades long dispute over resources
- Distribution of “fault” of recent declines in areas of aquifer

Planning for long term management to benefit the State of Idaho

- The long term management of the water supply for the Eastern Snake River Plain for the benefit of Idaho
- How to properly manage a scarce public resource for the broadest benefit
- How to manage the overall water supply to the most beneficial use for the state of Idaho
- How to manage the water resources to maximize the economic uses of Idaho’s water resource
- Maximum utilization of the aquifer for the good of the entire state
- What is the best way to manage the state’s water in the ESPA
- Develop a plan on how to best manage the ESPA
- To develop a long range plan of the ESPA
- How to manage a complex system to best utilize the resource
- To improve the ESPA to a level that it can better serve the ones that are dependant on it
- To develop an aquifer management plan for the Idaho Water Resource Board
- To draft a plan for IWRB consideration that will propose a management scheme to equitably allocate available water versus decreed rights
- Developing a management strategy for meeting water quantity demands in the ESPA
- Develop a plan that would not let water leave the Upper Snake River basin
- How can we come up with plans for future water management that will prevent future litigation and uncertainty?

REPORT ON MEETING WITH ESHMC AND REVIEW SESSIONS

The facilitators attended the Eastern Snake Hydrologic Modeling Committee (ESHMC) meeting in Boise on Monday, July 23rd, and provided a brief report back to the Advisory Committee. The ESHMC is referenced in the Framework as a technical resource for development of the CAMP. While at the meeting, the facilitators asked the ESHMC to provide introductory material for the Advisory Committee on the model itself. The ESHMC recommended that the white papers submitted by each committee member and made available in early January 2007 be given to Advisory Committee members. Diane will continue to attend ESHMC meetings and act as a conduit between that group and the Advisory Committee. The group discussed the need to have a presentation about the model at the August Advisory Committee meeting.

Diane reported to the Committee that the educational sessions on the afternoon of July 25th, focused on basic water information, and immediately prior to the Advisory Committee meeting, focused on a review of the Framework, were well attended (5-10 people). She asked the

Committee for ideas on how to continue the educational process, and suggested gathering questions from Committee members on technical, legal, and other questions they would like to have answered. Members also suggested holding field trips as appropriate in the different areas where Advisory Committee meetings are held. It was noted that the issues at Milner Dam are important to understand in more depth.

REVIEW AND BRAINSTORMING OF MANAGEMENT ALTERNATIVES

Diane reviewed the three categories of Management Alternatives listed in the Framework.

- Alternatives to Increase Supply
- Alternatives to Reduce Withdrawals from the Aquifer
- Alternatives to Decrease Overall Demand for Water within the ESPA

In addition to the five management alternatives considered in the Framework, the group brainstormed others for the committee to discuss. All brainstormed management alternatives are listed below, grouped according to the three Framework categories, and a fourth category of “Other Measures.”

Alternatives to Increase Supply

Managed Recharge (included in Framework)

- Specific topics to be addressed:
 - IWRB W-Canal pilot project
 - IWRB recharge water rights
 - Compensation of canal companies who participate in recharge
 - Use of water other than Board’s water right for recharge
 - Success of past recharge efforts
 - Review of winter water savings agreement with BOR
 - What was the rationale behind the winter water savings agreement?
 - What water is state water, and what is federal water? Why does the Bureau operate the reservoirs the way they do? How much flexibility exists?
 - How does this agreement interact with potential recharge?

Incidental Recharge (included in Framework)

- Specific topics to be addressed:
 - Incentives for continuing incidental recharge practices (relationship to storage water, canal lining, possibility of renting water from the water bank)
 - Removing disincentives to providing incidental recharge, i.e. taxes (discuss formula for charging canal companies for water delivery)

Additional Surface Water Storage (included in Framework)

Site-Specific Supply Augmentation (included in Framework)

Weather Modifications

- Description: Using techniques such as cloud seeding to increase precipitation over targeted areas of the Eastern Snake River watershed to result in greater surface water supply.
- Specific topics to be addressed:
 - Success in other regions
 - Progress on studies funded by the Legislature

Alternatives to Reduce Withdrawal from the Aquifer

Conversions – Groundwater to Surface Water (included in Framework)

- Specific topics to be addressed:
 - Definition of hard (new access to surface water) and soft (decreasing reliance on supplemental wells) conversions
 - Opportunities for conversions

CREP and other Incentives for Voluntary Retirement (included in Framework)

- Specific topics to be addressed:
 - Political willingness to change program
 - Decoupling CREP with CRP
 - Current Federal Farm Bill
 - State CREP program?
 - NRCS EQUIP program? Any possible relationship?
 - Surface Water CREP program for marginal ground (pivot corners)?

High-lift Exchange

- Description: Purchase of surface water rights that require pumping from river to reach associated farmland (hence high energy costs). This water may be left in the river to meet other demands.
- Specific topics to be addressed:
 - Lessons learned from Bell Rapids
 - Opportunities and institutional issues, including water lost in exchanges

Alternatives to Decrease Overall Demand for Water in the ESPA

Conservation

- Description: Any action that decreases the amount of water needed to continue a current practice.
- Specific topics to be addressed:
 - Crop selection – provide incentives for less water consumptive crops
 - More efficient use of water – use of other technologies, reuse water
 - Shortening the season – start irrigating later and stop irrigating earlier
 - Smart use of canal lining and center pivots (optimize influence on aquifer)
 - Pump-backs (including possible cost)
 - Canal system automation

Water Exchange with Southwest Idaho and/or Northeast Oregon

- Description: Using water from other basins tributary to the Snake River to meet downstream obligations, freeing up Upper Snake water for other purposes.
- Specific topics to be addressed:
 - Could water from other basins meet flow augmentation obligations?
 - Would new reservoirs be needed?

Measurement

- Description: Increasing measurement, monitoring, and enforcement of water regulations to encourage compliance and reduce consumptive use.
- Specific topics to be addressed:
 - How are water users and uses currently monitored and/or measured? (include metering)
 - State funding for improved monitoring
 - Role of exempt domestic wells – how much of an influence are they having?
 - Political acceptability

Groundwater Buyouts

- Description: Assessment on groundwater users used to pay for permanent retirement of acreage irrigated with groundwater, with values paid to land owners for retired acres based on seniority of water right.

Determine State's Responsibility

- Description: Determine the amount of water rights granted by the state past a point where those rights could reasonably be satisfied as a method for assessing the state's financial responsibility for management of the ESPA.
- Specific topics to be addressed:
 - Should state funds be used by buy down (or buy back) demand, both surface and groundwater?

Address Impact of New Development and Residential Use

- Description:
- Specific topics to be addressed:
 - “Dual pipe” systems: pressurized groundwater for drinking, and pressurized surface water for irrigation
 - Domestic well exemption limitations
 - Development of agricultural land into subdivisions – what happens to the water right?

Other Measures

Small Hydropower

- Description: Work with Idaho Power to develop ability to buy back power from small facilities within the ESPA (on irrigation canals). Could increase power generation, provide revenue, and make better use of water in existing facilities.

Storing Spring Water

- Description: Municipal demand varies, with peak demand in the summer months, primarily due to landscape water requirements. For cities with spring water rights, storing the excess water not needed in winter for summer peak may provide additional capacity.

Public Education

- Description: Educating members of the public about the importance of the ESPA and water conservation and management as a component of the CAMP.

Mitigation Plan Streamlining

- Description: Administrative reforms to make the process of developing and implementing mitigation plans smoother.

In addition to the above management alternatives, the Committee discussed the role of administrative curtailment. Jonathan reviewed the Framework description of administrative curtailment and facilitated the following comments:

- To accomplish our goal of balancing the aquifer for the future, curtailment will have to play a role unless weather patterns change.
- We need to strive to come up with 100% of what we need so we don't have to resort to curtailment. Curtailment is economic chaos for communities and the state. The only time we should include "curtailment" in our document is as a part of the phrase "alternatives to curtailment". We should strive to build strong policy that avoids curtailment.
- I don't think anyone wants to see curtailment, but we don't want to be naïve: Curtailment will fill the void of whatever we can't fill.
- Curtailment doesn't mean just groundwater curtailment; we are also talking about surface water curtailment. Surface water users have experienced curtailment involuntarily, which is why we made the call. Also economic loss of crops that can't be produced with less water. We don't want to experience curtailment either.
- The Department already has the tool of administration and curtailment; they don't need this process to develop that tool. Our time is better spent coming up with things other than curtailment – the Department already knows how to use that tool.
- CREP is curtailment (voluntary curtailment), and it is important that it meets its goal – we don't want to waste the effort that was spent coming up with that program. We should pursue that program to its ultimate.
- We need to keep pushing forward to allow counties that are at the limit of their CRP acres to be able to allow them to participate in CREP.
- We may have to define curtailment more carefully.
- Administrative curtailment is a specific thing – the department cutting you off because of priority date, the result of a call. It is not a management tool – it is what you do when your management tools fail to work.

QUESTIONS TO GUIDE MANAGEMENT ALTERNATIVES PRESENTATIONS

The Committee discussed the importance of receiving information during the management alternatives presentations that would allow for comparison of costs and benefits. The group developed the following list of questions to inform each presenter.

Important Management Alternative Information:

- Description of the management alternative
- Key vocabulary, including relevant regulatory or statutory definitions or provisions
- Potential water savings or water gain (acre-feet)
- Potential cost range (dollars)
- How much water would be required?
- Where does the water come from, and what are the implications for using that source?
- Impacts on other water resources, both surface and ground
- Impacts on associated infrastructure (would a canal system have to be widened?)
- Environmental impacts
- Economic Impacts
- Location where alternative would be effective – where have people discussed implementing these type of projects?
- A map or other visual representation of potential sites or key resources (canals, etc.) involved in the management alternative
- History – results of past efforts to implement similar actions
- Possible opportunities for and impediments to implementation
- Lessons learned from other states and from other locations in Idaho
- Maintenance requirements
- Maintenance cost for either a constructed facility, or an existing canal facility that will be utilized as a part of the management alternative
- Time frame
 - For implementation
 - Time until you see results
 - Time of the year when it would work
 - Time (no. of years) when it would be effective (how long would the project last?)
- Political viability
- “Players” necessary to implement
- Applicable State and Federal regulations
- Agency (state and federal) roles – regulatory, supervisory, etc.
- How do you measure success for this individual alternative? (How will the state know that this action helped?)

The facilitators will ask all presenters to provide copies of their presentation at the meeting in advance, to make it easier for all attending to follow and take notes. In addition, presenters will be encouraged to provide background material to the committee prior to the meeting.

MEETING PLANNING

The group decided on three management alternatives as topics for presentation and discussion at the August meeting, and three for the September meeting, as listed below. The group will address scheduling of the remaining topics at a future meeting.

August 23, 2007 (American Falls)

- Managed Recharge: Presentations by DEQ, IWRB (Brian Patton), BOR, and Idaho Power
- Incidental Recharge: Presentations by Water District 01; participation by NRCS
- CREP and other Voluntary Demand Reductions: Presentations by IWRB (Brian Patton), Farm Service Administration (Ron Abbott), IGWA (Lynn Tominaga), federal government representative (possibly Don Dixon from Sen. Mike Crapo's office); participation by NRCS

September 27, 2007 (Rexburg)

- Additional Surface Water Storage
- High-Lift Exchange
- Conservation

To be scheduled

- Conversions – Groundwater to Surface Water
- Site-Specific Supply Augmentation
- Weather Modification
- Water Exchange with Other Basins
- Measurement
- Groundwater Buyouts
- Determine State's Responsibility
- Address Impact of New Development and Residential Use
- Small Hydropower
- Storing Spring Water
- Public Education
- Mitigation Plan Streamlining