



**Eastern Snake Plain Aquifer (ESPA)
Comprehensive Aquifer Management Plan
Implementation Committee**

**Meeting Summary
Wednesday, June 10 2009
10 am – 5 pm
Idaho State Police Office, 218 West Yakima, Jerome ID 83338**

Agenda

1. Welcome - Director Dave Tuthill

2. Introductions and Agenda Review

3. Presentation and Discussion: ESPA Plan and Legislative Direction

Goal: Committee understanding of ESPA Plan and HB 264 (adopted the Plan)

4. Presentation and Discussion: Implementation Committee Operating Protocols and Work Plan

Goal: Committee agreement and finalization of Implementation Committee Operating Protocols and Work Plan

5. Discussion: Working Group Organization and Assignments

Goal: Introduce Working Group role and concept, IDWR/facilitation team staffing, and make Working Group assignments.

6. Discussion: Identification of Key Challenges and Obstacles to Accomplishing ESPA Plan Implementation

Goal: Committee discussion of implementation challenges and identification of strategies to overcome challenges

7. Next Steps and Meeting Scheduling

8. Public Comment

*All presentations made during the meeting can be found on the project website:
www.espaplan.idaho.gov*

1. Welcome - Board Member and Director Dave Tuthill

Dave Tuthill, Director of IDWR, welcomed the group to the first Implementation Committee meeting and congratulated them on their significant accomplishment. Director Tuthill outlined the following points, including:

- Gratitude for Implementation Committee members' involvement, work, and participation in the ESPA Comprehensive Aquifer Management Plan (CAMP).
- Affirm that ESPA work is not done yet, and IDWR supports the continued effort because it is of such a high priority.
- Highlight the critical step of CAMP implementation, including identifying a funding collection mechanism

The Director emphasized that the ESPA CAMP is the result of productive teamwork that paves the way for solving contentious water issues in a different, more collaborative fashion. The Director closed by telling the group how important the accomplishments of the ESPA Advisory Committee are, especially as the state engages more intensely in conjunctive management. Dave expressed his intent to continue to support the ESPA Plan process, as a private citizen.

2. Introductions and Agenda Review

Following group introductions, Jonathan Bartsch (CDR Associates) framed the context of the meeting, highlighting the events that led to the formation of the Implementation Committee. Initiated by the Idaho Water Resource Board (Board) to address issues related to the imbalance of supply and demand (Framework Plan), the Board formed the Advisory Committee that developed the CAMP which provides a general framework for managing the hydrologically connected Eastern Snake Plain system. Now, the Implementation Committee is tasked with recommending actions/projects to ensure Plan success in this first phase of implementation.

The group was asked to share their visions for what ESPA implementation success would look like on June 10, 2010. The following are highlights from the discussion:

- **Funding Mechanism:** An established funding mechanism is in place, the Implementation Committee and the Idaho Legislature support the mechanism, and there is money coming into the account. In order to ensure establishment of the funding mechanism, proposals need to be made by late August in coordination with the Interim Legislative Committee.
- **Prioritized Project List:** A prioritized list of projects/actions that will be ready for implementation once funding is available. Additionally, a set of criteria for screening and selecting between management action categories and projects and a set of guidelines for which projects/actions will be authorized by the Board have been developed.
- **Stakeholder Support:** Recommendations to the Board that are generally supported by all stakeholders.
- **Litigation:** The threat of litigation is diminished by Implementation Committee actions.
- **Near Term Actions:** Specific management actions have been implemented that have an immediate impact(s).

- **Meaningful Process:** The process continues to be “worth the time”, is meaningful and makes a significant difference in managing the system.
- **Recharge:** Fall and spring recharge has been accomplished. Stakeholders have clarity regarding potential liability for water quality contamination from recharge. Additionally, the differences between stakeholders regarding incidental recharge and the issue of ‘recognizing the value’ of incidental recharge means has been addressed.
- **Integrated:** The Committee has integrated information and key players from the technical and policy levels throughout the implementation process.
- **Framework:** A plan for “where to do what” over the next 3-5 years is set. Additionally, an administrative structure is in place that will oversee the ESPA Plan far into the future. This structure would institutionalize the process, so that the work outlives the work of Committee members.
- **Data:** Success also includes the identification of data, including monitoring and measurement that is needed to make informed decisions and to educate Legislative members on what changes may need to occur to current rules and legislation.

3. Presentation and Discussion: ESPA Plan and Legislative Direction

Jonathan reviewed the background and key components of the ESPA Plan. He noted that the Implementation Committee is charged with identifying ways to implement the Plan as compared to revisiting previously agreed upon issues.

4. Presentation and Discussion: Implementation Committee Operating Protocols and Work Plan

Jennifer Graham (CDR Associates) provided an overview of the Operating Protocols, and Work Plan. Jennifer worked through a number of issues, including purpose, charge and structure, and membership of the Working Groups. The Implementation Committee agreed to the changes in the Implementation Committee Operating Protocols (attached).

Discussion Points

- After reviewing the Draft Operating Protocols, Implementation Committee members recommended the following changes:
 - ◆ Under Section II. Implementation Committee Charge, members asked to remove the language “not to revisit previously addressed issues and/or questions.” Concern was expressed that, if an opportunity or project/action arises that does not fit into the Plan but could be a factor in Plan success, the Operating Protocols should not be so rigid that the new topic cannot be discussed. Therefore, the sentence now reads: “The Committee is charged with providing recommendations on how best to implement the ESPA Plan, as approved by the Board as a part of the State Water Plan.”
 - ◆ In Section IV. Implementation Committee – Working Groups, members expressed concern about the ability to participate in only two Working Groups. Implementation Committee members indicated interest in understanding what is happening in all Working Groups and to be able to participate in Working Group meetings. Monthly e-mails will be distributed providing an overview of Working Group meetings and

discussion topics. Additionally, all Implementation Committee Members are considered ex-officio members of the Working Groups.

- Implementation Committee members do not want meetings to become a dual between technical experts. Input from experts should be limited to technical advice and providing support for problem-solving efforts and not be disruptive. Finally, the preference is for technical experts to be invited to participate by the Working Group.
- Implementation Committee and Working Group meetings are public meetings. Generally public participation will be limited to the public comment period of the meeting.
- The facilitators will assist the Working Group to keep meetings focused, ensuring the appropriate level and timing of participation of Working Group members, ex-officio members, technical experts and other individuals.
- Board staff and Jonathan Bartsch will brief the Board regularly on Implementation Committee proceedings and will encourage Board members to actively participate in deliberations.
- Meeting notes will be brief and succinct, emphasizing the main points of discussion, agreements, and next steps so that they are cohesive and complete. Meeting notes and materials will be distributed at least 5 days prior to meetings.

5. Discussion: Working Group Organization and Assignments

Joan Kathol (CDR Associates) summarized the Working Group organization and assignments including information about the Working Groups and their purpose and responsibilities. After the overview, the five Working Groups held brief meetings to set agendas for the July Working Group meetings and to define any necessary roles and responsibilities that would encourage Plan success.

6. Discussion: Identification of Key Challenges and Obstacles to Accomplishing ESPA Plan Implementation

Jonathan Bartsch asked the group to identify key challenges and obstacles to accomplishing ESPA Plan implementation, and to share strategies for overcoming the challenges/obstacles. The following are highlights from the discussion:

- ***Funding:*** A number of challenges were identified for funding-related issues. They include: 1) establishing the funding mechanism and beginning collection, 2) educating constituencies about the importance of managing the resource and the need for funding, 3) acquiring the agreed upon \$3 million dollars annually from the State for Phase I, and 4) selecting among projects when funds are limited.
 - ◆ ***Strategies:*** For securing funds from the State, it was recommended to demonstrate the cost of ‘doing nothing’ with the use of economic data. Establishing a 2008 ESPA economic output benefit amount was encouraged.
- ***Demonstrating Benefits to Constituents:*** Constituent understanding and acceptance of implementation components is a critical factor to ESPA Plan success.
 - ◆ ***Strategies:*** Distribute information early so that constituents can clearly see the benefits of proposed projects/actions. This information should highlight a measured

benefit to them. Additionally, a cheat sheet of talking points should be developed that will help stakeholders to share the information (similar to Page 8 of the ESPA Plan).

- **Plan Coordination:** The work of others (agencies, municipalities/counties and others) should be considered and integrated throughout the Plan process in order to increase potential for success. It was noted that such coordination will be a challenging.
 - ◆ **Strategies:** The Implementation Committee and its individual members should encourage collaboration and consultations with other entities so that they are not left behind.

- **Establishing an Administrative/Support Framework:** While the Implementation Committee expressed interest in using Plan funds for implementation of projects, there was recognition of the need for an administrative framework to implement the program. It was noted that the Board staff is not currently staffed to handle Plan implementation (from a resource allocation perspective), and such costs for staff and oversight need to be included in Plan implementation budgeting. In order to have a program, an entity needs to be selected or designed. Some members felt very strongly that the Board staff should be the entity that implements the plan while other options were discussed, including having the program be contractor driven. Hal Anderson noted that the Board is open to ideas on how best to implement the program in the most effective fashion.
 - ◆ **Strategies:** A number of Implementation Committee members suggested use of an existing entity to be the administrative body for ESPA. Specifics include: IWRB/Board staff, the creation of an Aquifer Protection District or something akin to a Port Authority. Committee members felt that it will be important for the Board to ‘weigh in’ on their preferences early in the process for oversight/coordination of the process.

- **Additional Plan Components:** Since there is not a specific Working Group for the Additional Plan Components, it might be challenging to ensure that they are being addressed.
 - ◆ **Strategies:** Address this issue early and often at Implementation Committee meetings and appropriately include in Working Group meetings. In addition, ideas and strategies for addressing Additional Plan Components will be discussed at the next Implementation Committee meeting.

- **Program:** Much of the proposal generation work will be taking place in the Working Groups, and there is concern that the implementation phase may result in a series of projects/actions that are not cohesive.
 - ◆ **Strategies:** Identify necessary resources that will cover various projects/actions. Another strategy is to encourage Implementation Committee members to view recommendations with a comprehensive lens (rather than evaluate recommendations on merely an individual project basis).

- **Schedule:** Meeting the schedule is an important factor in Plan success and it may be challenging to make recommendations on schedule with the Work Plan.
 - ◆ **Strategies:** Revisit the Work Plan on a regular basis to determine if the Working Groups and Implementation Committee are on course.

- ***Staying Focused on the Purpose of the Implementation Committee:*** At times, Implementation Committee members or others may want to reopen issues/questions that were addressed in the Advisory Committee process.
 - ◆ ***Strategies:*** It may be necessary to revisit the ESPA Plan itself and the Operating Protocols to ensure that the Implementation Committee and the Working Groups are on task. The facilitation team will ensure that limited time is used wisely and that discussions fit within the Plan sideboards.
- ***Economic and Environmental Impacts:*** Each action has environmental and economic impacts. Climate change also affects the level of certainty related to some/all projects and actions.
 - ◆ ***Strategies:*** Information sharing with an implementation focus is an important strategy in the mitigation of environmental and economic impacts. In order to have a successful plan, these elements will be considered and included, consistent with the Plan objectives
- ***Technical Information:*** Throughout the implementation process, it may be challenging to get critical technical support and information.
 - ◆ ***Strategies:*** On each Working Group and present at each Implementation Committee meeting, there will be IDWR technical support staff. Additionally, stakeholders may elect to invite technical experts to meetings.
- ***Monitoring:*** An important step in implementation is monitoring, and can be challenging in some projects/actions. It indicates transparency and can demonstrate that money is being spent wisely. One committee member noted, “if you can’t monitor it you can’t manage it”
 - ◆ ***Strategies:*** Funding must be allocated for monitoring as part of the implementation recommendations.
- ***Water Supply:*** Reliable, long-term water supply is needed for actions including recharge and conversion-related projects. If the water supply is low, what will happen to implementation?
 - ◆ ***Strategies:*** Examine rental pool modifications.

7. Next Steps and Meeting Scheduling

Next Steps

Monthly emails will be sent to all Implementation Committee members providing an overview of Working Group meetings and discussion topics.

At the August Implementation Committee meeting, ‘Additional Plan Components’ will be on the agenda and discussed. A suggested list of additional plan components should be developed before the meeting, which can be finalized and distributed/integrated into the appropriate Working Group or Implementation Committee Work Plan.

Implementation Committee members are encouraged to send the following information to CDR Associates prior to the June 30—July 2 Working Group meetings if they would like to provide

input on Working Groups of which they are not a participant: 1) recommended tour sites, 2) issues to address, 3) recommendations for projects/actions, and 4) criteria for selecting projects/actions.

Scheduled Implementation Committee Meetings

- August 13, 2009 at Chubbuck City Council Chambers
- October 13, 2009 at TBD
- December 10, 2009 at TBD

Scheduled Working Group Meetings

June 30, 2009

Funding

2:00pm

Location TBD

July 1, 2009*

Conversions

9:00am-12:00pm

Demand Reduction

1:00pm-5:00pm

July 2, 2009*

Recharge

9:00am-12:00pm

Weather Modification

1:00pm-5:00pm

**Meetings on July 1st and 2nd will take place at the Idaho Department of Water Resources in Idaho Falls (900 N. Skyline)*

8. Public Comment

No public comment.

MEETING ATTENDEES

Implementation Committee Members

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|-----|---------|----------|--------------------------------|
| 1. | Hal | Anderson | IDWR |
| 2. | Peter | Anderson | Environmental and Conservation |
| 3. | Barry | Burnell | IDEQ |
| 4. | Rebecca | Casper | Land Developers |
| 5. | John | Chatburn | Governor's Office |
| 6. | Scott | Clawson | Groundwater Users |
| 7. | Lance | Clow | Municipalities/Counties |
| 8. | Tim | Deeg | Groundwater Users |
| 9. | Steve | England | Municipalities/Counties |
| 10. | Craig | Evans | Groundwater Users |
| 11. | Lloyd | Hicks | Surface Water Users |
| 12. | Steve | Howser | Surface Water Users |

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| 13. | Alex | LaBeau | Business |
| 14. | Linda | Lemmon | Spring Water Users |
| 15. | Albert | Lockwood | Surface Water Users |
| 16. | Randy | MacMillan | Spring Water Users |
| 17. | Roy | Mink | IWRRI |
| 18. | Brian | Olmstead | Surface Water Users |
| 19. | Don | Parker | Groundwater Users |
| 20. | Walt | Poole | Idaho F&G |
| 21. | Jeff | Raybould | Surface Water Users |
| 22. | Rich | Rigby | BOR |
| 23. | Steven | Serr | Counties |
| 24. | Dean | Stevenson | Groundwater Users |
| 25. | Dan | Temple | Mixed-Use |
| 26. | Jim | Tucker | Hydropower |
| 27. | Will | Whelan | Environmental and Conservation |

Other Attendees

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| 28. | Jonathan | Bartsch | CDR Associates |
| 29. | Jon | Bowling | Idaho Power |
| 30. | Cynthia | Bridge Clark | IDWR |
| 31. | Don | Dixon | U.S. Senator Mike Crapo's Office |
| 32. | Stephen | Goodson | Governor's Office |
| 33. | Jennifer | Graham | CDR Associates |
| 34. | Joan | Kathol | CDR Associates |
| 35. | Neeley | Miller | IDWR |
| 36. | Teresa | Molitor | Canals |
| 37. | Dave | Parrish | Idaho F&G |
| 38. | Brian | Patton | IDWR |
| 39. | Nate | Poppino | Times-News |
| 40. | Bill | Quinn | IDWR |
| 41. | Lyle | Swank | WD 1 |
| 42. | Lynn | Tominaga | Idaho Ground Water Appropriators, Inc |