Shaping the Future of the Rathdrum Prairie Aquifer:

A Situation Assessment and Options for Moving Forward

September 15, 2009

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COLLABORATIVE PROCESSES®

The University of Montana
Center for Natural Resources and Environmental Policy

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September 15, 2009

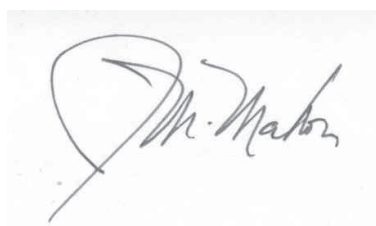
Greetings:

Collaborative Processes®, in association with the Center for Natural Resources and Environmental Policy, is pleased to present to you *Shaping the Future of the Rathdrum Prairie Aquifer: A Situation Assessment and Options for Moving Forward* ("Report"). This Report is based on a series of face to face and phone interviews with people interested in the long term future use and protection of the Rathdrum Prairie Aquifer.

The Report includes a discussion of the general areas of agreement and divergent perspectives of the interviewees. The Report also discusses the key issues and concerns, together with discussion of the options potentially available to address those issues.

After receiving comments on a draft version of the Report, we created and include in this Report, an Addendum that summarizes those comments. We will continue to receive comments during the Rathdrum Prairie CAMP process, and are happy to receive any further comments that you wish to present.

Sincerely,



Joseph P. McMahon Jr.
Manager, Collaborative Processes® LLC

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Contents

Executive Summary

The Spokane Valley-Rathdrum Prairie (SVRP) aquifer is a bi-state water resource that originates in Northern Idaho source waters and discharges to the Spokane River in northeastern Washington. The SVRP provides high-quality drinking water to more than 500,000 people in the two states. The Idaho portion of the aquifer is commonly referred to as the Rathdrum-Prairie aquifer. As illustrated in Appendix A, *Chronology of Major Events*, many initiatives have been taken over the years to facilitate the planning and management of the Rathdrum Prairie and SVRP aquifer.

The 2008 Idaho Legislature approved House Bill 428 and House Bill 644, establishing the Statewide Comprehensive Aquifer Planning and Management Program and the Aquifer Planning and Management Fund. This legislation authorized characterization and planning efforts for ten different basins in the next 10 years. In implementing this legislation, the Idaho Water Resources Board (IWRB) is committed to creating broad-based, inclusive Advisory Committees to help draft the comprehensive aquifer management plans in different regions throughout the state.

To initiate the Rathdrum Prairie Comprehensive Aquifer Management Plan (RP CAMP), the IWRB hired the facilitation team of Collaborative Processes® LLC – including Joe McMahon, Matt McKinney, and Daisy Patterson. The team's first step to facilitate the development of the RP CAMP was to complete a "situation assessment." The purpose of this assessment was to interview people with diverse viewpoints to learn about their interests and concerns related to water resources, identify issues that should be addressed in the RP CAMP, generate a menu of options from the interviews about how to address these various issues, and explore how people want to be involved in the development of the RP CAMP.

This report is a summary of interviews conducted in July 2009. It also builds on numerous conversations with IDWR staff, the consultant hired to complete the water demand study for the RP CAMP, and a review of various documents and reports related to the aquifer.

General Areas of Agreement

The interviewees seemed to share the following ten values and perspectives, which may serve as the foundation for a common vision of the future of the aquifer. These values and perspectives are not listed in any order of priority:

1. Preserve the region's quality of life.
2. Recognize that the communities in northern Idaho have an abundance of high quality water.

3. Maintain river and lake levels for a variety of outdoor recreation activities as well as the aesthetic beauty of the basin.
4. Take the long-view in terms of managing land and water in the region.
5. Manage water to promote responsible growth.
6. Protect existing water rights.
7. Recognize and seek to prevent potential threats to the aquifer.
8. Respect and seek to accommodate downstream needs and interests.
9. Promote voluntary, incentive-based efforts to conserve and reallocate existing water resources, thereby avoiding unproductive conflict and litigation.
10. Build on recent and existing examples of regional cooperation.

Divergent Perspectives

In addition to general areas of agreement, interviewees expressed a handful of divergent perspectives on some issues.

1. How and when to engage the State of Washington.
2. Who is entitled to what in terms of sharing water resources among sovereigns – Idaho, Washington, and the Coeur d'Alene and Spokane Tribes.
3. How to best treat wastewater to preserve water quality and quantity.

Issues and Options

The interviewees seem to agree that future use and management of the aquifer will be driven or influenced by the following nine factors:

1. Surface-Ground and quality-quantity interactions.
2. Water supply and availability.
3. Existing water uses and rights.
4. Wastewater treatment and disposal.
5. Water quality.
6. Land and water use, including demand driven by growth.
7. Coeur d'Alene Tribe's water rights.

8. Regional cooperation.
9. Civic and political will.

Each of these issues is described below, along with a range of options identified by interviewees on how to address each of the issues. Several interviewees also noted that additional options related to management of the aquifer are available in the *Groundwater Management Plan*. These interviewees suggested that some of the options presented in that plan should be reviewed, revised, and adapted to the issues identified herein.

In most cases, the options presented below for any given issue are not mutually exclusive. One or more options might be considered in addressing any particular issue. This presentation of issues and options is only a beginning. After creation of the Advisory Committee, that committee will want to review and refine this list of issues and options.

Information Needed to Develop the RP CAMP

The interviewees identified various information needed to develop a comprehensive plan for the aquifer. Although some of this information might be available from existing sources, other information or knowledge may need to be generated through original research and studies (including, perhaps, the ongoing water demand study).

The facilitation team organized the requested information according to seven categories:

1. Basic facts.
2. Population growth and development.
3. Aquifer hydrology and management.
4. Water rights.
5. Water quality.
6. Land use and water.
7. Regional cooperation.

Roles and Responsibilities

The development of the RP CAMP will be accomplished through a collaborative effort among a variety of individuals and organizations. It is absolutely critical to ensure a common understanding of the roles and responsibilities of these various actors from the beginning. As currently understood, the IWRB will make the final decision regarding the RP CAMP and the composition of the Advisory Committee. The IWRB staff will provide technical assistance and advice to the Board and the Advisory Committee throughout the development of the RP CAMP.

The Advisory Committee, once approved by the IWRB, will provide recommendations to the Board. Technical consultants hired by the IWRB will provide scientific and technical input to the Advisory Committee, including the IWRB. At appropriate places throughout the process of developing the RP CAMP, citizens will have an opportunity to provide input and advice to the Advisory Committee and the Board. Finally, the role of the facilitation team is to promote communication, understanding and agreement among all the individuals and organizations involved in developing the RP CAMP.

Public Participation

The Advisory Committee, in consultation with the Board, will develop a public information, education, and participation strategy as part of the work plan (please note that interviewees offered several suggestions along this line, and these ideas are reflected in the ground rules and work plan, Appendix D). In addition, the Advisory Committee should consider the public participation plan used to develop the Eastern Snake Comprehensive Aquifer Management Plan. If external guidelines are useful to the IWRB, its public participation strategy could be guided by the core values of the International Association for Public Participation.

Representation on the Advisory Committee

On September 8, 2009, the Idaho Water Resources Board Subcommittee on the Rathdrum Prairie Aquifer met in Coeur d'Alene. Staff from the Idaho Department of Water Resources, a member of the facilitation team from Collaborative Processes, and several members of the public joined us.

The primary purpose of the meeting was to discuss a strategy to create the Rathdrum Prairie (RP) CAMP Advisory Committee. This discussion was based on the findings in the draft report Shaping the Future of the Rathdrum Prairie Aquifer: A Situation Assessment and Options for Moving Forward.

The RP CAMP Advisory Committee should have representation from the following Categories of Interest. Each Category is more specifically defined in the body of this report. The Categories are not listed in any order of priority:

1. Water Providers
2. Wastewater Treatment Facilities
3. Utilities
4. Natural Resource Industries

5. Business, Real Estate and Development
6. Conservation
7. Recreation
8. Tribes
9. Local Government

In addition to the Advisory Committee, we recommend that state and federal resource management agencies should serve as an ad hoc resource network to the Advisory Committee – not as members of the Advisory Committee per se. These agencies will provide scientific, technical, legal, budgetary, and other information as appropriate.

The process of identifying and selecting representatives is explained in the body of this report.

Suggested Ground Rules and Work Plan

Appendix D presents the suggested grounds rules and work plan for the Rathdrum Prairie Comprehensive Aquifer Management Plan Advisory Committee.

Addendum

The purpose of this Addendum is to summarize the input and advice we received on the draft report – *Shaping the Future of the Rathdrum Prairie Aquifer: A Situation Assessment and Options for Moving Forward* ("Report"). Thank you to everyone that provided feedback. The Report was distributed to all the interviewees, people that were identified by interviewees as potentially having an interest in the project, and to key decision-makers – the Idaho Water Resources Board and area legislators.

Some of the feedback was largely editorial in nature, clarifying facts and such. We have incorporated those types of changes into the Report itself. Rather than change the substance of the Report itself, the Addendum summarizes the substantive feedback. Our experience is that this is a more effective and efficient way for people to review the nature of the feedback – rather than searching through the Report to see how or whether it has been changed.

The following comments are not listed in any order of priority. Rather, they are organized by substantive topic. Keep in mind that the following comments are the opinions of one or more people. They are not presented here as generally accepted facts per se.

Comments on Water Management in General

1. The river and lake recharge the aquifer in Idaho and then these source waters flow into Washington where they regulate them with the intent of gaining more control of both the quantity and quality of the water crossing the state line. While managing cooperatively is certainly a good idea, Idaho should be wary of giving up important sovereign rights to a pushy big brother that will dramatically affect long-term economics.
2. Reusing 100% of reclaimed water in Idaho would currently amount to about 10 cfs now and 40 cfs in the future max build-out. 100% reuse has never been achieved on large scales like this and 50% reuse would be a huge goal. Compared to the minimum flow negotiated over the Post Falls Dam of 600 cfs, these are modest to negligible effects in Idaho. Perhaps it would be a bigger issue in WA?
3. Until we can change the attitude of "we have plenty of water" you will not get cooperation. This will need to be mandatory to reduce water use.
4. The State of Washington has been involved in Watershed Planning in Water Resource Inventory Area 57, the Middle Spokane River. This process was started in 1998. Spokane County is the lead agency. While the process includes multiple stakeholders, it has not consistently included interests from Idaho. Hopefully the CAMP process will foster better collaboration between Idaho and Washington.

Comments on TMDLs

1. While any TMDLs will be based on modeled river flows, their enactment does not create any regulatory authority with respect to instream flow or water allocation. Someone might use a TMDL as the basis to challenge water right decisions, but that's just the use of lawsuit provisions of the Clean Water Act. The establishment of instream flows by rule would certainly impact water allocation. However, it's uncertain what such a rule-making in Washington would mean for Idaho decisions; furthermore, Idaho is not currently pursuing establishing such an instream flow.
2. Sometimes you need to be careful what you ask for. If the TMDL standards are set and prove to be too costly, the treatment facilities will be forced to look at other options which could remove the water from the river and divert to other locations.

Comments on FERC Dams

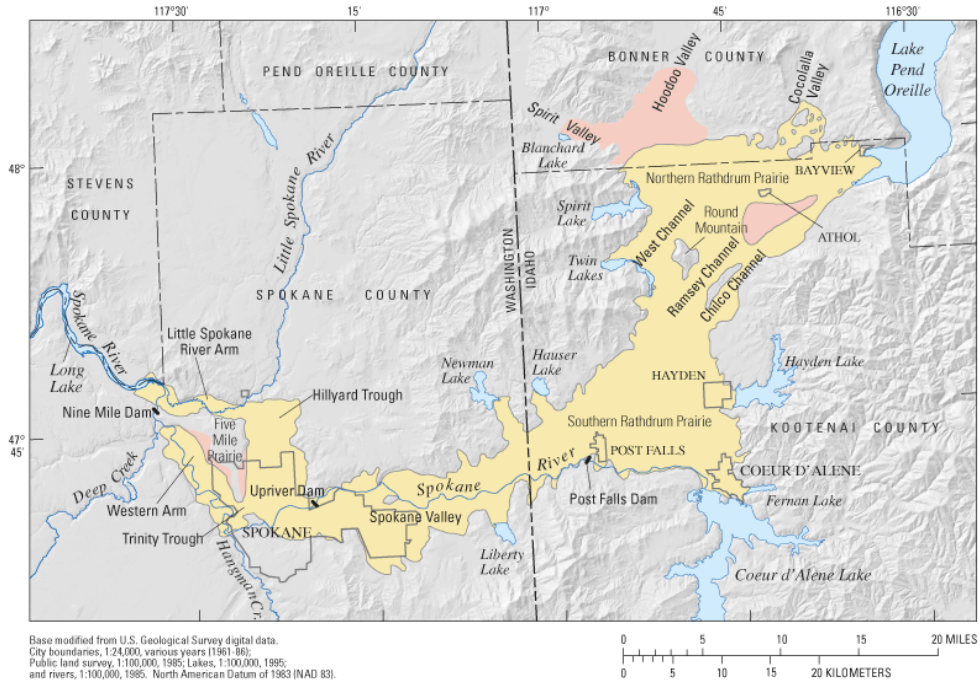
1. Only one FERC-licensed dam, Post Falls, impacts Spokane River flows downstream. It only impacts flows about half the year. New minimum flows, which typically come into play between July and Labor Day, have just been established in agreement with Idaho and Washington, and there is a process to monitor these new flows and modify as appropriate (this is all contained in the new FERC license). The flows could be modified up or down given that there is concern that increased summer flows below Post Falls would disrupt cold water refugia that trout use downstream.
2. Avista has a new FERC license in which the flows have been adjusted over the dams. To continue to adjust flows to a higher level over the dams, will have an affect on Lake Coeur d'Alene. When you start leaving docks high and dry, you will have a public outcry.

Comments on the CAMP Advisory Committee

1. Clarify whether there will be a technical committee separate from the Advisory Committee.
2. The new CAMP Advisory Committee appears to duplicate and override the standing Groundwater Management Plan's Advisory Committee. It may be wise – to keep things clear – to eliminate the Groundwater Management Plan Advisory Committee.
3. Make sure the CAMP Advisory Committee is not too large and includes a balance of representatives from all relevant stakeholders.

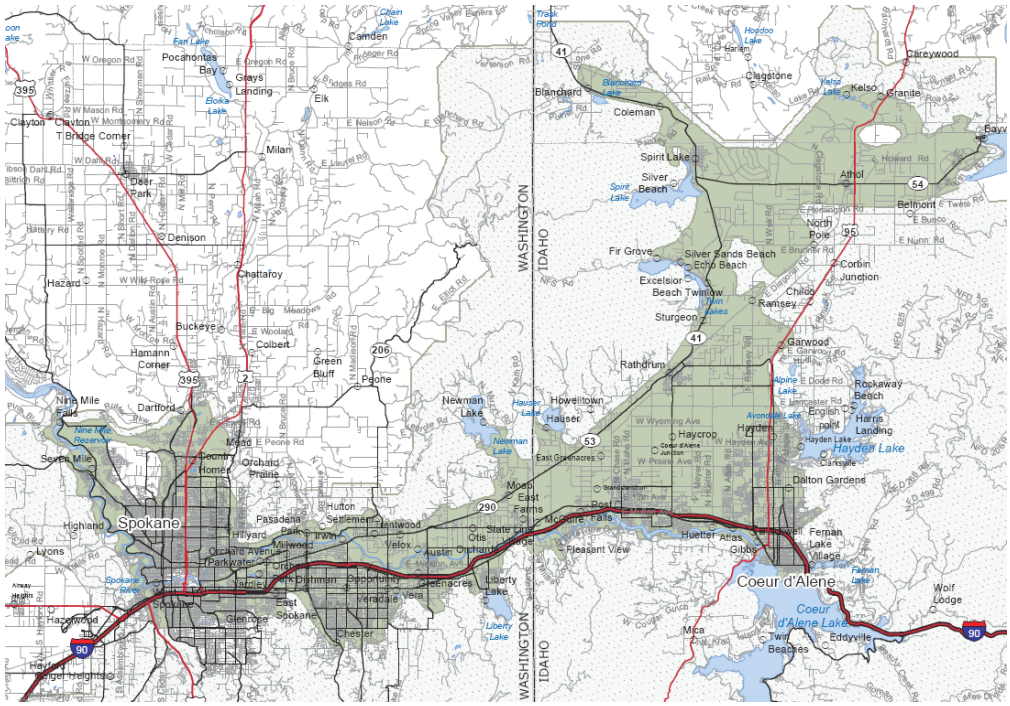
The Spokane Valley-Rathdrum Prairie Aquifer

The Spokane Valley-Rathdrum Prairie (SPRP) aquifer is a bi-state water resource located in northern Idaho and northeastern Washington (see maps below). The Idaho portion of the aquifer is commonly referred to as the Rathdrum-Prairie aquifer.



According to the 2003 Memorandum of Understanding between the Idaho Department of Water Resources (IDWR) and the Washington Department of Ecology:

> The Spokane Valley - Rathdrum Prairie (SVRP) aquifer represents the sole source of drinking water for over 400,000 residents in Spokane County, Washington, and Kootenai County, Idaho [Comments on this report indicate this number has grown to 500,000]. The area includes the rapidly growing cities of Spokane, Spokane Valley, and Liberty Lake, Washington, and Coeur d'Alene and Post Falls, Idaho. Recent and projected urban, suburban, and industrial/commercial growth has raised concerns about potential future impacts on water availability and water quality in the SVRP aquifer and Spokane and Little Spokane Rivers. Water resource concerns include growing demands on ground water and declining ground water levels, low stream flow in reaches of the Spokane and Little Spokane Rivers, and water quality problems associated with changing land use activities.



Management of the SVRP aquifer is complicated by the interstate, multijurisdictional nature of the aquifer. The states of Washington and Idaho have primary responsibility for water allocation and water quality. However, local governments are increasingly being called upon to consider water supply and quality implications in land-use planning. Water resource demands are increasing at a time when aquifer and river dynamics are not well understood. This understanding is essential in making proper management decisions concerning current and future ground water and surface water appropriations in the SVRP area.

The Rathdrum Prairie Groundwater Management Plan describes the Rathdrum Prairie aquifer as:

> [A] thick layer (as much as 600 feet) of coarse sediments (gravels, cobbles, and boulders) deposited by catastrophic flooding associated with the rapid draining of ancient lakes when ice dams broke This geologic feature extends southwest from the southern end of Lake Pend Oreille in northern Kootenai County, Idaho, past the Idaho-Washington border and then west towards Spokane, Washington, covering an area of about 320 square miles of which approximately 200 square miles are in Idaho.

The highly porous nature of the aquifer means that nearly all drainage from the surrounding tributaries immediately recharges the aquifer. The result is that the Spokane River is the only meaningful river or creek in the aquifer area. Because the Spokane River is largely perched over the aquifer, the river variously gains or loses water to the aquifer. In Idaho, the Spokane river is strictly a losing reach and remains so until the Barker Road bridge in Washington where the interchange of water begins with the aquifer. By Long Lake (or Lake Spokane), the aquifer has fully discharged into the river.

The combination of a highly porous aquifer, the interaction between surface and ground water, and the designation of the aquifer as a sole source drinking water (and the application of the Ground Water Quality Rule) supply not only create a unique hydrogeological situation, but also a very complicated water resources management regime.

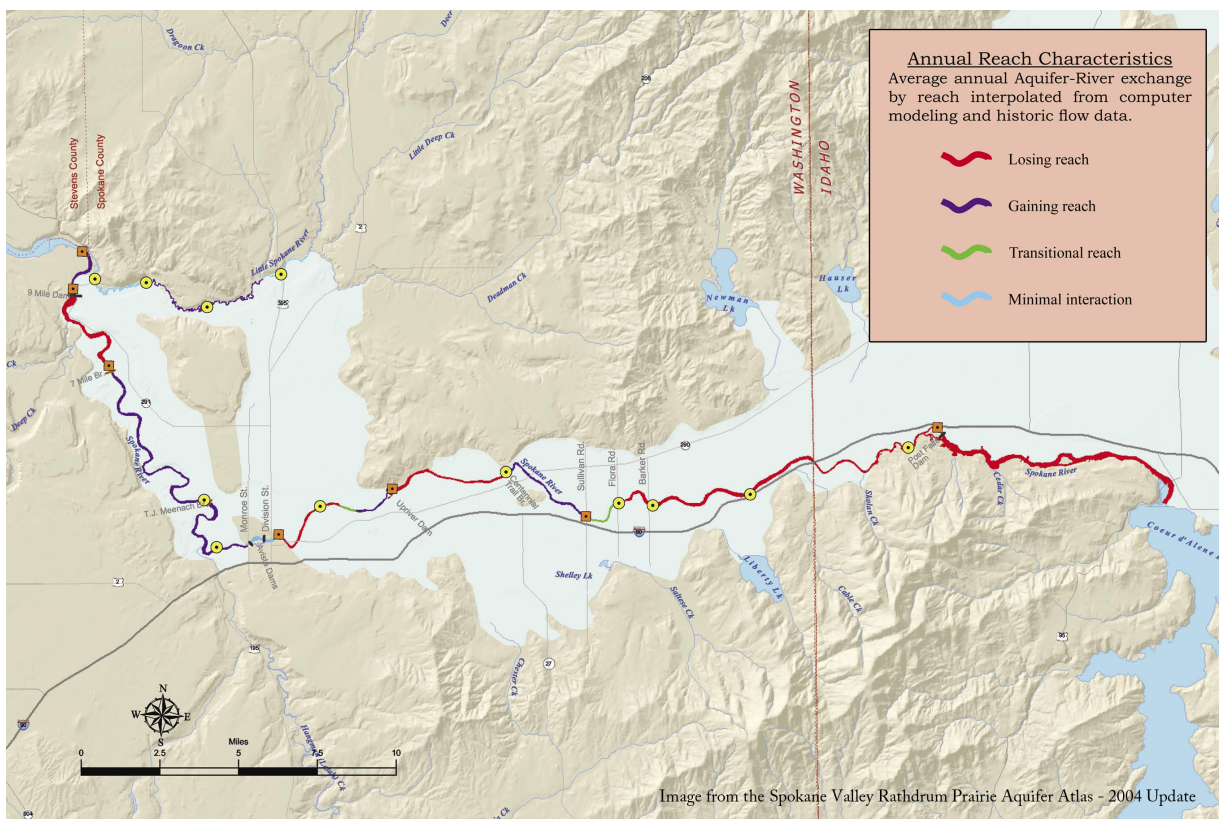


Image from the Spokane Valley Rathdrum Prairie Aquifer Atlas - 2004 Update

History of Management Efforts

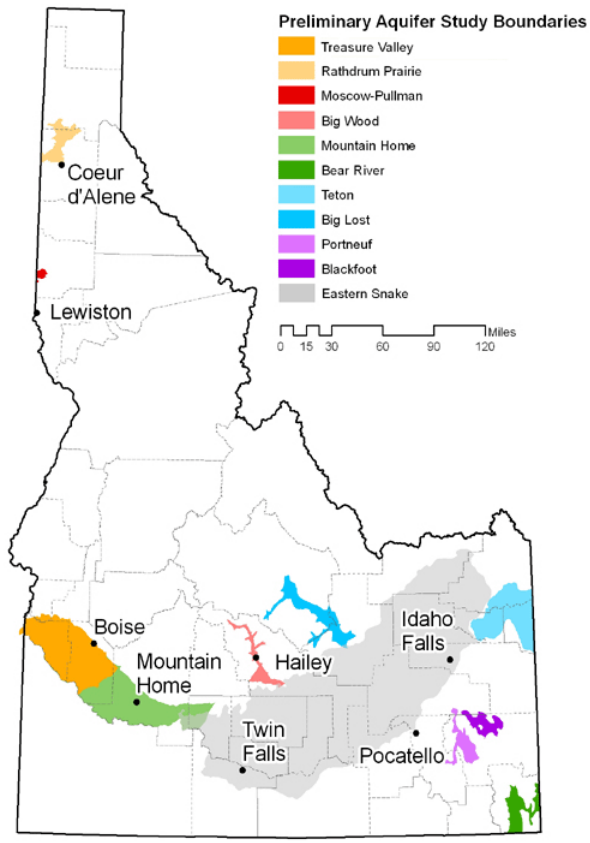
As illustrated in Appendix A, *Chronology of Major Events*, many initiatives have been taken over the years to facilitate the planning and management of the SVRP aquifer. The purpose of this *Chronology of Major Events* is to create a storyline of these efforts. It includes major decisions, scientific and technical studies, as well as civic and political dialogues.

Although this chronologywill continue to be updated as participants provide relevant information throughout the process, the chronology suggests that the development of the RP CAMP will be built on a solid foundation of previous scientific and technical studies, legal proceedings, political dialogue, and civic engagement activities.

Many interviewees applaud the Idaho Legislature and the IWRB for providing the leadership to develop a "comprehensive aquifer management plan" for the region. As explained more fully below, there are some divergent views on the precise meaning or scope of the aquifer management plan. That said, nearly all of the interviewees agreed that now is the best time to have this dialogue and to develop such a plan – to do it proactively before there is an acute water supply or water quality problem and affected parties become polarized.

The Situation Assessment

The 2008 Idaho Legislature approved House Bill 428 and House Bill 644 establishing the Statewide Comprehensive Aquifer Planning and Management Program and the Aquifer Planning and Management Fund. This legislation authorizes characterization and planning efforts for ten different basins in the next 10 years.



The Aquifer Planning and Management Program is designed to provide the IWRB and IDWR with the necessary information to develop plans for managing ground and surface water resources into the future.

The program has two phases:

1. A technical component to characterize the surface and ground water resources of each basin; and,
2. A planning component that will integrate the technical knowledge with an assessment of current and projected future water uses and constraints.

This program will culminate with the development of long-range plans for conjunctively managing the water resources of each basin. The program will integrate hydrologic realities with social needs. The water management plans will be designed to address water supply and demand issues looking out 50 years into the future. The program is intended to investigate strategies and develop plans that will lead to sustainable water supplies and optimum use of the water resources. The IWRB is committed to creating broad-based and inclusive Advisory Committees to help draft the comprehensive aquifer management plans in different regions throughout the state.

To initiate the Rathdrum Prairie Comprehensive Aquifer Management Plan (RP CAMP), the IWRB hired the facilitation team of Collaborative Processes, L.L.C. – including Joe McMahon, Matt McKinney, and Daisy Patterson. The team's first step to facilitate the development of the RP CAMP was to complete a "situation assessment." The purpose of this assessment was to interview people with diverse viewpoints to learn about their interests and

concerns related to water resources, identify issues that should be addressed in the RP CAMP, generate a menu of options on how to address these various issues, and explore how people want to be involved in the development of the RP CAMP.

This report is a summary of interviews conducted in July 2009. It also builds on numerous conversations with IDWR staff, the consultant hired to complete the water demand study for the RP CAMP, and a review of various documents and reports related to the aquifer.

To conduct the interviews, the facilitation team and the IWRB staff developed a list of eleven open-ended questions and a letter of introduction to potential interviewees (see Appendix B). The letter and questions were sent to approximately fifty people. Throughout the interview process, interviewees suggested several other people interested in and concerned about water management in the region.

The facilitation team did not interview every person identified due to time and resource constraints, as well as the availability (or lack thereof) of potential interviewees. The facilitation team distributed the draft of this report to all of the interviewees and those we tried, unsuccessfully, to interview. The list of interviewees and those who provided feedback on the draft is located in Appendix C. The facilitation team attempted to contact several additional people – including local and state elected officials, tribal representatives, and others. (Note: The draft report will be distributed to: (a) all of the interviewees; and (b) those people the facilitation team tried to interview). Most of the interviews were conducted face-to-face and lasted approximately 60 to 90 minutes. All interviewees were encouraged to contact the facilitation team after the interview with any further thoughts or questions.

This report presents the findings from the interviews, along with options on how to move forward – specifically, how to create the Advisory Committee and a preliminary set of ground rules and work plan for the committee. The interviews were not intended to statistically represent the views of any particular social group or sector, so the facilitation team made no effort to weigh one idea more than any other. Rather, the emphasis was on capturing the range of attitudes and perceptions of the interviewees, and to focus on "what was said, not who said what."

As mentioned before, the draft of this report was distributed to the interviewees, IWRB, and its staff. The facilitation team reviewed and integrated all input and advice on this draft report into the report addendum. The facilitation team met with the Rathdrum Prairie subcommittee of the IWRB on September 8, 2009, to discuss the composition of the Advisory Committee, along with the suggested ground rules and work plan. The facilitation team will meet with the full board on September 24-25, 2009, to have a similar conversation and receive direction on how to proceed. According to the suggested work plan, the facilitation team and the IWRB hope to convene the initial meeting of the Advisory Committee in October or November 2009.

Findings from Interviews

This section presents our findings from the interviews, organized according to the following sub-sections:

A. General Areas of Agreement

B. Divergent Perspectives

C. Issues and Options

D. Information Needed to Develop the CAMP

A. General Areas of Agreement

The interviewees seemed to share the following ten values and perspectives, which may serve as the foundation for a common vision of the future of the aquifer. These values and perspectives are not listed in any order of priority:

1. **Preserve the quality of life in the region**. To do this, citizens and officials need to protect the aquifer water quality because the vast majority of future domestic water use will come from ground rather than surface supply.
2. **Recognize that the communities in northern Idaho have an abundance of high quality water, although the timing and location are not always as needed.** Although this is a tremendous asset, it is also a liability of sorts in that it is difficult to educate citizens (some of whom may perceive nothing but an abundance of high quality water) about the need to actively protect both surface and ground water.
3. **Maintain river flow and lake levels** to provide for ecological integrity, a variety of outdoor recreation activities, and the aesthetic beauty of the basin.
4. **Take the long-view in terms of managing land and water in the region.** Avoid conflict and litigation over these issues by being proactive and comprehensive while simultaneously maintaining state sovereignty (i.e., to the extent feasible, manage the aquifer as one resource, not separated by state lines; and simultaneously address the linkages among surface and ground water, water quantity and quality, and land and water decision-making).
5. **Manage water to promote responsible growth** – that is, growth that respects the values and perspectives expressed in this list of general areas of agreement.
6. **Protect existing water rights** and work to provide water for future growth and development.

7. **Recognize and seek to prevent potential threats to the aquifer,** including but not limited to toxic spills, above and underground tanks, septic systems, and storm water/ urban runoff.
8. **Respect and seek to accommodate downstream needs and interests** including appropriately meeting water needs, addressing Total Maximum Daily Load (TMDL) requirements, and providing water as appropriate for fisheries and recreation.
9. **Promote voluntary, incentive-based efforts to conserve and reallocate existing water resources.**
10. **Build on recent and existing examples of regional cooperation** including but not limited to scientific and technical studies; well-established working relationships among state agencies in Idaho and Washington; the dialogue among mayors and other elected officials from Coeur d'Alene, Post Falls, and Spokane; the recent Spokane River hydropower project relicensing; and the emergence of the Spokane River Forum and other neutral forums for civic engagement and collaborative learning.

B. Divergent Perspectives

In addition to general areas of agreement, interviewees expressed a handful of divergent perspectives on some issues.

1. **How and when to engage the State of Washington** – As explained above, most interviewees seem to agree that the most responsible and effective approach to the long-term management of the aquifer is to appropriately manage it as one bi-state aquifer. In other words, it is better to engage all of the necessary stakeholders and decision-makers, including the State of Washington, in the development of the RP CAMP.

   That said, some interviewees wondered how and when to engage the State of Washington. The options – which are not necessarily mutually exclusive -- seem to range as follows:

   a. Include them as part of the Advisory Committee (assuming representatives from Washington want to play this active a role).
   b. Allow them to observe and comment on the proceedings, but do not include them on the Advisory Committee (this allows representatives to stay informed but play a more detached role).
   c. Set aside specific times for input and comment from Washington representatives.

d. Create opportunities for collateral processes where an Advisory Committee work group meets in Spokane for the express purpose of getting Washington input.

This issue is discussed later under the section on *Designing the Right Process to Develop the CAMP.*

2. **Who is entitled to what** – Some interviewees expressed a concern that – at least from the perspective of the public – there is some misunderstanding about the nature of the shared resource – both the aquifer and related surface water. Apparently, according to some interviewees, some people in Idaho believe that all of the surface and ground water in Idaho should be used first and foremost for the need of Idaho communities and residents. Not surprisingly, some people in Washington – according to some interviewees – believe that Idaho communities use too much water and that the communities in the State of Washington are entitled to some portion of both surface and ground water. This issue is further complicated by the general lack of public understanding related to the aboriginal and reserved water right claims of the Coeur d'Alene tribes.

3. **How to best treat wastewater –** Because of the nondegradation policy that governs management of the aquifer and the limited ability to dispose of wastewater into the Spokane River under the NPDES permitting system, some communities have started to treat and dispose of wastewater by applying it to the surface of land.

   Although this is apparently an acceptable and emerging practice, some interviewees expressed concern that land application of wastewater poses potential problems regarding:

   a. The availability of water at specific points in the aquifer/Spokane River;
   b. Contractual obligations of water purveyors who currently provide agricultural water in proposed application areas; and,
   c. Unpredictable effects on aquifer quality.

   Some interviewees said that land treatment of wastewater potentially increases depletions to both the aquifer and Spokane River system through increased use and evapotranspiration. Interviewees also noted that the nature of land treatment (e.g., irrigate new land vs. existing land, consumptive use of crop, location of irrigated land) will determine the potential depletive effect of such water use.

Although there are some divergent perspectives on this issue, nearly everyone seems to agree that the recently completed *Rathdrum Prairie Wastewater Master Plan* developed by JUB Engineers in 2008 provides an excellent source of information and suggestions on how to address this and related wastewater issues.

C. Issues and Options

The interviewees seem to agree that future use and management of the aquifer will be driven or influenced by the following nine issues:

1. Surface-ground and quality-quantity interactions.
2. Water supply and availability.
3. Existing water uses and rights.
4. Wastewater treatment and disposal.
5. Water quality.
6. Land and water use.
7. Coeur d'Alene Tribe's water rights.
8. Regional cooperation.
9. Civic and political will

Each of these issues is described below, along with a range of options identified by interviewees on how to address each of the issues. Several interviewees also noted that additional options related to management of the aquifer are available in the *Groundwater Management Plan*. These interviewees suggested that some of the options presented in that plan should be reviewed, revised, and adapted to the issues identified herein. The identification of any option below is not any form or endorsement. Rather, the list indicates that one or more interviewees proposed the option for consideration.

In most cases, the options presented below for any given issue are not mutually exclusive. One or more options might be considered in addressing any particular issue. This presentation of issues and options is only a beginning. After the Advisory Committee is created, it should to review and refine this list of issues and options.

Issue # 1 – Surface-Ground and Quality-Quantity Interactions

According to nearly all of the interviewees, the interaction of surface and groundwater – along with the inevitable connection between water quality and water quantity – is perhaps the most significant factor that will influence future management of the aquifer.

In many respects, this single issue encompasses all the other issues. To that end, it is perhaps most helpful to think of this issue as a theme that cuts across all of the more specific issues presented below.

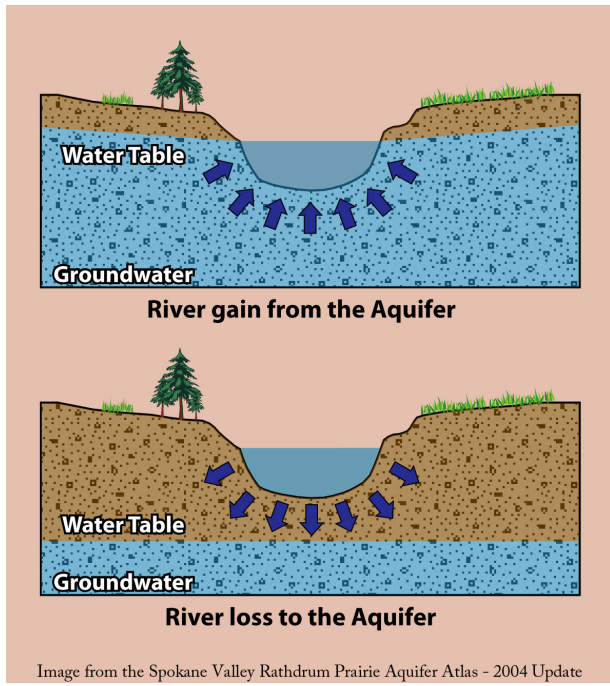


Image from the Spokane Valley Rathdrum Prairie Aquifer Atlas - 2004 Update

Options to Address Issue # 1

1. Reconvene some or all of the members of the advisory committee that created the *Groundwater Management Plan* to review the issues and options considered in that plan, and to evaluate the implementation and impact of proposed actions.
2. Create and use various scenarios to promote collaborative learning on this set of complex issues. The idea here is to use the information generated by the ongoing water demand study to run multiple scenarios to better understand the hydrological realities of the aquifer, the impact of various activities on the aquifer (including climate change), and the consequences of differing management options.
3. Review how other Western states have dealt with this mix of issues, particularly as related to a comprehensive aquifer management plan.
4. Review and consider all of the options presented below.

Issue # 2 -- Water Supply and Availability

Many interviewees explained that the current situation in the basin is not one of water shortage per se, but more a challenge of the availability of water when and where needed. The recent aquifer study completed by the USGS, Idaho and Washington concluded that, although the aquifer is not being mined, the flow in the river is decreased in different sections due to

seepage (see page 15 of *the Spokane Valley- Rathdrum Prairie Aquifer Atlas*). The Atlas suggests that there is a decline in Spokane River flow at both the Spokane River in Spokane and at Post Falls (see page 20).

According to interviewees, the declining river flow has many potential causes, including but not limited to, increased upstream water use, connectivity between surface and ground water, pumping for use in Washington, dam operations and climate change. This situation creates a number of associated problems.

1. First, this is a very complex hydrological issue. If and when the general public learns that there has been no decline of water in the aquifer, the most likely reaction is that "there is no problem of water supply in the region." Therefore, many of the interviewees strongly suggest a vigorous, long-term public information and education campaign. The message of this campaign, at least in part, is to explain: (a) the demands for water upstream and downstream; (b) the reality that, although legal claims for water rights in Lake Coeur d'Alene only account for about one-half of the available supply, the hydrological realities of delivering water to meet downstream requirements mean that very little (if any) water is available in the lake.
2. Second, after the State of Washington and the Environmental Protection Agency establish TMDL's and instream flow requirements for the Spokane River, these requirements may have an effect on the availability of water in Idaho. The interstate application of TDML is a complex issue that this Report does not purport to address. Avista recently settled a relicensing agreements for Spokane River Hydropower projects with the Federal Energy Regulatory Commission. The June 2009 agreement sets project operating procedures, including Coeur d'Alene Lake levels, for the next 50 years. This second problem is again confounded by hydrological complexities. Although it is reasonable to suggest that Idaho could deliver the necessary amount of water downstream to meet these TMDL and instream flow requirements, the porosity of the soils in the Spokane River means that most of the water that might be supplemented will be lost back to the aquifer before it reaches Long Lake. The question then is: What to do? What are the options to address this problem?

   Interviewees note that we must keep in mind that water supply is needed not only for TMDL and instream flow requirements, but also for anticipated population growth throughout the region (including municipal, commercial, and industrial water uses).

Options to Address Issue # 2

Although this long-term, thorny problem will most likely require some type of legally binding solution and future certainty, the interviewees offered a number of options:

1. Conserve water upstream through voluntary, incentive-based mechanisms as well as regulatory requirements. Some interviewees assert that more could be done immediately on conservation under existing programs/agencies – but note that the needed work in conservation has not happened. Some interviewees say a lot can be done in conservation without real "pain" to the consumers; no need to be harsh but just change the mental attitude about water usage.
2. Require a water use permit for all future wells and uses of groundwater.
3. Augment the supply of water in the aquifer (and therefore the River) through re-use or scenarios such as pumping water from Lake Pend Oreille to recharge the aquifer during the winter months to make it available to recharge the River in the late summer months.
4. Explore other ways to augment Spokane River flows where and when needed.
5. Manage population growth upstream.
6. If feasible, require Avista to adjust flows in their dams.
7. Re-allocate existing uses through voluntary, market-based mechanisms.
8. Impose volume limits on different water uses.
9. Explore the feasibility of artificial recharge/aquifer storage.
10. Re-use water (purple pipe) recognizing that reuse may divert water around some river stretches.
11. Relocate some pumping so that the depletive effects on the River are not as immediate (such as during Summer and Fall when River flows are low).

Assuming water is available in Lake Pend Oreille, option 3 above might be desirable because it could perhaps help satisfy TMDL and instream flow needs in Washington and allow the communities in Idaho to continue using water and thereby grow and develop. However other interviewees suggest that this option is not practical and merely transfers depletions. As previously noted, this Report does not purport to address the issue of the interstate effects of TMDLs.

Issue # 3 – Existing Water Uses and Rights

Many interviewees explained that identifying and quantifying existing water uses and rights is critical to effectively plan and manage the RP Aquifer. Although this issue is complicated in and of itself, it is considerably more challenging given the nature of the shared resource. Quantification effectively creates a debate about the water entitlements of sovereign entities (Idaho, Washington, and the Coeur d'Alene and Spokane Tribes).

Idaho has begun its adjudication and Washington is apparently getting ready to start a water adjudication process. According to some interviewees, there is some resistance in Washington to water adjudication, and that quantification of Washington water rights will be very challenging.

Options to Address Issue # 3

1. Complete the water adjudication process in both Idaho and Washington as soon as possible.
2. Complete negotiation over aboriginal and reserved water right claims by the Coeur d'Alene Tribe as soon as practicable.
3. Create a series of aquifer management options based on alternative scenarios in terms of how the adjudication processes in these various jurisdictions play out.
4. Address the interstate management of the aquifer through one or more of the options presented below under Issue # 7– Regional Cooperation.
5. Monitor and measure all water uses.

Issue # 4 -- Wastewater Treatment and Disposal

Another major driver that will influence the future use and management of the aquifer is the ability to treat and dispose of wastewater in both Idaho and Washington.The designation of the aquifer as a "sole source" by the Environmental Protection Agency (EPA), the State of Idaho's applicable rule (IDAPA 58.01.11) , and Department of Environmental Quality's reference to "sensitive resource aquifer" effectively prohibit any degradation of the water quality in the aquifer unless, according to the anti-degradation policy, there are overriding social and economic benefits.

To compound this problem, the issue of TMDL (i.e., dissolved oxygen and phosphorous levels) and instream flow requirements being considered by the EPA and Washington (which apparently are designed to meet fish habitat and other aquatic health requirements) will limit the ability of upstream residents and communities to discharge wastewater into the Spokane River. Moreover, efforts in Washington to replace septic systems with wastewater collection and treatment systems may deplete flows in some reaches of the Spokane River because water will be routed to central treatment facilities.

Taken together, the limited capacity to treat and dispose wastewater into the Spokane River and/or aquifer pose another significant influence on the future use and management of the aquifer. That said, many communities do have National Pollutant Dischage Elimination

System (NPDES) permits to discharge wastewater into the Spokane River.

Options to Address Issue # 4

1. Improve water treatment facilities to meet or exceed the standards required to receive an NPDES permit.
2. Appropriately treat and reuse wastewater.
3. Apply wastewater to land. Many interviewees claim that this will ultimately degrade water quality in the aquifer and is generally an unacceptable social use of land. In both Idaho and Washington where and when septic systems are or will be replaced by piped wastewater treatment, the conversion to community wastewater treatment may cause some river reaches to lose additional flow when water is directed to downstream treatment through collections systems.
4. Limit or prohibit on-site sewage disposal for smaller lots. Based on the number of septic tanks and the rate of discharge, this option may create a more significant impact if applied in Washington than Idaho.

Several interviewees said that, although it may be difficult to protect water quality by treating and disposing wastewater, the issue is simply and ultimately a matter of cost. Such interviewees state that communities can meet water quality standards as long as they are willing to pay the associated costs. Once again, the wastewater report completed in April 2009 seems to have credibility among interviewees and clearly maps this problem and the options on how it might be addressed.

Issue # 5 – Water Quality

In addition to treating and disposing wastewater, many interviewees suggested that another important factor that will influence future use and management of the aquifer is the broader issue of water quality. Most interviewees said that nearly all communities in the region rely on water from the aquifer that currently needs no regular treatment before it is distributed and used. Because nearly all domestic water uses come from pumped wells, the health of the aquifer is of paramount importance.

Water quality concerns seem driven by septic tank usage and other threats of aquifer pollution. Some concerns have been expressed about the pollution risks from above and underground storage tanks (such as fuel and oil), the BNSF fuel facility, proposed Lake CDA dredging operations or actions to try to remove pollutants from the bed of Lake CDA, a proposed EPA repository, and reductions in River recharge causing increased steam flow temperature

harming the fishery. One interviewee referenced storm water management was a water quality issue significant for the river and the aquifer.

Options to Address Issue # 5

1. Other Options addressed in other more specific water quality Issues.
2. Monitor and measure water quality in Lake Coeur d'Alene and the Spokane River including, perhaps, the use of "citizen science" programs.

Issue # 6 -- Land and Water Use

Nearly all of the interviewees explained that the future use and management of the aquifer will be determined, at least in part, by the degree to which land and water use decisions are linked or at least better coordinated. Interviewees explained that -- as with nearly all Western states -- water rights/availability and land use/growth management are considered by separate agencies or levels of government, thereby making it difficult to coordinate, if not integrate, land use and water decisions.

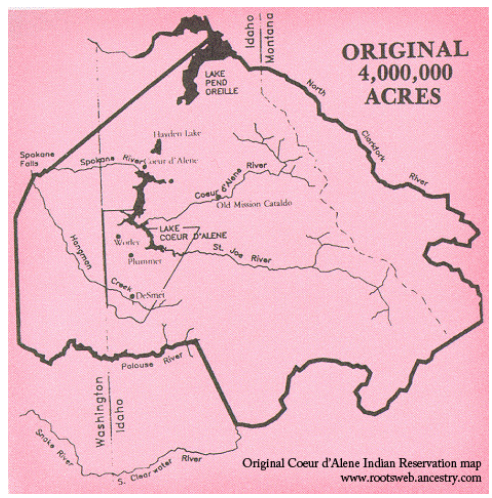
Options to Address Issue # 6

1. Use the emerging Kootenai County Comprehensive Land Use Plan as a vehicle to help facilitate the integration of land and water decisions. This plan, which may be completed within 2009, will set priorities and guidelines for land use and development in the county. According to some interviewees, this plan could direct growth and development in ways that reduce water use and improve wastewater treatment and disposal. It might also clarify the most desired places for growth in light of water quality and quantity concerns. And it could coordinate land use and monitor potential impacts of land use on water quantity and quality.
2. Require future development proposals to demonstrate that the proposing entity has secured water rights as a condition for receiving the necessary permits for development.
3. Regulate land and water uses when and where necessary (including both local and state).
4. Acquire conservation easements on agricultural land to preserve open space and direct growth to appropriate places.
5. Impose a fee to use water from the aquifer for selected purposes.

6. Facilitators note: Other options to address this issue are presented in *Bridging the Governance Gap: Strategies to Integrate Water and Land Use Planning* (Policy Report # 2, Public Policy Research Institute 2007) – available at www.cnrep.org/publications.

Issue # 7 -- Coeur d'Alene Tribe's Water Rights

Another important variable that will influence the future use and management of the aquifer is the aboriginal and reserved water rights claimed by the Coeur d'Alene Tribe



Options To Address Issue # 7

1. At a minimum, be aware of this issue and consider it in developing the RP CAMP.
2. As appropriate, learn more about the potential water rights claims and develop one or more scenarios on how those rights might affect future use and management of the aquifer.

Issue # 8 -- Regional Cooperation

Several interviewees explained that – because the aquifer and the Spokane River basin is a shared resource between three sovereigns (CDA Tribes, Idaho, and Washington), the long-term use and management of water quantity and quality would require regional, trans-boundary cooperation. Many interviewees explained that any approach to managing the aquifer (or any other water resource in the region) that does not embrace a genuinely regional perspective "will not work."

The good news here, according to almost all interviewees, is that the region has and is developing a number of collaborations, forums, and studies that focus on the aquifer as a shared resource. Some, if not most, of these regional assets are presented in the Chronology of Major Events, Appendix A. The point here is that there is significant momentum and an emerging infrastructure to promote and support regional cooperation.

The flip side is that this issue often sparks conversations about litigation and compacts – which tend to make everyone quite nervous. The concerns expressed by interviewees over a formal compact include, among others: (a) the need for federal involvement and approval; and (b) the perceived inflexibility of compacts to adapt to changing local circumstances. Some interviewees expressed a sense that, although there is a single aquifer, politics and revenue get in the way – they assert that some officials want to say "I fought for our water" rather than

seeking long-term, regional solutions to management of a shared aquifer.

Options to Address Issue # 8

1. Build on existing working relationships within the region.
2. Build on existing and emerging forums and studies (see Appendix A, Chronology of Major Events for a review of these forums and studies).
3. Promote regional communication, understanding, and cooperation by allowing the development of the RP CAMP to unfold in a way that promotes inclusive participation, informed dialogue, and transparency.
4. Identify and implement water management solutions that meet the needs and interests of both Idaho and Washington – for example, water conservation.
5. Promote new opportunities for regional dialogue and deliberation on water issues, such as through groups such as the Spokane Joint Aquifer Board and/or the Spokane River Forum.
6. Explore the range of options available to jointly manage a shared water resource.

Many of the interviewees concluded by saying that there is little if any need to rush toward more formal mechanisms (such as litigation and compacts) before building a culture of cooperation through more informal mechanisms (such as conferences, joint studies, etc.). Contrary to many other viewpoints expressed, one interviewee believed that a compact was the proper solution.

Issue # 9 -- Civic and Political Will

The final driver influencing future management of the aquifer is civic and political will. The development and implementation of a comprehensive aquifer management plan – including guidelines for both land and water management – will only be as effective as the civic and political will to take action, coupled with following through on needed actions.

Some interviewees said that the responsible agencies in Idaho need to move beyond a fear of citizen complaints and focus on larger, more enduring public trust responsibilities. By contrast, some interviewees expressed a belief that traditional water users are entitled to pump as they wish without regard to effect and waste.

Options to Address Issue # 9

1. Encourage state agencies and elected officials to continue meeting to build a shared political commitment to water resources.

2. Develop and implement a regional public information and education campaign to increase awareness of the value, threats, and future of the aquifer. Distribute information via water bills; television and radio media; interactive web-based tools such as a blog and/or a Facebook page; and signs such as "Welcome to the Watershed" and/or "The aquifer is XX feet below your feet."
3. Convene an ongoing "regional" forum to exchange information, build relationships, and explore opportunities to work together.
4. Use the Spokane River Forum (particularly their annual conference) as a way to raise public awareness and understanding

D. Information Needed to Develop the CAMP

The interviewees identified various information needed to develop a comprehensive plan for the aquifer. Although some of this information might be available from existing sources, other information or knowledge may need to be generated through original research and studies (including, perhaps, the ongoing water demand study).

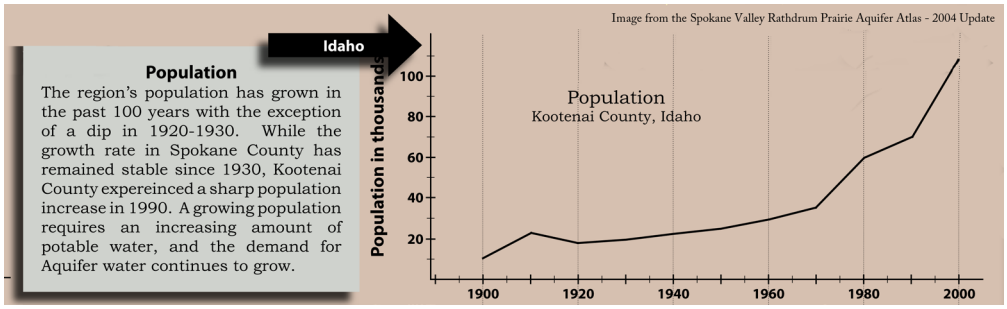
The facilitation team organized the requested information according to seven categories:

Basic Facts

- How much water is currently allocated and/or used per sector (agriculture, domestic, commercial, etc)?
- How much water is provided by whom and to what end?
- How can the relationship between surface and groundwater in the basin, determined by the USGS model, be better communicated to the general public?

Population Growth and Development

- What is the most likely scenario in terms of population growth and development in the region?
- How much water will be needed to meet future demands (domestic, commercial and industrial, agriculture, recreation, and environment)?
- What is the carrying capacity of the basin? That is, how many people can the basin support in a sustainable way given existing water supplies and other constraints (such as wastewater treatment and disposal and the desire to not "mine" the aquifer)?



Aquifer Hydrology and Management

- What is the recharge rate of the aquifer?
- How and why does the recharge rate vary?
- What are the most feasible options to recharge the aquifer?

Water Rights

- What is the difference between the amount of water people have a legal right to use and the amount of water actually used?
- What is the meaning and likely use/effect of the City of Spokane inchoate water rights?
- What is the status of Tribes reserved water rights negotiations and settlements?

Water Quality

- What is the impact of heavy metal migration and contaminants of concern on the aquifer and river system?
- What are the most feasible options to treat and dispose of wastewater in the basin?

Land Use and Water

- What are the options to better integrate land and water decisions?

Regional Cooperation

- What are the options to promote regional communication, cooperation, and joint management of a shared water resource?

Designing the Right Process to Develop the CAMP

This section summarizes some of the most important elements of the draft ground rules and work plan, which is presented in Appendix D.

A. Roles and Responsibilities

The development of the RP CAMP will be accomplished through a collaborative effort among a variety of individuals and organizations. It is absolutely critical to ensure a common understanding of the roles and responsibilities of these various actors from the beginning.

As currently understood, the IWRB will make the final decision regarding the RP CAMP and the composition of the Advisory Committee. The staff of the IWRB will provide technical assistance and advice to the Board and the Advisory Committee throughout the development of the RP CAMP.

The Advisory Committee, once approved by the IWRB, will provide recommendations to the Board. Technical consultants will provide scientific and technical input to the Advisory Committee, including the IDWR.

At appropriate places throughout the process of developing the RP CAMP, citizens will have an opportunity to provide input and advice to the Advisory Committee and the Board.

Finally, the role of the facilitation team is to promote communication, understanding and agreement among all the individuals and organizations involved in developing the RP CAMP.

B. Public Participation

The Advisory Committee, in consultation with the Board, will develop a public information, education, and participation strategy as part of the work plan (please note that interviewees offered several suggestions along this line, and these ideas are reflected in the ground rules and work plan, Appendix D). In addition, the Advisory Committee should consider the public participation plan used to develop the Eastern Snake CAMP.

If external guidelines are useful to the IWRB, its public participation strategy could be guided by the core values of the International Association for Public Participation. Those are as follows:

- Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
- Public participation includes the promise that the public's contribution will influence the decision.

- Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
- Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
- Public participation seeks input from participants in designing how they participate.
- Public participation provides participants with the information they need to participate in a meaningful way.
- Public participation communicates to participants how their input affected the decision.

C. Representation on the Advisory Committee

On September 8, 2009, the Idaho Water Resources Board Subcommittee on the Rathdrum Prairie Aquifer met in Coeur d'Alene. Staff from the Idaho Department of Water Resources, a member of the facilitation team from Collaborative Processes, and several members of the public joined us.

The primary purpose of the meeting was to discuss a strategy to create the Rathdrum Prairie (RP) CAMP Advisory Committee. This discussion was based on the findings in the draft report *Shaping the Future of the Rathdrum Prairie Aquifer: A Situation Assessment and Options for Moving Forward*.

The purpose of this section is to synthesize the conversation at that meeting, and to propose recommendations to the Idaho Water Resource Board on how to create the Advisory Committee. We – the facilitation team – have tried to integrate the issues and concerns raised at the meeting on September 8, 2009 and to build on the input and advice we received during the interviews in July 2009.

Categories of Interest

The RP CAMP Advisory Committee should have representation from the following Categories of Interest. Each Category is more specifically defined below. The Categories are not listed in any order of priority:

1. Water Providers
2. Wastewater Treatment Facilities
3. Utilities
4. Natural Resource Industries

5. Business, Real Estate, and Development
6. Conservation
7. Recreation
8. Tribes
9. Local Government

Ad Hoc Resource Network

In addition to the Advisory Committee, we recommend that state and federal resource management agencies should serve as an ad hoc resource network to the Advisory Committee – not as members of the Advisory Committee per se. These agencies will provide scientific, technical, legal, budgetary, and other information as appropriate. The following state and federal agencies were identified as potential members of the network (and others may be added as the process moves forward):

- Idaho Department of Water Resources
- Idaho Department of Environmental Quality
- Idaho Department of Lands
- Idaho Department of Fish and Wildlife
- Idaho Panhandle District
- Lake Pend Oreille/Priest River Basin Commission
- Federal Energy Regulatory Committee
- US Army Corps of Engineers
- US Bureau of Land Management
- US Bureau of Reclamation
- US Environmental Protection Agency
- US Fish and Wildlife Service
- US Forest Service
- US Geological Survey

In order to engage the interests in Washington, we recommended that the following interests also serve on the Ad Hoc Resource Network:

- Washington Department of Ecology
- Spokane County
- City of Spokane
- Spokane Tribe

The Spokane River Forum may also be a potential participant in this network.

We also recommend that various statewide associations should be kept informed throughout the process, and that the Advisory Committee should seek their input and advice. These associations include, but are not limited to the following:

- Idaho Association of Commerce and Industry
- Idaho Farm Bureau
- Idaho Forest Industries Association
- Idaho Mining Association
- Idaho Water Users Association

Groups and Number of Representatives

During the interviews and the meeting on September 8, 2009, we asked people to identify groups that could potentially represent various Categories of Interest. The following list presents the groups by Category of Interest. Please note, however, that some groups may feel more comfortable in a different Category of Interest.

As explained in more detail below under the section on Nominations, we recommend that the groups within each Category of Interest (and others which may be identified) should work together and nominate the number of representatives identified below. If the groups cannot agree on whom might best represent the collective interests of that Category of Interest, the Idaho Water Resources Board would be compelled to make that decision.

As presented here, the Advisory Committee would be composed of 13-20 people representing nine Categories of Interest and multiple groups or organizations. While the Subcommittee and other people have raised concerns about the Advisory Committee getting too large and unworkable, we believe that a group of 20 people (plus or minus) is manageable assuming that the ground rules (particularly the roles of responsibilities of the representatives and the decision-making rule) are clear.

1. **Water Providers – 2-3 representatives**
    - Avondale Irrigation District
    - Dalton Gardens Irrigation District
    - East Greenacres Irrigation District
    - Hayden Lake Irrigation District
    - North Kootenai Water District
    - Spokane Joint Aquifer Board
2. **Wastewater Treatment Facilities – 1 or 2 representatives**
    - Hayden Area Regional Sewer Board
    - JUB Engineers
3. **Utilities – 1 representative**
    - Avista
4. **Natural Resource Industries – 1 or 2 representatives**
    - Agricultural interests (i.e.,Meyer Family)
    - Hecla
    - Kootenai-Shoshone Soil and Water Conservation District
    - Panhandle Lakes Resource Conservation and Development Council
    - Stimson Lumber
5. **Business, Real Estate and Development – 2 representatives**
    - Coeur d'Alene Chamber of Commerce
    - Jacklin Land Company
    - North Idaho Chamber of Commerce
    - North Idaho Business Contractors Association
6. **Conservation – 2 representatives (there may be some overlap with recreation)**
    - Center for Justice
    - Friends of the Spokane River

- Idaho Rivers United
- Kootenai Environmental Alliance
- Lands Council
- Sierra Club
- Spokane River Keepers
- Trout Unlimited
- United Citizens for Responsible Growth

7. Recreation – 1 representative

- Coeur d'Alene Canoe and Kayak Club
- Coeur d'Alene Lake Property Owners Association
- Ducks Unlimted
- North Idaho Fly Casters
- N. Idaho Maritime (Tug fleet on Lake CDA)
- Spokane River Property Owners Association
- Spokane Yacht Club

8. Tribes – 1 representative

- Coeur d'Alene Tribe

9. Local Government – 2-6 representatives

- Coeur d'Alene
- Hauser
- Hayden
- Kootenai County (including the Aquifer Protection District)
- Post Falls
- Rathdrum
- Spirit Lake

Nominations

Assuming the Categories of Interest capture the full range of interests associated with the aquifer, and that the groups presented above adequately represent the different Categories of Interest, Collaborative Processes is willing to contact one or more people within each Category of Interest and ask them to:

1. Contact the other groups within that Category;
2. Organize the Category in such a way that all of the groups within that Category have an opportunity to nominate representatives for that Category.
    a. The goal here is to both limit the number of people at the table, but also ensure that the groups within each Category of Interest are comfortable with who is representing their interests on the Advisory Committee.
    b. As a practical matter, the representatives for each Category of Interest will be responsible for maintaining ongoing communication with all the groups in that Category; informing and educating them about the progress of the Advisory Committee; seeking their input and advice as the process unfolds; and clarifying areas of agreement and disagreement among the groups.
3. Report back to Collaborative Processes:
    a. Who are the nominations?
    b. What groups are committed to the process?

Subcommittee Recommendation

The Subcommittee recommends that the composition of the Advisory Committee remain somewhat flexible as new issues and/or interests emerge.

Upon review and discussion of these recommendations, the Subcommittee suggests the Idaho Water Resources Board (IWRB) provide direction to Collaborative Processes as to how to proceed – e.g., to go forth, solicit nominations for representatives from each Category of Interest, and to report as soon as possible to the Subcommittee.

The Subcommittee will reconvene and provide recommendations for establishment of the RP CAMP Advisory Committee and recommend names to the IWRB for appointment to the advisory committee.

Conclusions

Citizens, stakeholders, and officials are well positioned to create an effective comprehensive aquifer management plan for Rathdrum Prairie. Based on the facilitation team's experience with similar water issues throughout the American West, the people, communities, and agencies interested in and responsible for managing water in northern Idaho and northeastern Washington are well ahead of the curve.

In most communities and watersheds throughout the West, the tendency is to wait until some acute water problem needs attention (and parties become polarized) before the right people mobilize and engage each other in a search for solutions. In this respect, the development of the RP CAMP is proactive and visionary – designed to anticipate future needs and opportunities and to create an adaptable plan to meet both current and future interests.

In addition to taking a proactive approach to managing the aquifer, nearly all of the interviewees expressed a genuine desire and capacity to work together in developing the RP CAMP. Although there are some differences of opinion, most if not all interviewees share a desire to avoid the crisis in the Eastern Snake Plain Aquifer. This collective commitment seems to be built on a history of regional and community cooperation, which provides a solid foundation for developing the RP CAMP.

The interest and commitment to work together is also based on a general agreement among all interviewees that this region is a great place to live, with a high quality of life that depends on high quality water and other natural resources. To complement these treasured natural resources, the region seems to be blessed with remarkable human resources -- if the interviewees are any indication of the larger population there are many smart, dedicated, passionate people in the region who are solution-oriented.

All of the necessary ingredients for success seem to be in place – leadership, the right people, information, and a common vision.

Appendices

Appendix A: Chronology of Major Events

The purpose of this Chronology of Major Events is to create a storyline of efforts to plan for and manage the Spokane Valley-Rathdrum Prairie Aquifer. The chronology includes major decisions, scientific and technical studies, civic and political dialogues, and so on. The "Overview" provides a general orientation to the chronology, while the "Annotated Chronology" attempts to concisely explain each major event.

This is a first cut at this story, and it is no doubt incomplete. Please review this chronology carefully and let the facilitation team know what is missing and how different events might be better described and/or explained.

Overview of the Chronology

1976 Washington Department of Ecology adopt instream flows standards for the Little Spokane River

1976 Local Clean Water Act §208 studies completed to identify sources of pollution for the Rathdrum Prairie region

1977 Idaho Panhandle Health District adopts regulations for the Rathdrum Prairie Aquifer

1978 Environmental Protection Agency designates the Spokane Valley-Rathdrum Prairie aquifer as a "sole source aquifer" under the Safe Water Drinking Act

1978 US Geological Society publishes *Spokane Valley- Rathdrum Prairie Aquifer, Washington and Idaho*

1978 Idaho Department of Environmental Quality adopts the *Water Quality Management Plan for Rathdrum Prairie* consistent with Section 208, Clean Water Act

1979 Spokane County and the City of Spokane adopt *Water Quality Management Plan* consistent with Section 208, Clean Water Act

1980 Idaho Department of Environmental Quality "special resource water" designation

1980 Spokane County and Idaho Panhandle Health District initiate a groundwater monitoring program

1983 The *Idaho State Groundwater Management Plan is adopted*

1986-1988 PHD's Sewer Management Agreements result in complete sewering of the Cities of Hayden, Hayden Lake, Post Falls and Rathdrum with the construction of the regional treatment plants in Post Falls and HARSB.

1988 Idaho Department of Environmental Quality publish the *Rathdrum Prairie Aquifer Technical Report*

2000 *Spokane Valley-Rathdrum Prairie Atlas* published (first edition)

2001 Newport Generation, Cogentrix Energy, and Avista Utilities apply for water rights to drill wells for natural gas turbine power plants

2001 CDA Basin Environmental Improvement Project Commission

2002 Sierra Club and others petition Idaho Department of Water Resources for a moratorium on appropriations from the aquifer

2002 Idaho Department of Water Resources denies moratorium on permits from the aquifer

2002 Idaho Department of Water Resources designates the Rathdrum Prairie Groundwater Management Areas and creates the Groundwater Management Area Technical Advisory Committee

2003 USGS, IDWR and WDoE sign MOU for research on SVRP Aquifer

2003 Spokane Valley-Rathdrum Prairie Aquifer Study (USGS)

2004 *Spokane Valley-Rathdrum Prairie Atlas* updated (second edition)

2005 Idaho Department of Water Resources adopts *Groundwater Management Plan*

2005 Avista files application to FERC to relicense hydroelectric power dams

2006 Kootenai County Commission creates the Aquifer Protection District

2007 US Geological Survey publishes *Hydrogeologic Framework and Water Budget of the SVRP Aquifer* and *Groundwater Flow Model for SPVRP Aquifer*

2007 US Geological Survey, Washington Department of Ecology, and Idaho Department of Water Resources sign Memorandum of Understanding for Research on the Spokane

Valley-Rathdrum Prairie Aquifer

2007 Spokane River Forum created to facilitate informed dialogue water issues in the region

2007 FERC issues a relicense for the Avista Post Falls dam

2007 Idaho Department of Water Resources and Washington Department of Ecology sign a Memorandum of Agreement to preserve and maintain the SVRP Aquifer and Groundwater Flow Model created by the US Geological Survey

2008 Idaho Legislature approves House Bill 428 and 644 establishing CAMP program

2008 JUB Engineers complete the *Rathdrum Prairie Wastewater Master Plan*

2008 Idaho Legislature passes legislation to adjudicate Northern Idaho waters and the Idaho Department of Water Resources commence the adjudication process

2009 Idaho Water Resources Board starts the process to development the RP CAMP

2009 Idaho Department of Environmental Quality, Environmental Protection Agency, and the Coeur d'Alene Tribe adopt the *Coeur d'Alene Lake Management Plan*

2009 Based on settlement agreements with Coeur d'Alene Tribe and State of Idaho, among others, FERC issues new 50-year license for Avista's Spokane River hydro project, including the Post Falls dam.

2009 *Kootenai County Comprehensive Land Use Plan* (expected)

2009 *Spokane River Forum Survey* (expected)

2010 State of Washington and Environmental Protection Agency set TMDL standards (expected)

Note – Interviewees mentioned a number of other events and documents that the facilitation team have not identified … see the list at the end of the Annotated Chronology

Annotated Chronology of Major Events

1976 Instream flows set for the Little Spokane River

1977 Rathdrum Prairie Aquifer Regulations

1978 EPA sole source aquifer designation

SVRP Aquifer was the first aquifer in Idaho and the second in the nation to receive this designation. http://yosemite.epa.gov/r10/water.NSF/Sole+Source+Aquifers/SSA

1978 *Spokane Valley- Rathdrum Prairie Aquifer, Washington and Idaho* by Drost and Seitz

1978 Water Quality Management Plan for Rathdrum Prairie

This plan was developed under CWA §208.

1979 Water Quality Management Plan for Spokane County and City

1980 IDEQ "special resource water" designation

1980 Spokane County and Panhandle initiate a groundwater monitoring program

1986-1988 PHD's Sewer Management Agreements result in complete sewering of the Cities of Hayden, Hayden Lake, Post Falls and Rathdrum with the construction of the regional treatment plants in Post Falls and HARSB.

1988 DEQ Rathdrum Prairie Aquifer Technical Report

http://www.deq.state.id.us/water/data_reports/ground_water/rathdrum_prairie_aquifer_beg_thru_chap2.pdf

2000 Original Spokane Valley-Rathdrum Prairie (SVRP) Atlas published

2001 Application to drill wells for power by Newport Generation, Cogentrix Energy, and Avista Utilities

2001 CDA Basin Environmental Improvement Project Commission

http://www.basincommission.com/ The Basin Environmental Improvement Commission (sometimes referred to without the word "project" in the title) was created by Idaho legislature under the Basin Environmental Improvement Act of 2001 (Idaho Code Title 39, Chapter 81 In this chapter, it is the policy of the State to provide a system for environmental remediation, natural resource restoration and related measures to address heavy metal contamination in the Coeur d'Alene Basin. The Commission is made up of representatives of the State of Idaho, the three Idaho counties in the Basin, the Coeur d'Alene Tribe, the State of Washington, and the United States of America. The Commission became operational in March of 2002 with the execution of the order from the director of the Idaho Department of Environmental Quality and participation of the Coeur d'Alene Tribe, Benewah, Kootenai, and Shoshone Counties, and State of Idaho. In August 2002, the State of Washington and Federal Government joined the Commission through the execution of a Memorandum of Agreement agreed to by the seven governments.

2002 Groundwater Management Area Technical Advisory Committee, IDWR

The Rathdrum Prairie Ground Water Management Area was designated in December 11, 2002. The Groundwater Management Plan was adopted September 15, 2005. Did not find online reference to the technical advisory committee associated with this (though there was definitely a technical advisory committee associated with the SVRP Hydrological Project).

2003 Spokane Valley-Rathdrum Prairie Aquifer Study (USGS) - 2003

The three main agencies involved in this project/study has references listed here along with the way that each agency refers to the project:

IDWR – Spokane-Valley Hydrological Project

http://www.idwr.idaho.gov/WaterInformation/projects/svrp/

DOE – Spokane Valley-Rathdrum Prairie Aquifer Study http://www.ecy.wa.gov/programs/wr/ero/svrp_summit.html

USGS – Spokane Valley-Rathdrum Prairie Aquifer Study http://wa.water.usgs.gov/projects/svrp/

Funding for the project was acquired in part during late 2003, and the Memorandum of Understanding among USGS, IDWR, and WDoE is dated December 2003. The major product of the study is a numerical groundwater model that Washington and Idaho can use to cooperatively manage the SVRP aquifer and adjacent rivers and lakes. Information gathered by partner agency scientists and contractors has expanded and refined our understanding of the aquifer and its interaction with local lakes and the Spokane and Little Spokane rivers, and water use region wide. There are several different committees in the organizational structure of the project: the Management Advisory Committee, the Technical Advisory Committee, and the Policy Advisory Committee.

2004 SVRP Aquifer Atlas updated

http://www.spokaneaquifer.org/aq.htm#atlas

2005 IDWR adopts Groundwater Management Plan – 2005

http://www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/RathdrumPrairie/rp_gwma.htm

2006 Aquifer Protection District, a created by the Kootenai County Commission – 2006

In 2006, Kootenai County voters overwhelmingly approved the formation of the state's first Aquifer Protection District to ensure the area can continue to pay for the programs and services necessary to protect the aquifer. Private property owners in the district pay no more than $12 a year for aquifer protection programs and services. Commercial property owners pay no more than $24 a year.

The Aquifer Protection District has funded PHD's management of critical materials at fixed locations, water quality sampling and sewage management. An advisory board appointed by the Kootenai County Board of Commissioners recommends to commissioners how the money raised should be spent each year.

http://www.phd1.idaho.gov/environmental/rathdrum.cfm

2007 USGS publishes “Hydrogeologic Framework and Water Budget of the SVRP Aquifer” and “Groundwater flow model for SPVRP Aquifer” - 2007

2008 Legislature approves House Bill 428 and 644

This legislation establishes CAMP program and funding for 10 basins including TV and RP. The legislation authorizes characterization and planning efforts for ten different basins in the next 10 years. http://www.idwr.idaho.gov/waterboard/WaterPlanning/CAMP/CAMP.htm

2008 Rathdrum Prairie Wastewater Master Plan (JUB Engineers)

http://www.postfallsidaho.org/pzdept/RathPrairieMasterPln/RPWWMP08/TM3_Final_Draft.pdf

2008 North Idaho Adjudication begins

The purpose of the general adjudication of water rights is to make a complete and accurate record of all existing water rights. The term “adjudicate” means to settle judicially. A water right adjudication can be described as a “fair, comprehensive, technically correct and legally sufficient determination of existing water rights.”

http://www.idwr.idaho.gov/WaterManagement/NorthIdAdju/

2009 Kootenai County Comprehensive Land Use Plan

Prior update was in 1994. The current draft was published in March of 2009. http://www.kcgov.us/departments/planning/newcompplan.asp

2009 Coeur d’Alene Lake Management Plan

In an effort to address the many issues facing Coeur d’Alene Lake, the Coeur d’Alene Tribe (Tribe) and the State of Idaho Department of Environmental Quality (DEQ) collaboratively developed the 2009 Lake Management Plan (2009 LMP) with the goal: to protect and improve lake water quality by limiting basin-wide nutrient inputs that impair lake water quality conditions, which in turn influence the solubility of

mining-related metals contamination contained in lake sediments. The United States Environmental Protection Agency (EPA) assisted the Tribe and DEQ in developing the LMP by convening and participating in an Alternative Dispute Resolution (ADR) process.

http://www.deq.state.id.us/WATER/data_reports/surface_water/water_bodies/cda_lake_mgmt_plan.cfm

2009 Spokane River Forum Survey

During 2009, the Spokane River Forum conducted a survey by asking community members their priorities along the Spokane River. The results from that survey are expected to be available in late 2009. http://www.spokaneriver.net/

2010 Washington TMDL

http://www.ecy.wa.gov/programs/wq/tmdl/spokaneriver/dissolved_oxygen/status.html

Submission of TMDLs to EPA scheduled for December 2009. EPA approval is scheduled for January 2010.

Still requires more research.

The groups or documents listed below still need more information before placement in the annotated chronology. The facilitation team will look to interviewees or other reviewers of this report to assist in completing the timeline.

Meetings among selected mayors and other elected officials

Idaho nondegradation policy

Regional Water Conservation Collaboration

Bi-state Aquifer Protection Council

The Bi-State Aquifer Protection Council is an informal organization with members composed mostly of regulatory personnel and water purveyors from Idaho and Washington. The organization is administered jointly by the Idaho Department of Environmental Quality and Spokane County. (dates needed.)

CDA Basin Environmental Improvement Project Commission

University of Washington/San Diego State NSF proposal

University of Idaho/Tribes NSF proposal –

One Interviewee shared a one-page summary of this proposal, yet that summary does not give enough explanation to outline relevant information to the Rathdrum Prairie Aquifer. An inquiry has been made with Mike Chappell, and more information is forthcoming.

Coalition of Local Elected Officials

Many interviewees referenced a coalition of mayors from Coeur d'Alene, ID, Post Falls, ID, and Spokane, WA. The general comments included the caucus' purpose was addressing water conservation measures in the region, and general comments were that much of the caucus activity had recently slowed. At the same time, many felt this working group was a prime venue to continue regional water discussions. Interviewees gave no dates for the caucus' inception.

Spokane River Stewardship Partners – (unknown date of origin)

The partnership includes Spokane County, the cities of Spokane, Coeur d'Alene and Post Falls, the Liberty Lake Sewer and Water District, Hayden Area Regional Sewer Board, Avista and Inland Empire Paper Co.

The partners are members of our communities who are tasked with investing both public and private funds to implement measures to improve water quality. These public and private partners are uniquely positioned to provide the leadership necessary to maintain and improve the health of our precious river. As partners, they are working together and with government agencies, tribes, conservation groups and the public to address water quality concerns and provide the technical expertise to meet some of the most stringent water quality standards in the world.

http://www.spokaneriver.net/?p=1846

Appendix B: Interview Questions and Letters of Introduction

Interests and Concerns

1. What are your interests with respect to water in the basin?
2. What are the most important issues and concerns regarding water in the basin?
3. What is your sense of how this region might grow and development over the next 50 years?
4. What are the most likely needs or demands for water in the future (e.g., domestic, commercial, agricultural, recreational, environmental, other)?

Options and Information

5. From your perspective, what are the most promising options to meet future water demands (e.g., conservation, new storage, reallocate existing uses, conjunctive use, etc.)?
6. What scientific and technical information would be most helpful to you in terms of understanding future water demand and options on how to meet such demand?

Citizen and Stakeholder Participation

7. How, if at all, would you like to be involved in developing the CAMP for the basin?
    a. Would you (or another representative of your stakeholder group) be willing to serve on an Advisory Committee if asked?
    b. What type of technical, legal, or policy experience might you and your constituents bring to the table?
    c. What other interests should be represented on the Advisory Committee?
8. What issues do you think everyday citizens care most about?
    a. What is the best way to inform and educate these people, and to seek their input and advice?
    b. Would you and your organization/constituents be willing to help inform and educate people, and seek their input and advice?

Conclusion

9. Is there anything else you would like to share?
10. Who else should we talk to?
11. May we list your name in an appendix to our report?

IDAHO WATER RESOURCE BOARD

Date: June 24, 2009

To: Potential Interview Participants

Subject: Rathdrum Prairie Comprehensive Aquifer Management Plan (CAMP) Interviews

The Idaho Water Resource Board (IWRB) is kicking off the process to develop a long-term Comprehensive Aquifer Management Plan (CAMP) for the Rathdrum Prairie. The purpose of the CAMP is to ensure adequate water supply into the future and to prevent or mitigate conflict over this valuable resource. You are receiving this letter because you have been identified as someone who is interested in water issues in the Rathdrum Prairie.

The process of developing the CAMP will include input and advice from a wide variety of participants. The Idaho Water Resource Board will provide planning and technical staff to support the CAMP process in the Rathdrum Prairie. Later this year, the Board will appoint an Advisory Committee that will meet regularly throughout the CAMP process and ultimately provide recommendations to the Board for managing ground water and meeting future water needs in Idaho.

The Board has retained the facilitation team of Collaborative Processes® and the Center for Natural Resources and Environmental Policy to facilitate the development of the CAMP. The facilitators' role is to promote communication and understanding among all participants involved in developing the plan. I am hopeful that we can have your input in the CAMP process. Therefore, you will be contacted for an interview, as explained in the attached letter from the facilitation team.

We would like to welcome Collaborative Processes® and the Center for Natural Resources and Environmental Policy, and we ask that you provide them with input that will help us develop a successful CAMP that will ensure our future water demands meet the supply needs of the Rathdrum Prairie.

Sincerely,

Terry T. Uhling
Chairman, Idaho Water Resource Board

322 East Front Street, Boise, Idaho 83720 Tel: (208) 287-4800 Fax: (208) 287-6700

Memorandum

To:	Potential Interview Participants
From:	Joe McMahon, Collaborative Processes
	Matt McKinney and Daisy Patterson, Center for Natural Resources and Environmental Policy
Subject:	Idaho Comprehensive Aquifer Management Plan for the Rathdrum Prairie
Date:	June 24, 2009

Collaborative Processes and the Center for Natural Resources and Environmental Policy have been hired by the Idaho Water Resource Board (IWRB) to assist in developing a comprehensive aquifer management plan (CAMP) for the Rathdrum Prairie. The goal of the CAMP is to develop an aquifer management plan that will address water supply and demand issues looking out 50 years into the future. The program is intended to investigate strategies, and develop plans, which will lead to sustainable water supplies and optimum use of the water resources.

We are exploring groundwater and other water interests that affect current and future needs for water resources on the Rathdrum Prairie with the intent to (1) gather specific interests and concerns regarding water management (2) explore options for creating an advisory committee to provide further input on this process.

You have been identified as someone who might be interested in this process, and we would like to meet with you for about 60 minutes to listen to your interests and concerns regarding water management. Our goal is to interview a cross section of people throughout the communities within the Rathdrum Prairie that represent diverse viewpoints on groundwater management and planning.

The interviews are *voluntary* and *confidential*. Our plan is to conduct the interviews in Coeur D'Alene and in Boise during the July 22-24, 2009. We will be contacting you in the next few days to schedule a time to meet. If you would prefer not to be contacted, please let us know.

Once we have completed the interviews, we will synthesize our findings into a report that will inform and invigorate this planning process. We will not specifically attribute any ideas or information to you or anyone else in our report. A draft will be distributed to everyone we interview for review and comment, as well as to other people interested in or affected by these issues.

Thank you in advance for your participation. Please contact either one of us with any questions or suggestions. We look forward to working with you in the near future.

Joe McMahon, Collaborative Processes
303-333-1960
www.collaborativeprocesses.com

Matt McKinney and Daisy Patterson,
Center for Natural Resources and
Environmental Policy
406-360-9204 www.cnrep.org

Appendix C: Input List

The following individuals either provided input during interviews or in response to the draft report. The Facilitation Team appreciates their assistance during this scoping process and throughout the rest of the project.

Chris Beck, Allwest Engineering
Lloyd Brewer, City of Spokane, WA
Phil Cernera, Coeur d'Alene Tribe
Chip Corsi, Idaho Department of Fish and Game
Chad Coy, Avondale Irrigation District
Chuck Cuddy, Idaho Water Resource Board
Mike Denny, Idaho Department of Lands
Bob Flagor, Kotenai-Shoshone Soil Conservation District
Mike Galante, North Kootenai Water Districe
Guy Gregory, Washington Department of Ecology
Terry Harris, Kootenai Environmental Alliance
Bob Haynes, Idaho Department of Water Resources
Vic Holmes, Mayor of Rathdrum
Bruce Howard, Avista Utilities
Roger Jansson, Idaho Department of Lands
Hal Keever, Stimson Lumber Company
Paul Klatt, JUB Engineers
Kevin Lewis, Idaho Rivers United
Rob Lindsay, Spokane County
Jim Markley, City of Coeur d'Alene, ID
Ron McIntire, Mayor of Hayden, ID
Rachel Osborne, Center for Environmental Law and Policy
Dale Peck, Idaho Panhandle Health District
Dan Redline, Idaho Department of Environmental Quality
Gary Stevens, Idaho Department of Environmental Quality
Terry Werner, City of Post Falls, ID
Lynn Tominaga, Idaho Ground Water Appropriators
Ron Wilson, East Green Acres Irrigation District

Appendix D: Suggested Grounds Rules and Work Plan for the Rathdrum Prairie Comprehensive Aquifer Management Plan Advisory Committee

ADVISORY COMMITTEE PURPOSE

The purpose of the Advisory Committee is to develop recommendations to the Idaho Water Resource Board (Board) regarding the Rathdrum Prairie Comprehensive Aquifer Management Plan (CAMP).

ADVISORY COMMITTEE CHARGE

The Advisory Committee (Committee) will develop recommendations to meet current and future demand for water resources in the Rathdrum Prairie region.

During its first couple meetings, the Committee -- along with the Board – will seek agreement on the scope of the CAMP (i.e. determine whether and how such issues as surface and ground water interactions, water quantity and quality interactions, and the link between land and water decisions are addressed).

Once the Committee has reviewed and approved the ground rules and work plan to develop the CAMP, they agree to be governed by these ground rules and work plan.

BACKGROUND

The 2008 Legislature approved House Bill 428 and House Bill 644 establishing the Statewide Comprehensive Aquifer Planning and Management Program and the Aquifer Planning and Management Fund. This legislation authorizes characterization and planning efforts for ten different basins in the next 10 years.

The Aquifer Planning and Management Program is designed to provide the Idaho Water Resource Board and the Idaho Department of Water Resources with the necessary information to develop plans for managing ground and surface water resources into the future.

The program has two phases:

1. A technical component to characterize the surface and ground water resources of each basin; and
2. A planning component that will integrate the technical knowledge with an assessment of current and projected future water uses and constraints.

This program will culminate with the development of long-range plans for conjunctively managing the water resources of each basin that integrates hydrologic realities with the social needs.

The water management plans will be designed to address water supply and demand issues looking out 50 years into the future. The program is intended to investigate strategies and develop plans that will lead to sustainable water supplies and optimum use of the water resources.

ROLES AND RESPONSIBILITIES

Idaho Water Resource Board

The Board holds final decision-making authority regarding the CAMP. It agrees to give serious consideration to both Committee recommendations and public input.

Individual Board members agree to attend and participate in Advisory Committee meetings.

The entire Board will be briefed on the CAMP process at each regularly scheduled Board meeting.

Board members agree to indicate, as early as possible, areas of concern regarding the Advisory Committee process.

Advisory Committee Members

The list of Advisory Committee Members established by the Board serves as the record of official Committee membership. Each member of the Advisory Committee is expected to:

- Regularly attend and prepare for committee meetings;
- Clearly articulate and represent the interests of his/her group and be able to articulate an aquifer-wide perspective;
- Listen to other points of view and try to understand the interests of others;
- Openly discuss issues with people who hold diverse views and participate in a cooperative problem solving procedure to resolve differences;
- Generate and evaluate options to address the needs expressed by the Committee; and
- Keep his/her constituent group(s) informed about activities and progress of the Advisory Committee, and solicit their input about ongoing deliberations.

Ad Hoc Advisory Committee

In addition to the Advisory Committee, state and federal resource management agencies should serve as an ad hoc resource network to the Advisory Committee – not as members of the Advisory Committee per se. These agencies will provide scientific, technical, legal,

budgetary, and other information as appropriate. The following state and federal agencies were identified as potential members of the network (and others may be added as the process moves forward):

- Idaho Department of Water Resources
- Idaho Department of Environmental Quality
- Idaho Department of Lands
- Idaho Department of Fish and Wildlife
- Idaho Panhandle District
- Lake Pend Oreille/Priest River Basin Commission
- Federal Energy Regulatory Committee
- US Army Corps of Engineers
- US Bureau of Land Management
- US Bureau of Reclamation
- US Environmental Protection Agency
- US Fish and Wildlife Service
- US Forest Service
- US Geological Survey

In order to engage the interests in Washington, the following interests should also serve on the Ad Hoc Resource Network:

- Washington Department of Ecology
- Spokane County
- City of Spokane

The Spokane River Forum may also be a potential participant in this network.

Various statewide associations should be kept informed throughout the process, and that the Advisory Committee should seek their input and advice. These associations include, but are not limited to the following:

- Idaho Association of Commerce and Industry
- Idaho Farm Bureau
- Idaho Forest Industries Association

- Idaho Mining Association
- Idaho Water Users Association

Facilitators

Facilitators from Collaborative Processes LLC (CP) will design Committee agendas in consultation with the Advisory Committee. CP will facilitate all Advisory Committee meetings.

Additionally, CP may facilitate, on an as needed basis, agreed upon subcommittee meetings and dialogue between meetings.

The facilitators will remain impartial toward the substance of the issues under discussion.

- The facilitators are responsible to the whole group and not to any one member or interest group.
- The facilitators will enforce ground rules that are accepted by the group.
- In addition, the facilitators will ensure that important information is available to Advisory Committee members in advance of each meeting.
- The facilitators will prepare and distribute meeting notes after each Committee meeting, and make information presented at the meetings available to the public through the established website (www.idaho.gov) and email distribution.

CAMP DECISION-MAKING

Idaho Water Resources Board

As noted above, the final responsibility for CAMP decision-making rests with the Board.

- The Board will give serious consideration to the recommendations, perceptions and interests developed by the Advisory Committee.
- Additionally, through public meetings and other means of public input, ESPA stakeholder's views will be documented, summarized and provided to the Board prior to decision making.

Advisory Committee

The Advisory Committee will strive to reach consensus on recommendations to the Board regarding the CAMP.

- Consensus in this context is defined as a process for reaching agreement that does not rely on voting, and consensus recommendations are generally ones with which all

members can agree.

- However, consensus does not necessarily mean unanimity. Some members may strongly endorse a particular solution while others may accept it as a workable agreement.
- A consensus is reached when all parties agree (1) that their major interests have been taken into consideration and addressed in a satisfactory manner; and (2) to help implement the Committee recommendations.
- Prior to key decisions, Committee members agree to solicit and share constituent input with the Committee.

In the event that a consensus is not reached on a given issue, the Committee has several options:

- A member who is not in agreement with the general opinion in the group may "stand aside" and not block the consensus;
- A member may stand aside, allow the rest of the group to reach a consensus and request that a minority report detailing the other view(s) be added to the final agreement/document; and/or
- If no consensus is reached, the group may announce that there was not an agreement on a particular question or issue. The complete views and perspectives of committee members will be forwarded to the Board for their decision-making.

TECHNICAL SUPPORT

Members agree that the dialogue and deliberation of the Advisory Committee will be based on the best available information, regardless of the sources.

The members agree to engage in joint fact-finding and collaborative learning to clarify what is known, not known, and needed to make timely, well-informed recommendations.

The Committee will be supported by the Ad Hoc Resource Network and water demand consultants.

Members may bring staff from their organizations or agencies, or members of their constituency groups to support the problem solving process.

Advisory Committee members can defer to those individuals when their expertise is required or when requested by the Advisory Committee as a whole. However, the use of support persons must not disrupt deliberations.

GUIDELINES FOR DIALOGUE AND DELIBERATION

The following guidelines will be used to encourage productive deliberations and decision-making. Members of Advisory Committee will commit to "best efforts" at following the guidelines and give the facilitators the authority to enforce them:

- It is crucial that everyone have a chance to be heard and to hear others. Therefore, Advisory Committee Members will:
    - Pay attention to what is being discussed in the meeting and avoid side conversations
    - Allow people to speak and refrain from making interruptions
    - Be brief and speak to the point
- It is important to find creative, innovative solutions. Therefore, Advisory Committee Members will:
    - Provide opportunities for each other to bring forward proposals and requests for technical analysis
    - Avoid judging ideas prematurely
    - Look for the need or interest that gives rise to the idea
    - Look for ways to improve proposals
    - Try to remain open minded
- Disagreements are inevitable; however they should be focused on the issues involved rather than on the people holding a particular view. Therefore, Advisory Committee Members will:
    - Promote cooperative interactions and avoid competitive behaviors that denigrate other Participants
    - Promote positive behaviors that promote productive discussions and agreement and avoid behavior that is disruptive to the work of the group
    - Address one another in respectful ways

REPRESENTATION OF OTHER INTEREST GROUP VIEWS

To enhance creativity during meetings, individuals who represent constituencies and agencies are not expected to restrict themselves to prior positions.

The goal of the Advisory Committee is to have frank and open discussions of the issues in

question and options to address these issues.

Therefore, ideas raised in the process of the dialogue, prior to agreement by the whole group, are for discussion purposes only and should not be construed to reflect the final position of an Advisory Committee Member or his or her constituent group.

CONSTITUENTS

Informed constituencies will enhance the prospects for approval and implementation of the recommendations of the Advisory Committee.

The members of the Advisory Committee will inform their constituents and solicit their opinions about the issues under discussion. They will represent the interests of their constituent group and bring their constituents' concerns and ideas to the deliberations.

Members of the Advisory Committee may elect to hold regular meetings with their constituent group (a formal caucus), to provide copies of Committee meeting notes to their constituents and request comments, and to communicate informally with their constituents.

The Advisory Committee will also explore other means to broaden public awareness and encourage broader involvement.

OBSERVERS AND PUBLIC INVOLVEMENT

Advisory Committee meetings will be open to the public.

- However, in order for the Advisory Committee to achieve its objective, discussion and deliberation at Committee meetings must be focused and manageable.
- Participation by non-members of the Advisory Committee will be at the discretion of the Advisory Committee.
- Advisory Committee meetings will include a period for public comment.

In addition, the Committee will hold public meetings during the process of developing recommendations to inform the public about progress being made and solicit

feedback.

- Committee members are encouraged to provide outreach assistance for public meetings to raise broader awareness of the issues under discussion.
- Information, including meeting notes, will also be posted on the Idaho Department of Water Resources website.

COMMUNICATIONS WITH THE MEDIA

The Advisory Committee meetings will be open to the public, including the media. However, Committee members may choose to caucus and caucuses may not be open to the public.

The consensus process is a solution-oriented, problem solving approach, not a platform for lobbying the public through the media. The deliberations of the Advisory Committee should not be used as opportunities for individual members to posture in order to gain the attention of the media.

If the Advisory Committee decides that there is a need for the Committee to communicate formally with the press, Advisory members will designate a spokesperson(s) and/or draft a statement. Stakeholders can refer members of the press to CP for questions about the process.

In communicating with the media and the general public, a clear distinction should be made between preliminary information, concept papers, or proposals under consideration and final decisions. It is important to differentiate between the discussion and decisions. Preliminary documents will be marked with "DRAFT" or "FOR DISCUSSION PURPOSES ONLY."

Each Advisory Committee member is free to speak with the press on behalf of the constituency or agency he or she represents, and must make it clear to the press that his or her comments should not be attributed to the whole stakeholder group.

- No Advisory Committee member will formally speak for or represent the Advisory Committee without expressed authorization by consensus of the Advisory Committee as a whole.
- No Advisory Committee member will characterize to the press the point of view of other representatives.

WORK PLAN

The CAMP will be developed over the next 16-18 months. Predictable meeting dates and locations will be developed in conjunction with the Advisory Committee. The basic scope of work and schedule is as follows:

Month	Who is Doing What	Deliverables
July 2009	Facilitation Team (FT) conducts interviews	
August	FT circulates draft situation assessment report/conceptual framework/ground rules and seeks feedback	Draft Report
September	FT distributes final report, meets with Board subcommittee in Coeur d'Alene, and meets with full Board in Boise to finalize AC	Final Report; List of AC Members
October	FT convenes 1st AC meeting to review ground rules and work plan, and for initial education on water demand study, etc.	Agreement on ground rules, work plan, etc.
November	FT convenes 2nd AC meeting for additional education and initial naming of problems	Preliminary list of problems and concerns
December	FT creates web-based platform to facilitate public education and feedback (time-permitting and based on consultation with AC and others)	Web-based platform *(NOTE --no time allocated for this task/product yet*)
January 2010	FT convenes 3rd AC meeting to review naming of problems and framing initial alternatives	Refined list of problems and concerns; preliminary list of alternatives
February		
March	FT convenes 4th AC meeting to refine alternatives and start considering trade-offs	Refined list of alternatives; preliminary list of trade-offs
	Future Water Demands Study Completed	
April		
May	FT convenes 5th AC meeting to finalize alternatives and trade-offs	Final list of alternatives and trade-offs
June		
July	FT convenes 6th AC meeting to generate one or more options for a fee structure	Draft CAMP
August		
September	FT works with AC to convene public meetings on draft CAMP	Public input & advice
October	FT convenes 7th AC meeting to respond to public input	Revised CAMP
November	FT convenes 8th AC meeting to finalize recommendations to Board	Final recommended CAMP
December	FT is available as a resource during public hearings convened by the Board	