BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF BOISE RIVER BASIN FEASIBILITY STUDY	RESOLUTION TO COMMIT ADDITIONAL FUNDING FOR THE FEASIBILITY STUDY AND PROVIDE SIGNATORY AUTHORITY

WHEREAS, on October 24, 2017, the Idaho Water Resource Board (IWRB) passed a resolution authorizing its chairman to execute the necessary agreements with the U.S. Bureau of Reclamation (Reclamation) and to contribute the necessary fifty percent (50%) non-federal cost-share to carry out the Boise River Basin Feasibility Study (feasibility study, study) to evaluate raises to the Anderson Ranch, Arrowrock and Lucky Peak Dams in order to provide additional water storage capacity on the Boise River; and

WHEREAS, the total estimated cost to perform the feasibility study was estimated to be $6 million, fifty percent of which ($3 million) was the responsibility of the IWRB as the non-federal partner; and

WHEREAS, in March 2018, the IWRB and Reclamation executed Memorandum of Agreement/Reimbursable Agreement No. R18-MR-11-171 to formalize roles, work and funding responsibilities associated with the feasibility study; and

WHEREAS, Reclamation initiated the feasibility study under the authority of the Omnibus Public Land Management Act of 2009, P.L. 111-11, which authorized the study of projects to address water shortages in the Boise River system and has an extended sunset date of March 30, 2029; and

WHEREAS, the Water Infrastructure Improvements for the Nation Act (WIIN Act, P.L. 114-322) provides a second authority for the study, and potentially design and construction. The act states that continuing authority only applies to projects determined to be feasible before January 1, 2021 and that projects can only receive Federal funds under the WIIN Act if recommended by the Secretary of the Interior and designated by name in Federal appropriations legislation; and

WHEREAS, under Secretarial Order 2255, issued on August 31, 2017, National Environmental Policy Act (NEPA) reviews conducted by the Department of Interior must be completed within 12 months of publishing the Notice of Intent in the Federal Register; and

WHEREAS, the compressed study schedule required under both the WIIN Act and Secretarial Order 2255 reduced the typical 6- to 7-year project schedule for a feasibility study and associated environmental compliance studies under NEPA to slightly over 2 years for completion; and

WHEREAS, based on site visits and review of available technical information for the three dams, Reclamation concluded that evaluation of the feasibility of raises to all three dams could not be not be completed before January 1, 2021 and recommended focusing study efforts on a raise of Anderson Ranch Dam; and

WHEREAS, through a resolution signed and dated July 27, 2018, IWRB authorized Reclamation to focus the study analyses on a raise of the Anderson Ranch Dam with the intent to determine project feasibility before January 1, 2021, in accordance with conditions of the WIIN Act; and

WHEREAS, through a resolution signed and dated July 27, 2018, IWRB authorized Reclamation to focus the study analyses on a raise of the Anderson Ranch Dam with the intent to determine project feasibility before January 1, 2021, in accordance with conditions of the WIIN Act; and

WHEREAS, the 2019 Idaho Legislature passed and approved House Joint Memorial 4 and House Bill 285 which affirmed support for the construction of new water infrastructure in Idaho, in particular, the raising of Anderson Ranch Dam, and urged the State of Idaho's congressional delegation to take further actions necessary to ensure completion of the feasibility study and NEPA analysis within the proposed timeframe and, as determined in the feasibility study, advance the project through additional congressional action to authorize construction and provide further WIIN Act funds; and

WHEREAS, through July 2019, Reclamation and the IWRB spent approximately $5.6 million (57% Federal and 43% non-Federal) on feasibility study activities. Federal funding has been applied to work performed by Reclamation staff as well as awards for consultant work; and

WHEREAS, current projections indicate study costs may increase by between $1 and 1.5 million, for a total cost between $7 and 7.5 million. Reclamation attributes cost overruns to a number of factors including the aggressive study schedule required under the WIIN Act and additional schedule compression resulting from delays in federal funding; and

WHEREAS, to address projected cost overruns, Reclamation is seeking a commitment from the IWRB for an additional $550,000 to 750,000 of non-Federal funds to continue feasibility study activities in order to meet deadlines set forth under the WIIN Act; and

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditures not to exceed $550,000 from the Secondary Aquifer Planning, Management, and Implementation Fund for expenses related the Boise River Basin Feasibility Study.

BE IT FURTHER RESOLVED that commitment of additional funding by the IWRB in subsequent Fiscal Years is subject to annual appropriations and shall require an additional approval by IWRB resolution.

BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee to execute the necessary agreements with Reclamation to complete the feasibility study.

DATED this 20th day of September, 2019.

Roger W. Chase

ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST

VINCE ALBERDI, Secretary