

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

1 WHEREAS, on October 24, 2017, the Idaho Water Resource Board (IWRB) passed a resolution
2 authorizing its chairman to execute the necessary agreements with the U.S. Bureau of Reclamation
3 (Reclamation) and to contribute the necessary fifty percent (50%) non-federal cost-share to carry out the
4 Boise River Basin Feasibility Study (feasibility study, study) to evaluate raises to the Anderson Ranch,
5 Arrowrock and Lucky Peak Dams in order to provide additional water storage capacity on the Boise River;
6 and
7

8 WHEREAS, the total estimated cost to perform the feasibility study was estimated to be \$6 million
9 (M), fifty percent of which (\$3M) was the responsibility of the IWRB as the non-federal partner; and
10

11 WHEREAS, in March 2018, the IWRB and Reclamation executed Memorandum of
12 Agreement/Reimbursable Agreement No. R18-MR-11-171 to formalize roles, work and funding
13 responsibilities associated with the feasibility study; and
14

15 WHEREAS, Reclamation initiated the feasibility study under the authority of the Omnibus Public
16 Land Management Act of 2009, P.L. 111-11, which authorized the study of projects to address water
17 shortages in the Boise River system and has an extended sunset date of March 30, 2029; and
18

19 WHEREAS, the Water Infrastructure Improvements for the Nation Act (WIIN Act, P.L. 114-322)
20 provides a second study authority and potential construction authority and Federal funding proportionate
21 to Federal benefit. . The act states that continuing authority only applies to projects determined to be
22 feasible before January 1, 2021 and that projects can only receive Federal funds under the WIIN Act if
23 recommended by the Secretary of the Interior and designated by name in Federal appropriations
24 legislation; and
25

26 WHEREAS, under Secretarial Order 3355, issued on August 31, 2017, National Environmental
27 Policy Act (NEPA) reviews conducted by the Department of Interior must be completed within 12 months
28 of publishing the Notice of Intent in the Federal Register; and
29

30 WHEREAS, the compressed study schedule required under both the WIIN Act and Secretarial
31 Order 3355 reduced the typical 6- to 7-year project schedule for a feasibility study and associated
32 environmental compliance studies under NEPA to slightly over 2 years for completion; and
33

34 WHEREAS, based on site visits and review of available technical information for the three dams,
35 Reclamation concluded that evaluation of the feasibility of raises to all three dams could not be not be
36 completed before January 1, 2021 and recommended focusing study efforts on a raise of Anderson Ranch
37 Dam; and
38

39 WHEREAS, through a resolution signed and dated July 27, 2018, IWRB authorized Reclamation to
40 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

41 WHEREAS, the 2019 Idaho Legislature passed and approved House Joint Memorial 4 and House
42 Bill 285 which affirmed support for the construction of new water infrastructure in Idaho, in particular,
43 the raising of Anderson Ranch Dam, and urged the State of Idaho's congressional delegation to take
44 further actions necessary to ensure completion of the feasibility study and NEPA analysis within the
45 proposed timeframe and, as determined in the feasibility study, advance the project through additional
46 congressional action to authorize construction and provide further WIIN Act funds; and
47

48 WHEREAS, in September 2019, the IWRB authorized additional expenditures not to exceed \$550
49 thousand (k) from the Secondary Aquifer Planning, Management, and Implementation Fund to cover cost
50 overruns to address a number of factors including the aggressive study schedule required under the WIIN
51 Act and additional schedule compression resulting from delays in federal funding; and
52

53 WHEREAS, effective October 30, 2019, the IWRB and Reclamation signed the Modification No. 1
54 to Memorandum of Agreement/Reimbursable Agreement to update the Agreement schedule and budget;
55 and
56

57 WHEREAS, in addition to the IWRB's cash commitment of \$3.55M, Reclamation has accounted for
58 \$330k in cost-share funding from the IWRB's Treasure Valley Managed Recharge Feasibility Study and
59 general Idaho Department of Water Resources' staff support; and
60

61 WHEREAS, current projections indicate study costs may increase by between \$490k and \$740k for
62 a total project cost between \$8.25M and \$8.5M due to additional technical analyses required to evaluate
63 project alternatives and frequency of reservoir fill, and a further compressed study schedule under the
64 WIIN Act deadline; and
65

66 WHEREAS, to address projected cost overruns, Reclamation is seeking a commitment from the
67 IWRB for an additional \$370k of non-Federal funds to continue feasibility study activities in order to meet
68 deadlines set forth under the WIIN Act; and
69

70 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditures not to exceed \$370k in
71 Fiscal Year 2020, from the Secondary Aquifer Planning, Management, and Implementation Fund for
72 expenses related the Boise River Basin Feasibility Study.
73

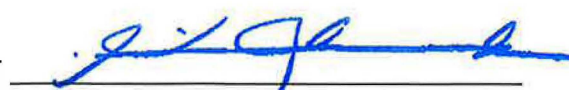
74 BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee to execute the
75 necessary agreements with Reclamation to complete the feasibility study.

DATED this 28th day of May, 2020.



ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST



VINCE ALBERDI, Secretary

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF STATEWIDE WATER
SUSTAINABILITY AND AQUIFER STABILIZATION,
AND THE SECONDARY AQUIFER STABILIZATION,
AND SECONDARY AQUIFER PLANNING,
MANAGEMENT, AND IMPLEMENTATION FUND
FISCAL YEAR 2021 BUDGET

RESOLUTION TO PASS FISCAL YEAR 2021
BUDGET

1 WHEREAS, House Bill 547 passed and approved by the 2014 Legislature allocates \$5 million
2 annually through 2019 from the Cigarette Tax to the Idaho Water Resource Board's (IWRB) Secondary
3 Aquifer Planning, Management, and Implementation Fund (Secondary Aquifer Fund) for statewide aquifer
4 stabilization; and

5 WHEREAS, House Bill 256 passed and approved by the 2019 Legislature allocated \$5 million in
6 ongoing General Fund dollars to the IWRB's Secondary Aquifer Fund for statewide water sustainability
7 and aquifer stabilization; and

8 WHEREAS, the IWRB has the opportunity to utilize up to \$2.068 million provided by the Idaho
9 National Laboratory for aquifer monitoring in the Eastern Snake Plain Aquifer and the Big Lost Basin
10 Aquifer over a three-year period; and

11 WHEREAS, un-allocated funds already in the Secondary Aquifer Fund will be carried forward into
12 the Fiscal Year 2021 budget; and

13 WHEREAS, many aquifers across Idaho are declining or have existing or potential conjunctive
14 administration water use conflicts, including the Eastern Snake Plain Aquifer, Mountain Home Aquifer,
15 Wood River Valley Aquifer, Big Lost Aquifer, Raft River Aquifer, Malad Valley Aquifer, Treasure Valley
16 Aquifer, Rathdrum Prairie Aquifer, Palouse Basin Aquifer, Lewiston Plateau Aquifer, and others; and

17 WHEREAS, the State of Idaho relies on spring discharge from the Eastern Snake Plain Aquifer
18 (ESPA) through the Thousand Springs to assist in meeting the minimum streamflow water rights at the
19 Murphy Gage established under the Swan Falls Agreement; and

20 WHEREAS, prior to the initiation of significant aquifer stabilization efforts around 2014, the ESPA
21 had been losing approximately 216,000 acre-feet annually from aquifer storage since the 1950's resulting
22 in declining ground water levels in the aquifer and declining spring flows from the aquifer; and

23 WHEREAS, during parts of 2013 and 2014 flows at the Murphy Gage approached the minimum
24 flow, and in 2015 flows at the Murphy Gage went below minimum flows; and

25 WHEREAS, the ESPA experienced conjunctive administration water use conflicts over the past two
26 decades that had the potential to significantly impact Idaho's economy; and

27 WHEREAS, on June 30, 2015 members of the Idaho Ground Water Appropriators entered into an
28 agreement with the Surface Water Coalition whereby the ground water users agreed to reduce their
29 consumptive use from the ESPA by 240,000 acre-feet annually and take other actions, and

30 WHEREAS, the 2016 Idaho Legislature passed and approved Senate Concurrent Resolution 138
31 supporting this agreement; and

32 WHEREAS, the State Water Plan includes a goal to accomplish managed recharge in the ESPA
33 averaging 250,000 acre-feet annually; and

34 WHEREAS, the 2016 Idaho Legislature passed and approved Senate Concurrent Resolution 136
35 directing the IWRB to develop the capacity to achieve 250,000 acre-feet of annual average managed
36 recharge to the ESPA by December 31, 2024; and

37 WHEREAS, in 2018 the cities on the ESPA entered into an agreement with the Surface Water
38 Coalition and the Idaho Ground Water Appropriators whereby the cities agreed to enhance the ESPA by
39 an average of 7,650 acre-feet annually; and

40 WHEREAS, the 2019 Idaho Legislature passed and approved House Concurrent Resolution 10
41 supporting this agreement; and

42 WHEREAS, the ground water use reduction and managed recharge are together designed to
43 stabilize and then recover the ESPA; and

44 WHEREAS, a 2016 study commissioned by the IWRB predicts the growing Treasure Valley
45 population could result in an increase in Domestic, Commercial, Municipal, and Industrial water-demand
46 ranging from 109,000 to 188,000 acre-feet per year by the year 2065 ; and

47 WHEREAS, the IWRB approved development of the Treasure Valley Ground Water Model in
48 partnership with the U.S. Geological Survey to support future monitoring of ground water conditions,
49 water use, and administration of ground water and surface water rights, and approved entering into an
50 agreement with the U.S. Bureau of Reclamation to complete the Boise River Storage Feasibility Study to
51 provide additional water supply through new surface water storage, in 2016 and 2017 respectively; and

52 WHEREAS, conjunctive administration water delivery calls have been made in the Big and Little
53 Wood River Basins against junior-priority upstream ground water uses; and

54 WHEREAS, the Mountain Home aquifer is being over-drafted by about 30,000 acre-feet annually;

55 WHEREAS, the deep aquifer in the Palouse Basin has been declining for decades despite
56 aggressive conservation measures; and

57 WHEREAS, the Department of Water Resources recently enacted Ground Water Management
58 Areas in the Malad Valley Aquifer and the Lewiston Plateau Aquifer in response to declining ground water
59 levels in those aquifers; and

60 WHEREAS, ground water levels in many aquifers are inadequate to sustain a supply of water for
61 surface and ground water irrigation, hydropower, municipal, industrial, and other uses, the curtailment
62 of which would cause severe economic harm to Idaho's economy; and

63 WHEREAS, the 2016 Idaho Legislature passed and approved Senate Concurrent Resolution 137
64 which recognized that stabilizing and enhancing aquifer levels is in the public interest, and directs the
65 IWRB to take actions in aquifers across the state to stabilize and enhance aquifer levels thereby
66 maintaining water supply for consumptive and non-consumptive uses and minimizing harm to Idaho's
67 economy arising from water supply shortages; and

68 WHEREAS, on April 23, 2020 the IWRB Finance Committee recommended the approval of a Fiscal
69 Year 2021 Budget for the use of available funds in the Secondary Aquifer Fund for statewide water
70 sustainability and aquifer stabilization purposes; and

71 NOW THEREFORE BE IT RESOLVED that the IWRB adopts the Fiscal Year 2021 Budget for the
72 continuously-appropriated Secondary Aquifer Planning, Management, and Implementation Fund as
73 shown in Attachment A to this resolution.

74 BE IT FURTHER RESOLVED that the budget may be adjusted if necessary based on the actual
75 amount of Cigarette Tax funds received, interest income received, amount received from the Idaho
76 National laboratory, or the actual amount of carry-over from Fiscal Year 2020.

77 BE IT FURTHER RESOLVED that funds for budgeted ESPA managed recharge infrastructure shall be
78 approved by the IWRB by resolution for each individual project in excess of \$20,000, detailing the terms
79 and conditions of approval, and must include conditions maintaining long-term access for recharge by the
80 IWRB in any facilities owned by others.

81 BE IT FURTHER RESOLVED that expenditures for identified ESPA managed recharge operations,
82 investigations, and engineering for further ESPA managed recharge capacity development may proceed
83 with no further approvals; however, the IWRB shall be kept apprised of such expenditures.

84 BE IT FURTHER RESOLVED that the Idaho National Laboratory funded monitoring and investigation
85 work in the Eastern Snake Plain Aquifer and the Big Lost Basin Aquifer may proceed with no further
86 approvals up to the total amount provided by the Idaho National Laboratory; however, the IWRB shall be
87 kept apprised of such expenditures.

88 BE IT FURTHER RESOLVED that expenditures for the Treasure Valley Ground Water Model, for
89 statewide surface water and aquifer monitoring, professional assistance for securing federal funding, and

90 administrative expenses may proceed with no further approvals; however, the IWRB shall be kept
91 apprised of such expenditures.

92 BE IT FURTHER RESOLVED that expenditures for the Operations and Maintenance costs for the
93 Cooperative Cloud Seeding Program, O&M shortages provided by the IWRB, the Cloud Seeding Modeling
94 Project, and Capital Expenses may proceed with no further approvals; however, the IWRB shall be kept
95 apprised of such expenditures. Further, it is the IWRB's stated goal that both the state and the water
96 users financially participate with Idaho Power in the Cooperative Cloud Seeding Program.

97 BE IT FURTHER RESOLVED that all other expenditures from the Secondary Aquifer Fund shall
98 require an additional approval by the IWRB by resolution.

99 BE IT FURTHER RESOLVED that the IWRB may modify this budget during Fiscal Year 2021 at a
100 properly noticed meeting of the IWRB.

DATED this 28th day of May, 2020



ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST



VINCE ALBERDI, Secretary

ATTACHMENT A - Fiscal Year 2021 Secondary Aquifer Planning, Management and Implementation Fund Budget

FY2021 DRAFT PROPOSED BUDGET FOR THE SECONDARY AQUIFER FUND

| | | |
|---|----|------------|
| Carry-Over From FY20 | \$ | 3,630,000 |
| General Fund (HB 677): | \$ | 5,000,000 |
| HB547 funds - receipt of Cigarette Tax proceeds | \$ | 5,000,000 |
| DOE-INL SEP Funds (\$2.068 M over 3 years) | \$ | 690,000 |
| Estimated interest | \$ | 300,000 |
| TOTAL | \$ | 14,620,000 |

BUDGET TRACKING

| Category | Sub-Category | FY21 Budget |
|----------|--------------|-------------|
|----------|--------------|-------------|

ESPA MANAGED RECHARGE

| | | | |
|--|--|---|-------------|
| ESPA Recharge Operations | | Conveyance Cost | \$3,500,000 |
| | | O&M | \$75,000 |
| | | Equipment, Supplies | \$154,000 |
| | | Recharge Monitoring | \$526,000 |
| | | Regional Monitoring | \$225,000 |
| | | TOTAL | \$4,480,000 |
| ESPA Managed Recharge Infrastructure Projects | Budgeted Projects | Enterprize Project | \$2,000,000 |
| | | Butte Market Lake | \$500,000 |
| | Reserved for additional recharge infrastructure projects | | \$500,000 |
| | | TOTAL | \$3,000,000 |
| ESPA Recharge Investigations | Budgeted Investigations | Large Upper Valley Project | \$300,000 |
| | | Aberdeen Springfield Canal Company (ASCC) | \$200,000 |
| | | North Side Hunt Projects | \$500,000 |
| | Reserved for additional investigations and engineering | | \$300,000 |
| | TOTAL | | \$1,300,000 |
| ESPA Hydrologic Monitoring (DOE Funding) (Year 3 of 3 - Total \$928,000) | | | \$310,000 |
| ESPA MANAGED RECHARGE TOTAL | | | \$9,090,000 |

TREASURE VALLEY

| | |
|--|-------------|
| Treasure Valley Aquifer Ground Water Model (Year 5 of 5 - Total \$2.5 M) | \$500,000 |
| Boise River Storage Study | \$250,000 * |
| TREASURE VALLEY TOTAL | \$750,000 |

RAFT RIVER

| | |
|--|-------------|
| Raft River Hydrologic Characterization | \$100,000 * |
| RAFT RIVER TOTAL | \$100,000 |

BIG LOST BASIN TOTAL

| | |
|--|-----------|
| Hydrologic Monitoring (DOE Funding) (Year 3 of 3 - Total \$1.14 M) | \$380,000 |
| BIG LOST BASIN TOTAL | \$380,000 |

PALOUSE BASIN

| | |
|-------------------------------|-------------|
| Water Sustainability Projects | \$200,000 * |
| PALOUSE BASIN TOTAL | \$200,000 |

BEAR RIVER BASIN TOTAL

| | |
|---|-------------|
| Tri-State Water Sustainability Initiative | \$100,000 * |
| BEAR RIVER BASIN TOTAL | \$100,000 |

LEMHI BASIN

| | |
|---------------------|-------------|
| Lemhi Basin SCR 137 | \$200,000 * |
| LEMHI BASIN TOTAL | \$200,000 |

MOUNTAIN HOME/ELMORE COUNTY

| | |
|---|-------------|
| Mountain Home/Elmore County Water Sustainability Projects | \$200,000 * |
| MOUNTAIN HOME/ELMORE COUNTY TOTAL | \$200,000 |

COOPERATIVE CLOUD SEEDING PROGRAM

| | |
|---|-------------|
| Operations & Maintenance Costs (Board portion 1/3 of annual cost for O & M) | \$875,000 |
| O & M shortages provided by the IWRB | \$500,000 |
| Cloud Seeding Modeling Project (Year 4 of 4 - Total \$1.47 Million) | \$240,000 |
| Capital Expenses (HPC - Year 2 of 2, \$700,000 IWRB Total) | \$200,000 |
| Program Development Activities (benefits analysis, etc.) | \$500,000 * |
| COOPERATIVE CLOUD SEEDING PROGRAM TOTAL | \$2,315,000 |

| | |
|--|-------------|
| | |
| STATEWIDE | |
| Administrative expenses (public information, staff training, Riverware Maintenance, etc) | \$85,000 |
| Professional Assistance for securing Federal Funding | \$100,000 |
| Statewide surface water and aquifer monitoring | \$850,000 |
| STATEWIDE TOTAL | \$1,035,000 |

| | |
|-----------------------------|-----------|
| 5% REQUESTED HOLDBACK TOTAL | \$250,000 |
|-----------------------------|-----------|

| | |
|-------------|---------------|
| GRAND TOTAL | \$ 14,620,000 |
|-------------|---------------|

* Items that will require an additional Board resolution to authorize expenditure of funds