BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE ANDERSON RANCH DAM RAISE	RESOLUTION TO CONTRACT WITH A FINANCIAL ADVISOR TO DEVELOP AND ADMINISTER A FINANCING PLAN FOR THE NON-FEDERAL PROJECT COSTS

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); and

WHEREAS, through a resolution signed and dated July 27, 2018, IWRB authorized Reclamation to focus the feasibility study analyses on a raise of the Anderson Ranch Dam (Project); and

WHEREAS, the Water Infrastructure Improvements for the Nation Act (WIIN Act, P.L. 114-322) provided authority for the feasibility study. Pursuant to the WIIN Act, the Project was deemed feasible by the Secretary of the Interior and designated by name in Federal appropriations legislation in December 2020; and

WHEREAS, the WIIN Act requires Reclamation secure agreement(s) with partner(s) providing for upfront funding for the non-Federal share of the capital costs, or post-authorization costs, of the project; and

WHEREAS, in 2019 the Idaho Legislature passed House Joint Memorial 4 (HJM004) to support efforts to designate the raising of Anderson Ranch Dam as one of the priorities for the State of Idaho in the interest of promoting additional water security; and

WHEREAS, in 2019 the Idaho House of Representatives passed House Bill No. 285 that provided a $20,000,000 General Fund transfer to address the fiscal impact of HJM004; and

WHEREAS, implementation of a process to obtain future project funding is necessary at this time. Currently, the IWRB anticipates issuing bonds to help fund the non-Federal portion of the Project costs.

WHEREAS, the IWRB will need a financial advisor to analyze financing alternatives available to the Board for a single or multiple financing (the Borrowing) and recommend a financing mechanism taking into account the Board's policy considerations and desires. In coordination with the IWRB, a financial advisor will develop a financing plan, facilitate the Borrowing and coordinate with all parties including bond counsel, the underwriter, and water using entities among other critical activities; and

WHEREAS, the IWRB has received an exemption from competition allowing the IWRB to contract with Municipal Capital Markets Group, Inc. (MCM) for financial advisor services.

WHEREAS, the financial advisor will be compensated for IWRB approved out-of-pocket expenses

from proceeds of the Borrowing, or by the IWRB, if the IWRB elects to discontinue or if the project is not funded. However, the financial advisor will require quarterly payments for regular or customary financial services that will be subtracted from the final payment at completion of Borrowing; and

NOW THEREFORE BE IT RESOLVED the IWRB authorizes the Chairman or his designee to enter into a contract with MCM for financial advisor services.

NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes the expenditure of $150,000, not to exceed actual costs, from the Water Management Account for financial services associated with a raise of Anderson Ranch Dam.

NOW THEREFORE BE IT FURTHER RESOLVED that any expenses incurred for financial services from Water Management Account may be reimbursed from any bond issuance.

DATED this 21th day of January 2021.

Jeff Raybould, Chairman
Idaho Water Resource Board

ATTEST _____
Jo Ann Cole-Hansen, Secretary

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF BOISE RIVER BASIN FEASIBILITY STUDY	RESOLUTION REGARDING LIME CREEK AND SOUTH FORK OF THE BOISE RIVER PROTECTED RIVER SEGMENTS

WHEREAS, under Idaho Code § 42-1734A, the Idaho Water Resource Board ("IWRB") is responsible for formulating, adopting, and implementing a comprehensive state water plan for conservation, development, management, and optimum use of all unappropriated water resources and waterways of this state in the public interest; and

WHEREAS, under Idaho Code § 42-1734A(2)–(7), the IWRB may include, as a component of the state water plan, comprehensive basin plans for individual waterways, river basins, drainage areas, river reaches, ground water aquifers, or other geographic considerations; and

WHEREAS, a comprehensive basin plan adopted pursuant to I.C. § 42-1734A(2)–(7) may designate certain waterways as protected rivers after a determination by the IWRB that the value of persevering a waterway for particular uses outweighs that of developing the waterway for other beneficial uses. Such protected rivers may be designated as either natural or recreational rivers; and

WHEREAS, pursuant to I.C. § 42-1737A(5), in designating a natural river the IWRB shall prohibit the following activities: construction or expansion of dams or impoundments; construction of hydropower projects; construction of water diversion works; dredge or placer mining; alterations of the stream bed; and mineral or sand and gravel extraction within the stream bed; and

WHEREAS, pursuant to I.C. § 42-1737A(6), in designating a recreational river the IWRB shall determine which of the activities list in subsection (5) shall be prohibited and may specify the terms and conditions under which activities that are not prohibited may go forward; and

WHEREAS, on June 29, 1990, the IWRB adopted the Comprehensive State Water Plan: South Fork Boise River Sub-Basin Plan, which was readopted in 1996; and

WHEREAS, the South Fork of the Boise River Sub-Basin Plan includes the designation of the South Fork of the Boise River from Anderson Ranch Dam downstream to Black Canyon Creek as a recreational river and the South Fork of the Boise River from Black Canyon Creek to Neal Bridge as a Natural River; and

WHEREAS, the South Fork of the Boise River Sub-Basin Plan includes the designation of Lime Creek from its mouth to its headwaters and all tributaries on the north side of Lime Creek as a Natural River and all remaining tributaries to Lime Creek as Recreational rivers; and

WHEREAS, under the authority of the Water Infrastructure Improvements for the Nation Act (WIIN Act, P.L. 114-322) , the United States Bureau of Reclamation ("USBR") has partnered with the IWRB on the Boise River Basin Feasibility Study, to evaluate raising Anderson Ranch Dam to provide additional

water storage capacity on the Boise River; and

WHEREAS, pursuant to the requirements of the National Environmental Policy Act ("NEPA"), the USBR released the Draft Environmental Impact Statement ("DEIS") for the Boise River Feasibility Study on July 31, 2020; and

WHEREAS, in conjunction with the DEIS, the USBR also completed a Draft Boise River Basin Feasibility Study which measured the viability of the proposed dam raise and formed the basis for USBR's recommendation to the Secretary of Interior regarding implementation of the plan; and

WHEREAS, after receiving comments on the DEIS, the USBR plans to issue the Final Environmental Impact Statement ("FEIS") and Final Feasibility Study in the summer of 2021; and

WHEREAS, prior to issuing the FEIS, the USBR seeks clarification from the IWRB regarding the interface between the Anderson Ranch Dam raise project and the Comprehensive State Water Plan: South Fork Boise River Sub-Basin Plan. Specifically with regard to whether the protected rivers designations on the South Fork of the Boise River and Lime Creek present a legal or policy barrier to completion of the project; and

NOW THEREFORE BE IT RESOLVED that the IWRB has determined that the construction of the Anderson Ranch Dam raise and the expansion of the reservoir does not implicate the protected river designations on the South Fork of the Boise River and Lime Creek because the expansion and construction are not occurring within the designated reaches.

DATED this 21th day of January 2021.

Jeff Raybould, Chairman
Idaho Water Resource Board

ATTEST _____
Jo Ann Cole-Hansen, Secretary

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF AQUIFER STABILIZATION AND AN ANALYSIS OF THE COOPERATIVE CLOUD SEEDING PROGRAM	RESOLUTION TO APPROVE FUNDS FOR A MODELING EFFORT TO SUPPORT THE STUDY OF CLOUD SEEDING IMPACTS ON THE WATER SUPPLY

WHEREAS, House Bill 547, passed and approved by the 2014 legislature, allocates $5,000,000 annually from the Cigarette Tax to the Idaho Water Resource Board (IWRB) for statewide aquifer stabilization, with the funds to be deposited into the Secondary Aquifer Planning, Management, and Implementation Fund; and

WHEREAS, cloud seeding was identified as a strategy in the Eastern Snake Plain Aquifer Comprehensive Management Plan (ESPA CAMP) for which stabilization and recovery of the ESPA is a principal goal, and was identified as a strategy in the draft Treasure Valley Comprehensive Management Plan; and

WHEREAS, a well-managed cloud seeding program can increase winter snowpack as much as 10% or more, and thereby increase surface water runoff, resulting in more surface water for all uses, including aquifer management projects, and less supplemental ground water pumping; and

WHEREAS, the Idaho Power Company (IPC) established a remote-operated "Pilot Program" and brought its operational experience gained from its Payette River Basin program to the Upper Snake River Basin as a result of the ESPA CAMP; and

WHEREAS, discussions between the IWRB, IPC, and other water users resulted in the creation of a Collaborative Cloud Seeding Program (Program) to expand IPC's cloud seeding operations in the Upper Snake River Basin and establish IPC run programs in the Boise River Basin, and Wood River Basin with support from the IWRB and water users; and

WHEREAS, the IWRB's 2017 through 2021 Fiscal Year Budget Resolutions for the Secondary Aquifer Stabilization and Secondary Aquifer Planning, Management, and Implementation Fund (Fiscal Year Budget Resolution) authorized expenditure of funds for operation and maintenance (O&M) costs associated with the Program and further stated the IWRB's goal that both the State and the water users financially participate with IPC in the Collaborative Cloud Seeding Program; and

WHEREAS, the IWRB has paid one third of the total Program O&M costs since the 2017-2018 winter cloud seeding season, and made significant contributions to program build-out capital expenses and operational modeling tools, providing a fifty percent cost share with IPC. Water users in the Boise, Wood, and Upper Snake River basins have historically contributed different percentages of the cost for annual cloud seeding O&M activities per basin. IPC has paid the remainder, typically greater than one third, of the total O&M costs; and

WHEREAS, in accordance with direction from the IWRB, a study looking at the impacts of cloud seeding on the water supply (Analysis) is underway to determine the relative percentage of supply generated through cloud seeding that will become available for different water uses. Results of the Analysis are intended to inform program decisions such as furthering build-out, prioritizing development activities, and determining program funding obligations- to include the distribution of funding between the program participants; and

WHEREAS, Idaho Department of Water Resources (IDWR) staff, with technical input from IPC and others, developed a framework for the Analysis and completed an initial phase that defined water supply increases to broad categories of water uses based on a statistical methodology developed by IDWR staff; and

WHEREAS, IDWR staff recognize a number of assumptions were made using the statistical method for determining impacts, and have identified necessary refinements for increasing the level of certainty in the results which will require the use of sophisticated modeling tools, calibrated specifically for the basins where cloud seeding operations occur; and

WHEREAS, the National Center for Atmospheric Research (NCAR) has developed a specialized hydrologic model (WRF-Hydro) capable of factoring impacts from cloud seeding, however this model will need to be calibrated for each basin where IPC cloud seeding operations occur. The total estimated cost for calibrations of the model is estimated to be approximately $216,000; and

WHEREAS, IPC has interest in acquiring the same modeling tools to support operational guidance for the Cooperative Cloud Seeding Program and for refining their estimations of increased precipitation due to cloud seeding; and

WHEREAS, IPC has already initiated a contract with NCAR for a portion of the proposed modeling efforts, and has expressed interest in a fifty percent cost share with the IWRB for the total cost of model calibrations for all basins where IPC cloud seeding operations occur; and

WHERES, the development of hydrologic data for the assessment of cloud seeding impacts will be needed for input into a planning model to route the increased flow that results from cloud seeding operations and determine benefits. NCAR is capable of developing the hydrologic data using the calibrated WRF-Hydro model; and

NOW, THEREFORE BE IT RESOLVED that, the IWRB authorizes expenditures not to exceed $108,000 from the Secondary Aquifer Planning, Management, and Implementation Fund for fifty percent of the costs related to the calibration of a hydrologic model to support the cloud seeding Analysis.

BE IT FURTHER RESOLVED that, the IWRB authorizes expenditures not to exceed $392,000 from the Secondary Aquifer Planning, Management, and Implementation Fund for the development of hydrologic data for the assessment of cloud seeding impacts.

BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee, Brian Patton, Executive Officer to the IWRB, to execute the necessary agreements or contracts to complete the proposed modeling effort.

DATED this 21th day of January 2021.

Jeff Raybould, Chairman
Idaho Water Resource Board

ATTEST _____
Jo Ann Cole-Hansen, Secretary