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Idaho Water Resource Board member Albert Barker testifies about drought and enhancing water supplies to a U.S. Senate committee

WASHINGTON, D.C. – (Sept. 21, 2023) – Albert Barker, a Boise-based water law attorney and a member of the Idaho Water Resource Board, testified before the U.S. Senate Energy and Natural Resources Committee on Wednesday about the importance of enhancing and managing water supplies in Idaho in the face of droughts and rapid population growth. Federal investment in Idaho’s aging water facilities is crucial now and in the future, Barker said.

“Water is the lifeblood of our Western farms, communities, and environment,” Barker said. “Drought has always been present in the arid West, otherwise we wouldn’t need the vast water supply and delivery infrastructure we currently employ for our economic prosperity and standard of living. However, as populations continue to grow and our food supply becomes even more important to our Nation’s security, we must again invest in our existing and future water infrastructure to provide secure, reliable water supplies to cities, towns, farms, recreation, and our natural environment into the future.”

U.S. Senators were intrigued by all of the management initiatives and investments in water infrastructure in Idaho, Barker said, including aquifer recharge projects. “We can take pride in the fact that much has been done, but much more needs to be done,” he said.

Idaho has been proactive in its responses to drought and water supply shortages for all water uses, including drinking water, irrigation, hydropower, fish, wildlife and environmental needs, he said. “With the strong support of Governor Brad Little and the Idaho Legislature, Idaho has made these significant investments in water management, building drought resiliency, expanding water supplies, and repairing and improving critical water resource infrastructure to benefit water availability into the future,” Barker said.

Since 2019, more than \$500 million has been appropriated by the Idaho Legislature to the Idaho Water Resource Board for these purposes. The Legislature has appropriated another \$500 million to the Department of Environmental Quality for wastewater treatment and drinking water projects over this same timeframe. The State of Idaho, through a ranking process, carefully sets priorities for spending these funds, he noted.

Barker said the Idaho Water Resource Board supports the introduction of the Urban Canal Modernization Act, S. 2160, by U.S. Senator James Risch to help provide more affordable funding for projects like lining the New York Canal.

“These repair projects in urbanized areas are much more expensive than repairing a canal in a rural setting, creating an unaffordable scenario for farmers responsible to maintain canals through areas that have urbanized through no fault of themselves,” he said. “If enacted, S. 2160 would provide 35% of the cost of such expensive repairs in urban areas to be non-reimbursable from the Bureau of Reclamation’s aging infrastructure fund, which would take an unaffordable burden from irrigators while accelerating such repairs in advance of a disastrous failure.”

Barker explained that the Board has been working to increase water supplies in Idaho via the Eastern Snake Plain Aquifer managed recharge program, expanding the height of Anderson Ranch Dam to create about 29,000 acre-feet in additional storage water, a water pipeline project from the Snake River to Mountain Home Air Force Base to provide a long-term sustainable supply of water for municipal use, and more.

Barker thanked the U.S. Senate Energy and Natural Resources Committee members for passing the Aquifer Recharge Flexibility Act. Section 1105 of the Act facilitates the use of existing irrigation canals for aquifer-recharge purposes by allowing the canals to be used for the conveyance of aquifer recharge water without the need to seek additional authorizations from the federal government.

In essence, the Act should allow the Board to transport water across public land administered by the Bureau of Land Management for aquifer recharge purposes without requiring additional authorization from the Secretary of the Interior, he said.

“Unfortunately, regional BLM staff do not interpret the Act as applying to the Board’s aquifer recharge effort,” Barker said. “In their opinion, the Act does not provide benefits to third parties who wish to use someone else’s right-of-way for their own aquifer recharge purposes. However, the IWRB’s position is that the Act should apply to our aquifer recharge efforts, and we look forward to working with this Subcommittee, our congressional delegation, and BLM to further review this interpretation” of the law.

U.S. Senator James Risch, a ranking member of the Senate Energy and Natural Resources Committee, pressed the Deputy Assistant Secretary of Water and Science on the importance of aquifer recharge and asked for his commitment to follow up with BLM.

“It would keep us from jumping through all the hoops of passing another statute when the language is pretty clear,” Risch said.

The full text of Barker’s testimony can be seen online [here](#). More details on the hearing can be found online [here](#).

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