

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Friday, January 25, 2013

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Pearce, Vice Chairman Bair, Senators Cameron, Siddoway, Brackett, Heider, Tippetts, Stennett and Lacey

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Pearce** called the meeting to order at 1:35 p.m. He welcomed the Gubernatorial appointees to the Idaho Water Resource Board (Board), other Board members, and Director Spackman, who is also an appointee.

GUB. APP'T.: **Chairman Pearce** called on Mr. John Albert "Bert" Stevenson to address the Senate Resources and Environment Committee (Committee).

Mr. Stevenson said it was an honor to have received this appointment. He has been involved with water issues for many years and feels that he understands the challenges and opportunities that face the water users statewide. He served 16 years in the House of Representatives and served as chairman of the House Resources and Conservation Committee. Also, **Mr. Stevenson** has held public office in several different capacities including Minidoka Irrigation District Board of Directors, Minidoka County Planning and Zoning Board, Minidoka County Commissioner, CSG West River Governance Committee Member, Pacific Northwest Economic Region Water Policy Group, Magic Valley Ground Water District, Idaho Irrigation Pumpers Association Board Member, and Idaho Water Users Member.

Mr. Stevenson was born in Minidoka County and has always resided in Idaho, with the exception of when he served two years in Canada on a Mission and served two years in the U.S. Army. After returning to Idaho, he resumed his vocation as a farmer.

As for his contribution to the Board, **Mr. Stevenson** said that he has watched water projects be developed, such as the A&B Irrigation District that was brought into production. He has seen change from all surface irrigation to sprinkler irrigation and has helped to litigate conflicts.

GUB. APP'T.: **Mr. Vince Alberdi** is also an Idaho native, living in the Magic Valley his entire life. He stated that he started in the water business, then moved to utilities for a few years, built homes for ten years, then returned to the water management field. In 1992, he was hired as general manager of the Twin Falls Canal Company. The Canal Company is the largest canal company in Idaho and diverts over 3500 cfs (cubic feet of water per second) in the summer from Milner Dam on the Snake River to over 100 miles of large canals and over 1,000 miles of smaller laterals. During his 16 years as general manager, he was instrumental in rebuilding many of the major irrigation structures, consolidated operating divisions, built two new office buildings, updated the equipment and improved water deliveries in the canal system with a state of the art automation system.

Mr. Alberdi served as a negotiator with upstream water users and was instrumental in the 2005 water call made by the Surface Water Coalition. On behalf of the Surface Water Coalition, he served on the Idaho Water Resource's Comprehensive Aquifer Management Plan Committee and is currently serving on Idaho Power's Integrated Resource Management Plan Advisory Group. He also was an active member of the Watershed Advisory Group (WAG).

One reason given as to why **Mr. Alberdi** wants to serve on the Board is because he wants to explore possibilities to find solutions to the Surface Water Coalition Water Call in District 120. He also stated that when he makes decisions, they are made for the state of Idaho.

GUB. APP'T.: **Mr. Albert Barker** of Boise was next to testify. He said that he was honored to receive an appointment to the Idaho Department of Water Resources.

He is an attorney and has over 30 years of experience practicing law, principally in the area of water rights, commercial and environmental litigation and administrative proceedings. Areas of concentration include water rights, hydropower and environmental and natural resources, the construction industry, antitrust, trade regulation, trademarks, and insurance litigation.

Mr. Barker's education includes a Bachelor of Arts from Yale University; J.D. (Jurist Doctorate) from the College of William & Mary; and is authorized to practice in Idaho, Virginia and the United States Supreme Court. He is also active in civic organizations: YMCA, Youth Soccer, AAU Basketball and Board member of a local charitable Foundation that benefits children and the elderly.

When asked why he would like to serve on the Board, **Mr. Barker** said that his professional career has been dedicated to serving the interests of water users in his district. He currently works for water delivery organizations in the Boise, Payette and Owhyee River basins, as well as in other parts of the state. He feels that he has the understanding of the needs and concerns of the water users in this district. **Mr. Barker** also has an extensive background in environmental laws that may impact water use, including the Clean Water Act, the Endangered Species Act, and the Superfund. He said that he could bring an understanding of the impacts of how those laws might impact water policy to the Board.

GUB. APP'T.: **Mr. Roger Chase** has served local and state government for many years in many different capacities. His experiences include: Council member, City of Pocatello (seven years); Idaho State Representative (four years); Mayor, City of Pocatello (eight years). He also was employed by the J.R. Simplot Plant in Pocatello and his responsibilities there included the operation and maintenance of various production facilities, as well as being involved in contract negotiations and personnel issues.

Mr. Chase is presently owner of a small consulting firm and that gives him the opportunity to work with several different private companies that deal with issues involving agriculture, manufacturing, recreation, energy, construction and other industries. He also has 20 years of experience dealing with tribal issues.

When asked why he wants to serve on the Board, **Mr. Chase** replied that he feels he brings a unique perspective to the Board. His knowledge of urban and local government issues will be helpful and it is important that those issues are represented.

His community involvement includes (or has included): member of National Association of Mayors; member, Bannock Development Corporation; member, Greater Pocatello Chamber of Commerce; Executive Board, Association of Idaho Cities; Chair, Idaho Heritage Festival; Chair, Pocatello Valley Aquifer Protection Group; Chair, Chief Foundation Board; Chair and Head of Fund Raising for Aid for Friends Homeless Shelter Board.

Mr. Chase provided the Committee with copies of the Eastern Snake Plain Aquifer (ESPA) Comprehensive Aquifer Management Plan. It contains a progress report and provides an overview and accomplishments from 2009 through 2012. (See Attachment 1).

GUB. APP'T.:

Director Gary Spackman, is a 26 year veteran of State government, and having served as the Interim Director for the Idaho Department of Water Resources (IDWR) for the past three years, has now been appointed Director. His term commenced July 10, 2012 and will expire January 1, 2015. He said that he is in full support of the candidates that are here for their confirmation hearing, as he has worked with them and can vouch for their dedication.

As Interim Director, he oversaw the activities of approximately 159 employees and to satisfy the current reduced budget, he streamlined the structure of IDWR. Some of his previously held positions include:

- Water Management Division Administrator
- Water Allocations Bureau Chief
- Western Regional Manager
- Water Distribution Section Manager
- Water Allocations Section Manager

Director Spackman's education includes a Bachelor of Science degree in Agricultural Engineering from Utah State University; a law degree (J.D.) from J. Reuben Clark Law School, Provo, Utah; and is a registered professional civil engineer. He served as a law clerk in Soda Springs and also practiced law there. The **Director** served as "Engineer in Training" at American Fork and Salt Lake City, Utah.

Presently, IDWR has 15 water initiatives for economic development. A few of the initiatives are: work on the Galloway Dam Project; help broker the Water Resource Board's commitment of \$1.5 million for managed recharge over the next five years; completing the Rathdrum Prairie Comprehensive Aquifer Management Plan; reducing the transfer backlog (500 to 80) and eliminating the water supply bank backlog (down from 200). The licensing backlog has been reduced from 3,500 to 2,500 and that has been due to the dedication of the staff, which he wished to give credit.

In the **Director's** closing remarks, he said that he had two conflicting responsibilities. One is about the use of water in the state for economic development and the other is to protect senior water right holders. He stated that there are tough decisions to be made and what he has to do is to apply a standard and that standard is: to review the facts as best as he can; evaluate them; try to find the staff; gather all the information; review the law; then apply the law to the facts and do it honestly.

Chairman Pearce stated that the interviews of the candidates have been completed and he thanked them for their participation. He invited the other Board members to sit at the chairs with microphones so that the discussion could continue.

DISCUSSION: **Senator Siddoway** asked IDWR Board members what they felt were the "hottest" issues confronting them. **Mr. Chase** replied that they are: the aquifer recharge; water storage sites; have uses of water identified; and enough money to do what needs to be done.

Senator Siddoway asked for an update on studies for storage in the Upper Snake. **Mr. Gary Raybould** said they had been working with the Bureau of Reclamation (Bureau), using funds appropriated by the legislature, for purposes of studies on the rebuilding of Teton Dam. They are about halfway through the study, working with the Bureau, who is analyzing several storage sites, some new, and some just raising the storage site a few feet. Part of the study is water conservation, aquifer storage, and other measures that makes more efficient use of the water.

Chairman Pearce asked, "What are we doing today that will impact the state eight to ten years down the road?" and "What do you see now that is either a threat or an area that will be needing attention?" **Mr. Alberdi** responded by saying that he was in a meeting and a report was given by our good neighbors to the South (Nevada). They are starting to see some housing growth in the Las Vegas area. The report was that they may come up as far as Ely and are transporting 80,000 acre feet of water back to Las Vegas. Because of the recession that we have gone through, **Mr. Alberdi** said that we have forgotten about what might be happening very close to us and suggested that we watch it closely.

Mr. Charles "Chuck" Cuddy reported on the drilling at Galloway. He said they are waiting for the report to indicate what kind of footings it will take. This has been one of his pet projects. Also, he said that being from North Idaho and on the western edge of the state, his perspective of our water is a little different, as we have a greedy neighbor (sometimes). **Mr. Cuddy** feels that his job is "to keep watching for holes in the fence."

Chairman Pearce thanked the appointees and members of the Water Resource Board for their participation and thanked them for their service to the people of the state of Idaho and their service to the state. He said that water is Idaho's lifeblood

ADJOURNED: **Chairman Pearce** adjourned the meeting at 2:25 p.m.

Senator Pearce
Chairman

Juanita Budell
Secretary