

MINUTES
JOINT MEETING

**SENATE RESOURCES & ENVIRONMENT COMMITTEE
HOUSE RESOURCES & CONSERVATION COMMITTEE**

DATE: Monday, January 13, 2014

TIME: 1:30 P.M.

PLACE: WW02

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

Chairman Denney, Vice Chairman Gibbs, Representatives Wood, Barrett, Eskridge, Raybould, Andrus, Shepherd, Wood, Boyle, Vander Woude, Gestrin, Miller, Anderson, Pence, Erpelding, and Rubel

**ABSENT/
EXCUSED:** Representative Moyle

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.

CALL TO ORDER AND WELCOME: **Chairman Pearce** called the Joint Meeting of the Senate Resources and Environment Committee and the House Resources and Conservation Committee to order at 1:30 p.m. in the Lincoln Auditorium. He welcomed Chairman Denny and his Committee; Gary Spackman, Director, Idaho Department of Water Resources (IDWR); and Roger Chase, Chairman, Idaho Water Resource Board (IWRB), as well as members of the audience.

SPEAKERS: **Director Spackman** made available to the Committee members IDWR's Annual Report for FY 2013, (see attachment 1), as well as copies of the presentation, "Program Overview and Financial Proposal" (see attachment 2). He addressed the order of business, then asked Chairman Chase to speak to the issues facing IDWR.

Before starting his presentation, **Chairman Chase** introduced the Board members that were in attendance. They were Vince Alberdi, Bert Stevenson, and Chuck Cuddy.

Chairman Chase said the State Water Plan was adopted by IWRB November, 2012 and became effective in 2013 with no action by the Legislature. For the first time it includes strategies and milestones for executing management policies and evaluating their effectiveness. A group of legislators had concerns about certain policies, so the Board committed to review them. Any modifications from this review is anticipated for the 2015 Legislative session.

Chairman Chase said that a big issue is the Water Sustainability Initiative Funding, which amounts to \$15 million in one-time funds in the Governor's budget. Following are the projects and their amounts:

- Mountain Home Air Force Base (MHAFB) Water Rights & Supply - \$4 million
- Northern Idaho Future Water Needs Studies - \$500,000
- ESPA Managed Recharge Infrastructure & Expenses - \$4 million
- Galloway Reservoir Project - \$2 million
- Boise River-Arrowrock Enlargement - \$1.5 million

- Island Park Reservoir Enlargement - \$2.5 million
- Water Supply Bank Computer Infrastructure & Costs - \$500,000

Another issue is how to keep Idaho's water within the state. **Chairman Chase** indicated that storage seems to be the answer. The aquifer at MHAFB is dropping one to two feet per year and the Simplot Corporation has agreed to sell the State their water rights for that area. That will do two things – (1) Provide water on a consistent and constant flow for the Base and (2) reduce the demand that is put on the rest of the aquifer.

The Eastern Snake Plain Aquifer (ESPA) has had a declining storage problem. The average annual loss of aquifer storage from 1952 through 2008 was 214,000 acre feet. **Chairman Chase** said the last thing they want to do is to shut someone's water off, due to the lack thereof. The stabilization of ESPA is essential. It will prevent further ground water users versus surface water users conflicts and would also meet the State's Swan Falls Agreement obligations to maintain minimum flows at the Murphy Gage.

Chairman Chase's next topic was the future water needs of North Idaho. There are rivers and aquifers in Northern Idaho that are shared between states; also, there are no interstate agreements, compacts, or decrees that allocate this water. **Chairman Chase** warned the legislators that they need to account for how North Idaho's water is to be used and to not let the adjoining states develop a plan to take the water.

In 2008, House Joint Memorial No. 8 was created. The Memorial stated that "Water use conflicts, population growth, continued unprecedented drought, urban development, conjunctive administration, Endangered Species Act requirements and other additional demands are being placed on the already scarce water resources of the State." It directed the IWRB to investigate and pursue new reservoir projects statewide. Some of the sites included the Weiser-Galloway Dam, Island Park Reservoir, and Arrowrock Dam on the Boise River. This study is still going through the federal process with thanks to U.S. Senator Risch for obtaining federal funds.

Chairman Chase concluded his presentation and turned the remaining time to Director Spackman.

Director Spackman said that he wanted to elaborate on the water situation at MHAFB because of his involvement in it the past four years. He learned that MHAFB needed help in two areas - a high speed internet and a better water supply, and because of those four years of effort, they have acquired the last remaining sale of surface water on the Snake River, thanks to the J.R. Simplot Company.

Director Spackman reviewed several subjects for the Committee. One was the snow pack in the State, and stated that if Idaho doesn't have an above average year, he may be in a position to have to order curtailment of thousands of acres that divert ground water. He also talked about IDWR's organizational chart, noting that a new position has been added, that of deputy director. A brief review of the budget was made, as well as a 10 year comparison. The backlog of permits and applications have been steadily reduced the past two years, as well as pending lease applications. **Director Spackman** praised the staff for their efforts in this area.

Director Spackman talked about the recharge legislation that was proposed prior to the 2013 Legislature. The legislation was held because the Idaho Water Users Association wanted to refine the legislation. Between 20-30 drafting and review meetings were conducted during 2013 and there were significant attempts to find a compromise. The following is the current version of the draft legislation:

Proposes significant control and evaluation of appropriations for ground water recharge - condition of approval to ensure maximum benefit.

Proposes that Idaho Water Resource Board will promulgate rules to ensure that appropriation for ground water recharge and accrual of recharge credits will be consistent with goals of state water plan and comprehensive aquifer management plans.

Idaho Water Resource Board rules would establish priorities for appropriation and exercise of water rights for ground water recharge - both rights held by the Board or held privately.

Water supply bank (existing organization) would accrue and account for credits resulting from recharge activities.

In closing, **Director Spackman** said that he appreciated appearing before the Joint Committees and thanked Chairman Chase for his participation.

ADJOURNED: **Chairman Pearce** adjourned the meeting at 2:22 p.m.

Senator Pearce
Chair

Juanita Budell
Secretary