

# Arrington: 'We are who we are because of these giants'

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Taylor said the U.S. Geological Survey ranks Idaho second behind California in agricultural water withdrawals. Some 97% of all water withdrawn in Idaho is for agriculture.

The annual cash receipts of Idaho's irrigated agriculture last year approached \$7 billion — about 80% of the total crop value.

The Boise River Basin alone has about 1,500 miles of canals and laterals, according to the Treasure Valley Water Users Association.

"Even as a kid," Arrington said, "I was amazed at what our predecessors did to create the world we live in." That includes building canals and ditches "with a fraction of the technology we have today."

## Prior appropriation

Idaho uses the Prior Appropriation Doctrine, also known as "first in time, first in right," to manage water rights.

Meghan Carter, who chairs the state Bar Association's water law section and represents the state Department of Water Resources, said the doctrine does not generally rank the use of water.

"You can have discussions about which uses are more important, but when it comes down to water law, the ones that started first are the ones that get the water first," she said.

"With our fast-growing population and how that population is served — we're getting more people in urban areas, and domestic water with houses — all of that poses its own interesting problems," Carter said.

She said state law recognizes rights for reasonably anticipated future needs — municipal providers can develop water rights under a planning horizon — though the rights are administered using prior appropriation. The state manages conjunctively, accounting for groundwater and surface water connections and interactions.

## Trusted resource

Carter has worked with Arrington throughout her career.

"Every interaction with him has been pleasant," she said. "He is easy to work with and he does have the ability to talk to anyone,



Brad Carlson/Capital Press

Office and Program Manager Kathryn Hartman, Executive Director and General Counsel Paul Arrington at Idaho Water Users Association office in Boise.



Norm Semanko



Meghan Carter

which makes him well-suited to represent the Idaho Water Users Association. And he is very competent at it, making sure he is up on all water issues."

Arrington succeeded Norm Semanko, the association's 2000-17 director who returned to practicing water law.

"I couldn't have asked for a better person to replace me in that position," the Boise-based Semanko said. Arrington "has worked very hard to bring the association to the next level, to familiarize himself with the myriad of issues, and more importantly to become an expert and trusted resource — not just for the water user community but for our elected officials, agency folks and federal and state government."

House Agricultural Affairs Committee Chairman Clark Kauffman, R-Filer, said the Water Users Association "is a great resource for anybody in agriculture. But for the Ag Committee, it was especially useful."

He also carried sev-

eral bills over the years for the association in the Resources and Conservation Committee.

"Paul was always a good source," Kauffman said. "Everybody understands water is important, and he could explain it as well as anyone, how it affected different people in different ways. He is an example of great expertise. He also is glad to share the knowledge and has been great to work with."

Brad Mattson, who manages Aberdeen-Springfield Canal Co., said association members communicate and cooperate effectively — important this year as a mostly dry winter was offset by an unusually cold, wet spring.

Mattson, who came to eastern Idaho in December from an ag-focused water district in northern California, said Arrington is excellent at "making sure we are all looking toward the same goal."

## Predecessors credited

Arrington credits the association's success to past leaders and staff: directors Sherl Champan and Semanko, and office and program managers Karen Edwards and Kathryn Hartman.

"We are who we are because of these giants,"

Arrington said.

Hartman in late 2019 succeeded Edwards, who retired after more than 43 years.

Hartman said Arrington is "thoughtful, intentional and keeps his eye on the larger picture." He is "open to collaboration and other people's ideas."

Since Arrington's May 1, 2017, arrival, the association cut the number of big annual events from three to two, increased groundwater district participation in association membership and activities, moved to virtual platforms and added a leadership training program.

He said Hartman was instrumental in the virtual shift that helped the association thrive during the height of the COVID-19 pandemic, and in boosting its social media presence and activity.

"I love change," Arrington said. "There is excitement in change. Change can revitalize organizations and individuals. If done right, change can be the difference between success and failure."

## Water priorities

Recent priorities include water infrastructure funding. The Legislature spent substantially on it in the past four years, includ-



Courtesy IWUA

Idaho Water Users Association members at U.S. Capitol. From left: Tony Willardson, Norm Semanko, Jerry Rigby, executive director Paul Arrington, Will Hart and John Simpson.

ing this year's big amount boosted by federal COVID-19 stimulus and state surplus funds.

"We are at a really once-in-a-lifetime opportunity to address infrastructure needs," Arrington said.

The 13-member first class of the association's Headgate leadership academy started Nov. 2 and graduated June 22. A goal is to help "develop the next generation of water leaders in Idaho," he said.

Education is another focus as urbanization in many areas poses new challenges. The association is working with legislators and other elected officials, communities and others.

Arrington was recently invited to speak to a group of real estate agents for an hour.

"It took three hours," he said. "They want to know. They want to understand."

## Important attributes

When he started working at the association, Arrington took naturally to the job's required networking.

He is involved in a half-dozen groups. A few are not work-related. One group's members "have a passion to find the best tacos," he said.

"There's something about just getting together

and thinking together, hanging out and developing those relationships," Arrington said.

Another job requirement, patience, has been more of an acquired skill.

"When you're dealing with water, everything takes forever," Arrington said. The people in water "are very thoughtful and don't want to rush into any solution."

He grew up south of Twin Falls, where his father, Steven, owned a construction company. His dad changed careers and they moved to town.

Arrington helped out in a Boise-based corporation's legal department the summer before he graduated from Gonzaga University's law school, and the following summer. He worked on natural resource and water issues.

He practiced at a water-focused law firm's Twin Falls office for nearly a dozen years before taking the Water Users Association post.

Arrington reflected on his dad's hard work and his own day of farm rock-picking as a pre-teen.

"My goal was to have a job where I showered before I went to work, not afterward," he said.



Don Jenkins/Capital Press File

Cattle graze in Washington.

## Wolf: Court precedents support controlling wildlife damaging property

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shooting wolves in the national forest. The suits failed. State law and court precedents support controlling wildlife damaging property.

The appeal to the 9th Circuit claims violations of the National Environmental Policy Act and the National Forest Management Act.

The cattlemen's association is not a party to lawsuit, but filed a brief July 14 asking the 9th Circuit to accept its amicus brief.

The environmental groups oppose introducing the brief, arguing the cattlemen have nothing useful or additional to add.

The Forest Service contends that since Congress removed federal protection from wolves in Eastern Washington, the state is primarily responsible for managing wolves.

"As a factual matter, WDFW always ensures grazers implement multiple deterrence measures to reduce wolf-livestock conflict prior to lethal removal," according to the Forest Service.

## Study: Washington would be the hardest-hit state

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farmland loss is occurring, and provide some policy recommendations."

## Losing farmland

Between 2000 and 2016 alone, Candib said, roughly 11 million acres of farmland has been lost or fragmented by development.

Across the Northwest, as many as 527,185 acres of additional farmland may be lost to urban and low-density residential development by 2040 — particularly around rapidly growing metro areas around the Puget Sound, Portland, Spokane and Boise.

Washington would be the hardest-hit state, losing 238,614 acres of farmland under the worst-case scenario. That is an area roughly 4 1/2 times the size of Seattle.

Oregon would lose up to 142,267 acres of farmland, while Idaho would lose up to 146,304 acres.

"What we know is that this conversion will disproportionately impact our most productive, versatile and resilient land," Candib said.

While the expansion of highly developed urban areas is a concern, Candib also pointed to low-density residential housing as "a big piece of the problem." Unlike highly developed urban areas, low-density residential housing exists

more on a spectrum, ranging from large-lot subdivisions to a few scattered homes encroaching on farmland.

Once an area goes from completely rural to low-density residential, Candib said it is exponentially more likely to become further developed.

"As residential development starts to populate out into rural areas in an unplanned or unchecked way, it makes it harder for farmers to farm," she said. "Over time, it can make it difficult for farmers to see a future for themselves in that area. As folks give up... that's where that land becomes particularly vulnerable."

## Three scenarios

The report outlines three scenarios to envision how urban and low-density residential development may impact farmland by 2040.

The first is "business as usual," which follows recent development trends. "Run-away sprawl" is the worst-case scenario, which forecasts a 50% increase in low-density building.

Finally, there is what American Farmland Trust calls "better built cities," which calls for policymakers and land use planners to target a 25% reduction in highly developed urban expansion and 50% reduction in low-density residential development.

Under the latter, Candib

said Washington, Oregon and Idaho can save an estimated 280,800 combined acres of farmland, representing \$206 million in farm output and 7,382 jobs.

"We really need to invest in urban density and limit the expansion of urban growth boundaries," Candib said.

In its policy recommendations, the American Farmland Trust calls on local, state and federal governments to create comprehensive plans that prioritize farmland protection and "smart growth" strategies condensing urban development.

States should also invest in programs to improve training and land access for new and beginning farmers, Candib said.

"The best way to protect a farm is to make sure it stays farming," she said.

## Other risks

Urban sprawl isn't the only risk to losing farmland.

Rising sea levels due to climate change threaten to flood more than 450,000 acres of coastal farmland across the country by 2040, including 40,000 acres in Washington and 4,000 acres in Oregon, Candib said.

That total does not reflect salinization of soil and groundwater caused by ocean waters, which the report states would impact many more acres.

To combat climate change, both Oregon and

Washington have passed legislation targeting 100% "clean" electricity by 2040 and 2045, respectively. But even that could have consequences on farmland, specifically from a proliferation of proposed and permitted solar farms in the region.

Candib pointed to a 2021 study by the Department of Energy looking at the future of U.S. solar production. The analysis determined that, by 2040, about 80,000 acres of land in Washington may be converted to solar, as well as 50,000 acres in Oregon and 34,000 acres in Idaho.

About 80% of those projects would be on agricultural land, Candib said.

"We don't want to paint solar energy solely as a threat," she said. "However, if we don't plan otherwise... we will see some of our best agricultural land converted into solar."

Though it may seem like the Northwest has ample farmland, Candib said food security in the long-term relies on ensuring those remaining acres and producers are protected.

"The decisions our communities make now with respect to housing density and urban growth will be essential in ensuring we can accommodate additional population increases, without compromising more farmland and open space," she said.