

MINUTES  
**SENATE RESOURCES & ENVIRONMENT COMMITTEE**

**DATE:** Monday, March 04, 2024

**TIME:** 1:30 P.M.

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Burtenshaw, Vice Chairman Adams, Senators Guthrie, Den Hartog, Harris, Okuniewicz, Schroeder, Semmelroth, and Taylor

**ABSENT/ EXCUSED:** None

**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 Burtenshaw** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 1:30 p.m.

**GUBERNATORIAL APPOINTMENT VOTE:** **Senator Okuniewicz** moved to send the Gubernatorial Appointment of Brody Harshbarger of Ashton, Idaho to the Idaho Fish and Game Commission to the floor with the recommendation that he be confirmed by the Senate. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**.

**H 507** **TIMBER - Amends existing law to revise provisions regarding security requirements in certain actions or proceedings involving the sale of timber.** **Senator Harris** explained this legislation had to do with the Good Neighbor Authority (GNA), which allowed state and federal forestry agencies to enter into agreements to complete the work needed to keep forests healthy and productive. This legislation required a bond for any person or entity delaying or preventing the cutting or removal of timber by a purchaser in a GNA sale, which would allow the GNA equal footing with regular landlord timber sales.

**DISCUSSION:** **Chairman Burtenshaw** asked if this legislation would help towards fire abatement. **Senator Harris** responded that the GNA was created to help with preventing fires by cleaning up forests.

**TESTIMONY:** **Steve Thomas**, on behalf of Idaho Forest Group, testified in favor of **H 507**. He shared this legislation did two things. First, should a third party want to go to court for an injunction to stop a particular timber sale, the standard bonding was increased to be the value of the timber or the purchase price of the sale, whichever was greater. Second, this bonding requirement was expanded to include timber sales under the GNA.

**MOTION:** **Senator Guthrie** moved to send **H 507** to the floor with a **do pass** recommendation. **Senator Den Hartog** seconded the motion.  
**Senator Okuniewicz** stated he had a conflict of interest pursuant to Senate Rule 39(H) but intended to vote.

**VOTE:** The motion to send **H 507** to the floor with a **do pass** recommendation carried by **voice vote**.

**H 468**

**RANGELAND - Adds to existing law to establish the Rangeland Improvement Act.** **Representative Raymond** explained this legislation directed the Idaho Department of Agriculture to seek funding for and carry out grazing improvement projects statewide through the Grazing Board Central Committee (Grazing Board). The Grazing Board was created by the Taylor Grazing Act of 1934, and reauthorized by the Federal Land Policy Management Act (FLPMA). The Grazing Board would support and manage projects with the help of two additional volunteer members at large. Those members would be nominated by their peers in the livestock industry and appointed by the governor. This legislation also established an account for funding and expenditures for these projects.

**DISCUSSION:** **Senator Den Hartog** asked why the new position of a grant writer that **Representative Raymond** mentioned in his presentation was not included in the Fiscal Note. **Representative Raymond** responded that this was not a new position.

**TESTIMONY:** **Russ Hendricks**, on behalf of Idaho Farm Bureau, **Jerry Wroten**, cattle producer and President, Idaho Cattle Association, and **Patxi Larrocea-Phillips**, on behalf of Idaho Wool Growers Association, testified in favor of **H 468**. They agreed this legislation provided an opportunity to improve state and federally managed rangelands across Idaho, and that under this program there was an opportunity for cooperation between state and federal agencies to promote long term rangeland health.

**DISCUSSION:** **Representative Raymond** shared that when he met with the Grazing Board in November, he spoke to some Bureau of Land Management (BLM) employees, who told him that if this program was in effect ten years ago, the permit renewal process would have become seamless.

**Senator Den Hartog** asked if the fees noted in this legislation would be directed to the fund for grazing improvement projects. **Representative Raymond** explained that cattle producers pay fees to BLM to graze their livestock on public or BLM land, and a percentage of those fees returned to the Grazing Board for range improvement.

**MOTION:** **Senator Harris** moved to send **H 468** to the floor with a **do pass** recommendation. **Vice Chairman Adams** seconded the motion.

**DISCUSSION:** **Senator Okuniewicz** stated he was generally uncomfortable with new programs that did not provide any estimated cost to taxpayers, so he wanted to do more research before he supported this legislation.

**Representative Raymond** responded that their intention was to seek funding for this program through grants, and there were many grants, both government and non-government, that were available for purposes such as reducing wildfires and improving ranch conditions for wildlife.

**VOTE:** The motion to send **H 468** to the floor with a **do pass** recommendation carried by **voice vote**. **Senator Okuniewicz** requested to be recorded as voting nay.

H 592

**DEPREDAION - Adds to existing law to provide for compensation for depredation of livestock by grizzly bear and wolves. Representative Sauter** began the presentation for Representative Raymond. He explained that this legislation established a fund for conflict prevention and livestock depredation by grizzly bears and wolves. This fund provided compensation to livestock owners and producers that had experienced livestock loss. The Idaho State Department of Agriculture (ISDA), in consultation with the Idaho Department of Fish and Game (IDFG) and the Office of Species Conservation, would manage the fund and authorize compensation to livestock owners and producers. The annual appropriation would be \$225,000, with \$150,000 dedicated to livestock depredation and \$75,000 dedicated to conflict prevention.

**DISCUSSION:**

**Senator Okuniewicz** asked if there was already a program like this one in place. **Representative Sauter** responded that there was no program for grizzly bear kills. **Senator Okuniewicz** asked if this legislation included bears and wolves. **Representative Sauter** responded that this legislation included bears and wolves, although grizzly bears were more of an issue in his area. **Senator Okuniewicz** asked if the wolf portion was redundant. **Representative Sauter** explained that the wolf depredation money was largely spent on crews to hunt and trap wolves, but there was little money offered for depredation.

**Representative Raymond** reviewed the funds currently available for conflict prevention and livestock depredation by grizzly bears, which were federal funds that were inconsistently available. He stated the Office of Species Conservation had well over 300 applicants for an available \$25,000. He spoke about the three most sought after funds for wolf depredation prevention, which were range riders, guard dogs, and trail cams. He reviewed the intended role of the three state agencies, IDFG, the Office of Species Conservation, and the ISDA, involved with this program.

**Senator Den Hartog** asked how the current Wolf Depredation Control Board (Wolf Board) would intermix with what was proposed in this legislation.

**Representative Raymond** responded that the role and mission of the Wolf Board was to control population, but they had no tools to address depredation. He added that the funds for this legislation were new funds, directed specifically at wolf and grizzly depredation and wolf and grizzly conflict prevention. **Senator Den Hartog** asked if the follow up legislation mentioned earlier in the meeting included anything to ensure that depredation was not compensated from both fund sources. **Representative Raymond** responded that he did not see this mechanism in H 612, but that he would defer to the presenter of that legislation.

**Senator Harris** asked where the money would come from to fund this legislation.

**Representative Raymond** responded that this legislation would be entirely supported from state general funds.

**TESTIMONY:**

**Val Hammond, Scott Rigby, and Darcy Lammers** testified in favor of **H 592**. They had operations that had been severely impacted by the financial loss caused by depredation, and they agreed that the grizzly bear population was expanding well outside of Yellowstone Park. They believed this legislation was a positive step towards state management of the grizzly bear and wolf populations. They believed a compensation program would demonstrate Idaho's commitment to responsible grizzly bear management, and would send the message that Idaho was dedicated to finding practical solutions that benefit both conservation and local communities, which would aid in building public support.

**Dexton Lake**, on behalf of Idaho Farm Bureau, **Sheila Hasselstrom**, with Farm Bureau and a member of the Idaho Wool Growers Association Board, and **Jerry Roden**, Idaho Cattle Association President, testified in favor of **H 592**. **Mr. Lake** agreed with prior testimony. He emphasized what an issue bears were for Idaho producers. He added that there was currently no mechanism to compensate for a bear or wolf kill that was labeled as probable, but not confirmed, and this legislation made available any funds left over at the end of the year to compensate probable cases. **Ms. Hasselstrom** shared her personal experience using a grant for depredation control from the Office of Species Conservation and how the funding had been effective.

**DISCUSSION:** **Senator Semmelroth** asked Mr. Hammond to explain some of his personal costs associated with the loss of livestock. **Mr. Hammond** responded that it depends on the year, but personally over the past year he had lost six percent of his livestock. **Senator Semmelroth** asked Mr. Lammers to explain how prevention dollars would help secure his livestock. **Mr. Lammers** explained why he stopped raising sheep and having honey bee hives, and he shared that prevention dollars would help with the expense of fencing and other measures to deter bears.

**Senator Okuniewicz** stated he would support the measure, but wanted to reserve his right to do some research and change his mind.

**MOTION:** **Senator Okuniewicz** moved to send **H 592** to the floor with a **do pass** recommendation. **Senator Schroeder** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Burtenshaw** adjourned the meeting at 2:32 p.m.

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Senator Burtenshaw  
Chair

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Shelly Johnson  
Secretary