

MINUTES  
**HOUSE RESOURCES & CONSERVATION COMMITTEE**

**DATE:** Wednesday, February 03, 2016

**TIME:** Upon Adjournment of the Joint Meeting

**PLACE:** Lincoln Auditorium

**MEMBERS:** Chairman Raybould, Vice Chairman Gestrin, Representatives Moyle, Andrus, Shepherd, Wood, Boyle, Vander Woude, Gibbs, Miller, Bateman, Burtenshaw, Mendive, VanOrden, Youngblood, Pence, Erpelding, Rubel

**ABSENT/  
EXCUSED:** Rep. Wood; Rep. Bateman; Rep Rubel

**GUESTS:** Becky Johnstone, Idaho Council on Industry and the Environment; Steve Cory, Idaho Council on Industry and the Environment; Pat Barclay, Idaho Council on Industry and the Environment; Marcia Feding, WCI; Eric Wilson, Idaho Department of Lands; John Tippets, Department of Environmental Quality; Jack Lyman, Idaho Mining Association, Jon Oppenheimer, ICL.

**Chairman Raybould** called the meeting to order at 2:56 p.m.

**S 1197:** **Jack Lyman**, Executive Vice President, Idaho Mining Association, presented **S 1197** stating that the Surface Mining Act, Idaho Code 47-1500, et seq., passed in 1971, prohibited the Idaho Department of Lands (IDL) from requiring a reclamation bond in excess of \$500 an acre. Bond amounts were set based on the estimated cost for a mine operator or a third-party representative of the operator to complete reclamation work plus 10%. In 1996, the Surface Mining Act was amended to allow for full cost bonding without any statutory cap or limit to the bond but with the provision that if an operator was required to bond more than \$2,500 an acre, they would have a right to a hearing before IDL. Today, a \$2,500-an-acre bond level is not a large bond. There has been an increase in the public's expectations of the mining industry, as well as activity from small mine operators, so reclamation bond amounts come up for hearing more often. **S 1197** will increase the bond threshold to \$15,000 an acre, with no cap, which would lessen the IDL hearing burden. **S 1197** will also amend Idaho Code Section 47-1512, adding a provision if IDL denies a request by an operator to have their bond released, it would be their obligation to provide a written notice setting forth the reasons for the rejection of the request for bond release and specifically stating the steps the operator has to take to get the bond funds released. **S 1197** also amends language in Idaho Code Section 47-1509 so that it will be consistent with the antidegradation water policy of the Idaho Department of Environmental Quality.

**MOTION** **Rep. Gibbs** made a motion to send **S 1197** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gibbs** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 3:02 p.m.

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Representative Raybould  
Chair

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Lorrie Byerly  
Secretary