

# House Environment, Energy & Technology Committee

Minutes  
2008



MINUTES

**HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE**

**DATE:** January 8, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 406

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives , Snodgrass, Eskridge, Anderson, Mathews, Crane, Vander Woude, Kren, Smith(30), LeFavour, Jaquet, Shively. Thomas, Bowers

**ABSENT/  
EXCUSED:** Rep. Eskridge, Rep. Shively, Rep. LeFavour, Rep. Vander Woude

**GUESTS:**

Chairman Raybould called the meeting to order at 1:30 p.m. and requested a silent roll.

Chairman Raybould announced the purpose of today's meeting is to appoint sub committees to review the 2008 DEQ Rules. Members were assigned as follows.

**Sub Committee #1**

Rep. Dick Harwood, Chairman  
Rep. Russ Mathews  
Rep. Brent Crane  
Rep. Elaine Smith (30)  
Rep. Curtis Bowers  
Rep. Steve Kren  
Rep. Nicole LeFavour

**Sub Committee #2**

Rep. Mark Snodgrass, Chairman  
Rep. Eric Anderson  
Rep. George Eskridge  
Rep. John Vander Woude  
Rep. Jerry Shively  
Rep. Diana Thomas

Chairman Raybould requested the chairmen meet with their committees as soon as possible and report back to the full committee.

**ADJOURN:** There being no further business to come before the committee, Chairman Raybould adjourned the meeting at 1:40 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY SUB COMMITTEE

**DATE:** January 10, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room145

**MEMBERS:** Chairman Harwood, Representatives, Mathews, Crane, Kren, Smith(30), LeFavour, Bowers

**ABSENT/  
EXCUSED:** Representative Bowers

**GUESTS:** Orville Green, Martin Bauer, Paula Wilson, DEQ; Steve West, Centra Consulting; Roy Eiguren, Attorney; Suzanne Budge, IPM & C-Stores.

**Chairman Harwood** called the meeting to order and requested a silent roll. He welcomed members of the DEQ who were in attendance.

**Chairman Harwood** announced the committee would begin discussion with the third rule and hear Docket No. 58-0107-0701 - Rules regulating underground storage tank systems and invited **Mr. Orville Green** to present the rule. The proposed rule includes the following:

1. Incorporation by reference of 40 CFR Part 280, Technical Standards and Corrective Action.
2. Inspection and certification of petroleum USTs.
3. Owner and operator training.
4. Release prevention, detection, compliance and enforcement.
5. Delivery prohibitions.
6. Additional measure to protect ground water, such as secondary containment for new or replacement petroleum UST systems or connecting pipes and
7. Development of a database system for petroleum UST information status.

Mr. Green indicated public comments were received and the proposed rule has been revised. DEQ recommends that the board adopt the rule, as presented in the final proposal as a pending rule with the final effective date coinciding with the adjournment *sine die* of the Second Regular Session of the 59<sup>th</sup> Legislature. The rule is subject to review by the Legislature before becoming final and effective. Chairman Harwood inquired as to the application to older tanks. Mr. Green indicated older tanks still must be in compliance.

**Suzanne Budge, IPM & C Stores** rose before the committee in support of the Docket No. and expressed appreciation to the DEQ members for their cooperation and work.

**MOTION:** **Representative Mathews** moved to send Docket No. 58-0107-0701 to the full committee with the recommendation to adopt. Motion carried unanimously.

**Chairman Harwood** announced the next rule would be Docket No. 58-0101-0701 - Rules for control of air pollution in Idaho. **Mr. Martin Bauer** explained rulemaking is necessary to ensure that the Rules for Control of Air pollution in Idaho are consistent with federal regulations.

This proposed rule updates citations to federal regulations incorporated by reference at Sections 008 and 107 to include those revised as of July 1, 2007. Sections 200, 204, and 205 also include citations to federal regulations incorporated by reference in the state rules. DEQ proposes to revise Sections 200, 204 and 205 to eliminate the need to annually revise the effective date of the Code of Federal Regulations in those sections. The rulemaking also deletes references to the clean unit and pollution control project provisions, which are expressly excluded from incorporation by reference into the state rules. These references are no longer necessary because EPA recently adopted a final rule eliminating the pollution control project and clean unit provisions from the federal regulations.

**Representative Smith** (30) inquired as to the non attainment areas in Idaho. Pinehurst and Cassia Valley were mentioned by Mr. Bauer. **Representative LeFavour** inquired as to particulant matter of 2.5 in some areas.

**MOTION:**

**Representative Smith** (30) moved to send Docket No. 58-0101-0701 to the full committee with a recommendation to adopt. Motion passed unanimously.

**Chairman Harwood** called on **Mr. Bauer** to present Docket #58-0105-0701. Mr. Bauer explained Idaho's Rules and Standards for Hazardous Waste are updated annually to maintain consistency with the U.S. Environmental Protection Agency's federal regulations implementing the Resource Conservation and Recovery Act (RCRA) as directed by the Idaho Hazardous Waste Management Act (HWMA). Idaho has historically adopted both required and optional federal regulations so that Idaho's hazardous waste rules are the same as federal requirements. Optional federal regulations usually allow more flexibility to the regulated community; required federal regulations are necessary to maintain program primacy. Adoption by reference allows DEQ to keep its rules up to date with federal regulation changes and minimizes the EPA Region 10 effort needed to keep Idaho's authorization current. Adoption by reference also simplifies compliance for the regulated community. This proposed rule updates the federal regulations incorporated by reference to include those revised as of July 1, 2007. In addition, this proposed rule includes technical corrections and clarifies that, for the purpose of 40 CFR 261.41 (a), Regional Administrator means U.S. Environmental Protection Agency Region 10 Regional

**Roy Eiguren, Attorney, American Ecology** addressed the committee explaining the company has the largest facility in the U.S. and it is monitored regularly. The company supports the rule stating it is appropriate for his organization.

**Steve West, Centra Consulting**, complimented DEQ and it's staff for the cooperation and protection of the environment. His company supports this rule.

**MOTION:**

**Representative Kren** moved to send Docket No. 58-0105-0701 to the full committee with a recommendation to adopt. Motion passed unanimously.

**Chairman Harwood** called upon **Mr. Orville Green** to present Docket No. 58-0110-0701. Mr. Green explained the DEQ has initiated this rule making in response to a Petition for Rule making filed by US Ecology Idaho, Inc. In its petition, US Ecology Idaho requested that the Board of Environmental Quality direct DEQ to initiate rule making to further limit the types of radioactive materials that are eligible for unrestricted disposal in Idaho by adding a new category of radioactive materials that must be disposed of at a permitted hazardous waste disposal facility. This proposed rule includes the addition of a new category to the definition of Radioactive Material, Subsection 010.10. In addition, the website address for the U.S. Government Printing Office has been added to Subsection 004.03 for availability of federal regulations incorporated by reference. The following groups may be interested in commenting on this proposed rule: Private industry; environmental groups; hazardous and nonhazardous waste disposal facilities; members of the public; and generators of radioactive materials specifically exempted, on a case-by-case basis, from U.S. Nuclear Regulatory Commission regulations contained in 10 CFR 30.11, 10 CFR 40.14, and 10 CFR 70.17. No public comments were received.

**Representative Mathews** commented on the review of the case-by-case basis and if there is any merit of this rule because of the material products. Mr. Green expressed there can be a two year inspection to evaluate the express material.

**Representative Kren** posed a question regarding progress on any other projects. The reply was the NRC has control of regulations.

**Chairman Harwood** asked if this rule is more stringent than the federal government. Mr. Green indicated the rule does control an activity not regulated by the federal government but is consistent with the legislative directive at Section 39-4405, Section 1 (H.B. 192, as amended).

**Roy Eiguren , Attorney**, spoke regarding his client who did partition the government to make appropriations in this rule. They are pleased the board adopted this rule.

**Steve West, CENTRA**, Inc. explained two points of the rule speaking of the wide range of structural integrity which makes it impossible for illegal disposal and the safety of untrained workers in disposing of hazardous waste.

**MOTION:** **Representative Mathews** moved to send Docket No. 58-0110-0701 to the full committee with a recommendation to adopt. Motion passed unanimously.

**ADJOURN:** **Chairman Harwood** adjourned the meeting at 2:20 p.m.

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Representative Dick Harwood  
Chairman

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Peggy Heady  
Secretary

**HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE**

**DATE:** January, 14, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives , Snodgrass, Eskridge, Anderson, Mathews, Crane, Vander Woude, Kren, Smith(30), LeFavour, Jaquet, Shively, Thomas, Bowers

**ABSENT/  
EXCUSED:** None

**GUESTS:** Pacific Northwest Economic Region representatives, Neil Windsor, CEO & Director of APEGGA; David Kettles, Director of U.S. Relations in the Alberta Ministry of International, Intergovernmental & Aboriginal Relations; Matt Morrison, PNWER Executive Director; Neil Parekh, Policy & Communication Director & Program Mgr.: Mr. Roger Hales, Attorney, Idaho Board of Geology; Mr. Andy Mork, Idaho Board of Geology.

**Chairman Raybould** called the meeting to order at 1:30 p.m. and requested a silent roll.

**Chairman Raybould** introduced our page, Ashley Miller from Jerome. Ashley will be working with the committee the first part of the session.

**Chairman Raybould** requested the committee review the minutes of January 8, 2008 and move for approval. **Representative Jacquet** moved for approval of the minutes of January 8, 2008 **Motion passed unanimously.**

Chairman Raybould called upon **Representative Eskridge** to introduce members of PNWER. The names are listed above.

**Mr. Matt Morrison** rose to address the committee with an update of the progress of PNWER. Mr. Morrison began explaining PNWER is a regional U.S.-Canadian forum dedicated to encouraging global economic competitiveness and preserving our world-class natural environment. PNWER is recognized by both the United States and Canada as the "model" for regional and bi-national cooperation because of its proven success. PNWER is proceeding with mapping of the region's massive energy infrastructure build-out slated for the next ten years. Over \$55 billion in new projects in the regions are in process. An audit of projects identifies crucial shortages of skilled workers to complete the projects. Workers are being flown in for two weeks at a time to work on tidal areas testing turbines in irrigation ditches to determine the amount of energy that could be generated. An integrated resource plan is an assessment of demand-side and supply-side resources, evaluated under consistent assumptions, to produce a cost-effective resource mix that meets expected short-term and long-term demand. The goals of the IRP are to produce a best-cost portfolio of supply side and demand side

management alternatives to meet customer requirements of reliability under given constraints, to reduce costs for customers, to help diversify energy supply mix, and to improve modeling of demand, supply and conservation.

There has been an agreement signed with the INL to research what would be the cost, regionally, at not doing transmission. Alaska's natural gas pipeline has been on the books for a long time. The governor of Alaska has had bids out on the pipeline and the bids will go to legislation soon. If accepted, Alaska's natural gas pipeline will be the largest in the world. This would have a big impact on the economy from Prudhoe Bay to Alberta. 1.2 million barrels a day coming into the U.S. is the projection and it could triple in the next ten years. The impact of climate change and energy progress is important information to be provided the legislators. It is important to look across state boundaries in cooperative planning of power transmission and generating and to look at integrated resource plans.

**Representative Eskridge** inquired as to utilities in existence and what our actual needs are and if the plans will meet our needs. He continued, if California is buying up all of the renewable resources available in the region will Idaho have enough energy to meet its' needs? **Chairman Raybould** asked if there are studies being done on wind power. Mr. Morrison indicated Alberta is looking to triple wind power resources. **Representative LeFavour** asked about hydro pump storage. Mr. Morrison explained that the Northwest has the greatest resource in the world and that is tidal energy. There is no indication of any utilities looking at tidal energy. PNWER is meeting with power companies to discuss tidal energy resources. British Columbia has millions of megawatts of energy available along the coast line. There is a proposal to place a cable down the coast within the three-mile limit. **Representative Anderson** expressed his thoughts on future renewable generation projects, and reminded the committee that we should be cautious in our opposition of future merchant plants. **Representative Vander Woude** expressed concerned that we would be shipping energy developed in Idaho to California. **Representative Mathews** inquired as to the date of beginning these studies.

**Mr. Morrison** concluded his presentation. Chairman Raybould thanked the PNWER delegation for the valuable information presented regarding their progress.

**RS 17340C1#:**

**Mr. Roger Hales** - Idaho Geology Board was called upon to present information on RS17340C1. Mr. Hales commented on the lines and pages that have changes. Basically this legislation redefines the meaning of "geology" and the "practice of geology" It decreases the years of practice required for board members from twelve to seven to reflect the same requirements required to become registered to practice geology in the state of Idaho; it clarifies the powers and duties of the Board and provides for a specific hearing venue; it repeals unnecessary language reflecting Board policy and procedures; it provides for the utilization of the Idaho Rules of Administrative Procedure of the Attorney General in disciplinary proceedings; it provides authority to the Board to impose civil

penalties for violations of the provisions of Chapter 28, Title 54, Idaho Code; and to make clerical changes. Mr. Hales indicated the Board has met with the engineers' association and there was no opposition to these changes.

**Mr. Andy Mork**, Idaho Board of Geology explained the point of the RS is to bring the board up-to-date with the times. The only issue was practitioners and who may work uncertified. It is a stand-alone issue to be heard on a one to one basis. Mr. Hales indicated the Board has met with the engineers' association and there was no opposition to these changes.

**MOTION:**

**Representative LeFavour** moved to introduce RS 17340C1. **Motion passed unanimously.**

**Representative Snodgrass** informed his subcommittee for rules, that he will meet individually with each member to discuss the rules for a report at the next full committee meeting.

**ADJOURN:**

There being no further business to come before the committee, meeting was adjourned at 2:20 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

MINUTES

**HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY SUB COMMITTEE**

**DATE:** January 15, 2008  
**TIME:** NA  
**PLACE:** NA  
**MEMBERS:** Snodgrass, Eskridge, Anderson, Vander Woude, Shively, Thomas  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** None

Chairman Snodgrass met individually with the members of the sub committee. The following Dockets were discussed and each member approved sending the rules to the full committee with the recommendation to adopt the rules as listed below. Chairman Snodgrass reported the findings to the full committee at the January 16 meeting.

Docket No. 58-0108-0701 - Idaho Rules for Public Drinking Water Systems.

Docket No. 58-0104-0701 - Rules for Administration of Wastewater Treatment Facility Grants.

Docket No. 58-0122-0701 - rules for Administration of Planning Grants for Public Drinking Water Facilities.

Docket No. 58-0120-0701 - Rules for Administration of Drinking Water Loan Program.

**MOTION:** Sub Committee member Representative Shively moved the above rules be adopted by the full committee. The sub committee members voted to accept the motion.

The sub committee continued to participate as full committee members at the meeting of January 16, 2008.

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Representative Mark Snodgrass  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** January 16, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives , Snodgrass, Eskridge, Anderson, Mathews, Crane, Vander Woude, Kren, Smith(30), LeFavour, Jaquet, Shively, Thomas, Bowers

**ABSENT/  
EXCUSED:** Eskridge, Jaquet

**GUESTS:** Dale Atkinson, Atkinson Jet Industry; Lynn Tominaga, Idaho Ground Water Appropriations; Orville Green, Martin Bauer, Paula Wilson, DEQ.

**Chairman Raybould** called the meeting to order at 1:30 p.m. He requested the secretary take a silent roll. **Representative Smith (30)** moved to approve the minutes of the meeting as written January 14, 2008. **Motion carried** on a voice vote.

**MOTION:** Sub Committee **Chairman Harwood** reported sub committee #1 met January 10, to discuss Pending Rules 1, 2, 3, and 4 as submitted. The sub committee moved to send Dockets # 58-0101-0701, #58-0105-0701, #58-0107-0701, 58-0110-0701 to the full committee for adoption. Chairman Harwood moved that the full committee approve adoption of the above listed Pending Rules. **Representative Smith (30)** moved to approve adoption . **Motion carried** by voice vote.

**MOTION:** Sub Committee **Chairman Snodgrass** reported sub committee #2 met informally January 15 to discuss Pending Rules 5, 6, 7, 8. The sub committee members moved to send Dockets # 58-0108-0701, 58-0104-0701, 58-0122-0701 and 58-012-0701 to the full committee for adoption of the above listed Pending Rules. **Representative Shively** moved to approve adoption. **Motion carried** by voice vote.

**Chairman Raybould** asked for comments from the audience. **Mr. Dale Atkinson** rose to speak in opposition of the rules. His complaint was the DEQ and their method of rulemaking. He felt there was not enough public participation in awarding grants and the ranking process. He also thought there was a conflict of interest within the DEQ in enforcement of the rules. Chairman Raybould asked Mr. Atkinson if he would be specific as to which rule he was addressing. Mr. Atkinson indicated it was waste water. **Representative Bowers** asked if **Mr. Barry Burnell** of the DEQ, who was in attendance, could speak to Mr. Atkinson after the meeting to help him with his complaint. Mr. Burnell replied in the affirmative.

**Representative Snodgrass** moved for approval from the full committee for adoption of the above listed Dockets. **Motion carried** by voice vote.

**MOTION:** **Representative Anderson** moved to amend the minutes of January 14, 2008 in order to add to his comments in the minutes. **Motion carried** by voice vote. Representative Anderson's comments will be added by the secretary.

Chairman Raybould announced there will be no meeting, Friday, January 18. The next meeting will be Tuesday, January 22, 2008.

**ADJOURN:**  
Meeting adjourned at 2:00 p.m

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** January 24, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Edmunson, Snodgrass, Eskridge, Anderson, Mathews, Crane, Labrador, Vander Woude, Kren, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** Rep. Mathews, Smith (30)

**GUESTS:** Senator Kelly: See attached sign up sheet

**MINUTES:** **Chairman Raybould** called the meeting to order at 1:30 p.m. He requested the secretary take a silent roll. **Representative Jaquet** moved to accept the minutes of January 16, 2008 as written. **Motion passed** on a voice vote. The Chairman stated that the committee will hear **RS17465C1** and called upon **Senator Kelly** to present the RS.

**RS17465C1** **Senator Kelly** thanked the Chairman and the members of the Committee for the opportunity to present the Idaho Energy Efficient State Building Act explaining the bill is a revision of a bill which began in 2007. The current interim committee worked diligently to update this document and bring it before the 2008 Legislative body. The bill requires all major state buildings, and building renovations, to be designed, constructed and certified to a standard that achieves energy savings at least 30% greater than the current state legislated energy code. The requirement applies if a project receives funding from the state general fund or state permanent building account or is financed through the Idaho Building Authority. Also it applies if it is constructed by or for occupancy by, a state "officer, department, division, bureau, commission and board, including those in the legislative or judicial branch and public post secondary educational institutions."

It requires full building commissioning to be considered in all major facility projects to meet standards which are set. It provides for an exception if achieving 30% energy savings is determined not to be fiscally prudent and/or practical by the Permanent Building Fund Advisory Council.

Beginning in 2009, it requires the Idaho division of Public Works and state agencies to monitor, document and annually report to the Council the cost and the savings of constructing and operating state buildings using energy efficient methods, and requires the Council to report the consolidated information to the Governor and Legislature in order to be certain the plan is working.

**Senator Kelly** presented a change in the wording of page 2, line 24 to add the following underlined language "with the exception of community college districts, for purposes of this chapter. ("State agency" does not

include a political subdivision as defined in section 67-2320(5), Idaho Code, or a public charter school as defined in section 33-5202A, Idaho Code.)

Question from the committee followed. Senator Kelly responded with the following comments.

The RS does not specify the use of any particular green building standard, such as LEED or Green Globes. Nor does it require the use of any particular type or source of building materials. The document does not apply to projects designed and constructed by school districts, charter schools or local governments, or to projects already in the schematic design phase. It will present a large energy cost saving of almost \$1 million during the first five years saving taxpayers' dollars in utility costs and reduce environmental impacts including harmful emissions of greenhouse gases and other air pollution. Also the public schools are in a category with a different analysis of a state adopted code. Buildings which exceed the 30% standard, like geothermal heating, will not be excluded from the benefits of the proposal.

**MOTION:**

**Representative Eskridge** moved to **introduce RS17465C1** reflecting the change on Page 2, line 24. **Motion passed** on a voice vote.

**Chairman Raybould** announced the next meeting will be Monday, January 28 at 1:30 p.m. The agenda will include House Bill 337 - Geology Board; and a Rule from the Bureau of Occupational Licenses - Drinking Water and Wastewater Professionals - Docket No. 24-0501-0701 which has not yet been heard by the committee.

**ADJOURN:**

There being no further business to come before the committee Chairman Raybould adjourned the meeting at 2:17 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** January 28, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives , Snodgrass, Eskridge, Anderson, Mathews, Crane, Vander Woude, Kren, Smith(30), LeFavour, Jaquet, Shively, Thomas, Bowers

**ABSENT/  
EXCUSED:** Representatives Eskridge, Anderson, Crane, LeFavour

**GUESTS** Butch Anderson IRWA; Lynn Tomanaga IRWA; Bill Thompson IBOL/Water; Roger Hales, Attorney IBOL/Water and Idaho Geology Board; Dennis Stevenson, Administration.

**HB 337:** **Chairman Raybould** called the meeting to order at 1:30 p.m. and requested the secretary take a silent roll. Chairman Raybould recognized **Mr. Roger Hales** to speak regarding HB 337. Mr. Hales requested the bill be held in committee for revision by the Geology Board. **Representative Jaquet moved to hold HB 337 in committee.** Motion **passed** unanimously by voice vote.

**RULE 24-0501-0701** **Mr. Roger Hales** representing the Bureau of Occupational Licenses explained the changes in the pending rule. A descriptive summary was presented by Mr. Hales. He reviewed the changes in the Definitions (Rule 10) Direct Supervision; Experience; Examinations Requirements; Requirements for License (Rule 300); Education and Experience Requirements; Approved Courses and Operator -in Training License. Attachment # 1. A questions and answer period followed. The questions included: no dates in blank areas; impact on small systems and how long it would take people who work on two systems to be certified; the hardship the rule would cause small communities because of cost of licensing and qualifying; and whether the committee could approve the minutes with a change of only one section of the rules. **Mr. Hales and Dennis Stevenson** rose to address the committee members' concerns. Mr. Hales encouraged the committee to go forward with the Docket with the idea that negotiations could be held in a one-on-one basis with the IBOL in certain situations to address the issues where hardship occurred.

Chairman Raybould recognized **Mr. Bill Thompson**, Chairman of the Water Quality Board of Professionals. Mr. Thompson explained the Board will review the issues and return to the committee with a resolution as suggested by the Idaho Rural Water Association. Questions regarding the cost of upgrading water systems were discussed as being in the 100's of thousands dollars and higher. Mr. Thompson replied to a question as to how a board member is chosen. He also explained that the meetings held by the Water Board are always open to the public. Positions are appointed by the governor. Travel expenses are also covered for board

members. It is important for licensed personnel to be knowledgeable in both fields and experience can be counted toward a license. Continuing education is necessary to maintain a license.

Chairman Raybould called upon **Mr. Butch Anderson**, President Idaho Rural Water Association Board. Mr. Anderson rose in opposition to the rule due to the fact that it would create a hardship on small communities with drinking water and wastewater systems. Chairman Raybould recognized **Mr. Lynn Tomanaga**, Lobbyist, representing IRWA. He supported Mr. Anderson regarding the belief that the existing rule as written would cause undue hardship on small systems.

**MOTION:** **Representative Vander Woude moved to reject** the rule, to strike the sentence in 300- 02. "An applicant may not use the same experience for more than one (1) license," and to send the docket with changes to 300.02, to the Senate as a concurrent resolution.

**SUBSTITUTE MOTION:** **Representative Kren** called for a **Substitute Motion** to **approve** the rule and ask the Water Boards to negotiate for a suitable decision.

Chairman Raybould called for a vote on the **Substitute motion** to **approve** the rules. **Motion failed** by voice vote.

Chairman Raybould then called for a vote on the **Original Motion** to **reject** the rule. **Motion passed** by voice vote.

Chairman Raybould requested the committee read the minutes of January 24 meeting for approval. Representative Snodgrass moved the minutes be approved as written.

**ADJOURN:** There being no further business to come before the committee, meeting was adjourned at 3:05 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** January 30, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives , Snodgrass, Eskridge, Anderson, Mathews, Crane, Vander Woude, Kren, Smith(30), LeFavour, Jaquet, Shively, Thomas, Bowers

**ABSENT/  
EXCUSED:** Representative Crane

**GUESTS:** Senator Kelly, Representative Boe; Mr. Colin Moar & Mr. K.DuWaine Emmons, Heery International, Inc; Ken Baker, Assoc. Idaho Cities; Stan Boyd, RCE; Courtney Washburn, Lobbyist, ICL; Ken Miller, Snake River Alliance.

**Chairman Raybould** called the meeting to order and requested a silent roll. Representative **Thomas** moved to approve the minutes of January 28, 2008 with a correction of the members' names to delete Edmundsen & Labrador and add Thomas & Bowers. Motion **passed** by voice vote.

**BILL NO: H 422** Chairman Raybould announced the first item on the agenda was House Bill 422 and asked Senator Kelly to present the bill. **Senator Kelly** thanked the chairman and began by asking that the SOP include Representatives Eskridge, Anderson and Boe. Chairman Raybould indicated the names were included in the original SOP and were omitted in error and would be included in the final printing. Senator Kelly proceeded, explaining the new language in the bill and the addition of the paragraph she presented at the RS hearing. This bill adopts the Idaho Energy Efficient State Building act, requiring all major state buildings, and building renovations, to be designed, constructed and certified to a standard that achieves energy savings at least 30% greater than the current state legislated energy code. The requirement applies if a project:

1. Receives funding from the state general fund or the state permanent building account or is financed through the Idaho State Building Authority.
2. Is constructed by, or for occupancy by, a state "officer, department, division, bureau, commission and board, including those in the legislative or judicial branch and public post secondary educational institutions." The bill requires the Idaho Division of Public Works and state agencies to monitor, document and annually report to the Council the cost and the savings of constructing and operating state buildings using energy efficient methods, and requires the Council to report the consolidated information to the Governor and Legislature.

A discussion followed with **Senator Kelly** and **Mr. Ken Baker** speaking to questions from committee members such as; how the 30% figure was chosen; will the standards of the current building code raise retroactively after construction begins; if 30% is not cost effective in ten years will it be reviewed and changed if it is determined the need is there; will the standards in the building code be updated annually. Senator Kelly explained a payout should be easily obtained in ten years, but research could find the time frame being changed as the reports are submitted. Mr. Baker added the energy code has a base line of energy efficiencies and is continually updated and was approved in 2006. Commercial buildings use about 50% of energy at this time. A favorable comment was expressed regarding the 2007 Interim Committee's work in developing the energy plan for review in the 2008 legislature.

**MOTION:** **Representative Mathews** moved to send **HB 422** to the floor with a **do pass** recommendation to include sponsors in the SOP as shown in the original document. Motion **passed** by roll call vote. Representative Eskridge will be sponsor.

**ROLL CALL VOTE:** Voting AYE - Representatives Raybould, Harwood, Snodgrass, Eskridge, Anderson, Mathews, Vander Woude, Thomas, Smith (30), LeFavour, Jaquet, Shively.

Voting NAY - Representatives Kren, Bowers

**PRESENTATION** Chairman Raybould introduced **Mr. K. DuWaine Emmons and Mr. Colin Moar, Heery International, Inc.** to explain Commissioning (CX) -- The process and benefits of building and systems commissioning. Mr. Emmons described Heery International as a company which offers commissioning and facility services for efficient operation & reliable performance for owners of buildings and facilities. Mr. Emmons is the Manager of Business Development for Heery International for the Pacific Northwest, including Idaho. He introduced Mr. Colin Moar, Operations Manager for Heery International. Mr. Moar described Heery International's commission practice as a nationwide specialty, focusing on the integration of all systems for safe, reliable, efficient performance.

Mr. Moar began, stating successful commissioning takes a static design and brings it to life through procedural quality checks, measurements and verification of a building's systems through the environmental parameters and criteria stated at the project launch. To be of substantial benefit to the owner/occupier, commissioning should be undertaken at concept design and continue in phases throughout the project timeline to post occupancy monitoring. The projects begin and continue with plan, design, construction acceptance and post occupancy. There should be commissioning agent input throughout the project phases. The phases include concept or scheme design, detailed design development, construction documentation, bid and award, contractor's submittals and schedule review, construction and installation inspection, equipment and system start-up, testing, adjusting and balancing measurement verification, BAS/BMS point evaluation and calibration, system integration and functional testing, environmental proving, client operator training, O & M and warranty accuracy and completeness, post occupation fine tuning

with owner's staff and seasonal testing and verification.

Mr. Moar continued, answering questions from committee members by explaining the following points. According to the National Institute of Building Sciences operating costs of commissioned buildings range on average from 8 - 20% less than non-commissioned buildings. Commissioning provides the critical whole-system reviews and oversight necessary for achieving optimum building performance. The electrical engineer specifies the electrical components and the mechanical engineer develops the HVAC system, but the commissioning specialist is focused on the way all the technical sub-systems are integrated and supposed to work together. Commissioning can reduce construction costs when integration and acceptance issues are identified early in the project. Commissioning can reduce operating costs because the systems are operating at maximum efficiency. This should result in fewer occupant complaints due to environmental discomfort leading to a potential savings in increased employee productivity and reduced maintenance. The commissioning agent can help the owner decide if the architect or the contractor is responsible for warranties. They can find answers and catch problems before they happen. Commissioning is a fairly new field in the U.S. It is due to the buildings becoming more specialized and technical. Fees for commissioning vary according to the soft cost, possibly 8 - 10%. Fees can sometimes be assessed by square feet according to the type of building.

Heery's commissioning services comply with those required by the Energy and Atmosphere section pre-requisite and additional credit points for Leadership in Energy & Environment Design (LEED) certification by the U.S. Green Building Council. With that Mr. Moar concluded his presentation thanking the chairman and members of the committee for their interest in his field.

Chairman Raybould thank Mr. Emmons and Mr. Moar for the informative presentation.

**ADJOURN:**

There being no further business to come before the committee, meeting was adjourned at 2:40 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** February 4, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** LeFavour

**GUESTS:** Benjamin Kelly, Connelly & Smyser; Jack Lyman Idaho Mining Assoc; Justin Hayes, ICL; Beth Markley, ICIE; Brad Hoaglund, State Controller's Office.

**Chairman Raybould** called the meeting to order at 1:35 p.m. and asked the secretary to take a silent roll.

Chairman Raybould introduced a new member of the Environment, Energy & Technology committee, **Representative Bert Brackett** who is replacing Representative Crane. Representative Harwood moved to accept the minutes of the meeting held on January 30, 2008 as written. **Motion passed** on a voice vote.

**PRESENTATION** **Mr. Jack Lyman**, Idaho Mining Association, was introduced by Chairman Raybould to present information regarding the "Economic Impact of Mining in Idaho". Mr. Lyman explained how mining in Idaho suffered in the past few years with the loss of the volume of production. He continued stating an increase in production has gradually grown to the point it is today. This has created growth and stability in the tax base of the counties. This growth helps decrease property taxes to the general taxpayer in those mining counties.

Idaho Mining Association represents approximately 47% of the people in the counties in which the company operates. Mr. Lyman presented slides showing the size of the operation of an Idaho mine. The slides shown compared the size of the excavation site to the size of the equipment and a comparison of the size of people to size of equipment. A slide of re-vegetation of a closed mine area was shown. This picture displayed a natural, undisturbed appearing forest area totally reestablished by IMA after the mine was closed. Idaho Mining Association mineral production of phosphate reaches \$440 million, moly and silver - \$1.4 billion, other \$446 million. Assessed Value of IMA land and equipment adds to the tax rolls. Mining for IMA has reached a net profit beginning in 2002 at less than \$50 million to \$268 million in 2007. The total assessed value of IMA is approximately \$800 million.

Mining and mineral processing creates a direct economic impact. In 2006 mining payrolls equaled \$98 million, mining purchases \$83 million and processing payroll \$87 million. Processing is the secondary economic impact. Direct employment creates 2,096 positions, indirect employment 4,159. Direct employment includes agriculture, construction, manufacturing, transportation, communications and utilities, wholesale, retail, finance, insurance, real estate, services and households.

The secondary impact in 2006 on Southeast Idaho equaled \$251 million, Northern Idaho, \$56 million and other parts of Idaho \$30 million. Taxes from Direct and Secondary IMA operations reached \$16 million, Income tax \$13 million and other tax \$6 million. With that presentation Mr. Lyman stood for questions from the committee. Questions covered were: large equipment is purchased in Idaho if fabricated in Idaho; trucks and supplies are purchase in Idaho; tires for the large earth movers and trucks cost as much as \$125,000 per tire; annual life of a tire is one year. The current permit for mining operation expires in 2011 and requests for extension to 2025 have been filed. Gold is not being mined to any large extent in Idaho. With that Mr. Lyman completed the program.

Chairman Raybould complimented Mr. Lyman for his informative presentation. He continued expressing the need for the committee to hear programs such as Mr. Lyman's to gain a background in mining, agriculture, environment and energy which involves our natural resources when in the legislative process of passing bills and rules. It is important to know that the industries are practicing good environmental, energy and technology practices.

Chairman Raybould referred to a document written by a private citizen regarding a nuclear plant projected in the Kuna area and asked the committee to read it.

**ADJOURN:**

Chairman Raybould announced the next meeting will be Wednesday, February 6, 2008. There will be no meeting Friday.

There being no further business to come before the committee meeting was adjourned at 2:25 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** February 6, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Crane, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** Representatives Harwood, Eskridge, Jaquet

**GUESTS:** Benjamin Davenport, Evans Keane; Justin Hayes, ICL

**Chairman Raybould** called the meeting to order at 1:30 p.m. and requested the secretary take a silent roll. Representative Anderson moved the minutes of February 4 be approved as written with one correction, the spelling of Representative Bert Brackett' name. **Motion passed** on a voice vote.

Chairman Raybould called upon **Representative Snodgrass** to present RS17838C1. Representative Snodgrass began by explaining the legislation provides authority to the Department of Environmental Quality to establish a vehicle emission testing and maintenance program to control air pollution emissions from vehicles in air sheds that are approaching non-attainment with applicable air quality standards and rules. There is no cost to the general fund. The costs of any such program will be paid from fees collected from the auto emission testing program. Section 1 Explains an air shed, as defined by the department; Section 2 Explains the minimum standards; Section 3 Defines the joint powers of the inspection program; Section 4 Allows for revocation of the registration of any motor vehicle identified by the department; Section 5, Determines whether a program established should be continued, modified or terminated; Section 6 Exempts electric or hybrid moto vehicles; Section 7 Gives the county or city options of establishing a motor vehicle inspection program; Section 8 Explains how nothing shall affect how the department addresses non-attainment area motor vehicle inspection and maintenance program . Representative Snodgrass completed his presentation and stood for questions from the committee.

**MOTION:** **Representative Anderson** moved to **introduce RS 17838C1.**

Discussion followed with questions. How many air sheds could DEQ address? - There are multiple, in Idaho.

When the bill comes back to the committee will experts attend the hearing in order to answer questions? - DEQ will testify regarding questions to the bill.

Transient vehicles with out of state licenses are not included. - The impact on out of state vehicles is not an on going problem and is addressed in Section 2.

Chairman Raybold called for a vote on the motion before the committee. Roll Call shows **2 Nays, 10 Ayes**. Representatives Bowers and Kren **voting Nay**; Representatives Raybould, Snodgrass, Anderson, Mathews, Brackett, Vander Woude, Thomas, Smith(30), LeFavour, Shively **voting Aye. Motion passed.**

Chairman Raybould announced the committee would not meet on Friday, February 8. The next scheduled meeting will be February 12.

He also encouraged the committee members to contact their constituents to discuss the previously presented legislation stressing the importance of keeping them informed as to the contents, the progress of the bill, and when it will be heard.

**ADJOURN:** There being no further business to come before the committee, meeting adjourned at 1:55 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** February 12, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** Anderson

**GUESTS:** Jennifer Pierce PhD, Professor BSU; Julia Stapleton, Intern; John J. Williams, BPA; Colly Cameron, Sullivan & Reberger

**Chairman Raybould** called the meeting to order at 1:30 p.m. and requested the secretary take a silent roll. **Representative Thomas** moved to accept the minutes of February 6, 2008 as read. **Motion passed** on a voice vote.

**Dr. Jennifer Pierce**, was introduced to present a talk on forest fires, drought and climate change. Dr. Pierce has done extensive research on geomorphology, holocene fire history and climate change, and the links between biologic and geologic systems. Her research and teaching at Boise State includes terrace studies on the South Fork of the Payette and other Idaho rivers, as well as the fire history in rangeland, ecosystems, influence of aspect on landscape evolution in the Idaho batholith, interactions between terrestrial and aquatic ecosystems in the Middle Fork of the Salmon river area, and influence of climate and tectonics on landscape evolution in the Lemhi Range of south eastern Idaho. The study areas which were introduced covered sections of the Idaho batholith relating to climate and vegetation changes due to fire related geomorphic processes. Radiocarbon dating of charcoal and ice samples was discussed. Questions were discussed regarding statistical information. With that, Dr. Pierce concluded the program. A complete description of Dr. Pierce's research is published on the internet.

Chairman Raybould thanked Dr. Pierce for her presentation.

#### RS 17877

**Representative Chew** rose before the committee to present **RS17877**. She explained the resolution commends the positive work being done to save energy & reduce carbon emissions. The resolution also recognizes the actions of state and local governments, the Idaho National Laboratory, various institutions and private builders, farmers, ranchers, businesses and citizens who have had a positive impact and continue to work towards the betterment of the future of Idaho. Questions and discussion followed.

**Representative LeFavour** moved to introduce **RS 17877**.

**MOTION:** A **substitute motion** was made by **Representative Mathews** to return **RS17877 to sponsor.**

**SUBSTITUTE  
MOTION:**

**ROLL CALL  
VOTE:** Voting **AYE** - on the **substitute motion** - Representatives Raybould, Harwood, Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Thomas, Bowers. Voting **Nay** - Representatives Smith (30), LeFavour, Jaquet, Shively. **Motion passed, 11- 4.**

Chairman Raybould announced the next meeting will be February 14. At 1:30 p.m. The agenda will include a presentation by Paul Kjellander, Office of Energy Resources, regarding Transmission corridors.

**ADJOURN:** There being no further business to come before the committee, Chairman Raybould adjourned the meeting at 3:00 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** February 14, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** None

**GUESTS:** Mr. Charles A. Johnson, Mr. Al Freeman, Citizens, Canyon County; Beth Markley ICIE; Dennis Turner, Director Air Quality Board; Dale Stephenson, TVAQC; John McCready, TVAQC/Algamated Sugar; Matt Beebe, TVAQC, Canyon County Commissioner; Courtney Washburn, Lobbyist ICL: Suki Molina, ICL; Ray Stark, Sr Vp Boise Metro C of C; Neil Colwell, Lobbyist, Avista Corp; Lee Flinn, Lobbyist, Conservation Voters; Martin Bauer, Administrator Air Quality, DEQ; Toni Hardesty, Director DEQ., Leonard Herr, Boise Regional Air Quality.

**MOTION:** **Chairman Raybould** called the meeting to order at 1:45 p.m.and requested the secretary take a silent roll. **Representative Thomas** moved to accept the minutes of February 12, 2008 as written. **Representative Jaquet** asked that the dialogue "and directs the Legislative Council Interim Committee on Energy, Environment and Technology to develop an integrated state energy plan" be removed from the minutes. Minutes will be changed accordingly. **Motion passed** on a voice vote.

**BILL #: H 482** **Representative Snodgrass** moved for unanimous consent to **hold H 482 time certain in committee until Wednesday, February 20, 2008.**

**MOTION:** Senator Langhorst, co-sponsor, concurred. **Motion passed** on a voice vote.

Chairman Raybould announced there would be testimony on H 482 at this meeting, however, there would be no more testimony on Wednesday, February 20. **Representative Kren** inquired if testimony would be allowed regarding amendments to the bill during the meeting February 20. Chairman Raybould responded that the Chairman would decide at that time.

Representative Snodgrass explained the need for the legislation because of an on-going effect to the environment and the definite decline in the air quality of our community. He introduced **Senator Langhorst**, co-sponsor of the bill who concurred with the need to address the serious matter of air quality and the community's health. H 482 will effect airsheds within a metropolitan statistical area in the State of Idaho where air pollutants exceed 85% of federal limits for three consecutive years. It will establish rulemaking to provide for the implementation of a motor

vehicle inspection and maintenance program. The director of DEQ will determine if air quality conditions are met to initiate such a program. The motor vehicle inspection will take place every two years. The Idaho Transportation Department will revoke the registration of any motor vehicle failing to comply. Every five years DEQ will review the air quality data and determine if the program should be continued, modified, or terminated. Discussion followed regarding standards of today and the statistical break down of summer and winter pollutants. Airborne particles, a.k.a. PM2.5 are part of winter pollutants. Summer pollutants are part of the ozone air quality problems. Ozone is formed in our air by NOx, VOC, hot, sunny weather and light winds. See **attachment #1** showing the PM 2.5 and Ozone trend in Ada and Canyon Counties from 2004 - 2007 and the Nox & Voc's statistics. County or cities may establish a motor vehicle inspection and maintenance program that is more stringent than the program. Reimbursement for the programs should be covered by the fees. Appropriate fees will be addressed in a change of language of this bill. Antique and classic cars were in question and a possible waiver from the minimum standards as provided by the rule will be addressed. Public input is always encouraged in Treasure Valley Air Quality Council meetings. Information regarding TVAQC meetings and board members can be found at [www.treasurevalleyair.org](http://www.treasurevalleyair.org).

**Toni Hardesty, DEQ** explained that any interested party is also allowed to give input and testimony in negotiating rules.

**Dale Stephensen, Ph.D**, BSU, Dir & Assoc. Professor, EOH; began his testimony explaining how Nox and Voc are created and what it does to our air quality environment and the effect on health issues. Studies show air pollution significantly increases trips to the hospital and doctor's offices, especially among our most vulnerable populations. Implementing emissions testing in Canyon and Ada counties is estimated by COMPASS to reduce Nox by 563 tons per year and VOC's by 522 tons per year. The Environment Protection Agency will step in to regulate us if our air quality fails to improve. Idaho will then be required to implement restrictive and federally approved control measures. This will have an immediate impact on the Treasure Valley's economic health. Discussion proceeded with questions from the committee members. Mr. Stephensen addressed consequences of non-attainment include public health concerns, reduction in quality of life, loss of local control and flexibility, increased transportation planning costs, increased monitoring and regulation of both large and small business. The use of fire places, and outside burning was mentioned. The studies indicate the major source of pollution is vehicles and some small commercial sources. 1999 data was addressed as not having been updated due to the immense cost of doing studies shown in the graphs during this meeting.

**Mr. Dennis Turner, Director Air Quality Board**, rose to explain that emission standards are in place in Colorado, Utah, Arizona, Nevada, Washington, Oregon and California. He also answered inquires as to how vehicles needing to be adjusted will be required to meet significant standards and If standards are not met, the EPA will step in and make requirements mandatory in the entire state.

**Toni Hardesty, DEQ**, explained the DEQ was invited to the meeting and expressed the governor's support of options for local governments. This legislation applies to areas of non attainment and brings in a different program. She replied to a question asking if the promulgating of this legislation would be statewide and if the agency would need to identify specific geographic air shed areas and define rules for that area. If non attainment is reached the EPA would step in and develop statewide regulations and there would be a change in funding. Field burning was addressed with the explanation that this legislation is focused on vehicles. If non attainment is reached all air quality problems would be examined. DEQ monitors air quality statewide. The director shall attempt to enter into a joint exercise of power with the board of county commissioners of each county and the councils of incorporated cities within those counties to develop a standardized inspection and maintenance program.

**Mr. Leonard Herr, DEQ** was asked about the requirements of the EPA. The EPA requires monitoring of the highest particulate matter as stated in the Clean Air Act.

**John McCready, TVAQC/ Almagated Sugar**, introduced himself as representing the TVAQC as a board member and a major supporter in the discussion of the H 482. He added if one contributes to the problem, one should contribute to the solution. Mr. McCready supports H 482 legislation and stressed the need to continue to meet EPA standards in all air quality issues pointing out vehicle emissions control is of the utmost importance in all state areas.

**Canyon County Commissioner Matt Beebe** was introduced to discuss H 482. He pointed out the EPA makes rules the states have to abide by. The counties cannot make rules that force cities to comply. He added, the county commissioners are appointed to the TVAQC by the Governor. It would be to the state's advantage to make certain all air quality rules are successfully met and to keep local government in control.

**Mr. Charles Johnson, Citizen** was recognized by Chairman Raybould. Mr. Johnson rose in opposition to H 482. Statistics enforcing his reasoning were shown in a twenty five page document which he presented to each committee member. See **attachment #2**.

**Mr. Al Freeman, Citizen**, rose in opposition to H 482 citing his reasons in a document which he distributed to committee members. See **attachment # 3**.

**Mr. Ray Stark, Boise Metro Chamber of Commerce** commented that the need to meet EPA standards is vital to the State of Idaho. Non attainment would have a large impact on the economics of the state including loss of Federal highway funds. Meeting and maintaining the required standards is vital. This issue has been studied by Chamber of Commerce organizations in Boise, Nampa, Meridian and Eagle. The business leaders are in support of protecting economic growth in Idaho.

**Representative Snodgrass and Senator Langhorst** closed the testimony asking for the support of H 482 and for the community leaders to form a joint power agreement group in their cities and counties to address air quality in Idaho.

Chairman Raybould announced the presentation which was to be given by **Mr. Paul Kjellander, Office of Energy Resources**, will be postponed and rescheduled at a later date.

**ADJOURN:** There being no more business to come before the committee, meeting adjourned at 4:55 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** February 20, 2008

**TIME:** 1:30

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** Representative Bowers

**GUESTS:** Mack Redford, Commissioner IPUC; Toni Hardesty, Director DEQ; Dennis Turner, Air Quality; Ron Law, IPUC; Jim Kempton, Commissioner, IPUC; LouAnn Westerfield, Policy Strategist, IPUC; Russell Westerberg, Rocky Mt. Power; Woody Richards, Lobbyist, AEHI; Dar Olberding, lobbyist, Idaho GPA; Wilke Meyers, Executive Dir, ISIADA; Benjamin Kelly, Connolly & Smyser; Courtney Washburn, lobbyist, ICI.

**MOTION:** Chairman Raybould called the meeting to order at 2:10 p.m. and requested the secretary take a silent roll. **Representative Mathews** moved to accept the minutes of February 14 2008 as written. **Motion passed** by voice vote.

Chairman Raybould introduced the new page assigned to the committee, Anna Walton. Also introduced was **Representative Alan Stanek** who will sit in place for **Representative Smith (30)** until she returns.

Chairman Raybould introduced **Commissioner Mack Redford,, PUC**. Mr. Redford described the difficult decisions facing the PUC which must be made in its' capacity as regulators of Idaho's Independent Utility Companies. Issues of water, generation, transmission, environment, carbon emissions, conservation and renewable resources are at the top of the commission's agenda. The future indicates a time when Idaho could be a large net energy buyer. It is believed that Idaho has ample supply of water for power generation. However, Idaho's utilities buy a significant amount of their power needs. As Idaho grows demand for energy may out distance local supply. Idaho's utilities reply on the Western wholesale market to obtain 20% of their power. Adequate transmission capacity to deliver these purchases is a must for Idaho.

Two of Idaho's electric utilities are in the process of relicensing hydro facilities on the Snake and Spokane rivers. In this process there are competing interests for water, and for increased payments for the water. The State Energy Plan reports there are still 6,700 hydroelectric sites around the state. Because of environmental and fishery concern, there may be little interest in further hydro development.

Idaho's utilities use a large quantity of coal-fired energy from plants in Wyoming, Nevada, Montana, Utah, and Oregon. Coal-fired plants have

generated much discussion regarding CO2 emissions. Congress and state legislatures are considering methods to curtail this tremendous use of coal until the emissions issues are resolved. Several methods are under study to reduce these emissions. On-shore geologic sequestration OSGS is a primary method under study. Concerns involve the federal Comprehensive Environmental Response Compensation Liability Act and Resource Conservation & Recovery ACT RCRA with the introduction of inherent risks.

Another technology involves integrated gasification combined cycle plants. IGCC is a multi-step process in which coal is first converted to a gas. The gas is then burned to generate electricity. Waste and emissions from IGCC plants tend to contain lower levels of pollutants than conventional coal fired plants. However, the CO2 from IGCC plants contains other constituents as impurities that are not prevalent in conventional coal plant emissions, such as hydrogen sulfide. Future congressional action may involve emission taxes and incentive programs to reduce emissions.

Notwithstanding Idaho's reluctance to embrace gas fired generating facilities we find ourselves being requested to approve this energy source. The reluctance stems from the concern that this technology uses non-renewable gas supplies with prices that are extremely volatile and which are exhaustible. Because of growth, planning and the lack of on-line renewable energy supply and capacity issues, utilities find themselves being forced to request these facilities. Utilities are now proposing base load combined cycle gas turbines. This technology involves using the exhaust from the plant to boil water, which supplies turbines.

Business and political leaders are striving to diversify sources of supply for traditional fossil fuels such as oil and gas. Wind power, among other renewable resources, falls with the Public Utilities Regulatory Policy Act of 1978 (PURPA). This act left implementation of the act up to state regulators. It was meant to promote greater use of renewable energy. The law created a market for non-utility electric power producers by forcing utilities to buy power from these producers at the "avoided cost" rate, which is the cost the electric utility would incur if it generated or purchased from another source. Wind power falls into that act. Utilities debate as to the "avoided cost" rate because of "integration costs". Studies are under way to calculate these costs. This issue has not been fully settled.

Geothermal power generating plants fall within PURPA. These projects produce power from heat stored under the earth. In all cases the condensed steam and remaining geothermal fluid is injected back into the ground to pick up additional heat. Idaho presently has 55 MW of geothermal on line with more to come.

Nuclear power generating plants have not been constructed in the United State for many years. Nuclear policies differ between all nations and some nations have no active nuclear power stations. Because of demand there are several nuclear facilities on the drawing board. Five new license applications have been filed with the Nuclear Regulatory Commission. Nuclear plant investors are attempting to convince the public that nuclear power is not bad for the environment. Also the

transportation and storage of used nuclear fuel may be solved by “on-site” storage.

The economics of demand-side resources, compared to generation alternatives, are becoming favorable as load continues to grow and resource options continue to shrink. The issues of how to deploy these resources to all customer classes to obtain effective participation and how to measure and evaluate these resources are no longer an academic exercise, but have taken on greater significance and urgency in Idaho utilities’ resource portfolios.

Additions to transmission capacity in the NW have not occurred for the past decade or longer. The continued load growth, the need for new generating resources in general, and the development of renewable resources have created the need for additional transmission capacity in Idaho and the NW to maintain reliability and to provide the means for connecting these new resources to loads. Renewable resources, such as wind, solar, and geothermal, present a special challenge because they are location-constrained. The formation of the Northern Tier Transmission Group has created a public forum to address transmission operational issues and to encourage construction of new and upgraded transmission facilities. The members have also created the Area Control Error Diversity Interchange (ADI) program, through a contract administered by British Columbia Transmission Corporation, to share moment-to-moment transmission system imbalances across the Northern Tier footprint. Northern Tier is also coordinating with other transmission planning groups in the West, such as Columbia Grid. Since the establishment of Northern Tier, six new major transmission projects have been announced that will allow the increased transfer of several thousand Mega Watts of generation to Idaho and the Northwest.

In May 2007, the Bonneville Power administration’s residential exchange program ceased payments of Residential Exchange Program benefits to Idaho’s three investor-owned utilities (IOUs) - Idaho Power, PacificCorp, and Avista - because the U.S. Court of Appeals, 9<sup>th</sup> Circuit, declared settlement agreements entered into in 2002 by BPA and the IOUs contrary to the Northwest Power Act. All of these benefits had been flowed back to the IOUs’ residential and small farm customers through bill credits over the years. Because Idaho Power and BPA have an unresolved dispute over past cost issues, Idaho Power will not receive Residential Exchange Program benefits for 2008, but may receive benefits at some point in the future. Because the BOA Residential Exchange Program is a direct benefit to the IOUs’ customer, the Commission will intervene and participate full in the BPA rate case to protect Idaho customer’s interests.

Idaho is surrounded by states with Renewable Portfolio Standards (RPS). Requirements show a percentage of electricity will be generated by a date certain by renewable fuel sources, including wind, solar, new hydroelectric, ocean waves, geothermal, or biomass. Idaho does not have a Renewable Portfolio Standard, the standards adopted by other states will affect Idaho’s electric utilities in many ways. See attachment # 1, Page 10.

The Commission requires Idaho’s electric utilities to file Integrated

Resource Plans (IRPs) every two years to indicate how they plan to meet their customers' electricity needs over the next twenty years. Idaho's gas utilities - Intermountain Gas Company and Avista - are also required to file IRPs. See pages 11, 12 & 13 of attachment #1. Commissioner Redford completed his presentation. Chairman Raybould thanked Commissioner Redford for his informative presentation.

**Commissioner Jim Kempton** rose to address questions regarding peak demand growth discussing various statistics with committee members.

**H 0482**

**Representative Mark Snodgrass** rose to thank the committee, DEQ director and guests for their concerns regarding H 0482. A revised draft of an RS of the bill was given to each committee members to review. Representative Snodgrass indicated the RS would be submitted for hearing in the State Affairs committee because it is a priviledged committee and can still hear RS's. He began by describing proposed changed in the bill, reading line numbers and telling of changes. . Chairman Raybould inquired as to the extent of the state airshed in Idaho stating that it was reported in the local news that the bill included the entire state. He also received calls from farmers who have old tractors and farm equipment and voiced their concerns. Dennis Turner, DEQ responded that the airshed is concentrated in heavy metropolitan areas and rural equipment would be judged on case by case criteria. Toni Hardesty, DEQ explained an overview of Classification of Metropolitan Statistical areas. Questions were discussed with committee members regarding cities who did not vote to approve vehicle testing in their areas, farm vehicles, classic cars, percentage of emissions monitored by DEQ in areas of Idaho, EPA standards and joint powers among cities and counties. Representative Snodgrass and Senator Langhorst finalized presentation of the draft of the bill.

**MOTION:** Representative Snodgrass **moved to hold H 0482 in committee, time certain**, until February 28, 2008. **Motion passed** by a voice vote.

**ADJOURN:** There being no more business to come before the committee, meeting was adjourned at 4:35 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

- DATE:** February 26, 2008
- TIME:** 1:30 p.m.
- PLACE:** Room 145
- MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively
- ABSENT/  
EXCUSED:** Representative LeFavour
- GUESTS:** Paul Kjellander, Administrator, Dept. Of Energy; Brent Reinke, Director, Idaho Dept. Of Correction; Dr. Mary Perrien, Chief, Ed & Treatment Division IDC; Trent Clark, Representing Monsanto; Courtney Washburn, Lobbyist, ICL; John Ireland, Energy Specialist, Idaho Dept. Commerce; John J. Williams, BPA; Brenda Tominaga, IGWA/IIPA/IRWA; Kurt Houston, Idaho Dept of Lands.
- MOTION:** **Chairman Raybould** called the meeting to order at 1:30 p.m. and requested the secretary take a silent roll. Representative **Stanek** moved to approve the minutes as written. **Motion passed** by voice vote.
- PRESENTATION** **Paul Kjellander, Administrator Department of Energy**, was introduced to present information on transmission corridors. Mr. Kjellander began explaining the two types of high capacity energy transmission lines. He referred to maps which he gave to the committee members. One variety of lines carry 345 kv at the cost of 1.6 million dollars per mile. The second type of line carries 550 kv at the cost of 2.6 million dollars per mile. Current focus is on the reality, importance and significance of transmission corridors and the future ability to transmit power to meet the needs of Idaho. The key today is building transmission corridors to move power when it is needed and to help planners in moving forward with projects. See attachment #1. **Map # 1** displays transmission facilities for the Northwest Tier Transmission Group and other Western U.S. and Canada Transmission facilities. **Map #2** indicated project locations of Southwest Intertie Project's Northern portion 500 KV transmission facilities, a preliminary 500 kv transmission line alignment, the proposed White Pine Energy Station and a midpoint substation. These projects are on a fast track approach in all projects and permits have been submitted for approval to the BLM. This map also shows a grid indicating land jurisdiction of Federal, State, National and private lands. Idaho Power owns rights of ways along the preliminary 500 kv transmission line alignment. The White Pine Energy Station is working with Northern Tier Transmission Group. AC lines cannot move power as fast and at a shorter distance. DC lines move a lot of power for a long distance, however they have only a few converter stations which are very expensive. There is a station proposed at the Borah substation. It is important to point out that the projects have been filed with BLM but are not ready to break ground. **Map #3** shows potential converter stations.

**Map #4** is a schematic of the proposed Mountain States Transmission Intertie. The large towers will have 1500 feet between the poles. It is hoped construction can begin by 2010. It is important to complete permitting and begin construction on a fast track. Idaho Power will need 800 mg by 2018. The process began in 2007 and permitting is needed by 2009 to move this forward. **Maps # 6 & 7** show Federal corridors established by the Energy Policy Act of 2005. Eleven Western states have Federal land and there is a need to establish corridors in the near future. If permitting is not allowed soon the developers will have full environment impact requirements to meet. Key issues need to be addressed with communication among consumers, developers and government. These must be addressed with cooperation and collaboration among all involved. State and Federal offices need to work closely together to expedite this process.

Mr. Kjellander concluded with remarks regarding natural gas lines and showing **map #8** and how future gas lines would be developed. Dialogue with committee members followed. Chairman Raybould thanked Mr. Kjellander for the report.

**Brent Reinke, Director, Department of Corrections** was introduced to explain how the department is addressing projects and issues. A folder was given to each committee members containing information regarding the Adam Walsh Act and how it deals with 3 tier offenders, types of alternative incarcerations, a break down in the population of sex offenders, and other information. Director Reinke stressed the members of his staff would be available for any questions or assistance to help educate the legislators with their inquiries at any time.

**Dr. Mary Perrien, Chief Education and Treatment Division** was introduced to present information on the mental health issues of criminals. The Department is obligated to treat prisoners. The process includes screening and evaluation and placement in the proper facility. The goal is restoration of competency. Chairman Raybould thanked Director Reinke and Dr. Perrien for their presentations.

**Mr. Trent L. Clark, Monsanto** rose to address the committee regarding the issue of groundwater standards in the immediate vicinity of reclaimed phosphate mines. Legislation introduced in the Senate this year resulted in some controversy both within the Legislature and the media. Mr. Trent explained it may be helpful to understand the science and geology that underlie this issue. He did ask to present a disclaimer which stated while the Idaho Mining Association requested this legislation and Monsanto is a member of that organization, they are not the member who requested the bill. Nor do they see the bill applying to their operations presently or in the foreseeable future. When early newspaper accounts first surfaced naming Monsanto as the lead sponsor of the legislation they were perplexed. They were immediately put on the spot to defend the bill. They had the choice to back off and explain that it wasn't Monsanto who asked for the bill, or they could step up to the policy discussion and add a viewpoint based on science and fact - something that had not received much media attention at the time. They decided to do the latter. He explained that Monsanto mines ore on ridges is not involved with valley floor mining and water. He continued, explaining in order to

understand the circumstances of the legislation, it is helpful to understand the history of why Idaho is home to phosphate ore in the first place. Mr. Clark continued with a geological description of how phosphate deposits were laid down prior to the Rocky Mountains first being pushed up and out of the ocean. See attachment # 2. Discussion followed with committee members.

Chairman Raybould thanked Mr. Clark for reporting to the committee.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:50 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** February 28, 2008

**TIME:** 1:50 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** none

**GUESTS:** Toni Hardesty, Director DEQ; Celia Gould, Director AG; Dar Olberding, Id Grain Growers; Wilke Myerson, ICL; Courtney Washburn, ICL; Patti Gora SAFE; Al Freeman & Charles Johnson, citizens; Kent Lauer ID FB; Roger Batt, ID/OR Seed; Pat Barclay, ICIE; Brenda Tominaga, IGWA; Colly Cameron, S & R; Dave Goins, ID News syn.

Chairman Raybould called the meeting to order at 1:50 p.m. and requested the secretary take a silent roll. **Representative Harwood moved to approve** the minutes of February 26, 2008 as written. **Motion passed** by voice vote.

**MOTION:**

**BILL # 557**

**Representative Roberts** was introduced to present H #557 He explained the bill repeals the Smoke Management and Crop Residue Disposal Act administered by the Idaho Department of Agriculture and creates a new statute providing the Department of Environmental Quality with the authority to administer the open burning of crop residue. The proposed legislation requires approval from DEQ prior to the burn and prohibits DEQ from granting that approval if it determines that ambient air-quality levels exceed or are projected to exceed seventy-five percent of the level of any national air ambient air quality standard on any burn day or eighty percent of the one hour action criteria for particulate matter under IDAPA 58.01.556; and it sets a two dollar per acre fee for burning. The bill also requires DEQ to conduct further air-quality analysis prior to allowing the burning of more than 20,000 acres of bluegrass within the state, which does not include tribal lands within the reservation boundaries as recognized by the federal Clean Air Act. It also revises the public records act to specifically allow the public disclosure of the names of persons responsible for the burning, the location, crop type, acres to be burned and times of burning. The fiscal impact will have a one-time initial start up expenses of \$186,700 as well as ongoing program costs estimated to be \$419,700 for a total impact of \$606,377 to the General Fund for FY 2009. The Department of Agriculture will transfer \$209,000 to the General Fund from the current field burning program. This transfer will reduce the total General Fund impact in FY 2009 to \$397,377. All future receipts remitted to the state for field burning under this bill shall be transferred to the General Fund to help with the ongoing program costs. Representative Roberts stressed the need for support of the bill and the urgency to move forward with the bill and have it approved and signed by

the Governor in early March of 2008.

**Director Toni Hardesty** explained questions from the committee regarding the fall crop burning, the fee per acre, and safety for vulnerable citizens as well as other points of monitoring air quality. She emphasized the negotiations to accomplish this program have been very positive. She continued, explaining that the rules will have guidelines and layout details of the program and there will be dedicated staff. Monitors will be placed in strategic in burning areas to assure the criteria is met. An 80% reading will close down the burning. This legislation applies to non-reservation land. The program is patterned closely to the Nez Perce plan.

**Representative Eskridge** recognized **Patti Gora** and all who are involved in their good faith effort to accomplish the Agricultural endeavor.

**Director Celia Gould** rose to explain the funds collected over the past year will go into the general fund. The amount of funds which will be collected cannot be determined because it is a new program and will take some time to determine the cost of the program. Also participation by growers will determine the fiscal need for the program. A statewide data base will become more extensive as the program moves forward.

**Chairman Raybould** introduced, Natural Resources Division Chief, AG office, **Clive Strong**. Mr. Strong concurred with the testimony.

**Patty Gora** was recognized to present her support for H #557 and thank those who have worked toward this program.

**Dar Olberding**, Id Grain Growers expressed support for the bill.

**MOTION:** **Representative LeFavour** moved to **introduce H 557. Motion passed** by voice vote.

**H #482** **Representative Snodgrass** appeared before the committee thanking the committee for their indulgence in addressing this bill. He asked the committee to hold H 482 in committee and indicated a new bill will be drafted in another committee and returned to the Environment, Energy and Technology committee March 4.

**MOTION:** Representative Snodgrass **moved to hold H 482** in committee. **Motion passed** on a voice vote. **Representative LeFavour** asked to be recorded **as Nay**.

**PRESENTATION** **DEQ Director Toni Hardesty** was introduced to present a DEQ update of Agency highlights and Issues of Interest.

Mercury - The Federal EPA Mercury rule cap and trade regulation was challenged and the cap and trade regulation no longer exists. The regulations was ruled unconstitutional. There was no change to Idaho because Idaho had opted out of the cap and trade. There is a memo of understanding between three states , Idaho, Nevada and Utah, to assist in sharing information to avoid repetition of testing. The air quality testing is showing a pattern of global disposition world wide. DEQ along with the INL has set up monitoring in Southern Idaho and done core sampling to

determine if the weather patterns are contributing to mercury depositing in air and water . More data will be needed to complete the study. DEQ has targeted streams, rivers and reservoirs to determine mercury content in fish. Fish have been studied because of human consumption. Some areas which were targeted unexpectedly found mercury in fish. Fish advisories are issued when it is determined the mercury level is above the criteria.

Forest fires were addressed as to the correlation of mercury release and air and water quality. It is a contributing factor however mercury from forest fires is not as reactive.

Green house gas Initiative study has begun with an executive order issued by the Governor for the DEQ to develop state wide inventories for fossil fuel use and GHG emissions from state vehicles. Also to work up a plan for state wide agencies to address green house emissions and the State's role in reducing GHG emissions. Idaho has joined the Climate Registry, a North American collaborative process. This process is intended to educate and inform the agencies and citizens regarding Green House Gas.

The CDA Basin cleanup has progressed with remediation of 536 properties in 2007. 74,521 cubic yards of waste were remediated. The total cost to date is over \$13.6 million. The risk reduction of over 9 million square feet of property has occurred since 2002. The East Mission Flats repository has completed a 30% design of the EMF repository and made changes in the final fill height to address public concerns. DEQ is working on a phase 1 limited operation plan that would allow up to 20,000 cubic yards of material to go into EMF until final design and construction are completed.

The CDA Lake management plan superfund alternative is being developed in a joint lake management plan with the Coeur d'Alene tribe. Completion of the plan will be in 2008. DEQ will likely include a budget request for implementation of the plan in 2009's budget submittal. With that Director Hardesty concluded with discussion among the committee members. Chairman Raybould thanked Director Hardesty for her informative presentation.

**ADJOURN:**

There bring no further business to come before the committee, the meeting was adjourned at 3:20 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** March 4, 2008

**TIME:** 3:10 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** None

**GUESTS:** Allen Freeman, Charles Johnson, Citizens Canyon Co; Sara Coh, ICL; Andrea McCarty, Lori Panter, & Melanie Dixon, BSU students; Rocky Barker, ID Statesman; Pat Barclay, ICIE; Jayson Ronk, IACI; Colby Cameron, Sullivan & Reberger; Pete O’Niell, Chairman, TVAQC.

**Chairman Raybould** called the meeting to order at 3:10 p.m. and asked the secretary to take a silent roll. **Representative Anderson** moved to accept the minutes of February 28 as written. **Motion passed** with a voice vote.

**H # 586** **Representative Snodgrass** was called to introduce H # 586. He thanked the committee for their indulgence with bill H 482 which has been held in Environment, Energy & Technology’s committee. H 586 is a replacement of H 482. Continuing, he explained the changes throughout the bill and deferred to DEQ Director, Toni Hardesty to also explain H 586.

**Director Hardesty** stated it was requested by the committee to enter into the record DEQ’s current inventory of air quality emissions as follows.

“According to the most recent DEQ emissions inventory, on road mobile sources contribute approximately 50% (9,932 tons) of total nitrogen oxide (NOx) emissions in Ada and Canyon counties (19,967 tons). On road mobile sources contribute approximately 15% (5,052 tons) of total volatile organic compound (VOC) emissions in Ada and Canyon counties (34,075 tons). NOx and VOC emissions contribute to fine particulate and ozone concentrations in the Treasure Valley airshed. According to modeling performed by COMPASS, implementing motor vehicle emissions testing in Ada and Canyon counties is expected to reduce NOx emissions by approximately 563 tons and VOC emissions by approximately 533 tons.”

Discussion and questions within the committee included; the strategy of the county commissioners, city councils, and DEQ entering into a joint exercise of powers agreement; the metropolitan statistic map airshed area; the 1999 data submitted by the reports; vehicles which do not comply and are sold in a county without vehicles emission inspections; explanation of constant air quality monitored by DEQ ; non attainment which triggers EPA mandating policies and overriding a state bill; changes in the ozone due to weather, population growth, cleaner vehicles in the

future and the necessity for vehicle emission control rules.

**Pat Barclay, Executive Director Idaho Council on Industry and the Environment** rose in support of the bill stating the ICIE has done studies on the air emissions and is well aware that non attainment would be an economic hardship on the communities in Idaho. Additionally, bad air quality has a grave impact on the health of our citizens.

**Jason Ronk, IACI** stated support of the bill is due to concern that reaching non attainment will trigger the EPA to step in and mandate attainment according to their rules which will have a major impact on the economic future of the State of Idaho.

**W. Allen Freeman, Canyon County Citizen** presented his opposition to H 586 with information he has gathered in his studies of state, county, city, and organizations. Copies of his information was handed to the committee members.

**Charles A. Johnson, Canyon County Citizen** rose in opposition to H 586 citing information he has compiled while contacting many leaders in various organizations of state, county and city and private organizations. Mr. Johnson was granted ample time to express his opinions to the committee asking for their rejection of H 586. Copies of his studies was handed to the committee members. **Representative Snodgrass** addressed Mr. Johnson and Mr. Freeman thanking them for their time and their strong stand and interest in this matter.

**Pete O'Neill, Chairman, TVAQC**, was acknowledged speaking in favor of H 586. Mr. O'Neill assured the committee there have been thousands of hours of public meetings held regarding air quality. Time has been allowed for comments from the community at these meetings as well as open communication with the board members. The board stands in support and encourages passage of this bill.

**Senator Langhorst** concluded the presentation asking support of the bill.

**MOTION:** **Representative Anderson** moved to send H 586 to the floor with a **do pass**.

**SUBSTITUTE MOTION:** **Representative Harwood** moved with a **substitute motion** to send H 586 to the floor to **General Orders with an amendment** to insert, on Page 2, line 53, the words to include "logging equipment" as exempted.

Discussion followed with a suggestion, in order not to delay the action of the bill, a trailer bill could be written to add this wording. Also it is believed that the term agricultural equipment includes logging equipment in legal documentation. Senator Langhorst suggested rule making would address any conflicting interpretation of what is exempted.

**VOTE:** Roll Call vote was requested. A **substitute motion** to send H 586 to **general orders with amendment** was before the committee. **Motion failed 5-10**. Representatives voting AYE; Harwood, Mathews, Kren, Thomas, Bowers. Voting Nay; Representatives Raybould, Snodgrass,

Eskridge, Anderson, Brackett, Vander Woude, Smith (30). LeFavour, Jaquet, Shively.

**VOTE:**

Roll Call vote was requested. The **Original Motion to send H 586** to the floor with a **do pass** was before the committee. **Motion passed 11 - 4.** Voting AYE, Representatives Raybould, Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Smith (30), LeFavour, Jaquet, Shively Voting NAY Representative Harwood, Kren, Thomas, Bowers.

Representative Snodgrass will sponsor the bill on the floor.

There being no further business to come before the meeting, the meeting was adjourned at 5 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** March 10, 2008, 2008

**TIME:** 1:30 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** Kren, LeFavour

**GUESTS:** Rich Rayhill, Vice President, Ridgeline Energy; Lee Flinn, Conservation Voters; Courtney Washburn, ICL; Beth Markley, ICIE.

**Chairman Raybould** called the meeting to order at 2:05 p.m. and requested the secretary take a silent roll. **Representative Harwood** moved to accept March 4th minutes as written. Motion **passed** by voice vote.

**PRESENTATION** **Chairman Raybould** introduced **Rich Rayhill** representing Ridgeline Energy, LLC. Mr. Rayhill described the company, located in Idaho, Oregon and Washington, which focuses on developing utility-scale wind energy projects in the Pacific Northwest and western United States that meet customers' needs and provide significant benefits to host communities and landowners. The total team has more than 30 years of wind energy experience and 80 years of energy industry experience. They have developed Idaho's first large-scale wind farm and are currently developing several wind projects and a portfolio of sites representing more than 3,700 megawatts of potential capacity.

They work in communities with abundant wind energy resources and have the appreciation of community interests, a cornerstone principal of the company. They strive to become acquainted with community leaders and landowners in order to accommodate individual property needs and ensure appropriate stewardship of the land. They routinely undertake high-level environmental review of projects, including avian, plant, cultural and historic studies, to minimize the environmental impact of the projects and promote sound, environmentally and culturally sensitive development. This extra effort assures local communities, regulatory agencies, and customers that the scientists and field engineers are experts in their fields and can minimize the environmental impacts of the projects.

Ridgeline controls a portfolio of premium wind sites representing more than 3,700 megawatts of potential capacity. The 65-megawatt Wolverine Creek wind farm near Idaho Falls, came on line in December 2005. The project was sold to Invenergy Wind LLC, which built and operates it.

He continued explaining how wind energy is now recognized as one of the least expensive methods for generating electricity and it can be employed

relatively quickly. Cost-wise wind energy is competitive with natural gas and coal. The fact that wind energy utilized a “free” fuel source means that it is immune to the price fluctuations now common to fossil fuels. Wind energy brings significant benefit to rural communities. Communities received substantial economic boosts from wind energy projects. Wind projects provide construction employment and long-term skilled operating jobs, extra income for farmers, local property tax revenue, preservation of existing habitat and conservation of land and resources. Mr. Rayhill discussed with committee members, transmission facilities for wind energy, firm and non-firm energy, smart grids, base loads and water power. With that Mr. Rayhill concluded his presentation.

Chairman Raybould thanked Mr. Rayhill for coming before the committee with the informative presentation.

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

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

## MINUTES

### HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE

**DATE:** March 20, 2008

**TIME:** 1:30 or upon adjournment of the House

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** Representatives Brackett, Anderson and Jaquet

**GUESTS:** Mr. Rick Ritter Idaho TechConnect, Teresa Molitor, Idaho TechConnect.

**Chairman Raybould** called the meeting to order at 1:45 p.m. and requested a silent roll. Representative Smith (30) moved to accept the March 10, 2008 minutes as written. **Motion passed** by voice vote.

Chairman Raybould introduced Teresa Molitor who asked **Mr. Rick Ritter** to present an overview of the Idaho TechConnect company. Mr. Ritter brought two posters for the committee to view and added he is also donating these posters to the Environment, Energy & Technology committee. The posters show the location of technology businesses in Idaho and the spin off large corporations have created.

Mr. Ritter continued, explaining Idaho TechConnect is a catalyst for innovation. A catalyst amplifies the reaction...speeds it up. Innovation does not happen in a vacuum. Strategy plans and expertise are required. TechConnect is a business catalyst - igniting entrepreneurs and companies as they bring innovation solutions to market.

TechConnect has offices located throughout Idaho, and will soon be expanding to Boise. The Idaho Office of Science & Technology oversees the state's four Idaho TechConnect offices, which serve as resource centers for technology-based firms and entrepreneurs. TechConnect accelerates Idaho's innovation-based economy by connecting people, ideas and resources through activities in four areas; it builds an entrepreneurial culture, promotes industry-university collaboration, facilitates commercialization and encourages investment in infrastructure to support an innovation-based economy.

TechConnect is one of four state initiatives having won national "Best Practices" awards from the Office of Advocacy of the U.S. Small Business Administration for the best practice in educational efforts to promote entrepreneursip. Led by a governor-appointed Board of Directors, TechConnect conducts workshops, provides counseling, and connects entrepreneurs with resources at universities, the Idaho National Lab, economic development agencies, and state government. TechConnect staff provide information on access to capital, legal assistance, financial planning, and mentoring.

Mr. Ritter concluded discussing, with committee members, TechConnect's role in working with state government and the many entrepreneurs in Idaho. Chairman Raybould thanked Mr. Ritter for his informative presentation.

Chairman Raybould thanked the committee for their dedication and exemplary contributions to committee meetings.

He also thanked the page, Anna Walton and secretary, Peggy Heady for their assistance during the session.

**ADJOURN:**

Chairman Raybould announce any future meetings will be held at the call of the chair. There being no further business to come before the committee, meeting was adjourned at 3:15 p.m.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary

MINUTES

**HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE**

**DATE:** March 26, 2008

**TIME:** 3:40 p.m.

**PLACE:** Room 145

**MEMBERS:** Chairman Raybould, Vice Chairman Harwood, Representatives Snodgrass, Eskridge, Anderson, Mathews, Brackett, Vander Woude, Kren, Bowers, Thomas, Smith(30), LeFavour, Jaquet, Shively

**ABSENT/  
EXCUSED:** Representatives Snodgrass, Bowers, LeFavour

**GUESTS:** None

**MOTION:** **Chairman Raybould** call the meeting to order at 3:40 p.m. and requested the secretary take a silent roll. **Representative Smith (30)** moved to accept the minutes of March 10, 2008 as written. **Motion passed** by a voice vote.

**Representative Jaquet** rose to ask the committee, as a whole, to send a letter to Idaho Congressmen requesting support to extend tax incentives for renewable energy technologies and stating the development of renewable energy technologies is vital for our nation's environment, economy, and future.

**MOTION:** Representative Anderson moved to send the letter as requested.

**Motion passed** by a voice vote.

**Representative Eskridge** complimented Representative Jaquet on her work regarding renewable energy technologies.

**Representative Anderson**, speaking to the motion, reiterated the need for action on supporting renewable energy technologies and the environment.

**ADJOURN:** Chairman Raybould announced this will be the last meeting of the legislative year for the committee as of this date. Any future meetings will be at the call of the Chair. Meeting adjourned at 3:55.

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Representative Dell Raybould  
Chairman

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Peggy Heady  
Secretary