

MINUTES  
**HOUSE RESOURCES & CONSERVATION COMMITTEE**

**DATE:** Wednesday, January 23, 2013

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

**PLACE:** Room EW40

**MEMBERS:** Chairman Denney, Vice Chairman Gibbs, Representatives Wood(35), Barrett, Moyle, Eskridge, Raybould, Andrus, Shepherd, Wood(27), Boyle, Vander Woude, Gestrin, Miller, Anderson(1), Pence, Erpelding, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Moyle

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of session. Following the end of the session, the sign-in sheet will be filed with the minutes in thy Legislative Services Library.

**Chairman Denney** called the meeting to order at 1:31 p.m.

**MOTION:** **Rep. Erpelding** made a motion to approve the minutes of the January 17, 2013 meeting. **Motion carried by voice vote.**

**DOCKET NO. 26-0120-1201:** **Tamara Humiston**, Deputy Director, Idaho State Parks and Recreation, presented **Docket No. 26-0120-1201** and reviewed the changes needed to enhance the governing of parks through language for enforcing parking violations. It is anticipated that enforcement will bring in \$15,000 of fee revenue to state funds.

**Ms. Humiston** said in answer to questions that the fee is tied to vehicles that fit in the designated campgrounds and boat trailers not associated with campers are charged an overnight use fee.

**MOTION:** **Rep. Erpelding** made a motion to approve **Docket No: 26-0120-1201. Motion carried by voice vote.**

**DOCKET NO. 26-0136-1201:** **Ms. Humiston** presented **Docket No. 26-0136-1201**. She stated this was published for public comment and comments had been received. This rule will allow for 3-day temporary parking permits. She said a customer will receive a document with the valid dates listed. The permit should be displayed on the vehicles' driver-side dashboard.

**MOTION:** **Rep. Wood(35)** made a motion to approve **Docket No. 26-0136-1201. Motion carried by voice vote.**

**DOCKET NO. 26-0120-1202:** **Tammy Kosky**, Deputy Director, Idaho State Parks and Recreation, presented **Docket No. 26-0120-1202**, she said the rule will propose changes to the Idaho State Park Passport Program. The rule will provide the definition of a fee schedule, establish an annual motor vehicle entrance fee, and an annual motor vehicle fee replacement. There is also a change to the motor vehicle entrance fee, and other housekeeping changes for conformity.

**MOTION:** **Rep. Gestrin** made a motion to approve **Docket No. 26-0120-1202. Motion carried by voice vote.**

**DOCKET NO. 37-0303-1201:** **Tom Neace**, Idaho Department of Water Resources presented **Docket No. 37-0303-1201**, and stated that the majority of injection wells are for disposal of excess irrigation water. They had five well-attended rule-making meetings. Definitions for Class V injection well rules were necessary for consistency in state and federal law.

**Mr. Neace** said in answer to Committee questions regarding a definition of mechanical integrity, that they kept a lot of the federal language. He said this allows for a variety of different tests to be used.

**Courtney Washburn**, Idaho Conservation League, said the construction standards are not sufficient, this rule does not cover natural gas so Idaho would be left without any rules to cover that.

**Heather Smith**, on behalf of **Amanda Buchanan**, stated they participated in the IDWR comment period but it did not alleviate their concerns.

**Ms. Smith** in response to committee questions, said they would like the rules to be more specific and less open-ended.

**Lynn Tominaga**, Idaho Water Policy Group, Inc., stated that they sat through the rule-making process and are good with the federal rules and there's not much the state can do to change federal rules. The Class II rules have been in place since the 1980's so potential problems would have shown up by now.

**Mr. Tominaga** said in response to questions from the Committee that the meetings were well represented and explained how the drilling is capped and cemented with each geologic layer.

**MOTION:** **Rep. Gibbs** made a motion to approve **Docket No. 37-0303-1201**. **Motion carried by voice vote.**

**RS 21632:** **Tom Neace**, Idaho Department of Water Resources, presented **RS 21632** and spoke of the need for sufficient security as a condition of every Class II injection well permit. A monetary increase is necessary to cover the work for staff for Class II injection wells.

**MOTION:** **Rep. Andrus** made a motion to introduce **RS 21632**. **Motion carried by voice vote.**

**RS 21633:** **Tom Neace**, Idaho Department of Water Resources, presented **RS 21633** stating that it gives a better description of Class II injection wells, and filing fees are necessary to cover the work for staff for Class II injection well.

**Mr. Neace** in response to questions from the committee, said that the monetary amount for filing is just for the Class II injection well.

**MOTION:** **Rep. Barrett** made a motion to introduce **RS 21633**. **Motion carried by voice vote.**

**RS 21615:** **Tim Luke**, Idaho Department of Water Resources, presented **RS 21615** and clarified that the RS was for election of watermasters giving the Director of the Department of Idaho Water Resources the ability to appoint a successor watermaster under certain conditions. As it is now, notice has to be given up to 14 days in advance. There would be no fiscal impact.

**Mr. Luke** clarified the wording in response to questions from the Committee.

**MOTION:** **Rep. Wood(35)** made a motion to introduce **RS 21615**. **Motion carried by voice vote.**

**RS 21634:** **Garrick Baxter**, Idaho Department of Water Resources presented **RS 21634**. He stated this would give authority to limit a permit or license for power purposes for a fixed date and should extend to run concurrently with annual renewals of the project's FERC licence. If there is no FERC license, the Director can set a term.

**Mr. Baxter**, in response to questions from the Committee, clarified that the opportunity to request a water right once they expire would be like any other water right.

**MOTION:**        **Rep. Raybould** made a motion to introduce **RS 21634. Motion carried by voice vote.**

**ADJOURN:**      There being no further business to come before the Committee, the meeting adjourned at 2:47 p.m.

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Representative Denney  
Chair

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Rosee Winder  
Secretary