

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Wednesday, February 20, 2013
- TIME:** 1:30 P.M.
- PLACE:** Room EW42
- MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representatives Bolz, McMillan, Batt, Bell, Agidius, Dayley, Miller, Romrell, Stevenson, VanOrden, Pence, Erpelding
- ABSENT/  
EXCUSED:** None.
- GUESTS:** Gary Spackman, Brian Patton, IDWR; Dennis Tanikuni, Kent Lauer, Idaho Farm Bureau; Sean Ellis, Capital Press; Jim Lowe, The Farmstead; Barbara Jorden, ITLA; Benjamin Kelly, Food Producers of Idaho; Dar Olberding, Idaho Grain Producers.
- Chairman Andrus** called the meeting to order at 1:32 p.m.
- MOTION:** **Rep. Pence** made a motion to approve the minutes of the February 12, 2013 meeting. **Motion carried by voice vote.**
- MOTION:** **Rep. Pence** made a motion to approve the minutes of the February 14, 2013 meeting with the following correction: on page two, paragraph two, change how many chicks they "lay" to how many chicks they "hatch". **Motion carried by voice vote.**
- H 175:** **Larry Hayhurst**, State Brand Inspector, presented **H 175**, Livestock Liens. He stated this bill is a clean up from last year, which was to help the horse industry with horse sales to the public and liens when necessary. He noted that the cattle portion was missed and was an oversight last year, to separate bovine from equine. This legislation would allow cattle to be sold at a public auction, but horses could be sold at auction, other than through a public auction. He said the Idaho Auction Association, Idaho Farm Bureau, Idaho Horse Council, and other affiliated parties are in agreement and support this legislation.
- MOTION:** **Rep. Bolz** made a motion to send **H 175** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McMillan** will sponsor the bill on the floor.
- H 113:** **Jim Lowe**, Farmstead Cornmaze, presented **H 113**, Agritourism Promotion Act. He explained that this bill was presented to the committee last week with wide support; however, they heard testimony with recommendations on the warning sign for liability. An amendment has been drafted to simplify the warning sign and include reference to Idaho Code. Members of the industry and the Trial Lawyers Association are pleased with the changes. In answer to questions, Mr. Lowe clarified that wording from the amendment would be on the sign.
- MOTION:** **Rep. Bolz** made a motion to send **H 113** to General Orders with amendments attached. **Motion carried by voice vote.** **Rep. Bolz** will sponsor the bill on the floor.
- Seth Pratt**, FFA, U of I student, presented on the value of an education in agriculture. He believes the individual experience of each student and the knowledge they gain are invaluable. He related many stories of fellow students in the College of Agriculture who excel and want to contribute to the industry. His experience in FFA began as the Idaho President, traveling, conducting workshops, teaching about agricultural careers, and expounding on the diversity of agriculture in Idaho. He spoke about training, visiting campuses, and the importance of human interaction.

**Mr. Pratt** noted that he felt drawn back to Idaho to finish his agricultural education, as an intern at the U of I, College of Agriculture. He has enjoyed attending the Ag Summit and activities at the Capitol this last week. He submitted that the U of I provides these opportunities for their students, who then go out and make a difference.

**Gary Spackman**, Director, Idaho Department of Water Resources, presented an update. He explained the recent effort to rewrite the State Water Plan, which was last updated in 1996. He then introduced **Bryan Patton**, Bureau Planning Chief, IDWR, who presented more information.

**Mr. Patton** addressed the recent rewrite of the State Water Plan and changes needed. He said the new version was adopted on November 28th, 2012 and submitted to the Legislature for consideration. He stated that this plan for the state's use of water resources was directed by the Idaho Constitution and statute. One responsibility is to provide funding for canal districts. He mentioned recent projects funded by their board and the recent purchase of trout farms in the Thousand Springs area, involving pumping water from the aquifer. He detailed how ground water users entered a voluntary purchase agreement.

**Mr. Patton** talked about the Eastern Snake River Plain Aquifer (ESPA). He explained that water loss from this important aquifer has decreased water storage to the point that in 2006, the Legislature asked the Idaho Water Resource Board to develop a plan for aquifer recharge. They developed a Comprehensive Aquifer Management Plan (CAMP), using the best available science and methods. He outlined one strategy to capture and deliver water, to offset groundwater pumping. Another area of concern is the Upper Salmon River Basin. He defined potential conflicts between agricultural water users and water needs for listed fish species. He discussed drilling operations by Weiser and the potential to raise Arrowrock Dam by Boise. He specified other areas for aquifer planning and management. Funding has been reduced, but facilities and monitoring must continue. He suggested a new priority for funding and projects in the Wood River Basin as well.

**Mr. Spackman** commended department accomplishments, highlighting the Snake River Valley Adjudication process, which has spanned nearly 30 years. This has involved working through complicated water rights and decrees. He maintained that there are now less than 100 claims for the court to address, and the process is nearly complete.

**Mr. Spackman** spelled out department efforts to reduce the pending number of transfer applications, for transfer of water rights to another user. He noted that there has been a backlog of water permits and licenses to be issued. He has assigned additional resources to address this backlog, which is significantly reduced since last year. He said the department has also sought to address a backlog with brokering water rights in the Water Supply Bank. Progress is being made on these fronts.

Regarding technical services, **Mr. Spackman** detailed sites with continuous measuring and monitoring equipment. He indicated that large amounts of data have been gathered to successfully manage various water resources.

In regards to questioning, **Mr. Spackman** explained that some monitoring wells in other parts of the state for surface water sources are separate from the ESPA. With reference to concerns of water leaving our state unused, he answered that the board is looking at additional storage sites and dams, plus ongoing studies.

On the topic of the State Water Plan and permanent easements, **Mr. Spackman** indicated that permanent easements have been struck from the new plan, so these are now executed voluntarily by users, during short periods of time when flow is necessary. In relation to using unappropriated water for these easements, he remarked that it would not be feasible to transport this resource to other parts of the state.

**Mr. Patton** responded to questions on the reference to water quality in the state's water plan from 1996. He submitted that this was a generic policy to support efforts to maintain good water quality in the state, but did not impair water quality for other purposes. Concerning the subject of climate change, he agreed that they are starting to see some impacts of this with wetter wet years and dryer dry years.

Pertaining to questions on impact litigation and legal tools, **Mr. Patton** suggested that this goes back to the flood control rules and how to move forward with federal agencies. In connection to queries on a time line for the water plan and the Legislature, **Chairman Andrus** maintained that this will go through the House Resources and Conservation Committee.

With reference to the management of riparian and wetlands zones in the 1996 plan, **Mr. Patton** affirmed the policy now is similar to the 1996 plan. However, he mentioned that the existing plan is structured very differently.

Relating to opportunities for further input on the State Water Plan, **Chairman Andrus** confirmed that suggestions can be directed to members of the House Resources and Conservation Committee. Concerning the time line for the Legislature to act on the State Water Plan, **Mr. Patton** clarified the Idaho Constitution requires the Legislature to approve, amend or reject the plan within 60 days of it being presented, which window of time he believes started on the first day of this legislative session.

**Frank Muir**, President, Idaho Potato Commission, presented an update. In response to a question on the status of protecting the Idaho trademark from agricultural use on products originating from the country of Turkey, he stated that the necessary objections were filed on time. They included the recent legislative resolution, a letter from the Governor, further documentation, and other materials. He noted it may be several weeks or months before they receive a response. He discussed the IPC's financial report. He stated that a higher yield crop this last year resulted in additional revenue ahead of budget. He explained that the national Idaho potato truck tour was successful this past year and has been requested to go on tour again next year, which may affect using some of their reserve fund. He indicated the budget for their next fiscal year should be right on target.

With regard to questions on the IPC's staff, **Mr. Muir** indicated that they have less than 20 employees.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 3:08 p.m.

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Representative Andrus  
Chair

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Kim Jensen-Porter  
Secretary