

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Tuesday, March 19, 2013
TIME: 1:30 pm or Upon Adjournment
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 (McLean), Ward-Engelking
**ABSENT/
EXCUSED:** None
GUESTS: The sign-in sheet will be retained with the minutes in the Committee Secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes of the Legislative Services Library.

Chairman Denney called the meeting to order at 1:34 p.m.

Chairman Denney welcomed the Commissioners from the Idaho Department of Fish and Game (Fish & Game).

Chairman Budge introduced **Virgil Moore** and **Sharon Kiefer** from the Boise area and then introduced Commissioners **Bob Barowsky**, Boise area, road mortality; **Fred Trevey**, Lewiston, Opportunity vs. quality; **Tony McDermitt**, wolf management; **Kenney Anderson**, Upper Snake River area, grizzly bears; **Will Naillon**, Challis area, depredation, federal management, and Land Owner Appreciation Program (LAP).

Chairman Budge stated that Fish & Game is different than other agencies in that they receive no funding from the State General Fund. Their funding comes from the sportsman, but due to an aging population and less younger-sportsmen recruitment there are less funds coming in. He said there is an explosion of pelicans in Idaho which causes degradation to the trout. He said the primary impact to the trout is the pelican and the pelicans are protected.

Commissioner Barowsky stated that as of 1971, they discovered big game was a contributor to many motor vehicle accidents. They estimate fifty percent are probably not reported and these accidents are a tremendous workload on all resources. He said they studied this in different areas in the state. He said that animals are migratory which puts them in conflict with the highway system and they are putting underpasses in the migratory areas.

In response to questions from the Committee, **Mr. Barowsky** said salt used on winter roads will create a salt lick for the animals, and sand creates a dust concern. He said the damage the salt can do may mean it might not be the best solution.

Commissioner Trevey said Fish & Game has regular discussions on the issue surrounding hunter preferences in trophy or a more general experience. He said in trying to keep track of what Idaho's sportsmen are thinking, Fish & Game conduct periodic surveys. An elk hunter survey was done and from that survey, they are revising the elk plan which will set the stage for the next five or ten years. He said there are significantly fewer elk today. He said it was found that elk hunting was a social family experience. He said we are shifting to a more urban orientation which presents a real challenge and a clash of values.

In response to questions from the Committee, **Mr. Trevey** stated that concerns about depredation would be considered.

Commissioner McDermott explained that predators come in all shapes and sizes. He said people are adapting to wolves in Idaho. He said 150 wolves and 15 packs is the minimum number required in Idaho. He said they have found wolf hunting is becoming less effective than trapping.

In response to questions from the Committee, **Mr. McDermott** said in March of last year there were between 1,200 to 1,500 wolves, but an educated guess for today is probably about 1,000 wolves in the state. He stated we have to harvest 30% each year to keep them stable. He said the packs are now smaller but are 101 confirmed packs.

Mr. McDermott called **Virgil Moore**, Director of Fish & Game, to respond to questions regarding funds. Mr. Moore said money is routed from the Office of Species Conservation, but the livestock compensation fund may not be available in the future from the federal government due to the sequestration and other reductions in federal budgets.

Commissioner Anderson said they hope to have the grizzly bear de-listed as of 2014. He said a black bear baiting is necessary because there are more bears now than previously in the Yellowstone area and the bear population causes some serious human conflict. He said the baiting of black bears makes the bears seek out human food, and they can smell things up to 18 miles away. They would like to manage bears properly so they do not want human food because they have a lot of grizzly bears that come in on this bait when it is used.

In answer to Committee questions, **Mr. Anderson** stated that they want Idaho to be more in line with neighboring states where baiting is not allowed.

Commissioner Naillon said there are more questions than answers to depredation and LAP issues. He stated it is necessary to get to the root of the problem to keep the depredation from happening.

Commissioner Budge said Fish & Game is trying to be very proactive in managing the wolves. The wolves are very difficult to hunt and they are getting smarter. He stated there is a healthy elk population despite the wolves, in many units.

H 277:

Rep. Shepherd stated this legislation is to return the minimum standard for well seals to 18 feet which was a standard that worked very well for many years. He introduced **Mr. Brett McCarty**, McCarty Drilling. Mr. McCarty said **H 277** corrects the problems they have sealing water wells. He said prior to the 38-foot rule the process took less than an hour. With the new rule it sometimes takes 2 days which is not necessary in Idaho. He stated there were no reports of people becoming sick from water from the old standards. He said 18-foot seals are much less expensive and during a time of economic hardship, Idaho families do not need to pay this additional cost.

Mr. Brent Orton, City of Caldwell, spoke **in opposition to H 277**. He discussed the boring process and stated some areas need deeper seals than other areas because the layers do not lie flat but can be curved.

In answer to questions from the Committee, **Mr. Orton** stated that his position is to ask the Committee not to pass the legislation. He explained the trick is detecting where the correct layer might be so a standard to drilling lower makes sense.

Mr. Dale Pitts, on behalf of Bob Pitts Drilling in Sandpoint Idaho, spoke **in favor of H 277**. He stated there has not been any instance of contamination in 18-foot wells other than natural-occurring elements.

Mr. Tom Richardson, H2O Well Service in Hayden, Idaho, spoke **in opposition to H 277**. He said he was on the board of directors for several years and was present when the negotiated rulemakings took place. The Board looked at the science involved as well as resource protection wells for contaminated sites so they have a good perspective on where these contaminants go. He said as drillers they do see contamination, so the 38-foot rule is burdensome, but necessary. He said 18 feet might be okay in some parts of the state, but the 38-foot rule will protect the citizens of the State.

Mr. Scott Braun, Aqua Drilling and Excavation, spoke **in favor of H 277**. He said the previous 18-foot seal was designed as a minimum depth. He does not agree that there is a need to have a blanket rule for the whole state. He said the study did not show any proof that the older wells with 18 feet seals were contaminated.

Mr. Steve Pitts, Bob Pitts and Sons, spoke **in favor of H 277**. He said the current rule is costly and it takes more time. He said they do not see where it is helping but it is just more costly to the customer.

Mr. David Baker, APEX Drilling in Burley, Idaho, spoke **in opposition to H 277**. He stated it is not hard to put in a 38-foot seal. He said they have to prove that is adequate and the Department would have to show that a 38-foot seal is needed when they require it.

Mr. Mark Horsley, Horsley Drilling, Rathrum, Idaho, spoke **in favor of H 277**. He said the surface sealing is something that is not simple in their area. He said if the tools are in good shape it takes a couple of hours in most situations.

The Chairman announced that the Committee will reconvene on Thursday, March 21, 2013, to further discuss **H 277**.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:30 p.m.

Representative Denney
Chair

Rosee Winder
Secretary