

MINUTES

HOUSE ENVIRONMENT, ENERGY, & TECHNOLOGY COMMITTEE

DATE: Tuesday, January 28, 2014

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Raybould, Vice Chairman Eskridge, Representatives Anderson(1), Hartgen, Vander Woude, DeMordaunt, Nielsen, Thompson, Anderson(31), Anderst, Mendive, Monks, Morse, Trujillo, Smith, Rusche, Woodings

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained 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 in the Legislative Services Library.

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

MOTION: **Rep. Smith** made a motion to approve the minutes of January 20, 2014 and January 22, 2014. **Motion carried by voice vote.**

H 406: **Alex LaBeau** presented **H 406** to the committee. This legislation would give Idaho the go ahead to begin the process of taking over primacy of the NPDES program from the EPA. He detailed the various sections of the bill for the committee members and explained the history and importance of the legislation. He discussed the process of establishing the program and the subsequent legislation that will be needed to deal with issues such as, how to deal with confidential business information and the appeals process. He told the committee why the DEQ and IACI are bringing this forward now and what benefits the program will bring to the state. He concluded with an overview of the cost of the program.

In response to a question regarding comparable costs, **Mr. LaBeau** stated they will do everything they can to make the program as cost-effective as possible. He also stated that the wording of the legislation gives DEQ the flexibility to work with other agencies to be more efficient.

In response to questions concerning the federal requirements and Idaho's requirement that DEQ regulations be no more stringent than the EPA, **Mr. LaBeau** stated the fines and fees were per federal requirement and the Idaho stipulation of stringency is already codified so it did not need to be explicitly drawn out again in this legislation.

In response to questions regarding the funding of the program, **Mr. LaBeau** stated that originally the money would fund full-time employees (FTE's) and the administrative costs of starting the program. He stated that as the program continues to grow the money will fund more FTE's and that by 2019 there will be money coming in from application fees to offset some of the overhead costs. He went through the yearly projections and direct costs and explained that all the fee rules and financing will come through the legislature and the legislators will have the ability to approve or reject the funding for the program.

MOTION: **Rep. Morse** made a motion to send **H 406** to the floor with a **DO PASS** recommendation.

Debbie King from the Nampa Chamber of Commerce, testified to the committee **in support** of Idaho taking primacy of the NPDES program. She read a statement from the Nampa Chamber about why the NPDES will be better under the primacy of the state rather than the federal government.

Curt Fransen, Director of the Department of Environmental Quality, testified **in support** of the proposal. He discussed the importance of the issues and the benefits as well as acknowledged some of the challenges that the program will face. He stated that DEQ has worked closely with IACI to provide information, reports, and resources.

Ken Harwood with the Association of Idaho Cities, testified **in support** of the legislation. He stated that it would help create better coordination between programs and protect our water quality while providing flexibility. He said it would empower a state agency with a local presence and the understanding to administer the program, all of which would be beneficial to Idaho.

Linda Lemmon with the Idaho Agriculture Association, testified **in opposition** to the legislation. She stated that because the Idaho guidelines of strictness and similarity that are required, taking over primacy will not take program control out of the hands of the EPA. Rather, she said, it will simply force Idaho to take on the cost of the program and still have no ability to make decisions. She stated the uncertainty, especially in cost, is not something the small farmers can handle.

Norm Semanko with the Idaho Water Users Association, testified **in support** of the legislation. He gave an overview of the IWUA's history with NPDES permits and gave three main reasons why this was beneficial. He said the IWUA would prefer to work with the DEQ and the state, that water quality trade is a good thing. He acknowledged there are some concerns about the fees but said they will be active and engaged in rulemaking and would much rather go through that process with the state than with the EPA or the federal government.

Alex LaBeau was invited to make some closing remarks. He stated that this system is superior to the current structure and that negotiated rule-making will take place to work out all these issues.

VOTE ON MOTION:

Motion carried by voice vote. Rep. Monks will sponsor the bill on the floor.

Mike Field, Director of the Idaho Rural Partnership and the LinkIDAHO Broadband Coordinator introduced the LinkIDAHO initiative to the committee. He introduced the presenters: **Priscilla Sillant, Melony Liebel, and Bill Gillis.**

Priscilla Sillant from the McClure Center for Public Policy Research with the University of Idaho, spent time discussing the accessibility of the internet in rural households. She discussed the results of a study done in Idaho and Lemhi Counties. In this study they found that only 1% of families who responded said they didn't have internet because they couldn't get it, while 7% said they didn't have it because it was too expensive. However, 80% of those who responded said that they did have internet. She discussed the sources of the internet they are using and what people use their internet for. She stated that they need the internet for three major things that deal with economic development and education. She said 19-21% of families use the internet for home based businesses, on-line classes, and at libraries.

Ms. Sillant She then discussed the policy implications. She stated that rural Idaho is still recovering from the economic downturn but a sparse population makes infrastructure more expensive. She stated that public broadband investment makes more sense because the majority of those who want the internet, even if it is more expensive, already have it.

Melony Liebel from the Office of the CIO, gave a presentation via conference call about the Wireless Broadband Validation Test. She said this test was to map out the wireless broadband connections throughout Idaho and to work with providers to plan for future development. She explained the various apps being used to gather data and the ways the data is being used. She stated that this project allows Idaho residents to effectively document mobile broadband coverage problems in their communities, help ensure a efficient use of resources, and to gather tools for use by broadband planners. She stated however, that these are preliminary results and that work will need to continue to ensure the accuracy of the results and the maps.

Bill Gillis from Vision Tech 360 and member of LinkIDAHO ,gave an overview of the economic and social impacts of broadband investment. He focused on Idaho jobs and opportunities and what lessons have been learned. He stated that 80% of potential economic growth in Idaho will require the use of broadband and smaller communities are not positioned for growth because of lower connectivity to homes and businesses. He stated that broadband should connect important community sectors such as; healthcare, education, government, economics, and public safety. He said this would benefit Idaho because it would reduce duplication, save money, improve private investment (especially in rural areas), and strengthen economic development and quality of life in all of Idaho's communities. He stated that in 2009 the LinkIDAHO project was federally funded, but that funding will end in October of 2014. In discussions about how to move forward, there were three general agreements; Idaho needs to encourage private investment, establish sustainable solutions led by local initiative, and have a limited state governmental role. He discussed various ways to achieve these goals and stated that the bottom line is coordination on all levels.

In response to questions regarding the use of various technologies to provide the connection, **Mr. Gillis** stated there is no one magic way to provide connection but that there are many different technological solutions. However, he also emphasized that the more remote the connection becomes, the more expensive it gets.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 3:34 p.m.

Representative Raybould
Chair

Kaela Becklund
Secretary