

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

- DATE:** Monday, February 16, 2015
- TIME:** 1:30 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Vice Chairman Vick, Senators Cameron, Siddoway, Brackett, Heider, Nuxoll, Stennett and Buckner-Webb
- ABSENT/ EXCUSED:** Chairman Bair
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Vice Chairman Vick** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 1:30 p.m. He explained that Chairman Bair's absence was due to illness. **Vice Chairman Vick** also noted that the Idaho Department of Fish and Game (IDFG) had provided their annual report of expenditures for the "Feeding Account" during fiscal year FY2014. This information is in the Committee's blue folder (see attachment 1).
- MINUTES:** **Senator Brackett** moved that the Minutes of February 2, 2015 be approved. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.
- RS 23505** **Senator Keough** presented **RS 23505**, which is a concurrent resolution encouraging the Idaho State Board of Land Commissioners to enter into land exchanges, including multi-party land exchanges, when it is in the State's best interest.
- MOTION:** **Senator Siddoway** moved to print **RS 23505**. **Senator Brackett** seconded the motion. The motion carried by **voice vote**.
- DISCUSSION:** Following a short discussion, the Committee requested that **RS 23505** be returned to the Committee, rather than being sent to the 10th Order of Business.
- RS 23471** **Mr. David Langhorst**, Director, Idaho Department of Parks and Recreation (IDPR), stated that IDPR had been directed to find new sources of revenue in order to be more self-sufficient and to reduce reliance on the General Fund. The proposed legislation clarifies that the Parks and Recreation Board and IDPR staff have the authority to engage in sponsorship and partnership opportunities with private businesses and other organizations.
- MOTION:** **Senator Brackett** moved to print **RS 23471**. **Senator Heider** seconded the motion. The motion carried by **voice vote**.
- RS 23636** **Senator Nuxoll** presented **RS 23636**. She said this concurrent resolution authorizes the continuance of the Federal Lands Interim Committee to complete the study on a proposal to acquire title and control over public lands currently owned by the federal government. The fiscal cost for the continuance of the legislative interim committee is authorized for \$50,000.
- MOTION:** **Senator Cameron** moved to print **RS 23636** with the stipulation that it be returned to this Committee, rather than being sent to the 10th Order of Business. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**. **Senator Stennett** voted nay.

RS 23637 **Mr. Lynn Tominaga**, Executive Director, Idaho Ground Water Appropriators (IGWA), presented **RS 23637**. The purpose of this legislation is to amend Idaho Code § 42-234 to allow the director to develop rules for managed recharge, which is the intentional diversion and subsequent infiltration of water for the recharging of groundwater basins. The legislation also adds a new section § 42-1762B, which allows the Idaho Water Resource Board to operate a water supply and an aquifer credit program that accrues from managed groundwater recharge. It also allows the Idaho Water Resource Board to adopt rules governing the management, control, delivery, use and distribution of aquifer credits under its program. The fiscal impact would be \$10,000 to \$15,000 for developing the rule, which will come from the Idaho Department of Water Resources' budget which is General Fund monies.

MOTION: Following some discussion, **Senator Siddoway** moved to print **RS 23637**. The motion died for lack of a second. The RS will be returned to the sponsor.

RS 23470C1 **Mr. Norm Semanko**, Executive Director, Idaho Water Users Association (IWUA), said this legislation clarifies existing statutes relating to lateral water users' associations and provides for a lien upon the water users' lands for unpaid assessments to operate, repair, improve and maintain laterals and ditches.

MOTION: **Senator Heider** moved to print **RS 23470C1**. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**.

RS 23631 **Mr. Semanko** presented this legislation and said it allows the water users in a water district to authorize the watermaster to participate in weather modification projects involving cloud seeding, in order to enhance water supplies.

MOTION: **Senator Heider** moved to print **RS 23631**. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**.

Vice Chairman Vick announced that the three Senate bills on the agenda would not be heard today, due to time limitations. They will be scheduled at a later date.

WELCOME: **Vice Chairman Vick** welcomed Mr. Jeff Sayer, Director of the Department of Commerce, who provided an update on the Leadership In Nuclear Energy (LINE) Commission.

PRESENTATION: **Mr. Sayer** gave a PowerPoint presentation, and provided the LINE Executive Summary (see attachment 2). The nuclear energy industry, Idaho National Laboratory (INL), has deep roots in the State of Idaho and to this day plays a large role in the Idaho economy. INL is responsible for 24,000 jobs in Idaho, contributes over \$3.5 billion to Idaho annually, and is the third largest employer in the State.

Since its reorganization in 2005, INL has been the nation's leading facility for nuclear energy research, development, and demonstration. It is one of 10 large multi-program national laboratories owned by the U.S. Department of Energy (DOE). Cleanup and waste management are conducted under two separate contracts: the Idaho Cleanup Project and the Advanced Mixed Waste Treatment Project. The U.S. Navy also has operations on the INL site, managing its spent nuclear fuels.

Environmental cleanup and restoration, often referred to as the "Idaho Cleanup Project", encompasses efforts to remove and safely contain nuclear waste generated by legacy nuclear activities and by World War II era conventional weapons testing on what is now the INL site. This 10 year, \$4 billion cleanup project is removing the legacy waste from the ground and ultimately protecting the Snake River Aquifer, which lies beneath the INL site and is a major water resource for southern Idaho.

An important feature within the Idaho Cleanup Project is the Integrated Waste Treatment Unit (IWTU). Under an agreement between the State of Idaho and DOE, DOE is required to treat all remaining liquid waste by the end of 2012, and the IWTU is the facility built for that task. IWTU experienced critical equipment difficulties and has delayed the scheduled treatment of liquid wastes, prompting DOE to notify the State of Idaho that it will miss a Settlement Agreement milestone. Efforts are being made to remedy the situation, and DOE plans to complete the waste treatment as soon as possible without sacrificing safety or quality.

The 1995 Settlement Agreement set legally enforceable deadlines for the handling, treatment, and shipment of nuclear wastes and legacy materials from the INL site, along with financial penalties if the deadlines are not met. In exchange, it allows DOE and the U.S. Navy to ship defined quantities of spent nuclear fuel into the State for interim storage, provides funding for economic development, and establishes INL as the nation's lead laboratory for research on spent fuel management and disposal.

The LINE Commission took stock of the cleanup progress achieved under the Settlement Agreement. So far, 959 of the 964 cleanup milestones for the INL site have been met on time, thousands of shipments of nuclear waste buried at the site have been sent to New Mexico's Waste Isolation Pilot Plant facility for disposal, and spent fuel on site has been transferred from wet to safer and more robust dry storage. Much of the waste that remains onsite is now in forms and storage configurations that provide more secure isolation from the environment.

The following are the findings that informed the LINE Commission's recommendations:

- Finding No. 1: Safety and environmental protection are non-negotiable.
- Finding No. 2: Storage and disposal technologies have markedly improved.
- Finding No. 3: The decision on Yucca Mountain demands the State's attention.
- Finding No. 4: A significant industrial opportunity.

Actions recommended by the Commission are six overarching strategic priorities. They are:

1. Continue to work cooperatively with the U.S. Department of Energy and other impacted states to address remaining environmental risks and continue cleanup at the INL site.
2. Exercise leadership as the U.S. formulates federal energy and nuclear waste management policies.
3. Capitalize on Idaho's nuclear technology competencies by supporting the growth of existing nuclear businesses, the corresponding infrastructure, and the attraction of new nuclear businesses.
4. Invest in infrastructure to enable INL and Idaho universities to successfully compete for U.S. and global research opportunities.
5. Develop and promote the Center for Advanced Energy Studies as a regional, national and global resource for nuclear energy research.
6. Strengthen and expand nuclear education and workforce training offerings.

At the present time, the 3 Idaho research universities have over 20 faculty members and 400 students in degree programs ranging from Associate of Science (A.S.) to doctorate degrees (Ph.D.). From a physical facilities standpoint, the State of Idaho should investigate working with Bonneville County, the City of Idaho Falls, and private developers on the development of a science and technology park north of the existing University Place and the University Boulevard Campus. The State should also investigate transportation improvements at the INL site, including options to expand Highway 20, or take other actions to improve safety and reduce congestion.

Idaho's universities and colleges have long played an essential role in meeting the workforce needs of INL and other Idaho concerns. The Commission believes this important capability can be augmented by the appropriation of \$5 million from the General Fund to build on existing collaborations between the State's research universities and technical colleges and to expand the reach and scope of Idaho's STEM channels for nuclear energy education and workforce development.

ADJOURNED: Due to time constraints, **Vice Chairman Vick** thanked Mr. Sayer for his presentation, then adjourned the meeting at 3 p.m.

Senator Vick
Vice Chair

Juanita Budell
Secretary