

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Wednesday, February 25, 2015

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Raybould, Vice Chairman Gestrin, Representatives Moyle, Andrus, Shepherd, Wood, Boyle, Vander Woude, Gibbs, Miller, Bateman, Burtenshaw, Mendive, VanOrden, Youngblood, Pence, Erpelding, Rubel

**ABSENT/
EXCUSED:** Representative(s) Vander Woude, Bateman, Burtenshaw

GUESTS: Caitlin Rusche, Idaho Association of Counties; Sharon Kiefer, Idaho Department of Fish and Game; Ana Owsiak, Idaho Department of Fish and Game; Beverly Searle; Craig Searle, Southwest Irrigation District; Lynn Tominaga, Idaho Ground Water Appropriators.

Chairman Raybould called the meeting to order at 1:29 p.m.

H 161: **Rep. Luker** stated this bill relates to revising the Idaho Department of Fish and Game's violations and penalties. He indicated there is a reclassification of misdemeanors to infractions and all offenses are a misdemeanor unless specified as an infraction.

MOTION: **Rep. Wood** made a motion to send **H 161** to the floor with a **DO PASS** recommendation.

Rep. Mendive expressed concern regarding the public use restriction on page 2, line 45.

SUBSTITUTE MOTION: **Rep. Mendive** made a substitute motion to send **H 161** to General Orders with amendments attached.

Sharon Kiefer, Idaho Department of Fish and Game, stated this bill provides reclassification of misdemeanors to infractions and the Idaho Department of Fish and Game's authority does not pertain to private lands. Ms. Kiefer indicated this legislation is only for lands owned and managed by the Idaho Department of Fish and Game.

ROLL CALL VOTE: **Chairman Raybould** called for a roll call vote on the substitute motion to send **H 161** to General Orders with amendments attached. **Substitute Motion failed by a vote of 5 AYE, 10 NAY, 3 Absent/Excused. Voting in favor** of the substitute motion: **Reps. Gestrin, Moyle, Boyle, Miller, and Mendive. Voting in opposition** to the substitute motion: **Reps. Andrus, Wood, Shepherd, Gibbs, VanOrden, Youngblood, Pence, Erpelding, Rubel, and Chairman Raybould. Reps. Vander Woude, Bateman and Burtenshaw were absent/excused.**

MOTION: **Chairman Raybould** called for a vote on the original motion to send **H 161** to floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Luker** will sponsor the bill on the floor.

H 166: **Rep. Wood** stated laws need to be amended to provide an alternative for irrigation districts to obtain approval to incur debt for mitigation and recharge purposes through a judicial examination process. He explained irrigation districts may only incur debt after holding an election and elections can only be held at certain times during the year.

Clive Strong, Attorney General's Office, stated there is a disadvantage to irrigation districts that ground water districts have and both districts need the ability to copartner in mitigation plans.

Craig Searle, stated during the water call the irrigation district had to back out and the ground water district could obtain the bonding. He explained the irrigation district had to come back after the process and buy their way back in, and experienced the same situation in the Rangen call. He said if the ground water district had to abide by the same rules, there would be many without water and it is imperative the irrigation districts are allowed to play by the same rules as the ground water districts.

Lynn Tominaga, IGWA , stated IGWA, IWUA and Food Producers of Idaho support the bill and the surface water coalitions favor this bill also.

MOTION: **Rep. Gibbs** made a motion to send **H 166** to the floor with A **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wood** will sponsor bill on the floor.

HJR 5: **Rep. Beyeler** stated this memorial calls upon the U.S. President to work with Idahoans and not take unilateral action on the Boulder-White Clouds area and its national monument designation that may change land management in this area. He identified the national monument includes the Idaho counties of Gem, Boise, Lemhi, and Custer. He indicated that Custer County would be the most impacted as Custer County has 92% of its land mass under federal management. **Rep. Beyeler** indicated public land policy decisions and management changes have a significant impact on families and the local economy. He said many generational families run cattle and livestock in these areas. He further explained a ranching study conducted by the University of Idaho stated every \$1 of beef sold is \$1.08 in return to the local economy. He encouraged the federal government to refrain from unilateral action and embrace the collaborative process with Idahoans. **Rep. Beyeler** stated the people of Idaho need to send a nonpartisan statement that unites Idaho in land and treasure to communicate to the U.S. President that Idahoans need a collaboration process of our national monuments in Idaho.

MOTION: **Rep. VanOrden** made a motion to send **HJR 5** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Beyeler** will sponsor the bill on the floor.

Teri Murrison, Idaho Soil and Water Conservation Commission, presented "Conservation the Idaho Way". Ms. Murrison stated "Conservation the Idaho Way" is the name of the commission's newsletter and a way of life. Ms. Murrison indicated the preference in Idaho is to take care of and improve the natural resources without regulation, together with cooperative and collaborative efforts with a commitment for conservation and sponsorship.

Ms. Murrison identified the necessity of beneficial partnerships with stakeholders and the citizens of Idaho. She indicated the contributions of these partnerships have made difficult challenges more easily obtainable. She provided the details, challenges, and an update on the Idaho Soil and Water Conservation Commission's major project for the Bear Creek/Whiskey Creek area. Ms. Murrison further explained the Idaho Soil and Water Conservation Commission has increased projects and support in the state towards conservation efforts, but has not increased their staffing.

Benjamin Kelley, Idaho Association of Soil Conservation District (IASCD), works as a unified voice to strengthen districts and lead conservation in the state with roles at the local, state, and national levels. Mr. Kelley said the conservation district at the county level is developing relationships and reaching out to schools to provide education in conservation. Mr. Kelley stated he represents the soil conservation districts as a voice at the Legislature and at the Water and Soil Conservation Commission to provide his assistance in analyzing programs and improving policies.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:41 p.m.

Representative Raybould
Chair

Jennifer Smith
Secretary