

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, March 19, 2015

TIME: 1:30 pm or Upon Adjournment

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:** None

GUESTS: Jack Lyman, Idaho Mining Association; Fred Birnbaum, Idaho Freedom Foundation; Chris Schwarzhoff; Lois Schwarzhoff; Tina Wilson, Western Alliance for Economic Development; Russ Hendricks, Idaho Farm Bureau; Sandee Mitchell, Idaho Recreation Council; Courtney Washburn, Idaho Conservation League; Roger Seiber, Capitol West; Michael Gibson, Idaho Wildlife Federation; John Renter, Conservation Voters of Idaho; Norm Semanko, Idaho Water Users Association; Brandt Bullock, Idaho Water Users Association; Greg McReynolds, Trout Unlimited.

Chairman Raybould called the meeting to order at 1:30 p.m.

Jack Lyman, Idaho Mining Association, presented economic information and the activities for the five member mines of the Idaho Mining Association. He stated a mining industry employee receives annual compensation of \$91,600 per year. He stated the mining industry employs 2,967 workers with 6,151 additional employees with mining providing the highest paying jobs in Idaho. He explained there has been a decline in the price of metals due to the world's economic condition and low interest rates. Mr. Lyman further explained that silver prices are below \$20 and gold prices are below \$1,200 per ounce. He said the phosphate prices are above historic levels, but cobalt prices have been falling for the past five years. Mr. Lyman said deflated prices are making it difficult for mines to be profitable and there is no government tax revenue being generated from economically struggling mines. Mr. Lyman stated the economic numbers for mines in 2015 will see a sharp decline.

Tina Gustevsan Wilson, Executive Director of the Western Alliance for Economic Development, is funded by the Department of Commerce and she presented information on the Southwest Idaho Juniper Utilization Working Group and its many partners and stakeholders in this project. Ms. Wilson stated the juniper is considered an invasive species. She explained the Southwest Idaho Juniper Utilization Working Group is working to eradicate junipers in our rangelands and forests as they are common in the western states.

Ms. Wilson identified the different classifications of juniper stages and indicated a phase II juniper uses 35 gallons of water in a day which reduces shrubs and herbaceous vegetation in the area. She stated the phase of the juniper determines the amount of feed per acre as animal and wildlife feed decline with each phase of the juniper. She said the decline includes lack of water and little growth of shrub and herbaceous vegetation in juniper areas. Ms. Wilson suggested eradication of junipers in phase I is most beneficial and the least costly. She stated there is an economic benefit in working with stakeholders and government agencies.

Ms. Wilson said junipers can be used as chips for landscaping and it makes beautiful wood. She stated the working group is collaborating with the state of Oregon regarding a study to have the Idaho juniper wood tested and graded as a commercial grade for an economic benefit. She said Oregon has been making junipers into wood products for ten years and the process is funded through the state of Oregon. Ms. Wilson concluded the working group would like to see an economic advantage in the disposal of junipers. She is encouraged by the working group's efforts as they are looking for economic benefits and using best practices in eradicating junipers from the western states with strong considerations for domestic animals, wildlife, and their habitat and feeding grounds.

H 265:

Vice Chairman Gestrin discussed **H 265** as a recommendation of the Federal Lands Interim Committee to study the transfer of Federal Lands to Idaho in pursuing the creation of a compact with other western states which would create the ability to enter into an interstate compact for the transfer of public lands from federal to state and establishes the operation of the compact. He said other states are in the process of developing a compact and two states, Arizona and Utah, have already adopted similar compacts. He suggested by automatically being a part of the compact, if congress should act, then no further action would be required by legislation.

Vice Chairman Gestrin explained the language would put a framework in the Idaho statute for an interstate compact regarding the transfer of public lands from federal to the state of Idaho to work in concert with other western states if approved by Congress. Vice Chairman Gestrin indicated the compact membership is defined as each member will have one vote and the ability to withdraw from the compact. He explained **H 265** doesn't require any funding other than to pay for the travel expenses for the state representative to attend meetings. He stated this legislation specifies the framework for Idaho and the ability to participate without waiting for an Idaho legislative session.

Vice Chairman Gestrin indicated there would be a defined mechanism for selecting the Idaho representative as our compact member and this member can withdraw from the compact for the state of Idaho at any time.

Fred Birnbaum, Vice President of Idaho Freedom Foundation, is in support of **H 265** and identified the legislation as good public policy. He said Idaho has an opportunity and could join a compact to form the groundwork of transferring public lands to the state. Mr. Birnbaum referred to a study conducted in Montana showing the federal mismanagement and its cost of six times higher than the cost of the state's management of public lands and asserts there is value for Idaho in participating in a compact. He concluded the federal government has poor management of Idaho public lands.

Mr. Birnbaum claimed there is misinformation and false charges made by opponents and addressed the issues. He explained Idaho is already a party to many compacts. He denied claims this compact will create more government and there are out-of-state interests being represented in this compact proposal. Mr. Birnbaum cited Idaho was at its peak for per capita income at 90% of the national average ten years before the right-to-work. He stated federal land management has economically devastated our rural areas as indicated by the mining and timber industries. He stated concerns have been expressed that Idaho will sell these federal lands. He addressed the issue citing the Utah Legislature will not sell lands as these lands provide value to the state as managed lands generate positive revenue returns and intangible value for future generations. He further suggested that access to our public lands would need to be maintained, but managed at a net plus costs and to an economic benefit. He identified further the state's endowment lands are under a different set of stipulations. He encouraged participation in the compact so Idaho would have a path to the future management of our land as

opposed to the way the lands are managed now by the federal government. He said there are seven national forests in Idaho and the state manages their lands better than the federal lands are managed. He further indicated that if Idaho did half as well as the federal government we would be at a net benefit to Idaho as the federal government rapes and pillages Idaho lands. He said Idaho would agree to the lands to be transferred and some land would remain under the federal government such as EPA clean-up areas and national monuments.

Courtney Washburn, Idaho Conservation League, is Idaho's oldest and largest conservation group consisting of 25,000 supporters and is opposed to this legislation as it is unconstitutional and suffers from a lack of public support and encourages representatives to abandoned this concept. Ms. Washburn indicated Idaho should collaborate with the federal government on land management in Idaho, but agrees there are issues with the federal land management.

Michael Gibson, Executive Director for the Idaho Wildlife Federation, stated sportsman are opposed to state management of public lands as Idaho is not equipped to support the management of public lands and it would result in loss of recreational uses through the sale or closure of lands. Mr. Gibson expressed concern regarding the state's land management and the primary goal of maximum financial returns. Mr. Gibson said public lands should remain open for access to the public.

John Renter, Conservation Voters for Idaho, stated he enjoyed the vibrant debate and opposes a state takeover of public lands in Idaho.

Greg McReynolds, Trout Unlimited, indicated that sportsman are opposed as the state will not be able to manage the land adequately. Mr. McReynolds indicated these lands are where Idahoans hunt and fish, enjoy recreation and Idaho managing public lands is pie in the sky and the state will not be able to sustain the land. Mr. McReynolds stated sportsman are opposed to this legislation as they have concerns about the public lands they were able to hunt and fish on as children or young adults and these lands may no longer be accessible to them. He explained sportsman fear that state public land management may have an unknown outcome and sportsman would like to see a limitation on the amount of acres sold per year. Mr. McReynolds made the analogy "just because you can run a corner grocery store, doesn't mean you can run a Walmart".

Russ Hendricks, Idaho Farm Bureau, supports **H 265** and indicated public land would be no less public and indicated the public would have more access to public lands in Idaho. Mr. Hendricks referred to the 1976 Land Policy Act by the federal government limiting timber, mining, grazing, and restricted recreational use areas on public lands. He further explained the concentrated use in restricted areas puts a heavy burden on the resources and can cause damage, and as a result, the government wants to shut down the accessible public land due to concentrated use.

Rep. Gibbs stated the Native American Tribes' title for public lands would revert to the tribes rather than the state.

Vice Chairman Gestrin indicated Idaho's representative will be at the table if the compact commission imposes fees on other parties and the commission can not levy on states or pledge the credit of any state.

Rep. Boyle stated our wildfires are very hot, animals and their habitat are destroyed and devastated in these raging fires. This legislation is not unconstitutional as many states in the eastern United States manage their public lands and requested opposers of the legislation to give Idaho a chance to manage their public lands.

Rep. Wood stated he supports this legislation and Idaho can manage their public lands and do it better than the federal government. Rep. Wood requested he go on record regarding his concerns if the individual representing Idaho is an elected or appointed official, and the details surrounding the withdraw from the compact membership.

Rep. Bateman endorses this legislation and urged lawmakers not to ever sell the land and there must be access to the public. He further indicated to trust the Idaho Department of Fish and Game to conduct their business.

Rep. Mendive stated he is in favor of the legislation as Idaho's wealth is tied up in our lands. He stated he has been in a plane and seen first hand the land management by the state and by the federal government of Idaho's public lands. He indicated the federal government is limiting accessibility to public lands and accessibility has a better chance under the state. He expressed concern over the massive wildfires on federal public lands.

Rep. Erpelding stated he encourages reforming federal agencies and proposed a concerted and collaborative effort to communication Idaho's concerns to the federal government's land management.

Rep. Andrus indicated some of the revenue generated from managing our public lands could help fund our public schools.

MOTION:

Rep. Shepherd made a motion to send **H 265** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Pence, Erpelding and Rubel** requested to be recorded as voting **NAY.** **Vice Chairman Gestrin** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 3:45 p.m.

Representative Raybould
Chair

Jennifer Smith
Secretary