

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, February 11, 2016

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:** Reps. Boyle, Moyle, Vander Woude, Andrus

GUESTS: Sharon Keifer, Idaho Department of Fish and Game; Tyler Mallard, Risch Pisca; Julissa Fuentes, Timberline High School; Angela Ni, Timberline High School; Avery Elsberry, Timberline High School; Jaime Wood, Timberline High School; Sammy Mathews, Timberline High School; Wayne Evans, Nampa Chapter of GPAA; Travis Pehrson, IDL; Eric Wilson, IDL; Diane French, IDC; Sara Smith, Timberline High School; Paris Boddee, Timberline High School; Jon Oppenheimer, ICC; Aaron Golart, IDWR; Dustin Miller, OSC

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

MOTION: **Rep. Pence** made a motion to approve the minutes of the February 1, 2016, meeting. **Motion carried by voice vote.**

MOTION: **Rep. Pence** made a motion to approve the minutes of the February 3, 2016, meeting. **Motion carried by voice vote.**

RS 24388: **Rep. Shepherd** presented **RS 24388** and informed the committee that he represents himself and District 7, which is a district with a lot of rivers containing gold, such as the Salmon and Clearwater Rivers, and upon which there is a lot of prospecting done. Rep. Shepherd provided the history of the drafting and controversy over prior presentation of the legislation. He stated the legislation's purpose is to recognize the de minimus nature of suction dredge mining and free the dredge mining small business vocation from unreasonable regulation and to clarify that Idaho finds the "bright line" threshold of "addition of pollutants" is not met by activities that transfer water and aggregate within the same body of water, as well as recognizes the existence of Federal Mining Claims under the 1872 Mining Act and amendments as Congressionally granted rights to real property.

In response to committee questions, **Rep. Shepherd** stated the suction dredge mining in this legislation is different than the old drag line dredging that tore up the whole valley floor, and the 5 cubic yards of dirt allowed would be under water, would be replaced right away to avoid disruption and that high spring water flows would restore the environment.

MOTION: **Rep. Gestrin** made a motion to introduce **RS 24388**. **Motion carried by voice vote.** **Reps. Pence, Erpelding** and **Rubel** requested to be recorded as voting **NAY**.

- RS 24434:** **Rep. Gibbs** presented **RS 24434**, a joint memorial to Congress regarding sage grouse. Idaho legislators have been working on a multi-state sage-grouse task force. **US Secretary of the Interior Jewell** decided not to list the sage grouse on the endangered species list; however, prior to that decision, Secretary Jewell created criteria and changed the core habitat Idaho identified to be managed differently in focal areas. The focal areas were established over the top of the core habitat and are nearly twice as inclusive as the original core habitat. The expanded focal areas greatly affect the value of endowment lands, particularly when it comes to cattle grazing and mining. The joint memorial asks Congress to give **Governor Otter's** state sage grouse plan time to work and to make no funds available to Secretary Jewell and the US Secretary of Agriculture to implement their plans on federal lands in Idaho. It is a unified effort by 11 states that have sage grouse plans to petition Congress to give their plans time to work.
- MOTION:** **Rep. Wood** made a motion to introduce **RS 24434** and recommend it be sent directly to the Second Reading Calendar.
- SUBSTITUTE MOTION:** **Rep. Erpelding** made a substitute motion to introduce **RS 24434**. **Motion failed by voice vote.**
- VOTE ON ORIGINAL MOTION:** **Chairman Raybould** called for a vote on the original motion to introduce **RS 24434** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Reps. Pence, Erpelding and Rubel** requested to be recorded as voting **NAY**. **Rep. Gibbs** will sponsor the bill on the floor.
- RS 24438:** **Rep. Gibbs** informed the committee that **RS 24438** and **RS 24453** are identical with the exception of two words, and he would like to present them simultaneously. **Rep. Gibbs** served as the Idaho Fish and Game (IDFG) Chairman for 7 years, and he has the highest regard for both the IDFG commission members and employees, and this legislation does not reflect on IDFG or anyone in their department. After every controlled hunt drawing, it is commonly said that someone from IDFG drew and the process is rigged. Although the system has never been fixed or rigged, IDFG faces a perception problem, and perception is the reality on this issue. **RS 24438** exempts IDFG commissioners and employees from participating in the application draw for controlled hunts, and **RS 24453** exempts IDFG commissioners only. The purpose is to add transparency to the controlled hunt and drawing procedure.
- MOTION:** **Rep. Bateman** made a motion to introduce **RS 24438**.
- ROLL CALL VOTE:** Roll call vote was requested. **Motion carried by a vote of 10 AYE, 4 NAY, 4 Absent/Excused.** **Voting in favor** of the motion: **Reps. Gestrin, Shepherd, Wood, Gibbs, Miller, Bateman, Mendive, VanOrden, Rubel and Chairman Raybould.** **Voting in opposition** to the motion: **Reps. Youngblood, Pence, Erpelding and Burtenshaw.** **Reps. Moyle, Andrus, Boyle, Vander Woude were absent/excused.**
- MOTION:** **Rep. Bateman** made a motion to introduce **RS 24453**. **Motion carried by voice vote.** **Rep. Youngblood** requested to be recorded as voting **NAY**.
- S 1213:** **Sharon Keifer**, Deputy Director, Idaho Department of Fish and Game, submitted written testimony in the form of a Memorandum from IDFG to **Chairman Raybould** and the committee members that provided supplemental information on **SB 1213** that was sent to the floor with a DO PASS recommendation on February 9, 2016. (See attachment 1.)

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:12 p.m.

Representative Raybould
Chair

Lorrie Byerly
Secretary