

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Monday, February 13, 2017
TIME: 1:30 P.M.
PLACE: Room EW40
MEMBERS: Chairman Gibbs, Vice Chairman Gestrin, Representative(s) Moyle, Raybould, Shepherd, Wood, Boyle, Vander Woude, Miller, Burtenshaw, Mendive, Youngblood, Kauffman, Giddings, Blanksma, Erpelding, Rubel, Jordan
ABSENT/EXCUSED: Representative(s) Moyle, Vander Woude, Rubel
GUESTS: Sharon Kiefer, Idaho Department of Fish and Game; Norm Semanko and Tyler Murgoitio, Idaho Water Users Association; Lynn Tominaga, Idaho Ground Water Association; Braden Jensen and Dennis Tanikuni, Idaho Farm Bureau; Marie Kellner, Idaho Conservation League; Dustin Miller, OSC; Stephen Goodson, GOV; John Williams, BPA

Chairman Gibbs called the meeting to order at 1:30pm.

RS 25271: **Sharon Kiefer**, Deputy Director, Idaho Department of Fish and Game, stated this proposed legislation is essentially one half of **H 89**, which the Department requested to hold in committee in order to move forward with this stand-alone legislation for the salmon and steelhead set-aside account. The winter feeding and depredation portion of **H 89** will be rolled into other proposals to be brought before the committee in the near future. **RS 25271** is the result of interest and requests from sportsmen wanting to see a proportional set-aside fee proposed for salmon and steelhead permits rather than the current flat rate set-aside fee because a proportional fee would float, up or down, as the set-aside keeps pace with any future fee revisions. The change in the set-aside does not affect current fees for the affected permits but is a redistribution of dedicated revenue to more transparently support statutory functions of the set-aside account. A proportional set-aside from salmon and steelhead permits can be feasibly administered from resident and nonresident permits because they do not have substantially disparate prices. The related set-aside distribution from eighth class licenses (sportsman's pak licenses) is also revised for consistency.

MOTION: **Rep. Wood** made a motion to introduce **RS 25271**. **Motion carried by voice vote.**

RS 25235C1: **Norm Semanko**, Executive Director, Idaho Water Users Association, stated this Joint Memorial is very important during Idaho Power Company's Hells Canyon Project relicensing process currently underway by the Federal Energy Regulatory Commission. A 30-year biological opinion, currently in place, found that the flow levels established were determined to be sufficient to avoid jeopardy to species downstream. The standing biological opinion and ongoing project management did not provide coverage for any species above Hells Canyon Dam. The State of Oregon has attempted to require Idaho Power Company to implement fish passage and introduction or reintroduction of anadromous fish above Hells Canyon Project into Idaho waters. Allowing this to happen would impact 30 years of proven beneficial flows downstream. This Joint Memorial provides that the Legislature opposes such introduction or reintroduction efforts and authorizes and directs the Governor and Attorney General to take all necessary measures to oppose and prevent Oregon's introduction or reintroduction efforts.

MOTION: **Rep. Burtenshaw** made a motion to introduce **RS 25235C1**.

AMENDED MOTION: **Rep. Burtenshaw** made an amended motion to introduce **RS 25235C1** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote. Rep. Burtenshaw** will sponsor the bill on the floor.

RS 25163: **Norm Semanko**, Executive Director, Idaho Water Users Association, stated this proposed legislation amends **67-6302**, Idaho Code, to require legislative approval of any efforts to introduce or reintroduce species into the State of Idaho by any agency or entity, State, Federal, or however constituted. This is referenced in the Joint Memorial **RS 25235C1**.

MOTION: **Rep. Blanksma** made a motion to introduce **RS 25163. Motion carried by voice vote.**

RS 25164: **Norm Semanko**, Executive Director, Idaho Water Users Association, stated this proposed legislation amends **67-818(5)**, Idaho Code, to clarify Idaho law that introduction or reintroduction of any aquatic or terrestrial species requires approval of the State of Idaho, and that the policy is not limited to listed species.

MOTION: **Rep. Youngblood** made a motion to introduce **RS 25164. Motion carried by voice vote.**

RS 25165: **Norm Semanko**, Executive Director, Idaho Water Users Association, stated this proposed legislation amends **36-906**, Idaho Code, to make it consistent with Idaho policy and law that fishways are not to be required at the Hells Canyon Hydroelectric Project.

Rep. Giddings noted in the SOP, the word "Energy" was inadvertently left out of the title of the Federal Energy Regulatory Commission.

MOTION: **Rep. Kauffman** made a motion to introduce **RS 25165. Motion carried by voice vote.**

Delwyne Trefz, Idaho Soil and Water Conservation Commission, introduced himself and provided an annual financial accountability report to the committee. The Idaho Soil and Water Conservation Commission's goal is to take care of and improve Idaho's natural resources for future generations while maximizing their benefits to all Idahoans. They work with local people who know the land and natural resources. They have no regulatory authority. Their efforts lead to better water quality and water savings, less soil erosion and fuel for wildfires, improved habitat for wildlife, and more. They are a Governor appointed five-member board, each member serving a five year term. Idaho's 50 Conservation Districts, which are distinct units of local government, request technical assistance from the Soil and Water Conservation Commission as well as identify needs for specific project funding, totaling \$3 million statewide in 2016. Conservation Districts' satisfaction of the Soil and Water Conservation Commission's efforts rose from 60% in 2013 to 91% in 2016. There were many successful accomplishments noted in the presentation.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:24pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary