

MINUTES  
**HOUSE RESOURCES & CONSERVATION COMMITTEE**

- DATE:** Wednesday, March 01, 2017
- TIME:** 1:30 PM or Upon Adjournment
- PLACE:** Room EW40
- MEMBERS:** Chairman Gibbs, Vice Chairman Gestrin, Representatives Moyle, Raybould, Shepherd, Wood, Boyle, Vander Woude, Miller, Burtenshaw, Mendive, Youngblood, Kauffman, Giddings, Blanksma, Erpelding, Rubel, Jordan
- ABSENT/  
EXCUSED:** None
- GUESTS:** Sharon Kiefer, Idaho Department of Fish and Game; Braden Jensen and Dennis Tanikuni, Idaho Farm Bureau; Steven Becker and Kit Tollotson, IASCD; Andy Waldera, Pioneer Irrigation District; Tom Schultz, Idaho Department of Lands; Michael Gibson, Trout Unlimited; Rialin Flores, CVI; Norm Semanko, Idaho Water Users Association; Mitch Coats, Idaho Food Producers; Jonathan Oppenheimer, Idaho Conservation League
- Chairman Gibbs** called the meeting to order at 1:30pm.
- MOTION:** **Rep. Kauffman** made a motion to approve the minutes of the February 21, 2017 and February 23, 2017 meetings. **Motion carried by voice vote.**
- H 211:** **Rep. Erpelding**, District 19, stated this legislation amends **67-7008A**, Idaho Code, increasing the annual invasive species sticker fee for nonresidents from \$22.00 to \$30.00. He stated as Idaho becomes more popular for tourists, it is critical to ensure that efforts are maintained and even increased in protecting the state from invasive species. This was a recommendation from the Invasive Species Working Group. This legislation would increase proceeds into the General Fund by approximately \$70,000 - \$80,000 per year. If passed, the fee increase would go into effect January 2018 rather than the summer of 2017 due to the State Park's production schedule of the sticker system they utilize.
- In response to questions and concerns about waiting until 2018 to implement the new sticker fee, and the threat of invasives being introduced into Idaho waters from infested waters in neighboring states, **Rep. Erpelding** explained the boat stickers won't stop the spread of invasive species. The new sticker fee will generate additional revenue to enhance the boat inspection station program by increasing the hours of operation of the stations from dawn until dark and hopefully adding additional inspection stations. The goal is to have inspection stations operating 24 hours a day during boating season, but this bill won't generate the funding to cover those hours at this time. The boat inspection stations are the first line of defense to inspect and detect any invasive species and remove them before allowing boats to be transported into the state.
- In response to questions about the amended fiscal note, **Rep. Erpelding** explained although the increased sticker fee will generate approximately \$100,000 annually, there are overhead costs associated with managing the program, as a result, the fiscal note was amended to reflect that approximately \$70,000 - \$80,000 would be available to enhance the boat inspection stations.
- Chairman Gibbs** requested the record reflect no one came forward to testify on **H 211**.

**MOTION:** **Rep. Wood** made a motion to send **H 211** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Erpelding** will sponsor the bill on the floor.

**HCR 20:** **Rep. Erpelding**, District 19, stated this Concurrent Resolution would provide for an annual report and maps produced by the Idaho Department of Lands detailing the managed uses and locations of State Endowment Lands. The public would be able to find, within this one resource, locations of these lands, what activities are occurring on certain parcels, and whether or not parcels are accessible or inaccessible/landlocked. The public would be required to gain permission from land owners to access landlocked parcels, and cannot assume access will always be granted. Because the Department cannot access some parcels at all due to their locations, they are actively working on land trades and sales in order to upgrade parcels that would be better State Endowment Lands in order to provide for schools.

In response to questions from the committee, **Rep. Erpelding** yielded time to **Tom Schultz**.

**Tom Schultz**, Director, Idaho Department of Lands, stated as the Director, he is required by law to produce an annual report to the Governor and the Land Board on the condition, management, and financial transactions of the Department. This mandated report includes State Endowment Lands, so to answer questions regarding how producing the new report as directed by this legislation wouldn't generate a cost to the Department, Mr. Schultz is confident that all the information requested will already be available from his annual report.

Addressing the next questions regarding access, **Mr. Schultz** explained the Department has not analyzed the status of federal lands in Idaho, so can only say if federal lands are accessible, open to the public, and adjacent to state lands, access to state lands could be gained via federal lands. He further stated the analysis has been completed by the Department regarding access to state lands using county roads and highways, or where there are easements in place with access rights that have been granted by land owners. He reiterated that he has no problem providing this new annual report and believes it will be a benefit to the State.

**Rep. Erpelding** resumed presentation of **HCR 20** to address additional concerns regarding the content of the report and maps. He stated the annual report and maps cannot provide the level of detail for every parcel of land in the state regarding access, but rather will be for informational purposes. He stated it will always be the responsibility of the individual to do the research to determine land ownership and gain permission, when necessary, to access state lands. He believes most hunters, anglers, and recreationists are more interested in access to state lands to hunt, fish, or recreate rather than determining the managed uses of each parcel.

**Michael Gibson**, representing Trout Unlimited, stated they are **in support** of this Resolution. He stated Trout Unlimited understands the difference between federal public lands and State Endowment Lands and the fiduciary obligations, and very much appreciates being able to hunt, fish, and recreate on State Endowment Lands. Having this report and maps as a resource will help promote sportmen/landowner relationships and they understand that permission is necessary in order to cross private lands.

**MOTION:** **Rep. Blanksma** made a motion to send **HCR 20** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Vander Woude, Boyle, and Miller** requested to be recorded as voting **NAY. Rep. Erpelding** will sponsor the bill on the floor.

**S 1064:** **Norm Semanko**, Executive Director, Idaho Water Users Association, stated there are several purposes of this legislation. The first is to clarify the exclusion fee schedule, which will be based on the location and size of the parcel proposed for exclusion. Second, this legislation will clarify exclusion process-related fees are to be paid by the petitioner and are not potentially apportionable costs shared by the irrigation district. This legislation will also extend the available irrigation district investigation/hearing timeline from 90 days to 150 days to allow facility and water availability investigations to occur when weather conditions are more suitable for performing such tasks either close to, or when, water is in the ditch system. And, finally, this legislation will clarify that current and prior year assessments will remain due and owed by the petitioner prior to any exclusion.

**Chairman Gibbs** requested the record reflect that no one came forward to testify on **S 1064**.

**MOTION:** **Rep. Blanksma** made a motion to send **S 1064** to the floor with a **DO PASS** recommendation. She declared Rule 38 stating a possible conflict of interest but would be voting on the motion. **Motion carried by voice vote.** **Rep. Mendive** will sponsor the bill on the floor.

**S 1099:** At **Chairman Gibbs'** request, and with support from the Governor's Office, he yielded the podium to **Tom Schultz** to present **S 1099**.

**Tom Schultz**, Director, Idaho Department of Lands, stated this legislation establishes a new division head within the Idaho Department of Lands to handle oil and gas conservation matters currently being handled by program staff in the Lands and Waterways Division. The new division administrator will lead an Oil and Gas Division created by the Director and will serve the Idaho Oil and Gas Conservation Commission. The individual must possess the qualifications necessary to successfully implement a professional oil and gas conservation program in Idaho. The new Oil and Gas Division will require three new full-time positions totalling \$375,000 annually from the General Fund, as well as a one-time General Fund expense of \$3,900 for start-up personnel costs.

**Chairman Gibbs** stated the Governor's Office, Leadership of both the House and Senate, as well as the Chairmen of the Joint Appropriations Committee are aware and are supportive of this bill. He stated it is a fact that Idaho does not currently have the expertise to manage a developing oil and gas conservation program so this is a critical piece of legislation that needs to pass. As this industry develops and starts producing, it will generate royalties and taxes that should make this program self-sustaining, but in the short-term, it will need an infusion from the General Fund.

In response to questions, **Mr. Schultz** replied that although he cannot provide a timeline of when there would be sufficient funds generated from this industry to become a self-sustaining program, at some point it will happen. He stated if **S 1099** passes, a trailer bill could be drafted with language recommending the General Fund amount to the Department could be reduced by the amount of identified dedicated funds available to support the Oil and Gas Division.

**MOTION:** **Rep. Wood** made a motion to send **S 1099** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Youngblood** will sponsor the bill on the floor.

**Steve Becker**, Treasurer, Idaho Association of Soil Conservation Districts, provided an informational presentation on Soil Conservation Districts. Soil and Water Conservation Districts were established in the 1930's as a result of the Dust Bowl to conserve soil and restore ecological balance. There are many powers of Conservation Districts including the ability to acquire property and carry out flood prevention measures. This is accomplished by assisting landowners to prevent erosion and flooding by implementing water conservation measures such as constructing, improving, operating, and maintaining water control structures. They receive funding from the State, through local funding sources, and through grants.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 3:04pm.

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Representative Gibbs  
Chair

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Tracey McDonnell  
Secretary