

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

- DATE:** Thursday, January 31, 2019
- TIME:** 1:30 P.M.
- PLACE:** Room EW40
- MEMBERS:** Chairman Gibbs, Vice Chairman Gestrin, Representative(s) Moyle, Shepherd, Wood, Boyle, Vander Woude, Mendive, Kauffman, Blanksma, Addis, Lickley, Moon, Raybould, Erpelding, Rubel, Mason, Toone
- ABSENT/
EXCUSED:** Representative(s) Moyle, Erpelding
- GUESTS:** Sharon Kiefer, Paul Kline, Ed Schriever, Scott Reinecker, Sal Palazzolo, and Michael Pearson, Idaho Department of Fish and Game; Barbara Jordan, Idaho Trial Lawyers Association; Ben Davenport, Idaho Mining Association; Stacey Satterlee, Idaho Grain Producers; Steve Thomas, Idaho Forest Group; Peter Stegner, Riley Stegner and Associates; Jeremy Pisca, Potlatch Deltic; Jane Wittmeyer, Wittmeyer and Associates
- Chairman Gibbs** called the meeting to order at 1:30pm.
- MOTION:** **Rep. Toone** made a motion to approve the minutes of the January 23, 2019 meeting. **Motion carried by voice vote.**
- RS 26680:** **Rep. Fred Wood**, District 27, stated wildlife populations are increasing significantly in some agricultural areas of the state, which produces more opportunity for damage to an array of agricultural equipment and land. The two areas of increasing damage are to center pivots and fall seed bed prepared ground. He stated this proposed legislation would expand the ability of owners and lessees to file claims for damages in the two areas mentioned, including parts and labor.
- MOTION:** **Rep. Mendive** made a motion to introduce **RS 26680**. **Motion carried by voice vote.**
- RS 26661:** **Emily McClure**, Lawyer and Lobbyist, representing Riley Stegner and Associates and several large timber land owners in North Idaho, stated this proposed legislation would amend **Idaho Code 36-1604**, the recreational immunity statute, to provide limited liability protection to private landowners who are willing to open up their land to the public for recreational access without fees or compensation. She stated last year the Legislature amended this statute in order to provide limited liability protection to government agencies and this amendment would also include the private landowner.
- MOTION:** **Rep. Addis** made a motion to introduce **RS 26661**. **Motion carried by voice vote.**
- H 44:** **David Groeschl**, Deputy Director, Idaho Department of Lands, stated this bill addresses funding for administration of the Forest Practices Act (FPA), which ensures the continuous growing and harvesting of forest trees while protecting and maintaining Idaho's forest soil, water resources, wildlife and aquatic habitat. Funding for the FPA program is through a combination of general fund and landowner assessments of which the Department relies on to cover personnel, operating, and equipment costs. In 2014, annual funding in the amount of \$100,000 was added from state endowment forestlands to cover FPA inspections on those lands. Mr. Groeschl pointed out the last time there was an assessment increase was 2003, when the FPA assessment was raised to the cap of \$0.10/acre/year, and since that time expenses have increased substantially. As a result, the dedicated fund where FPA landowner assessments are deposited is critically low and will be

depleted in the next fiscal year. An increase to the FPA assessment cap, as well as an increase to the current assessment rate is needed to sustain the Department's administration of the FPA program and to maintain services to all private forest landowners in Idaho.

Mr. Groeschl stated this bill would amend **Idaho Code 38-134** to raise the FPA assessment cap from \$0.10/acre/year to \$0.20/acre/year, and then the Department would recommend to the State Board of Land Commissioners an increase from the current \$0.10/acre/year to \$0.13/acre/year. The \$0.3/acre/year increase would generate an additional \$150,000 annually from private forest owners and \$30,000 from state endowment forestlands for a total of \$180,000 increase to the FPA dedicated fund, which should sustain the Department's administration of the FPA program for the next 3-5 years. The Department met with the Idaho Forest Owner's Association and Industrial Forest Landowner representatives, who both were supportive of the rate increase.

In response to questions and concerns regarding increased fees in rural communities, **Mr. Groeschl** explained the FPA assessment helps to fund a private lands forestry specialist who works with private forest landowners around the state. If a private landowner has an interest in developing a forest management plan for their property, including how to make their property more resilient to wildfires, the forestry specialist will work with them to develop that plan which will then connect the landowner to potential cost share funds to implement the management recommendations on the ground.

Steve Thomas, lawyer and lobbyist representing Idaho Forest Group; **Peter Stegner**, with Riley Stegner and Associates representing Stimson Lumber Company; and **Jeremy Pisca**, attorney and lobbyist representing Potlatch Deltic Corporation all spoke **in support of H 44** stating the increased rate is justified because the FPA program works to maximize the potential for healthy forests and minimizes the potential for wildfires.

MOTION:

Rep. Wood made a motion to send **H 44** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Shepherd, Vander Woude, Gestrin, and Moon** requested to be recorded as voting **NAY**. **Rep. Lickley** will sponsor the bill on the floor.

Ed Schriever, Director, Idaho Department of Fish and Game, presented the annual update on **H 230**. He stated this bill has been significant in providing resources to the Department, as well as providing resources to help the Department resolve conflicts between wildlife and the agricultural community. Mr. Schriever explained with the Price Lock component of the bill, there was over a 7% increase in resident hunting and fishing licenses purchased with an 80% retention of resident licenses from 2017 to 2018. Additionally, there was a 21% increase from 2017 to 2018 for residents who "locked in" by purchasing a 3- year license.

Mr. Schriever explained with every license purchased, \$5.00 from each resident license and \$10.00 from each nonresident license goes into three accounts within the depredation program; claims/compensation, prevention, and private lands access. In 2018, approximately \$2 million was generated enabling each of these three accounts to receive \$500,000. These funds are in addition to the funds dedicated to these programs. With the fee increase of deer, elk, and pronghorn tags, \$3.50 transfers from each tag equally into the winter feeding account and the depredation prevention account. Additionally, the bill created a reserve account to pay depredation claims, increasing the cap from \$750,000 to \$2.5 million. All of these new funding streams have greatly enhanced the Department's ability to successfully manage these programs.

Mr. Schriever stated the Commission increased hunting opportunities to address depredation/wildlife conflicts by reducing the numbers of depredating animals or changing the behavior of the animals causing the problems. Those opportunities include depredation hunts where the Department chooses half of the hunters and the landowner chooses half. Another opportunity includes landowner permission hunts where the landowner choose all of the hunters. The Department began issuing the landowner permission slips to have on hand in order to provide flexibility to the landowner to invite hunters onto their property when they recognize there is a problem instead of waiting for the Department to recognize there is a problem.

Mr. Schriever stated the Department is testing new lure crops in an attempt to keep elk and deer off private property, and research continues to assist in the depredation prevention program with the use of cameras, radio collars to track problem deer and elk to study habits and learn where they spend time during hunting season when not on private lands, motion detectors to set off hazing equipment, and are researching other methods such as noise, scent, dogs, and taste for deterrent ideas.

Other areas **Mr. Schriever** highlighted include: the Department investing approximately \$1 million constructing over 300 permanent stack yards to assist landowners in protecting hay, and the now standard practice of issuing kill permits which authorize landowners to keep animals harvested as a result of resolving depredation problems. Additionally, the Department has streamlined the processes within two programs; the depredation program has a new web page, which includes downloadable forms and has removed the requirement for a notary, and the compensation and claims program now has a decreased timeframe for processing claims in order to make more timely payments.

Finally, **Mr. Schriever** stated with the \$1 million spending authority, the Department continues to improve the access program by working with willing private landowners to provide access to their land as well as access to landlocked public lands for hunting, trapping, and fishing opportunities.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:42pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary