

MINUTES  
**HOUSE RESOURCES & CONSERVATION COMMITTEE**

- DATE:** Monday, February 11, 2019
- TIME:** 1:30 P.M.
- PLACE:** Room EW40
- MEMBERS:** Chairman Gibbs, Vice Chairman Gestrin, Representatives Moyle, Shepherd, Wood, Boyle, Vander Woude, Mendive, Kauffman, Blanksma, Addis, Lickley, Moon, Raybould, Erpelding, Rubel, Toone, Mason
- ABSENT/  
EXCUSED:** Representative(s) Moon
- GUESTS:** Roger Batt, Treasure Valley Water Users Association; Scott Reinecker and Paul Kline, Idaho Department of Fish and Game; Brian Patton, Idaho Department of Water Resources; Brian Olmstead, Twin Falls Canal Company; Mike Dimmick, Flood District #10; Norm Semanko, Parsons, Behle and Latimer; Tom Daniel, Idaho Farm Bureau; Claudia Cottle, Bear Lake; Lynn Tominaga, Idaho Ground Water Association
- Chairman Gibbs** called the meeting to order at 1:30pm.
- MOTION:** **Rep. Kauffman** made a motion to approve the minutes of the January 31, 2019 meeting. **Motion carried by voice vote.**
- RS 26828C1:** **Rep. Giddings**, District 7, stated this RS is a re-do of **RS 26511** the committee heard on February 5, 2019. The original RS had an extensive list of wilderness study areas, but there were errors with the list. She explained **RS 26828C1** is the same as **RS 26511** but without the list, which isn't necessary to have at this time. Rep. Giddings stated this memorial would make a request from the Idaho Legislature to Congress to release all wilderness study areas acreage which have already been listed as "not suitable for wilderness" by the BLM and relayed to **President George H.W. Bush** in 1992, in order to return the lands to public use.
- MOTION:** **Rep. Shepherd** made a motion to introduce **RS 26828C1**. **Motion carried by voice vote.**
- RS 26746:** **Rep. Addis**, District 4, stated the Surface Mining Act, enacted in 1971, has a primary purpose to protect the taxpayers and the lands of Idaho by providing for reclamation activities and bonds for lands disturbed by surface mining activities. This proposed legislation will more accurately reflect the current mining industry and regulatory practices including addressing the surface impacts of underground mines and providing for actual cost estimation of reclamation and related environmental activities. Additionally, this proposed legislation would update financial assurance methods and the ability to require reasonable fees to pay for any additional workload associated with the proposed changes.
- MOTION:** **Rep. Wood** made a motion to introduce **RS 26746**. **Motion carried by voice vote.**
- Chairman Gibbs** turned the gavel over to **Vice Chairman Gestrin**.
- RS 26794:** **Rep. Gibbs**, District 32, stated this proposed legislation would authorize the Legislative Council to continue an interim committee to undertake studies of natural resource issues, particularly the water resources of the state.
- MOTION:** **Rep. Wood** made a motion to introduce **RS 26794**. **Motion carried by voice vote.**

**RS 26818:** **Rep. Gibbs**, District 32, stated this proposed legislation would codify the many beneficial uses of the lands and waters in and around Bear Lake and recognize the Bear River Compact and the right that Idaho has to use and develop additional water from the Bear River drainage.

**MOTION:** **Rep. Blanksma** made a motion to introduce **RS 26818**. **Motion carried by voice vote.**

**Vice Chairman Gestrin** turned the gavel over to **Chairman Gibbs**.

**Roger Batt**, Treasure Valley Water Users Association, began the flood maintenance and recovery program update by stating as a result of the 2017 flooding, the Association came before the committee last Legislative Session with the proposal to stand up and fund a state-wide flood management program. With the passage of **H 712** and the transfer of \$1 million dollars from the General Fund to be administered by the Water Resource Board, they have been actively working on flood management projects. Through grants and with the assistance of several different entities, such as FEMA, NRCS, Corps of Engineers, Bureau of Reclamation, local governments and agencies, and others, they have been able to leverage their funding to stretch their dollars for project work even further.

**Brian Patton**, Executive Officer, Idaho Water Resources Board, stated one of his responsibilities is to assure this program is successful. He explained the \$1 million was intended for a grant program to provide statewide competitive grants for flood damaged stream channel repairs, stream channel improvements, flood risk reduction, and flood prevention projects. The grant criteria, application, and guidance was established in May 2018, with grants awarded in the first round by July and in the second round by August. He stated they received 18 applications during the two rounds of funding, and after the applications were evaluated, scored, and ranked, the Board authorized funding for 14 projects throughout Idaho totalling \$1 million. The project goals included mitigating flood damage, realigning main channels for water delivery, reducing sedimentation, improving riparian habitat and floodplain function, and implementing long term solutions based on river geomorphology.

**Mike Dimmick**, District Manager, Flood Control District #10, provided an overview of the many projects that were funded and ongoing in his district, including the Duck Alley Pit Capture project, New Dry Creek river bank repair and diversion project, Riverside Village/Garden City project, the Mulchay/Porter flood mitigation project, and various gravel removal projects.

**Brian Olmstead**, General Manager, Twin Falls Canal Company, provided an overview of the 2017 flooding events that occurred throughout the Magic Valley. He explained canals go across the grain of all the native ditches that used to run towards the rivers from the deserts, foothills and farm fields, so they become a collecting point for all the water, but were not designed to handle floods. He further explained canals tend to get smaller as they go downstream and flood waters tend to get bigger as they flow downstream. The flooding event in 2017 created a terrible situation because they started getting thousands of calls due to flooding, but the Canal Company wasn't liable for insurance purposes since the flooding was an "act of God." He stated they were able to get a FEMA grant for canal repair projects but were not authorized to use any of that funding for new structures to prevent future flooding. They were, however, able to apply for flood management grant money and received funding for the East Perrine Pond/Wetland project which will help to retain and moderate flood flows, reduce flood damage to properties, and remove 3,000 tons of sediment and nutrients from discharge to the Snake River.

**Paul Arrington**, Idaho Water Users Association, thanked the Legislature for funding these projects. He stated all of these projects were collaborative efforts from various stakeholders to solve real programs.

**Chairman Gibbs** led a brief discussion on resource agency budgets and committee priorities. Some of those priorities include continuation of the flood maintenance and recovery program, water quality on the Snake River, and the raising of Anderson Ranch Dam.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:19pm.

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Representative Gibbs  
Chair

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Tracey McDonnell  
Secretary