

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Wednesday, March 06, 2019

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Heider, Vice Chairman Brackett, Senators Bair, Johnson, Mortimer, Patrick, Guthrie, Stennett, and Jordan

**ABSENT/
EXCUSED:** None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Heider** convened the Senate Resources and Environment Committee (Committee) at 1:29 p.m.

HJM 4 **Representative Blanksma**, District 23, stated **HJM 4** focuses on the raising of Anderson Ranch Dam by 6 feet, which would provide an additional 29,000 acre-feet of water storage on the Boise River. **Representative Blanksma** further stated that Anderson Ranch Dam's two primary purposes are to provide irrigation water and to generate hydro-electric power.

DISCUSSION: **Senator Stennett** asked which lands will be submerged if the reservoir is raised. **Representative Blanksma** responded that the Senator's question will be answered when the feasibility study is done by next June. This Joint Memorial is for additional water storage capacity and there has not been a water right issued.

TESTIMONY: **Paul Arrington**, Idaho Water Users Association and **Braden Jensen**, Idaho Farm Bureau spoke in favor of **HJM 4**.

DISCUSSION: **Vice Chairman Brackett** asked if flood protection will become a primary purpose in addition to providing irrigation water and generating electricity. **Mr. Arrington** responded that the feasibility study will determine the primary purposes, but having additional capacity to store water does help with flood control.

TESTIMONY: **Michael Gibson**, Idaho Trout Unlimited and **Marie Calloway Kelner**, Idaho Conservation League stated their neutrality towards **HJM 4**.

DISCUSSION: **Senator Stennett** asked what benefits **HJM 4** would bring to fisheries and hatcheries. **Mr. Gibson** stated that it all depends on the feasibility study; however, there are challenges to storing water in the highest reservoir and Idaho Trout Unlimited wants to ensure that flow regimes are still beneficial to the fish.

MOTION: **Senator Bair** moved to send **HJM 4** to the floor with a **do pass** recommendation. **Vice Chairman Brackett** seconded the motion. The motion carried by **voice vote**.

HCR 10 **Speaker Bedke** presented **HCR 10**. This concurrent resolution expresses support for the settlement agreement between the cities, the surface water coalition, and the members of the Idaho Ground Water Appropriators. The resolution supports the continued efficient management of water supplies within the Eastern Snake Plain Aquifer. **HCR 10** further supports state management to ensure that water supply issues are addressed and declining water levels are stabilized and reversed.

TESTIMONY: **Paul Arrington**, Idaho Water Users Association, spoke in favor of **HCR 10**.

- MOTION:** **Vice Chairman Brackett** moved to send **HCR 10** to the floor with a **do pass** recommendation. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.
- Chairman Heider** announced that **HCR 12** would be delayed until a presenter was available.
- HCR 15** **Representative Ellis** stated this proposed legislation would recognize the late Dr. Tom Cade for his efforts in raptor conservation affecting Idaho, the United States, and the world.
- MOTION:** **Senator Stennett** moved to send **HCR 15** to the floor with a **do pass** recommendation. **Senator Mortimer** seconded the motion. The motion carried by **voice vote**.
- HJM 8** **Representative Giddings** stated this memorial enables the Idaho Legislature to request that Congress releases all wilderness study area acreage which has already been listed as "not suitable for wilderness" by the Bureau of Land Management (BLM) and relayed to President George H.W. Bush in 1992, in order to return the lands to public use.
- DISCUSSION:** **Senator Stennett** asked for clarification on what lands are not suitable for public use. **Representative Giddings** stated wilderness is an area where the earth and its community of life are untrammled by man or man himself is a visitor who does not remain in an area of wilderness.
- Senator Jordan** asked if all the wilderness areas on the map (see attachment 1) prohibit any kind of motorized travel and whether Representative Giddings knew which areas were exempted. **Representative Giddings** stated all of the areas are considered unsuitable per the 1991 list that the BLM submitted and there are several that allow motorized travel. For the latter question, **Representative Giddings** was unable to answer.
- Vice Chairman Brackett** made a comment on determining what is a wilderness area and what isn't and asked what year Representative Giddings' map showed. **Representative Giddings** stated that the map was from 2014.
- TESTIMONY:** **Jonathan Oppenheimer** and **John Robinson** of the Idaho Conservation League spoke against **HJM 8**.
- Russ Hendricks**, Idaho Farm Bureau, spoke in favor of **HJM 8**.
- MOTION:** **Senator Jordan** moved to hold **HJM 8** in Committee. **Senator Stennett** seconded the motion. The motion failed.
- MOTION:** **Senator Guthrie** moved to send **HJM 8** to the floor with a **do pass** recommendation. **Senator Mortimer** seconded the motion. The motion carried by **voice vote**. **Senators Jordan and Stennett** requested that they be recorded as voting nay.
- HCR 12** **Senator Bair** presented on behalf of Representative Gibbs and stated this 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:** **Senator Bair** moved to send **HCR 12** to the floor with a **do pass** recommendation. **Senator Johnson** seconded the motion. The motion carried by **voice vote**.
- HJM 9** **Senator Johnson** presented on behalf of Representative Moyle and stated **HJM 9** urges the National Oceanic and Atmospheric Administration (NOAA), specifically the National Marine Fisheries Service (NMFS), to complete Idaho's incidental take permit. It also urges NOAA to review and process future plans and permits.

MOTION: **Senator Johnson** moved to send **HJM 9** to the floor with a **do pass** recommendation. **Senator Mortimer** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Heider** adjourned the meeting at 2:37 p.m.

Senator Heider
Chair

Tyler Brock
Secretary