

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Monday, March 11, 2019

TIME: 1:30pm or Upon Adjournment

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) Boyle, Moon

GUESTS: Donald Barksdale, Bryce Farris, and Greg Curtis, Nampa Meridian Irrigation District; Russell Westerberg, RMP; Greg Wooten, Idaho Department of Fish and Game; Morgan Howard and Paul Arrington; Idaho Water Users Association

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

MOTION: **Rep. Toone** made a motion to approve the minutes of the February 25, 2019 meeting. **Motion carried by voice vote.**

Chairman Gibbs announced the sponsor of **H 252** requested the bill be held in committee.

**UNANIMOUS
CONSENT
REQUEST:** **Chairman Gibbs** made a unanimous consent request to **HOLD SJM 101** in committee, time certain, March 19, 2019. **Motion carried by voice vote.**

S 1084: **Morgan Howard**, Legislative Intern, Idaho Water Users Association, stated this bill repeals certain reporting requirements in Idaho Code. Historically, these reports from irrigation entities have never been implemented and many are now inconsistent with water management practices today. Reporting that is necessary for water rights regulations are not affected by this amendment.

MOTION: **Rep. Blanksma** made a motion to send **S 1084** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Mason** will sponsor the bill on the floor.

S 1086: **Paul Arrington**, Executive Director, Idaho Water Users Association, stated this bill amends Idaho Code to clarify the rights to remove and/or deposit debris from water delivery ditches and canals includes vegetation and trees within the rights-of-way.

Bryce Farris, Attorney, representing the Nampa Meridian Irrigation District, stated the local irrigation districts have the right to remove debris, including vegetation from canals and ditches that impede the flow of water. They also have the right to deposit that debris and vegetation onto the banks. **S 1086** will add landscaping, vegetation and trees to clarify those items are authorized for removal when necessary.

In response to questions regarding irrigation districts' rights to remove debris and maintain access to canals and ditches, **Mr. Farris** replied landowners still have the right to maintain and trim trees on their property adjacent to ditches and canals, but if any trees, vegetation, gardens, etc. impede access to ditches or canals, the irrigation districts have the right to remove those items.

Greg Curtis, Water Superintendent, Nampa Meridian Irrigation District, stated the issue of having to clear and remove debris, including vegetation and trees, has increased with the growth in the Treasure Valley. He requires within his district, that a written notice be provided to any landowner prior to any tree or vegetation removal. This is accomplished by knocking on doors and either hand delivering the notice or leaving the notice in the door. He explained in the past, landowners have become upset when trees are removed and have challenged the District to show where in statute it gives them permission to remove trees. **S 1086** will clarify trees are included when they impede the flow of water in ditches and canals or impede access to maintain ditches or canals.

MOTION: **Rep. Raybould** made a motion to send **S 1086** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kauffman** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:53pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary