

STATEMENT OF PURPOSE

RS27207 / S1217

This proposal would provide an exemption from the requirement to obtain a temporary water right permit for removal of contaminated water during an emergency response. This exemption is similar to Idaho Code Section 42-201 where water is withdrawn to fight wildfires. Emergency spills can happen at all hours of the day and immediate response is critical to mitigate further damage to water bodies and public drinking water systems that use surface water. Under the current statute, IDWR grants a temporary water right to remove contaminated water for treatment offsite or to temporarily remove the contaminated water, separate out the contamination, and return the decant water back to the water body. Granting a temporary water right can potentially take days. The current process impacts the state's ability to work with the regional hazmat teams/emergency response cleanup contractors/responsible parties to remove contaminated water from a water body in a timely manner and minimize the potential impacts on human health and the environment.

FISCAL NOTE

No fiscal impact. This legislation will not result in the need for any additional funds as it merely formalizes a process that is already used for emergency responses. The interagency communication that is mandated can easily be accomplished using existing resources.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).