

MINUTES  
JOINT MEETING

**HOUSE RESOURCES & CONSERVATION COMMITTEE  
SENATE RESOURCES & ENVIRONMENT COMMITTEE**

**DATE:** Monday, February 03, 2020

**TIME:** 1:30 P.M.

**PLACE:** Lincoln Auditorium

**MEMBERS:** Chairman Gibbs, Vice Chairman Gestrin, Representative(s) Moyle, Shepherd, Wood, Boyle, Vander Woude, Mendive, Kauffman, Blanksma, Addis, Lickley, Moon, Raybould, Rubel, Toone, Mason, Necochea

Chairman Heider, Vice Chairman Brackett, Senators Bair, Johnson, Mortimer, Patrick, Guthrie, Stennett, Jordan

**ABSENT/  
EXCUSED:** Representative(s) Moyle, Wood, Rubel

**GUESTS:** John Tippetts and Mary Anne Nelson, DEQ; Eliza Walton, CVI; Paul Kline, IDFG; Deborah Fereday, Laura Shealy, Gary Lyons, Ellen Holm and Rick Holm, Big Payette Lake Water Quality Council; Cecelia Lojek, self; Carolyn Johnson, self; Aaron Lieberman, IOGA; Dave Gingaman, Valley County; Jan Sylvester, self; John Williams, BPA; Alan Shealy, self; Norman Semanko, Parsons Behle

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

**Roy Eiguren**, Attorney, Eiguren Ellis Public Policy Firm, stated for the last year he has been developing a body of scientific and public policy information about wave action on lakes as a result of wake boats and has conducted this work with Dr. Frank Wilhelm. As a result, the limnology presentation today is to provide the committee members with an understanding of the composition and lifecycle of lakes and the impacts to them from wave action, specifically wakes created by motorboats.

**Dr. Frank Wilhelm**, Professor, University of Idaho, opened his presentation by defining limnology as the study of inland waters, and noting 71% of the earth's surface is water, most being ocean waters with only .3% being rivers and lakes. He stated outdoor recreation and tourism are key industries for Idaho and water resources with high water quality are an integral component. He believes without a high quality resource, the direct and indirect economic benefits will not be realized. Dr. Wilhelm explained the introduction of excessive nutrients (nitrogen and phosphorus) to aquatic ecosystems from various human activities stimulates high aquatic plant growth. This rapid aquatic plant growth shortens the eutrophication process from tens of thousands of years, to changes that become visible during a human's lifetime. This is known as cultural eutrophication. He further explained that even small amounts of phosphorus added to a water body can create an imbalance, when disturbed, causing harmful blue-green algae blooms. These blooms can produce potent toxins to humans and consumes oxygen from the water.

**Dr. Wilhelm** stated lakes and reservoirs generally retain 60-90% of sediment and nutrients, which when cycled by physical disturbances such as wind or boat generated waves or wakes in nearshore areas, can stimulate excessive plant growth. He suggested the increased use of wake boats, that generate three to five foot wakes, for recreation presents a novel disturbance in terms of shoreline erosion and nutrient cycling when those waves come ashore because they are often beyond what Idaho's lakes have experienced in the past. Additionally, because wake boats use internal water filled bladders/tanks to assist in making the wake, they also represent potential vectors for transfer of invasive species between water bodies. He stated it is imperative to base decisions on sound science and expressed the need to continue studies to quantify the amount of phosphorus on Idaho's lake bottoms. This will help to determine how much is being cycled by different wave types, which will then help decisions to establish appropriate no wake zones to protect high quality waters.

In response to a question regarding the impact to shorelines from wakes, **Dr. Wilhelm** stated there are ongoing studies to determine how much sediment is moved based on the size of the wake or wave and the distance from shore, but there are other factors to consider including the size of boats and composition of the shoreline and its susceptibility to erosion. He explained they need to also consider what people are willing to tolerate and what the local law enforcement agencies use as a gage to enforce rules on different bodies of water.

In response to a question regarding how far from the shore of a lake does a wave release phosphorus, **Dr. Wilhelm** explained there is a known formula for what happens to a wave as it travels through shallow water; the more shallow the water the farther the wave will travel. He stated there are ongoing studies looking into how sediment travels based on that wave formula.

**Jessica Archibald**, Research Assistant, Eiguren Ellis Public Policy Firm, reviewed the compendium of materials related to the effects of wake boats on Idaho lakes. She stated the compendium is extensive but does not cover all the issues, studies, or pieces of legislation, but rather it is intended to provide a robust source of relevant information on this topic for interested parties. In summary, she found 31 different reports or studies in three different categories; boat and wake characteristics, sediment suspension and shoreline erosion, and invasive species. She identified 14 pieces of legislation/ordinances/rules, 20 media articles and reports, several public comments, and studies on the effects of wake boats on Lake Cascade and Big Payette Lake.

**ADJOURN:** There being no further business to come before the joint committees, the meeting was adjourned at 2:24pm.

**Chairman Gibbs** called the House Resources and Conservation Committee meeting to order at 2:28pm.

**RS 27541:** **Rep. Addis**, District 4, stated this legislation would amend the term personal watercraft to motorized watercraft and clarifies that negligent operation now includes violating a no wake zone. It would allow counties to implement a 200 foot no wake zone from a shoreline, would protect private property owners, and would enhance penalties for offenders regarding violations on waters in Idaho.

**MOTION:** **Rep. Raybould** made a motion to introduce **RS 27541**. **Motion carried by voice vote.**

**RS 27504:** **Rep. Troy**, District 5, stated this legislation would direct the Fish and Game Commission to assist local authorities such as counties, cities, recreation districts, other political subdivisions, and non-profit clubs or associations in improving existing shooting ranges, constructing new ranges, and providing assistance in relocating ranges where necessary. It also establishes the State Public Shooting Range Fund, which would be administered by the Idaho Department of Fish and Game.

**MOTION:** **Rep. Kauffman** made a motion to introduce **RS 27504**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:34pm.

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Representative Gibbs  
Chair

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Tracey McDonnell  
Secretary