

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Tuesday, January 07, 2020

SUBJECT	DESCRIPTION	PRESENTER
	Organizational Meeting	Chairman Gibbs

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
Room: EW62
Phone: 332-1136
email: hres@house.idaho.gov

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Tuesday, January 07, 2020
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, Rubel, Toone, Mason, Necochea
**ABSENT/
EXCUSED:** Representative(s) Moyle, Wood
GUESTS: Eliza Walton, CVI; Andy Brunelle, USDA Forest Service
Chairman Gibbs called the meeting to order at 1:31pm.
Chairman Gibbs welcomed everyone back and welcomed new committee member **Rep. Necochea**. He then had everyone introduce themselves including the committee Page and Secretary. He stated the first priority of the committee would be the Administrative Rules. He explained there would not be any subcommittees and he and **Vice Chairman Gestrin** will share the Chair duties.
Chairman Gibbs announced that **Reps. Kauffman and Toone** will be the committee's proofreaders and thanked them.
ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:55pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Thursday, January 09, 2020

DOCKET	DESCRIPTION	PRESENTER
26-0000-1900	Department of Parks and Recreation Omnibus Pending Rules	Anna Canning, Management Services Administrator, Department of Parks and Recreation
26-0000-1900F	Department of Parks and Recreation Omnibus Fee Rules	Anna Canning, Management Services Administrator, Department of Parks and Recreation

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason(Nash)
Rep Boyle	Rep Lickley	Rep Necochea

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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, January 09, 2020

TIME: 1:30 P.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** Representative(s) Moyle

GUESTS: Paul Kline, Idaho Department of Fish and Game; Eliza Walton, CVI; Anna Canning, Idaho Department of Parks and Recreation; Hollie Lawrence, LSO

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

MOTION: **Rep. Kauffman** made a motion to approve the minutes of the January 7, 2020 meeting. **Motion carried by voice vote.**

DOCKET NO. 26-0000-1900: **Anna Canning**, Management Services Administrator, Idaho Department of Parks and Recreation, provided an overview of the Department's work. She explained the Department has only 16 rules in total; ten without fees and six with fees. The work conducted by the Department was in line with **Governor Brad Little's** Red Tape Reduction Act to identify rules that were obsolete, unnecessary, or outdated. This process resulted in the elimination of four chapters, 22 pages, and 335 restrictions representing a 40% reduction in restrictions from the previous year. Ms. Canning explained in this word reduction and less restriction exercise, "restriction" refers to five words or phrases; may not, must, prohibited, required, and shall, which were all removed whenever practicable making it easier for Idahoans to navigate through the Department's rules.

Ms. Canning explained there are 12 chapters within the non-fee omnibus **Docket No. 26-0000-1900**, all previously approved by the Legislature. Through the Department's work, two chapters, 12 pages, and 165 restrictions were eliminated. Items eliminated included unnecessary details regarding the Hayburn lease cottage agreements, duplicate rules regarding surplus county vessel account moneys, department activities that were better suited as policies, and restrictive language throughout the chapters while still allowing the Department to properly administer their programs. She stated they did receive some public comments regarding safe boating rules, but made the decision to tackle that issue over the upcoming interim.

Chairman Gibbs requested the record reflect there were no questions from the committee and no public testimony.

MOTION: **Rep. Blanksma** made a motion to approve **Docket No. 26-0000-1900**. **Motion carried by voice vote.**

DOCKET NO. 26-0000-1900F: **Anna Canning**, Management Services Administrator, Idaho Department of Parks and Recreation, explained there are four chapters within the fee omnibus **Docket No. 26-0000-1900F**, all previously approved by the Legislature. Through the Department's work, two chapters, ten pages, and 170 restrictions were eliminated. Items eliminated included duplicate rules on administrative procedures, outdated restrictions on filming in state parks, and restrictive language throughout the chapters while still allowing the Department to properly administer their programs.

Chairman Gibbs requested the record reflect there were no questions from the committee and no public testimony.

MOTION: **Rep. Raybould** made a motion to approve **Docket No. 26-0000-1900F. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:44pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Monday, January 13, 2020

DOCKET	DESCRIPTION	PRESENTER
	Idaho Department of Fish and Game Administrative Rules:	
13-0000-1900	Omnibus Pending Rule	Paul Kline, Deputy Director, Programs and Policy
13-0000-1900F	Omnibus Fee Rule	Paul Kline
13-0108-1903	Rules Governing the Taking of Big Game Animals	Paul Kline
13-0108-1904	Rules Governing the Taking of Big Game Animals	Paul Kline
13-0109-1902	Rules Governing the Taking of Game Birds	Paul Kline
13-0110-1901	Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife	Paul Kline
13-0117-1901	Rules Governing the Use of Bait and Trapping for Taking Big Game Animals	Paul Kline

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Monday, January 13, 2020

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, Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** Representative(s) Addis

GUESTS: Ed Schriever, Toby Boudreau, Scott Reinecker, Michael Pearson, Greg Wooten, Martha Wackenhut, Paul Kline, Idaho Department of Fish and Game; Owen Moroney, OAG-IDFG; Benn Brocksome, ISA; Colby Cameron, DFM; Hollie Lawrence, LSO; Jon Oppenheimer, ICL

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

DOCKET NO. 13-0000-1900: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated the Department's approach to the omnibus actions was consistent with **Governor Brad Little's** Red Tape Reduction Act to identify and eliminate text that was obsolete, outdated, or unnecessary. The Department's efforts to eliminate restrictions focused on words and phrases including shall, must, may not, prohibited, and required. Sections of rules were consolidated to improve organization. Additionally, any duplication from statute was removed. Any changes made were non-substantive in nature and did not alter the meaning of the rules.

Mr. Kline stated there are 17 rule chapters in **Docket No. 13-0000-1900**, all previously reviewed and approved by the Legislature. The Department was able to eliminate three chapters, approximately 50 pages of text, and hundreds of restrictions making it better organized and easier to navigate. No public comments were received. The Department held one public hearing and only received one testimony in support of all the actions.

Benn Brocksome, Idaho Sportmen's Alliance, stated they are **in support** of all of the efforts of the Department.

Chairman Gibbs requested the record reflect there were no questions from the committee and no public testimony.

MOTION: **Rep. Wood** made a motion to approve **Docket No. 13-0000-1900. Motion carried by voice vote.**

DOCKET NO. 13-0000-1900F: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated there are five rule chapters in **Docket No. 13-0000-1900F**, all previously reviewed and approved by the Legislature. He stated only major sections of chapters with fee references have been published, for example, fees charged for hunter, archery, and trapper education programs, and processing fees for issuing refunds and bonding fees for large commercial wildlife facilities and vendors. No fee amounts were changed during this effort. Mr. Kline stated fees for licenses, permits, and tags are in statute and not repeated in this rule.

Chairman Gibbs requested the record reflect there were no questions from the committee and no public testimony.

MOTION: **Rep. Lickley** made a motion to approve **Docket No. 13-0000-1900F. Motion carried by voice vote.**

DOCKET NO. 13-0108-1903: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated **Docket No. 13-0108-1903** came to the Commissioners from constituents concerned about the need to better balance the supply and demand for oversubscribed capped zone hunt tags. He explained capped zone hunts differ from controlled hunts because sales occur on a first-come-first-served basis rather than a random draw. If this rule is approved, the Commission may establish a waiting period of no more than five days at the beginning of capped zone sales periods where any applicant for a controlled hunt, in the same calendar year and for the same species, is not eligible to buy a tag for that limited hunt.

MOTION: **Rep. Wood** made a motion to approve **Docket No. 13-0108-1903. Motion carried by voice vote.**

DOCKET NO. 13-0108-1904: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated **Docket No. 13-0108-1904** came to the Commissioners from constituents concerned about the need to address hunter congestion and hunt quality, specifically the crowding caused by growing numbers of nonresidents hunters in the general season over the counter hunts. He stated the Commission currently manages the total number of tags available to nonresident hunters by quota and also has authority to manage nonresident participation in controlled hunts and capped zone general hunts. If this rule is approved for over the counter general season hunts, the Commission may limit, by proclamation, the number of tags available for nonresident hunters in a zone or big game unit to no less than ten percent of the average hunter participation estimated for that zone or unit during the previous five year period.

In response to a question regarding the typical distribution between resident and nonresident hunters, **Mr. Kline** stated the Department has collected trend information which identified a steady increase in nonresident participation over the years. He stated in some of the more popular hunts nonresident participation has increased as much as 50% and in many of the popular elk zones, the increase has been as high as 35%. In general hunts, there is no limit to resident hunters but they have requested the Department try and even the playing field to control the nonresident participation.

MOTION: **Rep. Kauffman** made a motion to approve **Docket No. 13-0108-1904. Motion carried by voice vote.**

DOCKET NO. 13-0109-1902: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated **Docket No. 13-0109-1902** came to the Commission from hunters and supporters of youth opportunities; specifically to allow hunters eight and nine years of age who participate in the Hunting Passport Program, to participate in general season hunts, youth-only general hunts, landowner permission hunts, and depredation hunts for turkeys. Currently, eight and nine year old Hunting Passport Program holders are eligible to hunt everything except turkey and big game.

Mr. Kline stated additionally, hunters and supporters of pheasant hunting have asked the Commission to expand the pheasant stocking program to include new properties in addition to the nine WMAs where farm-raised pheasants are currently stocked. He explained to hunt stocked pheasants on WMAs, an upland game permit is required. If this rule is approved, the Commission may include turkey in the suite of wildlife eight and nine year olds may hunt under the Hunting Passport Program and provide the Commission the flexibility to require an upland game bird permit to hunt stocked pheasants on new properties (in addition to WMAs) if they choose to expand the program.

MOTION: **Rep. Blanksma** made a motion to approve **Docket No. 13-0109-1902. Motion carried by voice vote.**

DOCKET NO. 13-0110-1901: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated **Docket No. 13-0110-1901** addresses a Commission priority to provide the Department with tools needed to minimize the risk of introducing Chronic Wasting Disease (CWD) in Idaho. If this rule is approved, the Commission would have the authority to not issue any permits for the import of any live cervidae into Idaho not regulated as a domestic cervidae by the Idaho Department of Agriculture, including mule deer, white-tailed deer, and wild-origin elk.

In response to questions regarding captive deer, **Toby Boudreau**, Chief of Wildlife, Idaho Department of Fish and Game, explained there are non-commercial outfits that possess mule deer and/or white-tailed deer, and that this rule would stop the issuance of any future permits. He explained, CWD is in 26 states and is being transported mostly through the captive white-tailed deer industry.

MOTION: **Rep. Blanksma** made a motion to approve **Docket No. 13-0110-1901**. **Motion carried by voice vote.**

DOCKET NO. 13-0117-1901: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated **Docket No. 13-0117-1901** came to the Commissioners from the trapping community to address concerns about inconsistencies in the Department's trapping rules and to reform trapping requirements for wolves to increase wolf trapping effectiveness. He stated currently trapping requirements for ground set snares are inconsistent in rule for predatory wildlife, unprotected wildlife, furbearers, other small game, and wolves. This rule addresses those inconsistencies. Additionally, this rule would remove the requirement that wolf ground set snares include a diverter device, but continue to require they include either a breakaway device or a loop stop. He explained, if approved, the Commission may reinstate a diverter requirement in specific hunt areas if and when the unintended catch of non-target species exceeds specified criteria.

In response to questions regarding diverters, **Toby Boudreau**, Chief of Wildlife, Idaho Department of Fish and Game, explained currently wolf snares are the only snares requiring diverters in Idaho. They were originally developed in Alaska and work well there, but in Idaho, the snow conditions are wetter resulting in snow sticking to the diverter wires weighing them down into the snow making the snares less effective for snaring wolves. The idea to remove diverters came from the Trappers Association because they believe without diverters, the success rate of catching wolves will increase.

MOTION: **Rep. Lickley** made a motion to approve **Docket No. 13-0117-1901**. **Motion carried by voice vote.**

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

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AMENDED AGENDA #1
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Wednesday, January 15, 2020

SUBJECT	DESCRIPTION	PRESENTER
RS27315	Itafos Conda	Rep. Gibbs
RS27231	Nonresident Fees	Paul Kline, Deputy Director, Idaho Department of Fish and Game
Docket No. 37-0000-1900	Department of Water Resources Omnibus Pending Rule	Mat Weaver, Deputy Director, Idaho Department of Water Resources
Docket No. 37-0000-1900F	Department of Water Resources Omnibus Fee Rule	Mat Weaver
RS27373	Water Resources, Documents, Paper	Shelley Keen, Idaho Department of Water Resources
Docket No. 25-0101-1900F	Outfitter and Guides Licensing Board Omnibus Fee Rule	Lori Thomason, Executive Director, Outfitters and Guides Licensing Board
RS27211	Outfitters, Computation, Rules	Lori Thomason
RS27212	Outfitters, Guides, Fees	Lori Thomason

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason

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Rep Boyle

Rep Lickley

Rep Necochea

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Wednesday, January 15, 2020

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, Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** Representative(s) Wood, Raybould

GUESTS: The sign-in sheets will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheets will be filed with the minutes in the Legislative Services Library.

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

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

RS 27315: **Rep. Gibbs**, District 32, stated this Joint Memorial encourages the President, the United States Secretaries of Agriculture and Interior, the Administrators of the Environmental Protection Agency (EPA), and Idaho's Congressional Delegation to commit adequate, experienced, and knowledgeable personnel, and sufficient financial resources to expedite the permitting process for Itafos Conda's project.

MOTION: **Rep. Blanksma** made a motion to introduce **RS 27315. Motion carried by voice vote.**

RS 27231: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated **RS 27231** will revise **36-416, Idaho Code** to increase most license, tag, and permit fees for nonresidents, effective December 1, 2020. He explained this revision of Code is necessary to offset estimated revenue loss associated with the recent approval of **Docket No. 13-0108-1904** in this committee, which granted authority to the Commission to manage the increased nonresident hunter participation in many over the counter general season hunts for deer and elk. The proposed new nonresident fee schedule includes a general ten percent increase for most nonresident fees with larger increases for big game tags and related items such as archery and muzzleloader permits. He advised the price of nonresident wolf tags, Disabled American Veterans tags, and all fees for resident line items will remain unchanged. The Commission believes reducing nonresident participation in general hunts is needed to maintain quality and diverse general hunt opportunities for residents.

MOTION: **Rep. Kauffman** made a motion to introduce **RS 27231. Motion carried by voice vote.**

**DOCKET NO.
37-0000-1900:** **Mat Weaver**, Deputy Director, Idaho Department of Water Resources, stated the Department's approach to the omnibus actions was consistent with **Governor Brad Little's** Red Tap Reduction Act to identify and eliminate text that was obsolete, outdated, unnecessary, or contrary to existing Idaho Code, federal law, or current court rulings. The Department's efforts to eliminate restrictions focused on words and phrases including shall, must, may not, prohibited, and required. Reductions included uniform formatting, removal of duplication of statute and other rules, and rules in conflict with federal rules. Any changes made were non-substantive and did not change the meaning of the rules. Overall, the Department was able to eliminate one chapter, approximately 27,000 words, and approximately 474 restrictions, representing a 21% reduction.

Mr. Weaver stated there are four rule chapters in **Docket No. 37-0000-1900**, all previously reviewed and approved by the Legislature. Examples of changes within this docket include the elimination of several minimum standard rules in the Stream Channel Alteration Rules because they no longer reflect standard professional practices and the elimination of the class 2 injection well rules from the Rules and Minimum Standards for Construction and Use of Injection Wells because primacy of the class 2 program now resides with the EPA. During the public comment period, the Department received two comments; both requests would have added substantive requirements to the rules which was contrary to the Red Tape Reduction Act, so no action was taken. During the public hearings the Department received one set of written comments pertaining to suction dredge mining, but due to the controversial nature of the stream channel rules, no action was taken.

MOTION: **Rep. Lickley** made a motion to approve **Docket No. 37-0000-1900**.

A discussion ensued among the committee members regarding the concerns of several members on the dredge mining chapter, whether this was the appropriate time to vote on the docket, and how to address the concerns with the specific chapter and section.

SUBSTITUTE MOTION: **Rep. Moon** made a substitute motion to hold **Docket No. 37-0000-1900** for time certain until next week.

More discussion ensued among the committee members regarding the best approach to move forward with this docket in light of the dredge mining concerns.

MOTION WITHDRAWN: **Rep. Moon** withdrew her substitute motion to hold **Docket No. 37-0000-1900** for time certain until next week.

SUBSTITUTE MOTION: **Rep. Moon** made a substitute motion to approve **Docket No. 37-0000-1900** with the exception of **37.03.07.061.01** until time certain next week.

Mr. Weaver alerted the committee the docket chapter and section in question is actually located within the omnibus fee rule **Docket No. 37-0000-1900F**, so this is actually not the appropriate time to be considering a vote on dredge mining.

MOTION WITHDRAWN: **Rep. Moon** withdrew her substitute motion to approve **Docket No. 37-0000-1900** with the exception of **37.03.07.061.01** until time certain next week.

SUBSTITUTE MOTION: **Rep. Shepherd** expressed his concerns about voting on the docket today so made a substitute motion to hold **Docket No. 37-0000-1900** until time certain next week.

VOTE ON SUBSTITUTE MOTION: **Chairman Gestrin** called for a vote on the substitute motion to hold **Docket No. 37-0000-1900** until time certain next week. **Motion failed by voice vote.**

VOTE ON ORIGINAL MOTION: **Chairman Gestrin** called for a vote on the original motion to approve **Docket No. 37-0000-1900**. **Motion carried by voice vote.** **Reps. Shepherd and Moon** requested they be recorded as voting **NAY**.

DOCKET NO. 37-0000-1900F: **Mat Weaver**, Deputy Director, Idaho Department of Water Resources, stated there are 12 fee rule chapters in **Docket No. 37-0000-1900F**, all previously reviewed and approved by the Legislature. He stated the following fee categories described in this docket include administrative appeals filing fees; water supply bank lease and rental fees; adjudication application fees; water rights licensing examination fees; injection well inventory and permit fees; geothermal well permit fees; design review fees for mine tailings impoundment structures and select dams; stream channel alteration permit fees; water rights application, re-advertisement, and mailing fees; well drilling permit fees; and application licensing fees for well drillers. No fee amounts were changed in any rules as part of this effort.

Rep. Giddings, District 7, stated there is great concern from miners in District 7 over the dredge mining chapter within this docket. She stated there are at least a dozen concerns within the stream channel alteration rule section, but she will focus on two examples. She stated her ultimate goal is to see collaboration among the Legislature and all of the various agencies involved with the stream channel alteration rules and how that impacts dredgers.

Rep. Giddings stated her first concern is found on page 434, **37.03.07.061.01, Standards for Suction Dredges**. She explained her concerns are with the standards identified in the subsection which reads "suction dredges with nozzle diameters of five inches or less and rated at 15 horsepower or less" and do those standards meet the legislative intent. Rep. Giddings then referenced **Idaho Code, Title 47, Chapter 13, Section E**, dredge mining definition, which states motorized earth-moving equipment includes suction dredges with an intake diameter exceeding eight inches. She explained her concern is that in Idaho Code there is a guideline for eight inches, yet in the rules the guideline is for five inches.

Rep. Giddings stated her next concern is also found on page 434, **37.03.07.061.03, Mechanized Equipment Prohibited Below High Water Mark**, which states "there shall be no use of mechanized equipment below the mean high water mark except for the dredge itself, and any life support system necessary to operate the dredge." She explained this is a problem for dredgers because they use winches to create a safer dredging operation and don't understand why a winch would be prohibited when it is not mechanized.

Mr. Weaver explained a person can get a permit for a larger diameter hose, but must follow the joint application permit process. The removal of the minimum standards (five inches or less and 15 horsepower or less) which allows the use of the expedited permit process would eliminate the option for a quicker permit process. This expedited process was established to take care of the small scale dredge operations so they wouldn't have to go through the full blown joint application permit process.

MOTION: **Rep. Gibbs** made a motion to approve **Docket No. 37-0000-1900F** and wished to speak to the motion. He stated these rules have been in place for years and if these sections are removed the small scale miners will lose out. He believes it is better to approve the docket now and work with the agency on this later and bring it back next year.

SUBSTITUTE MOTION: **Rep. Blanksma** made a substitute motion to approve **Docket No. 37-0000-1900F** with the exception of **37.03.07.061.01 and 37.03.07.061.03**.

ROLL CALL VOTE ON SUBSTITUTE MOTION: **Rep. Boyle** requested a roll call vote on the substitute motion. **Motion carried by a vote of 10 AYE, 6 NAY, 2 absent/excused. Voting in favor** of the motion: **Chairman Gestrin, and Reps. Moyle, Shepherd, Boyle, Vander Woude, Mendive, Blanksma, Addis, Moon, and Rubel. Voting in opposition** to the motion: **Reps. Gibbs, Kauffman, Lickley, Toone, Mason, and Necochea. Reps. Wood and Raybould were Absent/Excused.**

RS 27373: **Shelley Keen**, Water Allocation Bureau Chief, Idaho Department of Water Resources, stated **RS 27373** gives the Director of the Department of Water Resources explicit authority to receive and retain documents on media other than paper.

MOTION: **Rep. Gibbs** made a motion to introduce **RS 27373. Motion carried by voice vote.**

DOCKET NO. 25-0101-1900F: **Lori Thomason**, Executive Director, Outfitters and Guides Licensing Board, stated there is one chapter in this docket, previously reviewed and approved by the Legislature. They reviewed the rules to identify and eliminate rules that were obsolete, outdated, or unnecessary as well as following the Board's recommendations to reduce barriers to licensure. As a result, seven pages of rules and 163 restrictions were eliminated, which is a 62% reduction. Examples of the changes include allowing licensees to provide electronic proof of licensure instead of their license card and elimination of the fee to be put on a waiting list for notification of an available outfitting opportunity for licensure.

MOTION: **Rep. Kauffman** made a motion to approve **Docket No. 25-0101-1900F**. **Motion carried by voice vote.**

RS 27211: **Lori Thomason**, Executive Director, Outfitters and Guides Licensing Board, stated **RS 27211** clarifies some of the language in the law that was amended in **H 192** from the 2019 Legislative Session regarding the Board's designation of allocated deer and elk tags in controlled hunts.

MOTION: **Rep. Lickley** made a motion to introduce **RS 27211**. **Motion carried by voice vote.**

RS 27212: **Lori Thomason**, Executive Director, Outfitters and Guides Licensing Board, stated **RS 27212** simplifies the Board's fee statute to streamline fees and to set the amount of fees in rule from statute, making the Board's fee statute consistent with other licensing agencies.

MOTION: **Rep. Addis** made a motion to introduce **RS 27212**.
Rep. Moyle explained he cannot support this motion to introduce because by putting it into the rules process it takes away the authority of the Legislature. He stated it should be in statute.

VOTE ON MOTION: **Chairman Gestrin** stated he was in doubt regarding the voice vote and asked for a roll call vote.

ROLL CALL VOTE ON MOTION: Roll call vote was requested. **Motion failed by a vote of 6 AYE, 8 NAY, 4 absent/excused. Voting in favor of the motion: Reps. Gibbs, Kauffman, Addis, Lickley, Mason, and Necochea. Voting in opposition to the motion: Chairman Gestrin, and Reps. Moyle, Shepherd, Boyle, Vander Woude, Mendive, Blanksma, and Moon. Reps. Wood, Raybould, Rubel, and Toone were absent/excused.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:04pm.

Representative Gestrin
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Tuesday, January 21, 2020

SUBJECT	DESCRIPTION	PRESENTER
Docket No. 15-0300-1900F	Idaho Forest Products Commission Omnibus Fee Rules	Jennifer Okerlund, Idaho Forest Products Commission
Docket No. 20-0000-1900	Idaho Department of Lands Omnibus Pending Rules	David Groeschl, Idaho Department of Lands
Docket No. 20-0000-1900F	Idaho Department of Lands Omnibus Fee Rules	David Groeschl
Docket No. 20-0302-1902	Rules Governing Mined Land Reclamation Temporary Rule	Mick Thomas, Idaho Department of Lands
Docket No. 20-0303-1901	Rules Governing Administration of the Reclamation Fund	Mick Thomas
Docket No. 20-0304-1901	Rules Governing the Regulation of Beds, Waters, and Airspace Over Navigable Lakes	Mick Thomas

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COMMITTEE MEMBERS

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Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

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email: hres@house.idaho.gov

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Tuesday, January 21, 2020

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, Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** Representative(s) Blanksma, Rubel

GUESTS: Jennifer Okerlund, Idaho Forest Products Commission; Eric Wilson, Andrew Smyth, Todd Drage, David Groeschl, Idaho Department of Lands; Jonathan Oppenheimer, Idaho Conservation League; Kennon McClintock, private landowner; Jim Riley, Riley Stegner and Associates; Mary Anne Nelson, John Tippets, and Jess Byrne, DEQ; Dennis Becker, University of Idaho; Dennis Stevenson, DFM

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

MOTION: **Rep. Kauffman** made a motion to approve the minutes of the January 9, 2020 and January 13, 2020 meetings. **Motion carried by voice vote.**

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

Chairman Gestrin made a unanimous consent request to rearrange the order of the agenda. There being no objection, the request was granted.

DOCKET NO. 15-0300-1900F: **Jennifer Okerlund**, Director, Idaho Forest Products Commission, stated the approach the Commission took to meet **Governor Brad Little's** Red Tape Reduction Act in the two and a half page omnibus fee rule was to remove duplicative language and eliminate redundancy.

MOTION: **Rep. Lickley** made a motion to approve **Docket No. 15-0300-1900F.** **Motion carried by voice vote.**

DOCKET NO. 20-0303-1901: **Mick Thomas**, Division Administrator of Oil, Gas, and Minerals, Idaho Department of Lands, stated the Department administers Idaho's Reclamation Fund, which is a type of state bond pool created in 2002 to provide an alternative form of performance bond or financial assurance as required by Idaho mining regulations. This Reclamation Fund is used by the Department to complete reclamation in the event an operator is unable to do so. He explained because the Fund has been in existence for 15 years, negotiated rulemaking became necessary to address definition and terminology changes, account for inflation to bring the reclamation liability up to 2019 reclamation costs, remove mandatory requirements that all eligible operators participate in the Fund, expand the acreage and reclamation cost liability to allow more operations to use the Fund as a means of providing financial assurance, and finally to comply with **Governor Brad Little's** Red Tap Reduction Act. He concluded by stating these rule changes align with current industry and regulatory practices while reducing unnecessary burdensome regulations.

MOTION: **Rep. Raybould** made a motion to approve **Docket No. 20-0303-1901.** **Motion carried by voice vote.**

DOCKET NO. 20-0304-1901: **Mick Thomas**, Division Administrator of Oil, Gas, and Minerals, Idaho Department of Lands, stated the Department regulates encroachments such as docks and marinas on navigable lakes. He explained funding for this program comes from fees and rent charged by the Department for use of those lands along navigable waterways. At the end of FY 2019, approximately 10,745 permits and 172 leases were active. The Department conducted a review and found the application fees for single family docks, two family docks, water intake lines, and permit assignments did not cover the costs to process these applications. As a result, this pending rule would increase the encroachment permit application fee for single and two family docks and water intake lines from \$300 to \$425, for an approximate annual increase of \$23,000, and an increase to the permit assignments from \$150 to \$300, for an approximate annual increase of \$21,000. Additionally, if approved this pending rule would require the Department to provide notice of encroachment permit applications for noncommercial and navigational encroachments within the line of navigability to adjacent littoral owners. He explained this change would simplify the process for applicants and provide assurance that neighbors receive proper notice of the application.

MOTION: **Rep. Wood** made a motion to approve **Docket No. 20-0304-1901. Motion carried by voice vote.**

DOCKET NO. 20-0000-1900: **David Groeschl**, Deputy Director, Idaho Department of Lands, stated the work conducted by the Department was in line with **Governor Brad Little's** Red Tape Reduction Act to identify and eliminate sections that were outdated or unnecessary. There are three chapters within the non-fee omnibus rule, each previously reviewed and approved by the Legislature. Through the Department's work six pages were eliminated that were duplicative with statute. He stated the largest clean-up was to sections that duplicated or were replaced by the Administrative Procedures Act, as well as removing definitions already contained in Idaho Code, and outdated practices or procedures before the Land Board.

Mr. Groeschl explained the Department held public hearings on the Rules Pertaining to the Idaho Forest Practices Act Chapter, specifically the 2014 tree retention requirements along Class 1 fish-bearing streams, referred to as the Shade Rule. He stated while some small forest landowners commented that the Shade Rule was too complex and limited their ability to capture value from harvesting trees within these stream buffers, the majority of the comments supported reauthorizing the rules without amendments. Mr. Groeschl further explained the Department collaborated with Idaho Department of Environmental Quality and the University of Idaho to implement a Shade Effectiveness Study to compare modeled and actual measured changes in shade across different forest types. After seeing the results, the Department would like to simplify the Shade Rule and will work with the Forest Practices Advisory Committee and interested stakeholders over the upcoming months, then after that initiate negotiated rulemaking.

Jonathan Oppenheimer, External Relations Director, Idaho Conservation League, stated they are **in support** of **Docket No. 20-0000-1900**, in particular the Shade Rule.

MOTION: **Rep. Lickley** made a motion to approve **Docket No. 20-0000-1900. Motion carried by voice vote. Reps. Shepherd and Moon** requested they be recorded as voting **NAY**.

DOCKET NO. 20-0000-1900F: **David Groeschl**, Deputy Director, Idaho Department of Lands, stated there are 16 chapters within this omnibus fee rule, each previously reviewed and approved by the Legislature. He stated the largest clean up to the rules was eliminating five pages from the Rules Governing Conservation of Oil and Natural Gas Chapter, by allowing sections to expire that had been superseded by **Idaho Code §47.3**. Additionally, the Department made edits throughout the rules to make them shorter by eliminating definitions if the defined term was not used in the rule or was already in Idaho Code. The Department held public hearings on the Rules Governing Dredge and Placer Mining Operations in Idaho Chapter and the majority of the comments received were actually directed at other state and federal agencies. As a result, the Department did not identify any rule changes needed.

MOTION: **Rep. Kauffman** made a motion to approve **Docket No. 20-0000-1900F. Motion carried by voice vote.**

DOCKET NO. 20-0302-1902: **Mick Thomas**, Division Administrator of Oil, Gas, and Minerals, Idaho Department of Lands, stated the Department is seeking approval to extend the effective date of this temporary rule. He explained the Department is responsible for providing regulatory oversight of mining activities on state, federal, and private lands in Idaho pursuant to the Mined Land Reclamation Act, **Idaho Code §47.15**. He explained during the 2019 Legislative Session, the Legislature passed **H 141**, which significantly updated Idaho's mining regulations. **H 141** required the Department to implement a temporary rule that incorporated major changes to the Act by August 1, 2019. After the negotiated rulemaking process was complete, the Idaho Land Board adopted the temporary rule, effective July 16, 2019, which included the following changes: Underground mines are now required to obtain reclamation plans for their surface impacts, the Department can now collect reasonable fees for reclamation plans, reclamation plans are now required to include post-closure activities such as water treatment, reclamation plans will now provide requirements for performing all reclamation tasks described in a plan and for submitting financial assurances that covers all tasks within the plan, actual cost estimation of reclamation activities will now be used to determine financial assurances, operators will now be given the flexibility needed for long-term post-closure activities through additional types of financial assurances, and the Department is now required to review every plan at least once every five years.

MOTION: **Rep. Addis** made a motion to approve **Docket No. 20-0302-1902. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:07pm.

Representative Gestrin
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Thursday, January 23, 2020

SUBJECT	DESCRIPTION	PRESENTER
	Presentation on Climate Variability in Idaho	James Taylor, Senior Fellow, The Heartland Institute
	Fish and Game Commission Introductions	Ed Schriever, Director, Idaho Department of Fish and Game
	H 230 Annual Update	Ed Schriever

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, January 23, 2020

TIME: 1:30 P.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** Representative(s) Moyle, Kauffman, Blanksma

GUESTS: The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

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

MOTION: **Rep. Toone** made a motion to approve the minutes of the January 15, 2020 meeting. **Motion carried by voice vote.**

James Taylor, Director, Arthur B. Robinson Center on Climate and Environmental Policy, The Heartland Institute, a public policy organization, stated he hopes this presentation, on Idaho specific climate information, will help inform lawmakers to craft the best possible climate related policies for the people of Idaho. Mr. Taylor first covered global and national climate issues and then discussed Idaho specific climate issues. He explained, based on data collected and studied by the European Science Foundation, Greenland Ice Core Project, the climate over the past 10,000 years was actually warmer than it is today and taken in that context, today's temperatures are actually abnormally cool. He remarked on data from the United Nation's Intergovernmental Panel on Climate Change Report which mirrors these findings. He explained more recently, over the past 40 years, global warming has been slower than predicted, and as a result, the United Nations had to modify and update its warming prediction models. Even more recently, the 100+ National Oceanic and Atmospheric Administration (NOAA) temperature stations located across the United States, and away from populated urban areas, have provided data showing there has been no significant warming since at least 2004.

Mr. Taylor then focused his presentation on Idaho. He stated over the past 100 years, temperatures in Idaho have risen slightly, but less than what the United Nation's models had been predicting. More specifically, the high temperatures have basically remained the same, while the lower temperatures, over the coldest months, showed a slight warming, making Idaho temperatures less extreme, not more extreme. Looking specifically at Idaho within the 2004 NOAA temperature models, the data shows no significant warming. Mr. Taylor then moved on to precipitation trends in Idaho. He discussed over the past 100+ years, Idaho is benefitting from more precipitation at the best time of the year and a slight decline in precipitation during what is considered the wetter time of the year, which reduces the risk of flooding. He explained agriculture is benefitting from these temperature and precipitation trends. The 2019 USDA Idaho Statistical Bulletin recorded potatoes, wheat, barley, hay, and sugar beets all having record yields between 2011 and 2018.

In response to questions regarding collaboration with the Idaho based science industry, **Mr. Taylor** responded that he did not work with any science based organizations from Idaho but rather relied on Idaho specific data and reports from national sources like NOAA, United Nations, NASA, and the USDA.

In response to a correction that legislation had not been passed last Legislative Session authorizing an interim legislative committee to study the effects of climate change in Idaho, **Mr. Taylor** apologized for that error and stated he would correct his report. He stated he's very passionate about this topic and wants to provide accurate data.

It was stated to **Mr. Taylor** there had been no mention of wildfires and snowpack within his report or presentation, yet in recent years Idaho scientists have reported, due to climate change, there had been a 100% increase in the size of wildfires, fire seasons have lengthened by 47 days, and 16,000 square miles of burned forests are attributed to the effects of climate change. Additionally, Idaho scientists project that by the year 2050 there will no longer be snow in the southern third of Idaho creating grave impacts on the snowpack which is tied to the agriculture industry. With all that in mind, the question to Mr. Taylor was how does this information impact his conclusion that climate change has had no adverse effects on Idaho? Mr. Taylor responded wildfires are a component of drought along with the human factors associated with the management of fires. He continued by stating precipitation and drought would be the impact from climate change, with drought being the biggest factor. But, he concluded the data shows over time across the United States and in Idaho specifically, there has been an overall decrease in drought.

Ed Schriever, Director, Idaho Department of Fish and Game, stated he is pleased to introduce to the committee the members of the Fish and Game Commission. They are Chairman **Jerry Meyers**, Salmon Region; **Brad Corkill**, Panhandle Region; **Daniel Blanco**, Clearwater Region; **Tim Murphy**, Southwest Region; **Greg Cameron**, Magic Valley Region; **Lane Clezie**, Southeast Region; and **Derick Attebury**, Upper Snake Region.

Jerry Meyers, Chairman, Idaho Fish and Game Commission, thanked the Legislature for their continued open communications and positive working relationship with the Commission.

Ed Schriever, Director, Idaho Department of Fish and Game, presented the annual update on **H 230**. He stated this bill has been significant in providing resources to the Department, as well as providing resources to help the Department resolve conflicts between wildlife and agricultural communities. The first element of this bill is the Price Lock. It was a novel approach to a resident fee increase. He explained the Department determined that roughly 30% of the resident hunters and anglers bought licenses five out of five years, so if they could encourage more residents to buy more regularly, with more participation even at the locked rate, revenues increase. He explained with the Price Lock, if a resident purchased a license the first year (2017) and continued to purchase a license each year after, they would continue to pay the 2017 locked rate. The Price Lock also applies to purchasing multi-year licenses. All other residents purchasing licenses outside of the Price Lock pay the 20% higher rate. The growth in revenue since 2017 is from the resident side of the equation since nonresident license purchases have always sold out.

Mr. Schriever stated, the next element of this bill is the funding element. **H 230** provided additional fiscal resources to the depredation program's two components; prevention and claims. He explained every resident pays a \$5.00 license endorsement and nonresidents pay a \$10.00 license endorsement to help fund this program. Half of that endorsement, or approximately \$1 million every year, is split evenly between prevention and claims. Funds from other agency programs also help fund the depredation program, including funding a winter feeding program. Any money still in the account at the end of each year is now held in that account. They no longer transfer remaining funds to the sportsmen access account. Instead, half of the endorsements, or approximately \$1 million, funds the sportsmen access program for fishing, hunting, and trapping where there was no access before. Mr. Schriever stated another outcome of **H 230** was the ability to increase personnel and fiscal resources to enhance the Department's ability to proactively address landowner's concerns within the prevention component. Overall, the Department has built over 340 stack yards for stored crops with a dozen more planned for this spring. He stated they provide the materials and the landowners do the construction. For growing crops, which are more of a challenge to protect, in 2019 the Department seeded public lands to increase/improve forage to entice wildlife away from private lands.

Wrapping up, **Mr. Schriever** stated the Access YES! Program continues, with willing landowners signing up allowing hunters and anglers to use their properties on an annual basis. Currently there are 89 agreements in place for a total of approximately 311,000 private acres and approximately 514,000 public acres. An additional \$100,000 has been added to bolster the program. For fishing access an additional \$150,000 has been added to develop a new boating/fishing access site on the Snake River in Hammett and to enhance over 340 boating access sites statewide. Finally, in 2018, the Commission entered into an agreement with the Land Board using funds generated from **H 230** as a match for recreational access to 2.4 million acres of state endowment lands. This year, in their Large Tract Program, they secured 14 agreements with private timber companies to provide access to over 900,000 acres for hunting, fishing, and trapping, a significant benefit for recreational use for the people of Idaho.

In response to questions regarding bringing down the wolf numbers, **Mr. Schriever** explained the Commission added hunting and trapping seasons across the state. Most recently, the Commission extended the trapping season by starting a month earlier (October vs November) with foothold traps, realizing there is a higher success rate when trapping without snow on the ground. The average harvest of trapped wolves in the fall had been 55 statewide, but now with the earlier start to the season, this past fall the number of wolves harvested was 138 statewide. He stated with these changes added to the spring harvest numbers, they are projecting the highest harvest from hunting and trapping since the delisting of wolves in 2011. Additionally, with the recent approval for the removal of diverters from wolf snares, they anticipate trappers will utilize snares more frequently adding to the increased harvest of wolves.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:53pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Monday, January 27, 2020

SUBJECT	DESCRIPTION	PRESENTER
	Itafos Conda Presentation	Tim Vedder, General Manager, Itafos Conda
HJM 11	Itafos Conda Joint Memorial	Rep. Gibbs
RS27443	Phosphogypsum	Rep. Gibbs
RS27297	Water Districts, Budgets	Tim Luke, Idaho Department of Water Resources

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason(Nash)
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

- DATE:** Monday, January 27, 2020
- 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, Rubel, Toone, Mason (Nash), Necochea
- ABSENT/
EXCUSED:** Representative(s) Rubel
- GUESTS:** Ben Davenport, Idaho Mining Association; Jon Goode, Tim Vedder, Mick McCullough, Mark Kirby, Itafos; Glen Prout, Simplot; Michael McCurdy, DEQ; Kevin Beaton, Stoel Rives; Brett Slaughter, IGPA; Tim Luke and Rob Whitney, Idaho Department of Water Resources; Lynn Tominaga, IGWA; Paul Arrington, IWUA; John Chatburn, OEMR; Hollie Lawrence, LSO; Jamie Richmond, interested citizen
- Chairman Gibbs** called the meeting to order at 1:30pm.
- Tim Vedder**, General Manager and Vice President of Operations, Itafos Conda, presented an overview of the Itafos Conda mine and manufacturing facility, located in Conda Idaho, Caribou County. He stated the facility has been continuously operating for 33 years. In 2018, Itafos purchased the site from Agrium. The facility is currently focused on extending the phosphate ore supply from a combination of additional resources in existing mines and defining a path forward for long-term ore continuity by prioritizing the Husky 1/Dry Ridge efforts. He stated there is approximately five years of mine life currently remaining. Mr. Vedder explained the philosophy of the operations and core values focuses on safety of their employees, being good stewards of the environment, and integrating into the neighboring communities by participating in youth sports, FFA, charitable events, and more.
- Chairman Gibbs** turned the gavel over to **Vice Chairman Gestrin**.
- HJM 11:** **Rep. Gibbs**, District 32, stated this Joint Memorial asks the President, the Secretaries of Agriculture and Interior, Administrators of EPA, and Idaho's Congressional Delegation to commit to moving the permitting process forward for Itafos Conda's Husky 1/Dry Ridge project so the site can be developed in a timely and cost-effective manner to support the American farmers.
- MOTION:** **Rep. Blanksma** made a motion to send **HJM 11** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gibbs** will sponsor the bill on the floor.
- RS 27443:** **Rep. Gibbs**, District 32, stated the purpose of this legislation is to establish minimum design standards for the disposal of phosphogypsum at phosphoric acid facilities. Phosphogypsum is a by-product of the manufacturing of phosphoric acid. Currently, Idaho solid waste requirements exclude phosphogypsum systems from regulation and therefore minimum design requirements are necessary, which will eliminate case by case determinations by state and federal agencies on the design of these systems.
- MOTION:** **Rep. Blanksma** made a motion to introduce **RS 27443.** **Motion carried by voice vote.**
- Vice Chairman Gestrin** turned the gavel over to **Chairman Gibbs**.

RS 27297: **Tim Luke**, Water Compliance Bureau Chief, Idaho Department of Water Resources, stated the purpose of this legislation is to amend **Chapter 6, Title 42, Idaho Code** to consolidate language and reduce duplication of sections related to the collection of water district assessments, clarify requirements for counties that collect water district assessments, correct errors, consolidate the requirements for watermaster reporting into one section, authorize watermasters to estimate the amount of water delivered to water users where actual delivery data isn't available for purposes of assessments, and to amend requirements for water district's annual meeting notices.

MOTION: **Rep. Blanksma** made a motion to introduce **RS 27297. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:52pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Wednesday, January 29, 2020

SUBJECT	DESCRIPTION	PRESENTER
RS27284C1	Bear River, Water Adjudication	Rep. Gibbs
H 330	Fish and Game Nonresident Fees	Paul Kline, Idaho Department of Fish and Game
S 1217	Water Diversion Cleanup	Mark Dietrich, Idaho Department of Environmental Quality

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Wednesday, January 29, 2020

TIME: 1:30 P.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** Representative(s) Moyle, Blanksma

GUESTS: Paul Kline, Scott Reinecker, Michael Pearson, Nathan Berg, Toby Boudreau, and Ed Schriever, Idaho Department of Fish and Game; Mark Dietrich, John Tippets, and Jess Byrne, Idaho Department of Environmental Quality; Russell Westerberg, RMP; Paul Arrington, IWUA; Benn Brocksome, ISA; Angela Grimm and Gary Spackman, Idaho Department of Water Resources

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

MOTION: **Rep. Kauffman** made a motion to approve the minutes of the January 21, 2020 meeting. **Motion carried by voice vote.**

RS 27284C1: **Senator Harris**, District 32, stated this legislation authorizes the initiation of general water rights adjudication for the Bear River Basin. He explained the Bear River Commission governs the allocation of water to the three states (Idaho, Utah and Wyoming) through which the Bear River flows. The Commission is granted authority through the 1958 Bear River Compact, as amended in 1980, and indicated much has occurred since that amendment. The Bear River Adjudication will accurately record all existing water rights to resolve uncertainty and help to ensure fair and accurate water administration.

MOTION: **Rep. Wood** made a motion to introduce **RS 27284C1**. **Motion carried by voice vote.**

H 330: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated this bill would revise **Section 36-416, Idaho Code**, to increase most license, tag, and permit fees for nonresidents, and would become effective December 1, 2020. He explained the proposed nonresident fee increase includes a general ten percent increase for most nonresident fees with larger increases for big game tags and related items such as archery and muzzleloader permits. He indicated the price of nonresident wolf tags and Disabled American Veteran tags will remain unchanged. Additionally, resident license, tag, and permit fees will remain unchanged. He stated data shows nonresident game tags are in high demand, have sold out for the last three years, and are progressively selling out at earlier dates each year. Mr. Kline explained the Commission heard from residents that overcrowding, caused by increased numbers of nonresident hunters participating in popular general season, over-the-counter hunts, has reduced hunt quality to the point where providing relief is one of their highest priorities.

Mr. Kline explained the Commission currently may limit nonresident participation in controlled hunts and in capped or restricted hunts, but may not manage nonresident participation in unrestricted general over-the-counter hunts where any number of nonresident tags may be purchased as long as the annual quotas for nonresidents are not exceeded. Nonresident general season tag holders are able to select where they hunt and currently represent 30-50% of total hunter participation in many popular hunts. This legislation will grant the Commission authority to manage nonresident hunter participation in the general season, over-the-counter hunts to no less than ten percent of the average hunter participation estimated for each hunting unit or zone for the previous five year period. He noted this is companion legislation to **Docket No. 13-0108-1904**, which was approved this Legislative Session. He concluded to offset the anticipated loss in revenue from the reduction in nonresident participation, the increased nonresident fee schedule will only fill in the gap in revenue.

Benn Brocksome, Idaho Sportsmen's Alliance, stated the Alliance is **in support of H 330**.

MOTION: **Rep. Lickley** made a motion to send **H 330** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kauffman** will sponsor the bill on the floor.

S 1217: **Mark Dietrich**, Technical Services Administrator, Idaho Department of Environmental Quality, stated this legislation would provide an exemption from the requirement to obtain a temporary water right permit for removal of contaminated water during an emergency response. He explained this exemption is similar to **Section 42.201, Idaho Code**, where water is withdrawn to fight wildfires. He stated the concern is, granting a temporary water right can potentially take days. With this delay, the current process impacts the state's ability to work with the regional hazmat teams and emergency response cleanup contractors to remove contaminated water from a body of water in a timely manner to minimize the potential impacts on human health and the environment. He concluded by stating this exemption would alleviate any delays.

Paul Arrington, Idaho Water Users Association stated the Association is **in support of S 1217**.

MOTION: **Rep. Addis** made a motion to send **S 1217** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Mason** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:47pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

JOINT AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
AND
SENATE RESOURCES & ENVIRONMENT COMMITTEE
 1:30 P.M.
 Lincoln Auditorium
 Monday, February 03, 2020

SUBJECT	DESCRIPTION	PRESENTER
	A Limnology Primer	Frank Wilhelm, PhD, Professor, University of Idaho
RS27541	Boating, Zones, Penalties	Rep. Addis
RS27504	Shooting Ranges, Fund	Rep. Troy

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
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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 Tippets 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.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Wednesday, February 05, 2020

SUBJECT	DESCRIPTION	PRESENTER
RS27549	Fish and Game Commission, Tags	Aaron Lieberman, Idaho Outfitters and Guides Association
RS27592	Public Lands, Streams, Interference	Rep. Gannon
RS27555	Public Lands, Anniversaries	Rep. Mason
H 382	Bear River Water Adjudication	Senator Harris
H 367	Phosphogypsum	Ben Davenport, Idaho Mining Association
Docket No. 37-0000-1900F	Chapter 7, Section 61.01 Standards for Suction Dredges and Section 61.03 Mechanized Equipment Prohibited Below High Water Mark	Mat Weaver, Idaho Department of Water Resources

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
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Phone: 332-1136
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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Wednesday, February 05, 2020

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, Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** Representative(s) Rubel

GUESTS: The sign-in sheets will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheets will be filed with the minutes in the Legislative Services Library.

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

MOTION: **Rep. Toone** made a motion to approve the minutes of the January 23, 2020 meeting. **Motion carried by voice vote.**

RS 27549: **Aaron Lieberman**, Executive Director, Idaho Outfitters and Guides Association, stated this consensus legislation will amend laws governing the allocation of deer and elk hunting tags, by the Idaho Fish and Game Commission, for clients of outfitters in capped and controlled hunts. He explained this legislation also clarifies the agency's authority and direction to ensure they can implement the statutes in a manner that provides predictability, provides opportunities for growth for outfitters, and maximizes the use of these tags by the outfitted public.

MOTION: **Rep. Lickley** made a motion to introduce **RS 27549**. **Motion carried by voice vote.**

RS 27592: **Rep. Gannon**, District 17, stated recreation is Idaho's third largest industry and access to hunting, fishing, motorized trails, hiking, and all other forms of recreation is vital to the economy and outdoor culture of Idaho. He explained this legislation defines publicly accessible lands and waters referencing existing definitions in Idaho Code. It also creates modest incentives for Idahoans to post or place gates only on grounds individuals have the authority to do so. He said this legislation also adds a civil remedy to address violations of intentional access obstruction and to ensure public access while addressing law enforcement constraints.

MOTION: **Rep. Mason** made a motion to introduce **RS 27592**. **Motion failed by voice vote.**

RS 27555: **Rep. Mason**, District 16, explained the purpose of this resolution is to recognize anniversaries of certain public lands and public land designations, and to recognize the impact that designated lands and waters have on the social, economic, and ecological well-being of Idaho and to future generations of Idahoans. Additionally, this resolution asks the public land management agencies responsible for the stewardship of Idaho's public lands to direct adequate financial resources to Idaho to ensure the effective management, utilization, enjoyment, and conservation of these public lands and waters.

Committee members commented with concerns that 1) no representatives who's districts were included in the resolution were contacted ahead of this print hearing, and 2) many of the public lands identified in this resolution are special designation areas, meaning there are restrictions on multiple use activities such as mining, grazing, and timber harvest.

- MOTION:** **Rep. Toone** made a motion to introduce **RS 27555. Motion failed by voice vote.**
- H 382:** **Senator Harris**, District 32, stated this legislation authorizes the initiation of general water rights adjudication for the Bear River Basin. He explained the Bear River Commission governs the allocation of water to Idaho, Wyoming, and Utah through which the Bear River flows. The Commission is granted authority through the 1958 Bear River Compact, which was amended in 1980, but there are concerns. For example, many of the existing decreed or licensed water rights are not being used as described in the historical decrees or licenses, statutory claims on record with the Idaho Department of Water Resources have never been confirmed, and many beneficial use water rights (constitutional or grandfathered water rights) exist in the Basin but are unrecorded. He explained, these beneficial use rights, while sometimes the oldest, are the first to be curtailed because of the unrecorded status, resulting in disputes between water users and uncertainty regarding water rights in property transactions or water administration. The Bear River Adjudication will accurately record all existing water rights to resolve any uncertainties and help to ensure fair and accurate water administration.
- Roger Chase**, Chairman, Idaho Water Resource Board, stood in support of **H 382.**
- MOTION:** **Rep. Blanksma** made a motion to send **H 382** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gibbs** will sponsor the bill on the floor.
- H 367:** **Ben Davenport**, Executive Director, Idaho Mining Association, stated this legislation will establish minimum design standards for the disposal of phosphogypsum at phosphoric acid facilities. He explained phosphogypsum is a by-product of the manufacturing of phosphoric acid and currently, Idaho's solid waste requirements exclude phosphogypsum systems from regulation. Therefore, minimum design requirements are necessary to eliminate the case by case determinations by state and federal agencies on the design of these systems. The minimum design requirements in this legislation reflect current industry practices and will minimize impacts to human health and the environment.
- MOTION:** **Rep. Blanksma** made a motion to send **H 367** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kauffman** will sponsor the bill on the floor.
- DOCKET NO. 37-0000-1900F:** **Mat Weaver**, Deputy Director, Idaho Department of Water Resources stated this is a follow-up to the January 15, 2020 committee meeting where the motion was made to approve **Docket No. 37-0000-1900F** with the exception of **37.03.07.061.01** and **37.03.07.061.03** which were held for further discussion. These subsections are within the Stream Channel Alteration Rules Chapter, which addresses minimum standards for suction dredges and prohibitions to mechanized equipment within the stream channel. Mr. Weaver stated, there was a recent informational dredge mining session that was provided for interested committee members, where staff from Idaho Departments of Water Resources, Lands, and Environmental Quality were all present to answer questions, present on recreational dredge mining, and review the various authorities from each of the agencies. As a result of that informational session, the Director of the Department of Water Resources and the Chairman of the Water Resource Board signed a memo (See Attachment 1) directing staff from the Stream Channel Alteration Program make the stream alteration sections in question be the first priority in the 2021 rulemaking efforts.
- MOTION:** **Rep. Blanksma** made a motion to approve **37.03.07.061.01** and **37.03.07.061.03** from **Docket No. 37-0000-1900F.**

Donald Smith, representing himself, provided testimony on his personal background as it relates to obtaining a dredge mining permit. He also discussed pending dredge mining court cases in the states of Washington and Oregon and how they relate to Idaho's suction dredge mining program. Additionally, he stated his concerns regarding Idaho's dredge mining permitting process and requested more hearings on Idaho Department of Water Resources policy making before any more decisions are made.

Rep. Giddings, District 7, stated overall her constituents believe the suction dredge issue needs a lot more attention. She said as Legislators, their role in reviewing Administrative Rules is to make sure legislative intent is being met and believes these two rules do not meet that intent. She commented, for example, the issue regarding five inch hose size is not in alignment with Idaho Code, and there are many other issues that need to be resolved, not just these two issues. She concluded by stating she does not believe the Department of Water Resources commitment letter will address all of the small scale suction dredge miners' concerns.

In response to concern as to whether or not the Department of Water Resources commitment letter covers more of the Stream Channel Alteration Chapter beyond the two identified areas of concern, **Mr. Weaver** responded he is not in a position to commit to more than what the Director agreed to but would relay the committee's concerns to the Director.

Donald Smith, representing himself, requested the record reflect the Clearwater Basin Special Supplement started as policy but is now codified, and also impacts the Salmon River. He stated his concern is policy is now being built upon the codified Basin Plan, which started off as just policy.

Chairman Gibbs requested the record reflect nobody else came forward to testify.

**VOTE ON
MOTION:**

Chairman Gibbs called for a vote on the motion to approve Sections **37.03.07.061.01 and 37.03.07.061.03** from **Docket No. 37-0000-1900F. Motion carried by voice vote.**

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 2:46pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

MEMORANDUM

To: Mat Weaver, Brian Patton, Tim Luke
 Cc: Shelley Keen, Aaron Golart

From: Roger Chase
 Gary Spackman

Date: February 5, 2020

Re: Rulemaking for Small Scale Suction Dredge Mining

On January 16, 2020, Governor Little signed an executive order titled “ZERO-BASED REGULATION” numbered Executive Order No. 2020-1. The order states, in part:

Ongoing Review Process for Existing Rules

2. Each rule chapter effective on June 30, 2020, shall be reviewed by the agency that promulgated the rule according to a schedule established by the Division of Financial Management (DFM) as follows: a. All rule chapters, excluding those issued by Constitutional officers, shall be reviewed and, if applicable, be promulgated as specified in this Executive Order no later than sine die in 2026;

b. The agency review schedule shall be staggered across agencies and within agencies if the agency has five (5) or more rule chapters. DFM shall ensure the volume of rules that are reviewed by the agencies in any given year is such that the public can engage and provide meaningful input in any individual rulemaking, with approximately twenty percent (20-percent) of rule chapters subject to review each year;

The Governor’s office has not specifically instructed agencies how to comply with the executive order. Nonetheless, IDWR will be required, beginning in calendar year 2021, to “review” approximately 20% of its rules annually, and to “publish a notice of proposed rulemaking”] Furthermore, IDWR “must perform a retrospective analysis of the rule chapter, . . . and hold, at a minimum, two public hearings that are designed to maximize public participation in the rulemaking process.”

Some questions were raised in the 2020 Legislature about Rule 61.01 (Standards for Suction Dredges) and Rule 61.03 (Mechanized Equipment Prohibited Below High Water Mark) of the Idaho Water Resource Board’s Stream Channel Alteration Rules governing small scale suction dredge mining. As a result, **staff is instructed to consider those two rules in calendar year 2021 pursuant to the Governor’s Executive Order no. 2020-01.**

We recognize that the prioritization of rules related to small scale suction dredging and the possible larger review of stream channel alteration rules may require dedication of significant time, and that the normal duties of stream channel alteration staff may be interrupted.

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
Upon Adjournment From the Floor
Room EW40
Friday, February 07, 2020

SUBJECT	DESCRIPTION	PRESENTER
RS27669	Boating, Negligent Operations	Rep. Addis
RS27472C1	Captive Wildlife, Exceptions	Rep. Zito

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
Room: EW62
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email: hres@house.idaho.gov

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Friday, February 07, 2020
TIME: Upon Adjournment From the Floor
PLACE: Room EW40
MEMBERS: Chairman Gibbs, Vice Chairman Gestrin, Representatives Moyle, Shepherd, Wood, Boyle, Vander Woude, Mendive, Kauffman, Blanksma, Addis, Lickley, Moon, Raybould, Rubel, Toone, Mason, Necochea
ABSENT/EXCUSED: Representative(s) Shepherd, Lickley, Necochea
GUESTS: None
Chairman Gibbs called the meeting to order at 11:43am.
MOTION: **Rep. Kauffman** made a motion to approve the minutes of the January 27, 2020 and January 29, 2020 meetings. **Motion carried by voice vote.**
Chairman Gibbs announced **RS 27669** was pulled from the agenda at the request of the sponsor.
RS 27472C1: **Rep. Zito**, District 23, stated this legislation would amend Idaho Code so no license would be required for certain cold-blooded animals to be used in the pet trade, or kept as pets. She stated it is not intended to authorize the import of animals whose import would otherwise be in violation of any state, county, or city laws, rules, ordinances, or regulations.
MOTION: **Rep. Moon** made a motion to introduce **RS 27472C1**. **Motion carried by voice vote.**
ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 11:50am.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Tuesday, February 11, 2020

SUBJECT	DESCRIPTION	PRESENTER
H 329	Water Resources, Records, Paper	Shelley Keen, Idaho Department of Water Resources
H 366	Water Districts, Budgets	Tim Luke, Idaho Department of Water Resources
	Eastern Snake Plain Aquifer Comprehensive Aquifer Management Plan Update	Brian Patton, Idaho Department of Water Resources

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

- DATE:** Tuesday, February 11, 2020
- 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, Rubel, Toone, Mason, Necochea
- ABSENT/
EXCUSED:** Representative(s) Shepherd, Raybould
- GUESTS:** Bert Stevenson, IWRB; Brian Patton, Rob Whitney, Shelley Keen, and Tim Luke, Idaho Department of Water Resources; Paul Arrington and Lauren Markuson, IWUA; Norman Semanko, Parsons Behle
- Chairman Gibbs** called the meeting to order at 1:32pm.
- MOTION:** **Rep. Toone** made a motion to approve the minutes of the February 3, 2020 meeting. **Motion carried by voice vote.**
- H 329:** **Shelley Keen**, Water Allocation Bureau Chief, Idaho Department of Water Resources, stated this bill gives the Director of the Department of Water Resources clear authority to receive and retain official documents on media other than paper. He explained, although the Department strives to lead in the delivery of records and information by digital means, they still require original paper documents for many processes, so retain records, for example water rights files, in paper form. He stated the Department will gradually introduce a records management program which will include digital records retention practices and digital filing opportunities for some records, saving time and effort for their customers and staff.
- Paul Arrington**, Executive Director, Idaho Water Users Association, stood in support of H 329.
- MOTION:** **Rep. Lickley** made a motion to send H 329 to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Raybould** will sponsor the bill on the floor.
- H 366:** **Tim Luke**, Water Compliance Bureau Chief, Idaho Department of Water Resources, stated this bill amends **Chapter 6, Title 42, Idaho Code** to consolidate language and reduce duplication of sections related to the collection of water district assessments, correct errors, consolidate the requirements for watermaster reporting into one section, authorize watermasters to estimate the amount of water delivered to water users where actual delivery data isn't available for purposes of assessments, and to amend requirements for water district's annual meeting notices.
- MOTION:** **Rep. Blanksma** made a motion to send H 366 to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Blanksma** will sponsor the bill on the floor.

Brian Patton, Executive Officer, Idaho Water Resource Board, presented a ten year progress report of the Eastern Snake Plain Aquifer (ESPA) Comprehensive Aquifer Management Plan (CAMP). He first provided background on the ESPA. From 1912 through 1952, up to 40% of all water diverted through leaky unlined irrigation canals was returned to the ESPA, creating an artificially enhanced aquifer, totalling approximately 17 million acre feet (af) of recharged water. Then, from 1952 through 2015, 13 million of that increase was lost due to dry years, increased demands on water, and changing irrigation practices. That loss equated to approximately 215,000 af annually. Mr. Patton explained when the aquifer level is up, so is the discharge from the Thousand Springs and other springs throughout the system, and when the aquifer is down, so is the discharge from the springs. He stated with that correlation, there were concerns regarding low flows at the Swan Falls dam when the flows go to zero at Milner Dam, generally in late summer and in winter. As a result of reoccurring low flows, discussions began, and in 1984 the Swan Falls Agreement between the State of Idaho and Idaho Power Company was reached which set minimum flow standards of 3,900 cubic feet per second (cfs) during the irrigation season and 5,600 cfs during the non-irrigation season for hydropower generation purposes. With concerns created by low flow years and a decline in the ESPA, the Comprehensive Aquifer Management Plan, or CAMP, was created to help solve water use conflicts.

Mr. Patton explained the ESPA CAMP was adopted by the Water Board and approved by the Legislature as part of the 2009 State Water Plan. CAMP set goals for management of the ESPA by proposing a 600,000 af goal through management actions which include: aquifer recharge, demand reduction, ground water to surface water conversions, and cloud seeding. In May of 2019, **Speaker Bedke** requested the Water Board conduct a ten year review of CAMP actions and implementation. The Water Board approached this review by inventorying aquifer management actions, reviewing reports of aquifer levels, spring flows, reach gain responses, and reviewing reports on finances provided by the State for aquifer management.

Mr. Patton described the following major management actions in CAMP that have been implemented. Aquifer recharge: the Water Board implemented a 250,000 af average annual program with State funding and Legislative direction; Demand Reduction: ground water users agreed to reduce use by 240,000 af in the 2015 Surface Water Coalition-Idaho Ground Water Appropriators (SWC-IGWA) Settlement; Ground Water to Surface Water Conversions: several projects, totalling 87,000 cfs contributed to the 240,000 af reduction; and Cloud Seeding: a cooperative program put into place as a joint venture between Idaho Power, the State, and water users in the Upper Snake, Wood, and Boise River Basins. He stated there were other actions that also contributed to the aquifer management, and when adding up all actions, a total of 554,000 af contributed towards the goal of 600,000 af identified in the CAMP. The CAMP estimated a time table of 30 years but through recent wet years and the many actions, they have almost attained the goal within ten years.

Mr. Patton discussed a few other key topics of the CAMP including ongoing discussions on how the Water Board is trying to define an annual average. The Board is considering proposing a 30 year rolling average due to the fact there are wet years when the recharge exceeds the annual average of 250,000 cfs and dry years where the annual average may not be met. Additionally, he discussed the role of private recharge by others, for example Ground Water Districts, storage water recharge by the Water Board, and how all water going into the recharge program is extensively monitored for quality before, during, and after recharge. The last topic he discussed was finances as they relate to the CAMP. He explained the State is paying for the aquifer recharge and part of the cloud seeding while ground water users are paying for the demand reduction through reduced use and crop production, and through installation of ground water to surface water conversion

projects to reduce ground water use, and finally, cities and food processors are also bearing costs. The CAMP estimates it will cost approximately \$600 million over 30 years to achieve 600,000 af of water.

In response to questions regarding cloud seeding contributions to the recharge and costs, **Mr. Patton** explained Idaho Power operates the cloud seeding program which produces approximately 537,000 af annually across the Eastern Snake Plain. He stated that number will vary because in dry years there are less storm clouds to seed so there is less production, and in wet years cloud seeding would be terminated when there are concerns for avalanches and flooding. He explained, in the winter additional snowpack is created from cloud seeding, then during the spring when the snow melts, that flowing water gets allocated out according to priority water rights. Those priorities include irrigation rights, additional reservoir storage, aquifer recharge, and allowing water to flow past Milner Dam downstream for hydropower. The Water Board is currently working with Idaho Power on an analysis to determine how much water is actually going to each of those priorities. He explained currently any gains from the cloud seeding program are already imbedded in the aquifer recharge number. He also stated there are additional ways they could increase the recharge by doing more cloud seeding as well as being more opportunistic during wet years. In response to the cost of cloud seeding, he stated it varies between \$2.5 million and \$4 million annually and is currently split between Idaho Power, the State, and water users. The goal is to try and get the costs covered equally between the three parties, but currently the water users are only at about 20% of the overall cost, with the State at one-third, and Idaho Power covering the remaining costs.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:49pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Thursday, February 13, 2020

SUBJECT	DESCRIPTION	PRESENTER
H 396	Shooting Ranges	Rep. Troy
H 426	Fish and Game Commission, Tags	Aaron Lieberman, Idaho Outfitters and Guides Association
S 1237	Swan Tags, Upland Game Bird Permits	Paul Kline, Idaho Department of Fish and Game

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, February 13, 2020

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, Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** Representative(s) Blanksma

GUESTS: Greg Wooten, Scott Reinecker, Ed Schriever, Paul Kline, and Toby Boudreau, Idaho Department of Fish and Game; Jeff Bitton, Aaron Lieberman, and Doug Rigby, Idaho Outfitters and Guides Association; Lori Thomason and Joan Callahan, Idaho Outfitters and Guides Licensing Board; Larry Fry, Pheasants Forever; Misty Lawrence, DFM; John Watts, Boulder Creek

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

MOTION: **Rep. Toone** made a motion to approve the minutes of the February 5, 2020 and February 7, 2020 meetings. **Motion carried by voice vote.**

H 396: **Rep. Troy**, District 5, stated this bill 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 shooting ranges, and providing assistance in relocating ranges where necessary. It also establishes the State Public Shooting Range Fund, which would be administered by the Fish and Game Commission.

MOTION: **Rep. Raybould** made a motion to send **H 396** to the floor with a **DO PASS** recommendation.

Paul Kline, Deputy Director, Idaho Department of Fish and Game, stated the Department worked closely with the bill sponsor on this bill and is **in support** of this bill because it aligns well with the Commission and Departments' priorities to improve and expand public shooting ranges in Idaho for a broad range of users.

In response to a question regarding how it will be determined what funding goes toward shooting ranges, **Rep. Troy** explained after discussion with Department staff and review of the Fines and Forfeiture account, it was determined hunter education was being supported without the Fines and Forfeiture account so those funds will now be available to support the public shooting range program.

**VOTE ON
MOTION:** **Chairman Gibbs** called for a vote on the motion to send **H 396** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Troy** will sponsor the bill on the floor.

H 426: **Aaron Lieberman**, Executive Director, Idaho Outfitters and Guides Association, stated this is consensus legislation to correct language in **H 192**, passed in 2019, regarding laws governing the allocation and designation of deer and elk tags to outfitting operations for use by the outfitted public. He explained when the Idaho Outfitters and Guides Licensing Board tried to implement the new statute last year it was determined the statute did not provide sufficient authority and/or specific direction in certain sections to allow them to implement elements according to the original intent. Examples include the preferred/intended methodology for designation of allocated tags, hardship consideration, tag transfers, and exchanges. He stated after many hours of meetings last year with the Licensing Board, the Department of Fish and Game, the Office of the Governor, the Division of Financial Management, and outfitters statewide, consensus was reached on amending language to address and solve the concerns and issues. **H 426** is the product of those efforts.

Paul Kline, Deputy Director, Idaho Department of Fish and Game, stated the Fish and Game Commission is **in support** of **H 426** because it improves and clarifies a complicated section of statute that covers how outfitter tag allocations are calculated by the industry.

MOTION: **Rep. Gestrin** made a motion to send **H 426** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.

S 1237: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated this bill addresses requests brought to the Commission by sportsmen and women to expand hunting opportunities in Idaho. As a result, this bill revises **Sections 36-409, 36-416, and 36-1401, Idaho Code**, to define resident and nonresident game tags for swans, establish sport tag fees for swans, provide authority to the Commission to require an Upland Game Bird Permit to hunt farm-raised pheasants stocked on properties that are in addition to state-owned wildlife management areas (WMAs) where birds are currently stocked, and to define that it is an infraction to fail to wear 36 square inches of visible hunter orange above the waist when hunting in new locations where the Commission requires an Upland Game Bird Permit.

Mr. Kline explained the Commission is proposing a three year experimental swan hunting season in the Panhandle Region of Northern Idaho, to begin October 2020, which include the four most northern counties (Benewah, Bonner, Boundary, and Kootenai). The experimental season would target Tundra Swans and 50 tags will be available on a first come first served basis. He explained Department staff worked with the Pacific Flyway Council and the U.S. Fish and Wildlife Service to define the experimental swan season, and in October 2019, it was approved. He stated Montana, Utah, and Nevada already have approved swan season framework in place dating back to the 1960's. If implemented in Idaho, swan hunter activity and harvest would be monitored and mandatory harvest reporting would be required to be completed and submitted within 72 hours of harvest.

Next, **Mr. Kline** reviewed the Upland Game Bird Permit portion of **S 1237**, stating the Department currently stocks nine WMAs with approximately 21,000 farm-raised pheasants annually. WMAs that receive stocked pheasants are located in the Southwest, Magic Valley, Southeast, and Upper Snake Regions. He indicated hunters and sportsmen's groups want to see this popular program expand beyond the nine WMAs where pheasants are currently stocked. He remarked that this bill is companion legislation to a rule that was before the legislature earlier in this Legislative Session, which provided the Commission authority to require a valid Upland Game Permit to hunt stocked pheasants on new locations they may choose as an expansion of the stocking program. He clarified the Commission already has the authority over the cultivation and distribution of pheasants to the nine WMAs. He concluded by stating there are no changes to the existing fee structure for an

Upland Game Permit and with the expansion to new locations, the Department estimates a five percent increase in permit sales which would help offset the increased costs for purchasing and stocking additional pheasants.

Committee members commented with concern that the new phrase "and other locations" found on page 2, line 46 was too open ended. **Mr. Kline** responded, pending the outcome from this Legislative Session no decisions regarding new locations have been made, but the Commission has received location recommendations from each regional supervisor including WMAs in Northern Idaho, two Bureau of Reclamation tracts in the Magic Valley, non WMA lands owned by the Department, as well as one or two Access Yes! private properties with access agreements already in place, all being considered to expand the program.

Larry Fry, representing Pheasants Forever Today, stood **in support** of **S 1237**.

MOTION:

After a lengthy discussion regarding committee concerns predominantly about the "and other locations" language, **Rep. Boyle** requested **S 1237** be held indefinitely and made a motion to hold **S 1237** in committee. **Motion carried by voice vote.** **Chairman Gibbs** and **Reps. Wood, Kauffman, Lickley, Raybould, and Toone** all requested to be recorded as voting **NAY**.

Chairman Gibbs recognized **Alicia Easterday**, the committee's Page, for her excellent work during the first six weeks of the Legislative Session.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 2:16pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Monday, February 17, 2020

SUBJECT	DESCRIPTION	PRESENTER
H 493	Archery and Muzzloader Permits	Rep. Vander Woude
	Idaho's Flood Management Program	Roger Batt, Treasure Valley Water Users Association; Brian Patton, Idaho Department of Water Resources; Mike Dimmick, Flood District 10; Brian Olmstead, Twin Falls Canal Company; and Paul Arrington, Idaho Water Users Association

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Monday, February 17, 2020

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, Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** Representative(s) Rubel, Mason

GUESTS: Paul Kline and Ed Schriever, Idaho Department of Fish and Game; Mitch Jaurena, self; Stan Gearhart, self; Brian Patton, Idaho Department of Water Resources; Brian Olmstead, Twin Falls Canal Company; Mike Dimmick, Flood District 10; Roger Batt, Treasure Valley Water Users

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

Chairman Gibbs welcomed the committee's new Page, **Claire Walker**, and had her introduce herself.

H 493: **Rep. Vander Woude**, District 22, stated this bill reduces the archery permit fee and the muzzleloader permit fee for Disabled American Veterans. Currently, the annual fee for each of those resident permits is \$17.75 and \$18.25 for nonresidents. This bill would make those permits available for \$2.00 for resident Disabled American Veterans and \$4.00 for nonresident Disabled American Veterans, which is more in line with the current hunting license discounted fee for Disabled American Veterans. He commented, currently it costs more for a Disabled American Veteran to purchase one of these permits than it does for their hunting license or their combination hunting/fishing license.

Paul Kline, Deputy Director, Idaho Department of Fish and Game, stated the Commission voted unanimously **in support** of **H 493**.

Mitch Jaurena, representing himself, stated he is a retired United States Marine combat veteran and has an 80% disabled rating from the Veteran's Administration. He explained he and his peers try to stay away from the crowded general hunts so use the archery and muzzleloader tags to get out of the high concentration of people. Because of their disabilities they cannot get deep into the hunting areas and when they do harvest game, they have to be able to pack it out, so must stay close to their entry points. He indicated currently it is eight times the cost for them to buy a license, so this bill will level the playing field to make it better match what other hunters pay. He concluded by stating he is **in support** of this bill because it recognizes the sacrifices of veterans.

MOTION: **Rep. Addis** made a motion to send **H 493** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Vander Woude** will sponsor the bill on the floor.

Roger Batt, Treasure Valley Water Users Association, kicked off the Flood Management Program Update. He stated the purpose of this annual presentation is to provide project accomplishments to the Legislature to show how the funding is being spent.

Dan Steenson, Attorney, Flood Control District 10, stated although flooding is a reoccurring natural phenomenon, fortunately flooding doesn't occur in the Treasure Valley routinely, but it is still an event that must be proactively managed. He provided a brief historic background of flood events including the most recent flood event in 2017 when there was 101 days of water releases from Lucky Peak, totalling two million acre feet of water flowing downriver by mid-June of that year. Those releases caused extensive damages to river banks and channels as well as damages to public infrastructure and private property along the Boise River. He remarked there is new technology available to predict and model flood damages in advance of an event to be better prepared to mitigate damages to bridges and other infrastructure, banks, stream channels, and inform developers considering building adjacent to the river.

Brian Patton, Executive Officer, Idaho Water Resource Board, stated his role is to assure the successful administration of appropriated dollars. In Fiscal Year 2018 the Board received \$1 million from the State's General Fund to start a competitive grant program state-wide. Projects included repairs for flood damaged stream channels, stream channel improvements, flood risk reduction, and flood prevention projects. Fourteen projects were funded state-wide. In 2019, the Legislature appropriated \$800,000 for the grant program to be added to the \$70,000 remaining from 2018 funds as a result of several projects coming in under budget. With that \$870,000, ten projects were funded and project implementation is currently on-going. He noted a large part of the success of this grant program is the ability of the applicants to leverage the money with matching dollars.

Brian Olmstead, General Manager, Twin Falls Canal Company, stated he appreciates the grant program because it provides a funding stream to continue to tackle projects in his area. Mr. Olmstead gave an overview of some of the ongoing projects in his area including the East Perrine Pond/Wetland project which will help to retain and moderate flood flows, reduce flood damage to properties, and remove tons of sediment and nutrients from discharge to the Snake River.

Mike Dimmick, General Manager, Flood Control District 10, provided an overview of the 2018 projects ongoing in his district including the Duck Alley Pit Capture, the New Dry Creek Diversion and several bank repair and gravel removal projects. In 2019 his district received funding for a new tool, the Boise River Management Tool (BRMT), which produces a 2-D hydraulic model of the Boise River. Mr. Dimmick commented that he is reaching out to other districts and stakeholders to demonstrate how the BRMT can help inform decisions on flood control management. He explained how the 2-D hydraulic model, with the use of green liDAR, can see through water, which aids in simulating various levels of water flow in the river to determine impacts to stream banks and channels, as well as potential damages to bridges and other infrastructure during flood events.

In response to a question regarding whether cities and/or counties are working with flood control districts when updating comprehensive management plans, **Mr. Dimmick** replied he could only speak for Canyon County, and that they do work together well. **Mr. Olmstead** stated for Twin Falls, there are multiple entities at the table when planning is taking place, but it is generally an uphill battle because developers do not want to give up land for greenbelts. He continued, they need to learn from past mistakes and plan for open areas as a place for water to go in a flood event rather than into homes and businesses. Mr. Dimmick provided additional comments that his district is currently working to put together an interagency coalition to work with developers, using the BRMT, so during the planning and zoning phase developers can be responsible for flood mitigation while they have the equipment on site to avoid that becoming a burden on the home owner's associations after the development is built out.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:25pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30 P.M.
Room EW40
Tuesday, February 25, 2020

<u>SUBJECT</u>	<u>DESCRIPTION</u>	<u>PRESENTER</u>
H 528	Unlawful Wildlife Killing	Rep. Wood
H 544	Upland Game Bird Permits	Rep. Moyle
H 545	Game Tags, Swans	Rep. Moyle
HJM 14	Importance of Mining	Rep. Moon
H 514	Fish and Game Commission Party Affiliation	Rep. Shepherd

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Tuesday, February 25, 2020

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 (Erickson), Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** None

GUESTS: Michael Pearson, Paul Kline, Ed Schriever, Scott Reinecker, and Toby Boudreau, Idaho Department of Fish and Game; Benn Brocksome, Idaho Sportsmen's Alliance; Brian Brooks, Garret Visser, and Becca Aceto, Idaho Wildlife Federation; Ben Davenport, Idaho Mining Association; Eliza Walton, Conservation Voters for Idaho; Kathleen Trever, ID-AGO; Michael Gibson, Trout Unlimited

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

MOTION: **Rep. Toone** made a motion to approve the minutes of the February 11, 2020 and February 13, 2020 meetings. **Motion carried by voice vote.**

H 528: **Rep. Wood**, District 27, stated this bill amends **Section 36-1401, Idaho Code**. He explained on February 7, 2020, the Idaho Court of Appeals issued a decision which ended up changing the longstanding application of **Section 36-1401(c)(3)** from the unlawful killing, possession, or waste of a single animal, to multiple animals, within a 12 month period, including sheep, mountain goat, moose, trophy deer, trophy elk or trophy pronghorn, when each would have a reimbursement value of greater than \$1,000. He further explained, the effect of the Huckabay decision is that a person who illegally takes a single animal, deemed by law to be highly valuable, would only be charged with a misdemeanor penalty rather than the traditional felony penalty. **Rep. Wood** concluded, this bill would restore the traditional application making it clear it is a felony to unlawfully kill, possess, or waste, within a 12 month period, either a single animal or a combination of animals whose individual value is greater than \$1,000.

Paul Kline, Deputy Director, Idaho Department of Fish and Game, stated the Fish and Game Commission is **in support of H 528.**

MOTION: **Rep. Lickley** made a motion to send **H 528** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wood** will sponsor the bill on the floor.

H 544: **Rep. Moyle**, District 14, explained during the February 13, 2020 committee meeting, there was much discussion regarding committee concerns with language in **S 1237**, and as a result, **S 1237** was held in committee. Since then, work was done to address those concerns; **H 544** and **H 545** are the result of that work and are before the committee today. He stated **H 544** expands the permit requirement for hunting stocked pheasants beyond state Wildlife Management Areas (WMAs) to include other Department-owned lands, lands managed under agreement with the Department, and private lands enrolled in a Department-sponsored public access program. **H 544** also removes "WMA" from the name of the permit.

Benn Brocksome, Idaho Sportsmen's Alliance, stood **in support of H 544.**

Paul Kline, Idaho Department of Fish and Game, stated the Fish and Game Commission is **in support** of **H 544**.

MOTION: **Rep. Wood** made a motion to send **H 544** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Moyle** will sponsor the bill on the floor.

H 545: **Rep. Moyle**, District 14, stated, **H 545** is the other half of the rewrite of **S 1237**. He explained **H 545** authorizes the Fish and Game Commission to administer a three year experimental swan hunting season in the Panhandle Region of Northern Idaho. Additionally, **H 545** establishes a swan tag and related tag costs.

Benn Brocksome, Idaho Sportsmen's Alliance, stood **in support** of **H 545**.

Paul Kline, Idaho Department of Fish and Game, stated the Fish and Game Commission is **in support** of **H 545**.

MOTION: **Rep. Wood** made a motion to send **H 545** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Moyle** will sponsor the bill on the floor.

HJM 14: **Rep. Moon**, District 8, stated the purpose of **HJM 14** is to recognize the contributions that the mining industry has had on the history of the territory and the state of Idaho over the last 160 years, and to support federal agencies in their efforts to modernize policies to encourage multiple uses on public lands.

MOTION: **Rep. Addis** made a motion to send **HJM 14** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Moon** will sponsor the bill on the floor.

H 514: **Rep. Shepherd**, District 7, stated the purpose of this legislation is to remove the restriction of membership regarding political party affiliation on the Idaho Fish and Game Commission. He explained membership should not be about politics but rather about what's best for the fish and game of Idaho.

Committee members commented with concern that if the Senate still has to confirm the Governor's appointment of Commission members, then this bill does not seem necessary. There was also concern that no hunting or angling groups or Commission members had been included in any discussions prior to bringing this bill forward.

Paul Kline, Idaho Department of Fish and Game, commented the Director and staff reviewed **H 514** with the Commission and the Commission voted to take a monitor position.

Brian Brooks, Idaho Wildlife Federation, spoke **in opposition** to **H 514**. He stated in a recent survey of over 5,000 Idaho sportsmen, almost 50% declared it to be a serious problem with the Fish and Game Commission being politicized. Mr. Brooks continued, with the current population growth in the state, sportsmen surveyed believed a partisan declaration requirement helps shield sportsmen and wildlife management from shifting political winds. He also stated there never seemed to be a problem finding good candidates to serve on the Commission before, and doesn't see there is a problem now justifying this change.

Michael Gibson, Trout Unlimited, spoke **in opposition** to **H 514**. He stated many members were in agreement that the Commission should manage wildlife across the state without political pressures.

Chairman Gibbs requested the record reflect nobody else came forward to testify.

Rep. Shepherd provided brief closing remarks. In summary, he stated this change will make it easier to find people to serve on the Commission.

MOTION: **Rep. Gestrin** made a motion to send **H 514** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Rubel** made a substitute motion to hold **H 514** in committee. In speaking to her motion, Rep. Rubel stated this change is not necessary, especially in light of the concerns heard in testimony. Additionally, she felt strongly that one of the protections for the minority to have a voice in Idaho is the statutory requirement there be some balance of membership on Boards and Commissions.

A committee member commented he had the experience of serving on the Commission and never had an issue with political party affiliation, but rather any concerns were over his support of wildlife issues and his individual position on those issues. He commented Commission members who did not declare a political affiliation were sometimes pressured to declare which political party they belonged to, so believes **H 514** is warranted.

Another committee member commented political affiliations are not important with the Fish and Game Commission and with a Commission member representing each region of the state, he feels everyone, both rural and urban, is equally represented on the Commission.

ROLL CALL VOTE ON SUBSTITUTE MOTION: **Rep. Boyle** requested a roll call vote on the substitute motion to hold **H 514** in committee. **Motion failed by a vote of 5 AYE and 13 NAY. Voting in favor** of the motion: **Reps. Erickson, Rubel, Toone, Mason, and Necochea. Voting in opposition** to the motion: **Chairman Gibbs and Reps. Gestrin, Moyle, Shepherd, Wood, Boyle, Vander Woude, Mendive, Kauffman, Blanksma, Addis, Lickley, and Moon.**

ROLL CALL VOTE ON ORIGINAL MOTION: **Chairman Gibbs** requested a roll call vote on the original motion to send **H 514** to the floor with a **DO PASS** recommendation. **Motion carried by a vote of 14 AYE and 4 NAY. Voting in favor** of the motion: **Chairman Gibbs and Reps. Gestrin, Moyle, Shepherd, Wood, Boyle, Vander Woude, Mendive, Kauffman, Blanksma, Addis, Lickley, Moon, and Toone. Voting in opposition** to the motion: **Reps. Erickson, Rubel, Mason, and Necochea. Rep. Shepherd** will sponsor the bill on the floor.

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

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30pm or Upon Adjournment
Room EW40
Thursday, February 27, 2020

SUBJECT	DESCRIPTION	PRESENTER
H 547	Mining Leases, Royalties, Terms	Benjamin Davenport, Executive Director, Idaho Mining Association
H 527	Captive Wildlife	Rep. Zito

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould(Erickson)
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
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email: hres@house.idaho.gov

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, February 27, 2020

TIME: 1:30pm or Upon Adjournment

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** Representative(s) Moyle, Vander Woude, Rubel, Mason

GUESTS: Jeremy Chou, Givens Pursley; Elizabeth Criner, J.R. Simplot Company; Mike Murphy, Mick Thomas, and Ryan Montoya, Idaho Department of Lands

Chairman Gibbs called the meeting to order at 3:31pm.

MOTION: **Rep. Toone** made a motion to approve the minutes of the February 17, 2020 meeting. **Motion carried by voice vote.**

H 547: **Benjamin Davenport**, Executive Director, Idaho Mining Association, stated Idaho has long been known as a mineral rich state and it was the discovery and mining of these minerals that led to the state's settlement. He continued, for over a century, prospectors and miners have been mining on lands in Idaho, including state endowment lands, utilizing mineral leases governed by the State Land Board. These explorations, prospecting, and mining operations are measured in years and decades rather than days and months. This legislation clarifies the length of leasing terms and how a mineral lease with the Idaho Department of Lands may be continued based on the actions of the lessee.

Mr. Davenport indicated the purpose of these revisions is to encourage mining activities on endowment lands so if those efforts produce minerals, the endowments receive more returns in royalties. He remarked exploration and development of a potential mineral resource can take millions of dollars and in most cases over a decade to prove and permit, so it is important the leases provide the confidence for a lessee to invest the time and money into development without the jeopardy of a term expiring before permitting or funding can be secured.

Mr. Davenport continued, the Association has been working with the Department for over three years to create a new lease template that reflects the statutory and constitutional framework necessary to operate. The following changes will make Idaho's mineral leasing statute consistent with other states and provide the needed updates: 1) allow terms of mining leases to continue in "good faith" as long as mining exploration, prospecting, or operations are being performed; 2) lengthen the potential lease length beyond the current ten year limit; 3) allow rent rates to be tiered to inflation in order for the Department to stay current with market values; 4) provide for the option of pre-paid royalties as this allows industry to plan for the future and provides a revenue stream to the endowment prior to any actual production taking place; and 5) define rights, for access to minerals, for a lease to continue regarding mining infrastructure such as roads, access, buildings, trails, tunnels, shafts, and other surface improvements, located on the land near or adjacent to actual operations.

A committee member commented with concern that extending the ten year lease to 20 years might create an anti-competitiveness situation. **Mr. Davenport** replied the new language in **H 547** actually states "up to 20 years" providing leeway for the Department to decide on a case by case basis what is appropriate for each lease.

Jeremy Chou, Givens Pursley, stated he is representing Keceph Mountain LLC, a small father-daughter hard rock mining operation, located in the Silver Valley. He explained, they have been working with the Department for the last six years trying to obtain a lease and are still waiting. In the meantime, they have been paying rent, fees, and royalties while they dispute issues within the current statute to obtain their lease. Mr. Chou stated **H 547** addresses many of these concerns, so on behalf of Keceph Mountain LLC, stands **in support** of **H 547**.

Reps. Boyle, Mendive, and Moon declared Rule 80, all stating a possible conflict of interest.

A committee member asked **Mr. Davenport** if the Department had been included in discussions regarding **H 547**. Mr. Davenport yielded the podium to **Mike Murphy**, Program Manager for Mineral Leasing, Idaho Department of Lands. Mr. Murphy stated the Department has not taken a position on **H 547**, but agrees to address the issues with the template should this bill pass.

MOTION: **Rep. Blanksma** made a motion to send **H 547** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Moon** will sponsor the bill on the floor.

H 527: **Rep. Zito**, District 23, stated **H 527** is about captive cold-blooded animals and will yield her time to **Darcy Geary**. Mr. Geary, representing himself, Homedale, Idaho, explained this bill would amend Idaho Code to remove the requirement for a license for certain cold-blooded animals to be used in the pet trade or kept as pets. This bill would not authorize the import of animals whose import would be in violation of state or local laws, rules, or regulations and would allow pet owners to purchase certain cold-blooded animals directly from breeders without having to pay higher prices from brick and mortar pet stores.

Chairman Gibbs indicated the Idaho Department of Fish and Game is **in opposition** to **H 527** and submitted the Department's written testimony for the record. (See Attachment 1)

Chairman Gibbs requested the record reflect nobody came forward to testify.

After committee discussion, including issues such as the legalities of possessing venomous snakes and certain cold-blooded animals as household pets, if certifications are needed from veterinarians, what happens to the animal if the individual doesn't want that pet any longer, and if any other state or federal laws would be violated by purchasing and possessing certain cold-blooded animals, it was the conclusion of the committee more information would be needed before members feel comfortable moving this bill forward.

MOTION: **Rep. Moon** made a motion to hold **H 527** in committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 4:15pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary



IDAHO DEPARTMENT OF FISH AND GAME

600 S Walnut / P.O. Box 25
Boise, Idaho 83707

Brad Little / Governor
Ed Schriever / Director

H 527 –

Thank you Mr. Chairman, my name is Paul Kline, Deputy Director for the Idaho Department of Fish and Game.

House Bill 527 amends Section 36-701, Idaho Code, to require no permit or license for certain cold-blooded animals to be used in the pet trade or kept as pets.

At the request of the sponsor, Department staff provided a technical review of the bill and suggested language edits to correct a potential conflict in statute related to import, possession or sale of cold-blooded animals classified as invasive species by the Idaho Department of Agriculture (Sections 22-1905 and 22-1905, Idaho Code).

The Fish and Game Commission reviewed H 527 and has taken the position to not support the bill.

Their reasons for this position are supported in the following current sections of Idaho Code and IDAPA:

- In Section 36-701(d), Idaho Code that requires a permit be issued by the Fish and Game Director to import wildlife.
- In IDAPA 13.01.10.100.02 that states the Department will not issue any permit for import, export, transport, release, possession of live wildlife or eggs thereof, if the wildlife or eggs thereof would pose a threat to the state of Idaho, including threat of disease, genetic contamination or displacement of or competition with existing species.
- In IDAPA 13.01.10.101.02 that states that an import permit applicant must provide a valid Certificate of Veterinary Inspection from the state of origin for each animal imported and
- In IDAPA 13.01.10.101.03 that states the Department may impose test and certification requirements related to genetic issues or diseases of concern for any animal to be imported or transported.

In summary, the Fish and Game Commission was concerned that imported cold-blooded animals, including venomous snakes could, if inadvertently or directly released to the habitat, pose an unnecessary risk to Idaho's wildlife resources.

Mr. Chairman and Committee, the Fish and Game Commission does not support House Bill 527 and respectfully asks that you hold this bill in Committee.

Thank you and I can stand for questions.

Keeping Idaho's Wildlife Heritage

AMENDED AGENDA #1
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30pm or Upon Adjournment
Room EW40
Tuesday, March 03, 2020

SUBJECT	DESCRIPTION	PRESENTER
H 592	Stockwater Rights	Rep. Bedke
H 565	Flood Control Districts, Annexation	Dan Steenson, Attorney, Flood Control District 10
S 1291	Rangeland Resources Commission	Rep. Lickley
SJM 110	Columbia - Snake River System	Senator Harris

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Tuesday, March 03, 2020

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, Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** Representative(s) Vander Woude

GUESTS: Dan Steenson, Flood Control District 10; Elizabeth Criner, J.R. Simplot Co.; Aaron Lieberman, Idaho Outfitters and Guides Association; Will Hart, Idaho Consumer Owned Utilities Association; Wyatt Prescott, Idaho Cattle Association; Braden Jensen, Idaho Farm Bureau; Gretchen Hyde, Idaho Rangeland Resources Commission; Stacey Satterlee, Idaho Grain Producers

Chairman Gibbs called the meeting to order at 2:27pm.

MOTION: **Rep. Kauffman** made a motion to approve the minutes of the February 25, 2020 meeting. **Motion carried by voice vote.**

H 592: **Rep. Bedke**, District 27, introduced himself and indicated he is currently involved in the settlement process with the federal government on the issues relating to **H 592**, so yielded his time to Attorney **Bill Myers**.

Bill Myers, Attorney, Holland and Hart, stated **H 592** is the result of many hours of meetings between members of the Legislature, the Governor's Office, and the private sector with representatives from the Bureau of Land Management (BLM), U.S. Forest Service (USFS), and the Department of Justice. He provided background on the 2007 Idaho Supreme Court Joyce Livestock decision which found the United States can not obtain stockwater rights for federal grazing allotments unless they can put those rights to beneficial use per Idaho water law. He continued, with very few exceptions, the federal government does not own or put livestock on federal grazing allotments, but rather leases or issues permits to ranchers to put their own livestock on federal lands. Prior to the Joyce Livestock decision, the BLM and USFS had acquired approximately 18,000 stockwater rights. After the Joyce Livestock decision was issued, it was determined those stockwater rights should not have been acquired by the federal agencies.

Mr. Myers continued, in 2017, the Legislature amended the Idaho stockwater rights laws by codifying the Joyce Livestock decision. In 2018, the Legislature added a new section outlining the forfeiture process for the Director, Idaho Department of Water Resources, pursuant to the forfeiture procedures outlined in **Section 42-222(2), Idaho Code**. Mr. Myers remarked, **H 592** addresses concerns raised regarding the forfeiture provisions related to federal agencies, the inability to have a rancher act as an agent of the federal government, and concerns that the water, if not held by the federal government as a stockwater right, could be piped off an allotment for use other than beneficial use on that allotment. As a result of these concerns, **H 592** repeals the federal forfeiture provision that was added in 2018, it repeals the ban against a rancher acting as an agent of the federal government, and it confirms the water on federal grazing allotments stays at the place of usage for its intended purpose. In addition, **H 592** establishes a new **Section 42-224, Idaho Code**, which outlines the procedure for the Director regarding the forfeiture

of any stockwater rights owners, not just the federal government, and provides clarification on the rancher/agent relationship with a federal agency.

MOTION: **Rep. Lickley** made a motion to send **H 592** to the floor with a **DO PASS** recommendation.

Braden Jensen, Idaho Farm Bureau, stood **in support** of **H 592**.

Wyatt Prescott, Idaho Cattle Association, stood **in support** of **H 592**.

Chairman Gibbs commented, **Paul Arrington**, Idaho Water Users Association, was unable to be present today so provided his written testimony for several bills being heard in committee today (See Attachment 1). Chairman Gibbs also requested the record reflect no one else came forward to testify.

VOTE ON MOTION: **Chairman Gibbs** called for a vote on the motion to send **H 592** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.

H 565: **Dan Steenson**, Attorney, Flood Control District 10, stated **H 565** creates a procedure for landowners to file petitions directly with a Flood Control District seeking the District's approval to annex their lands into the District. He explained the current process requires a landowner to file a petition with the Idaho Department of Water Resources, then the Department has to follow a procedure which is very cumbersome and time consuming. This new annexation procedure would no longer require the Department's involvement, and is patterned after the process currently in place for Irrigation Districts and Ground Water Districts.

MOTION: **Rep. Raybould** made a motion to send **H 565** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Moyle** will sponsor the bill on the floor.

S 1291: **Rep. Lickley**, District 25, explained currently the Idaho Rangeland Resource Commission is comprised of five members, all of whom are appointed by the Governor. The Idaho Cattle Association nominates and submits names for two seats on the Commission, the Idaho Wool Growers Association nominates and submits names for one seat on the Commission, and the Idaho Rangeland Committee nominates and submits names for the remaining two seats on the Commission. She remarked recently the Idaho Rangeland Committee has become inactive, so the purpose of **S 1291** is to designate the Partners Advisory Council of the University of Idaho Rangeland Center to nominate and submit names for one seat, and the Idaho Rangeland Resource Commission to nominate and submit names for the remaining seat, who will serve in an at-large capacity on the Commission.

Gretchen Hyde, Idaho Rangeland Resources Commission, stood **in support** of **S 1291**.

Rep. Lickley declared Rule 80 stating a possible conflict of interest.

MOTION: **Rep. Addis** made a motion to send **S 1291** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Lickley** will sponsor the bill on the floor.

SJM 110: **Senator Harris**, District 32, stated this joint memorial recognizes the Legislature's support for the international competitiveness, multimodal transportation, and economic development benefits provided by the Port of Lewiston and the Columbia-Snake River System. He remarked Idaho has sovereignty of its water resources and benefits from the multiuse system that provides transportation of commodities, fish and wildlife habitat, recreation, hydropower, flood control, and irrigation. Senator Harris stated 42 of the 44 Idaho counties produce wheat, with 50% of that wheat being transported via the barge system to be sent to the export market. He said approximately ten percent of the nation's total wheat export

moves through the four lower dams on the Columbia-Snake River System, and without this system, it is estimated the transportation and storage costs would increase 50%-100%. He stated, if the barge system were removed, it would take over 35,000 train cars and 135,000 semi-trucks to move the same amount of wheat. He concluded by stating, power generation is another positive aspect of this river system with the four lower dams on the Snake River producing over 1,000 megawatts of reliable carbon-free affordable power.

MOTION: **Rep. Raybould** made a motion to send **SJM 110** to the floor with a **DO PASS** recommendation.

Aaron Lieberman, Executive Director, Idaho Outfitters and Guides Association, testified **in opposition** to **SJM 110**. He stated although he doesn't want to contradict the benefits of the dams on this river system, he is concerned with the legitimacy of **SJM 110** and the practical responsibility of the Legislature in passing this memorial when there are both positive and negative perspectives regarding the dam system. Mr. Lieberman explained he represents an industry that has been negatively impacted by the decline of sport fishing opportunities for salmon and steelhead. There are currently 2,500 outfitters and guides across Idaho licensed for and reliant on salmon and steelhead fishing specifically, with approximately 80% of these outfitters living in communities with an average population of 500 or fewer, all heavily relying on the economic benefits salmon and steelhead fishing opportunities provide to their communities. He recognized scientific studies have identified several factors contributing to the decline of salmon and steelhead, with data showing the greatest factor being the dams, yet this joint memorial does not recognize this fact and fails to recognize perspectives other than the threat to the status quo.

Will Hart, Executive Director, Idaho Consumer Owned Utilities Association, testified **in support** of **SJM 110**. He stated 96% of the clean renewable emission-free power purchased and distributed by public power in Idaho comes from the Bonneville Power Administration, with the four lower Snake River dams vital to that system. He acknowledged the efforts of the Salmon Steelhead Recovery Workgroup as they continue to develop alternatives and solutions to address the decline of salmon and steelhead, including the alternative to leave the dams in place. He concluded by stating the Association appreciates that **SJM 110** has been brought forward showcasing the benefits of this system.

Braden Jensen, Idaho Farm Bureau, stood **in support** of **SJM 110**.

Stacey Satterlee, Idaho Grain Producers, stated wheat is Idaho's second largest crop and the state relies on the dam system to reach the export market. She stated the Idaho Grain Producers stand **in support** of **SJM 110**.

Chairman Gibbs requested the record reflect no one else came forward to testify.

VOTE ON MOTION: **Chairman Gibbs** called for a vote on the motion to send **SJM 110** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Rubel, Mason, and Necochea** requested to be recorded as voting **NAY**. **Rep. Raybould** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:10pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

Chairman Gibbs & Members of the House Resource & Conservation Committee:

Please accept my regrets, as I will not be able to attend the Committee meeting set for Tuesday, March 3, 2020. At that meeting, you will hear testimony about H-565 (flood control district annexation) and SJM 110 (Columbia-Snake River Water System). The Idaho Water Users Association (IWUA) supports these bills and urges your support.

H-565 provides a much needed process for the annexation of lands into flood control districts. The bill is patterned after similar processes, already in Idaho Code, for the annexation of lands into Irrigation Districts.

SJM110 speaks to the Legislature's support of the Columbia and Snake River water system. This river system provides significant benefits to Idahoans throughout the state – including recreational opportunities, low cost power, water for irrigation and a navigation system that provides Idaho's farmers with ready access to world markets. It also provides a livelihood to thousands of families and small businesses in Idaho's ag communities.

H-565 and SJM110 are good bills and we join our friends providing testimony at the hearing in asking for your support.

I understand you may also hear testimony on a stockwater bill sponsored by Speaker Bedke and Representative Boyle. IWUA's legislative committee discussed an early draft of the legislation at its last committee meeting. IWUA supports the efforts of the Speaker and Representative Boyle to ensure that stockwater development and use is consistent with Idaho law. We will not be able to take a formal position on this legislation prior to the hearing.

Thank you, Paul

Paul L. Arrington
Executive Director & General Counsel
Idaho Water Users Association
1010 W. Jefferson, Ste. 101
Boise, ID 83702
(208) 344-6690 (office)

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
 1:30pm or Upon Adjournment
 Room EW40
 Monday, March 09, 2020

SUBJECT	DESCRIPTION	PRESENTER
S 1273	Water Rights, Date Restriction	Shelley Keen, Idaho Department of Water Resources
S 1289	Irrigation Districts, Land Grouping	Paul Arrington, Idaho Water Users Association
S 1290	Irrigation Districts, Polling Place	Paul Arrington
S 1316	Water Rights, Permits and Licensing	Travis Thompson, Barker Rosholt & Simpson LLP Norm Semanko, Parsons, Behle & Latimer Shelley Keen Paul Arrington

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

- DATE:** Monday, March 09, 2020
- 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, Rubel, Toone, Mason, Necochea
- ABSENT/
EXCUSED:** Representative(s) Rubel
- GUESTS:** Shelley Keen and Gary Spackman, Idaho Department of Water Resources; Travis Thompson, City of Twin Falls; Johanna Bell, Association of Idaho Cities; Chris Meyer, Givens Pursley; Paul Arrington, Idaho Water Users Association; Lynn Tominaga, Idaho Ground Water Association
- Chairman Gibbs** called the meeting to order at 2:40pm.
- MOTION:** **Rep. Toone** made a motion to approve the minutes of the February 27, 2020 meeting. **Motion carried by voice vote.**
- S 1273:** **Shelley Keen**, Water Allocation Bureau Chief, Idaho Department of Water Resources, stated **S 1273** will remove the June 30, 1988 limitation from the beneficial use claim filing exception in **Idaho Code, 42-245**. He explained, the 1988 date only works for the Snake River Basin Adjudication and without this change the statute could be interpreted that water users included in an ongoing or future adjudication would not have complied with the requirement and would have to file two claims for the same water use. He continued, there are distinct and often substantial filing fees required for each type of claim. **S 1273** gives water users the opportunity to file only one claim, and pay only one filing fee, for a water right.
- Paul Arrington**, Executive Director, Idaho Water Users Association, stood in support of **S 1273**.
- MOTION:** **Rep. Wood** made a motion to send **S 1273** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Mendive** will sponsor the bill on the floor.
- S 1289:** **Paul Arrington**, Executive Director, Idaho Water Users Association, explained irrigation canals were developed to deliver water to large tracts of lands. Over time these canals are being used more and more to deliver water to small tracts of lands, which is more time consuming and more costly due to additional delivery points and the associated infrastructure. Currently, **Section 43-732, Idaho Code** authorizes an irrigation district to assess a service charge, in addition to regular assessments, when the cost of delivering water to small tracts of lands is substantially greater than the cost of delivery of water to other lands in the district. He remarked, this authorization only applies to lands in two groupings; less than two acres or two to ten acres; the dividing point being two acres. Mr. Arrington stated, **S 1289** amends **Section 43-732, Idaho Code** acknowledging the experience of irrigation districts that utilize this authority, that a more appropriate dividing point between the groups should be one acre because that better reflects modern subdivision trends of one acre or less in size.

In response to a question regarding irrigation districts fees, **Mr. Arrington** responded not all irrigation districts have elected to adopt the service charge option, but for districts that do assess a service charge, those charges are based on the individual costs of delivering water to the smaller tracts.

Rep. Blanksma declared Rule 80 stating a potential conflict of interest.

MOTION: **Rep. Blanksma** made a motion to send **S 1289** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Blanksma** will sponsor the bill on the floor.

S 1290: **Paul Arrington**, Executive Director, Idaho Water Users Association, stated **S 1290** would amend **Section 43-206, Idaho Code** to allow irrigation districts of 15,000 acres or less, upon resolution of the Board of Directors, to combine all election precincts into one polling location, which would be the district office. It also allows the Board to provide one elector from each precinct to serve as judges of election at the combined polling place.

Rep. Blanksma declared Rule 80 stating a potential conflict of interest.

MOTION: **Rep. Blanksma** made a motion to send **S 1290** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Blanksma** will sponsor the bill on the floor.

S 1316: **Travis Thompson**, Attorney, City of Twin Falls, stated **S 1316** modifies the current process for issuing permits and licenses to cities and other providers of municipal water for reasonably anticipated future needs, also known as RAFN water rights. He explained, a RAFN water right authorizes a city to secure a long term municipal water supply and develop the municipal water use over an extended period of time, known as the planning horizon. This helps cities ensure that economic development will not be hampered by uncertain or inadequate municipal water supplies. Under current law, proof of beneficial water use for a RAFN water right is often due years or decades before the planning horizon ends. As a result, the Idaho Department of Water Resources must issue a water right license based on an estimate of the amount of water the city will beneficially use by the end of the planning horizon. He continued, **S 1316** fixes the unintended glitch in the existing statute by extending the development period for RAFN water rights to make it match the planning horizon. Then, the Department can issue incremental licenses based on demonstrated beneficial use. Mr. Thompson concluded by stating **S 1316** provides a more efficient and streamlined process and more certainty to cities and municipal providers, their patrons, and the Department as to the licensing process and planning for future water demands.

MOTION: **Rep. Raybould** made a motion to send **S 1316** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Raybould** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:03pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30pm or Upon Adjournment
Room EW40
Wednesday, March 11, 2020

SUBJECT	DESCRIPTION	PRESENTER
H 615	Water Rights, Forfeiture	Rep. Raybould
S 1368	Roadless Rule	Rep. Boyle

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

- DATE:** Wednesday, March 11, 2020
- TIME:** 1:30pm or Upon Adjournment
- PLACE:** Room EW40
- 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
- ABSENT/
EXCUSED:** Representative(s) Moyle, Shepherd, Mason
- GUESTS:** Norm Semanko, Parsons Behle; Jim Caswell, Roadless Commission; Paul Arrington, Idaho Water Users Association; Steve Thomas, Idaho Forest Group; Lynn Tominaga, Idaho Ground Water Association; Andy Brunelle, U.S. Forest Service; Dustin Miller, Idaho Department of Lands
- Chairman Gibbs** called the meeting to order at 1:30pm.
- MOTION:** **Rep. Kauffman** made a motion to approve the minutes of the March 3, 2020 meeting. **Motion carried by voice vote.**
- H 615:** **Rep. Raybould**, District 34, stated **H 615** accomplishes two specific objectives. She explained, Idaho water law, as it relates to forfeiture, has been thoroughly addressed in statute by the Courts and the Legislature, but because a water right is considered real property, the Courts are hesitant to declare a forfeiture without clear and compelling evidence. **H 615** will codify two long-standing legal principles that protect personal property rights relating to the forfeiture of water rights. The first principle states, if there is an assertion that a water right has been forfeited, the burden of proof must have clear and compelling evidence. The second principle is found in the nonuse portion as it relates to forfeiture and states, no water right shall be forfeited for nonuse if, after the five year period of nonuse, the use is resumed prior to any claim of right by a third party. Rep. Raybould explained this closes any loopholes that would create a situation where a property right was in jeopardy of being forfeited.
- In response to a question regarding what clear and compelling evidence is, **Rep. Raybould** yielded the podium to **Paul Arrington**, Executive Director, Idaho Water Users Association. Mr. Arrington stated clear and compelling evidence is a very high burden of proof standard within the court system. He continued, because Idaho defines a water right as a property right, the burden of proof is more than 50% and more than a probability; clear and compelling evidence is the highest standard and should leave no doubt a water right should be forfeited. He indicated an example might be aerial photographs documenting non use over time. He also pointed out there are exceptions to forfeitures and they are found in **Section 42-223, Idaho Code.**
- Chairman Gibbs** requested the record reflect no one came forward to testify.
- MOTION:** **Rep. Blanksma** made a motion to send **H 615** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Raybould** will sponsor the bill on the floor.

S 1368: **Rep. Boyle**, District 9, stated in 2008 Idaho successfully adopted an Idaho-specific Roadless Rule, which was distinct from the Clinton Administration's one-size-fits-all rule, known as the 2001 Roadless Rule. As a result, the U.S. Forest Service must consult with the Idaho Roadless Rule Commission prior to implementing any projects within a roadless area. She explained, **S 1368** amends **Section 67-826, Idaho Code** to codify the Commission's role as a partner with the U.S. Forest Service during the development of projects and policies related to Idaho's inventoried roadless areas. **S 1368** also sets terms for Commission members and reduces the number of Commissioners from 15 to a range of nine to twelve, subject to the discretion of the Governor.

Steve Thomas, Attorney, Idaho Forest Group, stood **in support** of **S 1368**.

Chairman Gibbs requested the record reflect no one else came forward to testify.

MOTION: **Rep. Blanksma** made a motion to send **S 1368** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:41pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30pm or Upon Recess or Upon Adjournment
Room EW40
Friday, March 13, 2020

Whatever Time Comes First

SUBJECT	DESCRIPTION	PRESENTER
HCR 38	Committee on Federalism, Land Payments	Rep. Horman and Rep. Boyle
SCR 137	Lemhi Basin, Settlement	Rep. Moon

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Gibbs	Rep Vander Woude	Rep Moon
Vice Chairman Gestrin	Rep Mendive	Rep Raybould
Rep Moyle	Rep Kauffman	Rep Rubel
Rep Shepherd	Rep Blanksma	Rep Toone
Rep Wood	Rep Addis	Rep Mason
Rep Boyle	Rep Lickley	Rep Necochea

COMMITTEE SECRETARY

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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Friday, March 13, 2020

TIME: 1:30pm or Upon Recess 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, Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** Representative(s) Addis, Lickley, Necochea

GUESTS: Paul Arrington, Idaho Water Users Association; Norm Semanko, Lemhi Basin Water Users Association

Chairman Gibbs called the meeting to order at 2:20pm.

MOTION: **Rep. Toone** made a motion to approve the minutes of the March 9, 2020 and March 11, 2020 meetings. **Motion carried by voice vote.**

**UNANIMOUS
CONSENT
REQUEST:** **Chairman Gibbs** made a unanimous consent request to reverse the order of bills on the agenda. There being no objection, the request was granted.

SCR 137: **Rep. Moon**, District 8, yielded the podium to **Norm Semanko**. Mr. Semanko introduced himself and stated he represents the Lemhi Basin Water Users Association. He explained **SCR 137** directs the Idaho Water Resource Board and the Idaho Department of Water Resources to work with local water users to resolve complicated issues related to the use of high flows on the Lemhi River. He explained there is an historic practice recognized in the Lemhi River Basin Adjudication and the Snake River Basin Adjudication, under a general provision, to allow high flows to be used early in the season by irrigators, but in the Snake River Basin claims for individual water rights for that use were not decreed.

Mr. Semanko provided some background on the complicated issues relating to the Lemhi River Basin including, around 2001, NOAA Fisheries threatened enforcement in the Lemhi Basin over low flows in the Lemhi River. This resulted in legislation being passed setting a minimum stream flow identified by the state of Idaho as being necessary at the L-6 diversion on the Lemhi River, not specifically what NOAA Fisheries wanted. As a result of those minimum flows, the Lemhi River is now held as a model for salmon recovery. He continued, then there was a Wild and Scenic River Act claim settlement for this area which carved out a certain amount of water for future development. He indicated this decision has been protested by downstream water users and by the state of Idaho, specifically the Department of Fish and Game as well as the Department of Water Resources who owns the downstream flow in the Lemhi River Basin. He concluded, all of these complicated issues make it difficult and expensive to work through, so **SCR 137** is an attempt for the state to provide leadership to help the downstream flow users in the Basin develop a plan to work through all of the competing interests.

Chairman Gibbs requested the record reflect no one came forward to testify.

MOTION: **Rep. Blanksma** made a motion to send **SCR 137** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Moon** will sponsor the bill on the floor.

HCR 38: **Rep. Boyle**, District 9, stated **HCR 38** calls on the Federalism Committee to conduct a study on the impact of the federal government's Payment in Lieu of Taxes (PILT) program in Idaho. It directs the Committee to pilot technologies providing an objective standard to evaluate and appraise federal lands in real time to determine the fair taxable reimbursement value of federal lands. General Funds up to \$250,000 will be made available to implement this technology.

Rep. Horman, District 30, stated when you are only able to leverage 30% of the value of land, that 60% loss in revenue, which would be used towards funding schools and essential local services, creates a financial burden on cities and counties. She stated Utah and Wyoming have started efforts to utilize this new technology to assess lands and believes Idaho should as well.

MOTION: **Rep. Blanksma** made a motion to send **HCR 38** to the floor with a **DO PASS** recommendation.

Rep. Mason spoke to the motion. He stated utilizing this new technology would probably hurt Idaho more in the long run than help because the PILT program has never been fully funded by Congress and probably never will be. He continued, land values in certain areas of the country are increasing faster than land values in Idaho, resulting in what money is in the program going to the higher valued lands based on the funding formula. He gave the example of the National Elk Refuge in the Jackson Wyoming area having a much higher land value compared to federal lands in Idaho, so as the land value continues to rise around Jackson, so does the PILT payment, leaving less money available in the pot to pay for lower valued lands in Idaho. He remarked there are ways to reform PILT, but spending \$250,000 to determine the fair market value of federal lands in Idaho will not help Idaho. In conclusion, Rep. Mason agreed with the issues described and agrees there's a problem that needs to be fixed.

Chairman Gibbs requested the record reflect no one came forward to testify.

VOTE ON MOTION: **Chairman Gibbs** called for a vote on the motion to send **HCR 38** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Rubel, Toone, and Mason** requested they be recorded as voting **NAY. Reps. Boyle and Horman** will sponsor the bill on the floor.

Chairman Gibbs recognized **Claire Walker**, the committee's Page, for her excellent work during the second half of the Legislative Session.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:49pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary

AGENDA
HOUSE RESOURCES & CONSERVATION COMMITTEE
1:30pm or Upon Recess or Upon Adjournment
Room EW40
Tuesday, March 17, 2020

SUBJECT	DESCRIPTION	PRESENTER
	Approval of Minutes	

COMMITTEE MEMBERS

Chairman Gibbs Rep Vander Woude
Vice Chairman Gestrin Rep Mendive
Rep Moyle Rep Kauffman
Rep Shepherd Rep Blanksma
Rep Wood Rep Addis
Rep Boyle Rep Lickley

Rep Moon
Rep Raybould
Rep Rubel
Rep Toone
Rep Mason
Rep Necochea

COMMITTEE SECRETARY

Tracey McDonnell
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MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Tuesday, March 17, 2020

TIME: 1:30pm or Upon Recess 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, Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** Representative(s) Blanksma, Mason

GUESTS: None

Chairman Gibbs called the meeting to order at 1:46pm.

MOTION: **Rep. Kauffman** made a motion to approve the minutes of the March 13, 2020 meeting. **Motion carried by voice vote.**

Chairman Gibbs thanked the committee proofreaders, **Reps. Kauffman and Toone**, and the committee secretary, **Tracey McDonnell**, for their work this session. He recognized **Rep. Shepherd** for his years of service to the committee and to the state of Idaho. Chairman Gibbs concluded by expressing his appreciation to the committee members for their attention and participation in committee and for their support of him as Chairman.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:48pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary