LEGISLATURE OF THE STATE OF IDAHO
Sixty-seventh Legislature First Regular Session - 2023

IN THE SENATE

SENATE BILL NO. 1112

BY STATE AFFAIRS COMMITTEE

AN ACT
RELATING TO BEAR LAKE; AMENDING CHAPTER 43, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4313, IDAHO CODE, TO RECOGNIZE BEAR LAKE AS A HIGHLY VALUED RESOURCE AND TO RECOGNIZE ITS UNIQUE CHARACTERISTICS, TO PROVIDE FOR BEAR LAKE'S PRESERVATION FOR FUTURE GENERATIONS, TO PROVIDE THAT THE STATE DESIRES TO PREVENT DEGRADATION OF BEAR LAKE, TO PROVIDE THAT THE STATE SUPPORTS ENHANCEMENT OF THE OPERATIONAL UTILITY OF BEAR LAKE FOR IRRIGATION STORAGE PURPOSES, TO ENCOURAGE COLLABORATION AMONG AGENCIES AND STAKEHOLDERS, AND TO PROVIDE THAT PROVISIONS SHALL NOT CHANGE ANY WATER RIGHTS OR APPROPRIATE ANY WATER; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 43, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-4313, Idaho Code, and to read as follows:

67-4313. BEAR LAKE. The legislative intent of this section is to recognize the following:
(1) Bear Lake was a natural lake at the time Idaho gained its statehood and remains a highly valued resource for its native fisheries, recreation, and distinctive characteristics, including its water clarity and mineral and chemical uniqueness, giving it the intense turquoise blue color for which it is known all over the world.
(2) While serving as a reservoir, Bear Lake retains its basic native form and character, preserving much of its valued scenic beauty, navigability, and lake-related recreation opportunities. It is the desire and expectation of the state of Idaho that Bear Lake and its inherent qualities and characteristics be preserved for future generations.
(3) The state of Idaho desires to prevent the lake's degradation in quality and functions and to preserve and enhance the lake's unique characteristics, including but not limited to native fish and wildlife, unique water quality, native lake bed, navigation, littoral rights, lake-related recreation, and irrigation storage.
(4) Bear Lake has been operated as a reservoir since the early 1900s to store water for irrigation, flood control, and incidental power generation, which has enhanced agricultural productivity and prosperity in the Bear River basin and will remain an essential irrigation water supply into the future. The state of Idaho supports enhancement of the operational utility of Bear Lake for irrigation storage purposes.
(5) To achieve the goals of this section, the state of Idaho encourages collaboration among agencies and stakeholders to help preserve and enhance such interests.
(6) Nothing in this section is intended to impair or constrain the operation of Bear Lake, to interfere with or change any water rights, or to appropriate any water.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2023.