

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Tuesday, January 31, 2023

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Mendive, Vice Chairman Shepherd, Representatives Boyle, Vander Woude, Blanksma, Manwaring, Yamamoto, Raybould, Durrant, Hill, Mickelsen, Nelsen, Pickett, Raymond, Tanner, Burns, Necochea, Galaviz

**ABSENT/
EXCUSED:** None

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

Chairman Mendive called the committee to order at 1:30 P.M.

MOTION: **Rep. Galaviz** made a motion to approve the minutes for the committee meetings of January 17 and January 19, 2023. Motion carried by voice vote.

**UNANIMOUS
CONSENT
REQUEST:** **Chairman Mendive** asked unanimous consent to hear the presentation from the Water Resources Board first, which was granted. He introduced **Jeff Raybould**, Chairman of the Idaho Water Resources Board (IWRB).

Mr. Raybould described IWRB's various programs, including grants and loans, reservoir enlargements and other ongoing water storage programs, and settlement agreements in several different river basins.

Chairman Mendive introduced **Gary Spackman**, Director of the Idaho Department of Water Resources (IDWR).

Director Spackman gave a report to the committee in which he emphasized the need to protect Idaho from out-of-state proposals that could take water from Idaho to downstream users. He also focused on the disputes within the Snake River aquifer between groundwater users and surface-water users, and suggested a few possible subjects for legislation including efficiency of water use. He described the 15 new full-time positions IDWR added in fiscal year 2023.

In response to a question from the committee, **Director Spackman** explained the increase in use of water by water users as a result of different, more water-intensive crops with longer growing seasons, such as corn and alfalfa, being grown across the state.

In response to a question from the committee, **Director Spackman** clarified the law prohibits "waste" of water, but he and the Department are not currently in a position to dictate exact standards.

Chairman Mendive turned the gavel over to **Vice Chairman Shepherd** for consideration of rules.

Vice Chairman Shepherd welcomed **Jeremy Shawver**, Lands Section Manager for Timber Sales and Contract Administration for the Idaho Department of Lands, to present.

**DOCKET NO.
20-0214-2201:** **Mr. Shawver** described the rule, which sets the minimum requirements for various aspects of timber sales. He described the negotiated rulemaking process which led to the proposing of the rule, and the stakeholders involved.

In response to a question from the committee, **Mr. Shawver** clarified most timber sales covered by the rule take place within the state, that federal prohibitions restrict states from selling to foreign entities, and that the state does not currently sell to foreign entities.

Vice Chairman Shepherd announced the committee would not make any motions on the pending rules at this meeting. He then welcomed **Mick Thomas**, Division Administrator for Minerals, Navigable Waters, Oil and Gas for the Idaho Department of Lands, to present on the next rule.

**DOCKET NO.
20-0317-2201:**

Mr. Thomas described the department's navigable waterways program, and the fee rule. He emphasized that all of the revenue involved in the program is raised by the fees the program collects, and the program does not receive any general fund dollars. He described the changes: raising an application fee, which is only paid once every ten years and almost exclusively done by corporate or community entities, and is not expected to present a significant financial burden to applicants.

In response to a question from the committee, **Mr. Thomas** clarified the difference between an application fee and an assessment fee, which largely has to do with whether the fee is for a new entity (e.g. a community marina)

MOTION:

Chairman Mendive made a motion to hold both dockets for a time certain until Thursday, February 9. Motion carried by voice vote

Vice Chairman Shepherd turned the gavel back over to **Chairman Mendive**.

ADJOURN:

There being no further business to come before the committee, the committee was adjourned at 2:56 P.M.

Representative Mendive
Chair

Cameron Douglas
Secretary