

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, February 09, 2023

TIME: 1:30 P.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** Representatives Hill, Mickelsen

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 meeting to order at 1:30 P.M.

MOTION: **Rep. Galaviz** made a motion to approve the minutes of February 7, 2023. **Motion carried by voice vote.**

RS 30111: **Roger Batt**, Legislative Advisor for Flood District 10, described the RS, which allows flood control boards to appoint their own board members rather than requiring the Director of the Department of Water Resources to do so. It allows the bond that board members file to be filed with the flood control district rather than with the clerk of the District Court, and allow flood district boards to appoint at-large members if no member from a division of a district can be found, a provision similar to an ability possessed by water and sewer districts.

MOTION: **Rep. Raybould** made a motion to introduce **RS 30111**. **Motion carried by voice vote.**

RS 29948C1: **Mick Thomas**, Division Administrator at the Idaho Department of Lands, described the RS. It makes several clarifying changes to statutes which offer guidance to oil and gas operators, mineral interest owners, and the state. It removes the Director of the Department of Lands from the Oil and Gas Conservation Commission (OGCC) and changes technical requirements of commissioners to better reflect the needs in Idaho.

MOTION: **Rep. Raybould** made a motion to introduce **RS 29948C1**. **Motion carried by voice vote.**

RS 30292: **Rep. Jack Nelsen**, District 26, described the RS, which would be a concurrent resolution in opposition to the placement of approximately 400 wind turbines on federal land in Jerome, Lincoln, and Minidoka Counties.

MOTION: **Rep. Burns** made a motion to introduce **RS 30292**. **Chairman Mendive** announced the committee would delay consideration of **RS 30292** until later in the meeting.

**MOTION
WITHDRAWN:** **Rep. Burns** asked unanimous consent to withdraw his motion. Without objection, the motion was withdrawn.

RS 30251: **Rep. Blanksma** described the RS, which would renew the Resources interim committee.

MOTION: **Rep. Raybould** made a motion to introduce **RS 30251**. **Motion carried by voice vote.**

Chairman Mendive introduced **Kresta Davis**, Water Resources and Policy Senior Manager at the Idaho Power Company, for a presentation on the value of hydropower and cloudseeding.

Ms. Davis described the importance of hydropower as a critical source of reliable, renewable power in the state of Idaho, and gave an overview of the hydropower generation system in the state. In recent years, demand has increased while drought has reduced the amount of water available over the last 40 years. She explained several tools available to counteract declining water availability, which includes aquifer recharge (sending excess flow, especially in spring runoff, into the aquifer), and cloud seeding.

Cloud seeding is a process which uses an abundance of super cooled liquid water to provide enhanced snowfall. **Ms. Davis** described environmental safety concerns about cloud seeding, which primarily uses silver iodide as its chemical agent, and argued there has been no evidence of adverse effects to human health or the environment in studies from public and private sectors and from all levels of government, local to federal. She specifically mentioned an Idaho Department of Environmental Quality study that found it unlikely that cloud seeding would cause a detectable increase in silver concentration in target areas.

The benefits of cloud seeding **Ms. Davis** presented include greater reliability for storage and natural flow, higher water quality and improved fishery conditions, additional recreation opportunities on reservoirs and in rivers, and more reliable hydropower. She explained the history of cloud seeding in Idaho, which began operations in 2003 and has been expanding since 2013, including several projects in western Wyoming, which creates runoff into the Snake River Basin in eastern Idaho. The average natural benefits cumulatively add up to over 1.2 million acre-feet of natural flow across Idaho, at a cost of roughly \$2 per acre-foot.

In response to questions from the committee, **Ms. Davis** clarified the silver iodide used in cloud seeding behaves differently chemically than silver alone or silver as a compound with other minerals. She also argued cloud seeding is not zero-sum, and cloud seeding in one area does not result in reduced precipitation elsewhere. She also said although aquifers have not notably recharged in the years of cloud seeding, the abundance of factors playing into aquifer levels make it difficult to determine the individual efficacy of one factor or another. She also explained there are no current plans to build more dams, but there are plans to use other methods such as pump storage, which uses lower reservoirs and pumping water back up to run through the dam again to continue to generate power.

**UNANIMOUS
CONSENT
REQUEST:**

Chairman Mendive asked unanimous consent to return to **RS 30292**. There being no objection, the committee resumed consideration of the RS.

In response to questions from the committee, **Rep. Nelsen** confirmed he was aware of other statements on the issue by the governor and attorney general, among others, that he was not concerned about possible redundancies with those messages, and in his opinion a concurrent resolution, rather than a memorial, was the appropriate legislative vehicle.

MOTION:

Rep. Burns made a motion to introduce **RS 30292**. **Motion carried by voice vote.**

Chairman Mendive introduced **Roger Batt** of the Treasure Valley Water Users Association for a presentation on Idaho's water-related programs. Mr. Batt introduced his co-presenters: **Mary Ann Nelson** of the Department of Environmental Quality; **Rick Naerebout** of the Idaho Dairymen's Association; **Delwyne Trefz** of the Idaho Soil and Water Conservation Commission; **Brian Patton** of the Idaho Water Resources Board; and **Paul Arrington** of the Idaho Water Users Association.

Dr. Nelson provided an overview and summary of the Agricultural Best Management Practices Funding program, established during the 2017 legislative session. She explained several of the projects which had been funded through grants from the program, including several pieces enhancing water quality in the Boise watershed.

Mr. Naerebout remarked on the Concentrated Animal Feeding Operation (CAFO) Environmental Improvement Fund, which spent \$5 million on projects to help dairy and cattle operations clean up their environmental impact.

Mr. Trefz shared updates on his department's Water Quality Program for Agriculture (WQPA), which provides financing for soil and water conservation projects on private lands. It had been unfunded between fiscal years 2011 and 2022. The new projects funded by the program covered all 33 conservation districts, and went to a variety of means of water conservation.

Mr. Patton shared updates on the Flood Management Grant Program, which assists with funding for reducing flood risk, preventing floods, improving stream channels, and repairing flood-damaged stream channels, and the Aging Infrastructure Grant Program, which rehabilitates aging irrigation water storage and delivery infrastructure.

Mr. Arrington concluded the presentation series by asking the committee to continue their support of the programs.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:43 P.M.

Representative Mendive
Chair

Cameron Douglas
Secretary