

MINUTES  
**SENATE RESOURCES & ENVIRONMENT COMMITTEE**

**DATE:** Wednesday, January 31, 2024

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

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Burtenshaw, Vice Chairman Adams, Senators Guthrie, Den Hartog, Harris, Okuniewicz, Schroeder, Semmelroth, and Taylor

**ABSENT/ EXCUSED:** None

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairman Burtenshaw** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 1:30 p.m.

**PASSED THE GAVEL:** Chairman Burtenshaw passed the gavel to Vice Chairman Adams.

**DOCKET NO. 26-0110-2301** **Rules Governing the Administration of Temporary Permits on Lands Owned by the Department of Parks and Recreation (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule.** No further testimony was taken. **Susan Buxton**, Director, Idaho Department of Parks and Recreation (IDPR) presented for further discussion. **Docket No. 26-0110-2301** was presented to the Committee on January 22, 2024 and testimony was heard at that meeting. **Ms. Buxton** referred the Committee to IDPR's handout listing the sections of **Docket Nos. 26-0110-2301** and **26-0120-2301** with explanations of the fee changes within these dockets. (Attachment 1) Changes to this docket included raising the processing fee for a new temporary permit, or modification of an existing temporary permit, from one hundred to three hundred dollars, and raising the processing fee for assignment or renewal of an existing temporary permit from twenty-five to fifty dollars.

**DISCUSSION:** **Senator Den Hartog** asked what was used to determine the increase in the cost per acre determined in section 150.02, which was changed from fifty dollars to being set by official board action and vote. **Ms. Buxton** responded that increases were based on appraisals and other market values in the area.

**MOTION:** **Senator Schroeder** moved to approve **Docket No. 26-0110-2301**. **Chairman Burtenshaw** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO. 26-0120-2301** **Rules Governing the Administration of Parks and Recreation Areas and Facilities (Fee Rule) - Proposed Rule.** No further testimony was taken. **Susan Buxton** presented for further discussion. **Docket No. 26-0120-2301** was presented to the Committee on January 22, 2024 and testimony was heard at that meeting. **Ms. Buxton** explained IDPR's reasoning for some of the fee increases in this Docket. She referred the Committee to IDPR's handout. (Attachment 1) She explained camping fees funded the general operations of parks and employee salaries. She agreed to re-evaluate fee increases in this Docket if the Committee rejected them.

**MOTION:** **Senator Okuniewicz** moved to approve **Docket No. 26-0120-2301** with the exception of sections 225.07, 245, 247, 250, 254, 256, and 276. **Senator Guthrie** seconded the motion.

- DISCUSSION:** **Senator Okuniewicz** provided the rationale for his motion. He stated that the unapproved sections of **Docket No. 26-0120-2301** were rejected because they allowed for a potentially unreasonable increase in charges to Idaho residents under Idaho Code § 67-4223(7). He added that in 2021, the legislature passed HB 93, with the intent that IDPR would increase fees for nonresidents whenever possible before increasing any fee or fees for Idaho residents.
- VOICE VOTE:** The motion to approve **Docket No. 26-0120-2301** with the exception of sections 225.07, 245, 247, 250, 254, 256, and 276 passed by **voice vote**.
- PASSED THE GAVEL:** Vice Chairman Adams passed the gavel to Chairman Burtenshaw.
- GUBERNATORIAL REAPPOINTMENT VOTE:** **Senator Harris** moved to send the Gubernatorial Reappointment of Edward Schriever of Boise, Idaho to Northwest Power and Conservation Council to the floor with recommendation that he be confirmed by the Senate. **Vice Chairman Adams** seconded the motion. The motion carried by **voice vote**.
- GUBERNATORIAL REAPPOINTMENT:** **Committee Consideration of the Gubernatorial Appointment of Tammy Overacker of Salmon, Idaho to the State Outfitters and Guides Licensing Board** to serve a term commencing April 20, 2023 and expiring April 20, 2026. **Ms. Overacker** presented before the Committee and shared about her experience in the outfitting industry and about running outfitting operations in Idaho.
- DISCUSSION:** **Senator Harris** asked Ms. Overacker to share about what she wanted to accomplish on this board. **Ms. Overacker** responded that she would like to review the wording in their rules and ensure that changes made during rules reviews had not changed their intended meaning. She listed some challenges in the industry that concerned her, including increased difficulties obtaining liability insurance, grizzly bear reintroduction specifically into the Frank Church Wilderness, and declining herd counts. **Senator Harris** asked if Ms. Overacker saw any improvement in the tag allocation process. **Ms. Overacker** guessed that twenty percent of the outfitters in Idaho did not have all the tags that they needed to operate. **Senator Harris** asked Ms. Overacker if she saw any potential for improvement in this area. **Ms. Overacker** responded that there was legislation pending for next winter that might help. She stated that basing outfitter tag allocation on their history of tag sales made it difficult to manage that resource while keeping herd counts up.
- GUBERNATORIAL REAPPOINTMENT:** **Committee Consideration of the Gubernatorial Reappointment of Ray Hinchcliff of Driggs, Idaho to the Oil and Gas Conservation Commission** to serve a term commencing July 1, 2023 and expiring July 1, 2027. **Mr. Hinchcliff** presented before the Committee and shared about his experience in the oil and gas industry, his family, and that he also served on the local school board in Teton County.
- DISCUSSION:** **Senator Harris** asked Mr. Hinchcliff what he thought was the biggest issue affecting the Oil and Gas Conservation Commission. **Mr. Hinchcliff** responded they had already gone through changes to Idaho Code § 47-3, so it depended on what came before the Committee.

**GUBERNATORIAL REAPPOINTMENT:** **Committee Consideration of the Gubernatorial Reappointment of Betty Coppersmith of Eagle, Idaho to the Oil and Gas Conservation Commission** to serve a term commencing July 1, 2023 and expiring July 1, 2027. **Ms. Coppersmith** presented before the Committee and explained why all five appointments to the Oil and Gas Conservation Commission were before the Committee today, which was due to changes in the requirements for the Commission. She shared about her history in the oil and gas industry and some of the challenges facing the Commission, including how to manage out of production wells.

**DISCUSSION:** **Senator Den Hartog** thanked Ms. Coppersmith and Mr. Hinchcliff for their willingness to share their experience and expertise with the Commission.

**GUBERNATORIAL APPOINTMENT:** **Committee Consideration of the Gubernatorial Appointment of Margaret Chipman of Weiser, Idaho to the Oil and Gas Conservation Commission** to serve a term commencing August 15, 2023 and expiring July 1, 2026. **Ms. Chipman** presented before the Committee and shared some of her personal history, her history in the feedlot and ranching business, and some of the other boards and councils on which she had served. She stated she previously served on the Commission because she was a landowner with mineral rights, and now she brought her familiarity with Idaho land use issues.

**DISCUSSION:** **Senator Okuniewicz** asked if there was any oil and gas activity in the Weiser area and if that was something that might cause a conflict. **Ms. Chipman** responded that they explored her area, but there was really no oil or gas in their county.

**GUBERNATORIAL APPOINTMENT:** **Committee Consideration of the Gubernatorial Appointment of Marc Haws of New Plymouth, Idaho to the Oil and Gas Conservation Commission** to serve a term commencing September 18, 2023 and expiring July 1, 2027. **Mr. Haws** presented before the Committee and shared about his background as a rancher and as a lawyer, about his family, and about his interest in gas production. He hoped to bring a common sense view to the Commission.

**DISCUSSION:** **Chairman Burtenshaw** asked Mr. Haws if his ranches were in the Payette County gas fields. **Mr. Haws** responded that they were, and some exploration had been done, however, nothing developed.

**GUBERNATORIAL APPOINTMENT:** **Committee Consideration of the Gubernatorial Appointment of Jennifer Riebe of Caldwell, Idaho to the Oil and Gas Conservation Commission** to serve a term commencing April 25, 2022 and expiring July 1, 2025, and **Reappointment of Jennifer Riebe of Caldwell, Idaho to the Oil and Gas Conservation Commission** for a term commencing July 1, 2023 and expiring July 1, 2027. **Ms. Riebe** presented before the Committee and shared about her background in agriculture and her history of involvement with natural gas extraction through her positions on the Payette County Planning and Zoning Commission and the Payette County Board of Commissioners. She believed her role on the Commission was to address environmental concerns of the citizens of Payette County and to represent land owners who were mineral owners. She thought natural gas was a small but important industry in Payette County.

**DISCUSSION:** **Senator Okuniewicz** asked how long Ms. Riebe had left in her term as county commissioner and if her term ended before her appointment on the Commission. **Ms. Riebe** responded that she would be on the county commission for another three years.

**ADJOURNED:** There being no further business as this time, **Chairman Burtenshaw** adjourned the meeting at 2:12 p.m.

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Senator Burtenshaw  
Chair

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Shelly Johnson  
Secretary