

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Wednesday, February 12, 2025

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Burtenshaw, Vice Chairman Hart, Senators Guthrie, Harris, Okuniewicz, Cook, VanOrden, Kohl, 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 1:31 p.m.

PRESENTATION: **Acknowledgement of Page - Sakia Bowman. Ms. Bowman** shared a little bit about herself, including that she hopes to attend college in Florida and then possibly go to law school.

DISCUSSION: **Chairman Burtenshaw** thanked Ms. Bowman for her service and asked her why she was considering school in Florida. **Ms. Bowman** responded that she would be closer to her brother, who just moved there, and she thought this would be a good opportunity to explore new things. **Senator Harris** asked Ms. Bowman what surprised her the most about working at the Senate. **Ms. Bowman** responded that the thing that surprised her the most was that the Senate was not as serious as she thought it would be. She thought the legislators got a lot done, but they made jokes and had personalities, and were just normal people trying to do their jobs. **Senator Guthrie** asked if Ms. Bowman would share something about the friendships she made while working as a Senate Page. **Ms. Bowman** shared that her experiences as a Senate Page had been amazing. She had become especially close with Alexis, the Page for Senator Guthrie's committee. They spent time together on the weekends and had plans to spend time together after their time as Pages ended.

RS 32333 **Stating Findings of the Legislature Recognizing the Need to Continue Activities by Water Users and the Idaho Resource Board Related to the Eastern Snake River Plain Aquifer.** Unanimous Consent Request for Referral to a Privileged Committee for Printing. **Senator VanOrden** explained this legislation was to express legislative support for the 2024 stipulated mitigation plan between surface water users in the Magic Valley and groundwater users along the Eastern Snake Plain. It also expressed support for the ongoing efforts by the State of Idaho to address water supply challenges along the Eastern Snake Plain and supported the Idaho Water Resource Board's efforts to increase aquifer recharge goals from 250,000 acre feet to 350,000 acre feet. She emphasized that this mitigation plan was a four year plan that would be reviewed every year and adjusted or changed. In the fourth year, if there were major changes still to be made, the agreement ends or the parties involved would come back to the table.

UNANIMOUS CONSENT REQUEST: **Senator Harris** requested unanimous consent to send **RS 32333** to a privileged committee for printing. There were no objections.

GUBERNATORIAL REAPPOINTMENT: **Committee Consideration of the Gubernatorial Reappointment of Mike Edmondson of Boise, Idaho as Administrator of the Office of Species Conservation** to serve a term commencing January 6, 2023. **Mr. Edmondson** presented before the Committee and shared a bit about himself. He had served as Administrator of the Office of Species Conservation (OSC) since approximately August of 2000. He admitted he was not a native Idahoan, but he moved to Boise as soon as he completed his education.

DISCUSSION: **Vice Chairman Hart** asked how long his term was. **Mr. Edmondson** responded that he served at the pleasure of the Governor, but was last confirmed by the Senate in 2022. **Senator Harris** asked what was the biggest challenge currently facing the OSC. **Mr. Edmondson** responded that the biggest challenge was the change in administrations, and with it the change in administrative priorities. He stated his office had experienced this a few times and he hoped over the next four years the OSC could achieve some of Idaho's goals, namely grizzly de-listing and resolving their resource management plans for the greater sage grouse. **Chairman Burtenshaw** asked for a quick overview of the grizzly issue in the State of Idaho and for Mr. Edmondson's opinion on grizzly de-listing. **Mr. Edmondson** responded that at the end of the Biden Administration, a rule was put forth in the Federal Register to create a single Distinct Population Segment (DPS) for the grizzly bear that basically covered Wyoming, Montana, Idaho, and Washington. He believed, by all measures, the grizzly population in the greater Yellowstone area had recovered, but since the DPS now included a larger body, de-listing would be more complicated. OSC wanted to see the US Fish and Wildlife Service pull the rule from the Federal Register and work with them to write a rule that would de-list a healthy, distinct population segment and provide regulatory relief, but also keep a clear path forward for de-listing other populations of grizzly bears.

GUBERNATORIAL REAPPOINTMENT: **Committee Consideration of the Gubernatorial Reappointment of Brian Olmstead of Twin Falls, Idaho to the Idaho Water Resource Board** to serve a term commencing January 1, 2025 and expiring January 1, 2029. **Mr. Olmstead** presented before the Committee and shared a bit about himself. He was raised on a family farm an ranch south of Twin Falls, Idaho. He farmed until 2000 and then went to work for Twin Falls Canal Company, where he was a supervisor, and then the manager of Twin Falls Canal Company. In 2021 he retired and was appointed to the Idaho Water Resource Board (IWRB).

DISCUSSION: **Senator Guthrie** shared how much he appreciated Mr. Olmstead's responsiveness over the years, and he asked the same question he had asked of other recent appointees to the IWRB, which was regarding the transparency of IWRB actions when dealing with curtailment of surface water used for groundwater recharge above Millner Dam. **Mr. Olmstead** responded with a review of some of the challenges faced by IWRB over the last year. He agreed that the issue with flows over Millner Dam could have used better transparency, and added that they could have started to address the issue sooner, and they could have had more input from legislators and possibly from the Governor. He shared that he believed they needed some flexibility at Millner Dam, and he explained his reasoning of why and some details about what this might look like.

GUBERNATORIAL REAPPOINTMENT: **Committee Consideration of the Gubernatorial Reappointment of Albert Barker of Boise, Idaho to the Idaho Water Resource Board** to serve a term commencing January 1, 2025 and expiring January 1, 2029. **Mr. Barker** presented before the Committee and shared a bit about himself. He was appointed to IWRB's District Two, and was an attorney. He had practiced water law in Idaho for 40 years and worked to protect Idaho water interests, especially when dealing with the federal government. He shared that as part of IWRB, he was involved in raising the Anderson Ranch Dam, in an agreement to bring water from the Snake River to Mountain Home Air Force base, and in working with the Orchard Irrigation District and the US Bureau of Reclamation to replace the diminishing groundwater supply.

DISCUSSION: **Senator Okuniewicz** asked several questions related to cloud seeding and if anyone had ever threatened a lawsuit or filed suit because of a successful cloud seeding program that was upwind from them. **Mr. Barker** responded that he was unaware of any successful lawsuits and he was unaware of any evidence that cloud seeding diminished the water downwind. He shared that a comparison of weather patterns in years prior to cloud seeding with similar years with cloud seeding showed an increase in precipitation in years with cloud seeding.

S 1011 **FISH AND GAME - Amends existing law to provide requirements for members of winter feeding advisory committees.** **Senator Harris** explained this legislation would establish the requirement that at least one member of a Winter Feeding Advisory Committee be an agricultural producer, and that all members must reside in the Idaho Department of Fish and Game (IDFG) district that they represent. He shared that agriculture was highly affected by the feeding patterns of wildlife and he believed participation by someone in agriculture was critical to help the guide the efforts of IDFG.

DISCUSSION: **Senator VanOrden** asked what the makeup of the committee was. **Senator Harris** responded that it was mostly sportsmen and people interested in wildlife feeding.

TESTIMONY: **Dexton Lake**, Idaho Farm Bureau Federation, and **Azdyn Bartschi** from Montpelier, testified in favor of **S 1011**. Both believed this legislation was important for the betterment of the interactions between communities, livestock, agriculture, and wildlife. **Mr. Bartschi** spoke about the direct impact of wildlife on agricultural producers and the financial burden wildlife depredation can cause, and about the importance of regional representation that allowed members of a district to represent the specific needs of their district.

MOTION: **Senator Okuniewicz** moved to send **S 1011** to the floor with a **do pass** recommendation. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

S 1013 **FISH AND GAME - Amends existing law to provide for trapping education and licensing.** **Senator Harris** explained this legislation moved trapper education from rule to Idaho Code and consolidated hunter, archer, and trapper education into one section. It added to Idaho Code what must be taught in a trapping education course, and the requirement that trapping students must receive instruction on trespassing and personal and real property tampering laws. It also allowed individuals to trap under the supervision of a certified guide without being certified themselves. This would essentially create an apprentice trapping program. Those that wanted to trap independently would continue to be required to take the required courses and maintain a valid hunting license.

TESTIMONY: **Dexton Lake**, Idaho Farm Bureau Federation, **Nick Fasciano**, Idaho Wildlife Federation, **Ellary TuckerWilliams**, IDFG, and **Aaron Lieberman**, Executive Director of the Idaho Outfitters and Guides Association, testified in favor of **S 1013**. They believed this legislation would simplify hunter education requirements in Idaho Code, would promote safe and effective hunting, and would promote additional interest in trapping without raising safety concerns.

MOTION: **Senator Guthrie** moved to send **S 1013** to the floor with a **do pass** recommendation. **Senator Cook** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Harris** moved to approve the Minutes of January 15, 2025. **Senator Cook** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Taylor** moved to approve the Minutes of January 20, 2025. **Senator Kohl** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Okuniewicz** moved to approve the Minutes of January 22, 2025. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Burtenshaw** adjourned the meeting at 2:28 p.m.

Senator Burtenshaw
Chair

Shelly Johnson
Secretary