

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Wednesday, March 11, 2026

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Vice Chairman Hart, Senators Guthrie, Harris, Okuniewicz, Cook, VanOrden, Kohl, and Taylor

ABSENT/ EXCUSED: Chairman Burtenshaw

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

HJM 13 **CLEAN WATER ACT - States findings of the Legislature and requests federal action.** **Senator Lakey** explained this legislation addressed federal agencies, such as the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps), and their unreasonable definition of navigable waters of the United States. This memorial asked Congress to support legislation codifying the U.S. Supreme Court's decision in *Sackett v. Environmental Protection Agency*, 598 U.S. 651 (2023), regarding Waters of the United States (WOTUS). In that decision, the Court held that the EPA and the Corps had exceeded their statutory authority and established a new standard for determining which waters fell under federal jurisdiction. The memorial also urged the EPA and the Corps to fully comply with the U.S. Supreme Court's ruling.

TESTIMONY: **Damien Schiff**, Pacific Legal Foundation, testified in favor of **HJM 13**. He represented Mike and Chantell Sackett in their legal battle to restore their right to build a single-family home on a residential lot that they owned. The issue was if the EPA had the authority to stop that home-building project. The EPA claimed there were wetlands on the Sackett property and asserted a federal permit was required in order to build. The EPA issued a compliance order requiring the Sacketts to stop building their home, restore everything to how it was before they began building, and fence off their property for three years. At the same time, they began imposing civil penalties. In 2012, the U.S. Supreme Court ruled unanimously that the Sacketts had a right to sue the EPA. They went back to the district court, but lost. In 2023, the U.S. Supreme Court took up their case again and ruled in the Sackett's favor. The Court declared that the Clean Water Act, when it used the terms "navigable waters" and "waters of the United States," meant bodies of water that had relatively permanent or continuous flowing water in them, and that wetlands could be regulated only to the extent that they were indistinguishable from those waters. The EPA and the Corps had not adhered to the 2023 Supreme Court ruling.

Mike Sackett and **Chantell Sackett** testified in favor of **HJM 13**. The Sacketts thanked the Committee for allowing them to share their experience. They shared that what happened to them was happening all over the United States. They believed it was important for the State of Idaho to stand up against egregious government overreach and to set a precedent for other states. Ms. Sackett estimated that as of the 2023 U.S. Supreme Court ruling, they owed the government \$468 million.

MOTION: **Senator Cook** moved to send **HJM 13** to the floor with a **do pass** recommendation. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Senator Guthrie passed the gavel to Vice Chairman Hart.

H 678 **TRAPPING - Adds to existing law to provide for the checking of wolf traps.** **Representative Shepherd** explained the purpose of this legislation was to allow wolf trappers the opportunity to inspect their traps remotely with transmitting cameras. He believed utilizing these cameras would make it more economically feasible for wolf trappers to help control the wolf population in Idaho.

TESTIMONY: **Dexton Lake**, Idaho Farm Bureau, **Nick Fasciano**, Idaho Wildlife Federation, **Ellary TuckerWilliams**, Legislative and Community Engagement Coordinator, Idaho Department of Fish and Game (IDFG), **Ben Brocksome**, on behalf of Idaho Sportsman Access and Opportunity and the Idaho Trappers Association, and **Patxi Larrocea-Phillips**, on behalf of the Idaho Wool Growers Association and Idaho Cattle Association, testified in favor of **H 678**. They felt this legislation was necessary to help ensure the future of trapping and to help control the wolf population. They felt bringing transmitting trail cameras into wolf trapping was an ethical, humane, and a common sense way to address the 72 hour trap check requirement. **Ms. TuckerWilliams** stated the Idaho Fish and Game Commission (Commission) appreciated the latitude the sponsor provided to the Commission when developing provisions of this legislation. This allowed the Commission to address potential concerns, such as transmitting trail camera placement, allotted time to remove an animal from the trap once a picture had been received, and defaulting back to in-person trap checking requirements should the transmitting trail camera experience technical issues. She clarified that the requirement to check every trap every 72 hours for all species was already common practice and written in administrative rule.

Alex Watt, Idaho Conservation League (ICL), testified against **H 678**. He asked that the Committee send this legislation to the amending order. He stated ICL did not oppose the intention of this legislation, but believed this legislation removed the minimum standard for trappers who did not respect the trap check requirement.

DISCUSSION: **Senator Kohl** asked Mr. Fasciano for his perspective on the 72 hour trap check requirement and if a trap was checked remotely after 72 hours how long it might take to retrieve a trapped animal. **Mr. Fasciano** responded that this legislation gave the Commission the latitude to set those sorts of regulations, but utilizing transmitting trail cameras could be more humane in that traps could be monitored more easily.

Vice Chairman Hart asked Representative Shepherd if he knew how many wolves there were in Idaho. **Representative Shepherd** responded that there was no way to know how many wolves were in Idaho, since he had spent many hours in the wilderness and might see one wolf per year, but the evidence of them was everywhere.

MOTION: **Senator Harris** moved to send **H 678** to the floor with a **do pass** recommendation. **Senator Okuniewicz** seconded the motion.

DISCUSSION: **Senator Taylor** shared some concerns about the length of time allowed to check traps and suggested that this could be addressed with rules in the future.

VOICE VOTE: The motion to send **H 678** to the floor with a **do pass** recommendation carried by **voice vote**.

H 566 **STATE TRUST FOR OUTDOOR RECREATION ENHANCEMENT ACT - Amends and repeals existing law to remove outdated or unnecessary provisions.** **Senator Semmelroth** explained this legislation was the result of the Idaho Code Cleanup Act, or H 14, passed by the Idaho Legislature in 2025. This legislation repealed Idaho Code § 67-4245, 4246, 4247, 4248, 4249, and amended Idaho Code § 67-4223. These pertained to the State Trust Fund for Outdoor Recreation Enhancement (STOR). This program had not been funded or active since its inception in 1995.

DISCUSSION: **Senator Okuniewicz** asked if this was a fund created by the Legislature that never had money put in it. **Senator Semmelroth** responded yes, to the best of her knowledge, it was.

MOTION: **Senator Okuniewicz** moved to send **H 566** to the floor with a **do pass** recommendation. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

H 568 **DEPARTMENT OF LANDS - Repeals existing law to remove outdated or unnecessary provisions.** **Acting Senator Bjerke (Bjerke)** explained this legislation was the result of the Idaho Code Cleanup Act, or H 14, passed by the Idaho Legislature in 2025. This legislation repealed 30 sections of Idaho Code in Title 38 and Title 58 that pertained to the Idaho Department of Lands and floating timber and Town Site Claims. It was no longer common practice to transport logs by floating them down river and the Town Site Claim framework dated to the territorial era.

DISCUSSION: **Senator Harris** asked Acting Senator Bierke (Bjerke) if she had any idea when floating timber was put into Idaho Code. **Acting Senator Bierke (Bjerke)** responded that she did not know.

MOTION: **Senator Harris** moved to send **H 568** to the floor with a **do pass** recommendation. **Senator Cook** seconded the motion. The motion carried by **voice vote**.

H 774 **FISH AND GAME - Repeals existing law to remove outdated or unnecessary provisions related to the Department of Fish and Game.** **Acting Senator Bjerke (Bjerke)** explained this legislation was the result of the Idaho Code Cleanup Act, or H 14, passed by the Idaho Legislature in 2025. This legislation repealed Idaho Code § 36-1120, which provided minimum fines for illegal hunting of mountain lion, buffalo, and caribou. Fines for hunting violations were established in other sections of Idaho Code.

MOTION: **Senator VanOrden** moved to send **H 774** to the floor with a **do pass** recommendation. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Cook** moved to approve the Minutes of February 16, 2026. **Senator VanOrden** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Guthrie** moved to approve the Minutes of February 18, 2026. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Taylor** moved to approve the Minutes of February 23, 2026. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

PRESENTATION: **North Idaho Water.** **Paul Arrington**, Executive Director, Idaho Water Users Association, introduced three presenters who would speak to some of the challenges faced managing water supplies and resources in North Idaho (Attachment 1). They were: Brandon Rose, Hayden Lake Irrigation District, north of Coeur d'Alene, Idaho, Barney Metz, Lewiston Orchards Irrigation District in Lewiston, Idaho, who was also President of the Idaho Water Users Association, and Ron Wilson, East Green Acres Irrigation District, west of Coeur d'Alene, Idaho.

Branden Rose thanked the Committee for their support through the State Revolving Fund, which allowed them to replace their 75,000 gallon water tank with a 2 million gallon reservoir. That upgrade increased their peak-demand reserves from 15 minutes to 12 hours. They also appreciated the Idaho Water Resource Board's (Board) cost-share grant, which helped them replace 6.8 miles of asbestos concrete pipe and steel mains, and relocate 56 irrigation and domestic meters to safer, more accessible locations. He stated their district had shifted from agriculture to almost entirely residential service. All of their water came from the aquifer, and while it had shown strong recharge, they were expecting 1,500 new connections over the next decade and would need new wells to meet demand. Residents were increasingly concerned about the condition of Hayden Lake and future water quality.

Barney Metz spoke about the challenges for the Lewiston Orchards Irrigation District (LOID), which served 22,000 people across 3,800 acres, and was unique in Idaho for delivering both domestic drinking water and pressurized irrigation water to every property. He explained that the Palouse Basin Aquifer, which served Moscow, Pullman, and two universities, had been declining for nearly a century. The system was partly on the Nez Perce Reservation and was tied to the Nez Perce Agreement under the Snake River Basin Adjudication, which was due to expire in 2034. He reviewed LOID's current surface-water storage and its plans for a Clearwater River pump station. The proposed pump station would keep water in-stream for fish and tribal purposes, fulfill federal obligations, and provide LOID with a reliable water right. He also outlined their growing challenges related to encroachments and overlapping utilities, and shared a concern about the potential removal of the lower Snake River dams. He expressed appreciation for the Board's support, noting that their investment was helping pressure the federal government into completing the Clearwater River pump station and resolving long-standing litigation.

Ron Wilson, East Greenacres Irrigation District, spoke about the District's aging infrastructure, urbanization, workforce training, and the Rathdrum Prairie Aquifer. Their aquifer was in good shape, but they were urbanizing at a fast rate and needed to update infrastructure. They were preparing to apply for Board funds to close wells, install soft-starts on pumps, add backup generator power, improve security, and address aging water main. He spoke about relocation of water mains due to rapid growth in Post Falls and Rathdrum. They had difficulty replacing senior operators and were utilizing the Idaho Rural Water Association apprenticeship program, supported by Idaho Department of Labor grants. These programs had been critical to rebuilding their workforce. He spoke about the Idaho Water Aquifer Collaborative, which was formed to improve coordination, education, and conservation for the Rathdrum Prairie Aquifer, which served roughly 500,000 people. They received grants from DEQ and others to support public outreach and updated aquifer modeling. He shared a map showing the number of purveyors that relied on this aquifer.

Senator Okuniewicz asked Mr. Wilson to confirm that the aquifer was in good shape even though the Spokane River dried out last year. **Mr. Wilson** responded that was correct. The aquifer and the river were not connected. **Senator Okuniewicz** thanked Mr. Arrington for bringing a presentation specifically relevant to North Idaho.

Senator Guthrie asked about the recent agreement with the Coeur d'Alene Tribe. **Mr. Arrington** responded that there was pending legislation regarding this agreement. The agreement was a tribal water right settlement with the Coeur d'Alene Tribe to resolve water right claims.

ADJOURNED: There being no further business at this time, **Vice Chairman Hart** adjourned the meeting at 2:54 p.m.

Senator Hart
Vice Chair

Shelly Johnson
Secretary