

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 99

BY ENVIRONMENT, ENERGY AND TECHNOLOGY COMMITTEE

AN ACT

1 RELATING TO WATER QUALITY; AMENDING CHAPTER 36, TITLE 39, IDAHO CODE, BY  
2 THE ADDITION OF A NEW SECTION 39-3640, IDAHO CODE, TO PROVIDE FOR WATER  
3 QUALITY INNOVATION AND POLLUTANT TRADING.  
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Chapter 36, Title 39, Idaho Code, be, and the same is  
7 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
8 ignated as Section 39-3640, Idaho Code, and to read as follows:

9 39-3640. WATER QUALITY INNOVATION AND POLLUTANT TRADING. (1) It is the  
10 policy of the state of Idaho to support water quality trading and other vol-  
11 untary, cost-effective, and innovative means of attaining and maintaining  
12 water quality standards established pursuant to this chapter.

13 (2) The provisions of this title, water quality standards, and total  
14 maximum daily loads and discharge permitting shall, where the department  
15 deems appropriate, be administered to support opportunities for water  
16 quality trading and other voluntary, innovative means of attaining and main-  
17 taining water quality standards established pursuant to this chapter.

18 (3) "Water quality trade" and "water quality trading" mean a voluntary  
19 transaction whereby a person who discharges or proposes to discharge a pol-  
20 lutant into a water body pursuant to a permit or license meets regulatory re-  
21 quirements by obtaining pollutant reductions from another source.

22 (4) The department is authorized to investigate, review, approve, mod-  
23 ify, or deny water quality trades, trading frameworks, and the means of veri-  
24 fying water quality pollutant trading and other water quality attainment in-  
25 novations that contribute to the attainment of water quality standards.