

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, March 07, 2024

TIME: 1:30 pm or upon adjournment

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

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 1:32 p.m.

Chairman Mendive recognized the committee page **Alma Azocar Agurto** and asked her to say a few words. Today is her last day serving the committee.

SJM 103: **Rep. McCann**, District 6, presented **SJM 103** saying it supports the Columbia River hydro-system and speaks **in opposition** to breaching the dams. The Columbia-Snake River hydro-system is of critical value to our state, our citizens, to the transportation, irrigation, low cost reliable generation of electricity, and to our agricultural economy. The Port of Lewiston is the only port in the state and breaching the dam would be devastating to Lewiston. She spoke about an experiment that was conducted to explore what would happen if the dam was breached, the water was drawn down and the results were terrible, dead fish, old cars, and junk everywhere. Lewiston shipped 628,000 plus tons of grain in 2023, comparatively, it would take 23,000 semi trucks to haul that amount. The recent agreement that was formed between the federal government and Idaho's six sovereign nations is a threat to the northwest hydro-system. The agreement was made quietly, and it is intended to lead to breaching. It is important the legislature speaks up to support the Columbia River hydro-system and oppose the agreement or there will be a significant impact to the state.

MOTION: **Rep. Blanksma** made a motion to send **SJM 103** to the floor with a **DO PASS** recommendation.

The committee had questions surrounding the greatest contention, the survival of salmon, and the long time conviction of the Native American Tribes, along with many environmentalists, scientists, and a growing number in the federal government that breaching the dams is the only solution to saving the fish from extinction.

Mitchell Cutter, representing the Boise Idaho Conservation League (ICL), spoke **in opposition** to **SJM 103** mainly to save the fish (salmon and Steel-head) and recover them to abundance. The lower Snake River dams have been identified by fisheries experts as a primary cause of the Idaho salmon population decline. The ICL does not want communities to be devastated by breaching the dams the way the tribes and other salmon dependant industries were when the dams were built. He said **SJM 103** contains three inaccuracies. 1) there were opportunities for public participation during mediations that were held over an 18 month period of time prior to the US Government litigation agreement. 2) the dams do not produce 1000 megawatts reliably, since 2020 the dams have produced 700 megawatts, due to climate change and persistent drought. 3) Lewiston's economy has been in

decline for two decades due to shipping alternatives like trains. He encouraged the committee to cooperate with the federal government for alternatives so they are not left behind in the change.

The committee had questions about the Fraser River in Canada where fish runs appear to be down and if ocean conditions could be effecting this? **Mr. Cutter** responded the Fraser River has environmental degradation issues that are not involved with the Columbia-Snake River. He named several Idaho rivers where dams are not a problem and said their salmon populations are increasing. The only difference between those rivers and the Snake River is the number of dams the fish have to pass through on their way to and from the ocean. Another committee question involved contacts with the Army Corps of Engineers, and if they have conducted studies before taking such drastic steps? Mr. Cutter said the Army Corps of Engineers has conducted studies on removing the dams and the impact it would have on fish populations, concluding that removal was the only way to recover the salmon populations from quasi-extinction.

Will Hart, Executive Director of Idaho Consumer Water Users Association (ICA), spoke **in support** of **SJM 103** saying more than 140,000 Idahoans depend on electricity generated by the dependable and affordable Columbia-Snake River hydro-system. The agreement formed between the US Government and Idaho's six sovereign nations was formed in secret and poses a significant threat to this hydro-system. ICA predicts breaching the dams could result in a 5% minimum rate increase and potentially even a 40% increase in electrical costs.

The committee had questions about why the dams are producing less megawatts? **Mr. Hart** responded that the dams are older but they are equipped with the best technology available for electrical production and fish mitigation. The dams produce an average of 1000 megawatts and can ramp up to 3000 megawatts when needed. Because the dams are now working in combination with solar and wind production the dams produce less electricity but the dams have a unique role, they act as a battery back up to the solar and wind production. When the wind is not blowing and the sun is not shining the dams still produce electricity. As an example during a recent cold snap in January, the Little Granite and Goose, Lower Monumental and Ice Harbor dams combined peaked at more than 1,100 average megawatts daily. This prevented the northwest from experiencing brown outs or forcing electrical providers to tap more expensive sources outside the grid.

Eric Crawford, representing Trout Unlimited, spoke **in opposition** to **SJM 103**. He said the dams should be breached to allow the iconic fish to recover and flourish. He believes this change will be a positive economic and cultural stimulation to the entire area. The lower Columbia-Snake River dams have been identified by scientists from several states as a leading factor prohibiting the recovery of wild salmon and Steel-head. The agreement between the federal government and the six sovereign nations will allow us to begin transferring transportation, irrigation, and electrical needs to alternative sources.

Braden Jensen, representing the Idaho Farm Bureau, spoke **in support** of **SJM 103** saying it is important that the lower Columbia-Snake River hydro-system stay intact and continue to meet the multipurpose needs of the surrounding areas and the entire northwest.

Brian Brooks, representing the Idaho Wildlife Federation, spoke **in opposition** of **SJM 103** saying it fails to recognize the entire complex picture surrounding the river. The negative impact of the dams on salmon and steel-head, which also have economic and cultural value, are not mentioned. And the dams are already expensive to rate payers, tax payers, and fish reliant communities. **SJM 103** is silent about the tax payer funded fish recovery efforts, and the existing BPA rate payers who pay 30% of their electric bills to support failed fish recovery efforts. Hundreds of thousands of acre feet of water are flushed down the river annually at a loss for irrigation purposes. In his estimation, nearly 26 billion dollars have been spent on this fish recovery effort, the most in world history, and in pursuing the same path another 26 billion could be spent with no results.

Paul Arrington, Idaho Water Users Association, spoke **in support** of **SJM 103** acknowledging this is a very complex issue and **SJM 103** speaks to the value of the dam system which brings much economic value to Idaho.

Aaron Leiberman, Idaho Outfitter and Guides Association (IOGA), spoke **in opposition** to **SJM 103** saying it fails to mention some significant issues that deserve to be acknowledged. Certainly breaching the dams would have a huge economic impact, however, the lower dams have been identified by science in consensus as the primary source of mortality for salmon and Steel-head. The memorial emphasizes only one side of the economics connected to the dam system and fails to even acknowledge the existing negative economic and cultural impact the dam system has in the region.

There was a committee question about irregular flow rates out of the Hells Canyon dam. **Mr. Leiberman** confirmed the problem which involves significant fluctuation in river flow rates and safety issues for the outfitter and guides industry, however, this problem does not involve the Columbia-Snake River dam system.

Stacy Satterlee, representing the Idaho Grain Producers Association, spoke **in support** of **SJM 103** saying the grain-wheat industry is heavily reliant on the lower Columbia-Snake River dam system. Grain is trucked directly from fields to the Lewiston Port, loaded on ships to Portland, then onto ocean cargo ships and out to customers all around the world.

Robert Bender, representing himself as an Idaho guide, spoke **in opposition** to **SJM 103** saying he is not originally from Idaho but visited Idaho regularly during his youth to fish with his dad. When he wasn't in Idaho he read about Idaho, especially about the fish. Besides their fishing value the salmon are a keystone food source to many species and their loss would be tragic.

Chairman Mendive spoke **in support** of **SJM 103** referring to a recent electrical shortage in the northern part of the state that almost resulted in an electrical brown out during some of the coldest days of the winter.

Rep. McCann closed saying at present there is no way Idaho can replace the electricity produced by the Columbia-Snake River dam system or the economic revenues it generates. In courtesy however, she acknowledged the unfortunate issues connected to the salmon and explained she still holds a hope that there will be a solution to this problem in the future.

**VOTE ON
MOTION:**

Motion carried by voice vote. **Rep. Necochea** requested to be recorded as voting **NAY**. **Rep. McCann** will sponsor the bill on the floor.

MOTION:

Rep. Durrant made a motion to approve the February 21, 2024 meeting minutes as submitted. **Motion carried by voice vote.**

H 687: **Rep. Sauter**, District 1, presented **H 687** saying the bill has been brought forward by the water users in his district and it commences the water adjudication process in Boundary County through the continuation of the Ponderay Water Basin adjudication process.

MOTION: **Rep. Raybould** made a motion to send **H 687** to the floor with a **DO PASS** recommendation.

Shelley Keen, Deputy Director at the Idaho Dept. of Water Resources, testified **in support** of **H 687** saying it is important to complete the adjudication of water rights in Idaho. Adjudication is beneficial because it reduces uncertain outcomes when there is competition for finite resources, especially in areas like northern Idaho where they are experiencing population growth. Adjudication allows people to have their existing water rights confirmed. Water rights are similar to property rights and in times of shortages the rights can be defended and administered in priority. IDWR supports adding the Kootenai County valley to the list of authorized adjudications.

Paul Arrington representing Idaho Water Users, and **Norm Semanko** representing Kootenai Valley Reclamation Association, yielded their testimony **in support** of the motion.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Sauter** will sponsor the bill on the floor.

S 1339: **Rep. Raybould**, District 34, presented **S 1339** saying it has to do with water law and how we speak about water rights, and it updates language to reflect current usage. It makes it so if someone has a ditch encroachment or blockage they will no longer need to go to court to restore access to their water.

MOTION: **Rep. Mickelsen** made a motion to send **S 1339** to the floor with a **DO PASS** recommendation.

Paul Arrington, representing the Idaho Water Users Association, yielded his testimony **in support** of the motion.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Raybould** will sponsor the bill on the floor.

S 1338: **Rep. Durrant**, District 23, presented **S 1338** explaining recently an irrigation district board member resigned in her area and they were not able to fill the position. A person was identified, however, they did not reside within the district and the county commissioners were not able to redraw the lines. This legislation allows the district boundaries to be redrawn in the event no suitable board replacement can be found within a district.

MOTION: **Rep. Blanksma** made a motion to send **S 1338** to the floor with a **DO PASS** recommendation.

Paul Arrington, representing the Idaho Water Users Association, yielded his testimony **in support** of the motion.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Durrant** will sponsor the bill on the floor.

S 1342: **Rep. Boyle**, District 9, presented **S 1342** explaining it extends grazing leases on state land from twenty years up to forty. It does not require forty, but it gives the Idaho Dept. of Lands the flexibility to decide that. It excludes a hearing at the county commission level. The longer leases will give ranchers a little more consistency and confidence to make investments in livestock essentials.

MOTION: **Rep. Durrant** made a motion to send **S 1342** to the floor with a **DO PASS** recommendation.

Rep. Pickett declared a Rule 80 confessing a conflict, his family has a grazing list.

Russ Hendricks representing the Idaho Farm Bureau Federation yielded his testimony **in support** of the motion.

**VOTE ON
MOTION:**

Motion carried by voice vote. Rep. Boyle will sponsor the bill in the floor.

ADJOURN:

There being no further business to come before the committee the meeting adjourned at 2:29 p.m.

Representative Mendive
Chair

Andrea Blades
Secretary