

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Tuesday, March 01, 2022

TIME: 1:30pm or Upon Adjournment

PLACE: Room EW40

MEMBERS: Chairman Gibbs, Vice Chairman Lickley, Representatives Moyle, Wood, Boyle, Vander Woude, Gestrin, Mendive, Kauffman, Blanksma (Blanksma), Addis, Moon, Manwaring, Okuniewicz, Yamamoto, Rubel, Mathias (Woodings), Burns

**ABSENT/
EXCUSED:** Representative(s) Manwaring

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Gibbs called the meeting to order at 1:31pm.

Chairman Gibbs announced the sponsor of **H 587** requested the bill be held in committee.

H 702: **Ed Schriever**, Director, Idaho Department of Fish and Game, stated **H 702** addresses the gap between crop depredation claims and funding available for compensation. He explained, **H 230**, passed in 2017, created the access/depredation hunting and fishing license endorsement, which is a set-aside fee to increase funding for wildlife depredation compensation and prevention, and sportsmen's access programs. **H 230** also established a budget of \$1.1M for depredation claims and \$1M for sportsmen's access. Previous statute specified if the claim fund was insufficient to cover all claims, or if total claims exceeded the \$1.1M, claims would be pro-rated. He remarked, over the last two years, the total amount of claims has exceeded \$1.1M, forcing the Department to pro-rate compensation at approximately 65 cents on the dollar. During this Legislative Session, the Department received an increase to the depredation claims fund to \$2M in fiscal year 2023, and \$1.8M ongoing, in addition to a one-time cash transfer of \$1.7M from dedicated license funds to the depredation claim reserve fund. Director Schriever stated, this additional funding will forestall the need for pro-rated payments in the near term, but will not address the longer term issue of a source of dedicated revenue sufficient to cover increasing crop depredation claims.

Director Schriever explained, **Idaho Code, Section 36-115**, states no single claim shall exceed 10% of the original depredation claims fund appropriation for the fiscal year. With the increase to the depredation claims fund to \$2M, 10% would allow for a single claim to reach \$200,000, effectively eliminating the Department's ability to pay all claims in full and having to once again pro-rate payments. **H 702** will change the cap on any individual depredation claim from 10% of the annual budget to a fixed amount of \$125,000. Additionally, **H 702** will re-balance the revenue from the license endorsement to an approximate 50-50 split between the depredation compensation and prevention program and the sportsmen's access program since an even split was the original intent in **H 230**.

In response to a committee question regarding payment of depredation claims, **Director Schriever** explained statute states once the claim is validated, half is paid, then at the end of the year, the remaining balances are paid in full. If there is not enough funds in the account, the second half payments are pro-rated based on the number of claims and the remaining balance.

In response to a committee question regarding what has been done in the prevention program, **Director Schriever** stated the Department has been working with landowners to harden stored crops, mainly haystacks, with fencing, fenceposts, and gates rather than going out after depredation has occurred to deal with damages. As a result, the stored crop depredation claims are a fraction of what they used to be. Additionally, Department staff have been conducting population management of elk, the primary culprit of stored crop depredation, as well as hazing elk herds to change their behavior and movement patterns. They are also issuing kill permits so landowners can take action on their own, including lethal action; this is generally done in concert with the Department.

Benn Brocksome, Idaho Sportsmen Association, spoke in support of **H 702**, stating the Association takes depredation and access issues seriously and appreciates the work of the Legislature and the Department to find solutions to these issues.

MOTION: **Rep. Burns** made a motion to send **H 702** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Chairman Gibbs** will sponsor the bill on the floor.

S 1227: **Colby Cameron**, Bureau Chief, Regulatory and Legislative Affairs, Division of Financial Management, stated **S 1227** eliminates the obsolete Coeur d'Alene River and Lake Commission, created in 1931 by statute, that is no longer in existence. He stated there are various other state and local agencies, organizations, and commissions tasked with the protections of Coeur d'Alene River and Lake including the Governor's recently formed advisory commission.

MOTION: **Rep. Boyle** made a motion to send **S 1227** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Addis** will sponsor the bill on the floor.

S 1228: **Colby Cameron**, Bureau Chief, Regulatory and Legislative Affairs, Division of Financial Management, stated **S 1228** repeals a statute from 1872 that required fences around quartz mills because reservoirs and dumps were part of the mill and fencing was required to keep livestock out. He stated, the 1872 quartz mill operations no longer exist in Idaho, and have been replaced with various other laws and regulations that cover structural and fencing requirements for modern mining facilities.

MOTION: **Rep. Lickley** made a motion to send **S 1228** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Okuniewicz** will sponsor the bill on the floor.

SCR 117: **Rep. Burns**, District 26, stated **SCR 117** recognizes the 50th anniversary of the Sawtooth National Recreation Act, which established the 760,000 acre Sawtooth National Recreation Area (SNRA). He stated, this Act preserves the natural, scenic, historic, pastoral, and fish and wildlife values, and enhances the recreational activities on an iconic Idaho landscape. Additionally, Idaho's outfitters, guides, hunters, anglers, and tribes all rely on the intact habitat and clean water, which contributes significantly towards the economies of rural communities in the area. The SNRA is critical habitat for the survival and recovery of salmon and steelhead, since it is the headwaters of the Big Wood, Salmon, Boise, and Payette Rivers. He added, within the SNRA there are over 700 miles of trails, over 300 high mountain lakes, and 40 peaks rising over 10,000 feet within the Sawtooth, White Cloud, Boulder, Pioneer, and Smoky Mountain ranges.

Kathryn Grohusky, Executive Director, Sawtooth Society, spoke **in support** of **SCR 117**, stating the SNRA was established to preserve and protect the natural, scenic, historic, pastoral, fish and wildlife, and recreational values of the area, while creating local sustainability for Idaho through its social, economic, and environmental benefits to the state.

Jonathan Oppenheimer, External Relations Director, Idaho Conservation League, spoke **in support** for **SCR 117**. He stated the establishment of the SNRA recognizes the role that Idahoans made to provide protections for the area, which stands out in Idaho and globally for its significance and beauty. He remarked there were many discussions and debate regarding the type of designation this area should receive, and in the end there was a compromise to establish it as a national recreation area, rather than a national park, as the appropriate level of protection.

Aaron Lieberman, Executive Director, Idaho Outfitters and Guides Association, spoke **in support** for **SCR 117**, stating the SNRA hosts a significant number of outfitters and the Association supports the many values the SNRA provides.

Rep. Boyle requested the record reflect that although she will vote in support of **SCR 117**, this does not signify she supports any new designations in Idaho in future years.

MOTION:

Rep. Lickley made a motion to send **SCR 117** to the floor with a **DO PASS** recommendation and spoke to her motion. She stated she concurs with **Rep. Boyle's** statement regarding no more designations, commenting it is important to continue collaborations on any future recommendations in Idaho. She spoke with concern regarding the prohibition of chainsaws and the lack of trail maintenance in the wilderness areas within the SNRA. She remarked, there are many nonprofit and recreational groups willing and able to do the trail work if those designations were removed. **Motion carried by voice vote.** **Rep. Burns** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 2:19pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary