

IN THE SENATE

SENATE BILL NO. 1112

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO BEAR LAKE; AMENDING CHAPTER 43, TITLE 67, IDAHO CODE, BY THE AD-  
2 DITION OF A NEW SECTION 67-4313, IDAHO CODE, TO RECOGNIZE BEAR LAKE AS  
3 A HIGHLY VALUED RESOURCE AND TO RECOGNIZE ITS UNIQUE CHARACTERISTICS,  
4 TO PROVIDE FOR BEAR LAKE'S PRESERVATION FOR FUTURE GENERATIONS, TO PRO-  
5 VIDE THAT THE STATE DESIRES TO PREVENT DEGRADATION OF BEAR LAKE, TO PRO-  
6 VIDE THAT THE STATE SUPPORTS ENHANCEMENT OF THE OPERATIONAL UTILITY OF  
7 BEAR LAKE FOR IRRIGATION STORAGE PURPOSES, TO ENCOURAGE COLLABORATION  
8 AMONG AGENCIES AND STAKEHOLDERS, AND TO PROVIDE THAT PROVISIONS SHALL  
9 NOT CHANGE ANY WATER RIGHTS OR APPROPRIATE ANY WATER; AND DECLARING AN  
10 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
11

12 Be It Enacted by the Legislature of the State of Idaho:

13 SECTION 1. That Chapter 43, Title 67, Idaho Code, be, and the same is  
14 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
15 ignated as Section 67-4313, Idaho Code, and to read as follows:

16 67-4313. BEAR LAKE. The legislative intent of this section is to rec-  
17 ognize the following:

18 (1) Bear Lake was a natural lake at the time Idaho gained its statehood  
19 and remains a highly valued resource for its native fisheries, recreation,  
20 and distinctive characteristics, including its water clarity and mineral  
21 and chemical uniqueness, giving it the intense turquoise blue color for  
22 which it is known all over the world.

23 (2) While serving as a reservoir, Bear Lake retains its basic native  
24 form and character, preserving much of its valued scenic beauty, navigabil-  
25 ity, and lake-related recreation opportunities. It is the desire and expect-  
26 ation of the state of Idaho that Bear Lake and its inherent qualities and  
27 characteristics be preserved for future generations.

28 (3) The state of Idaho desires to prevent the lake's degradation in  
29 quality and functions and to preserve and enhance the lake's unique char-  
30 acteristics, including but not limited to native fish and wildlife, unique  
31 water quality, native lake bed, navigation, littoral rights, lake-related  
32 recreation, and irrigation storage.

33 (4) Bear Lake has been operated as a reservoir since the early 1900s  
34 to store water for irrigation, flood control, and incidental power gener-  
35 ation, which has enhanced agricultural productivity and prosperity in the  
36 Bear River basin and will remain an essential irrigation water supply into  
37 the future. The state of Idaho supports enhancement of the operational util-  
38 ity of Bear Lake for irrigation storage purposes.

39 (5) To achieve the goals of this section, the state of Idaho encourages  
40 collaboration among agencies and stakeholders to help preserve and enhance  
41 such interests.

1           (6) Nothing in this section is intended to impair or constrain the oper-  
2           ation of Bear Lake, to interfere with or change any water rights, or to appro-  
3           priate any water.

4           SECTION 2. An emergency existing therefor, which emergency is hereby  
5           declared to exist, this act shall be in full force and effect on and after  
6           July 1, 2023.