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## Rules

### Review

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# 2018 Legislative Reports

January 22

The second regular session of the 64th Idaho Legislature convened on January 8th. Governor Otter delivered his 12th and final State of the State and Budget Address, saying Idaho is “prosperous, positive, and poised for even better times ahead.”

With regards to water, Governor Otter said, “for the first time since the 1950s we put more water back into the Eastern Snake Plain Aquifer than we pumped out in 2017.” He attributed the 660,000 acre-feet increase in water storage in the aquifer to wet weather, recharge efforts by the Idaho Water Resource Board working with private canal companies, and the “landmark settlement agreement between surface water users and ground water users” that accounted for 200,000 acre-feet of the overall net gain.

Last week House and Senate committees met for organizational sessions and began digging into their rules review.

Idaho Department of Environmental (DEQ) presented four rules that were approved in House and Senate Committees. Most of these rules are needed to allow the state of Idaho to move forward in implementing and gaining state primacy over National Point Source Discharge Elimination System (NPDES). (*See page 3*)

The Idaho Department of Water Resources introduced three bills: **HO370 WATER DISTRICT MEETINGS** would revise provisions relating to water district meetings and elections; **HO371 CRITICAL GROUND WATER AREAS** proposes to revise provisions regarding certain administration on a time priority basis; and **HO372 WATER RIGHTS** provides a fee for applications to change only the legal description for the place of use or the point of diversion under specified conditions. These bills are currently assigned to the House Resources & Conservation Committee. The House Resource committee will hold hearings on these bills January 29th starting at 1:30 p.m. At this time, there does not appear to be any opposition to these bills. (*See page 2*)

DEQ also introduced a bill last week—**Senate 1218** - necessary for the continued implementation of its Idaho Pollutant Discharge Elimination System Program (IPDES).

## Water - House

**HO370 WATER DISTRICTS** – Amends existing law to revise provisions relating to water district meetings and elections; and to provide that absentee and proxy voting is prohibited unless authorized by specified law. **House: 01/18** Introduced; 1st reading; referred for printing **01/19** Printed; referred to Resources & Conservation

**HO371 CRITICAL GROUND WATER AREAS** – Amends existing law to revise provisions regarding certain administration on a time priority basis. **House: 01/18** Introduced; first reading; referred for printing **01/19** Printed; referred to House Resources & Conservation

**HO372 WATER RIGHTS** – Amends existing law to provide a fee for applications to change only the legal description for the place of use or the point of diversion under specified conditions. **House: 01/18** Introduced; first reading; referred for printing **01/19** Printed; referred to House Resources & Conservation

## Water - Senate

**Senate 1218 ENVIRONMENTAL QUALITY** – Amends and adds to existing law to revise factors to be considered when the Director of the Idaho State Department of Agriculture is deciding whether to designate a poultry animal feeding operation; to provide that certain law shall not affect the authority of the Department of Environmental Quality to administer and enforce an Idaho NPDES program; to provide that the Director of the Department of Environmental Quality shall consult with the Director of the Idaho State Department of Agriculture before certifying discharges from poultry operations; and to provide for the Idaho Pollutant Discharge Elimination System Program and fund. **Senate: 01/19** Introduce; 1st reading; referred for printing **01/22** Printed; referred to Agricultural Affairs

## Rules

**Docket No. 58-0102-1502** Water Quality Standards: Copper Criteria for Aquatic Life Use  
01/15 Senate Resources & Environment; 01/22 House Environment, Energy & Technology

**Docket No. 58-0102-1701** Water Quality Standards: Update to Selenium Criteria for Aquatic Life Use  
01/15 Senate Resources & Environment Committee; 01/22 House Environment, Energy & Technology

**Docket No. 58-0102-1702** Water Quality Standards: Revision to Criteria for Toxic Substances table  
01/15 Senate Resources & Environment Committee; 01/22 House Environment, Energy & Technology

**Docket No. 58-0125-1701** Rules Regulating the Idaho Pollutant Discharge Elimination System Program  
01/15 Senate Resources & Environment; 01/22 House Environment, Energy & Technology

**Docket No. 07-1001-1701** Rules Governing the Damage Prevention Board  
01/17 House Business; 01/18 Senate Commerce & Human Resources

## APPOINTMENTS

**Jim Yost, Northwest Power & Conservation Council, January 2018-2021**

## Calendar

### Monday: January 22

House Environment, Energy & Technology: DEQ Rules Relating to Water Quality  
 Senate Resources & Environment: Jim Yost, Northwest Power & Conservation Council, reappointment  
 Idaho Water Users Association Legislative Committee  
 Idaho Water Users Association Annual Convention January 22-25

**Tuesday: January 23** Ag Lobbyists, Lock Stock & Barrel, 12 noon

**Wednesday: January 24:** Food Producers, 10 a.m., Idaho Grain Producers  
 Food Producers Legislative Luncheon, noon to 1 p.m., Yen Ching

**Thursday: January 25** Idaho Water Resource Board Work Session, 8:30 a.m.

**Friday: January 26 JFAC Budget Hearing** Idaho Department of Water Resources, 8 a.m.  
 Idaho Water Resource Board, 10:30 a.m.

### Key Legislative Dates:

February 12: 36th Day Bill Introduction Deadline in standing committees  
 February 16: JFAC Target to Complete Budget Hearings  
 March 2: Committee Target to Report on Rules Review  
 March 5: Target Date for Transmittal Date of All Legislation between Houses  
 March 9: JFAC Target to Complete Budget Setting

### Senate Committees:

**Agricultural Affairs**, T/TH, 8 am, Rm WW53  
**Commerce and Human Resources**, T/TH, 1:30 pm, Rm WW54  
**Education**, M/T/W/Th, 3 pm, Rm WW55  
**Finance**, Daily, 8 am, Rm C310  
**Health and Welfare**, M, T, W, Th, 3:00 pm, Room WW54  
**Judiciary and Rules**, M/W/F, 1:30 pm, Rm WW54  
**Local Government & Taxation**, T/W/Th, 3 pm, Rm WW53  
**Resources and Environment**, M/W/F, 1:30 pm, Rm WW55  
**State Affairs**, M/W/F, 8 am, Rm WW55  
**Transportation**, T/TH, 1:30 pm, Rm WW53

### House Committees

**Agricultural Affairs**, Even Days, pm, Room EW42  
**Appropriations**, Daily, am, Room C310  
**Business**, Odd Days, pm, Room EW41  
**Commerce & Human Resources**, Odd Days, pm, Rm EW05  
**Education**, Daily, a.m., EW41  
**Environment, Energy, & Technology**, Even Days, pm, Rm EW41  
**Health & Welfare**, Daily, am, Rm EW20  
**Judiciary, Rules, & Administration**, Odd Days, pm, Rm EW42  
**Local Government**, Even Days, pm, Rm EW05  
**Resources and Conservation**, Odd Days, pm, Room EW40  
**Revenue & Taxation**, Daily, am, Rm EW42  
**State Affairs**, Daily, am, Room EW40  
**Transportation and Defense**, Even Days, pm, Rm EW40  
**Ways and Means**, On Call, pm, Room EW05