

Capitol Reflections



2016 Legislative Session

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IFBF New Lobbyist

Braden Jensen from Tremonton, Utah



was recently hired as a lobbyist working with Idaho Farm Bureau's Governmental Affairs Team in Boise.

Jensen grew up on a farm in Box Elder County. His parents are active in the Utah Farm Bureau and farm wheat, alfalfa, corn, and onions. The family also runs 2,000 head of sheep.

Jensen is a graduate of Bear River High School and Utah State University. He received undergraduate degrees in Agriculture Business, Agriculture Systems Technology, and Spanish. His master's degree is in Applied Economics. As part of his master's program, he and his wife Shalissa served in Paraguay for 27 months. She is a school teacher, formerly taught third grade in a dual language immersion

Truck Registration Rules

This week the Senate Transportation Committee, chaired by Senator Bert Brackett (R-Rogerson), heard a series of rules presented by the Idaho Transportation Department. Of interest to Farm Bureau members was a rule that specifies the type of documentation that is required for "full-fee" truck registrations where the fee is based upon the gross weight of the truck and the number of miles it drives in a year. In the past, the rule required that in addition to the odometer reading, a full-fee registrant must keep secondary evidence of the mileage travelled, such as a log book, fuel receipts, or other method.

A couple of years ago, Farm Bureau discovered that this requirement for secondary record-keeping was not required by the statute, but was

program at Bridger Elementary School in Logan.

The couple will make their home in the Boise area. Jensen began work on January 4. His email address is bjensen@idahofb.org.

"Braden will be a tremendous addition to the Idaho Farm Bureau Governmental Affairs Team," said Russ Hendricks, IFBF Director of Governmental Affairs. "He has a solid agricultural background and a wealth of experience to draw upon."

incorporated into the rule at some point in the past. Farm Bureau subsequently entered a negotiated rule-making with the Idaho Tax Commission, which oversees this rule. During this past summer, Farm Bureau met several times with the Tax Commission and other interested parties asserting that the requirement for secondary verification was burdensome and not supported by the underlying statute.

In the end, the Tax Commission agreed to modify the rule. The Senate Transportation Committee has now approved the rule. The House Transportation and Defense Committee will also review the same rule soon, where we expect it to be approved there as well. This means that as long as your odometer in your truck works properly, and you keep a record of the odometer readings at the beginning and ending of the reporting year, which is July 1 to June 30, you do not have to keep secondary documentation. However, if your odometer does not work, you must use a hubometer, or other secondary record-keeping such as a daily trip log, fuel receipts or another such method to verify the miles travelled.

This new rule will not take effect until July 1, so keep maintaining your secondary record-keeping for your full-fee trucks until that time.



Idaho Farm Bureau's Governmental Affairs Report

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Senate Ag hears Quagga/Zebra Mussel Update

On Thursday, the Senate Agricultural Affairs Committee received a Quagga and Zebra mussel update from Montana House Member and PNWER Vice-President, Mike Cuffe (R-Eureka). PNWER is the Pacific Northwest Economic Region, an economic development organization comprised of the provinces of British Columbia, Alberta, Saskatchewan, and the Yukon and Northwest Territories. The states of Alaska, Washington, Idaho, Montana, and Oregon are also members.

Mr. Cuffe began by thanking former Representative Eric Anderson (R-Priest Lake) for his early leadership on this issue and said: "If not for Eric Anderson, we would not be here today." Mr. Cuffe went on to say that PNWER has finally been able to get the federal government's attention regarding Quagga and Zebra mussels and thanked Idaho's U.S. Senators for their role in redirecting \$4 million in federal money appropriated for mussel programs.

The Pacific Northwest and Wyoming are the last regions of the United States without Quagga or Zebra mussels. Mr. Cuffe said Sen. Lee Heider (R-Twin Falls) was instrumental in communicating the importance of this issue to Idaho Senators Crapo and Risch last October in Washington DC. The Senators, in turn, influenced the Army Corps of Engineers to redirect the \$4 million federal appropriations to develop watercraft inspection stations in the Columbia Basin.

Idaho currently spends \$1.2 million annually for inspection stations and has led the way in watercraft inspection and prevention of mussel infestation. These are funded by the Idaho invasive species sticker sales. Mr. Cuffe said the \$4 million is a 1 to 1 match by the federal government and stressed the importance of a continuing federal appropriation. He also advised the Senators not to reduce funding for Idaho's program and expect to make up the former funding with a federal match. He said that for the program to progress, funding and inspection had to continue and be successful.

During the question and answer portion of the report, Sen. Mary Souza (R-Cd'A) asked about remediation and stopping the possibility of infestation at source waters. Rep. Cuffe said there is no effective remediation yet, but the federal government is becoming more aware of the importance of watercraft inspection and preventing the transportation of mussels from region to region.

Mr. Cuffe went on to say that Quagga and Zebra mussels have been discovered in Lake Winnipeg. It was formerly thought that the water and climate were too cold for the mussels to establish themselves in that area. When reporting this infestation, Manitoba authorities said they had killed the known mussels with potash. However, more mussels were discovered the following year. Mr. Cuffe said that the mussels were usually present in a water body for two years before discovered. If established in the PNWER area, he said it would give the region \$500 million to deal with these invasives.

Sen. Mark Harris (R-Soda Springs) said people in SE Idaho are "terrified" of a mussel infestation in that area and are particularly concerned about possible contamination from scuba gear, jet skis, and other small personal watercraft. Mr. Cuffe said that attempts to raise awareness of the possibility of contamination should be made, and retailers should also make their customers aware of the risk of transporting mussel or mussel veligers on this type of equipment.

Idaho Water Users Association 79th Annual Convention

The Idaho Water Users Association (IWUA) held its 79th Annual Convention in Boise January 19, 20 and 21. The association is made up of patrons and owners of different canal companies, irrigation/water districts, and associated businesses among other interest groups. As part of the event on Wednesday, IWUA President, Dan Darrington welcomed the group and gave a brief overview of a few of the past years accomplishments in the area of water delivery and management. Among some of those mentioned were the Minidoka spillway project, the Arrowrock Dam Centennial Celebration, and the Eastern Snake Plain Aquifer (ESPA) settlement. President Darrington also made mention of Governor Otter's proposed budget for aid to aquifer refill.

IWUA Executive Director, Norm Semanko, gave a number of quick updates regarding potential problems with the water quality standards that would be imposed on producers as part of the Food Safety and Modernization Act. Semanko also addressed a couple of issues with the Clean Water Act and the Columbia River Treaty.

Pacific Northwest Regional Director of the Bureau of Reclamation, Lorri Lee, gave thanks to the many entities that contributed to the success of the past year's projects and informed the group of the bureau's 2016 priorities. Some of those projects listed by Director Lee include: the rising of the Anderson Ranch Dam by approximately six feet, Palisade Power Plant turbine replacement, the identification of additional water resources for the Lewiston Orchard Project, the concerns of urban canals such as the New York Canal, the third diversion unit for the Black Canyon Dam, and the Columbia River Treaty among others. A former employee of the Bureau of Reclamation, Jerry Gregg, applauded the Idahoans for being forward thinking when it comes to many water issues. There is always room to improve; however, Gregg said that he considers Idaho as a leader in the west in many water-related areas, particularly for water banks.

Director of the Department of Water Resources, Gary Spackman, talked about the governor's proposed budget with one-time money being targeted to the recharge projects of aquifers including the ESPA, as well as the additional two million dollars to the department's annual budget. Director Spackman also presented on the change in water permits and water supply bank activities

throughout the past year. The director also mentioned some historic events including the Hagerman Valley Agreement discussion, as well as the surface water and ground water groups agreement in the lower Snake River region.

Water Quality Division Administrator of the Department of Environmental Quality, Barry Burnell, presented the department's legislative priorities for this session. The first, RS 23975, addresses the Total Maximum Daily Loads (TMDL) of pollutants in water sources, and prioritization of such areas. The second, RS 23978, deals with the Idaho Pollutant Discharge Elimination System (IPDES) and the information that will be included on public record. Third, RS 23979 would establish the IPDES appeals process, as well as providing the minimum enforcement authority to DEQ. The fourth, RS 24071, would ensure that DEQ would have the authority to regulate dairy and cattle operations as part of the IPDES that is required by the EPA.

Lieutenant Cardinal Tim Vail, U.S. Army Corps of Engineers District Commander, informed the group of the Corps history and partnership with Idaho on many projects within the Snake River Basin. Since 2009, the Corps has partnered with the Idaho Water Board to aid with water resource problems, including storage areas and reducing flood risk. Vail also talked about the corp's Levee Safety Program and their involvement with the Clean Water Act.

Technical Hydrogeologist of the Department of Water Resources, Dennis Owsley, gave updates on ground water level monitoring efforts that are being done throughout the state. Owsley shared information regarding historic hydrographs from the many observatory wells throughout the state. These graphs show the historic trends of aquifer water levels in Idaho. Many of the hydrographs shown from the different regions indicate stable to lowering water levels in the state's aquifers. This raises the concern for aquifer recharge.

Brian Patton, Planning Bureau Chief for the Department of Water Resources specifically addressed the ESPA recharge project. Patton summarized the volume change of water stored in the ESPA over the past 100 years as having 40 years of "up," followed by 60 years of "down." The primary implication of the current ESPA situations means that the aquifer can no longer meet all the uses that have been assigned to it. Agreements have been made by ground water and surface water users to help with efforts to stabilize and recharge the ESPA. The state plans on using existing canal systems to the extent possible to serve in the recharge process.

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"It will be of little avail to the people, that the laws are made by men of their own choice, if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood; if they be repealed or revised before they are promulgated, or undergo such incessant changes that no man, who knows what the law is today, can guess what it will be tomorrow. Law is defined to be a rule of action; but how can that be a rule, which is little known, and less fixed?"

James Madison, Federalist Paper #62