
**Agriculture & Natural Resources
Committee**

HJM 4034

Brief Description: Petitioning Idaho concerning the Basin Environmental Improvement Project Commission.

Sponsors: Representatives Ormsby, Benson, Linville, Schoesler, Hunt, Cooper, Ahern, Chase, Morrell and Wood.

Brief Summary of Bill

- The Governor and the Legislature of Idaho are requested to make changes to the Basin Environmental Improvement Project Commission.

Hearing Date: 2/4/04

Staff: Jason Callahan (786-7117).

Background:

The Basin Environmental Improvement Project Commission (Basin Commission) was created by the Idaho legislature in 2001. The stated intent of the act that created the Basin Commission is to provide a system for environmental remediation, natural resource restoration and related measures to address heavy metal contamination in the Spokane River/Coeur d'Alene Basin.

The Basin Commission is made up of representatives of the state of Idaho, the three Idaho counties in the Basin, the Coeur d'Alene Tribe, and the state of Washington. The Basin Commission became operational in March, 2002 with the execution of an order by the director of the Idaho Department of Environmental Quality and the participation of the Coeur d'Alene Tribe, the three counties, and the state of Idaho.

Under a memorandum of agreement with the United States Environmental Protection Agency, the Basin Commission was authorized to exercise certain state authorities to address heavy metal contamination in Idaho's Coeur d'Alene Basin, and to coordinate the Basin Commission's activities and authorities with those of other entities operating in the Coeur d'Alene Basin to achieve a similar purpose. The Basin Commission is scheduled to implement a decision pursuant to the Comprehensive Environmental Response Compensation Liability Act (CERCLA).

One member of the Basin Commission is appointed by Washington's Governor. Decisions of the Basin Commission are decided by majority vote; however, any majority vote can be vetoed and

rendered invalid by the vote of a representative of Idaho, the Coeur d'Alene Tribe, or the three Idaho county representatives.

Summary of Bill:

The Governor and the Legislature of Idaho are requested make certain alterations to the Basin Commission. In particular, Idaho is asked to modify the Basin Commission voting procedures so that all members have equal voting rights and increase the membership of the Basin Commission to include a representative of Spokane County's county commission.

Idaho is also asked to enter into discussions with Washington to replace the existing Basin Commission with a bi-state entity. The new entity would have participation by state, local federal, and tribal interests throughout the entire Spokane/Couer d'Alene basin area that is designated under CERCLA. The new entity should be agreed to by the end of 2006.

Appropriation: None.

Fiscal Note: Not requested.