

LEGISLATURE OF THE STATE OF IDAHO

Fifty-second Legislature

Second Regular Session — 1994

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 52

BY REVENUE AND TAXATION COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND RECOGNIZING THE LEGISLATIVE CHARTER OF THE
HENRYS FORK WATERSHED COUNCIL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature finds that as interests in the Henrys Fork Basin have diversified, the Henrys Fork and its tributaries have sustained increasing pressure to satisfy demands for irrigation, hydroelectricity and instream flow needs for fisheries and recreation; and

WHEREAS, since passage of the "Comprehensive State Water Plan: Henrys Fork Basin" in 1993, new developments such as dams, diversions and hydroprojects have been restricted on one hundred ninety-five miles of the Henrys Fork and tributary streams; and that additional recommendations in the Plan have not yet been fully addressed by the twenty-three federal, state and local agencies with management or regulatory jurisdiction in the Basin; and

WHEREAS, the Legislature also finds that in view of the high resource values at stake in the Henrys Fork Basin, an innovative, consensus-building process is needed to provide for sound watershed management.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature authorizes state agencies to participate in the Henrys Fork Watershed Council which is a forum to identify watershed issues and to facilitate long-term solutions.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Legislature recognizes and commends the Henrys Fork mission statement, definitions, duties, facilitation role, and its policy on finances as follows:

(1) MISSION STATEMENT. The Henrys Fork Watershed Council is a grassroots, community forum which uses a nonadversarial, consensus-based approach to problem solving and conflict resolution among citizens, scientists and agencies with varied perspectives. The Council is taking the initiative to better appreciate the complex watershed relationships in the Henrys Fork Basin, to restore and enhance watershed resources where needed, and to maintain a sustainable watershed resource base for future generations. In addressing social, economic and environmental concerns in the Basin, Council members will respectfully cooperate and coordinate with one another and abide by federal, state and local laws and regulations.

(2) DEFINITIONS:

(a) "Basin" means the Idaho portions of the Henrys Fork watershed as defined in the "Comprehensive State Water Plan: Henrys Fork Basin," including over three thousand miles of rivers and streams, two million acres of public and private lands and underlying ground water resources.

(b) "Council" means the Henrys Fork Watershed Council.

(3) MEMBERSHIP. The Council shall be comprised of citizens, scientists and agency representatives who reside, recreate, make a living and/or have legal responsibilities in the Basin, thus ensuring a more collaborative

1 approach to resource decision-making. The Council shall not be limited in the
2 number of participants, with members organized into the following three compo-
3 nent groups:

4 (a) Citizens Advisory Group - Members of the public with commodity, con-
5 servation and/or community development interests will have an integral
6 role in Council affairs through the Citizens Advisory Group. The Group
7 shall review agency proposals and plans for their relevance to local needs
8 and whether all interests are treated equitably.

9 (b) Technical Team - The Team shall be composed of scientists and techni-
10 cians from government, academia and the private sector. They will coordi-
11 nate and monitor research projects, serving as catalysts for launching
12 needed studies and as peer reviewers for ongoing work in the Basin. Dupli-
13 cation of research will be minimized through Technical Team guidance, and
14 results of research shall be integrated into Council discussions.

15 (c) Agency Roundtable - The Roundtable shall have representatives of all
16 local, state and federal entities with rights or responsibilities in the
17 Basin, including the Shoshone-Bannock Tribes. The agencies will work to
18 align their policies and management to watershed resource concerns and
19 needs. Discussions shall seek to ensure close coordination and problem
20 solving among agencies.

21 (4) DUTIES OF COUNCIL. Citizens, scientists and agencies on the Council
22 shall dedicate themselves to:

23 (a) Cooperate in resource studies and planning that transcend jurisdic-
24 tional boundaries, still respecting the mission, roles, water and other
25 rights of each entity.

26 (b) Review and critique proposed watershed projects and Basin Plan recom-
27 mendations, suggesting priorities for their implementation by appropriate
28 agencies.

29 (c) Identify and coordinate funding sources for research, planning,
30 implementation and long-term monitoring programs, with financing derived
31 from both public and private sectors.

32 (d) Serve as an educational resource to the Legislature and the general
33 public, communicating the Council's progress through regular reports,
34 media forums and other presentations.

35 (5) FACILITATION. The Council shall operate on a consensus basis and
36 select two representative citizen organizations in the Basin to cofacilitate
37 its meetings. (The Fremont-Madison Irrigation District and the Henrys Fork
38 Foundation, Inc. currently are serving in this capacity at the request of the
39 Council.) The cofacilitators shall attend to administrative and logistical
40 needs of the Council, coordinate its public information activities, and submit
41 an annual report of its progress to the Legislature.

42 (6) FINANCES. The Council shall appoint a Finance Committee with equal
43 representation from the three component groups and the cofacilitating organi-
44 zations to identify potential sources of funds and to coordinate the funding
45 of priority projects and administrative needs. The following state fund shall
46 be among the private and public sources available to implement the Council's
47 recommendations:

48 Henrys Fork Watershed Fund. This Division of Environmental Quality fund
49 already exists and may receive dedicated moneys from private and public
50 sources to fund projects in the Henrys Fork Basin and to defray Council
51 administrative expenses.