

Water laws passed — didn't help quality

By BEN J. PLASTINO
Post-Register political editor

The Idaho Legislature passed a number of water related bills which vitally affect the use of water, but it didn't help too much in the way of water quality.

In fact, bills were passed that lowered water standards on five streams and also below American Falls Dam.

Some contended lowering the oxygen tolerance below American Falls would be harmful to fish life, but others dispute this.

Most agree, however, lowering water quality standards in five streams is indeed a step in the wrong direction. The bill primarily affects Rock Creek in Canyon County and allows more ammonia in the stream.

Sen. Leon Swenson, R-Nampa, chairman of the Senate State Affairs Committee, sponsored this little devious bit of legislation. His main reasons for such an action is reflected by his contention the step will save \$2.8 million in construction of Nampa's new sewage treatment plant. Swenson argued Rock Creek isn't a prime fishing stream anyway.

Sen. Ken Robison, R-Boise, considered one of the strongest environmentalists in the Legislature, branded the action as "just thumbing our noses" at water pollution laws, and, of course, he is right.

Two of the busiest legislators on water matters were Sen. Richard A. Egbert, D-Tetonia, and Rep. Linden B. Bateman, R-Idaho Falls, who joined forces for passing a bill authorizing the state to build a 90 megawatt generator plant at Palisades Dam to augment an existing one of 115 megawatts.

The factors on this project were explained in a column March 29.

Egbert and Bateman must be given another warm pat on the back for other important water legislation which was passed. This would require legislative approval before a water permit could be issued for transfer of more than 2,500 acre feet of ground water from one ground basin to another within the state. At present the water resource department has the authority to issue such permits.

The legislation is intended to stop the USBR from providing for the massive transfer of ground water from the Upper Snake River Valley to the Salmon Falls project south of Twin

The Post-Register

The political pulse

E-2

Idaho Falls, Idaho, Wednesday, April 4, 1979

Falls.

The USBR has suggested pumping water from some 36 wells at Coltman north of Idaho Falls for such a venture. This has evoked considerable opposition from water users, who are deeply concerned that such a gigantic water transport would drastically lower aquifer levels.

Some observers, however, question whether a law-making body, such as the Legislature, should be issuing permits. Several lawmakers and others said it might pose some legal and constitutional problems.

Another proposal which meets almost unanimous approval was a bill to appropriate \$435,000 to the Idaho Water Resources Board for feasibility studies on four water development projects.

The money would come from the Water Pollution Control Fund which has a \$18 million surplus.

Warren Reynolds, administrative resource analyst for the Department of Water Resources, said the initial year allocation is for \$35,000 for recharge of the Upper Snake River Valley aquifer; \$220,000 for Bruneau Plateau water retraction of new dam on Bear River near Soda Springs and \$80,000 for Weiser River Basin storage developments.

A number of other water bills also received an affirmative nod.

House Bill 255 which provides for additional authority to irrigation districts to construct hydroelectric facilities and other improvements passed by near unanimous votes in both chambers. Sen. J. Marsden Williams, R-Idaho Falls, Senate Resources and Environmental Committee chairman, explained it was mostly geared for the Boise Board of Controls to construct hydroelectric facilities at Lucky Peak Dam.

House Bill 142, which also hurdled both chambers with only one dissenting House vote, is of particular interest to East

Idaho. It authorizes county commissioners to establish a geothermal system for heating. Its interest is centered in Madison County, where geothermal explorations and study at Sugar City has taken place.

Three important water measures didn't do so well.

The celebrated one of merging the environmental services of the Department of Health and Welfare with the Department of Water Resources skimmed through the House but stubbed its toe in defeat on a party line vote in the Senate State Affairs Committee. It was warmly backed by Gov. John V. Evans and unfortunately became a partisan issue.

Another, House Bill 132, vaulted to passage in the House 59-10 and was carried by Rep. Kurt L. Johnson, R-Idaho Falls, but languished in the Senate committee under Williams when several amendments were sought. It provides for additional mechanism whereby those who hold existing water rights would have greater flexibility in charging these water rights, such as nature and period of use.

Williams said because the bill was received late in the session it attracted only two of nine committee voters for passing to the floor, many feeling it needed public hearings and more study. He predicted it will be considered more fully in 1980 session.

Another bill, House Bill 92, also passed the House but died in Williams' committee. It would have given an elected watermaster authority to deliver storage water as well as natural water, without need of going to the Department of Water Resources. Stephen Allred, the department director, said he was mystified why it did not pass as it would have given more local control. Williams said some thought it would cost water users more for that service and it was held for further study.

*Photo
Reverse
Side*



Post-Register photo

Senatorial supervision

BOISE — Sen. J. Marsden Williams, R-Idaho Falls, center, chairman of the Senate Resources and Environmental Committee, shows some of his fellow senators water legislation considered by his committee. From left are fellow

Republican senators, Vearl Crystal, Rigby; Dane Watkins, Idaho Falls; Williams, Dean Van Engelen, Burley, and Leon Swenson, Nampa.