

# **IDAHO WATER RESOURCE BOARD**

### IDAHOWATER RESOURCE BOARD MINUTES OF MEETING NO. 06-02 October 3, 2002

Meeting No. 06-02 of the Idaho Water Resource Board was called to order by Chairman Joe Jordan on Thursday, October 3, 2002, 8:00 a.m. at the Department of Water Resources, Boise, Idaho. (No Recording Tape)

# Agenda Item No. 1, Roll Call

Board Members Present Joe Jordan, Chairman Jerry Rigby, Vice Chairman Bob Graham Gary Chamberlain Claude Storer; Terry Uhling Leonard Beck Board Member Absent

Dick Wyatt

Department of Water Resources Staff Present Karl Dreher, Director Ervin Ballou, Program Manager Hal Anderson and Norm Young, Administrators Guy Paul, Bureau Chief Rita Fleck, Adm. Assistant

Guest Phillip Rassier, Idaho Office of the Attorney General

### Agenda Item No. 2, Stream Channel Act – Temporary Rule

The Office of the Governor has approved a plan to reduce the Department of Water Resources' staff effort to process applications to alter streams. The State of Idaho is experiencing revenue shortfalls and funding holdbacks which have necessitated this change. In order to implement the Director's staff reduction plan a temporary change to rule 25 is required for the IWRB Stream Channel Alteration rules.

The temporary rule change reads as follows:

Dirk Kempthorne Governor

# Joseph L. Jordan

Chairman Fruitvale *At Large* 

# Jerry R. Rigby

Vice Chairman Rexburg *At Large* 

# Dick Wyatt

Secretary Lewiston District 1

# Leonard Beck

Burley District 3

### *Terry T. Uhling* Boise *District 2*

# Bob Graham

Bonners Ferry At Large

# L. Claude Storer

Idaho Falls District 4

*Gary M. Chamberlain* Challis *At Large*  **05.** Section 404 Permits Recognized. Projects and activities authorized under Section 404 of the Federal Clean Water Act (P.L. 92-500) meet the minimum standards of these rules. The procedural requirements of Chapter 38, Title 42, Idaho Code, requiring the filing, processing and approval of an application for permit are dispensed with as provided in Section 42-3803(d), Idaho Code, and an authorization for a project or activity pursuant to Section 404 of the Federal Clean Water Act is recognized as a permit under these rules implementing Chapter 38, Title 42, Idaho Code.

The effective date for this temporary rulemaking is September 23, 2002. The rule will remain in effect until the conclusion of the next legislative session unless it is continued by concurrent resolution.

**Motion:** Terry Uhling moved to adopt the resolution that by temporary rulemaking amends the Stream Channel Alternation Rules, IDAPA37.03.07 effective as of September 23, 2002. Claude Storer seconded the motion.

**Roll Call Vote:** Mr. Beck, Aye; Mr. Chamberlain, Aye; Mr. Graham, Aye; Mr. Rigby, Aye; Mr. Storer, Aye; Mr. Uhling, Aye; Mr. Wyatt, Absent; and Chairman Jordan, Aye; 7 Ayes, 0 Nays, 1Absent. *Motion passed*.

Meeting adjourned at 8:35 a.m.

Dated this 24<sup>th</sup> day of October, 2002.

D. Richard Wyatt, Secretary

Rita I. Fleck, Administrative Secretary

### **Board Actions**

1. Moved to adopt the resolution that by temporary rulemaking amends the Stream Channel Alternation Rules, IDAPA37.03.07 effective as of September 23, 2002.

#### Attachments

1. Resolution that by temporary rulemaking amends the Stream Channel Alternation Rules, IDAPA37.03.07 effective as of September 23, 2002.