

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 16

BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY RELATING TO WATER QUALITY STANDARDS.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Environmental Quality relating to Water Quality Standards are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 58.01.02, Department of Environmental Quality Rules Governing Water Quality Standards, Section 010, Definitions, Subsection 19, "Degradation or Lower Water Quality," and Section 052, Implementation, Subsection 03, General Permits, Subsection 05, Identification of Tier II Waters, and Subsection 08.a, relating to Tier II Analysis, only, adopted as pending rules under Docket Number 58-0102-1001, be, and the same are hereby rejected and declared null, void and of no force and effect.