



Climate Change Statutes

STATE OF IDAHO

This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [Climate Change Statutes](#).

Current through the 2009 Legislative Session of the Idaho State Legislature.

§ 22-5201. Legislative intent

Increasing levels of carbon dioxide and other greenhouse gases in the atmosphere have led to growing interest in national and international forums for implementing measures to slow and reverse the buildup of such atmospheric constituents. Such measures may potentially include the establishment of systems of trading in credits for adoption of practices, technologies or other measures which decrease net emissions of carbon dioxide. Improved agricultural and timber production methods, soil and forest conservation practices and other methods of stewardship of soil and other land resources have great potential to increase carbon sequestration on agricultural and private forest lands and help offset carbon dioxide emissions from other sectors of the economy. It is in the interest of agricultural producers, nonindustrial private forest landowners and the public in general that the soil conservation commission document and quantify carbon sequestration and greenhouse emissions reductions associated with agricultural and forestry practices, management systems and land uses occurring on cropland, forest land and rangeland in Idaho. It is the intent of the legislature that efforts to quantify and verify carbon sequestration on agricultural and forest lands will enhance the ability of the state's agricultural and nonindustrial private forest landowners to participate in any system of carbon sequestration marketing or trading.

§ 22-5202. Carbon sequestration advisory committee created--Membership--Compensation--Administrative assistance

(1) The carbon sequestration advisory committee is hereby created. The committee shall consist of the following nineteen (19) members, to be appointed by and serve at the pleasure of the governor:

- (a) The chairman of the soil conservation commission or his designee;
- (b) The director of the department of agriculture or his designee;
- (c) The director of the department of environmental quality or his designee;
- (d) The director of the department of lands or his designee;
- (e) One (1) member representing the University of Idaho college of agriculture;
- (f) One (1) member representing an entity which generates electrical energy;

(g) Two (2) members who are producers of field crops, at least one (1) of whom actively employs a minimum tillage management system in his farming operation;

(h) Two (2) members who are producers of livestock, at least one (1) of whom is actively involved in implementing a rangeland improvement plan;

(i) One (1) member with expertise in carbon sequestration marketing or trading;

(j) One (1) member representing soil conservation districts, as defined in section 22-2717, Idaho Code;

(k) One (1) member representing the biofuels industry;

(l) One (1) member representing the transportation industry;

(m) One (1) member representing an environmental protection or conservation organization;

(n) One (1) member representing nonindustrial private forest landowners;

(o) One (1) member representing American Indian tribal interests;

(p) One (1) member whose expertise is geology; and

(q) One (1) member whose expertise is economics.

(2) Members of the committee shall be compensated as provided in section 59-509(b), Idaho Code.

(3) The soil conservation commission shall assist the committee with administrative support as reasonably requested by the committee.

§ 22-5203. Powers and duties of the carbon sequestration advisory committee

The carbon sequestration advisory committee may:

(1) Advise and assist the chairman of the soil conservation commission in preparing the reports required by this chapter and in conducting the assessment pursuant to section 22-5205, Idaho Code;

(2) Recommend policies or programs to enhance the ability of Idaho agricultural and nonindustrial private forest landowners to participate in systems of carbon trading. Such recommendations shall include potential policies or programs designed to optimize economic benefits to agricultural producers and nonindustrial private forest landowners participating in carbon trading transactions. Such policies or programs may include, but are not limited to, identifying existing or the potential of creating nonprofit organizations or other public or private entities capable of serving as assemblers of carbon credits or as intermediaries on behalf of producers in carbon trading systems;

(3) Encourage the production of educational and advisory materials regarding carbon sequestration on agricultural and forest lands and participation in systems of carbon or greenhouse emissions trading;

(4) Identify and recommend areas of research needed to better understand and quantify the processes of carbon sequestration on agricultural and forest lands; and

(5) Review the carbon sequestration programs and policies of other states.

§ 22-5204. Reports--Contents

On or before February 1, 2003, the chairman of the soil conservation commission, in consultation with the carbon sequestration advisory committee, shall prepare a report to the legislature. The report shall include, but not be limited to:

(1) The potential for development of a system or systems of carbon emissions trading or markets for carbon sequestered on agricultural and forest land;

(2) Agricultural and forestry practices, management systems or land uses which increase stored soil carbon;

(3) Methods for measuring and modeling net carbon sequestration associated with various agricultural and forestry practices, management systems or land uses occurring on agricultural and forest lands and legislation, if any, to define and protect property rights in and attendant to carbon sequestration;

(4) Areas of scientific uncertainty with respect to quantifying and understanding carbon sequestration associated with agricultural and forestry activities; and

(5) Any recommendations of the carbon sequestration advisory committee developed pursuant to section 22-5203, Idaho Code.

§ 22-5205. Powers and duties of the chairman

(1) In consultation with the carbon sequestration advisory committee, the chairman of the soil conservation commission shall assess agricultural and private forest lands in Idaho for past carbon sequestration and future carbon sequestration potential. The assessment shall seek to quantify carbon sequestration associated with various agricultural and forestry practices, management systems and land uses occurring on agricultural and forest lands in this state. On or before March 1, 2003, the chairman shall publish a report of the findings. From time to time, the chairman may update the findings as advancements in understanding of the processes of carbon sequestration and new data become available.

(2) The assessment shall be conducted in a manner that shall provide a means for owners of agricultural and forest land to estimate past and future net carbon sequestration resulting from agricultural and forestry practices, conservation measures, management systems and land uses occurring on their property. The chairman of the soil conservation commission may contract and cooperate with the natural resources conservation service of the United States department of agriculture to conduct assessment activities provided for in this section.

(3) The soil conservation commission may apply for and accept grants, gifts or other sources of public and private funds to carry out the purposes of this chapter.

§ 22-5206. Carbon sequestration assessment fund created

There is hereby created and established in the state treasury a fund to be known as the "Carbon Sequestration Assessment Fund," which shall consist of such funds, grants, donations or moneys from other sources. The fund shall be administered by the soil conservation commission in order to carry out

the purposes of this chapter. Moneys in the fund may be expended pursuant to appropriation. Any interest earned on the investment of idle moneys in the fund shall be returned to the fund