

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT
INTERIM COMMITTEE**

Wednesday, May 19, 1999 - 2:00 p.m. - Room 403 State Capitol

Members Present:

Sen. Howard C. Nielson, Cochair
Rep. Bradley T. Johnson, Cochair
Sen. Beverly Ann Evans
Sen. Joseph L. Hull
Sen. Millie M. Peterson
Rep. Eli H. Anderson
Rep. Melvin R. Brown
Rep. Craig W. Butters
Rep. Mary Carlson
Rep. David N. Cox
Rep. Fred J. Fife, III
Rep. James R. Gowans
Rep. Tom Hatch
Rep. Keele Johnson
Rep. Evan L. Olsen
Rep. Jordan Tanner
Rep. Matt Throckmorton
Rep. Bill Wright

Members Excused:

Sen. Leonard M. Blackham

Staff Present:

Ms. Constance C. Steffen,
Research Analyst
Ms. Jeanette B. Larson,
Associate General Counsel
Ms. Joy L. Miller,
Secretary

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Committee Business - Rep. Johnson called the meeting to order at 2:15 p.m. He indicated that the proposed field trip with the Utah Grazing Lands Conservation Initiative (GLCI) on July 7, 1999 was approved by the Legislative Management Committee.

Commissioner Cary Peterson, Department of Agriculture and Food, explained the GLCI is a technical group doing their best to maximize grazing alternatives on private lands. He distributed a draft version of the itinerary for the field trip.

MOTION: Rep. Carlson moved to approve the minutes of April 21, 1999. The motion passed unanimously. Sen. Evans and Reps. Brown, Olsen, and Wright were absent during the vote.

2. Task Force to Study Funding of the Division of Oil, Gas and Mining and Utah Geological Survey - Mr. Lowell Braxton, Division of Oil, Gas and Mining, reminded the committee that at the last meeting the division and the Utah Geological Survey discussed the need

for additional funding to cover shortfalls in their programs. At that time a task force was recommended to investigate funding solutions. He distributed a copy of the proposed membership for the task force.

MOTION: Rep. Throckmorton moved: 1) to approve the development of the task force to study funding solutions for the Division of Oil, Gas and Mining and the Utah Geological Survey; and 2) to request the Legislative Management Committee to approve the appointment of at least two members of the Legislature to serve on the task force. The motion passed unanimously. Sen. Evans and Reps. Brown, Olsen, and Wright were absent during the vote.

3. Noxious Weeds - Mr. Dick Wilson, Department of Agriculture and Food, explained that during the last legislative session, Sen. Hull sponsored intent language to have an interim committee study the biological control of noxious weeds and whether an additional appropriation needs to be made to the department to control noxious weeds. Constituents of Sen. Hull have presented information to him supporting a request of \$150,000 annually for the control of noxious weeds, with particular emphasis on biological control. Mr. Wilson said the State Weed Act empowers the commissioner to designate and publish a statewide list of noxious weeds and empowers county commissioners to enforce the control of noxious weeds. He noted the total department expense for noxious weed control is \$97,200. The \$150,000 request would be in addition to the ongoing expenses. Mr. Wilson indicated that the U.S. Department of Agriculture Animal and Plant Health Inspection Service (USDA APHIS) has had a biological component as part of its noxious weed program. USDA APHIS during the current budget year will spend \$55,000 on integrated pest management of weeds in Utah. They are requesting the state to match that amount.

Sen. Hull explained that the federal government through Utah State University has had a program where they have brought in biological enemies of noxious weeds to eradicate them. This program has a great deal of promise.

Mr. Stephen Burningham, Department of Agriculture and Food, said the additional funds would be used as incentives for counties to address areas they are not currently addressing.

MOTION: Sen. Hull moved to recommend to the Energy and Natural Resources Appropriations Subcommittee to appropriate \$150,000 to implement and organize the Integrated Pest Management program. The committee would also inform the Governor's Office of its intent in order for them to build the program into their budget. The appropriation would be for FY 2001 unless it could be placed in a supplemental bill for FY 2000. The motion passed unanimously. Reps. K. Johnson, Olsen, and Wright were absent during the vote.

Commissioner Peterson briefly updated the committee on the insect infestation problem. An advisory committee has been formed and is working with the counties. Major infestations are in Tooele, Juab, Millard, parts of Utah county, and pockets of other areas. Bait has been placed on the ground for the crickets and there are plans to use spraying techniques for the grasshoppers. Traditionally USDA APHIS has had an appropriation from Congress. However, all of the money that was available has been used for emergencies. He said a request was made to Utah's congressional delegation to add money to the insect control program.

4. Wilderness Designation - Mr. Don Banks, Bureau of Land Management (BLM), said they were asked to reinventory BLM lands for the purpose of identifying lands with wilderness characteristics. In January 1999, the reinventory report was released. At that time, the Secretary of Interior directed the BLM to follow the land use planning process of Section 202 of the Federal Land Management Policy Act to determine if any of the lands that have wilderness characteristics should be established as wilderness study areas (WSA's). He said the recently conducted reinventory identified 2.6 million acres of BLM lands with wilderness characteristics. These lands are found in 17 of the 29 counties. Seventy-five percent of the land units having wilderness characteristics lie contiguous to either an existing WSA, a national park, or both.

Mr. Banks pointed out that the planning process does not designate wilderness and is not a final BLM recommendation to Congress. The process focuses on the establishment of WSA's, which are designed to preserve Congress's option to permanently designate an area as wilderness. In the interim, BLM is asked to manage these lands to protect their wilderness characteristics until released or until Congress acts. He reviewed the original wilderness inventory process set forth in Section 603 of the Federal Land Policy and Management Act and explained the current Section 202 planning process. In 1978, the BLM began its original inventory. By 1980, the BLM had established its opinion of what should be WSA's. The original decision was to designate 2.6 million acres of WSA's. After a number of different disputes, the amount was increased to 3.2 million acres. The 603 process expired in 1991. The WSA's designated by that process will stay intact until Congress decides differently. The Section 202 planning process is what BLM uses to amend or complete land management plans. By the year 2000, they will have prepared an Environmental Impact Statement which could become the basis for a series of plan amendments which would then establish new WSA maps. Currently the BLM is in the scoping process and is working hard to obtain public involvement in the process. The formal scoping period is scheduled to end June 21. He noted that there will be islands of state lands within the study areas.

Some members of the committee expressed concern with the June 21 deadline. The ongoing road inventory and mapping will not be completed by that time.

Mr. Ruland Gill, School and Institutional Trust Lands Board of Trustees, also expressed

concern with the June 21 deadline. He asserted it is important that adequate time be given to determine the impact on trust land parcels. He also expressed concern that BLM doesn't have enough land in Utah to trade for trust land islands.

Mr. Fred Payne, Coalition to Protect Multiple Use, stressed that the economic impacts on the state will be devastating. He encouraged the committee to request that additional time be granted for comment.

Ms. Margaret Bird, State Office of Education, indicated the planning process affects more than 250,000 acres of trust land. It will be impossible to respond to the issues on all the property that will have an impact on trust lands. She noted that if they fail to respond during the scoping process, certain court cases indicate they may be precluded from filing suit on issues that involve the school lands later.

Mr. Brad Barber, Governor's Office of Planning and Budget, said they are trying to make sure the general issues are raised during the scoping period. The Resource Development Coordinating Committee will later evaluate all the lands in question and give specific comment.

MOTION: Rep. Throckmorton moved to recommend that the BLM extend its scoping period an additional three months or until the mapping is completed. A vote was not taken due to lack of a quorum.

Mr. Barber said the Governor's Office has been meeting with local governments, Utah's congressional delegation staff, the Department of Interior, the military, and private industries on a proposal for wilderness in the West Desert. He said an incremental or regional approach is the way to try to resolve the issue. The data gathering process has been very extensive. He said they are currently working with the Utah Association of Counties and the Automated Geographic Referencing Center on the R.S. 2477 mapping process and how to disburse money for that process.

MOTION: Rep. Brown moved to adjourn the meeting at 4:35 p.m. The motion passed unanimously.