

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

Wednesday, May 20, 2015 – 2:30 PM – Room 30 House Building

Members Present:

Sen. Scott K. Jenkins, Senate Chair
Rep. Lee B. Perry, House Chair
Sen. Allen M. Christensen
Sen. Margaret Dayton
Sen. Janie Iwamoto
Sen. Peter C. Knudson
Sen. Evan J. Vickers
Rep. Melvin R. Brown
Rep. Scott H. Chew
Rep. Jack R. Draxler
Rep. Susan Duckworth
Rep. Stephen G. Handy
Rep. Mike K. McKell

Rep. Kraig Powell
Rep. Douglas V. Sagers
Rep. Mike Schultz

Members Absent:

Sen. Peter C. Knudson
Rep. Justin J. Miller
Rep. Michael E. Noel

Staff Present:

Mr. J Brian Allred, Policy Analyst
Ms. RuthAnne Frost, Associate General Counsel
Ms. Katie LeFevre, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Perry called the meeting to order at 2:36 p.m. Rep. Noel was excused from the meeting.

MOTION: Sen. Dayton moved to approve the minutes of the November 19, 2014, meeting. The motion passed unanimously with Rep. Powell absent for the vote.

Chair Perry announced that he received a response from the National Park Service to a letter sent by the Natural Resources, Agriculture, and Environment Standing Committee during the session. He said that members of both the standing and interim committees will receive a copy of the response.

Chair Perry discussed a possible field trip to Utah State University's Water Research Lab and Bear Lake. He announced that an official request is being sent to the Legislative Management Committee.

2. Sunset Review – Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal

Mr. Allred explained that the Legislative Management Committee assigned the committee a sunset review of Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal. He stated that the statute was last reviewed in 2006 and reauthorized for a ten-year period.

Mr. Scott Anderson, Director, Division of Solid and Hazardous Waste, explained the purpose of the lead acid battery statute. He stated that the statute meets its intended purpose and outlined the recycling process. He recommended that the statute be reauthorized for another ten years.

Rep. Draxler asked if the sunset date should be removed. Mr. Anderson considered that an appropriate action as well.

Rep. Sagers asked if anyone had been prosecuted for improper disposal of lead acid batteries. Mr. Anderson indicated that there have been no prosecutions.

Motion: Sen. Christensen moved to recommend that the sunset date be extended for ten years. The motion passed unanimously with Rep. Powell absent for the vote.

Sen. Jenkins requested information from Mr. Anderson about the disposal of other types of batteries. Mr. Anderson said he will follow up with Mr. Allred and provide additional information to the committee.

3. A Performance Audit of Projections of Utah's Water Needs (Report #2015-01)

Mr. Jim Behunin and Ms. Andrea Parrish, Office of the Legislative Auditor General, explained that the audit was presented to the audit subcommittee and then referred to this committee. Mr. Behunin stated that they worked closely with the Division of Water Resources throughout the preparation of the report.

Mr. Behunin discussed population growth and the needs of local and state water managers using projections by the Division of Water Resources. He said that some projections estimate the demand of water exceeding supply in 2040. He stated that the report included questions regarding the accuracy and reliability of water use data, recommended conservation practices such as universal metering and conservation pricing, and recommended ways to more accurately estimate future water supply as water development projects are considered.

Mr. Eric Millis, Director, Division of Water Resources and Mr. Mike Styler, Executive Director, Department of Natural Resources, stated that they agreed with many of the audit's conclusions and recommendations and expressed willingness to make improvements. They discussed ways the division can improve the reliability of water use data and the projection of future water supply. Mr. Styler also discussed the need to develop Utah's remaining Colorado River allocations.

Mr. Zach Frankel, Executive Director, Utah Rivers Council, provided suggestions regarding pricing structures and strategies and discussed the use of property tax to finance water. He expressed concern over the development of new water projects when water use data is not reliable or accurate.

4. Long-Term Planning

Mr. Allred explained that interim rules require part of the May meeting be dedicated to long-term planning.

Ms. Amanda Smith, Executive Director, Department of Environmental Quality, and Mr. Scott Baird, Legislative Director, Department of Environmental Quality, reported that the biggest challenges their agency faces relate to water, land, energy, and air quality. Issues they specified include water system infrastructure, waste disposal, underground storage tanks, decreased federal funding, depleted uranium disposal, and state air quality implementation plans.

Mr. Styler discussed the growing demand for facilities and services. He explained that the department's overall priorities focus on the certainty of water and healthy lands and water sheds. He stated that they faced challenges in the areas of water right adjudication, preventing listing of sage grouse under the Endangered Species Act, and wildland fire prevention.

Ms. Luann Adams, Commissioner, Department of Agriculture and Food, voiced her support for the Department of Natural Resources efforts to adjudicate water rights. She discussed agricultural water conversion and emphasized the importance of maintaining adequate agricultural land and associated water rights. She discussed the reality of the farm population aging and an apparent lack of younger farmers to

continue in the industry. She suggested a new farmer rancher tax credit to encourage land owners to keep their land agricultural.

Ms. Adams voiced her disagreement with proposals to end bee registration. She stated that the department is reviewing its fee situation and will recommend a new fee schedule in the future. She also said that the department will request funds to increase compensation and to build a new building to house the department.

Ms. Carmen Bailey, Public Lands Policy Coordinating Office, explained the mission of the office. She stated that the office is immersed in efforts to prevent the listing of sage grouse under the Endangered Species Act. She said that the office is continuing its efforts to document R.S. 2477 roads and handle pending and potential law suits regarding endangered plants and animals, lands with wilderness characteristics, and grazing rights.

5. Statutorily Required Reports

This item was not discussed.

6. Other Items/Adjourn

Chair Perry explained that a list of the interim required reports will be mailed to the committee and that the chairs would prefer to have some reports in writing. Chair Perry asked that the committee study the reports and be prepared for action at the next meeting.

Motion: Representative Handy moved to adjourn the meeting. The motion passed unanimously with Sen. Christensen, Sen. Dayton, and Rep. Schultz absent for the vote.