

**MINUTES OF THE HOUSE
NATURAL RESOURCES, AGRICULTURE, & ENVIRONMENT
STANDING COMMITTEE**

Room W125, West Office Building, State Capitol Complex
February 20, 2007

Members Present: Rep. Roger E. Barrus, Chair
Rep. Kerry Gibson, Vice Chair
Rep. Sylvia Andersen
Rep. Mel Brown
Rep. Glenn Donnelson
Rep. Jack Draxler
Rep. Carl Duckworth
Rep. James Gowans
Rep. Neal Hendrickson
Rep. John Mathis
Rep. Mike Noel
Rep. Patrick Painter
Rep. Phil Riesen
Rep. Steve Sandstrom

Members Absent: Rep. Richard Wheeler

Staff Present: Brian Allred, Policy Analyst
Carrie Griffith, Committee Secretary

Note: List of visitors and a copy of handouts are filed with committee minutes

Rep. Barrus called the meeting to order at 8:03 a.m.

MOTION: Rep. Hendrickson moved to approve the minutes of the February 16, 2007 meeting. The motion passed unanimously with Rep. Andersen, Rep. Donnelson, Rep. Draxler, Rep. Noel, and Rep. Painter absent for the vote.

H.B. 421 **Suspension of Hunting or Fishing Privileges for Illegal Vehicle Use** (*Rep. F. Hunsaker*)

Rep. Hunsaker, assisted by Martin Bushman, explained the bill to the committee. (handout)

Spoke to the bill: Martin Bushman, Division of Wildlife Resources
Spoke for the bill: Ernie Perkins, Cache Deer Working Group

MOTION: Rep. Riesen moved to pass the bill out favorably.

SUBSTITUTE

MOTION: Rep. Gibson moved to proceed to the next item on the agenda. The motion passed with Rep. Draxler, Rep. Riesen and Rep. Sandstrom voting in opposition.

1st Sub. H.B. 422 Prerequisites for Utah Entering an Agreement to Divide Groundwater with Another State (Rep. J. Biskupski)

Rep. Biskupski explained the bill to the committee.

Spoke for the bill: Mike Styler, Director Department of Natural Resources
John Cooper, Millard County Commissioner
Todd Bingham, Utah Farm Bureau
Tim Hawkes, Attorney, Trout Unlimited
Terry Maresko, Snake Valley property owner
Gerald McDunna, Salt Lake County citizen

MOTION: Rep. Brown moved to amend the bill as follows and renumber accordingly:

1. Page 4, Line 110:

110 (b) review the inventory and assessment ~~.~~ - {required by Section 73-29-201;}

2. Page 4, Line 114 through Page 6, Line 157:

114 ~~Section 4. Section 73-29-201 is enacted to read:~~
115 ~~Part 2. Agreement Requirements~~
116 ~~73-29-201. Inventory and assessment required.~~
117 ~~(1) Before the executive director may sign the agreement, as authorized by~~
~~Section~~
118 ~~73-29-202, the department shall complete the inventory and assessment required by~~
~~this~~
119 ~~section.~~
120 ~~(2) The state engineer, in cooperation with other divisions within the~~
~~department, shall:~~
121 ~~(a) inventory the vested water rights in the area affected by the interstate~~
~~groundwater~~
122 ~~flow system; and~~
123 ~~(b) obtain current information on surface water and groundwater resources,~~
~~including:~~

- 124 ~~— (i) springs;~~
125 ~~— (ii) seeps;~~
126 ~~— (iii) water flows;~~
127 ~~— (iv) water tables; and~~
128 ~~— (v) vegetation;~~
129 ~~— (3) The state engineer, as authorized by Sections 73-2-15 and 73-2-17, may enter~~
130 ~~into~~
131 ~~agreements to investigate the surface water and groundwater resources as required~~
132 ~~by this~~
133 ~~section:~~
134 ~~— (4) (a) The Utah Geological Survey shall use the information collected under~~
135 ~~Subsection (2) along with data from any test wells to predict and assess the impacts~~
136 ~~the project~~
137 ~~will have on:~~
138 ~~— (i) Utah water rights;~~
139 ~~— (ii) the agricultural industry and other business development in the area;~~
140 ~~— (iii) air quality;~~
141 ~~— (iv) water quality; and~~
142 ~~— (v) Utah's ecosystem, including:~~
143 ~~— (A) plant life;~~
144 ~~— (B) wildlife; and~~
145 ~~— (C) sensitive or endangered species.~~
146 ~~— (b) The Department of Environmental Quality shall cooperate with the~~
147 ~~department in~~
148 ~~making the assessment required by this section:~~
149 ~~— Section 5. Section 73-29-202 is enacted to read:~~
150 ~~— 73-29-202. Executive director to sign agreement -- Legislature to ratify.~~
151 ~~— The executive director may not execute the agreement until:~~
152 ~~— (1) the inventory and assessment required by Section 73-29-201 is complete;~~
153 ~~— (2) the water resources study required by the Lincoln County Conservation,~~
154 ~~Recreation,~~
155 ~~and Development Act of 2004, Pub. L. No. 108-424, is complete; and~~
156 ~~— (3) the agreement has been approved by the governor and the Legislature in a~~
157 ~~concurrent resolution.~~
158 ~~— Section 6. Intent language.~~

- 154 ~~— It is the intent of the Legislature that if this bill and H.B. 134, School and~~
~~Institutional~~
- 155 ~~Trust Lands Amendments, both pass that the money appropriated to the Geological~~
~~Survey in~~
- 156 ~~Subsection 53C-3-203(4) for test wells and hydrologic studies in the West Desert be~~
~~used by~~
- 157 ~~the Geological Survey to satisfy its responsibilities under Section 73-29-201.~~}

The motion passed with Rep. Duckworth, Rep. Hendrickson, Rep. Gibson, Rep. Mathis, Rep. Riesen, and Rep. Sandstrom voting in opposition.

MOTION: Rep. Brown moved to pass the bill out favorably as amended. The motion passed unanimously.

MOTION: Rep. Gibson moved to adjourn.

Rep. Barrus adjourned the meeting at 8:59 a.m.

Rep. Roger E. Barrus, Chair