

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

Room W125, West Office Building, State Capitol Complex
January 29, 2008

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
Rep. Richard Winn

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. Gibson called the meeting to order at 2:05 p.m.

MOTION: Rep. Hendrickson moved to approve the minutes of the January 25, 2008 meeting. The motion passed unanimously with Rep. Brown, Rep. Donnelson, Rep. Draxler, Rep. Duckworth, Rep. Gowans, Rep. Noel and Rep. Winn absent for the vote

H.B. 40 Safe Drinking Water Revisions (*Rep. S. Andersen*)

MOTION: Rep. Andersen moved to delete in title and body **H.B. 40** and replace it with **1st Sub. H.B. 40**. The motion passed unanimously with Rep. Brown, Rep. Duckworth, Rep. Gowans and Rep. Winn absent for vote.

Rep. Andersen, assisted by Paul Ashton, General Manager White City Water Improvement District, explained the bill to the committee. (handouts)

Spoke for the bill: Dale Pierson, Executive Director Rural Water Association of Utah
Art Kimball, Vice Chair White City Water Improvement District
Lynn Pace, Salt Lake City Department of Public Utilities
Kate Johnson, Manager Division of Drinking Water

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

SUBSTITUTE

MOTION: Rep. Noel moved to proceed to the next item on the agenda. The motion passed unanimously with Rep. Brown and Rep. Donnelson absent for the vote.

Rep. Gibson relinquished the chair to Rep. Barrus.

H.B. 125 Department of Agriculture and Food Amendments (Rep. K. Gibson)

MOTION: Rep. Gibson moved to delete in title and body **H.B. 125** and replace it with **1st Sub. H.B. 125**. The motion passed unanimously with Rep. Donnelson and Rep. Hendrickson absent for the vote

Rep. Gibson explained the bill to the committee.

Spoke to the bill: Kyle Stevens, Deputy Commissioner Utah Agriculture & Food

MOTION: Rep. Duckworth moved to pass the bill out favorably as substituted. The motion passed unanimously with Rep. Donnelson and Rep. Hendrickson absent for the vote.

Rep. Gibson resumed the chair. Rep. Barrus was excused for the remainder of the meeting.

H.B. 104 Urban Trails Appropriation (Rep. K. Holdaway)

MOTION: Rep. Painter moved to delete in title and body **H.B. 104** and replace it with **1st Sub H.B. 104**. The motion passed unanimously with Rep. Donnelson and Rep. Hendrickson absent for vote.

Rep. Holdaway, assisted by Julie Peck-Dabling, Utah Recreational Trails and Advisory Council, explained the bill to the committee.

Spoke to the bill: Mark Johnson, Ogden City
Helene Liebman, Exec. Weber Pathways
Chip Dawson, City of South Jordan

MOTION: Rep. Noel moved to amend **1st Sub. H.B. 104** as follows:

1. *Page 1, Lines 12 through 14:*

- 12 ▶ defines an urban trail as a trail located in a county of the first or second class;
 {~~and~~}
- 13 ▶ establishes an ongoing appropriation of {~~-\$500,000~~} \$250,000 to the
 Department of Natural
- 14 Resources for grants to plan and develop urban trails {~~-~~} ; and
 establishes a one-time appropriation of \$250,000 to the Department of
 Natural Resources for grants to plan and develop urban trails.

2. *Page 1, Line 17:*

- ▶ \$250,000 from the General Fund for fiscal year 2008-09 only to the
 Department of Natural Resources for grants to plan and develop urban trails; and
- 17 ▶ as an ongoing appropriation, subject to future budget constraints,
 {~~\$500,000~~} \$250,000 to the

3. *Page 2, Lines 42 through 43:*

- 42 (1) (a) There is appropriated \$250,000 from the General Fund for fiscal year
 2008-09 only to the Department of Natural Resources.
- (b) As an ongoing appropriation subject to future budget constraints, there is
- 43 appropriated from the General Fund for fiscal year 2008-09. {
 ~~\$500,000~~} \$250,000 to the Department of

The motion passed, with Rep. Duckworth and Rep. Draxler voting in opposition.

MOTION: Rep. Brown moved to pass the substituted bill out favorably as amended. The motion passed unanimously with Rep. Barrus absent for the vote.

H.B. 143 Administration of Interstate Water (Rep. M. Brown)

Rep. Brown, assisted by Jerry Olds, Director Division of Water Rights, explained the bill to the committee.

MOTION: Rep. Hendrickson moved to pass the bill out favorably. Rep. Barrus was absent for vote.

S.B. 26 Fire Management Areas (Sen. M. Dayton) (Rep. M. Noel)

Sen. Dayton explained the bill to the committee.

MOTION: Rep. Painter moved to the pass the bill out favorably. The motion passed unanimously with Rep. Barrus, Rep. Donnelson and Rep. Riesen absent for the vote.

MOTION: Rep. Draxler moved to place the bill on the consent calendar. The motion passed unanimously with Rep. Barrus, Rep. Donnelson and Rep. Riesen absent for the vote.

H.B. 117 Instream Flow to Protect Trout Habitat (Rep. S. Sandstrom)

MOTION: Rep. Sandstrom moved to amend the bill as follows:

1. Page 2, Lines 55 through 56:

55 (2) (a) Any person entitled to {+} the {+} use {+} of {+} water may
make {a} permanent or temporary
56 {+} changes {+} {change} in the:

2. Page 3, Lines 79 through 86:

79 {+} (5) (a) The state engineer shall follow the same procedures, and the
rights and duties
80 of the applicants with respect to applications for permanent changes of point of
diversion, place
81 of use, or purpose of use shall be the same, as provided in this title for applications to
82 appropriate water. {+}
83 {~~(5) (a) (i) In considering a permanent change application, the state engineer
shall~~
84 follow the same procedures as provided in this title for an application to appropriate
water.

85 ~~—(ii) The rights and duties of a permanent change applicant are the same as~~
~~provided in~~
86 ~~this title for an applicant to appropriate water.~~}

3. Page 8, Lines 227 through 229:

227 (ii) The state engineer may approve [~~extensions~~] an extension of time beyond 50
years
228 for a public agency, if the public agency provides information ~~{+}~~ **sufficient to**
demonstrate ~~{+}~~ ~~{that}~~
229 ~~{shows}~~ the water will be needed to meet the reasonable future requirements of the
public.

The motion passed unanimously with Rep. Barrus, Rep. Donnelson and Rep. Riesen absent for the vote.

Spoke for the bill: Todd Bingham, Utah Farm Bureau Federation
Jim Karpowitz, Director, Wildlife Resources
Paul Dremann, Chairman, Fisheries Advisory Council
Ed Kent, Utah Angler Coalition

MOTION: Rep. Noel moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Barrus, Rep. Donnelson, Rep. Hendrickson and Rep. Riesen absent for the vote.

MOTION: Rep. Brown moved to adjourn.

Rep. Gibson adjourned the meeting at 3:42 p.m.

Rep. Roger E. Barrus, Chair