

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

Room 445, State Capitol

March 4, 2014

Members Present: Rep. Mike Noel, Chair
Rep. Doug Sagers, Vice Chair
Rep. Roger Barrus
Rep. Joel Briscoe
Rep. Kay Christofferson
Rep. Jack Draxler
Rep. Susan Duckworth
Rep. Becky Edwards
Rep. Steve Handy
Rep. Ken Ivory
Rep. John Mathis
Rep. Mike McKell
Rep. Merrill Nelson
Rep. Larry Wiley

Members Absent: Rep. Mel Brown
Rep. Ryan Wilcox

Staff Present: Mr. J Brian Allred, Policy Analyst
Ms. An Bradshaw, Committee Secretary

NOTE: A list of visitors and handouts are filed with committee minutes

Chair Noel called the meeting to order at 8:04 a.m.

MOTION: Rep. Mathis moved to approve the minutes of the February 26, 2014 meeting.
The motion passed unanimously.

H.B. 154 Wood Burning Amendments (Rep. P. Arent)

Rep. Arent explained the bill to the committee with the assistance of Rep. Edward Redd and Rep. Jim Nielson. A handout, "Relative Emissions of Fine Particles," was provided.

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

1. Page 1, Lines 12 through 14:

12 { → ~~authorizes the director of the Division of Air Quality to hire contractors~~
~~or part-time~~

13 ~~temporary employees to investigate reports of wood burning on days when wood~~

- 14 ~~burning is prohibited~~ } ;
2. Page 1, Line 28 through Page 2, Line 31:
28 • from the General Fund, one-time, \$1,800,000 {~~;~~ **and**
29 ~~—————~~ **to the Department of Environmental Quality – Division of Air Quality as an**
30 **ongoing appropriation:**
31 ~~—————~~ **from the General Fund, ongoing, \$250,000** } .
3. Page 9, Lines 261 through 262:
261 {~~(3) The director shall, as funding allows, hire part-time temporary or~~
~~contract~~
262 ~~employees to investigate reports of wood burning on days when wood burning is~~
~~prohibited.~~ }
4. Page 10, Lines 281 through 284:
281 {~~To Department of Environmental Quality - Division of Air Quality~~
282 ~~From General Fund, ongoing~~ **\$250,000**
283 ~~Schedule of programs:~~
284 ~~Contract employees~~ ~~\$250,000~~ }
5. Page 10, Lines 288 through 290:
288 described in Section 19-2-107.5, **and** promoting public awareness of the effects of
wood burning on
289 air quality {~~;~~ **and hiring and equipping temporary contract employees to investigate**
reports of
290 **wood burning**} .

The motion to amend passed with Rep. Briscoe, Rep. Duckworth, Rep. Handy, and Rep. Wiley voting in opposition.

Spoke for the bill: Bryce Bird, Division of Air Quality

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

H.B. 133 **Contingent Management for Federal Facilities** (*Rep. D. Liffert*)

MOTION: Rep. McKell moved to replace H.B. 133 with 1st Sub. H.B. 133. The motion passed unanimously with Rep. Briscoe absent for the vote.

Rep. Lifferth explained the bill to the committee. Fred Hayes, director, Division of State Parks and Recreation, answered questions from the committee.

MOTION: Rep. Mathis moved to pass 1st Sub. H.B. 133 out favorably. The motion passed unanimously.

MOTION: Rep. Draxler moved to place 1st Sub. H.B. 133 on the Consent Calendar. The motion passed unanimously.

H.B. 229 Air Contaminant Definition Change (Rep. Jerry Anderson)

Rep. Anderson explained the bill to the committee and provided a handout, "Harrison H. Schmitt and William Happer: In Defense of Carbon Dioxide."

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

1. Page 1, Lines 13 through 14:

13 ▶ amends the definition of "air contaminant" {~~to clarify that natural~~
components of the
14 **atmosphere do not constitute a contaminant**} ; and

2. Page 2, Lines 30 through 32:

30 (b) "Air contaminant" does not mean {**the natural components of the**
atmosphere;
31 **including**} nitrogen, oxygen, argon, {~~and other noble gases,~~} water vapor, steam,
 {~~and~~} **or** carbon
32 dioxide in amounts less than 500 parts per million {~~, or any combination of them~~} .

The motion to amend passed unanimously.

Spoke against the bill: Joe Andrade, citizen
 David Folland, citizen
 Hans Ehrbar, citizen

MOTION: Rep. Sagers moved to hold the bill. The motion passed unanimously.

H.B. 160 **Utah Wilderness Act** (*Rep. S. Handy*)

Rep. Handy explained the bill to the committee with the assistance of Tony Rampton, deputy attorney general, Office of the Attorney General. Kathleen Clark, director, Public Lands Policy Coordination Office, answered questions from the committee.

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

1. *Page 4, Lines 94 through 100:*

94 (b) Before identifying a parcel of land as a conservation area, the director of PLPCO
95 shall:
96 (i) inform ~~{the board of trustees of}~~ the School and Institutional Trust Lands
97 Administration that a parcel is being considered for designation as a conservation area;
 and
98 (ii) provide ~~{the board of trustees of}~~ the School and Institutional Trust Lands
99 Administration with the opportunity to trade out land owned by the School and
 Institutional
100 Trust Lands Administration for the parcel in question **, subject to reaching an exchange**
 agreement with the agency that manages the parcel .

2. *Page 7, Lines 195 through 197:*

195 (b) measures may be taken, under the direction of the director of the Division of
196 Forestry, Fire, and State Lands, as necessary to ~~{suppress and~~
 ~~maintain}~~ **manage** fire, insects, **habitat,** and
197 diseases.

The motion to amend passed unanimously.

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

1. *Page 2, Lines 48 through 56:*

48 ~~{(b) recognize and protect in perpetuity areas where the earth and its~~
 ~~community of life~~
49 ~~are untrammelled by humans and where humans are visitors that do not remain;}~~
50 ~~{(c)}~~ **(b)** provide a window into the natural world, into which our pioneer
 forebears ventured
51 and formed our collective story and character;

52 ~~{(d)}~~ (c) recognize that the preservation of wilderness shall be part of a
 balanced pattern of
53 multiple land uses;
54 ~~{(e)}~~ (d) demonstrate the proper stewardship of certain primitive lands by
 providing the
55 protection to allow natural forces to operate; and
56 ~~{(f)}~~ (e) create a Utah wilderness preservation system.

2. *Page 3, Lines 81 through 89:*

81 ~~{(d) is an area where the earth and its community of life are untrammelled by~~
 ~~humans;~~
82 ~~where humans are visitors who do not remain, and where the imprint of human work~~
 ~~is~~
83 ~~substantially unnoticeable; }~~
84 ~~{(e)}~~ (d) has at least 5,000 contiguous acres of land, or is of sufficient size
 as to make
85 practicable its preservation and use in an unimpaired condition;
86 ~~{(f)}~~ (e) has outstanding opportunities for solitude, or a primitive and
 unconfined type of
87 recreation; and
88 ~~{(g)}~~ (f) may contain ecological, geological, or other features of scientific,
 educational,
89 scenic, or historical value.

The motion to amend passed favorably with Rep. Briscoe, Rep. Edwards, Rep. Handy, Rep. McKell, and Rep. Nelson, and Rep. Sagers voting in opposition.

Spoke for the bill: Sterling Brown, Utah Farm Bureau
Spoke to the bill: Redge Johnson, citizen

MOTION: Rep. Ivory moved to pass the bill out favorably as amended. The motion passed with Rep. Mathis and Rep. Wiley voting in opposition and Rep. Barrus absent for the vote.

H.B. 158 Grazing and Timber Agricultural Commodity Zones in Utah (Rep. M. Noel)

MOTION: Rep. Noel moved to replace H.B. 158 with 1st Sub. H.B. 158. The motion passed unanimously with Rep. Barrus, Rep. Briscoe, Rep. Duckworth, and Rep. Nelson absent for the vote.

Rep. Noel explained the bill to the committee with the assistance of Mark Ward, Utah Association of Counties, and Newell Harward, commissioner, Wayne County.

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

1. *Page 25, Lines 752 through 753:*

752 Range 12W;

= (k) "Panguitch Lake Region Grazing Zone," consisting of BLM and Forest Service lands in the following townships in Kane and Garfield counties, as more fully illustrated in the map prepared by the Kane County GIS department in February 2014, entitled "Panguitch Lake Region Grazing Zone": (i) in Kane County: Township 38S Range 9W, Township 38S Range 8W, Township 38S Range 7W, Township 38S Range 6W, Township 39S Range 8W, and Township 39S Range 7W; and
(ii) in Garfield County: Township 35S Range 7W, Township 36S Range 7W, Township 34S Range 6W, Township 35S Range 6W, Township 36S Range 6W, Township 37S Range 6W, Township 34S Range 5W, Township 35S Range 5W, Township 36S Range 5W, and Township 37S Range 5W;

753 {~~(k)~~} (l) "East Fork Region Grazing Zone," the land area of which consists of certain BLM

2. *Page 25, Line 765:*

765 {~~(l)~~} (m) "Sevier River Region Grazing Zone," consisting of certain BLM and Forest Service

3. *Page 25, Line 769:*

769 {~~(m)~~} (n) "Kingston Canyon Region Grazing Zone," the land area of which consists of

4. *Page 26, Line 778:*

778 {~~(n)~~} (o) "Monroe Mountain Region Grazing Zone," consisting of certain BLM and Forest

5. Page 26, Line 785:

785 ~~{(o)}~~ (p) "Parker Mountain Region Grazing Zone," consisting of certain
BLM and Forest

6. Page 26, Line 790:

790 ~~{(p)}~~ (q) "Boulder Mountain Region Grazing Zone," the land area of which
consists of

7. Page 27, Line 805:

805 ~~{(q)}~~ (r) "Thousand Lake Region Grazing Zone," consisting of certain
Forest Service lands

8. Page 27, Line 810:

810 ~~{(r)}~~ (s) "Hartnet-Middle Desert Region Grazing Zone," consisting of
certain BLM lands in

9. Page 27, Line 815:

815 ~~{(s)}~~ (t) "Sandy No. 1 Region Grazing Zone," consisting of certain BLM
lands situated in

10. Page 27, Line 819:

819 ~~{(t)}~~ (u) "Blue Benches Region Grazing Zone," consisting of certain BLM
lands in the

11. Page 27, Line 823:

823 ~~{(u)}~~ (v) "Wild Horse Region Grazing Zone," consisting of certain BLM
lands in the

12. Page 27, Line 827:

827 ~~{(v)}~~ (w) "Hanksville Region Grazing Zone," consisting of certain BLM
lands in the

13. Page 28, Line 832:

832 ~~{(w)}~~ (x) "Jeffery Wells Region Grazing Zone," consisting of certain BLM
lands in the

14. Page 28, Line 836:

836 ~~{(x)}~~ (y) "Robbers Roost Region Grazing Zone," consisting of certain BLM
lands situated in

15. Page 28, Line 840:

840 ~~{(y)}~~ (z) "French Springs Region Grazing Zone," the land area of which
consists of certain

16. Page 28, Line 844:

844 ~~{(z)}~~ (aa) "12 Mile C&H Region Grazing Zone," consisting of certain BLM
lands in the

17. Page 28, Line 848:

848 ~~{(aa)}~~ (bb) "Horseshoe Region Grazing Zone," consisting of certain BLM
lands in the

18. Page 28, Line 853:

853 ~~{(bb)}~~ (cc) "Nokai Dome Region Grazing Zone," consisting of certain BLM
and National

19. Page 28, Line 862:

862 ~~{(cc)}~~ (dd) "Grand Gulch Region Grazing Zone," consisting of certain
BLM and National

20. Page 29, Line 870:

870 ~~{(dd)}~~ (ee) "Cedar Mesa East Region Grazing Zone," consisting of certain
BLM and National

21. Page 29, Line 880:

880 ~~{(ee)}~~ (ff) "Mancos Mesa Region Grazing Zone," consisting of certain BLM
and National

22. Page 29, Line 889:

889 ~~{(ff)}~~ (gg) "Red Canyon Region Grazing Zone," consisting of certain BLM
and National Park

23. Page 30, Line 898:

898 ~~{(gg)}~~ (hh) "White Canyon Region Grazing Zone," consisting of certain
BLM and National

24. Page 30, Line 907:

907 ~~{(hh)}~~ (ii) "Dark Canyon/Hammond Canyon Region Grazing Zone,"
consisting of certain

25. Page 30, Line 915:

915 ~~{(ii)}~~ (jj) "Chippean/Indian Creek Region Grazing Zone," consisting of
certain Forest

26. Page 30, Line 922:

922 ~~{(jj)}~~ (kk) "Henry Mountain Region Grazing Zone," the land area of which
consists of certain

27. Page 31, Line 932:

932 ~~{(kk)}~~ (ll) "Glen Canyon Region Grazing Zone," the land area of which
consists of certain

28. Page 31, Line 947:

947 ~~{(ll)}~~ (mm) "Glendale Bench Region Grazing Zone," the land area of which
consists of certain

29. Page 31, Line 953:

953 ~~{(mm)}~~ (nn) "John R. Region Grazing Zone," the land area of which
consists of certain BLM

The motion to amend passed unanimously with Rep. Barrus, Rep. Briscoe, and Rep. Duckworth absent for the vote.

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

1. *Page 21, Lines 622 through 623:*

622 Range 7E, Township 37S Range 8E, and Township 37S Range 9E {~~-, and Township~~
34S Range
623 7E} ; and

2. *Page 24, Line 719:*

719 Region Grazing Zone": Township 31S Range {~~6W~~} 7W , Township 31S Range
8W, Township 31S

3. *Page 25, Lines 751 through 752:*

751 37S Range 11W, Township 37S Range 12W, Township 38S Range 11W, {~~and~~}
Township 38S
752 Range 12W , Township 38S Range 10W, Township 38S Range 11W, and Township
38S Range 12W, excluding Zion National Park ;

4. *Page 26, Line 797:*

797 (ii) in Garfield County, Township 35S Range 3W, Township 33S Range 2W,
Township 34S Range 2W, Township 35S Range 2W, Township 31S Range 1W,

5. *Page 34, Line 1042:*

1042 section; {~~and~~}

6. *Page 34, Line 1044:*

1044 to the goals and purposes described within this section {~~.~~} ; and
(f) refrain from implementing utilization standards less than 50%, unless:
(i) implementing a standard of less than 50% utilization on a temporary
basis is necessary to resolve site-specific concerns; and
(ii) the federal agency consults, coordinates, and cooperates fully with local
governments.

7. *Page 36, Line 1095:*

1095 Ashdown Wilderness Area), Township {~~37W~~} 37S Range {~~8S~~} 8W ,
and Township {~~37W~~} 37S Range {~~9S~~} 9W ;

8. *Page 36, Line 1100:*

1100 Township 36S Range 7W, Township 36S Range 6W . Township 37S Range 7W, and
Township 37S Range 6W ;

9. *Page 37, Line 1114:*

1114 (ii) in Garfield County, Township 31S Range 1E, Township 31S Range
1E, Township 31S Range 2E, Township

10. *Page 37, Line 1133:*

1133 (i) in Garfield County, Township 36S Range 4 1/2W, Township 36S Range
4W, Township 37 S Range 5W,

The motion to amend passed unanimously with Rep. Barrus and Rep. Briscoe absent for the vote.

Spoke for the bill: Ryan Torgerson, Torgerson Timber, Inc.
Sterling Brown, Utah Farm Bureau
Rhett Jeffrey, citizen

MOTION: Rep. Duckworth moved to pass 1st Sub. H.B. 158 out favorably as amended. The motion passed unanimously with Rep. Briscoe absent for the vote.

H.B. 371 **Water Reuse Amendments** (*Rep. K. Ivory*)

MOTION: Rep. Ivory moved to hold the bill for interim study. The motion passed unanimously with Rep. Briscoe absent for the vote.

MOTION: Rep. Sagers moved to adjourn the meeting. The motion passed unanimously with Rep. Briscoe absent for the vote.

Chair Noel adjourned the meeting at 9:57 a.m.

Mike E. Noel, Chair