

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY
APPROPRIATIONS SUBCOMMITTEE**

Friday, February 3, 2017 • 8:00 a.m. • 210 Senate Building

Members Present:

Sen. David P. Hinkins, Senate Chair
Rep. Ken Ivory, House Chair
Rep. Scott H. Chew, House Vice Chair
Sen. Jim Dabakis
Sen. Margaret Dayton
Sen. Don L. Ipson
Sen. Peter C. Knudson
Sen. Ralph Okerlund
Sen. Evan J. Vickers
Rep. Kay J. Christofferson
Rep. Susan Duckworth
Rep. Brian M. Greene

Rep. Stephen G. Handy
Rep. Timothy D. Hawkes
Rep. Karen Kwan
Rep. Michael E. Noel
Rep. Lee B. Perry
Rep. Marc K. Roberts
Rep. Keven J. Stratton

Staff Present:

Mr. Ivan D. Djambov, Fiscal Analyst
Mr. Alexander R. Wilson, Fiscal Analyst
Ms. Greta G. Rodebush, Administrative Assistant

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

Chair Ken Ivory called the meeting to order at 8:09 a.m.

1. Approval of Minutes

There were no minutes to approve.

2. LFA Overview

Mr. Ivan Djambov, Fiscal Analyst, LFA, remarked that following the approval of the base budget bill, the subcommittee's next task would be to review the requests for new funding, federal funds, intent language, and fees.

Mr. Djambov gave an overview of the agencies' requests for federal funds.

[New Federal Funds](#)

In response to Rep. Kay J. Christofferson's question, Mr. Djambov noted that the subcommittee could find more information about federal funds on the website: www.grants.utah.gov.

Rep. Michael E. Noel encouraged a careful review of the federal grants, some of which may come with extra regulations and requirements.

Chair Ivory noted that the Commission on Federalism would be holding hearings during the General Session on a number of federalism issues, including Natural Resources.

Sen. Jim Dabakis inquired about the option of refusing all federal grants. Chair Ivory said that the Federal Funds Commission handles issue of this nature.

Rep. Noel commented on the regulatory processes that the State must adhere to even if the State does not accept federal funds.

Mr. Djambov presented the new legislative intent language.

[New Legislative Intent](#)

Rep. Noel commented on the intent language for Wildlife Resources Operations that reimburses ranchers for big game depredation expenses.

Rep. Chew spoke to this issue as well.

Mr. Djambov gave an overview of agency fees as outlined in the following documents:

[New Fees Bill - SB0008](#) [Fees - Change Report](#)

Rep. Brian Greene, Rep. Noel, and Sen. David P. Hinkins made general observations about fees.

Rep. Christofferson explained that he had been working with subcommittee agencies to become better acquainted with fees.

3. Review of Fees

Mr. Djambov introduced the fee follow-up report that was presented to the subcommittee during the Interim on September 22, 2016. He read the motion that requires all agencies in the Natural Resources, Agriculture, and Environmental Subcommittee to prepare a spreadsheet with additional columns that provide an estimate of the cost for administering each fee along with an explanation if there is a difference between the fee and the cost to administer that fee.

[Issue Brief - Review of Subcommittee Fees](#)

a. Department of Environmental Quality

Mr. Craig Silotti, Finance Director, Department of Environmental Quality (DEQ), gave a brief overview of DEQ fees, a DEQ fee worksheet, and responded to questions.

[DEQ - Report on Fees](#) [DEQ Fee Worksheet](#)

Rep. Susan Duckworth inquired about the use of lead fees.

Mr. Bryce Bird, Director, Division of Air Quality, DEQ, clarified that most of the lead and asbestos fees are for program oversight and not for remediation.

Rep. Christofferson asked if the depreciation of capital expenses was included in the fees. He also inquired about overhead costs. Mr. Silotti responded.

Mr. Bird reviewed the Air Quality Operating Permit Program and responded to questions related to federal regulations.

Mr. Scott Anderson, Director, Division of Waste Management and Radiation Control, DEQ, reviewed the fees in the Hazardous Waste Program and the Radioactive Waste Program.

Mr. Walt Baker, Director, Division of Water Quality, DEQ, discussed the permitting program within the Water Quality Program. He recommended that the DEQ review permitting fees annually.

b. Department of Agriculture

Mr. Scott Erickson, Deputy Commissioner, Department of Agriculture and Food (DAF), gave a brief overview of department fees. Mr. Brett Gurney, Program Manager, Weights and Measures Program, was available to answer questions.

Mr. Erickson talked about seed, feed, and fertilizer inspections. Mr. Robert Hogart, Director of Plant Industry and Conservation, DAF, was available to answer questions.

Rep. Chew asked about organic grain inspections. Mr. Hogart responded.

Rep. Stephen G. Handy inquired about the impact of last year's legislation on bedding inspections.

c. Department of Natural Resources

Mr. Michael R. Styler, Executive Director, Department of Natural Resources (DNR), discussed fees for each division within DNR and responded to questions.

Chair Chew asked about the new fees for irrigation pumps on sovereign lands.

Ms. Laura Ault, Sovereign Lands Program Coordinator, Division of Forestry, Fire and State Lands, spoke to the issue.

Mr. Dennis Carver, Finance Director, DNR, discussed a spreadsheet of fees for each division that DNR would make available to the subcommittee.

Rep. Christofferson asked if DNR had completed its evaluation of all fees. Mr. Carver spoke in support of the fee review and said that fee evaluation would be an ongoing process.

Mr. Fred Hayes, Director, Division of Parks and Recreation, offered some introductory remarks about State Park fees.

Mr. Scott Strong, Finance, Division of Parks and Recreation, discussed the profit and losses for State Parks and responded to questions.

Mr. Hayes complimented State Park managers and discussed fee revenues.

Rep. Susan Duckworth expressed her appreciation to State Park staff.

Mr. Djambov showed a FY 2016 Operating Profit/Loss statement by park.

d. School and Institutional Trust Lands Administration

Ms. Lisa Schneider, Finance Director, State Institutional Trust Lands Authority (SITLA), presented four fee increases for basic program operation.

4. Other Business

MOTION: Rep. Hawkes moved to adjourn.

The motion passed with a vote of 14-0-5.

Yeas:

Rep. S. Chew
Rep. K. Christofferson
Sen. M. Dayton
Rep. S. Duckworth
Rep. B. Greene
Rep. S. Handy
Rep. T. Hawkes
Sen. D. Ipson
Rep. K. Ivory
Sen. P. Knudson
Rep. K. Kwan
Rep. L. Perry
Rep. M. Roberts
Sen. E. Vickers

Nays:

Abs:

Sen. J. Dabakis
Sen. D. Hinkins
Rep. M. Noel
Sen. R. Okerlund
Rep. K. Stratton