



# MINUTES

## HOUSE NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT STANDING COMMITTEE

LEGISLATURE

Tuesday, February 5, 2019 | 2:00 p.m. | 445 State Capitol

**Members Present:**

Rep. Keven J. Stratton, Chair  
Rep. Logan Wilde, Vice Chair  
Rep. Carl R. Albrecht  
Rep. Joel K. Briscoe  
Rep. Scott H. Chew  
Rep. Susan Duckworth  
Rep. Joel Ferry  
Rep. Timothy D. Hawkes

Rep. Phil Lyman  
Rep. Michael K. McKell  
Rep. Derrin R. Owens  
Rep. Douglas V. Sagers  
Rep. Christine F. Watkins

**Staff Present:**

Ms. Linda Service, Session Secretary  
Mr. J Brian Allred, Policy Analyst

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Wilde called the meeting to order at 2:00 p.m.

**1 . H.B. 98 Freight Switcher Emissions Mitigation (Handy, S.)**

Rep. Handy introduced the bill assisted by Mr. Glade Sowards, Utah Division of Air Quality, who distributed the handout, "Freight Switcher Locomotives in Utah."

Mr. Nathan Anderson, Union Pacific Railroad, spoke for the bill.

Ms. Ashley Miller, Air Quality Policy Advisory Board, spoke for the bill.

Ms. Thea Brannon, citizen, spoke for the bill.

**MOTION:** Rep. Lyman moved to pass H.B. 98 out favorably. The motion passed with a vote of 10 - 0 - 3.

Yeas-10

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. D. Owens  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-0

Absent-3

Rep. S. Duckworth  
Rep. M. McKell  
Rep. D. Sagers

**2 . H.B. 123 Jordan River Recreation Area Amendments (Winder, M.)**

Rep. Winder introduced the bill.

**MOTION:** Rep. Hawkes moved to amend H.B. 123 with Amendment #1. The motion passed with a vote of 10 - 0 - 3.

Amendment 1  
H.B. 123

1. Page 2, Lines 46 through 50:

- 46 (v) partnering or contracting with an urban ranger or conservation corp operated by a state institution of  
47 higher education or similar service-oriented  
48 organizations or programs:  
48 (A) to provide trail , river, and parkway maintenance, invasive species removal and revegitation, emergency  
49 care, and  
49 environmental education for the area 250 yards on each side of the Jordan River from the edge  
50 of the river for the entire length of the river; and

Yeas-10

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. D. Owens  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-0

Absent-3

Rep. S. Duckworth  
Rep. M. McKell  
Rep. D. Sagers

**MOTION:** Rep. Owens moved to pass H.B. 123 as amended out favorably. The motion passed with a vote of 10 - 0 - 3.

Yeas-10

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. D. Owens  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-0

Absent-3

Rep. S. Duckworth  
Rep. M. McKell  
Rep. D. Sagers

**MOTION:** Rep. Watkins moved to place H.B. 123 on the Consent Calendar. The motion passed with a vote of 10 - 0 - 3.

Yeas-10

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. D. Owens  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-0

Absent-3

Rep. S. Duckworth  
Rep. M. McKell  
Rep. D. Sagers

**3 . H.B. 155 Fire Management Provisions (Snider, C.)**

Rep. Snider introduced the bill.

Mr. Bryce Bird, Director, Division of Air Quality, spoke for the bill.

**MOTION:** Rep. Briscoe moved to amend H.B. 155 with Amendment #2. The motion passed with a vote of 11 - 0 - 2.

Amendment 2  
H.B. 155

1. Page 2, Lines 31 through 32:

31 (c) "Land manager" means a person ~~{ that owns, }~~ who administers, directs, oversees, or  
32 controls the use of public ~~{ or private }~~ land, including the application of fire to the land.

2. Page 2, Lines 46 through 56:

46 (b) In the rules made by the board under this Subsection (2), the board shall require the  
47 land manager to:

48 (i) describe the use of a state, county, or municipal resource in the large prescribed fire  
49 or large prescribed pile fire;

50 (ii) provide the division ~~{:—}~~

51 ~~{(A)}~~ the burn plan for a large prescribed fire or large prescribed pile fire by no later than  
52 ~~{two weeks}~~ one week before the day of the burn window; and

53 ~~{(B) the planned ignition date for a large prescribed fire or large prescribed pile fire by~~  
54 ~~no later than 48 hours before the day of ignition; and }~~

55 (iii) notify the division of a nonfull suppression event once a fire becomes a nonfull  
56 suppression event.

Yeas-11

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. M. McKell  
Rep. D. Owens  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-0

Absent-2

Rep. S. Duckworth  
Rep. D. Sagers

**MOTION:** Rep. Ferry moved to pass H.B. 155 out favorably. The motion passed with a vote of 10 - 1 - 2.

Yeas-10

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. D. Owens  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-1

Rep. M. McKell

Absent-2

Rep. S. Duckworth  
Rep. D. Sagers

**4 . H.C.R. 3 Concurrent Resolution Urging the Environmental Protection Agency to Update Switcher Locomotive Emission Standards (Handy, S.)**

Rep. Handy introduced the bill assisted by Mr. Sowards.

Ms. Miller spoke for the resolution.

Mr. Nathan Anderson spoke to the resolution.

**MOTION:** Rep. Hawkes moved to replace H.C.R. 3 with 1st Substitute H.C.R. 3. The motion passed with a vote of 12 - 0 - 1.

Yeas-12

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. M. McKell  
Rep. D. Owens  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-0

Absent-1

Rep. D. Sagers

**MOTION:** Rep. Hawkes moved to pass 1st Substitute H.C.R. 3 out favorably. The motion passed with a vote of 9 - 3 - 1.

Yeas-9

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. C. Watkins  
Rep. L. Wilde

Nays-3

Rep. M. McKell  
Rep. D. Owens  
Rep. K. Stratton

Absent-1

Rep. D. Sagers

**5 . H.C.R. 10 Concurrent Resolution to Address Declining Water Levels of the Great Salt Lake (Hawkes, T.)**

Rep. Hawkes introduced the resolution.

Ms. Marcelle Shoop, National Audubon Society, spoke for the resolution.

Ms. Manjot Kaur, speaking on behalf of Mr. Leland Meyers, Executive Director, Central Davis Sewer District, spoke for the resolution.

Mr. Jack Ray, Utah Waterfowl Association, spoke for the resolution.

**MOTION:** Rep. Ferry moved to amend H.C.R. 10 with Amendment #1. The motion passed with a vote of 11 - 0 - 2.

**Amendment 1  
H.C.R. 10**

1. Page 2, Lines 49 through 52:

49 WHEREAS, the current trajectory suggests there is a ~~{-very-}~~ real and near-term risk of  
50 significant and irreversible impacts to the health of Great Salt Lake and its wetlands, which  
51 also poses a threat to Utah's economy, public health and welfare, air quality, environmental  
52 resources, and the ability to provide water to meet Utah's growing economy;

2. Page 2, Lines 56 through 58:

56 WHEREAS, Great Salt Lake and its ecosystem could face a similar fate due to ~~{-a~~  
57 ~~combination of}~~ historic ~~{-and current-}~~ water management practices ~~{-and}~~ re diversions, drought and  
58 variable climatic conditions; and

3. Page 3, Lines 68 through 72:

68 BE IT FURTHER RESOLVED that the Legislature and the Governor encourage the  
69 Departments of Natural Resources and Environmental Quality through their relevant divisions{  
70 ~~along with the Great Salt Lake Advisory Council,~~} to expeditiously, jointly, and collaboratively  
71 engage with a wide-range of stakeholders to develop recommendations for policy and other  
72 solutions to ensure adequate water flows to Great Salt Lake and its wetlands.

Yeas-11

Rep. C. Albrecht  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. M. McKell  
Rep. D. Owens  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-0

Absent-2

Rep. J. Briscoe  
Rep. D. Sagers

**MOTION:** Rep. Albrecht moved to pass H.C.R. 10 out favorably. The motion passed with a vote of 11 - 0 - 2.

Yeas-11

Rep. C. Albrecht  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. M. McKell  
Rep. D. Owens  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-0

Absent-2

Rep. J. Briscoe  
Rep. D. Sagers

**6 . H.J.R. 5 Joint Resolution Approving Notes to Water Rights Addenda (Owens, D.)**

Rep. Owens introduced the resolution assisted by Mr. Kent Jones, State Engineer and Director, Division of Water Rights.

**MOTION:** Rep. McKell moved to pass H.J.R. 5 out favorably. The motion passed with a vote of 12 - 0 - 1.

Yeas-12

Rep. C. Albrecht  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. M. McKell  
Rep. D. Owens  
Rep. D. Sagers  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-0

Absent-1

Rep. J. Briscoe

**7 . H.B. 220 Radioactive Waste Amendments (Albrecht, C.)**

Rep. Albrecht introduced the bill assisted by Mr. Casey Hill, Energy Solutions.

Mr. Scott Baird, Deputy Director, Department of Environmental Quality, spoke to the bill.

Mr. George Chapman, citizen, spoke against the bill.

Ms. Jessica Reimer, HEAL Utah, spoke against the bill.

Mr. Shawn Milne, Commissioner, Tooele County, spoke for the bill.

Mr. Steve Erickson, citizen, spoke against the bill.

Ms. Ashley Soltysiak, Utah Sierra Club, spoke against the bill.

**MOTION:** Rep. McKell moved to pass H.B. 220 out favorably. The motion passed with a vote of 12 - 1 - 0.

Yeas-12

Rep. C. Albrecht  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. M. McKell  
Rep. D. Owens  
Rep. D. Sagers  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-1

Rep. J. Briscoe

Absent-0

**MOTION:** Rep. Sagers moved to adjourn. The motion passed with a vote of 13 - 0 - 0.

Yeas-13

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. J. Ferry  
Rep. T. Hawkes  
Rep. P. Lyman  
Rep. M. McKell  
Rep. D. Owens  
Rep. D. Sagers  
Rep. K. Stratton  
Rep. C. Watkins  
Rep. L. Wilde

Nays-0

Absent-0