

# Natural Resources, Agriculture, and Environment Interim Committee 2019

## Extraterritorial Jurisdiction

The committee discussed municipalities' extraterritorial jurisdiction related to water sheds and water works.

## Protection of Prior Appropriation Doctrine

The committee discussed the importance of maintaining the prior appropriation water rights doctrine.

## Aquatic Invasive Species

The committee discussed efforts to control the spread of invasive Quagga and Zebra Mussels in the state.

## Secondary Water Metering

The committee received a report of the Department of Natural Resources' ongoing study of secondary water metering and the implementation of 2019 General Session S.B. 52, Secondary Water Requirements, which required water services to report and meter the use of water.

## Air Quality

The committee discussed air quality issues, focusing on potential changes to permitting fees and mobile source registration fees. The committee also discussed the efforts of state agencies to promote improved air quality. The committee received a report from the Utah State University Bingham Entrepreneurship and Energy Research Center on the Uintah Basin wintertime ozone air quality research project.

## Central Wasatch Mountains

The committee visited sites in the Central Wasatch mountains to discuss proposed federal legislation creating the Central Wasatch National Conservation and Recreation Area and issues related to transportation, water, economic development, and environmental sustainability in the area.

## Raw Milk

The committee considered, but did not recommend, draft legislation, [Raw Milk Product Amendments](#), which defines terms and allows the manufacturing, distribution, and sale of certain products produced from raw milk under certain circumstances.

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## ISSUES NOT STUDIED

### Ports Impacts on Natural Resources and Mineral Extraction and Transportation

The committee did not study this item due to competing priorities.

### Wildland Firefighters Compensation

After discussion with the Division of Forestry, Fire, and State Lands, the chairs determined that legislation on this topic was not needed.

### Farm to Fork

After discussion with the sponsor of draft legislation on this topic, the chairs determined that the legislation was not ready for consideration.

## ADDITIONAL ITEMS

### Danger Cave State Monument Designation

The committee recommended draft legislation, Concurrent Resolution Creating the Danger Cave State Monument, which outlines the general process for proposing the creation of the Danger Cave State Monument, includes reasons for creating the monument, and approves the creation of the monument.

### Old Iron Town State Monument Designation

The committee recommended draft legislation, Concurrent Resolution Creating the Old Iron Town State Monument, which outlines the general process for proposing the creation of the Old Iron Town State Monument, includes reasons for creating the monument, and approves the creation of the monument.

### Department of Agriculture and Food Fee Adjustment for the Administration of the Industrial Hemp Program

The committee recommended draft legislation, Industrial Hemp Amendments, which:

- directs the Department of Agriculture and Food to develop a state industrial hemp production plan;
- makes changes to the industrial hemp producer license;
- establishes requirements for an industrial hemp retail permit and an industrial hemp laboratory permit; and
- establishes a process for enforcement of legal provisions relating to industrial hemp.

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## ISSUES STUDIED: LEGISLATION RECOMMENDED

### State Water Policy

#### Water Policy Statement

The committee recommended draft legislation, [State Water Policy Amendments](#), which establishes a broad based water policy statement. The legislation encourages state agencies to follow the state policy and requires an annual review.

#### Proposal to Amend Utah Constitution - Municipal Water Resources

The committee recommended draft legislation, [Proposal to Amend Utah Constitution - Municipal Water Resources](#), which:

- rewrites a provision relating to municipal water rights and sources of water supply;
- eliminates references to municipal waterworks; and
- specifies the circumstances under which a municipality may supply water outside its boundary or commit to supply water outside its water service area.

#### Agricultural Water Optimization Task Force

The committee recommended draft legislation, [Agricultural Water Optimization Task Force Amendments](#), which:

- expands the membership of the Agricultural Water Optimization Task Force;
- clarifies quorum requirements; and
- addresses the task force recommending legislation as part of its annual report.

## ISSUES STUDIED: NO LEGISLATION RECOMMENDED

### State Water Policy

#### Water Banking

The committee heard a report on, but did not recommend, draft legislation [Water Banking Amendments](#), which:

- authorizes the Board of Water Resources, the state engineer, and the Division of Water Resources to implement water banking;

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- enacts the Water Banking Act;
- provides for a repeal date of the water banking provisions; and
- specifies that water rights deposited in a water bank are not subject to abandonment or forfeiture while approved for use in a water bank.

## Water Basin Councils

The committee discussed the importance of managing and optimizing water resources on a basin-by-basin basis and discussed the possibility of creating water basin councils.

## Water Infrastructure Repair and Replacement

The committee discussed the identification and funding of water infrastructure in the state, the repair or replacement of existing infrastructure, and construction of new infrastructure needed to provide for Utah's current and future water needs.

## Performance Audit of the Repayment Feasibility of the Lake Powell Pipeline

The committee discussed a legislative audit regarding the repayment feasibility of the Lake Powell Pipeline. The committee passed motions to recommend that legislation be drafted to clarify:

- the terms for repayment including state bond interest costs for the Lake Powell Pipeline;
- how repayment costs can be divided among and within repayment contracts;
- final repayment time frames for outstanding pipeline reimbursable costs; and
- whether multiple sources of funding for the Lake Powell Pipeline would be in the best interests of the state.

## Great Salt Lake

The committee discussed the economic and environmental importance of the Great Salt Lake and the importance of maintaining adequate lake levels.

## Water Loss Accounting

The committee considered, but did not recommend, draft legislation, Water Loss Accounting Act, which enacts the Water Loss Accounting Act, including:

- defining terms;
- granting rulemaking authority;
- providing for a technical advisory committee;
- requiring water loss accounting reports; and
- providing for technical assistance.

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## Jordan River Recreation Area Funding Management

The committee recommended draft legislation, [Jordan River Recreation Area Funding Management](#), which clarifies that the Division of Forestry, Fire, and State Lands manages the money appropriated to programs related to the Jordan River Recreation Area and provides that the money appropriated to programs related to the Jordan River Recreation Area are non-lapsing.

## Waste Tire Recycling

The committee recommended draft legislation, [Waste Tire Recycling Act Amendments](#), which:

- modifies definitions related to waste tire piles;
- increases the number of whole waste tires a person may transfer at one time to a landfill or any other location in the state authorized by the director to receive waste tires;
- addresses storage of whole waste tires; and
- extends the relevant sunset date.

## Trail Improvements

The committee considered, but did not recommend, draft legislation, [Trail Improvement Amendments](#), which allows for the exercise of eminent domain for trails meeting certain criteria.

## Interagency Wildfire Coordination

The committee discussed ways to improve interagency wildfire coordination, decision making, and management. The committee also discussed tools for assessing wildfire risks.

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