



MINUTES

SENATE NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT STANDING COMMITTEE

LEGISLATURE

Thursday, March 5, 2020 | 4:00 p.m. | 220 Senate Building

Members Present:

Sen. Ralph Okerlund, Chair
Sen. Allen M. Christensen
Sen. Keith Grover
Sen. David P. Hinkins
Sen. Jani Iwamoto
Sen. Derek L. Kitchen
Sen. Scott D. Sandall

Sen. Evan J. Vickers

Members Absent:

Sen. Jerry W. Stevenson

Staff Present:

Nathan W. Brady, Policy Analyst
Paula Morgan, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Okerlund called the meeting to order at 4:20 PM.

MOTION: Sen. Sandall moved to approve the minutes for March 4, 2020. The motion passed with a vote of 6 - 0 - 3.

Yeas-6

Sen. A. Christensen
Sen. K. Grover
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall

Nays-0

Absent-3

Sen. D. Hinkins
Sen. J. Stevenson
Sen. E. Vickers

1 . 2nd Sub. H.B. 226 Storm Water Permitting Amendments (Snider, C.)

Rep. Snider explained the bill.

MOTION: Sen. Sandall moved to amend 2nd Substitute H.B. 226 with Amendment #1. The motion passed with a vote of 7 - 0 - 2.

Amendment 1
2nd Sub. H.B. 226

1. Page 2, Lines 51 through 52:

51 (6) The board ~~{may}~~ shall make rules, in accordance with Title 63G, Chapter 3, Utah
52 Administrative Rulemaking Act, establishing requirements for the permitting of storm water

2. Page 2, Lines 54 through 55:

54 (7) The director ~~{may}~~ shall administer storm water permits to be consistent with rules
55 established by the board.

Yeas-7

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall

Nays-0

Absent-2

Sen. J. Stevenson
Sen. E. Vickers

Taz Biesinger, Utah Home Builders Association, spoke in favor of the bill.

Erica Gaddis, Director, Division of Water Quality, spoke in favor of the bill.

Soren Simonsen, Executive Director, Jordan River Commission, spoke in favor of the bill.

MOTION: Sen. Christensen moved to pass 2nd Substitute H.B. 226 out favorably. The motion passed with a vote of 7 - 0 - 2.

Yeas-7

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall

Nays-0

Absent-2

Sen. J. Stevenson
Sen. E. Vickers

2 . H.B. 166 Watershed Councils (Hawkes, T.)

Rep. Hawkes explained the bill.

Warren Peterson, Drafting Committee member, spoke to the bill.

MOTION: Sen. Hinkins moved to amend H.B. 166 with Amendment #3. The motion passed with a vote of 7 - 0 - 2.

Amendment 3
H.B. 166

1. Page 4, Lines 102 through 118:

102 (e) the Utah State University Extension vice president;

(f) the director of the Division of Emergency Management within the Department of Public Safety;

103 ~~{(f)}~~ (g) a representative designated by the Utah Association of Counties;

104 ~~{(g)}~~ (h) a representative designated by the Utah League of Cities and Towns;

105 ~~{(h)}~~ (i) a representative designated by the Utah Association of Special Districts;

106 ~~{(i)}~~ (j) a representative of reclamation projects located in the state selected by the governor
107 from a list of three persons nominated jointly by the local sponsors of reclamation projects
108 located in the state and the executive director of the Department of Natural Resources;

109 ~~{(j)}~~ (k) a representative of agricultural interests selected by the governor from a list of three
110 persons nominated jointly by the commissioner of the Department of Agriculture and Food, the
111 president of the Utah Farm Bureau, and the Utah State University Extension vice president;

112 ~~{(k)}~~ (l) a representative of environmental conservation interests selected by the governor
113 from a list of three persons nominated jointly by the executive directors of the Department of
114 Environmental Quality and Department of Natural Resources;

115 ~~{(l)}~~ (m) a representative of business and industry water interests selected by the governor

115a ~~Ĥ~~→from a list of three individuals nominated jointly by the Utah Manufacturers Association,

115b Utah Mining Association, and Utah Petroleum Association←Ĥ;

116 and

117 ~~{(m)}~~ (n) the designated individual selected by a local watershed council certified under

118 Section 73-10g-306.

2. Page 4, Lines 119 through 120:

119 (2) (a) The division is directed, by no later than ~~{ May 12, 2021 }~~ July 1, 2020, to organize a meeting of
120 the individuals identified in Subsections (1)(a) through ~~{(f)}~~ (m), in which those individuals shall:

3. Page 5, Lines 135 through 137:

135 (4) The state council shall stagger the initial terms of the state council members listed

136 in Subsections (1)~~{(f)}~~ (g) through ~~{(f)}~~ (m), after which members will be replaced according to policies

137 adopted by the state council.

4. Page 7, Lines 207 through 212:

207 (c) for each of the five watersheds that drain into Great Salt Lake, the proposed local
208 council includes a person {~~from~~} designated by the Great Salt Lake local watershed council, if the Great
Salt
209 Lake local watershed council is certified; and
210 (d) for the Great Salt Lake watershed, the proposed local council includes a person
211 {~~from~~} designated by each of the five watersheds that drain into Great Salt Lake that has a certified local
212 watershed council.

Yeas-7

Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-2

Sen. A. Christensen
Sen. J. Stevenson

MOTION: Sen. Iwamoto moved to pass H.B. 166 out favorably. The motion passed with a vote of 7 - 0 - 2.

Yeas-7

Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-2

Sen. A. Christensen
Sen. J. Stevenson

Sen. Sandall assumed the chair.

3 . S.B. 239 Refinery Sales Tax Exemption (Okerlund, R.)

Chair Okerlund explained the bill.

Crystal Maggelet, Owner, Big West Refinery, spoke to the bill.

Craig Provost, Volunteer, Utah Sierra Club, spoke in opposition to the bill.

Noah Miterko, Policy Associate, Healthy Environment Alliance Utah, spoke in opposition to the bill.

Rikki Hrenko-Browning, President, Utah Petroleum Association spoke in favor of the bill.

MOTION: Sen. Hinkins moved to pass S.B. 239 out favorably. The motion passed with a vote of 8 - 0 - 1.

Yeas-8

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-1

Sen. J. Stevenson

Sen. Okerlund resumed the chair.

4 . H.B. 371 Wildlife Tagging Amendments (Maloy, A.C.)

Rep. Maloy explained the bill.

MOTION: Sen. Christensen moved to pass H.B. 371 out favorably. The motion passed with a vote of 7 - 0 - 2.

Yeas-7

Sen. A. Christensen
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-2

Sen. K. Grover
Sen. J. Stevenson

5 . H.C.R. 21 Concurrent Resolution Celebrating the 50th Anniversary of Earth Day (Hawkins, J.)

Rep. Hawkins explained the bill.

Soren Simonsen, Executive Director, Jordan River Commission, spoke in favor of the bill.

MOTION: Sen. Iwamoto moved to pass H.C.R. 21 out favorably. The motion passed with a vote of 8 - 0 - 1.

Yeas-8

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-1

Sen. J. Stevenson

6 . H.B. 331 Water Infrastructure Safety and Maintenance (Coleman, K.)

[How Might This Look from WCWCD's Perspective](#)

Rep. Coleman explained the bill.

MOTION: Sen. Grover moved to replace H.B. 331 with 2nd Substitute H.B. 331. The motion passed with a vote of 8 - 0 - 1.

Yeas-8

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-1

Sen. J. Stevenson

Todd Adams, Director, Utah Water Resources, spoke to the bill.

Mark Stratford, Ogden City Attorney, Utah League of Cities and Towns, spoke in opposition to the bill.

Kate Bradshaw, Wasatch Front Water Quality Coalition, spoke in opposition to the bill.

Fred Finlinson, Attorney, Prep 60 District, spoke to the bill.

MOTION: Sen. Iwamoto moved to go to the next item on the agenda. The motion passed with a vote of 7 - 0 - 2.

Yeas-7

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. E. Vickers

Nays-0

Absent-2

Sen. S. Sandall
Sen. J. Stevenson

7 . 1st Sub. H.B. 358 Poultry Amendments (Roberts, M.)

Rep. Roberts explained the bill.

Kelly Pehrson, Interim Director, Department of Agriculture, spoke to the bill.

MOTION: Sen. Grover moved to pass 1st Substitute H.B. 358 out favorably. The motion passed with a vote of 6 - 0 - 3.

Yeas-6

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-3

Sen. J. Iwamoto
Sen. D. Kitchen
Sen. J. Stevenson

8 . H.C.R. 22 Concurrent Resolution Concerning the Protection, Development, and Beneficial Use of Utah's Colorado River Compact Allocation (Last, B.)

Rep. Last explained the bill.

Zachary Frankel, Executive Director, Utah Rivers Council, spoke in opposition to the bill.

MOTION: Sen. Hinkins moved to pass H.C.R. 22 out favorably. The motion passed with a vote of 6 - 0 - 3.



Yeas-6

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-3

Sen. J. Iwamoto
Sen. D. Kitchen
Sen. J. Stevenson

MOTION: Sen. Hinkins moved to adjourn. The motion passed with a vote of 6 - 0 - 3.

Yeas-6

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-3

Sen. J. Iwamoto
Sen. D. Kitchen
Sen. J. Stevenson

Chair Okerlund adjourned the meeting at 5:55 PM.