



LEGISLATURE

# MINUTES

## NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY APPROPRIATIONS SUBCOMMITTEE

Wednesday, May 27, 2020 | 1:00 p.m. | 325 House Building

### Members Present:

Sen. David P. Hinkins, Senate Chair  
Rep. Stewart E. Barlow, House Chair  
Rep. Scott H. Chew, House Vice Chair  
Sen. Don L. Ipson  
Sen. Jani Iwamoto  
Sen. Ralph Okerlund  
Sen. Scott D. Sandall  
Sen. Daniel W. Thatcher  
Sen. Ronald Winterton  
Rep. Carl R. Albrecht  
Rep. Kera Birkeland

Rep. Kay J. Christofferson  
Rep. Stephen G. Handy  
Rep. Suzanne Harrison  
Rep. Karen Kwan  
Rep. Phil Lyman  
Rep. Lee B. Perry  
Rep. Casey Snider  
Rep. Keven J. Stratton

### Staff Present:

Greta G. Rodebush, Executive Assistant  
Ivan D. Djambov, Finance Manager  
Lacey K. Moore, Financial 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).

### 1 . Call to Order/WebEx Etiquette Introduction

Chair Barlow called the meeting to order at 1:15 p.m. and explained how to use the WebEx technology.

### 2 . Approval of Minutes

**MOTION:** Sen. Ipson moved to approve the minutes for February 6, February 10, February 12, and February 14, 2020. The motion passed with a vote of 13 - 0 - 6.

#### Yeas-13

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. K. Birkeland  
Rep. K. Christofferson  
Rep. S. Handy  
Sen. D. Hinkins  
Sen. D. Ipson  
Sen. J. Iwamoto  
Rep. K. Kwan  
Sen. R. Okerlund  
Rep. C. Snider  
Sen. D. Thatcher  
Sen. R. Winterton

#### Nays-0

#### Absent-6

Rep. S. Chew  
Rep. S. Harrison  
Rep. P. Lyman  
Rep. L. Perry  
Sen. S. Sandall  
Rep. K. Stratton

### 3 . Department of Natural Resources 2/5/10% Budget Adjustment Exercise

Lacey Moore introduced the 2%, 5%, and 10% budget adjustment exercise.

Lacey Moore discussed a graph of budget options, Utah's fiscal toolkit, that are structured to address revenue shortages.

[Summary of Special Session Budget Actions - 5/13/2020 EAC](#)

Ivan Djambov presented Table 1. Proposed Reductions - Dept. of Natural Resources. He discussed Lines 1 through 9.

NRAEQ 2/5/10% Budget Adjustment Options

[NRAEQ 2/5/10% Budget Adjustment Options](#)

Ivan Djambov explained the proposed reductions on Line 10 - Zoos Subsidy.

Rep. Christofferson commented on and asked questions about the proposed reductions on Line 10 - Zoos Subsidy. Ivan Djambov and Chair Barlow responded.

Ivan Djambov continued his presentation on Line 10 - Zoos Subsidy.

Sen. Iwamoto, Sen. Okerlund, Rep. Handy, Rep. Kwan, and Sen. Sandall raised concerns about the proposed reductions to the Hogle Zoo.

Chair Barlow asked for public comment.

Steve Burns, Director, Hogle Zoo, highlighted some of the challenges that the Hogle Zoo is facing due to the coronavirus pandemic.

Ivan Djambov continued his presentation on Lines 11 through 31.

Sen. Iwamoto asked a procedural question about the 2%, 5%, and 10% budget adjustment options. Chair Barlow responded.

Sen. Iwamoto expressed concern about the proposed reductions on Line 6 - Jordan River Parkway and on Line 11 - UGS Travel Expenses. Ivan Djambov responded.

Sen. Hinkins asked about the possibility of paying just the interest on loans for Soldier Hollow and Wasatch State Park and using the loan payment to help offset some of the proposed budget cuts. Ivan Djambov responded.

Brian Steed, Executive Director, Department of Natural Resources (DNR), commented on the loan repayment.

Rep. Albrecht commented on and asked questions about Line 14 - Watershed Projects. Brian Steed responded.

Rep. Albrecht asked about the reduction on Line 19 - Predator Control. Brian Steed responded.

Rep. Perry asked about the reduction on Line 28 - Conservation Rebates. Brian Steed responded.

Rep. Snider inquired about the reduction on Line 19 - Predator Control. Brian Steed responded.

#### **4 . Agency Response (Brian Steed)**

Brian Steed, Executive Director, DNR, gave the agency response. He highlighted funding considerations for the Utah Geological Survey, the Division of Oil, Gas, and Mining, the use of restricted funds, the Jordan River Parkway, and the Hogle Zoo,

Rep. Christofferson asked about personnel costs and looking at areas where savings can be achieved. Brian Steed responded.

Rep. Kwan asked a procedural question about the 2%, 5%, and 10% budget adjustment exercise. Ivan Djambov responded.

Sen. Okerlund pointed out that the funding for Watershed Projects leverages funding from the federal government and other private entities. He asked if the proposed cuts were one-time or ongoing. Ivan Djambov and Brian Steed responded.

Sen. Okerlund suggested that the subcommittee recommend to the Executive Appropriations Committee (EAC) that the proposed reduction to Watershed Projects be one-time rather than ongoing. Ivan Djambov responded.

Chair Barlow asked for motions on the proposed reductions list for DNR.

Rep. Christofferson proposed adjusting the reductions on Line 10 - Zoos Subsidy at the 2%, 5%, and 10% levels. Ivan Djambov made adjustments to the online spreadsheet. Brian Steed responded to questions.

**MOTION:** Rep. Christofferson moved to reduce Line 10 - Zoos Subsidy to (\$11,000) for 2%, (\$27,500) for 5%, and (\$55,000) for 10% and offset those reductions with increases to reductions in other line items.

Chair Barlow asked if there was a line item that Rep. Christofferson would like to take the money, in order to offset the change to the reduction to the Hogle Zoo. Rep. Christofferson suggested Line 4 - DNR Building Bond Repaid.

Ivan Djambov displayed changes to the proposed reductions on Line 10 - Zoos Subsidy and increases in reductions on Line 4 - DNR Building Bond Repaid. Brian Steed responded to the proposed higher reductions.

Brian Steed asked about the current funding status of the Hogle Zoo. Ivan Djambov responded.

Ivan Djambov displayed changes to the proposed reductions on Line 10 - Zoos Subsidy and increases in reductions in other areas.

Rep. Snider pointed out that Rep. Christofferson's initial motion changed only the funding amounts for the Hogle Zoo. He indicated that some committee members would like to express their concerns about the initial motion. Chair Barlow responded.

Rep. Perry made suggestions on how to adjust the reductions on Line 10 - Zoos Subsidy and offset with increases in reductions in other areas of the DNR budget.

**MOTION:** Rep. Perry moved to change Line 10 - Zoos Subsidy to (\$100,000) for 2%; (\$200,000) for 5%, and (\$494,800) for 10%, and increase the reduction from Line 4 - DNR Building Bond Repaid (\$342,900) for 2%, (\$742,500) for 5%, and (\$980,000) for 10%.

Rep. Snider declared a point of order and asked if the committee would be able to speak to the substitute motion. Chair Barlow responded.

Sen. Iwamoto asked about discussing other budget items. Chair Barlow responded.

Rep. Snider spoke in opposition to the substitute motion as well as the underlying motion.

Rep. Albrecht commented on the budget adjustment process in general as it relates to DNR.

Sen. Iwamoto appreciated Rep. Albrecht's remarks and commented on the effects that a 10% cut to Line 6 - Jordan River Parkway would have on public health and safety as it relates to homelessness.

Rep. Christofferson asked about the Pass Through funding for Line 10 - Zoos Subsidy. Chair Barlow responded.

Sen. Okerlund explained the funding history for the Zoos. Sen. Hinkins added further comment.

Rep. Christofferson said that he was in agreement with Rep. Perry's proposed changes.

Rep. Stratton spoke to the budget reduction exercise and expressed concern about adjusting the numbers too much.

Sen. Iwamoto mentioned that she had learned in last week's EAC meeting that the budget does not reflect a further surge in the pandemic.

Sen. Sandall spoke in support of the substitute motion.

Rep. Perry summed up his substitute motion.

Rep. Perry's substitute motion passed with a vote of 15 - 3 - 1.

Yeas-15

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. S. Chew  
Rep. K. Christofferson  
Rep. S. Handy  
Rep. S. Harrison  
Sen. D. Hinkins  
Sen. D. Ipson  
Sen. J. Iwamoto  
Rep. K. Kwan  
Sen. R. Okerlund  
Rep. L. Perry  
Sen. S. Sandall  
Sen. D. Thatcher  
Sen. R. Winterton

Nays-3

Rep. K. Birkeland  
Rep. P. Lyman  
Rep. C. Snider

Absent-1

Rep. K. Stratton

**MOTION:** Sen. Okerlund moved to adopt the list as recommended and asked the chairs to make sure that EAC understands: 1) the large amount of pass through funding the State would forfeit on watershed projects, and 2) the issues related to the Jordan River Parkway line item.

**MOTION:** Rep. Chew moved to adopt Sen. Okerlund's underlying motion with the exception of removing the reduction of (\$200,000) at 10% for Line 19 - Predator Control, and increasing the reduction of (\$50,000) at 10% for Line 21 - GFR - Mule Deer Protection Account to (\$250,000) at 10%.

Rep. Chew declared a conflict of interest.

Brian Steed clarified that the bounty program is associated with Line 21 - GFR - Mule Deer Protection Account.

Ivan Djambov clarified the motion and responded to Rep. Chew's questions.

Rep. Albrecht spoke in favor of the substitute motion and the underlying motion. He felt it was important that the chairs make sure that the EAC chairs understand that the reductions on Line 14 - Watershed Projects, will result in the loss of federal dollars from various federal agencies and conservation groups.

Rep. Kwan asked a procedural question related to the substitute motion. Chair Barlow responded.

Rep. Chew summed his substitute motion.

Rep. Chew's substitute motion passed with a vote of 18 - 0 - 1.

Yeas-18

Nays-0

Absent-1

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. K. Birkeland  
Rep. S. Chew  
Rep. K. Christofferson  
Rep. S. Handy  
Rep. S. Harrison  
Sen. D. Hinkins  
Sen. D. Ipson  
Sen. J. Iwamoto  
Rep. K. Kwan  
Rep. P. Lyman  
Sen. R. Okerlund  
Rep. L. Perry  
Sen. S. Sandall  
Rep. C. Snider  
Sen. D. Thatcher  
Sen. R. Winterton

Rep. K. Stratton

Rep. Kwan referred to Line 19 - AQ Equipment Budget Reduction on Table 3. Proposed Reductions - Dept. of Environmental Quality and proposed that the subcommittee ask the EAC to look at the data associated with communities that are disproportionately impacted by COVID -19 and air quality. Chair Barlow responded.

**5 . Department of Agriculture and Food 2/5/10% Budget Adjustment Exercise**

Lacey Moore presented Table 2. Proposed Reductions - Dept. of Agriculture.

**MOTION:** Sen. Sandall moved to approve the list as presented.

Sen. Sandall spoke to his motion.

Rep. Albrecht spoke in support of the motion.

Sen. Sandall's motion passed with a vote of 18 - 0 - 1.

Yeas-18

Nays-0

Absent-1

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. K. Birkeland  
Rep. S. Chew  
Rep. K. Christofferson  
Rep. S. Handy  
Rep. S. Harrison  
Sen. D. Hinkins  
Sen. D. Ipson  
Sen. J. Iwamoto  
Rep. K. Kwan  
Rep. P. Lyman  
Sen. R. Okerlund  
Rep. L. Perry  
Sen. S. Sandall  
Rep. C. Snider  
Sen. D. Thatcher  
Sen. R. Winterton

Rep. K. Stratton

**6 . Department of Environmental Quality 2/5/10% Budget Adjustment Exercise**

Lacey Moore presented Table 3. Proposed Reductions - Dept. of Environmental Quality.

Rep. Perry inquired about cost reductions related to waste management and asked to hear from the Department of Environmental Quality (DEQ).

Sen. Winterton inquired about the reduction on Line 19 - AQ Equipment Budget Reduction.

Scott Baird, Executive Director, DEQ, responded to Rep. Perry's and Sen. Winterton's questions.

Rep. Albrecht had the same concern as Sen. Winterton about the reduction on Line 19 - AQ Equipment Budget Reduction. He was also concerned about the impact that the reductions on Line 2 - Reduce Ongoing Appropriation to the Environmental Quality Restricted Account would have on Energy Solutions. Scott Baird responded.

Rep. Stratton inquired about the General Fund subsidy that would have to be paid by Energy Solutions. Scott Baird responded.

Chair Barlow asked about reducing fees and regulations on low radioactive waste. Scott Baird responded.

Sen. Okerlund asked if reducing the ongoing appropriation to the Environmental Quality Restricted Account that impacts Energy Solutions would require legislation. Lacey Moore responded.

Scott Baird further clarified the taxes and fees that Energy Solutions pays.

Rep. Harrison asked if other industries have the same type of General Fund subsidy as Energy Solutions. She expressed her support for the proposed reductions on Line 2. Scott Baird responded.

Sen. Sandall commented on Line 1 - Appropriate Excess Waste Tire Recycling Fund Balances to General Fund. He also mentioned the shifting of cost burden over to Energy Solutions on Line 2 - Reduce Ongoing Appropriation to the Environmental Quality Restricted Account. Scott Baird responded.

Sen. Thatcher questioned the fairness of the proposed reduction that will impact Energy Solutions. Scott Baird responded.

Rep. Kwan asked how the cuts on Line 19 - AQ Equipment Reduction would be applied to different air quality programs, and in particular, to the TRAX Air Monitor Project. Scott Baird responded.

Rep. Handy asked about the ramifications and restrictions in switching personnel costs to federal funds on Lines 15 and 16. Scott Baird responded.

**MOTION:** Sen. Sandall moved to approve the list with the elimination of Line 2 - Reduce Ongoing Appropriation to the Environmental Quality Restricted Account and ask DEQ to revisit some places where they might be able to make up the difference.

Rep. Christofferson spoke in support of the motion.

Sen. Ipson spoke in support of the motion.

Rep. Harrison spoke against the motion.

Chair Barlow restated the motion. Sen. Sandall spoke to his motion.

Scott Baird clarified that DEQ had reduced its operational fees significantly.

Sen. Sandall declared a point of order regarding the debate on the motion.

Sen. Iwamoto spoke in support of the proposed budget recommendations for the DEQ as written.

Ivan Djambov displayed the updated spreadsheet and asked where Sen. Sandall would like to increase other reductions. Sen. Sandall responded.

**MOTION:** Sen. Hinkins moved to pass the list out as is and ask the DEQ to come up with an alternative budget to present to EAC and request that Line 2 be reconsidered.

Sen. Thatcher spoke against the substitute motion. He suggested removing Line 2 and replacing it with a generic cut to DEQ. Sen. Hinkins commented.

Sen. Hinkins responded and summed his substitute motion.

Sen. Sandall, having made the underlying motion, spoke to the substitute motion.

Ivan Djambov presented an alternative option to the proposed reduction on Line 2. He suggested appropriating \$603,500 from the Environmental Quality Restricted Account to DEQ instead of the reduction of the General Fund subsidy. Sen. Hinkins and Sen. Okerlund responded favorably.

Sen. Sandall spoke in favor of an amended substitute motion.

Sen. Hinkins asked Ivan Djambov to restate the alternative option, which would be to reduce the same amounts from the General Fund subsidy on Line 2, and at the same time, appropriate amounts from the Environmental Quality Restricted Account to DEQ.

Sen. Sandall asked if this option would hold Energy Solutions harmless. Ivan Djambov responded.

Rep. Stratton commented on the substitute motion and the importance of replenishing restricted funds.

Rep. Kwan asked how much money was in the restricted funds and if the restricted funds could be used for the proposed cuts. Lacey Moore and Ivan Djambov responded.

Sen. Iwamoto spoke in support of Sen. Hinkins' earlier substitute motion.

Sen. Sandall spoke in support of the substitute motion as amended.

Sen. Hinkins amended the substitute motion to approve the list and to reduce the same amounts from the General Fund subsidy on Line 2, and at the same time, appropriate amounts from the Environmental Quality Restricted Account to DEQ. The motion passed with a vote of 16 - 3 - 0.

Yeas-16

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. K. Birkeland  
Rep. S. Chew  
Rep. K. Christofferson  
Rep. S. Handy  
Sen. D. Hinkins  
Sen. D. Ipson  
Rep. P. Lyman  
Sen. R. Okerlund  
Rep. L. Perry  
Sen. S. Sandall  
Rep. C. Snider  
Rep. K. Stratton  
Sen. D. Thatcher  
Sen. R. Winterton

Nays-3

Rep. S. Harrison  
Sen. J. Iwamoto  
Rep. K. Kwan

Absent-0

**7 . Office of Energy Development 2/5/10% Budget Adjustment Exercise**

Lacey Moore presented Table 4. Proposed Reductions - Office of Energy Development.

**MOTION:** Rep. Albrecht moved to approve Table 4 as presented. The motion passed with a vote of 19 - 0 - 0.

Yeas-19

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. K. Birkeland  
Rep. S. Chew  
Rep. K. Christofferson  
Rep. S. Handy  
Rep. S. Harrison  
Sen. D. Hinkins  
Sen. D. Ipson  
Sen. J. Iwamoto  
Rep. K. Kwan  
Rep. P. Lyman  
Sen. R. Okerlund  
Rep. L. Perry  
Sen. S. Sandall  
Rep. C. Snider  
Rep. K. Stratton  
Sen. D. Thatcher  
Sen. R. Winterton

Nays-0

Absent-0

**8 . Public Lands Policy Coordination Office 2/5/10% Budget Adjustment Exercise**

Lacey Moore presented Table 5. Proposed Reductions - Public Lands Policy Coordination Office.

**MOTION:** Sen. Winterton moved to accept the proposal. The motion passed with a vote of 19 - 0 - 0.

Yeas-19

Nays-0

Absent-0

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. K. Birkeland  
Rep. S. Chew  
Rep. K. Christofferson  
Rep. S. Handy  
Rep. S. Harrison  
Sen. D. Hinkins  
Sen. D. Ipson  
Sen. J. Iwamoto  
Rep. K. Kwan  
Rep. P. Lyman  
Sen. R. Okerlund  
Rep. L. Perry  
Sen. S. Sandall  
Rep. C. Snider  
Rep. K. Stratton  
Sen. D. Thatcher  
Sen. R. Winterton

**MOTION:** Rep. Stratton moved to adjourn. The motion passed with a vote of 19 - 0 - 0.

Yeas-19

Nays-0

Absent-0

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. K. Birkeland  
Rep. S. Chew  
Rep. K. Christofferson  
Rep. S. Handy  
Rep. S. Harrison  
Sen. D. Hinkins  
Sen. D. Ipson  
Sen. J. Iwamoto  
Rep. K. Kwan  
Rep. P. Lyman  
Sen. R. Okerlund  
Rep. L. Perry  
Sen. S. Sandall  
Rep. C. Snider  
Rep. K. Stratton  
Sen. D. Thatcher  
Sen. R. Winterton

Chair Barlow adjourned the meeting at 5:09 p.m.