



MINUTES

HOUSE NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT STANDING COMMITTEE

Friday, February 9, 2024 | 8:00 a.m. | 120 Senate Building

Members Present:

Rep. Walt Brooks, Chair
Rep. Rex P. Shipp, Vice Chair
Rep. Gay Lynn Bennion
Rep. Bridger Bolinder
Rep. Scott H. Chew
Rep. Tim Jimenez
Rep. Michael L. Kohler
Rep. Steven J. Lund
Rep. Doug Owens

Rep. Thomas W. Peterson
Rep. Casey Snider
Rep. Keven J. Stratton
Rep. Christine F. Watkins

Members Absent:

Speaker Mike Schultz

Staff Present:

Charley Hart, Policy Analyst
Tisha Gibby, Committee Secretary

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

Chair Shipp called the meeting to order at 8:07 a.m.

MOTION: Rep. Bennion moved to approve the February 7, 2024 minutes. The motion passed with a vote of 8 - 0 - 6.

Yeas - 8

Rep. G. Bennion
Rep. B. Bolinder
Rep. W. Brooks
Rep. S. Chew
Rep. T. Jimenez
Rep. M. Kohler
Rep. D. Owens
Rep. R. Shipp

Nays - 0

Absent - 6

Rep. S. Lund
Rep. T. Peterson
Rep. M. Schultz
Rep. C. Snider
Rep. K. Stratton
Rep. C. Watkins

1. H.B. 243 Riparian Amendments (Bennion, G.)

[HB243 Committee Presentation](#)

[HB243 Riparian Amendments](#)

[HB 243 - Healthy Water Ways](#)

Rep. Bennion presented the bill with the assistance of Eric McCulley, Director, and Soren Simonsen, Executive Director, Jordan River Watershed Council.

MOTION: Rep. Owens moved to go to the next item on the agenda. The motion passed with a vote of 12 - 0 - 2.

Yeas - 12

Rep. G. Bennion
Rep. B. Bolinder
Rep. W. Brooks
Rep. S. Chew
Rep. T. Jimenez
Rep. M. Kohler
Rep. S. Lund
Rep. D. Owens
Rep. T. Peterson
Rep. R. Shipp
Rep. C. Snider
Rep. K. Stratton

Nays - 0

Absent - 2

Rep. M. Schultz
Rep. C. Watkins

2. H.J.R. 26 Joint Resolution Rejecting Exchange of School and Institutional Trust Lands (*Snider, C.*)

Rep. Snider presented the resolution.

Redge Johnson, Director, Utah Public Lands Policy Coordinating Office, spoke in favor of the resolution.

Moroni Benally, in behalf of the Navajo Nation, spoke against the resolution.

Maryann Christensen, Executive Director, Utah Legislative Watch, spoke in favor of the resolution.

MOTION: Rep. Lund moved to pass H.J.R. 26 out favorably. The motion passed with a vote of 11 - 2 - 1.

Yeas - 11

Rep. B. Bolinder
Rep. W. Brooks
Rep. S. Chew
Rep. T. Jimenez
Rep. M. Kohler
Rep. S. Lund
Rep. T. Peterson
Rep. R. Shipp
Rep. C. Snider
Rep. K. Stratton
Rep. C. Watkins

Nays - 2

Rep. G. Bennion
Rep. D. Owens

Absent - 1

Rep. M. Schultz

3. 1st Sub. H.B. 280 Water Related Changes (*Snider, C.*)

Rep. Snider presented the bill.

Nathan Bracken, in behalf of Rural Water Association of Utah, and the Utah Association of Special Districts, spoke in favor the 2nd substitute of the bill and the proposed amendment.

Justin Lee, Deputy Director, Utah League of Cities and Towns, spoke to the bill.

Candice Hasenyager, Director, Utah Division of Water Resources, spoke in favor of the 2nd substitute of the bill.

Tom Ward, civil engineer, spoke to the bill.

Dex Winterton, General Manager, Moon Lake Water Users Association, spoke to the bill.

Warren Peterson, in behalf of the Utah Farm Bureau, spoke in favor of the bill and the proposed amendment.

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

Trevor Nielson, General Manager, Bear River Canal Company, spoke to the bill.

Steve Clyde, in behalf of the Water Task Force, spoke in favor of the bill.

MOTION: Rep. Owens moved to replace 1st Substitute H.B. 280 with 2nd Substitute H.B. 280. The motion passed with a vote of 13 - 0 - 1.

Yeas - 13

Nays - 0

Absent - 1

Rep. G. Bennion
Rep. B. Bolinder
Rep. W. Brooks
Rep. S. Chew
Rep. T. Jimenez
Rep. M. Kohler
Rep. S. Lund
Rep. D. Owens
Rep. T. Peterson
Rep. R. Shipp
Rep. C. Snider
Rep. K. Stratton
Rep. C. Watkins

Rep. M. Schultz

MOTION: Rep. Owens moved to amend 2nd Substitute H.B. 280 with Amendment #1. The motion passed with a vote of 13 - 0 - 1.

Amendment 1
2nd Sub. H.B. 280

1. Page 5, Lines 140 through 145:

140 (2) (a) The division shall study and make recommendations, to be completed by

141 October 31, 2024, concerning:

142 (i) which funds or accounts used to finance water infrastructure projects should be tied
143 to the planning and prioritization process in Chapter 10g, Part 6, Planning and Prioritization;

144 ~~{and}~~

145 (ii) whether any funds or accounts should be consolidated~~{-}~~ ; and

(iii) whether changes to the membership of the Water Development Coordinating Council, created by Sections 79-2-201 and 73-10c-3, are needed to fulfill the purposes of Chapter 10g, Part 6, Planning and Prioritization.

Yeas - 13

Nays - 0

Absent - 1

Rep. G. Bennion
Rep. B. Bolinder
Rep. W. Brooks
Rep. S. Chew
Rep. T. Jimenez
Rep. M. Kohler
Rep. S. Lund
Rep. D. Owens
Rep. T. Peterson
Rep. R. Shipp
Rep. C. Snider
Rep. K. Stratton
Rep. C. Watkins

Rep. M. Schultz

MOTION: Rep. Owens moved to pass 2nd Substitute H.B. 280 out favorably as amended. The motion passed with a vote of 12 - 1 - 1.

Yeas - 12

Rep. G. Bennion
Rep. B. Bolinder
Rep. W. Brooks
Rep. T. Jimenez
Rep. M. Kohler
Rep. S. Lund
Rep. D. Owens
Rep. T. Peterson
Rep. R. Shipp
Rep. C. Snider
Rep. K. Stratton
Rep. C. Watkins

Nays - 1

Rep. S. Chew

Absent - 1

Rep. M. Schultz

4. H.B. 373 Environmental Quality Amendments (Snider, C.)

Rep. Snider presented the bill.

Rusty Cannon, President, Utah Taxpayers Association, spoke in favor of the bill.

Kim Shelley, Executive Director, Department of Environmental Quality, spoke in favor of the 2nd substitute of the bill and the proposed amendment.

Dalley Cutler, Sierra Club, spoke against the original bill.

Bryce Bird, Director, Division of Air Quality, spoke in favor of the 2nd substitute of the bill.

Ashley Miller, Executive Director, Breathe Utah, and Chair of the Air Quality Policy Advisory Board, spoke in favor of the 2nd substitute of the bill.

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

MOTION: Rep. Jimenez moved to replace H.B. 373 with 2nd Substitute H.B. 373. The motion passed with a vote of 12 - 0 - 2.

Yeas - 12

Rep. G. Bennion
Rep. B. Bolinder
Rep. W. Brooks
Rep. S. Chew
Rep. T. Jimenez
Rep. S. Lund
Rep. D. Owens
Rep. T. Peterson
Rep. R. Shipp
Rep. C. Snider
Rep. K. Stratton
Rep. C. Watkins

Nays - 0

Absent - 2

Rep. M. Kohler
Rep. M. Schultz

MOTION: Rep. Jimenez moved to amend 2nd Substitute H.B. 373 with Amendment #1. The motion passed with a vote of 12 - 0 - 2.

Amendment 1
2nd Sub. H.B. 373

1. Page 2, Lines 36 through 46:
36 (2) (a) There is created an informal working group to facilitate discussions between the
37 Legislature and the department that shall consist of:
38 (i) two members of the Senate, appointed by the president of the Senate;

39 (ii) two members of the House of Representatives, appointed by the speaker of the
40 House of Representatives;
41 (iii) the chief of staff of the Senate, or the chief of staff's designee;
42 (iv) the chief of staff of the House of Representatives, or the chief of staff's designee;
43 ~~{and}~~

(v) subject matter experts representing each of the most significantly affected regulated entities under this title selected jointly by the president of the Senate and speaker of the House of Representatives; and

44 ~~{(v)}~~ (vi) a leadership team from the department as selected by the executive director.
45 (b) The executive director may select different individuals to serve on the leadership
46 team for different meetings.

Yeas - 12

Rep. G. Bennion
Rep. B. Bolinder
Rep. W. Brooks
Rep. S. Chew
Rep. T. Jimenez
Rep. S. Lund
Rep. D. Owens
Rep. T. Peterson
Rep. R. Shipp
Rep. C. Snider
Rep. K. Stratton
Rep. C. Watkins

Nays - 0

Absent - 2

Rep. M. Kohler
Rep. M. Schultz

MOTION: Rep. Jimenez moved to pass 2nd Substitute H.B. 373 out favorably as amended. The motion passed with a vote of 12 - 0 - 2.

Yeas - 12

Rep. G. Bennion
Rep. B. Bolinder
Rep. W. Brooks
Rep. S. Chew
Rep. T. Jimenez
Rep. S. Lund
Rep. D. Owens
Rep. T. Peterson
Rep. R. Shipp
Rep. C. Snider
Rep. K. Stratton
Rep. C. Watkins

Nays - 0

Absent - 2

Rep. M. Kohler
Rep. M. Schultz

MOTION: Rep. Bolinder moved to adjourn. The motion passed with a vote of 12 - 0 - 2.

Yeas - 12

Rep. G. Bennion
Rep. B. Bolinder
Rep. W. Brooks
Rep. S. Chew
Rep. T. Jimenez
Rep. S. Lund
Rep. D. Owens
Rep. T. Peterson
Rep. R. Shipp
Rep. C. Snider
Rep. K. Stratton
Rep. C. Watkins

Nays - 0

Absent - 2

Rep. M. Kohler
Rep. M. Schultz



Chair Shipp adjourned the meeting at 9:47 a.m.