

**CORRECTED**  
**MINUTES OF THE HOUSE**  
**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**  
**STANDING COMMITTEE**

Room 445, State Capitol

March 4, 2015

**Members Present:** Rep. Lee B. Perry, Chair  
Rep. Douglas V. Sagers, Vice Chair  
Rep. Joel K. Briscoe  
Rep. Melvin R. Brown  
Rep. Scott H. Chew  
Rep. Jack R. Draxler  
Rep. Susan Duckworth  
Rep. Steve G. Handy  
Rep. Timothy D. Hawkes  
Rep. Mike K. McKell  
Rep. Michael E. Noel  
Rep. Kraig Powell  
Rep. Scott D. Sandall

**Members Absent:** Rep. Mike Schultz

**Staff Present:** J Brian Allred, Policy Analyst  
An Bradshaw, Committee Secretary

**NOTE:** A list of visitors and handouts are filed with committee minutes

Chair Perry called the meeting to order at 4:29 p.m.

**MOTION:** Rep. Duckworth moved to approve the minutes of the March 3, 2015, meeting. The motion passed unanimously with Rep. Brown, Rep. Draxler, Rep. Handy, Rep. Hawkes, and Rep. Powell absent for the vote.

**H.B. 398      Obstructions on Roads in Dixie National Forest (*Rep. M. Noel*)**

Rep. Noel explained the bill to the committee with the assistance of Mark Ward, Utah Association of Counties; Leland Pollock, Garfield County Commissioner; and Mark Whitney, Beaver County Commissioner.

Spoke for the bill:      Redge Johnson, citizen

**MOTION:** Rep. Noel moved to amend the bill as follows:

1. *Page 5, Lines 134 through 138:*

134 (b) ~~{the county sheriff finds that the obstruction adversely affects}~~ after  
the consultation required under Subsections 11-51-103(1)(a) and (b), the obstruction  
is found to adversely affect the public health,  
135 safety, and welfare of the people of the political subdivision by obstructing  
necessary travel ~~{that is~~  
136 necessary for:} —  
137 ~~{(i) the maintenance of natural resources; or~~  
138 ~~—(ii) another public purpose.}~~

2. Page 5, Lines 146 through 151:

146 (b) ~~{the county sheriff finds that the obstruction constitutes}~~ after the  
consultation described in Subsections 11-51-103(2) and (3) and Section 11-51-104,  
the obstruction is found to constitute an imminent threat to the  
147 public health, safety, and welfare of the people of the political subdivision by obstructing  
travel  
148 that is necessary for:  
149 (i) a potential emergency medical response;  
150 (ii) a potential wildfire response; or  
151 (iii) ~~{another potential}~~ any other necessary law enforcement response.

The motion passed unanimously with Rep. Brown and Rep. Handy absent for the vote.

**MOTION:** Rep. Sandall moved to pass the bill out favorably as amended. The motion passed with Rep. Briscoe voting in opposition and Rep. Brown and Rep. Handy absent for the vote.

**H.B. 379** **Underground Storage Tank Amendments** *(Rep. S. Eliason)*

Rep. Eliason explained the bill to the committee. Brent Everett, Director, Division of Environmental Response and Remediation, and Therron Blatter, Manager, Underground Storage Tank Branch, answered questions from the committee.

Spoke for the bill: Dave Davis, Utah Food Industry Association and Utah Retail Merchants Association  
John Hill, Utah Petroleum Marketers and Retailers Association

**MOTION:** Rep. Draxler moved to pass the bill out favorably. The motion passed unanimously with Rep. Handy and Rep. Noel absent for the vote.

**H.B. 223 Little Sahara State Park Designation (*Rep. S. Eliason*)**

Rep. Eliason explained the bill to the committee. Fred Hayes, Director, Division of State Parks and Recreation, and Kevin Carter, Director, School and Institutional Trust Lands Administration, answered questions from the committee. "Support H.B. 223 Little Sahara State Park Designation" and a map of the proposed area were distributed to the committee.

Spoke against the bill: Sterling Brown, Utah Farm Bureau

**MOTION:** Rep. Sandall moved to hold the bill.

**SUBSTITUTE MOTION:** Rep. Powell moved to adopt 1st Sub. H.B. 223. After committee discussion the motion was withdrawn.

Rep. Sandall's original motion passed unanimously with Rep. Noel and Rep. Sagers absent for the vote.

**H.B. 225 Goblin Valley State Park Expansion (*Rep. S. Eliason*)**

Rep. Eliason explained the bill and distributed "Support H.B. 225 Goblin Valley State Park Expansion" to the committee. Fred Hayes, Director, Division of State Parks and Recreation; Kevin Carter, Director, School and Institutional Trust Lands Administration; and Mistie Christiansen, Mayor, Emery City, answered questions from the committee.

Spoke against the bill: Sterling Brown, Utah Farm Bureau  
Randy Johnson, on behalf of the Emery County Commission  
Mark Ward, Utah Association of Counties  
Mistie Christiansen, Emery County Public Lands Council

**MOTION:** Rep. Duckworth moved to move to the next item on the agenda. The motion passed unanimously with Rep. Noel absent for the vote.

**S.B. 225 Irrigation Service Water Rights Amendments (*Sen. K. Van Tassell*)**

Sen. Van Tassell explained the bill to the committee.

**MOTION:** Rep. Powell moved to amend the bill as follows:

1. *Page 2, Lines 48 through 50:*

- 48 servicing the needs of a township or municipality shall be signed by:  
49 (i) the local public water supplier that is {~~contractually~~} responsible for the  
operation and  
50 maintenance of the public water supply system; and

The motion passed unanimously with Rep. Noel and Rep. Sandall absent for the vote.

Spoke for the bill: Vickie Stanley, Myton City Council  
Kent Jones, State Engineer

**MOTION:** Rep. Sagers moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Duckworth, Rep. McKell, Rep. Noel, and Rep. Powell absent for the vote.

**S.B. 163 Wildlife Modifications (*Sen. M. Dayton*)**

Rep. McKell explained the bill to the committee. Robin Cahoon, Division of Wildlife Resources, and Sen. Dayton answered questions from the committee.

**MOTION:** Rep. McKell moved to pass the bill out favorably. The motion passed with Rep. Briscoe voting in opposition and Rep. Duckworth, Rep. Noel, and Rep. Powell absent for the vote.

**S.B. 200 Environmental Quality Boards Amendments (*Sen. M. Dayton*)**

Sen. Dayton explained the bill to the committee with the assistance of Walt Baker, Director, Division of Water Quality and Executive Secretary, Water Quality Board.

Spoke for the bill: LeGrand Bitter, Utah Association of Special Districts

**MOTION:** Rep. Brown moved to pass the bill out favorably. The motion passed with Rep. Briscoe voting in opposition and Rep. Duckworth, Rep. Noel, and Rep. Powell absent for the vote.

**H.J.R. 24      Joint Resolution Urging Settlement of R.S. 2477 Rights-of-Way (*Rep. J. Miller*)**

This bill was not considered.

**MOTION:**    Rep. Sagers moved to adjourn the meeting. The motion passed unanimously with Rep. Duckworth, Rep. Noel, and Rep. Powell absent for the vote.

Chair Perry adjourned the meeting at 6:13 p.m.

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**Lee B. Perry, Chair**