February 18, 2022

Mr. Speaker,

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 305**, NATURAL RESOURCES REVISIONS, by Representative J. Ferry, be replaced and reports a favorable recommendation on **2nd Sub. H.B. 305**, NATURAL RESOURCES REVISIONS with the following amendments:

1. **Page 2, Line 45 through 46:**
   
   45 • modifies the LeRay McAllister Critical Land Conservation Program, including addressing local action in some circumstances;

2. **Page 3, Line 59 through 74:**
   
   59 Money Appropriated in this Bill:
   60 This bill appropriates in fiscal year 2023:
   61 • to the Department of Natural Resources -- Conservation, as an ongoing appropriation:
   62 • from General Fund, $130,000;
   63 • to the Department of Natural Resources -- Recreation Management, as an ongoing appropriation:
   64 • from General Fund, $150,000;
   65 • to the Department of Agriculture and Food -- Conservation, as an ongoing appropriation:
   66 • from General Fund, $120,000;
   67 • to the Governor's Office of Economic Opportunity, as an ongoing appropriation:
   68 • from General Fund, ($338,700); and
   69 • to the Department of Natural Resources -- Recreation Management, as an ongoing appropriation:
   70 • from General Fund, $338,700.
3. Page 14, Line 424 through 428:

(5) "County land use authority" means a land use authority, as defined in Section 17-27a-103, of a county.

(6) "Director" means the director of the Division of Conservation.

(7) "Division" means the Division of Conservation created in Section 4-46-401.

(7) "Land use authority" means:

(a) a land use authority, as defined in Section 10-9a-103, of a municipality; or

(b) a land use authority, as defined in Section 17-27a-103, of a county.

(8) "Local entity" means a county, city, or town.

4. Page 17, Line 498 through 515:

(e) seven persons from the profit and nonprofit private sector:

(i) two of whom may not be residents of a county of the first or second class;

(ii) no more than three of whom may be from the same political party;

(iii) one of whom shall be from the residential construction industry, nominated by an association representing Utah home builders;

(iv) one of whom shall be from the real estate industry, nominated by an association representing Utah realtors;

(v) one representative of an association representing farmers, selected from a list of nominees submitted by at least one association representing farmers;

(vi) one representative of an association representing cattlemen, selected from a list of nominees submitted by at least one association representing cattlemen;

(vii) one representative of an association representing wool growers, selected from a list of nominees submitted by at least one association representing wool growers.
list of nominees submitted by at least one association representing wool growers;

one representative of land trusts; and

one representative of an association representing conservation districts created under Title 17D, Chapter 3, Conservation District Act, selected from a list of nominees submitted by at least one association representing conservation districts.

(2) (a) The governor shall appoint a board member under Subsection (1)(d) or (e) with

5. Page 18, Line 532 through 533:

(a) Subject to Subsection (5)(b), board members shall elect a chair from their number and establish rules for the organization and operation of the board.

(b) The board member who is chair may not vote during the board member's tenure as chair, except the chair may vote if there is a tie vote of board members.

6. Page 22, Line 647 through 658:

(a) The board may not authorize the use of money under this section for a project unless the land use authority for the land in which the project is located consents to the project.

(b) To obtain consent to a project, the person who is seeking money from the program shall submit a request for consent to a project with the applicable land use authority.

The land use authority may grant or deny consent. If the land use authority does not take action within 30 days from the day on which the request for consent is filed with the

land use authority under this Subsection (6), the board shall treat the
project as having

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<tbody>
<tr>
<td>655</td>
<td>the consent of the {county} land use authority.</td>
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<tr>
<td>656</td>
<td>(c) An action of a {county} land use authority under this Subsection (6) is not a land use decision subject to</td>
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<tr>
<td>657</td>
<td>(i) Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act; or</td>
<td></td>
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<td></td>
<td>(ii) Title 17, Chapter 27a, County Land Use, Development, and Management Act.</td>
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7. Page 146, Line 4500 through Page 147, Line 4535:

<table>
<thead>
<tr>
<th>ITEM 1</th>
<th>To Department of Natural Resources -- {Conservation} Pass Through</th>
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</thead>
<tbody>
<tr>
<td>4501</td>
<td>From General Fund $130,000</td>
</tr>
<tr>
<td>4503</td>
<td>Schedule of Programs:</td>
</tr>
<tr>
<td>4504</td>
<td>{Conservation} Pass Through $130,000</td>
</tr>
<tr>
<td>4505</td>
<td>The Legislature intends that the money appropriated under this item be used only for the purpose of conservation efforts in accordance with Subsection 79-2-202(5) enacted in this bill.</td>
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<thead>
<tr>
<th>ITEM 2</th>
<th>To Department of Natural Resources -- {Outdoor Recreation} Recreation Management</th>
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</thead>
<tbody>
<tr>
<td>4509</td>
<td>From General Fund $150,000</td>
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<tr>
<td>4512</td>
<td>Schedule of Programs:</td>
</tr>
<tr>
<td>4513</td>
<td>{Outdoor Recreation Administration} Recreation Management $150,000</td>
</tr>
<tr>
<td>4514</td>
<td>The Legislature intends that the money appropriated under this item be used for the administration of the Division of Outdoor Recreation in accordance with this bill.</td>
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<tr>
<th>ITEM 3</th>
<th>To Department of Agriculture and Food -- Conservation</th>
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<tbody>
<tr>
<td>4516</td>
<td>From General Fund $120,000</td>
</tr>
</tbody>
</table>
Schedule of Programs:

Conservation Administration $120,000

The Legislature intends that the money appropriated under this item be used for conservation efforts in accordance with this bill.

ITEM 4

To Governor's Office of Economic Opportunity

From General Fund ($338,700)

Schedule of Programs:

Outdoor Recreation Business Outreach & International Trade ($338,700)

ITEM 5

To Department of Natural Resources -- Recreation Management

From General Fund $338,700

Schedule of Programs:

Outdoor Recreation Recreation Management $338,700

The Legislature intends that, at the close of fiscal year 2022, the Division of Finance transfer any fiscal year 2021 2022 closing nonlapsing balances or carry forward funding in support of the Office of Outdoor Recreation to the Department of Natural Resources - Recreation Recreation Management, as fiscal year 2023 beginning nonlapsing balances.

Respectfully,

Keven J. Stratton
Chair

Voting: 9-3-2