

**MINUTES OF THE
PUBLIC UTILITIES AND TECHNOLOGY INTERIM COMMITTEE**

Wednesday, April 16, 2008 – 2:00 p.m. – Room C415 State Capitol

Members Present:

Rep. Scott K. Jenkins, House Chair
Sen. Michael E. Noel, Senate Chair
Sen. Carlene M. Walker
Rep. Roger E. Barrus
Rep. Jim Bird
Rep. Rebecca Chavez-Houck
Rep. Janice M. Fisher
Rep. Lynn M. Hemingway
Rep. Steven R. Mascaro
Rep. Kay L. McIff
Rep. Aaron Tilton
Rep. Brad Winn

Members Excused:

Sen. Mike Dmitrich
Sen. Darin G. Peterson
Rep. Melvin R. Brown

Staff Present:

Mr. Richard C. North, Policy Analyst
Mr. Christopher R. Parker, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

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

1. Committee Business

Chair Noel called the meeting to order at 2:15 p.m.

MOTION: Sen. Walker moved to approve the minutes of the November 14, 2007 meeting. The motion passed unanimously.

2. 2008 General Session Wrap-Up

Mr. Parker reviewed the "2008 General Session Wrap-Up" contained in the mailing packet.

3. 2008 Study Issue Survey

Mr. North gave an overview of the potential study issues from the 2008 Master Study Resolution contained in the mailing packet.

Chair Noel asked for any additional items to be given to Mr. North.

4. Power Generation Sources

Rep. Barrus introduced the issue by speaking briefly about the provisions of 2008 General Session S.B. 169, "Renewable Energy Zone Task Force," sponsored by Sen. Stowell.

Mr. Bert Granberg, Automated Geographic Reference Center, Department of Technology Services, gave a presentation showing the Geographic Information Systems database which has maps of energy zones within the state.

5. Renewable Energy Zone Task Force

Dr. Dianne R. Nielson, Energy Advisor, State of Utah, distributed and presented "Utah Energy Renewable Energy Zone Task Force." Dr. Nielson discussed the objectives of the proposed task force in the executive branch including the evaluation of renewable energy resources and areas in the state that have cumulative potential for larger amounts of renewable energy production in the future.

Committee discussion followed and members present expressed support for the task force.

6. Environmental Protection Agency: Carbon Dioxide Regulation

Mr. Parker gave a brief background concerning the possibility of regulating carbon dioxide emissions under the Clean Air Act by the EPA (Environmental Protection Agency).

Ms. Cheryl Heying, Director, Utah Division of Air Quality, reported on the permit issued to the Bonanza Power Plant in Vernal by the EPA and the appeal being made to the Environmental Appeals Board of the EPA. Ms. Heying explained that if the EPA determines it would be appropriate to regulate carbon dioxide emissions, the decision could potentially change programs utilizing other resources in the state as well.

Rep. Barrus said the Natural Resources, Agriculture, and Environment Interim Committee had discussed the issue in their meeting. A motion was made to prepare a letter from the chairs of the Committee in support of the decisions of the Utah Division of Air Quality. He said the letter would include a request that the EPA not consider carbon dioxide emissions as a pollutant.

Rep. Barrus also indicated that if the Committee made a motion to do so, the letter would be signed by chairs of both interim committees.

Rep. Chavez-Houck commented that she'd like to see the content of the letter before supporting it. Chair Noel said that a letter would be drafted for committee members to review.

7. Uranium Mining Lawsuit - Southern Utah / Northern Arizona

Mr. Parker distributed and reviewed "Decision Memo: VANE Minerals Uranium Exploration Drilling Project" and a drafted letter from the committee chairs to Mike R. Williams, Forest Supervisor, Kaibab National Forest. Mr. Parker noted that the decision was based on a mining claim held by VANE Minerals, LLC, near the southern border of the Grand Canyon National Park. Mr. Parker also said that a proposal to do some exploratory drilling to determine the commercial viability of the resource on their mining claims was approved by the Forest Service and explained that the draft letter from the committee chairs was in support of the decision.

Committee discussion followed. Rep. Chavez-Houck and Rep. Hemingway spoke in opposition to signing the letter because they would like more information on the subject in order to make a more informed decision.

8. Utah Rock House Environmental Assessment Lawsuit

Mr. Parker distributed and reviewed "Finding of No Significant Impact and Decisive Record for Enduring Resource's Saddletree Draw Leasing and Rock House Development Environmental Assessment" and a drafted letter from the committee chairs to Ms. Selma Sierra, Bureau of Land Management in support of the lifting of a previously suspended lease and development project of the Enduring Resources Saddletree Draw Leasing and Rock House Development.

Committee discussion followed and Rep. Chavez-Houck commented that she does not want to sign the letter until she has had more time to review the decision and the background.

Sen. Walker asked if it would be appropriate for only the names of committee members who were in support to be on the letters.

Chair Noel said he would confer with Sen. Jenkins and they would make a decision as to how the letter would be drafted. Rep. Chavez-Houck and Rep. Hemingway said they are not in support of signing the letter at this time.

9. Other Items / Adjourn

Chair Noel adjourned the meeting at 4:32 p.m.