

**MINUTES OF THE  
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT INTERIM COMMITTEE**  
Wednesday, May 19, 2010 – 10:00 a.m. – Room 210 Senate Building

**Members Present:**

Sen. Dennis E. Stowell, Senate Chair  
Rep. Roger E. Barrus, House Chair  
Sen. Allen M. Christensen  
Rep. Melvin R. Brown  
Rep. Rebecca Chavez-Houck  
Rep. Brad L. Dee  
Rep. Jack R. Draxler  
Rep. Ben C. Ferry  
Rep. Kerry Gibson  
Rep. Neal B. Hendrickson  
Rep. Fred R Hunsaker  
Rep. John G. Mathis  
Rep. Michael E. Noel

Rep. Patrick L. Painter  
Rep. Phil Riesen  
Rep. Ryan D. Wilcox

**Members Absent:**

Sen. Margaret Dayton  
Sen. Karen W. Morgan  
Rep. James R. Gowans  
Rep. Bill Wright

**Staff Present:**

Mr. J Brian Allred, Policy Analyst  
Mr. Christopher R. Parker Associate General Counsel  
Ms. Joy L. Miller, 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](http://www.le.utah.gov).

**1. Committee Business**

Chair Barrus called the meeting to order at 10:10 a.m. Sen. Dayton was excused from the meeting.

**MOTION:** Sen. Christensen moved to approve the minutes of the November 18, 2009, meeting. The motion passed unanimously. Rep. Dee, Rep. Ferry, Rep. Noel, and Rep. Wilcox were absent for the vote.

**2. Utah Water Resources Outlook**

Mr. Dennis Strong, Director, Division of Water Resources, distributed a copy of his presentation and discussed the current status of Utah's major storage reservoirs. He stated that Utah is doing a good job of conserving water. He noted there has been a 20 percent decrease in water use since 2000 and that Utah is well on its way to meeting its goal of a 25 percent reduction in water use by 2050.

**3. Endangered Species Act Issues in Utah**

Mr. Michael Styler, Executive Director, Department of Natural Resources, distributed and reviewed "Endangered Species in Utah," "The U.S. Endangered Species Act of 1973," and "Endangered Species Mitigation Fund – FY 2010." He explained the purpose of the Endangered Species Act (ESA) and reviewed the ESA listing process. Mr. Styler discussed what Utah is doing to prevent species from being listed.

Mr. Mike Worthen, Natural Resources Department, Iron County, distributed a map of the areas in the county that are experiencing problems with prairie dogs. He discussed the negative effect that prairie dogs have had on the lands in Iron County. Mr. Worthen indicated that there are enough prairie dogs to delist them, however, the number of prairie dogs can't be counted on private lands.

Mr. Les Childs, representing Equestrian Pointe, distributed and reviewed "Prairie Dogs in Equestrian Pointe."

He explained that when the lots were developed, the prairie dogs were not there. However, they are now spreading throughout the subdivision. Mr. Childs indicated that the prairie dogs have caused a serious financial hardship on Equestrian Pointe Development and the property owners within the subdivision.

Mr. Kip Smith, general contractor and real estate broker, explained that the prairie dogs are very mobile and can move long distances within a short period of time. He discussed how the prairie dog habitat affects the value of property.

#### **4. Report on United States Department of Interior Secretary Ken Salazar's Meeting with the Governor's Balanced Resource Council**

Mr. Ted Wilson, Chair, Governor's Balanced Resource Council (Council), distributed an outline of his presentation. He stated that Governor Herbert's vision is to bring people together to better solve disputes that affect Utah's public lands. He reported on Secretary of Interior Ken Salazar's visit to Utah and indicated Mr. Salazar's commitment to work with the Council. He outlined the long- and short-range issues currently before the Council. Mr. Wilson also pointed out that the Bureau of Land Management (BLM) has initiated a series of changes in how oil and gas is leased.

Mr. John Harja, Director, Public Lands Office, explained that the oil and gas leasing changes have already taken effect. He distributed and reviewed "Leasing Reform Process," which outlines the changes that have been made to the process. He said the state office has until August 16 to send its Resource Management Plan to the national office.

Ms. Dianne Nielson, Governor's Energy Advisor, said concerns have been raised regarding why the changes didn't go through the rulemaking process and the use of terms that are going to be difficult to interpret. She explained that BLM considers the changes to be guidance to its field offices, not rulemaking.

Rep. Painter distributed a letter addressed to Lori Faeth, U.S. Department of the Interior, regarding BLM's proposal to force 90 property owners on Scofield Lake in Carbon County off of their properties because of a title error based on surveying techniques done over 70 years ago. He requested that Mr. Wilson and the Council assist the property owners in developing a solution to the matter.

#### **5. Other Business**

Chair Barrus briefly discussed "2010 Interim Studies, Reports, and Reviews" and the list of items to be referred to the State Water Development Commission and the Utah Waterways Task Force, which were distributed to the Committee.

**MOTION:** Rep. Hendrickson moved to adjourn. The motion passed unanimously.

Chair Barrus adjourned the meeting at 12:00 noon.