

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT INTERIM COMMITTEE**
Wednesday, September 15, 2010 – 9:00 a.m. – Room 210 Senate Building

Members Present:

Sen. Dennis E. Stowell, Senate Chair
Rep. Roger E. Barrus, House Chair
Sen. Allen M. Christensen
Sen. Margaret Dayton
Sen. Karen W. Morgan
Rep. Melvin R. Brown
Rep. Rebecca Chavez-Houck
Rep. Brad L. Dee
Rep. Jack R. Draxler
Rep. Ben C. Ferry
Rep. Kerry Gibson
Rep. James R. Gowans
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:

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.

1. Committee Business

Chair Barrus called the meeting to order at 9:15 a.m.

MOTION: Rep. Hendrickson moved to approve the minutes of the August 18, 2010 meeting. Sen. Dayton, Rep. Ferry, Rep. Gibson, Rep. Painter, and Rep. Wilcox were absent for the vote.

2. Public Lands - Access and Use

A. Meeting Overview and Background

Chair Barrus explained that the Committee would be hearing from the various agencies responsible for public lands management.

Mr. Allred distributed and reviewed "Federal Land Policy Management Act of 1976." He gave a brief background summary of the Federal Land Policy Management Act and how it relates to public land management, land use plans, wilderness, and sale of public land.

B. Public Lands Policy Coordinating Office Activities and Expenditures

Mr. John Harja, Director, Public Lands Policy Coordination Office (Office), distributed and reviewed "Public Lands Policy Coordination Office Activities and Expenditures." He reviewed the litigation efforts the Office has been involved in. He explained that the Office has been involved with preservation of public access, archaeology and principal investigator permits, natural resource development review and coordination, regional studies, and research and negotiation. He noted that funds are expended for personnel service and related expenses to meet the Office's goals.

C. R.S. 2477 Plan

Mr. Harja reviewed "2010 Updated Plan for Federal Recognition of R.S. 2477 Rights-of-Way and Other Access Issues," which was mailed to the Committee. He outlined issues that will be the Office's primary focus in the R.S. 2477 recognition effort.

D. Governor's Balanced Resource Council

Mr. Ted Wilson, Chair, Governor's Balanced Resource Council, explained that he was charged with bringing people together. He stated that he wanted the traditional land users of the state and those involved in the environmental movement to understand the issues involved on both sides. He discussed other areas in which he has been working.

E. Federal Agency Perspective

Mr. Juan Palma, Utah Director, Bureau of Land Management (BLM), said that energy and minerals benefit Utah. He stressed the need to find a balance between the economy and the environment. He noted that the BLM is working hard to resolve long-standing issues such as issuance of applications for drilling, historical cultural interests, recreation, grazing, and partnerships with wildland fire. He pointed out that Utah received over \$30 million from the American Recovery and Reinvestment Act, and he discussed how those funds would be utilized. Mr. Palma responded to questions from the Committee.

Sen. Dayton requested that Mr. Palma provide the Committee with more detailed information on why the BLM is restricting permits to the Hole-in-the Rock area.

F. State Agency Panel Discussion - Public Lands Access and Use

Mr. Jim Karpowitz, Director, Division of Wildlife Resources (DWR), said DWR has strong partnerships with the BLM and the Forest Service. He expressed concern with the Roam Act currently before Congress, which will result in significant impacts on vegetation and rangeland in Utah. Mr. Karpowitz discussed issues involving endangered species. He said DWR has been able to prevent the listing of certain species in Utah. However, DWR is concerned with the difficulty in getting species delisted. He also expressed concern with unmanaged wolf populations now making their way into Utah. He discussed the infestation of invasive species of plants and animals.

Mr. Fred Hayes, Deputy Director, Division of State Parks (Division), said that the Division values its partnerships with federal agencies. He noted that Utah has an unparalleled off-highway vehicle (OHV) opportunity. The state's OHV trail systems pass through state, School and Institutional Trust Lands Administration, and federal lands. He expressed concern that some of those opportunities disappear every time the federal government opens a planning process.

Mr. Kyle Stephens, Deputy Director, Department of Agriculture and Food, discussed insect control, invasive species/noxious weeds, predator control, and grazing programs. He stressed the need to continue to work on land management issues and work cooperatively with federal agencies.

Ms. Cheryl Heying, Director, Division of Air Quality (DAQ), stated that one of the more critical issues DAQ deals with is energy development throughout the state. In addition to the energy industry, DAQ has been

working with the BLM, the Forest Service, and the Park Service to station new monitors in the Uintah Basin to determine background concentrations and determine what is coming into the basin regarding air quality. She noted that future challenges are health-based standards.

Mr. John Baza, Director, Division of Oil, Gas, and Mining, stated that the division's cooperative working relationship with the federal agencies is excellent. He discussed the differences between the state and federal permitting process for oil and gas drilling. Mr. Baza recommended that a procedure be established to develop state primacy from the BLM to issue drilling permits. He stated that, if there is an interest in pursuing it, he would welcome those discussions.

Mr. Mike Styler, Executive Director, Department of Natural Resources, pointed out how the different agencies have worked together on certain projects and issues. He said efforts are made to keep the lines of communications open.

G. Congressional Outlook - Public Lands Access and Use

Mr. Cody Stewart, representing Congressman Rob Bishop's office, distributed "Congressional Western Caucus" (Caucus). He reviewed the mission statement of the Caucus and its membership. He expressed Congressman Bishop's concern with federal land ownership. He pointed out that possible solutions that would help alleviate some concerns include transparency and enhanced local control.

H. Discussion Summary

Mr. Wilson indicated that Governor Herbert has tried to demonstrate the importance of compromise. The governor has said that he wants people to talk at the front end—not at the tail end. He stressed the need for continued cooperation among all agencies.

3. Other Business / Adjourn

MOTION: Rep. Painter moved to adjourn. The motion passed unanimously.

Chair Barrus adjourned the meeting at 12:10 p.m.