

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT INTERIM COMMITTEE**
Wednesday, July 20, 2011 – 10:00 a.m. – Room 210 Senate Building

Members Present:

Sen. Ralph Okerlund, Senate Chair
Rep. Roger E. Barrus, House Chair
Sen. Casey O. Anderson
Sen. Allen M. Christensen
Sen. Margaret Dayton
Sen. David P. Hinkins
Rep. Joel K. Briscoe
Rep. Melvin R. Brown
Rep. Brad L. Dee
Rep. Jack R. Draxler
Rep. Brad J. Galvez
Rep. Neal B. Hendrickson
Rep. John G. Mathis
Rep. Douglas Sagers

Rep. Evan J. Vickers
Rep. Christine F. Watkins
Rep. Ryan D. Wilcox

Members Absent:

Sen. Gene Davis
Rep. Michael E. Noel
Rep. Stephen E. Sandstrom
Rep. Bill Wright

Staff Present:

Mr. J Brian Allred, Policy Analyst
Ms. Tracy J. Nuttall, Associate General Counsel
Ms. Kimberly A. Heiner, 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 10:15 a.m. Sen. Davis was excused from the meeting.

MOTION: Sen. Dayton moved to approve and amend the minutes of the June 15, 2011 meeting to remove the words "San Juan County Commissioner" from Mr. Lynn H. Stevens's title. The motion passed unanimously.

2. R.S. 2477 Plan Report

Mr. John Harja, Public Lands Policy Coordination Office Director, gave a report on the R.S. 2477 rights. He distributed a document entitled "2011 Updated Plan for Federal Recognition of R.S. 2477 RIGHTS." He responded to questions from the Committee.

3. Public Lands Policy Coordinating Office Activities and Expenditures

Mr. John Harja, Public Lands Policy Coordination Office Director, gave the Committee an updated report on the Public Lands Policy Coordinating Office activities and expenditures. He stated the Secretary of Interior issued an order having to do with the creation of wildlands and Utah initiated a lawsuit to challenge the order. He said they recently received a motion to dismiss on this action from the United States. He also said that Corps of Engineers and the EPA have commented on the Clean Water Act and that under their interpretation all bodies of water would be subject to the Clean Water Act.

4. Carbon Storage

Chair Barrus stated that he asked people to speak at this meeting to discuss if a carbon capture and sequestration project could become commercially viable. He said that Wyoming has recently passed legislation in anticipation of this.

Mr. Alan Walker, Utah Science Technology and Resources Initiative (Initiative), said the Initiative would like to conduct more research to get a consensus on policy prior to making any recommendations on legislation. He also stated that while the industry wants certainty, the research community needs more time to get evidence.

Mr. John Ruple, University of Utah, spoke concerning research conducted on carbon capture. He said the project is a congressionally directed project administrated through the Department of Energy. He outlined the project's goals and responded to questions from the Committee.

Mr. Daniel Enderton, Director of Government Affairs, C12 Energy, discussed what state level policy questions needed to be addressed for commercial project development to succeed. He also explained why C12 is developing its business in Utah and how it developed a carbon capture sequestration storage project. Mr. Enderton stated developing carbon capture storage projects is an economic opportunity for many landowners. He then outlined the criteria he believes is necessary for any developer to succeed. He responded to questions from the Committee.

5. Remediation Waste Fees

Mr. Scott Anderson, Director, Division of Solid and Hazardous Waste, gave a report on remediation waste fee and distributed a handout entitled "Report on Remediation Waste Fees." He recommended to make the fee either a flat fee or make the back stop permanent. He then responded to questions from the Committee.

6. Sunset Review - Title 19, Chapter 6, Part 10, Mercury Switch Removal

Mr. Scott Anderson, Director, Division of Solid and Hazardous Waste, gave an overview of the Mercury Switch Removal Act and distributed a handout "Sunset Review, Mercury Switch Removal Act". He recommended that the Committee reauthorize this act for ten more years. He then responded to questions from the Committee.

MOTION: Sen. Christiansen moved to reauthorize the Mercury Switch Removal Act for an additional five years.

SUBSTITUTE MOTION: Sen. Dayton moved to reauthorize the Mercury Switch Removal Act for an additional two years. The motion substitute failed on a voice vote.

MOTION: The Committee voted on the original motion to extend Mercury Switch Removal Act for an additional five years. The motion passed with Sen. Dayton voting in opposition.

7. Adjourn

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

Chair Barrus adjourned the meeting at 11:44 a.m.