

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT INTERIM COMMITTEE**
Wednesday, September 21, 2011 – 2:00 p.m. – Room 210 Senate Building

Members Present:

Sen. Ralph Okerlund, Senate Chair
Rep. Roger E. Barrus, House Chair
Sen. Casey O. Anderson
Sen. Margaret Dayton
Sen. David P. Hinkins
Rep. Joel K. Briscoe
Rep. Melvin R. Brown
Rep. Jack R. Draxler
Rep. Brad J. Galvez
Rep. Neal B. Hendrickson
Rep. John G. Mathis
Rep. Michael E. Noel
Rep. Stephen E. Sandstrom
Rep. Evan J. Vickers

Rep. Christine F. Watkins
Rep. Ryan D. Wilcox
Rep. Bill Wright

Members Absent:

Sen. Allen M. Christensen
Sen. Gene Davis
Rep. Brad L. Dee
Rep. Douglas Sagers

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 2:45 p.m.

MOTION: Sen. Dayton moved to approve the minutes of the July 20, 2011 Committee meeting. The motion passed unanimously with Sen. Okerlund absent for the vote.

2. State Energy Advisory Report / Office of Energy Development Report / Legislative Review of State Energy Policy

Ms. Amanda Smith, State Energy Advisor, gave an overview of Energy Initiatives and Imperatives and distributed "Energy Initiatives & Imperatives; Utah's 10-Year Strategic Energy Plan." She also distributed hard copies of the "Governor's Energy Advisor Report and Office of Energy Development Report" slides, as well as handouts on conserving energy. She also said that the governor has made a concerted effort to learn about energy issues in Utah. Ms. Smith then discussed the Governor's Energy Task Force.

Ms. Samantha Mary Julian, Director, Office of Energy Development, gave an overview of the Office of Energy Development's purpose. She said that the Office of Energy Development was created in 2011 by H.B. 475. She said that the vision of the Office of Energy Development is to serve as the primary resource for advancing energy development in Utah. Ms. Julian explained the strategic objectives for the office. She also spoke about the Office of Energy Development's working relationship with the Utah Science Technology and Research Initiative (USTAR).

Chair Barrus relinquished the Chair to Chair Okerlund.

3. Department of Environmental Quality Boards Amendments

Sen. Margaret Dayton discussed two proposed bills, "Department of Environmental Quality Boards

Adjudicative Proceedings," and "Department of Environmental Quality Boards Revision." She gave a background of the need for these amendments.

Mr. Tom Bingham, President, Utah Manufactures Association, said that the adjudicative proceedings bill is a continuous improvement process to help streamline the process of appeals within the Department of Environmental Quality.

Sen. Dayton said the goal of the two bills presented is to increase efficiency and increase the opportunity for the public to provide input into the process of the Department of Environmental Quality Boards.

Mr. Steve Christensen, Parr Brown Law firm, said that one proposed bill will change the structure of the Department of Environmental Quality boards. He said that the second bill will streamline the Department of Environmental Quality process to review permits. He further explained this bill and responded to questions from the Committee.

Sen. Dayton distributed a "Department of Environmental Quality, Environmental Permit Review Procedures Bill" bullet-point handout that explains the bill's purpose and provisions. Sen. Dayton requested feedback from the Committee prior to her presenting the two bills at November's meeting.

4. Sunset Review - Title 19, Chapter 3, Radiation Control Act

Mr. Rusty Lundberg, Director, Division of Radiation Control, distributed and discussed a Department of Environmental Quality Division of Radiation Control presentation. He explained the Radiation Control Act (*see* Utah Code Annotated Title 19, Chapter 3), and said that the act is scheduled to sunset July 1, 2012. He said that one of the main provisions of the act is the Licensing and Registration of radioactive materials and x-ray systems. He recommended that the Committee reauthorize the act for 10 more years. He responded to questions from the Committee.

MOTION: Rep. Barrus moved to reauthorize the Radiation Control Act for an additional 10 years. The motion passed unanimously, with Rep. Brown and Rep. Watkins absent for the vote.

5. Energy Producer States' Agreement / Sunset Review - Section 36-12-20, Development of Energy Producer States' Agreement

Rep. Barrus gave a summary of the Energy Producer States' Agreement. He said that during the 2011 General Session, Utah Code Annotated Section 36-12-20, Development of Energy Producer States' Agreement, created a coalition of energy producing states, in which Utah was a member. He said that this coalition met in June to discuss energy issues and challenges as energy producing states. He said that the participants at the meeting also discussed how federal regulations create uncertainty in the energy industry. He also said that, at this meeting, several states shared legislation they were proposing or had passed on energy development within their state. He said that the funding for this initiative will sunset next year and that he is recommending that the Committee allow it to sunset. Rep. Barrus explained that he felt it would be better to fund it year by year through legislation rather than locking the state into a long-term funding commitment. He responded to questions from the Committee.

MOTION: Rep. Barrus moved to allow Utah Code Annotated Section 36-12-20, Development of Energy Producer States' Agreement to sunset.

Rep. Barrus withdrew his motion.

MOTION: Sen. Anderson moved to allow Section 36-12-20, the Development of Energy Producer States' Agreement, to sunset June 30, 2012. The motion passed unanimously, with Rep. Brown, Rep. Draxler, Rep. Sandstrom and Rep. Watkins absent for the vote.

6. Predator Control

Sen. Dayton said that the director of the Utah Division of Wildlife, Jim Karpowitz, was recently awarded the Phillip W. Schneider Lifetime Achievement Award. She said that this is the highest honor given by the Western Association of Fish and Wildlife Agencies.

Mr. Kyle Stephens, Deputy Commissioner, Department of Agriculture and Food, gave an overview of the Predator Control Program and explained the program's funding. He said the Predator Control Program is a cooperative program involving several agencies. He also explained the County Bounty Program.

Mr. Stephens and Mr. Mike Linnell, State Director, Wildlife Services Program, responded to questions from the Committee.

Mr. Linnell said that the Predator Control Program is a model for how integrated the program is in working with other agencies. Mr. Linnell said that, through funding of the stakeholders, the program has been able to acquire additional equipment and property.

Mr. James Karpowitz, Director, Division of Wildlife Resources, discussed and distributed a handout on predator management in Utah. He said that all of Utah's predator management initiatives are guided by predator management plans. He said the largest expenditure on predator management is on coyote control. Sen. Dayton asked about the federal government's plan to introduce Mexican Wolves into Utah. Mr. Karpowitz said that the Division of Wildlife Resources is strongly against introducing these wolves into Utah because this species has historically never been in Utah and can have a negative effect on local wildlife. He also distributed and discussed a handout on wolf management in Utah. He responded to further questions from the Committee.

7. Adjourn

MOTION: Rep. Wilcox moved to adjourn. The motion passed unanimously with Rep. Brown, Rep. Draxler, Rep. Sandstrom, and Rep. Watkins absent for the vote.

Chair Okerlund adjourned the meeting at 4:56 p.m.