

**MINUTES OF THE  
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY  
APPROPRIATIONS SUBCOMMITTEE**

Room 25 House Office Building

February 15, 2012

**MEMBERS PRESENT:** Sen. David Hinkins, Co-Chair  
Rep. John G. Mathis, Co-Chair  
Rep. Keith Grover, Vice-Chair  
Sen. Casey Anderson  
Sen. Gene Davis  
Sen. Ralph Okerlund  
Rep. Roger E. Barrus  
Rep. Susan Duckworth  
Rep. Brad J. Galvez  
Rep. Michael E. Noel  
Rep. Lee Perry  
Rep. Dixon M. Pitcher  
Rep. Stephen E. Sandstrom  
Rep. Christine Watkins

**MEMBERS EXCUSED:** Sen. Margaret Dayton

**MEMBERS ABSENT:** Sen. Kevin T. Van Tassell

**STAFF:** Mr. Ivan Djambov, Fiscal Analyst  
Ms. Angela Oh, Economist  
Ms. Linda Service, Committee Secretary

**Note:** A list of visitors and a copy of handouts are filed with the committee minutes.

Co-Chair Mathis called the meeting to order at 5:15 p.m.

**1. APPROVAL OF MINUTES**

**MOTION:** Rep. Duckworth moved to approve the minutes of the January 30, 2012 and February 2, 2012 meetings. The motion passed unanimously. Sen. Davis and Rep. Sandstrom were absent for the vote.

**2. SUBCOMMITTEE DISCUSSION/FINAL PRIORITIZATION AND VOTING**

Ivan Djambov, Fiscal Analyst, introduced "Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee, Voting Packet." He presented a brief overview of the Federal Funds, Non-General Fund Increases, Fees, Reallocations, and Legislative Intent Language on which the voting will take place.

**MOTION:** Sen. Hinkins moved to approve the Federal Funds as presented by the Fiscal Analyst in Issue Briefs "Agriculture and Food - Federal Funds," "Natural Resources - Federal Funds," and "Department of Environmental Quality Federal Funds FY 2013." The motion passed unanimously with Sen. Davis and Rep. Sandstrom absent for the vote.

**MOTION:** Sen. Hinkins moved to adopt the Non-General Fund Increases as presented by the Fiscal Analyst in the following Budget Briefs: (1) "Agriculture and Food Administration," (2) "Species

Protection," (3) "Forestry, Fire, and State Lands," (4) "Division of Parks and Recreation, Operations," (5) "Division of Parks and Recreation, Capital," and (6) "School and Institutional Trust Lands Administration: Operations," and as summarized on page 2 of the packet, including items in italics on lines 18-22.

**MOTION:** Rep. Noel moved to transfer \$400,000 from the Environmental Quality restricted account to the Hazardous Substances Mitigation Fund.

Ms. Amanda Smith, Executive Director, Utah Department of Environmental Quality, responded to Rep. Noel's motion.

The motion passed unanimously with Rep. Sandstrom absent for the vote.

Sen. Hinkins restated his motion to adopt the Non-General Fund Increases as presented by the Fiscal Analyst and as summarized on page 2 of the packet, including items in italics on lines 18-23. The motion passed unanimously with Rep. Sandstrom absent for the vote.

**MOTION:** Sen. Davis moved to approve the Fees as presented by the Fiscal Analyst in the various fee issue briefs, with the following changes in the Issue Brief titled "Department of Environmental Quality Fees" in Tab 7: To eliminate the fees on page 15 titled "Annual UPDES Pesticide Applicator Fee." The motion passed unanimously with Rep. Sandstrom absent for the vote.

**MOTION:** Sen. Hinkins moved to adopt the Reallocations as presented by the Fiscal Analyst in the Issue Briefs titled "Office of Energy Development" and "DEQ Implementation of Budget Reductions," and as summarized on page 4 in the packet. The motion passed unanimously.

Ms. Amanda Smith pointed out that the direction to consolidate positions will not amount to the desired savings. She stated that she is not sure decreasing funding again this year is the best way to move forward.

**MOTION:** Sen. Okerlund moved to add the following intent language: "It is the intent of the Legislature that the Department of Natural Resources and School and Institutional Trust Lands will work with DFCM to identify a location for a future regional office in the Richfield area and a source of funding for the facility. An economic analysis of the project will be performed." The motion passed unanimously.

**MOTION:** Rep. Barrus moved to change the intent language under "Parks Capital" to read "cooperative agreement between the Division of State Parks, the Division of Wildlife Resources, and Davis County Office of Tourism." The motion failed with Rep. Barrus voting in support of the motion.

**MOTION:** Sen. Hinkins moved to approve the Legislative Intent Language as presented by the Fiscal Analyst in the various budget briefs and as summarized on pages 5-8 in the packet, including the items in italics on pages 6-8 and as amended by Sen. Okerlund. The motion passed unanimously.

**MOTION:** Sen. Hinkins moved to create a new line item from SITLA's Capital line item called "Land Stewardship and Restoration," and transfer \$500,000 to the new line item from the Capital line item. The motion passed unanimously.

**MOTION:** Sen. Hinkins moved to create a new line item titled "Office of Energy Development" under the purview of the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee. The motion passed unanimously.

**MOTION:** Sen. Hinkins moved to create separate line items for the divisions in the Department of Environmental Quality with their existing funding as follows: (1) Executive Director's Office, (2) Air Quality, (3) Radiation Control, (4) Drinking Water, (5) Water Quality, (6) Solid and Hazardous Waste, and (7) Environmental Response and Remediation. The motion passed unanimously.

**MOTION:** Sen. Okerlund moved to add to the list of General Fund Increases, \$750,000 on-going to line 9 for Mule Deer Herd Restoration Act, **S.B. 24**. The motion passed unanimously.

**MOTION:** Sen. Davis moved to approve the funding for each line item as presented by the Fiscal Analyst in the Budget Detail Table in the various budget briefs, including the General Fund Reallocations just approved in item 4 of the packet. The motion passed unanimously.

**MOTION:** Rep. Galvez moved to rank the General Fund Increases as follows: (1) **S.B. 61**, Invasive Species Amendments, (2) Ogden Bay Flooding Issues, (3) Mule Deer Herd Restoration, (4) Administrative Law Judge, (5) Office of Energy Development New Funding, (6) Delisting of Wolves, (7) Desilting of Millsite Reservoir, (8) Sugar House Park Trails, and (9) **H.B. 127**, Navajo Water Rights Settlement.

**SUBSTITUTE MOTION:** Sen. Davis moved to separate the priority list into two categories: one-time General Fund Increases and on-going General Fund Increases. The motion passed unanimously.

Rep. Galvez restated his motion to prioritize one-time General Fund Increases as follows: (1) Ogden Bay Flooding Issues, (2) Administrative Law Judge, (3) Office of Energy Development, (4) Delisting of Wolves, and (5) Sugar House Park Trails. He moved to prioritize on-going General Fund Increases as follows: (1) **S.B. 61**, Invasive Species Amendments, (2) Mule Deer Herd Restoration, (3) Office of Energy Development New Funding, and (4) Desilting of Millsite Reservoir.

**SUBSTITUTE MOTION:** Sen. Davis moved to change the priority list of the one-time General Fund Increases as follows: Ogden Bay Flooding Issues move to #5. The motion failed with Sen. Davis, Sen. Hinkins, Rep. Barrus, Rep. Noel, and Rep. Watkins voting in support of the motion.

**SUBSTITUTE MOTION:** Sen. Anderson moved to prioritize the one-time General Fund Increases as follows: (1) Delisting of Wolves, (2) Administrative Law Judge, (3) Ogden Bay Flooding Issues, (4) Office of Energy Development New Funding, (5) Sugar House Park Trails, and (6) **H.B. 127**, Navajo Water Rights Settlement.

**SUBSTITUTE MOTION:** Sen. Anderson moved to amend his substitute motion as follows: (1) Delisting of Wolves, (2) Administrative Law Judge, (3) Office of Energy Development New Funding, (4) Ogden Bay Flooding Issues, (5) Sugar House Park Trails, and (6) **H.B. 127**, Navajo Water Rights Settlement. The motion passed unanimously.

**MOTION:** Rep. Barrus moved to prioritize the on-going General Fund Increases list as follows: (1) **S.B. 61**, Invasive Species Amendments, (2) Office of Energy Development New Funding, (3) Mule Deer Herd Restoration, and (4) Desilting of Millsite Reservoir. The motion passed unanimously.

**MOTION:** Rep. Watkins moved to adjourn. Co-Chair Mathis adjourned the meeting at 6:45 p.m.

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Sen. David Hinkins, Co-Chair

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Rep. John G. Mathis, Co-Chair