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UTAH FARM BUREAU OFFICIALS

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FOREWORD

The Utah Farm Bureau is a federation of 28 county Farm Bureaus. Farm Bureau is the largest general farm organization in Utah and the United States.

Numerous legislative, educational, and service-to-member programs are provided for the benefit of Farm Bureau members.

The policies presented herein have been developed through the democratic processes of discussion and debate in local, county and state Farm Bureau meetings.

Activities of the Utah Farm Bureau Federation in 2008 will be based on the policies outlined in these resolutions and in previously reaffirmed resolutions adopted by the official voting delegates except as they may be modified or supplanted by later resolutions.

Leaders and members are asked to support these policies in a united effort to improve the social and economic condition of farmers and ranchers.

Adopted by the UFBF Voting Delegates November 15, 2007

PHILOSOPHY

301 PURPOSE OF FARM BUREAU

Farm Bureau is an independent, nongovernmental, voluntary organization of farm and ranch families united for the purpose of addressing their problems and formulating action to achieve educational improvement, economic opportunity and social advancement and, thereby, to promote the national well-being. Farm Bureau is local, county, state, national and international in its scope and influence and is non-partisan, non-sectarian and non-secret in character. Farm Bureau is the voice of agricultural producers at all levels.

302 FARM BUREAU BELIEFS

America's unparalleled progress is based on freedom and dignity of the individual, sustained by basic moral and religious concepts.

Economic progress, cultural advancement, ethical and religious principles flourish best where people are free, responsible individuals.

Individual freedom and opportunity must not be sacrificed in a quest for guaranteed security.

We believe in government by legislative and constitutional law, impartially administered, without special privilege.

We believe in the representative form of government—a republic—as provided in the Constitution; in limitations upon government power; in maintenance of equal opportunity; in the right of each individual to practice freedom of worship, speech, press, and peaceful assembly.

Individuals have a moral responsibility to help preserve freedom for future generations by participating in public affairs and by helping to elect candidates who share their fundamental beliefs and principles.

People have the right and the responsibility to speak for themselves individually or through organizations of their choice without coercion or government intervention.

Government affairs should not be secretive except as actually essential to national security.

Property rights are among the human rights essential to the preservation of individual freedom.

We believe in being good stewards of the land. We reaffirm our position to do our part to be good neighbors and to protect and enhance the image of the agricultural industry. We recognize the need to extend ourselves in the communities in which we live and assisting our

neighbors and the general public in comprehending the benefits and positive impacts agriculture has on society and understand our responsibilities therein.

We believe in the right of every person to choose an occupation to be rewarded according to his or her contribution to society; to save, invest, spend, and to convey his or her property to heirs. Each person has the responsibility to meet financial obligations incurred.

We believe that legislation and regulation favorable to all sectors of agriculture should be aggressively developed in cooperation with allied groups possessing common goals.

We support the right of private organizations to require membership as a prerequisite for services.

Congress, the President, government agencies and their employees should be subject to the same laws and regulations as the other people of the United States.

We believe the words "In God We Trust" should be displayed in a prominent position on all U.S. currency as well as the words "One Nation Under God" remaining in the Pledge of Allegiance.

303 THE LEGISLATIVE BRANCH

Federal programs should not be used as vehicles to force state and local governments to conform to federal authority.

We urge Congress and the State Legislature to safeguard their legislative prerogatives by:

- 1) insisting that federal and state expenditures be legislatively approved annually.
- 2) avoiding delegation of broad, discretionary powers to the executive branch.
- 3) enacting corrective or conforming legislation when a court or agency has invaded the legislative area.

Legislative bodies should adopt a code of ethics which clearly delineates the conduct and activities that govern their members.

We favor an amendment to the state Constitution to guarantee the fundamental right to determine apportionment of one house of the legislature on some basis other than population.

304 THE JUDICIARY

We believe in an independent judiciary, impartial administration of law without special privilege, and government by law wisely administered according to constitutional principles.

Neither the federal or state courts should perform functions reserved to the legislative branch.

Courts should not overlook the rights of crime victims in an over-zealous effort to protect the civil rights of the accused and the convicted.

305 THE CONSTITUTION

The Constitution of the United States is well designed to secure individual liberty by a division of authority among the legislative, executive and judicial branches and the diffusion of government powers through retention by the states and the people of those powers not specifically delegated to the federal government.

The Constitution is the basic law of the land. Changes in long-established interpretations should be made only through constitutional amendments. We accept the U.S. Constitution as a divinely inspired document subject to changes through the amendment process. We oppose calling a constitutional convention.

306 THE EXECUTIVE BRANCH

We recommend that the executive branch:

- 1) exercise restraint in seeking broad, discretionary powers from the legislative branch.
- 2) avoid interpreting laws beyond the scope specifically spelled out by the legislative branch.

307 STATES' RIGHTS

The powers not specifically delegated to the federal government by the Constitution are reserved to the states or to the people.

The maintenance of strong, independent and responsible state and local government is imperative to the preservation of self-government and individual freedoms.

Public functions should be performed by the qualified unit of government closest to the people, without coercion by legislatures and administrative agencies of higher units of governments.

We favor retention of the Electoral College for presidential elections, but electors should be required to vote for the candidates on the ballots to which they were pledged. We oppose proposals to make the popular vote the sole determinant of presidential elections.

308 CAPITALISM – PRIVATE COMPETITIVE ENTERPRISE

We believe:

- 1) efficiency and high per capita production are primary elements in achieving high standards of living.

- 2) in a competitive business environment in which supply and demand are the primary determinants of market prices, the use of productive resources, and the distribution of output.
- 3) in the American capitalistic, private, competitive enterprise system.
- 4) government operation of commercial business in competition with private enterprise should be terminated.
- 5) government regulation should be subject to scrutiny and review through the legislative process.

309 SOCIALISM AND COMMUNISM

We reaffirm our opposition to all socialistic and communistic economic systems and encourage the cooperation of other nations in this endeavor.

Apathy and apparent lack of responsibility on the part of individual citizens is allowing the socialization of America through the centralization of power and authority in the federal government threatening our republic and our system of private competitive enterprise.

We are encouraged by the progress made by other countries in establishing democratic governments. We urge the federal government to support these efforts in a careful and prudent manner.

We recommend that the U.S. Constitution and the basic principles of Americanism, with emphasis upon freedom, dignity and the responsibility of the individual, and our private competitive enterprise system, be required topics of study for junior high and high school students in the public education system.

310 PATRIOTISM

A strong, unified United States of America must be founded on respect, pride, and love of country by its citizens. We believe all citizens should promote the ideals that have made the United States the greatest example of free people in the history of the world.

We support traditional American ideals of:

- 1) preserving our democratic, republic form of government.
- 2) teaching and practicing flag etiquette.
- 3) reciting the Pledge of Allegiance regularly and maintaining the phrase, "under God".
- 4) studying of the origin and meaning of the Constitution.
- 5) other activities that promote patriotism.

NATURAL RESOURCES

311 WATER POLICY

Beneficial Use – All water rights, including underground water rights, are property rights that should not be taken from the owner without due process and just compensation. However, the right must be used for beneficial purposes. Beneficial use for irrigated agriculture is the consumptive use plus reasonable and necessary losses to deliver that use.

Groundwater Over-appropriation – The state should manage ground water supplies to ensure the greatest benefit to agriculture both in the short-term and in the long-term. We support a legislatively-funded in-depth study of state ground water management policy, including impacts on agriculture and related industries prior to any legislative action to change state water management policy.

Groundwater Management – We support:

- 1) agriculture as an industry and believe it should be given the utmost priority in groundwater management.
- 2) a state groundwater management plan based on the following fundamental principles:
 - a) sound scientific data as it relates to determination of safe yield and groundwater basin levels.
 - b) the longstanding water law principle of First in Time, First in Right. The principle of senior water rights priority remain intact.
 - c) the doctrine of prior appropriation should remain a foundation of Utah water law.
 - d) non use of water rights for purposes of aquifer restoration should be allowed as a means of conservation. Conservation and aquifer restoration efforts should not lead to forfeiture of water rights.
 - e) the state engineer should be authorized to investigate the interaction between surface water and underground water in each groundwater basin and use this information in any water management decisions.
 - f) if the state takes a water right back from a user, then the user must be compensated.
- 3) water disputes being settled on a local water basin basis, if possible.
- 4) the consideration and development of private voluntary groundwater management plans in coordination with the state's safe yield policy.
- 5) continued recognition of groundwater rights as property rights.

- 6) state buyout of water rights in over-appropriated basins as a means to attain safe yield as determined by a groundwater management plan.
- 7) participation by local water users in development of groundwater management plans.
- 8) the creation of a local ground water management district in the Beryl/Enterprise basin.

Southern Nevada Water Authority- Artificial withdrawal or transport of groundwater from Utah to Nevada must be authorized by the Governor and Legislature of Utah. The Eastern Nevada Groundwater Project should not be allowed to proceed if it affects Utah water unless up to date empirical studies, not just a review of past information, clearly show that water can be withdrawn and exported to Nevada without adverse effects on Utah agriculture. We favor specific abandonment of segments 7 & 8 of the proposed Eastern Nevada Groundwater Project.

Should the proposed West Desert (Las Vegas) water pumping issue goes to court, it should be settled by binding arbitration between affected parties.

Partial Forfeiture - The general application of partial forfeiture in the administration of water law is consistent with the long-standing beneficial use principle.

We support:

- 1) referral of the issue of partial forfeiture to the State Water Development Commission for further study and investigation prior to any changes to existing statute.
- 2) a three year moratorium on requirement for filing a non-use application and furthermore, oppose the exemption of public water suppliers from partial forfeiture.
- 3) water users being given notice to protect their water rights within the principles of beneficial use and any other legal limitations of their water rights.
- 4) such a declaration not being made retroactive.
- 5) expansion of the definition for reasonable causes for agricultural non-use under the Utah water rights forfeiture statute.
- 6) allowing a shareholder to file a non-use application on his proportionate share of the company water right if the shareholder:
 - a) notifies the company,
 - b) bears all costs, including the cost of the proof of resumption of use, and
 - c) continues to pay all assessments on the shares.

Federal Water Rights - The federal government and its agencies should:

- 1) be regarded the same as any individual with respect to appropriated and un-appropriated water rights.
- 2) adhere to state water laws.
- 3) not claim ownership of water developed on federal land by federal permit holders, or ownership of water solely because it originates on federal lands.
- 4) not claim federal reserved water rights such as those proposed in the rangeland reform.
- 5) manage water storage projects to maximize hydroelectric power and agricultural use of water.
- 6) allow rebuilding or repairing of structures destroyed or damaged in floods.
- 7) not require an NPDES permit for interbasin water transfers or require water treatment on interbasin transfers.
- 8) not allow draining of Lake Powell or any other Bureau of Reclamation water storage projects.
- 9) not require relinquishment of existing water rights as a condition of access for maintenance and repair of water works.

State Water Rights - We support:

- 1) state control of water rights.
- 2) guarding against encroachment by government agencies on private water rights.
- 3) protecting water rights based on seniority and continued recognition of the high priority for agriculture use.
- 4) stock-watering rights issued to individual permittees when they construct water developments on public lands.
- 5) the state engineer giving greater emphasis to recognizing and vigorously protecting existing private water rights on private and public lands.
- 6) prohibiting changes in points of diversion, water right transfers and new well permits until the impact on prior existing water rights and surrounding drainage areas has been determined.
- 7) recognizing water quality, within the state engineer's statutory authority, as an essential component of existing water rights which must be considered and compensated for when approving additional diversions or transfers.
- 8) normal filing and the adjudication process for any expansion of original acreage.
- 9) common description of the generally affected property and notification of the surface property owner when publishing water filing notifications.

- 10) protecting and preserving agricultural water rights through wise management, with use of secondary irrigation systems and/or other methods appropriate for local conditions.
- 11) increased appropriations from the General Fund to complete the pending water rights general adjudications in Utah.
- 12) protecting rights associated with diversion systems that are destroyed due to floods or other destructive forces.
- 13) the leasing of water for instream flows so long as:
 - a) other water rights will not and could not be adversely affected.
 - b) Utah does not lose water to other states.
 - c) all assessments are retained on the respective rights.
 - d) instream flow rights are not acquired through use of eminent domain powers.
 - e) instream flow rights are not acquired based on diligence claims unless those claims have been previously recognized by court decree.
 - f) the cost of administering the instream flow change is borne entirely by the instream flow holder.
- 14) careful planning by municipalities, public water suppliers and governmental agencies when acquiring water rights or water stock and when developing new water sources and systems in order to reduce adverse impacts on agricultural and other water users.
- 15) the concept of a State Water Rights Board with membership that is representative of water rights ownership in the state
- 16) legislation granting shareholders in irrigation companies standing to intervene when water rights or facilities of mutual irrigation companies are taken by condemnation or threat of condemnation so that shareholders can protect their private property interests.

We oppose:

- 1) creation of instream flow rights in artificial water bodies such as reservoirs, canals, and ditches except by arms length agreements with the owners and users of such facilities.
- 2) expanding the definition of beneficial use to include recreation.
- 3) the purchase of water rights for instream flows.
- 4) blanket water filings in the state. Everyone should be treated equal according to

new water filing. Government entities, Non-governmental organizations (NGO's) and other non-agricultural interests should not be given preferential treatment in regards to water filings.

Water Reuse –

Any water reuse project should not allow consumptive use of water that has historically been return flow that has made the water rights of other water users in the State of Utah. Water reuse by municipalities must not exceed the historic depletion under the relevant water rights. Reuse projects should be based on domestic use water rights in excess of historic depletions.

Water Shed Enhancement -

We support efforts to increase watershed yields through vegetation management as a means of enhancing existing water rights.

State Water Right Enforcement - We support:

- 1) granting the State Engineer sufficient authority to enforce Utah water law.
- 2) enhancing criminal penalty for knowing and willful water theft from a Class B Misdemeanor to a felony, with mitigating circumstances for a first offense.
- 3) further protection by the State of Utah against taking of water from Utah groundwater basins for use in other states.

Water Quality - We support voluntary, incentive-based solutions at the state and local level for non-point source pollution programs, livestock manure management, and water quality enhancement. Therefore, we are pro-active in supporting at the state and local levels:

- 1) assessments of impaired state waters.
- 2) implementation of voluntary, incentive-based solutions for point and non-point sources of water pollution.

Furthermore:

- 1) Agricultural producers should not be required to comply with non-point source clean water standards more quickly than other entities such as industries, municipalities, or other governmental entities.
- 2) Farmers and ranchers who are in the process of implementing approved water management plans should not be required to alter such plans when they are in progress.
- 3) We oppose mandatory bonding or other financial assurance for waste management facilities associated with Animal Feeding Operations (AFOs) or Concentrated Animal Feeding Operations (CAFOs).
- 4) We urge strict compliance of water quality standards for the Snyderville Basin

Sewage Treatment Plant to prohibit the release of pollutants into East Canyon Reservoir; Snyderville Basin Sewage should also be liable for the cost of cleaning up the damage that has already occurred to the reservoir.

- 5) We oppose Environmental Protection Agencies (EPA) efforts to revoke the administrative exemption for silviculture from the National Pollution Discharge Elimination System (NPDES) permitting process. However, we support collaborative efforts between Utah State University and others to educate forest landowners on the importance of minimizing water pollution associated with silvicultural activities.
- 6) Livestock and dairy producers should not be held responsible for pollution derived from animal nutrients after ownership of the manure has been transferred to another party and removed from the producer's control.
- 7) We support balanced, scientifically valid methods and rules for manure management that consider the economics of manure handling and the value of manure nutrient recovery.

Preservation of Water for Agriculture - We support:

- 1) efforts to maintain water on productive farm lands and discourage efforts to bid away irrigation water to satisfy municipal, culinary, industrial and/or recreation needs or as wetlands mitigation.
- 2) an adequate supply of high quality water for agriculture at economically feasible prices.
- 3) recognition by society that the highest and best use of some water is for irrigated agriculture.

Water Conservation – Water is the lifeblood of the West; policies and laws regarding its use must be sound and strictly enforced. They must encourage beneficial use of the natural resource, and we support all efforts by water users to conserve water. Natural stream flows and catch basins for surface water provide recharge for underground aquifers. Preservation of the recharge system is paramount in the protection of water rights.

We support:

- 1) conservation of water resources by all users with reuse of municipal and industrial water to help preserve productive agricultural lands around urban areas as a means of preserving important open space.
- 2) the wise use of all water; including agricultural water where farmers and ranchers determine that use.

Interstate Compact Water

Utah's water allocated under interstate compacts should be developed for use in Utah. However, until this water can be economically developed in Utah, we support:

- 1) long-term leasing with no permanent sale of water outside of Utah.
- 2) priority of lease funds to be used for water development in the Colorado River, Bear River and Virgin River drainage areas.

Furthermore, we support:

- 1) the maintenance of storage rights in reservoirs and natural lakes.
- 2) the current law prescribing the appointment of the Bear River Compact Commission.
- 3) the state of Utah applying for a general permit from the U.S. Army Corps of Engineers to allow property owners adjoining Bear Lake reliction lands to control undesirable vegetation and insects.

Water Development - We support:

- 1) development and reclamation of all possible water sources.
- 2) continuation of the 1/16% sales tax dedication or other constant sources of funding for water development projects in Utah. Because the 1/16% sales tax has been a reliable and fair way to invest in water development, we favor removal of the \$17.5 million cap.
- 3) Central Utah Project (CUP) allocation of at least 30,000 acre feet to be delivered for beneficial use in southern Utah County and the original allocation of water to Juab County.
- 4) water development of the Bear River, including the Washakie Dam site. As this occurs Farm Bureau should be actively involved in the planning and implementation process, to insure protection of land and water rights and just compensation for takings under eminent domain. Any development of water storage should positively impact agriculture as well as culinary and municipal needs.
- 5) the Bear River Compact as currently written and oppose attempts to modify it in a way that would be adverse to agriculture.
- 6) construction of an off-stream reservoir along the Bear River above the Cutler Dam to meet the growing demand for water throughout northern Utah.
- 7) replacement of the CUP's proposed dam on the Uintah River with a project that would include the West Side Combined Canal and Green River pumping

projects.

- 8) reverting back to the CUP's original plan of bringing replacement water from the Green River to the Uintah Basin.
- 9) agricultural input in the development of public recreational plans at reservoirs.
- 10) the Cainsville Dam project in Wayne County.
- 11) appropriation of a substantial portion of state surplus funds to the Water Resources Conservation and Development Fund.

We oppose siting of any reservoir that will negatively impact the custom and culture of any county.

High Hazard Dam Safety

The State Division of Water Resources should assume 95% rather than the 80% of the costs of repairing irrigation dams to meet state standards.

Access should be allowed to reservoirs located within restricted travel areas for repairs and maintenance. If access is denied, reservoir owners or water right holders should not be liable for damages from reservoir failure.

Irrigation Canals And Ditches – Liability - We support:

- 1) holding harmless private ditch and canal owners and irrigation companies when other entities use their delivery systems for uses other than what they were originally intended. Municipalities, industrial entities, developers and private individuals should assume responsibility for disposing of drainage from their property.
- 2) legislation to significantly limit irrigation canal and ditch company liability.
- 3) conditional use permits for new developments that have the potential of being impacted by canal or ditch failure.
- 4) flood insurance as a condition in obtaining a building permit for homes located within the flood plain of a reservoir, irrigation canal or ditch.
- 5) the state paying for any safety regulations imposed by statute on irrigation canals and ditches.
- 6) the recognition of prescriptive easements for conveyance of water as well as other agriculture uses to or from agricultural lands and the right for maintenance of the same.

Irrigation Canals and Ditches - Stream Alteration Permits

We support exemption of ditches and canals from designation as a jurisdictional stream for which stream alteration permits are required.

Flaming Gorge –

Due to the increase in vector borne diseases and the destruction of agriculture and personal property. We support the use of Flaming Gorge dam as a flood control structure and not to simulate natural flooding of the Green River Flood plain.

Glen Canyon –

Glen Canyon dam should not be used as a way to simulate natural flooding on the Colorado River.

Flood Plain Management –

We support proper management and control of flood plains and necessary emergency actions that may supersede current governmental regulations. The Corps of Engineers should allow counties, cities and private land owners to make repairs and clean in a timely manner before emergencies exist.

Water Companies –

Water companies own and manage substantial water rights and water distribution systems in Utah. We support enactment and implementation of statutes to:

- 1) authorize cities to contract with water companies to provide water delivery and storm water conveyance systems, including:
 - a) recognition that existing easements may include storm water conveyance,
 - b) expenditure of municipal revenues for payments to water companies under such contract, and
 - c) liability protection for water systems conveying storm water;
- 2) allow simple reinstatement or reorganization of water companies for which the corporate charter has lapsed or for which there has been an administrative dissolution for failure to file annual reports;
- 3) protect the interests of water company shareholders who continue use of irrigation water for agricultural use as water interests of the company are purchased and converted for municipal and industrial use; and
- 4) assure viability of water companies in the current economic and legal environment.

Water Company Governance –

We support the principle of voting based on shares within a water company, subject to the right of shareholders to provide in their articles of incorporation for other voting arrangements suited to local conditions.

312 ENDANGERED SPECIES ACT

Endangered Species Act - We support:

- 1) transferring to the general public any costs incurred by landowners attributed to the Endangered Species Act (ESA).
- 2) incentive based conservation and management of candidate, threatened and endangered species by the private sector.
- 3) policies that protect landowners engaged in voluntary conservation actions to conserve and manage candidate, threatened and endangered species.

We oppose:

- 1) the reauthorization of the Endangered Species Act (ESA) in its current form.
- 2) federal listing of the state sensitive species.

Sensitive Species – We support the efforts to initiate programs for the restoration and monitoring of sensitive species and their habitat based on sound scientific data to keep species from becoming listed.

We encourage the Utah Partners to annually report population and habitat benefits of species conservation and management actions to the appropriate Federal agencies and the public.

Endangered Species –Endangered Fish – We oppose the classification of the lower Duchesne River as critical habitat for any endangered species associated with the Colorado River.

313 WILDLIFE MANAGEMENT

Managing Wildlife - We support:

- 1) a pro-active, sustained public education and involvement effort including agriculture, sportsmen, government agencies, and other interested parties that will promote consistency and the application of multiple use and sustained yield principles in managing and maintaining Utah’s wildlife ecosystem.
- 2) cooperative agreements between landowners, permittees, the Division of Wildlife Resources (DWR), federal, state and local agencies and sportsmen to establish and maintain target numbers of wildlife consistent with public and private land habitat constraints.
- 3) the same public review process used to establish original unit numbers when changes in wildlife unit numbers are proposed.
- 4) the right of agricultural producers to take any wildlife that is destroying crops or

livestock. The long established 72-hour notice requirement must be preserved. If the law is amended to provide mediation or arbitration to remedy rare instances of abuse or impasse, it should not be diluted in such a way that its normal application would impede the rights of landowners. Furthermore, the 72-hour notice provision should not be limited to big game species.

- 5) Cooperative Wildlife Management Units (CWMU's) for big game, along with the present private/public permit ratios for antlered animals established by administrative rule.
- 6) allowing landowners or landowner lessees all the permits necessary to mitigate against depredation. Issuance of mitigation or depredation permits should encompass the following concepts:
 - a) The granting of permits to landowners or lessees should be based on a preset formula considering qualifying greenbelt acreage along with damages incurred to ensure equal treatment among landowners.
 - b) The granting of antlered big game permits to landowners or lessees should not be based strictly on qualifying private rangeland but should also include consideration of damages attributed to cultivated land. Moreover, landowners with less than 640 acres should be eligible for antlered big game permits if their land provides big game habitat. Landowners should also have first priority for permits to hunt in the area in which they live.
 - c) DWR should implement a formula that will provide more weight to big game depredation of cultivated land than for rangeland in granting antlered permits.
 - d) Landowners should be able to distribute qualifying permits at their discretion.
 - e) Hunters receiving mitigation permit vouchers should not be charged an additional permit fee.
 - f) Depredation and mitigation hunts should not be limited to antlerless permits.
 - g) The issuance of mitigation permit vouchers should not absolve DWR from paying for crop damages.
- 7) 20 acres of irrigated, mechanically harvested land to qualify for a landowner permit similar to the 640 acres of range land qualification.
- 8) DWR contacting private landowners and obtaining their permission prior to setting a special hunt on private lands.
- 9) issuing big game conservation permits to livestock permittee grazing associations to further enhance range improvements under current rules for such

permits.

- 10) the general season deer hunt date as currently established in statute by Utah State law.

Damage Control – Wildlife damage control programs should not only compensate landowners for losses but also create incentives for landowners to provide habitat for public wildlife.

We support:

- 1) monitoring of public range conditions to determine which species are responsible for use and damage to ranges.
- 2) expanding the Utah big game damage payment program to include all wildlife species. Any unused annually appropriated funds for this purpose should be applied specifically for damage or prevention payments in future years.
- 3) compensation to private landowners within a limited entry hunting area for excessive wildlife damages.
- 4) wildlife damage payments on the basis of forage lost, damages, and/or historical land yields.
- 5) full reimbursement by the DWR without maximum limit to private property owners whose crops, personal property, or real estate have been damaged by any form of wildlife.
- 6) amending the cougar and bear damage compensation program to include all endangered or protected species and providing 100% compensation for livestock.
- 7) valuing livestock based on current market or replacement value.
- 8) valuing young livestock at weaning weights.
- 9) increasing the limitation of \$500,000 of annually appropriated funds for big game depredation payments.
- 10) increasing immediate payment of big game depredation from the current \$1,000 limit.
- 11) big game damage assessments funded by DWR, administered by a neutral third party, and subsequent damages promptly paid from the depredation fund.
- 12) state and federal programs for controlling sparrows and starlings.
- 13) DWR offering wild turkey permits to landowners as compensation for providing habitat and feed to wild turkeys; that may be used for resale.
- 14) the mission of the Berryman Institute in addressing Human/Wildlife conflicts.

Mitigation - We support:

- 1) legislative funding to defray damages to agricultural enterprises by geese, Sandhill Cranes and all federally protected birds.
- 2) limiting acquisition of land with wildlife habitat funds. These funds were intended to be used to improve wildlife habitat on private, state and federal lands.

Transplants and Reintroductions - We oppose:

- 1) transplanting wildlife species into areas where an historical presence cannot be shown.
- 2) introduction of wildlife species where they rely on private forage and compete with livestock on private or public ranges, or where restrictions to road construction or timber harvest may occur, unless an agreement is reached with private landowners and permittees. Moreover, affected landowners and livestock permittees should be notified at least 12 months prior to any proposed transplanting of wildlife.
- 3) reintroduction, relocation, or transplant of predators in any areas that may adversely impact livestock or other private property.
- 4) wolves in Utah.
- 5) introduction of the black footed ferret in San Juan County, and any other threatened or endangered species into Utah.

Any illegal transplanting of wildlife should be punishable as a felony. Furthermore, control of prairie dogs on public and private lands should be permitted throughout the year rather than restricted by season.

314 PREDATOR CONTROL

We support:

- 1) all current predator control methods and practices, including the use of approved chemical toxicants by qualified persons.
- 2) funding for more predator control research and distributing the results of all research to farmers and ranchers.
- 3) predator control by appropriate agencies, private trappers, or farmers and ranchers using approved methods and without interference by environmental groups or others.
- 4) control of predators de-listed from the endangered or threatened species lists and U.S. Department of Agriculture and Animal and Plant Health Inspection

Service (APHIS) taking of predators that drift or are illegally introduced into Utah when damage to livestock, crops, or private property occurs.

- 5) removing wolves from the endangered species list and managing them under the supervision of the states where they exist.
- 6) regular public reporting of audits of predator control assessments by the damage prevention committee.
- 7) greater local supervision of the state predator control program.
- 8) livestock associations' and Farm Bureau's involvement in the decision making process of predator control programs.
- 9) issuing annual trapping licenses to include the entire season on one license.
- 10) bobcat permits being available throughout the trapping season wherever trapping licenses are sold.
- 11) Utah Department of Agriculture and Food (UDAF) developing an enforceable policy for collecting animal damage control assessments from livestock producers.
- 12) return of predator control assessments where collected when Wildlife Services cannot provide adequate predator control.
- 13) improved predator control for big game on public lands to prevent depredation that occurs when predators drive big game onto private lands.
- 14) the U.S. Fish and Wildlife Services issuing harassment permits for eagles to Wildlife Services for all livestock grounds prior to birthing season.
- 15) issuance of permits for eagle relocation should be expedited.
- 16) issuance of eagle take permits to Wildlife Services on excessive populations of adolescent eagles.

Private Information - We oppose governmental agencies disclosing private and personal information to the public regarding wildlife damage control activities.

315 PRIVATE PROPERTY RIGHTS - We support:

- 1) the sanctity of private property rights.
- 2) the protection of private property rights.
- 3) landowners' rights to manage their private property without government interference.
- 4) relief from burdensome and expensive government actions impairing private property.

- 5) stronger recognition of the right to compensation for regulatory takings by government.
- 6) the American capitalistic, private, competitive enterprise system in which property is privately owned, privately managed, and operated for profit and individual satisfaction.
- 7) changes in state code that would prevent a public right of way by dedication, when private land is being accessed or utilized by the public.
- 8) private property owners rights to close their land to public access.

Uncontroverted evidence of an interruption or closure of a road, even for a short period of time, is adequate and sufficient for the ten year public right of way period to recommence.

Preserving Private Property Rights through Market-Oriented Solutions -

We support:

- 1) market oriented solutions to transfer land or other property rights.
- 2) the market place as the best determinant of the value society places on land and water resources.
- 3) strict adherence to the principle of due process and just compensation for the taking of any land or property rights.
- 4) limiting centralized planning by government to those resources owned by the public.

316 PUBLIC LAND POLICIES

We support the immediate relinquishment of land and water owned by the federal government to the states for management. Until that occurs, we will operate under the following public land policies:

Public Ownership of Land – We support:

- 1) no net loss of privately owned property in Utah.
- 2) compliance with local government approved custom and culture standards as required by the National Environmental Policy Act (NEPA) and Federal Land Policy Management Act (FLPMA) of any land use proposal by federal agencies.
and
- 3) federal land management agencies strict conformance with the legislation in question when drafting regulations.

Multiple Use - We support:

- 1) promotion of multiple use concepts in management of natural resources on public lands by local, state and federal management agencies.
- 2) livestock grazing as an integral part of multiple use and management of natural resources.
- 3) the Utah Department of Agriculture and Food's mediation program and its use of Federal Land Policy Management Act (FLPMA) Section 8 provisions for resolving disputes on federal lands.
- 4) Federal and state agencies should utilize research performed by land grant universities investigating the benefits of grazing as a range management tool as the basis for findings in environmental assessments and judicial proceedings.

Rangeland Management - We support:

- 1) long-term range monitoring that includes range trends, utilization data, actual use, and climatic patterns.
- 2) grazing based on the monitoring criteria outlined above and no reduction in grazing until monitoring clearly demonstrates a downward trend in range carrying capacity.
- 3) restoration of suspended nonuse and active nonuse or increased animal unit months to existing permittees when monitoring clearly demonstrates an upward trend in range carrying capacity, including recovery from drought conditions.
- 4) a reduction of wildlife, wild horses and burros on public land, mandated by state law, when livestock AUM's are reduced due to deteriorating rangeland conditions.
- 5) state management authority and control of horses defined in statute as abandoned horses and strays.
- 6) allowing wild horses and burros over the age of 5 years or those that have not been successfully adopted after three adoption attempts to be sold at public auction to the highest bidder, even if the individual purchasing the horses would take them to slaughter.
- 7) releasing to the open market wild horses and burros that have been held in government captivity for over a year are deemed unsuitable for adoption and utilizing the sale revenues for rangeland improvements.
- 8) control of wild horses, burros or game animals to prevent overgrazing and damage to rangelands. Domestic livestock grazing rights should not be reduced or eliminated as a result of misuse of federal lands by wild horses, burros or

game animals. If it becomes necessary to reduce livestock numbers on federal ranges because of drought, big game, wild horse and burro numbers should be proportionately reduced to protect the range from long-term damage.

- 9) the testing of wild horses for diseases.
- 10) BLM adhering to wild horse herd numbers established by the Free Roaming Horse and Burro Act of 1974.
- 11) compensation by public land agencies to private landowners for damage(s) done by wild horses and burros.
- 12) efforts to re-open the Canadian border for the export of U.S. horses.
- 13) establishment of a federally funded program to compensate financial losses to public land permittees when they are required to forfeit or reduce grazing due to drought, wildlife conflict, fire damage, endangered species, or other causes. Where feasible, the federal agency should offer an allotment in another area to the affected permittee.
- 14) permittee notification of and an invitation to participate on range tours and surveys which may affect range use.
- 15) legislation that removes court decreed restrictions on grazing.
- 16) permit renewals being negotiated solely between the permittee and the corresponding federal agency. "Affected party" filers should be restricted from intervening in these renewals.
- 17) the State Taylor Grazing Board structure proposed by the Utah Department of Agriculture and Food.
- 18) the strict adherence to the Taylor Grazing Act by appropriate government agencies.
- 19) the Range Specialist position at Southern Utah University funded by Southern Utah University and Utah State University.

We oppose:

- 1) designating allotments or partial allotments for wildlife only.
- 2) designating large tracts of lands as Areas of Critical Environmental Concern (ACEC). ACECs should be small in size and allow continued grazing and should be consistent with the county master plan.
- 3) any buyout of grazing permits, whether initiated by the federal government or other organizations.
- 4) the purchase of grazing permits by groups who qualify under the Taylor Grazing

- Act if those groups intend to relinquish the permit to the public land agency.
- 5) the sale of grazing allotments and/or permits for non-agriculture use.
 - 6) public agencies retiring permits which have been purchased or are in paid nonuse by non-livestock users unless the National Environmental Policy Act (NEPA) process demonstrates grazing is no longer a suitable use of the resource.
 - 7) Wild and Scenic Rivers on intermittent streams and dry washes and those which do not meet the eligibility of the Act and measures taken by agencies, that administer Wild and Scenic Rivers, that circumvent eligibility criteria and/or the intent of the Wild and Scenic Rivers Act.
 - 8) additional wild horse and burro preserves in Utah.

Rangeland Improvement - We support:

- 1) use of a portion of Bureau of Land Management (BLM) and School and Institutional Trust Lands Administration (SITLA) grazing fees for rangeland improvement.
- 2) a public accounting of income and disbursement of grazing fees.
- 3) active vegetative management for watershed and grazing enhancement on public lands.
- 4) restricting use of grazing fee funds used for fire rehabilitation projects to those lands that have been and will continue to be used to graze domestic livestock.
- 5) investment in the Department of Agriculture Grazing Improvement Program, The Department of Natural Resources Water Shed Initiative, and the LeRay McCallister Fund.

Rangeland Reform - We oppose any changes in federal range management until range data demonstrates there is cause to change management practices and/or fees charged for use of range resources.

Permittee Improvements - We support:

- 1) treble damages to permittees whose improvements are altered or removed by any government agency.
- 2) permittee ownership of any improvements financed and/or built wholly or in part by the permittee.

We oppose:

- 1) any government agency removing or destroying improvements financed wholly or in part by permittees.

- 2) permittees who make improvements on public lands being liable for the cost of environmental studies.

Permittee Access - We support:

- 1) open access to permitted lands for permittees consistent with the intent of their permit, including but not restricted to maintenance of reservoirs or water conveyances.
- 2) open access across public land by private inholders to their property.
- 3) elimination of any trail permit fee.
- 4) mediation or arbitration, as opposed to court action, to determine the cost to the permittee of easements or rights of way across public lands.

Subleasing Grazing Permits - We support sub-leasing of unused AUM's on a short-term basis, especially during droughts.

Private Grazing Lands Conservation Initiative - We support the private grazing lands conservation initiative.

Burning, Logging and Grazing - We support:

- 1) continued use of fire, grazing and logging as a management tool on public and private lands.
- 2) prescribed burns contained within USFS Forest Plans to include standards that allow for the harvesting of marketable timber before such burns are initiated.
- 3) reduced grazing fees or other concessions for permittees whose grazing practices help prevent fires.
- 4) allowing harvest of wood in areas where tree mortality has occurred.

Roads - We support:

- 1) no right-of-way purchase requirements by state or federal land management agencies for local governments to establish or improve access-ways.
- 2) the option of cost sharing of maintenance and improvement by all agencies for roads they use.
- 3) Forest Service and Bureau of Land Management (BLM) reviewing their road closure criteria to allow access for removal of dead fall and other multiple use activities. Irrigation companies should also be allowed access to maintain their respective canals and storage structures.
- 4) advertisement and public comment of any road closure proposal on federal or state lands.
- 5) all roads on federal or state lands being open to public travel unless receiving a

public hearing for closure.

- 6) prevention of new trails and roads on federal and state lands where they interfere with permitted grazing practices.
- 7) local government involvement in the road inventory on public lands along with support from the Utah Association of Counties.
- 8) increased signage and designation for open range.
- 9) maintaining roaded areas on Forest Service and BLM land from being designated as roadless or receiving a backcountry designation.

National Environmental Policy Act – We support simplification and streamlining of the National Environmental Policy Act (NEPA) requirements and process to reduce delays in necessary land management practices.

Environmental Impact Statements - We support:

- 1) preparing environmental impact statements (EIS's) in harmony with long-established scientific and economic principles, with social and local customs being considered, and with the ultimate goal of improving the resource rather than restricting multiple use.
- 2) permittees having greater input in the EIS preparation.
- 3) continuing normal range improvements during the EIS process.
- 4) timely completion of EIS's.

Base Property - We support:

- 1) preserving base property requirements.
- 2) transferring grazing permits without transfer of base property or livestock if the new permittee has base property and livestock to service the permit.
- 3) long-term leases of base property and livestock handling facilities with lease tenancies at least equal to the term of the grazing permit.
- 4) requiring permittees to own livestock and abide by the terms of the Taylor Grazing Act.

Riparian Areas - We support maintenance of fencing around public reservoirs and riparian areas as the responsibility of all entities that use or have control of these areas.

Chaining - We support chaining and other forage enhancement activities.

Recreation - We support:

- 1) recreation, including but not limited to, off-road and recreational vehicle use and rest area facilities on public lands. We encourage similar use and facilities for the public on private property.

- 2) designated off-road and recreational vehicle areas, and recommend that private property owners cooperate with organized recreational associations in leasing land for such use.
- 3) strict enforcement of laws to prevent damage to public and private lands used for off-road and recreational use.
- 4) public land agencies implementing educational programs for ATV users to help protect the land resources from degradation.
- 5) user and access fees to cover costs of all off-road and recreational activities (i.e. hunting, camping, hiking, biking, fishing, ATV training, etc.).

Timber Harvest - We support:

- 1) Forest Service and BLM management plans that allow harvest of renewable resources, including timber, and expediting environmental considerations of proposals to remove burned trees and dead wood to minimize watershed or forage damage.
- 2) logging on government owned lands and encourage the U.S. Forest Service to be more aggressive in defending sound silvicultural activities.
- 3) increased funding for multiple use of forestlands that is otherwise minimized due to restrictive management strategies on surrounding areas.
- 4) expanded timber harvest on public lands.
- 5) responsible harvesting of timber on federal, state and private lands including roads for access.

Wetlands – Army Corps of Engineers -

The Corps of Engineers' authority should not include regulation of:

- 1) non-navigable waterways and their tributaries. State and local governments should have jurisdiction of non-navigable waterways and their tributaries.
- 2) river channels that it does not maintain or on which it does not have authority to compensate landowners for flood damage.
- 3) canals, ditches and other man-made conveyances, including man-made still water reservoirs, holding ponds and their seepages used for irrigation.
- 4) farmland, including land that has been irrigated by any man-made facility.
- 5) use of adjudicated water rights it does not own to create or maintain wetlands.
- 6) inclusion of private property owners and local governments in wetland issues and decisions.

We support:

- 1) wetlands as a vital resource for the environment.
- 2) an acre for acre exchange rate in purchases of private land by public entities for wetland mitigation.
- 3) allowing winter grazing on private property wetland mitigation sites.

Federal Land Exchanges

We oppose government agencies taking grazing privileges and jeopardizing the livestock industry through federal land exchanges. (Reaffirmed 11/04)

317 FENCING

Fencing - We support:

- 1) current Utah law that grants authority to county legislative bodies to declare and enforce general policies on fencing within their own jurisdictions. We favor a fence out policy on traditional open range areas of all counties.
- 2) prompt notification to landowners of damages to property caused by accidents or other incidents. This notification should come from local law enforcement agencies in an effort to mitigate further damages.
- 3) county, municipal and city ordinances that would require an individual and/or developer who changes the use of agricultural land(s) to adequately fence the property that is adjacent to irrigation facilities and land currently in greenbelt or agricultural production.
- 4) fences (on public lands) destroyed by fire (prescribed or natural ignited / let burn) should be rebuilt (materials and labor) by the appropriate land management agency.
- 5) just compensation and restitution to landowners when damages are incurred to a fence and/or property.
- 6) public and SITLA lands in historic open range that are sold to private entities (who no longer want to continue open range use) being fenced, or include a fencing requirement as a condition of the sale.

HIGHWAY FENCES

The Utah Department of Transportation (UDOT) should be responsible for fence construction and maintenance, including materials and labor, along state highways. In public land areas, UDOT should be responsible for construction and maintenance with such other assistance as may be available.

318 WILDERNESS AREAS

The 1964 Wilderness Act, with its bipartisan support and reasoned approach, should be the basis for any new wilderness designations.

We support:

- 1) state and county approval for wilderness designation in states with greater than 25 percent public land ownership. Any wilderness designation should take into consideration local economies, property rights and water rights.
- 2) disqualifying any area from wilderness designation that has RS2477 roads or other access roads or established rights-of-way.
- 3) managing wilderness study areas (WSAs) according to multiple use, sustained yield principles.
- 4) release of WSAs not designated wilderness after five years.
- 5) hunting and horse use in wilderness and primitive areas.
- 6) use of motorized or mechanical equipment to repair water or livestock care facilities.
- 7) control of noxious weeds by motorized or mechanical means.
- 8) use of helicopters for search and rescue operations in WSAs and wilderness areas.
- 9) continued grazing in WSAs and wilderness areas.
- 10) continued predator control in WSAs and wilderness areas.
- 11) hard release language in any wilderness law.
- 12) lapsing of all pending WSA's.

We oppose:

- 1) buffer zones around WSAs or wilderness areas or withdrawal of multiple use on any federal or state land as defacto buffer zones.
- 2) use of cherry-stemming as a means for qualifying an area for wilderness designation when roads and other access already exists.

319 NATIONAL MONUMENTS

Grand Staircase-Escalante National Monument - We support:

- 1) multiple-use of the Grand Staircase-Escalante National Monument, including livestock grazing, hunting, fishing, timber harvesting, watershed management, recreation, and mining.
- 2) removal of land or change of boundaries of the monument to facilitate extraction

and utilization of natural resources, including oil, gas and coal.

We oppose expansion of the Grand Staircase-Escalante National Monument.

View Sheds- We oppose the concept of “view sheds” as a land use restriction.

Antiquities Act - We support amending the federal Antiquities Act to require legislative approval of any state that houses a proposed national park or monument.

Dinosaur National Monument – We oppose expansion of the Dinosaur National Monument.

Spraying – We support the control of vector borne diseases and noxious weeds by allowing the spraying of mosquitoes and noxious weeds within restricted areas such as national monuments, parks and other public lands.

320 SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION (SITLA)

Funding - We support removing the cap on interest money from the School and Institutional Trust Lands Administration (SITLA) Fund that goes to the schools of the state.

Development - We support:

- 1) cooperation between state agencies in the development of SITLA lands and adjacent private lands.
- 2) fewer restrictions on development of SITLA lands, especially those imposed by archaeological clearances.
- 3) use of public funds rather than private or SITLA revenues to cover costs associated with archeological clearance surveys conducted on SITLA properties that are sold for development.
- 4) timely reclamation of disturbed SITLA sites from oil, gas, mining or other extractive industry activities.
- 5) sale at market value of SITLA lands planned for residential development rather than lease of these lands.
- 6) multiple-use, sustained-yield management of SITLA lands.
- 7) the exchange of SITLA land in Wilderness Study Areas to acquire BLM land.

Changes in Use - We support converting SITLA lands under grazing permits to cultivated cropland or other higher use only when the following conditions are met:

- 1) The conversion will not increase soil erosion.
- 2) The current lessee is allowed the right of first refusal.
- 3) The current lessee is protected from adverse financial impact by conversion.

Grazing Permits - We support:

- 1) a preference renewal system similar to that of the Forest Service or BLM for leasing SITLA property.
- 2) maintaining the current 15 year lease arrangement for grazing.
- 3) grazing fees that are based on forage productivity and/or services.
- 4) SITLA in considering the impacts on permittees and the local public and private economies if lands are sold.
- 5) SITLA in conjunction with permittees developing a long range master biological (wildlife) management plan that is mutually beneficial.
- 6) the School and Institutional Trust Lands Administration (SITLA) studying and evaluating the social impacts as well as the economic impacts on current permittees by selling the Tabby Mountain block. Changes in ownership may generate threats to the grazing and livestock industries that depend on these grazing AUM's for their livelihood.

We oppose competitive bidding to establish grazing permits. However, if competitive bidding is allowed, we support:

- 1) consideration of the economic impacts on current permittees and the local economy, as well as the past performance record of the current permittee before awarding a permit to the highest bidder.
- 2) requiring a new permittee, who does not hold an adjacent BLM or USFS grazing permit or causes an unauthorized trespass problem, to fence the boundary of the SITLA permit.

We oppose attempts by the School and Institutional Trust Lands (SITLA) to acquire or reclaim lands for mineral right exploration that have been legally sold and/or transferred.

321 SOIL AND WATER CONSERVATION

We support the Utah Conservation Commission and Conservation Districts in expansion of soil and water conservation programs.

322 PRIVATE FOREST PRACTICES - We support:

- 1) the training of private forest landowners in sound forest management practices, including proper logging, by USU Extension Service and the Division of Forestry, Fire and State Lands in cooperation with the Utah Farm Bureau Federation.
- 2) requiring commercial logging contractors to notify the Division of Forestry, Fire, and State Lands of any logging plans on private forest lands.

- 3) a voluntary program wherein a private forest landowner may contact the Division of Forestry, Fire and State lands prior to a timber sale for assistance in protecting his resources .
- 4) reforestation as qualified projects for Agricultural Resource Development Loan (ARDL) moneys.
- 5) tax incentives to preserve private forest lands.
- 6) the formation of a statewide forestry association.

323 WILDFIRE SUPPRESSION

We support:

- 1) cooperation between federal agencies responsible for fire suppression and local fire districts in the suppression of wildfires on non-federal lands.
- 2) increased state funding to counties for suppression of wildfires on non-federal lands.
- 3) livestock grazing as a viable fire suppression tool to reduce burnable fuels on private, county, state, and federal lands.

We oppose assessing agricultural water rights to fund the costs of wildfire suppression.

AGRICULTURAL MARKETING, RESEARCH, AND REGULATORY FUNCTIONS

324 AGRICULTURE AND OPEN SPACE PRESERVATION

The property rights of landowners must be protected. Those who own or lease land should have the responsibility for its management. The right to sell and manage land must remain in the hands of those who own or lease it. These beliefs can best be accomplished by supporting the following concepts:

Agriculture Marketing – We support the development of a timely uniform hay testing program in Utah, as well as nationwide.

Liability - We support protecting landowners from any liability created by governmental efforts to preserve open space where such efforts include the landowner’s property.

Coordinated Resource Management - We support coordinated resource management plans and inclusion of locally elected Soil Conservation Districts in the local planning process.

Agriculture Protection Areas - We support full statutory protection of agricultural land within an “Agriculture Protection Area” (APA) until it is voluntarily withdrawn by the landowner.

We oppose amending the present APA statute in any way that would erode current protections granted to landowners, including the requirement of a governmental entity to obtain

approval from a local APA advisory board before the governmental entity can acquire protected land by eminent domain.

County and Municipal Authority to Preserve Agricultural Lands - We support counties and municipalities using the criteria “the protection and preservation of properties used for agricultural purposes” when creating and amending planning and zoning processes:

Agricultural Land Preservation Tools - We support:

- 1) voluntary incentive-based programs that keep farms and ranches in production.
- 2) purchase of development rights or easements with emphasis upon the use of private sector funds.
- 3) efforts of the Quality Growth Commission – LeRay McCallister Fund to focus on the preservation of the fruit industry in the state. Education related to conservation easements is needed to assist those who have an interest in this method of preservation of vital agricultural lands.

It is generally recognized that no single solution exists to preserve agricultural lands and other open space. Rather, a variety of tools should be available to local governments and landowners to deal with a myriad of preservation needs.

We believe the following incentives could be made available to counties and municipalities to aid them in their agricultural land and open space preservation efforts.

Incentive-Based Solutions - We support:

- 1) assessed valuation in line with productive capacity of farmland.
- 2) investment by private entities and local government in agricultural enterprise profitability.
- 3) marketable tax credits from donated development rights.
- 4) tax credits against state inheritance and federal estate tax.
- 5) additional incentives to farmers for placing lands in agricultural protection areas for the full 20-year term.
- 6) density bonuses to encourage greater density in specific areas.

Purchase of Development Rights or Conservation Easements - We support:

- 1) purchase of development rights or conservation easements on a willing seller, willing buyer basis with emphasis on acquisition by the private sector.
- 2) no expansion of condemnation powers of government to preserve agricultural lands or open space.
- 3) permanent or specified term conservation easements.
- 4) transferable development rights.

- 5) legislation which provides for special districts to assess taxes to purchase conservation easements or development rights for agricultural land or open spaces.

Sale of government lands that are encumbered by conservation easements or other management restrictions should not be counted as “no net loss” transactions.

Funding Sources - Agricultural land preservation projects funded by government should not disrupt private, competitive market forces.

We support:

- 1) public referenda to establish any public funding such as special district taxes, bonds, etc..
- 2) limiting public funding efforts to local government jurisdiction.
- 3) funding from broad-based sources and, where possible, from sources which focus on those who directly benefit.
- 4) consideration of the following funding sources when private sources are unavailable or inadequate, and proposed state projects are individually approved by the legislature:
 - a) local option sales tax,
 - b) local government bonding,
 - c) state matching funds to local governments,
 - d) federal matching funds to local governments, and
 - e) private or public land exchanges that will preserve the private land tax base.
- 5) the 5 year roll back tax generated on greenbelt property being appropriated as a means to preserve agricultural land and open space.

325 RIGHT TO FARM

We support:

- 1) responsible actions designed to allow and protect the rights of farmers and ranchers to produce without undue or unreasonable restrictions, regulations or harassment from government entities and /or public or private sectors.
- 2) actions to ensure that farmers be protected from undue liability and nuisance suits and harassments when carrying out normal production practices.
- 3) basic right to farm, right to harvest, right to access roads and highway policies designed to secure legislation defending 100 percent of the owner’s interest in

agricultural development of rural land.

- 4) further steps to educate law enforcement on agricultural laws and practices.

Agricultural operations that are consistent with sound agricultural practices are presumed to be reasonable and do not constitute a public nuisance.

326 ZONING ORDINANCES

We support:

- 1) notice by mail to affected landowners of proposed new zoning maps or adjustments to current maps.
- 2) the opportunity for affected landowners to meet with county planners prior to public hearings.
- 3) codification of existing case law regarding condemnation, zoning, and land-use to ensure harmony of interpretation by governmental entities.
- 4) the Private Property Ombudsman having authority to intervene on behalf of property owners in cases involving both takings and land-use questions.
- 5) giving the office of the Private Property Ombudsman authority and budgetary resources to provide information that assists private interests and local governments in protecting private property rights.
- 6) local ordinances that allow for the discharging of a firearm within city limits for the disposal of unprotected animals (varmints), such as skunks, raccoons, etc. that have been trapped and for the slaughter of animals for personal consumption.
- 7) modifying the state fire suppression code to protect rural communities' from unreasonable regulations and ordinances.

We oppose government zoning of private property without the consent of the landowner.

Land Divisions – We support continued flexibility and ease in dividing agricultural lands.

Any changes to subdivisions procedures should:

- 1) consider tiering regulatory requirements for subdivision approval and basing the tiers upon the size and impact of the proposed subdivision with minimal subdivision requirements and no exactions for smaller agricultural lands.
- 2) maintaining the current agricultural division process using metes and bounds for large acreages of land and not requiring surveys and plats.

We oppose:

- 1) the use of zoning as a mechanism to preserve open space at the expense of the landowner.

- 2) assessments by Special Improvement Districts (SID's) on agricultural lands where landowners do not utilize the improvements.

327 PLANNING COMMISSIONS

We support:

- 1) appointment of agricultural representatives on planning and zoning commissions.
- 2) protection of private property rights, especially regarding subdivision ordinances, as a priority for planning commissions. Landowners should not be encumbered by any governmental entity in exercising their right to buy or sell property. Furthermore, there should be no net loss of private lands within counties.
- 3) property owners only being required to install improvements proportionate to the impact of development. We oppose property owners bearing the disproportionate cost of creating amenities for the public interest.
- 4) county, state, and federal governments adhering to county plans. State or federal agencies should not attempt to intimidate counties once plans have been adopted.
- 5) the creation of a state land use plan so long as it is made up only as a compilation of the county land use plans, including updates of county plans, and not as a separate plan.
- 6) continued funding and technical assistance to aid counties in developing, adopting, and updating county plans.
- 7) involvement of agriculture in development of county plans.
- 8) the development and mapping of livestock driveways and waterways as part of a county's transportation plan revision.

We oppose land being designated as "sensitive land" for its agricultural, ecological or archeological value.

328 AQUACULTURE

Disease Testing - We support:

- 1) a state funded aquaculture indemnification program at 75% of market value for private aquaculturalists required to eradicate diseased fish.
- 2) national "minor use for minor species" legislation to make drugs more readily available to treat diseased fish.
- 3) a legislative appropriation to establish a fish section at the Utah Veterinary

Diagnostic Lab.

- 4) an independent third party certified lab that would conduct all tests for all fish diseases.
- 5) scientific studies that would evaluate the financial and economic impacts to both the public and private aquaculture industries.

Fish suspected of carrying whirling disease may be stocked only in waters known to be infected with whirling disease. If a private aquaculture producer is shown to be positive for whirling disease following a confirmatory test, a second test by a separate, certified lab should be required in order to verify that the disease is present. If these tests are not in agreement, a third test at another certified lab should be required. These tests should be completed within six months.

We oppose use of new, more sensitive tests for fish diseases that are above the standards set in the American Fisheries Society (AFS) Blue Book.

We support state or federal assistance in the form of low interest loans or other disaster relief for fish farmers who must remodel or go out of business due to whirling disease.

Institutional Aquaculture – We support:

- 1) limiting production of fish at institutional production facilities to 2,000 lbs. annually and marketing such fish on the same basis as private aquaculture.
- 2) limiting live fish transplants from closed institutional aquaculture systems to permitted ponds only under the authority of the original fish supplier's certificate of health.

Fish Stocking – We support:

- 1) purchase of fish for public fisheries by the DWR from certified private sources on a bid basis in lieu of expanding the state owned hatchery system;
- 2) bid invitations being issued at least 12 months in advance of purchases; and
- 3) stocking of fish not smaller than ten fish per pound in any waters where whirling disease has been found.

Commercial fee fishing - We support:

- 1) commercial fee fishing operations on privately stocked natural streams and lakes which are on private lands; and
- 2) exempting private ponds that do not naturally enter public water from regulation and inspection by the DWR or the Utah Department of Agriculture and Food (UDAF).

Funding for Fish Health Policy Board – We support a legislative appropriation that would meet expenses incurred by the Utah Fish Health Policy Board.

329 DAIRY PROGRAM

Marketing - We support:

- 1) voluntary producer supply management programs.
- 2) continued emphasis by the Utah Department of Agriculture and Food to develop markets for dairy product exports.
- 3) funding for research and development of dairy ingredients.
- 4) increased funding for the U.S. Dairy Export Council.
- 5) a state milk marketing order and other revenue enhancing programs.
- 6) generic promotion of dairy products and displaying the “real” seal on products produced and processed in the USA.
- 7) institution of regional dairy marketing opportunities such as compacts and marketing agencies.

We oppose the FDA memorandum calling for the USA to give “grade A” status to foreign milk.

Federal Dairy Deregulation - We support a phase-in period of five years for any deregulation of the dairy industry.

National Fluid Milk Standard - We support a national fluid milk standard consistent with the California standard.

Federal Milk Marketing Order - We support modifications in the Federal Milk Marketing Order that will enhance the price of milk received by producers. These modifications would include, but not be limited to:

- 1) adjusting USDA formula for making allowances on Class III milk, and
- 2) the opportunity for producers to vote on amendments to the FMMO rather than just an up or down on the whole order.

Raw Milk –

Food safety, in both perception and reality is important to producers and consumers. Because of the risk inherent in the consumption of raw milk we propose the following:

We support the transportation and sale of raw milk packaged for retail sale so long as the producer follows the following requirements:

- 1) Retain ownership of the milk until final sale to the consumer.
- 2) Have a current Hazard Analysis Critical Control Point (HACCP).

- 3) Increase frequency of milk testing:
 - a) Producer/Processor Handler required to bear the expense of additional testing.
 - b) Maintain current UDAF Bacteria and Pathogen Tests including antibiotic residue testing
- 4) Meet labeling requirements such as , but not limited to:
 - a) Use by/sell by date (maximum of 9 days from production to final sale)
 - b) Health risk label informing raw milk consumer of health risks associated with consumption of raw milk,
 - c) Raw Milk handling label that educates consumers on how to handle raw milk at home to maintain and preserve quality and to avoid contamination/spoilage leading to health risks associated with unpasteurized milk
- 5) Milk processing facilities should meet the same health and sanitation requirements and standards required for restaurants including:
 - a) Certifiable, reviewable, milk testing lab and technician.
- 6) Have and follow strict retail quality control protocols and standards:
 - a) Mandatory 3rd party milk testing @ point of sale of every batch bottled and prepared for retail (Milk will be held off store shelves until batch tests come back and are clean)
 - b) All raw milk sold must have been handled and maintained at a specific temperature requirement and is subject to regular and random milk cooler checks.
 - c) Maintain a database of all raw milk sales
- 7) raw milk and pasteurized milk may not be sold at the same farmer owned off premise retail location.

We oppose a cow share program in any form.

330 PORK INDUSTRY

Marketing - We support:

- 1) the development of local and regional markets.
- 2) Utah Department of Agriculture and Food and local producers working together to develop global markets for pork.

Pork Check-off - We support:

- 1) the National Pork Check-off.
- 2) a vote to continue the check-off, provided there is a full annual accounting of how the money is used.
- 3) applying the pork check-off collection to U.S. and imported slaughter hogs.
- 4) the exemption of feeder pigs and breeding animals from the check-off.

331 TURF GRASS

Turf grass is important to quiet enjoyment and quality of life for public and private property owners.

We support:

- 1) research, education, development and marketing of drought and heat tolerant varieties of turf grass and other ornamental plants, in order to better manage Utah's scarce water resources.
- 2) the definitions of "xeriscape", "water conserving landscape", and "water efficient landscape" as a landscape that includes but is not limited to: the water conserving principles of planning and design, soil improvements, appropriate plant selection, practical turf areas, efficient water distribution and scheduling, mulching, and appropriate maintenance.

We oppose any provisions or ordinances limiting the use of turf grass or other ornamental plants in public or private spaces.

332 AGRICULTURAL TRADE & COMPETITION

We support:

- 1) competitive livestock markets to assure fair market prices.
- 2) allowing packer buyers to purchase cattle for other feeders in addition to their employer.
- 3) continued appropriations for UDAF's Market Reporting Service and information gathering techniques that ensure accurately reported data.
- 4) independent producers forming alliances and other strategic business arrangements that will help them survive the changing structure of agriculture.

We oppose:

- 1) unfair subsidies to group farming projects such as the Navajo Ag Product Industry in New Mexico and the Ute Farms in Colorado.

- 2) European Union attempts at inward processing to increase exports in excess of WTO rules.
- 3) proposals to limit packer ownership of livestock to 14 days.
- 4) the opening of the Canadian Border to cattle over the age of 30 months of age.

333 PRODUCER SECURITY

We support:

- 1) increasing the upper limit of bonding requirements for agricultural dealers and processors.
- 2) increased authority and flexibility for the Commissioner of Agriculture to require audits and financial reports from dealers to help determine proper bond levels.
- 3) sellers of agricultural products being protected by product lien laws.

We oppose bonding provisions governing the sale of commodities farmer to farmer.

334 AGRICULTURAL RESEARCH AND DEVELOPMENT

Utah State University (USU) Cooperative Extension and Agriculture Experiment Station are essential to the welfare of the agriculture industry and all Utahns.

We support:

- 1) the state legislature appropriating funds to Utah State University (USU) for further research, education and extension services. This threefold mission should emphasize:
 - a) farm efficiency,
 - b) profitability,
 - c) innovative marketing techniques,
 - d) new uses for products,
 - e) alternative crops suitable to Utah,
 - f) beneficial and economical uses of crop residue,
 - g) biotechnology, including a consumer education program, and
 - h) marketing strategies that involve futures and options trading.
- 2) changing the funding paths and legislative oversight of USU Extension and Agriculture Experiment Station from the legislature's Higher Education Appropriations Subcommittee to the Natural Resource Appropriations Subcommittee.
- 3) Utah Agriculture Experiment Station pursuing federal funding for fur industry

research.

- 4) an annual review by agricultural commodity interests to help establish research, extension and education priorities at USU.
- 5) expediting the approval process of biotechnology products by government agencies.
- 6) the continued use of animals in medical research in order to insure medical advances that lead to enriched quality of life in humans as well as animals.
- 7) continued legislative appropriations for the fruit research farm in Utah County.
- 8) USU Extension "Children at Risk" program.
- 9) the continued improvement, development and approval of crop and livestock technologies.

335 FRUIT AND VEGETABLES

We support:

- 1) a national fruit promotion program.
- 2) adoption of a USDA marketing order for fruit and vegetable growers.
- 3) removing restrictions on fruit, specifically apples and all vegetable sales to Mexico.
- 4) timely implementation of laws and regulations regarding control of fruit tree and vegetable diseases and pests.
- 5) efforts to protect the continued use of crop protection tools and pesticides.
- 6) full funding for the pest diagnostic lab at Utah State University.
- 7) efforts that encourage and ensure the supply of labor from foreign countries for the U.S. fruit and vegetable industries.

336 AGRICULTURAL LABELING

We support:

- 1) legislation that makes it illegal to put commodities in improperly labeled containers. (i.e. packaging low quality fruit in a box labeled for high quality fruit).
- 2) reuse of containers when the label accurately reflects the contents.
- 3) country of origin labeling of imported food products identifiable to the consumer at the point of sales.
- 4) voluntary country of origin labeling for sheep, poultry, pork and beef.
- 5) USDA approved market based certification programs which identify production

practices used to produce such food.

We oppose false, misleading, or deceptive marketing and promotion and/or label claims, including the use of absence claims on food labels, when compared to other products not bearing such claims, unless sufficient scientific evidence exists to substantiate the claim.

Animal Identification – We support the establishment and implementation of a coordinated state and national animal identification system that incorporates the following principles:

- 1) Is capable of providing support for animal disease control and eradication, as well as enhancing food safety.
- 2) Is voluntary and is economically motivated and driven.
- 3) Is not governmentally mandated.
- 4) Gives the producer flexibility to use electronic devices, and includes current permanent forms of identification such as brands and tattoos.

337 COMMODITY PROMOTION CHECKOFF ADMINISTRATION

We support:

- 1) involuntary promotion programs which use the taxing authority of government to collect funds from producers provided they are:
 - a) managed by an independent board of directors made up of producers,
 - b) members of the board are elected by those who pay the promotion fees, without regard to political or farm organization affiliation.
- 2) commodity promotion check off programs.
- 3) urging producers to vote for continuance of the program in any referendum.

338 FOOD QUALITY, SAFETY AND REGULATORY ASSURANCE

We support:

- 1) science-based implementation of the Food Quality Protection Act (FQPA).
- 2) sufficient time for producers to adjust to cancellation of traditional management tools.
- 3) access to critical pesticides used for crop and livestock production, along with increased funding for research on alternative crop and livestock protection tools.
- 4) practical, feasible, and economical use of pesticides and livestock treatments in accordance with label directions, along with reasonable, economical, and feasible record keeping of such uses.

- 5) delaying the Food and Drug Administration's (FDA) restrictions on juice processors regarding hazard analysis and critical control point ruling until the restrictions can be scientifically justified.
- 6) irradiation of meat, poultry, fruit and vegetables.
- 7) promoting the livestock and dairy quality assurance programs, including the beef injection site recommendations.
- 8) the relocation of the State Grain/Hay Inspection Facility (Ogden) to a more suitable area to accommodate commerce.
- 9) annual calibration, inspection and certification of wholesaler single component feed calibration equipment(i.e. moisture testing, protein percentage) by the Utah Department of Agriculture and Food compliance officers.

339 ANIMAL HEALTH

We support:

- 1) maximum enforcement of animal health laws and regulations, including restrictions on importation of foreign livestock into the U.S..
- 2) state or federal assistance in the form of low interest loans, grants, or other disaster relief if losses or health hazards attributed to serious animal diseases confront livestock operators in Utah.
- 3) livestock, poultry and aquaculture producers following reasonable and prudent measures in preventing the spread of infectious diseases.
- 4) testing for diseases transmittable to livestock and humans on all transplantable big game.
- 5) the continued use of antibiotics and sulfonamides in agriculture.
- 6) scientific and economic studies before removing any antibiotics from use in agriculture.
- 7) maintaining a veterinary diagnostic laboratory in southern Utah.
- 8) the certification of the Utah Veterinarian and Diagnostic Laboratories.

Trichomoniasis – We support:

- 1) current state regulations for bulls testing positive for trichomoniasis foetus.
- 2) allowing a PCR test to differentiate between venereal and intestinal forms of trichomoniasis. Bulls carrying intestinal forms of trichomoniasis should not be sent to terminal markets or otherwise restricted.
- 3) an enhanced penalty for livestock owners who fail to test for trichomoniasis.

- 4) a continued research program that leads to a more reliable trichomoniasis test.
- 5) the State of Utah using a better quality ear tag.
- 6) The testing of all dairy and rodeo bulls for trichomoniasis.

Swine Health Regulations - We support:

- 1) strict enforcement of applicable blood testing requirements on all hogs shipped across state lines.
- 2) requiring all livestock shows involving swine (in order to protect against the spread of Porcine Respiratory and Reproductive Syndrome), to either:
 - a) only show barrows, or
 - b) ensure the event is a terminal swine market.

Brucellosis Vaccination - We support:

- 1) strict enforcement of the brucellosis testing program for all female bovine stock in accordance with state and federal laws.
- 2) encourage all cattle producers in the state to continue calf-hood brucellosis vaccination as a practice of good husbandry.

Johne's Disease – We support:

- 1) efforts of the Utah Johne's Disease Advisory Committee, along with state funding to develop improved methods for detecting and controlling Johne's disease.
- 2) building a nationally legislated fund to slaughter Johne's positive cows by using USDA market loss funds.

Chronic Wasting Disease – We support the use of government funds to research Chronic Wasting Disease, its cause, transmissibility, and prevention in cervids. We support increased funding to the Division of Wildlife Resources (DWR) to do extensive testing of wildlife to determine if CWD exists in cervids.

Scrapie – We support continued priority funding for scrapie research until the disease is controlled through the ongoing testing regimen.

State Veterinarian Funding - We support additional funding for the State Veterinarians office to be used to enforce health safety rules at livestock shows and fairs.

340 RODENTS, GRASSHOPPERS AND CRICKET CONTROL

We support:

- 1) timely and adequate funding and facilities for effective control.
- 2) increased funding for each infested county, by state and federal governments, to

combat infestation of crickets, grasshoppers, meadow voles, pocket gophers, and other pests.

- 3) control measures on state and federal lands adjacent to private property.
- 4) early monitoring to determine location of insect, and/or rodent infestation and maximization of resource allocation.

341 AGRICULTURE AND THE ENVIRONMENT

Air Quality – Odor - We support:

- 1) development of state guidelines to assist local officials in establishing air quality ordinances and regulations with state guidelines that have input from agriculture.
- 2) development of technologies that reduce negative environmental impacts to air as well as water.
- 3) managing of odor through voluntary, incentive-based approaches.
- 4) air quality standards being established based on regions and sound scientific data rather than on a nationwide standard.
- 5) development of a voluntary and incentive based, state level program to help Utah livestock producers comply with reporting and management practices required under the Clean Air Act.
- 6) agriculture being exempted from CERCLA and EPCRA reporting requirements.

We oppose:

- 1) government regulations mandating animal and odor control unless:
 - a) justified by sound scientific research,
 - b) technology exists to accurately quantify odor emissions, and
 - c) the regulation requires consideration of economic feasibility.
- 2) overemphasis on agriculture's relative contribution to regional, state, and local air quality.
- 3) government regulations mandating air quality control over dust and emissions from farm machinery and equipment.

Clean Air - Ammonia is not carcinogenic, mutagenic, teratogenic nor neurotoxic, in either low or high volumes of exposure, nor does it present any significant public health hazard or environmental hazard through chronic exposure to routine emissions. We therefore support the exemption of ammonia from agriculture emissions standards.

342 EMINENT DOMAIN

Agencies and utilities, with condemnation powers, should be required to:

- 1) attempt to purchase property at fair market value before announcing plans to condemn it.
- 2) inform property owners about the Private Property Ombudsmen, even prior to condemnation or threatening condemnation when land sales are being negotiated.
- 3) notify citizens potentially affected by projects in which eminent domain will be utilized to allow for feedback and input.
- 4) give certified written notice before entering property to survey for condemnation.
- 5) provide the government appraisals to the owner of the property proposed for condemnation.
- 6) make property owners aware that oral representations made by any agency representative are not binding.
- 7) return property to the condemnee at not more than the original compensation price when not utilized for the purpose for which it was condemned.

We oppose:

- 1) counties, cities, political subdivisions and other governmental entities condemning agricultural water rights inside or outside their jurisdiction.
- 2) eminent domain as a means to acquire water rights.
- 3) the use of eminent domain for recreational purposes, private economic development, or to expand the land holdings of wildlife agencies.
- 4) granting the power of eminent domain to the Utah Lake Commission.
- 5) the use of state, federal, local or county taxes to fund any organization and its developmental programs and projects which, are specifically intended for private development and condemnation purposes.

343 USDA FARM SERVICE AGENCY PROGRAMS

We support:

- 1) protecting the quality of the Colorado River water by implementing the approved Colorado River Salinity Control Environmental Impact Study (EIS) as soon as possible.
- 2) designating the salinity areas in the Colorado River Salinity Control EIS as priority areas for Environmental Quality Improvement Program (EQIP) funding.

- 3) the continuation of the Colorado River Basin Salinity Control program in its original form and purpose. Control should remain with the local working committees.
- 4) irrigated farms assigned dry land yields in the 1985 Farm Bill being updated to irrigated yields for direct Commodity Credit Corporation payments.
- 5) U.S. Department of Agriculture soliciting and considering agricultural input on proposed regulations and procedures early in the rule drafting process.
- 6) efforts to streamline USDA-FSA as long as such efforts consider:
 - a) achieving savings through eliminating administrative inefficiencies at the Federal, State and local levels.
 - b) provide high quality, professional services to producers within a reasonable distance.

We oppose any unilateral county office closures or consolidations without input from state and county officials on the impact of local economies and on the affected producers.

344 ENERGY

We support:

- 1) reprocessing nuclear waste as a way to generate additional energy.
- 2) exempting electrical cooperatives from mandatory purchases of renewable energy.
- 3) temporary or permanent low-level radioactive waste storage.
- 4) incentives to facilitate the development of renewable energy sources.
- 5) the development of agricultural commodities for fuel sources.
- 6) efforts aimed at establishing ethanol and other bio-fuels as an economical and readily available choice for American consumers. Any subsidies employed should be limited to balance against the indirect subsidies favoring fossil based fuels as the established fuel of choice. In time, as the bio-fuel industry develops, support should be redirected from production to:
 - a) Expanding retail availability.
 - b) Better and more profitable utilization of by products by the livestock feeding industry.
 - c) The development of bio fuel crops that co-produce both feed/food and bio fuel. (cellulosic)

Surface and Mineral Rights – We urge landowners to study contracts, ownership of

surface and mineral rights, reclamation and bonding requirements carefully before entering into mineral lease agreements.

When mineral rights are held differently from surface ownership, surface owners do have negotiating power with respect to roads, drill sites, timing, etc.

We encourage the State Private Property Ombudsman to provide education to landowners on their rights in negotiating leases. If the landowner does not understand the contract, then the landowner should contact the Division of Oil, Gas and Mining within the Department of Natural Resources.

We encourage exploration and extraction on all eligible private, state and federal lands.

We support a simplified method for removal of property encumbrances from past and void leases.

We strongly urge private property owners to seek professional assistance when negotiating contracts with development companies.

We support:

- 1) Farm Bureau's involvement in any legislation dealing with mineral exploration that may have a potential impact or effect on private property.
- 2) fair and competitive pricing of petroleum products.
- 3) the State of Utah providing information regarding water which is gathered when oil and gas wells are drilled or require oil and gas companies to provide the information to the state.
- 4) compensation to grazers when AUM's are lost due to oil and gas exploration and development.
- 5) consideration of surface owners and users in allowing input into the planning, exploration and development of mineral rights to minimize the impact on agricultural operations. Compensation should be rendered when there is an adverse impact to the surface owner or user.

Global Warming and Climate Change

Carbon based energy has been principally responsible for improving the human race's quality of life and standard of living since pre-historic man gained control over fire. Carbon based energy has been the driving force for American and global economic growth and involved in the creation of nearly all goods and services. The current debate addressing global warming will increase the size, cost and power of government.

- 1) There is considerable agreement that the earth is currently in a warming period.
- 2) There is no scientific consensus on the factors that have caused warming.

- 3) There appears to be an international political agenda pushing the Intergovernmental Panel on Climate Change (IPCC) to conclude man is the cause of global warming.
- 4) Expensive technologies and policy proposals could hobble our nation's economy and greatly increase energy input costs to farmers and ranchers.
- 5) There are opportunities to address our nation's dependence on foreign oil that are positive for our environment, including clean coal technologies, cost effective renewables, conservation and efficiency.
- 6) There is scientific consensus that simply implementing carbon reduction strategies will not have a significant impact on reducing global temperatures, especially recognizing industrializing countries like China, India and Russia are greatly expanding their carbon footprints.

We oppose mandates, such as carbon taxes and cap and trade policies that would adversely impact agriculture by increasing costs of electricity, fuel and fertilizer.

MONETARY AND TAX

345 TAX POLICY - We support:

- 1) a balanced tax policy for Utah that includes property tax, income tax and sales tax.
- 2) increased federal payments in-lieu of taxes on public lands and increased sharing of rent and royalty revenues, with in-lieu payments that reflect current values paid by other taxpayers as reflected in the Action Plan for Public Lands and Education (APPLE) Initiative.
- 3) exempting private stock water companies from property tax.
- 4) motor fuel taxes as the basis for construction and maintenance of Utah's highways and a system that will minimize interest costs.
- 5) income tax reform with consideration to converting the federal income tax to a retail sales tax.
- 6) the repeal of state and federal estate taxes.
- 7) retaining all sales tax exemptions currently available to Utah agriculture.
- 8) all farm products and other related products used for transporting, selling, producing, and or installing should remain with a tax exempt status and be protected against all sales tax and/or personal property tax.

The term farm product is defined as any products requiring one or more of the following processes: a) Breeding b) Planting c) Fertilizer d) Watering e) Cultivating or f) Harvesting.

- 9) property valuations for agricultural lands that reflect current agricultural productivity values. Taxable value, however, should not exceed market value.

We oppose:

- 1) a sales tax being applied to hay sales.
- 2) the removal of sales tax on food.
- 3) diverting motor fuel taxes for other purposes, including mass transportation.

Farmland Assessment Act (Greenbelt)

The Farmland Assessment Act (Greenbelt) is essential to maintaining a viable agriculture in Utah. Voters approved this constitutional amendment to encourage retention of land in agriculture. County Assessors should enforce greenbelt qualification requirements to prevent abuses. We support:

- 1) the Farmland Assessment Act (FAA) in its present form and oppose expanding its strict focus on agriculture to include private lands that are managed specifically for public wildlife purposes. Each acre should be valued according to its individual use and not by the entire parcel.
- 2) the current rollback provision of the FAA as reasonable and necessary to preserve fairness and integrity of the law.
- 3) elimination of state and federal capital gains taxes.

346 TUITION TAX CREDIT

We oppose a tuition tax credit unless it holds harmless rural school districts and vocational agriculture education.

EDUCATION

347 AGRICULTURE IN THE CLASSROOM - We support:

- 1) permanent funding for agriculture in the classroom programs in all public schools to improve student understanding of agriculture's importance in our economy and as the source of our food and fiber.
- 2) educational emphasis on the proper care of animals and the multiple use of

public lands.

- 3) increased broad-based Agricultural Education programs in secondary schools.

348 HIGHER EDUCATION - We support:

- 1) the Land Grant University system. specifically the Utah State University research, teaching and Extension mission, and USU should:
 - a) expand its distance learning programs.
 - b) teach both lower and upper division courses on Extension campuses .
 - c) assure Gubernatorial appointment of at least two bona-fide agriculture industry representatives to both the Utah Board of Regents and the USU Board of Trustees.
 - d) allow out-of-state students residency status after one year of continuous Utah residency.
 - e) offer elementary education degrees at each distance learning site in Utah.
 - f) be adaptable and responsive to the changing needs of agriculture, including but not limited to, air, environmental and water issues.
- 2) requiring an agricultural appreciation course for all undergraduate degrees.

349 FARM SAFETY/RURAL HEALTH - We support:

- 1) an active farm safety/rural health program.
- 2) an aggressive program to prevent the spread of the West Nile virus and urge the use of whatever methods necessary to control mosquitoes which are vectors on private and public lands.

350 PUBLIC SCHOOLS - We support:

- 1) an improved education delivery system which will:
 - a) ensure mastery of competencies,
 - b) allow greater individual flexibility in educational goals,
 - c) create partnerships with business, and
 - d) instill students with attributes of responsibility and discipline.
- 2) curriculum revision of high school agriculture science classes to ensure they qualify as science credits for graduation and at universities.
- 3) increased oversight of approved school instructional materials to ensure they accurately portray agriculture.

- 4) increased aptitude orientation and occupation related training in high school.
- 5) an annual state-wide, activities-based audit on public schools to determine expenditures on core curriculum versus other activities.
- 6) creating the ability for industry professionals, including retirees, to teach classes at high school and at colleges.
- 7) granting local school boards the flexibility to meet a 990-hour school year requirement without regard to the 180-day minimum.
- 8) maintaining drivers education in the public state education system.

351 COOPERATIVE EXTENSION – RESEARCH - We oppose:

- 1) cuts in federal budgets that would reduce or eliminate beneficial programs in extension.
- 2) a reduction in the USU Extension program in the areas of animal agriculture, dairy specialists, agricultural sciences, and cattle production.

352 BUILDING SCHOOLS WITHOUT BONDING

We support studies to identify sources of funding, other than bonding, to build new school buildings.

LAW ENFORCEMENT

353 GANGS

We support efforts made by the governor, the legislature, law enforcement officers, and local communities to eliminate gangs and violence.

354 TRESPASS - We support:

- 1) strengthening the criminal trespass code and its enforcement by:
 - a) considering private property closed unless one has permission to enter.
 - b) aggressive ticketing and mandatory fines of individuals on private property without permission or discharging a firearm or other device into private property from adjacent property without permission.
 - c) prohibiting “hot pursuit” of injured wildlife as a waiver of the trespass law.
 - d) exempting landowners from liability for injuries or deaths that occur to trespassers as a result of their trespassing actions.
 - e) property owners receiving full compensation for damages caused by

trespassers.

- 2) requiring government employees to obtain permission from the landowner prior to entering private property.
- 3) increasing the penalties for trespassers.
- 4) efforts to further educate and familiarize law enforcement officials with existing statutes related to trespass.
- 5) a state trespass statute which provides civil statutory damages, plus attorney fees up to \$250 and court costs for a minimum specified amount of \$500.

We oppose the public's access onto land that is below the historic "high water" mark of streams. The access right should be limited to the stream channel proper.

355 EFFECTIVE LAW ENFORCEMENT - We support:

- 1) concern for the rights of crime victims as well as the accused.
- 2) administration of justice through fair and timely trials with sentences appropriate to the crime.
- 3) restitution by money and/or labor to victims by juvenile or adult perpetrators of crimes against persons or property. Parental responsibility in the case of juveniles should not be ignored.
- 4) capital punishment or life imprisonment without parole upon conviction of first-degree murder.
- 5) strict enforcement of drug laws.
- 6) stronger enforcement and penalties for drivers who fail to carry automobile insurance.
- 7) inmates working to help provide for their keep.
- 8) public lands agencies contracting with the local county for law enforcement services on federal lands rather than organizing their own law enforcement.
- 9) increasing the distance for which individuals may discharge firearms from agricultural structures, farm equipment, wells and engines, as defined in State statute. We further support expanding the definition of such a structure to include structures used to hold and work livestock (both temporarily and permanently) for the purpose of feeding and fattening livestock either with pastured feed or imported feed.

356 BRAND INSPECTION - We support:

- 1) strict enforcement of brand inspections for livestock at the point of sale and at all slaughter facilities.
- 2) reciprocal brand inspection agreements with neighboring states, especially to avoid duplicate brand inspections when livestock are sent to auction.
- 3) a fee waiver for brand inspections of livestock that routinely move between pastures within neighboring states.
- 4) employment of brand inspectors familiar with livestock producers they serve.
- 5) training of local and state law enforcement personnel on brand inspection laws and procedures in order to curtail illegal hauling of livestock.

357 LIVESTOCK THEFT AND DESTRUCTION - We support:

- 1) maximum penalties for livestock theft and mutilation or imposition of felony convictions involving livestock.
- 2) livestock owners cooperating with law enforcement officers by swearing out complaints against those who are apprehended while committing crimes involving livestock theft, mutilation and/or crimes against livestock.
- 3) imposing the same penalty for illegal killing of livestock, as for the poaching of big game.
- 4) assistance by the DWR in investigating illegal livestock killing.
- 5) payment of treble damage fines by those convicted of theft, mutilation or other crimes against livestock.
- 6) payment of treble damage fines and severe punishment for those convicted of unauthorized release of farm and research animals or sabotage at farms, product processing or research facilities.
- 7) funding for additional Livestock Theft Investigators.

358 GUN CONTROL - We support:

- 1) the constitutional right to own and to bear arms.
- 2) rigid enforcement of laws controlling the use of firearms and particularly when the user of a firearm is under the influence of alcohol or drugs.

359 UTAH CORRECTIONAL FACILITIES

We support assessing the cost of prosecuting and defending inmates at state correctional facilities to the state of Utah rather than the county in which the facility is located.

LABOR

360 LABOR SUPPLY - We support:

- 1) approval by Congress of a new program to adequately supply labor for agriculture work.
- 2) adoption of the H-2A labor reform program to:
 - a) reconfigure wage rates based on state averages,
 - b) streamline the application process, and
 - c) allow for a one-time adjustment of status for current immigrant laborers.
- 3) amending child labor laws to allow family-owned farm corporations and partnerships the same requirements and privileges as accorded to sole proprietorships.
- 4) increasing the exemption threshold for the payment of unemployment insurance from \$20,000 to \$40,000 in total quarterly wages.
- 5) the establishment of an economical and effective guest worker program that will allow foreign workers with appropriate identification to work in the U.S.
- 6) a guest worker bill for agriculture being sent to Congress as a stand alone measure and not attached to other immigration bills.

Homeland Security –

We support proactive measures against any form of agricultural terrorism. Perpetrators of such terrorist activities should be subject to felony conviction and maximum penalties including loss of their tax-exempt status if applicable.

We oppose:

- 1) driver's licenses for illegal aliens.
- 2) allowing illegal aliens to vote, and access to government programs.

361 WORKERS COMPENSATION - We support:

- 1) WCF remaining the insurer of last resort.
- 2) retaining their current tax exempt status.
- 3) taking proactive steps to reduce premium cost to high risk books of business.

We oppose the privatization of the fund.

TRANSPORTATION

362 RURAL HIGHWAY FUNDING AND REGULATION - We support:

- 1) funding of transportation needs in rural Utah, including tolling as a viable funding mechanism for transportation projects.
- 2) UDOT planning for highway construction that will preserve viable farming operations.
- 3) local government's statutory authority to issue and enforce permits to groups that use state highways or local roads for organized events, provided that these events will not interfere with community or agricultural transportation needs.
- 4) a local option by individual counties to take over maintenance of selected state roads.
- 5) the Utah "Adopt a Highway" program. However, sponsors should not be allowed to display political statements on signs used in the program.
- 6) sufficient road shoulders that may serve as an emergency lane on state highways as traffic loads increase.
- 7) the extension of I-70 West.

363 RURAL ECONOMIC DEVELOPMENT

We support the National Heritage Highway rural development concept, including agritourism, and will cooperate with counties and economic development agencies to promote its goals.

364 HIGHWAY 6 TRANSPORTATION CORRIDOR

We support a four-lane roadway from the intersection of Interstate 15 to the intersection of Interstate 70 (Highway 6).

365 CLASS D ROADS - We support:

- 1) limiting counties ability to claim jurisdiction over and designate privately constructed roads on private land as Class D roads unless a public right has been obtained by:
 - a) gift,
 - b) prescriptive easement,
 - c) eminent domain proceedings,

- d) purchase, or
 - e) prior written permission from landowner.
- 2) counties abandoning public interest in all class D roads on private property not obtained utilizing one or more of the above five conditions.
 - 3) counties vacating class D roads on private property if there has been 10 years of continuous non-use if requested by the landowner.

366 ROAD EASEMENTS AND CLOSURES

We oppose public road status and automatic access to adjacent private lands when road easements across private lands are granted to oil companies or other non-public entities. Public access on these roads should be by written permission of the affected landowners.

367 TRAFFIC RELATED LAWS - We support:

- 1) amending Utah law to align with surrounding states' laws which allow for increasing tandem weight limits as long as such increases do not exceed the allowable gross weight limit of a vehicle.
- 2) consistency in state trucking weight limits.
- 3) adoption by Utah Motor Carrier Division of exempting hauling of agricultural supplies or commodities from the 70 hour work week limitation during the planting and harvest season.
- 4) exempting drivers licensing requirements for OHV use on implements of husbandry on private and public lands.
- 5) the current statute exempting agriculture from "Track Out" regulations on public and private thoroughfares.
- 6) an agricultural exemption related to the parking of implements of husbandry within city and county limits. Implements of husbandry should not be required to be parked on improved surfaces or behind screened or fenced areas.

368 MEDICAL CARDS

We oppose federal and state regulations that require all drivers of articulated agricultural vehicles with 10,001 or more GVW ratings to have a medical card.

369 VEHICLE SAFETY INSPECTIONS

State vehicle safety inspections should be valid for one year from the date of inspection regardless of changes in ownership.

370 LIVESTOCK TRAIL RIGHTS

We support historic livestock trail rights-of-way remaining open through developed areas and on federal and state lands.

371 DETAINING LIVESTOCK AT PORTS OF ENTRY

We support quick action and assistance by port officials to assure that vehicles hauling livestock are not detained for more than one hour.

MISCELLANEOUS

372 GOVERNMENT BY INITIATIVE

We support the republic form of government. We support the initiative process only when the following guidelines are in place:

- 1) Those soliciting signatures must disclose whether they are being paid to collect signatures and who is paying for the signatures.
- 2) The main points of the effort must be disclosed when each signature is collected.
- 3) Anyone signing petitions must be allowed 3 business days after the county clerk filing to request that their signature be removed, with a no requirement of notary public acknowledgement.
- 4) Those soliciting signatures cannot register voters at the same time as collecting petition signatures.

We oppose the use of the initiative process to establish new taxes or tax increases.

373 HEALTH CARE

We support:

- 1) caution in establishing new mandates on health care insurance.
- 2) tort reform that limits liability payments to plaintiffs and their attorneys' fees in cases of malpractice suits against health care providers.
- 3) continued health care research directed towards improved health care in the future.
- 4) full deductibility of health insurance premiums for self-employed taxpayers.
- 5) living wills that give patients the right to have life support devices discontinued.

374 FRIVOLOUS LAWSUITS

We support:

- 1) a requirement for parties to lawsuits whose claims are denied and found to be frivolous to pay court costs and damages.
- 2) efforts to eliminate frivolous lawsuits designed to block grazing on public lands.
- 3) efforts to limit awards for malpractice lawsuits.
- 4) state appropriations to defend agricultural interests from environmental lawsuits.

375 UTILITY TELECOMMUNICATIONS PUBLIC RIGHTS-OF-WAY

We support:

- 1) exempting non-profit utilities from annual public utility right-of-way fees imposed by the Utah Department of Transportation (UDOT).
- 2) informing all entities desiring an easement within a right-of-way that they must obtain an easement from the property owner as well as the right-of-way owner.

376 UTAH STATE FAIR

We support the expansion and upgrading of the Utah State Fair Park through state appropriations, provided that increased emphasis is given to agriculture education and interactive displays in the exhibits and facilities during the State Fair. The Utah State Fair should be a showcase for agriculture and refocus on that mission.

We oppose moving the State Fair Park to another location.

377 PUBLIC UTILITY REGULATORY STRUCTURE

We support the independent advocacy role of the Committee of Consumer Services in the regulation of Utah's public utilities.

378 PUBLIC PRAYER

We support the right to public prayer and discussion of religious themes in public forums, including schools, and support a modification of the Utah Constitution, if necessary, to guarantee this right.

379 HOMOSEXUALITY

We support those who speak out against homosexuality.

We oppose:

- 1) establishment of homosexual or gay studies in schools.
- 2) same sex marriages or recognizing them with the same legal benefits that are given to heterosexual marriages.

380 PORNOGRAPHY

We support prompt action by Congress and/or the courts to prohibit by regulation and/or law the broadcasting of pornographic materials by any electronic device.

381 ABORTION

We continue to oppose tax-funded abortions, except for recipients who are victims of rape, incest, or where the life of the mother is endangered by the pregnancy.

382 PARENTAL RIGHTS

We reaffirm the right of parents to train, discipline and determine the care of their children.

383 WEATHER FORECASTING AND MODIFICATION

We support funding for the state climatologist at USU along with other agriculture weather forecasting and reporting programs.

384 POLITICAL PARTY AFFILIATION

We encourage political parties to be open and inclusive, thus allowing any qualified voter to participate in any political party's candidate selection process.

385 DEFINITION OF AGRICULTURE - We support:

- 1) standardizing the definition of agriculture as it is used within state code.
- 2) efforts to define a farm. The definition should be developed with strong producer input and should be consistent for all agencies.

Agricultural operations which meet the criteria for regulation under one specific set of rules should not automatically fall under jurisdiction of others. We recognize the importance and inherent value of small farms and ranches involvement in the agricultural industry.

386 HELP AMERICA VOTE ACT

We support the "Help America Vote Act" passed in 2002 and ensuring the money will be distributed to counties to update voting equipment and improve election administration.

387 AGRITOURISM - We support:

- 1) limiting liability for agritourism.
- 2) the following definition of agritourism: "Agritourism activity" means any activity

which allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy agricultural related activities, including, but not limited to, farming activities, ranching activities or historic, cultural or natural attractions. An activity may be an agritourism activity whether or not the participant pays to participate in the activity. An activity is not an agritourism activity if the participant is paid to participate in the activity.

- 3) statewide liability and zoning laws that remove barriers and disincentives for agritourism operations.

388 UTAH HORSE INDUSTRY - We support:

- 1) the Utah horse industry and resources as are necessary for its protection and endorsement, and recognize the economic contributions of the horse industry in the State of Utah.
- 2) voluntary horse ID for the purpose of tracking ownership.
- 3) the Utah State University Extension ADVS and Equine programs as the premier and leading equine education tool in the state of Utah.
- 4) the current definition in state statute defining horses/equine as livestock/animals of husbandry. Horses should be cared for under accepted animal husbandry practices.

We oppose:

- 1) any legislation that would not allow for the slaughter of horses.
- 2) any efforts to classify or define horses as companion animals rather than animals of husbandry.

389 DEFINITION OF POLLUTANTS

Pollutant or contaminant should not include any substances, including byproducts or constituent elements thereof, produced through natural biological processes of agricultural operations, such as farms, ranches, and all livestock and other operations where animals are confined and/or maintained for use or profit.

Byproducts or constituent elements thereof, produced through natural biological processes of agricultural operations shall not be considered an agricultural waste when it is returned to the soil as fertilizers or soil conditioners or used in agricultural or industrial processes and it shall not be considered a discarded material.

Agriculture should be regulated based on sound science and technical characterizations

that best represent the process and emissions from the particular operation/entity.

390 RISK MANAGEMENT INSURANCE – We support a gross income risk management insurance policy in addition to individual commodity insurance policies.

391 SMOKING - We support a statewide smoking ban at all public gatherings.

392 FARMERS MARKETS – We support efforts to more clearly define in state statute a “Farmers Market” in an effort to protect their integrity and ensure their future existence.

393 ANIMAL WELFARE -

Proper care of livestock, poultry and fur-bearing animals is essential to the efficient and profitable production of food and fiber. No segment of society has more concern for the well-being of poultry, livestock and fur-bearing animals than the producer. We support the right of farmers to raise and transport livestock in accordance with commonly accepted agricultural practices.

We oppose laws or regulations elevating the well-being of animals to a similar status as the rights of people.

394 REAL ESTATE TRANSFER ACT - We oppose real estate transfer disclosure in Utah. However, if the legislature passes such a measure it should provide stiff penalties to ensure confidentiality.