

Senator Dennis E. Stowell proposes the following substitute bill:

MITIGATION OF INVASIVE SPECIES

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dennis E. Stowell

House Sponsor: David Clark

LONG TITLE

General Description:

This bill enacts provisions relating to the mitigation of invasive species.

Highlighted Provisions:

This bill:

- ▶ authorizes the Department of Agriculture and Food, after consulting with the Department of Natural Resources and the Conservation Commission to:
 - enter into a cooperative agreement with an agency or landowner to prevent wildland fire through land restoration;
 - expend monies and give grants from the Invasive Species Mitigation Fund;
 - expend interest that is deposited in the Invasive Species Mitigation Fund;
 - make rules; and
- ▶ creates the Invasive Species Mitigation Fund, a restricted special revenue account.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:



26 4-2-8.6, Utah Code Annotated 1953

27 4-2-8.7, Utah Code Annotated 1953

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29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section 4-2-8.6 is enacted to read:

31 **4-2-8.6. Cooperative agreements and grants to prevent wildland fire.**

32 After consulting with the Department of Natural Resources and the Conservation

33 Commission, the department may:

34 (1) enter into a cooperative agreement with a state agency, a federal agency, or a
35 federal, state, tribal, or private landowner to prevent catastrophic wildland fire through land
36 restoration in a watershed that:

37 (a) is impacted by cheatgrass or other invasive species; or

38 (b) has a fuel load that may contribute to a catastrophic wildland fire;

39 (2) expend monies from the Invasive Species Mitigation Fund created in Section

40 4-2-8.7; and

41 (3) in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,
42 make rules to:

43 (a) administer this section; and

44 (b) give grants from the Invasive Species Mitigation Fund.

45 Section 2. Section 4-2-8.7 is enacted to read:

46 **4-2-8.7. Invasive Species Mitigation Fund created.**

47 (1) As used in this section, "project" means an undertaking that prevents catastrophic
48 wildland fire through land restoration in a watershed that:

49 (a) is impacted by cheatgrass or other invasive species; or

50 (b) has a fuel load that may contribute to a catastrophic wildland fire.

51 (2) (a) There is created a restricted special revenue fund known as the "Invasive
52 Species Mitigation Fund."

53 (b) The fund shall consist of:

54 (i) money appropriated by the Legislature;

55 (ii) grants from the federal government;

56 (iii) grants or donations from a person; and

- 57 (iv) interest on fund monies.
- 58 (3) (a) The fund shall earn interest.
- 59 (b) All interest earned on fund monies shall be deposited into the fund.
- 60 (c) The department may use the interest deposited in the fund for administration costs.
- 61 (4) Any unallocated balance in the fund at the end of the year is nonlapsing.
- 62 (5) (a) After consulting with the Department of Natural Resources and the
- 63 Conservation Commission, the department may expend fund monies:
- 64 (i) on a project implemented by:
- 65 (A) the department; or
- 66 (B) the Conservation Commission; or
- 67 (ii) by giving a grant for a project to:
- 68 (A) a state agency;
- 69 (B) a federal agency; or
- 70 (C) to a federal, state, tribal, or private landowner.
- 71 (b) A grant to a federal landowner must be matched with at least an equal amount of
- 72 money by the federal landowner.
- 73 (c) In expending the fund monies authorized by Subsection (5)(a)(i), the department
- 74 shall use existing infrastructure and employees to plan and implement the project.
- 75 (6) In giving a grant, the department shall consider the effectiveness of a project in
- 76 preventing:
- 77 (a) first, the risk to public safety and health from:
- 78 (i) air pollution;
- 79 (ii) flooding; and
- 80 (iii) reduced visibility on a highway;
- 81 (b) second, damage to the environment, including:
- 82 (i) soil erosion;
- 83 (ii) degraded water quality; and
- 84 (iii) release of carbon; and
- 85 (c) third, damage to:
- 86 (i) a local economy; and
- 87 (ii) habitat for wildlife or livestock.

S.B. 89 1st Sub. (Green) - Mitigation of Invasive Species

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
