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

Section 1. Section **4-2-8.7** is amended to read:

4-2-8.7. Invasive Species Mitigation Account created.

(1) As used in this section, "project" means an undertaking that prevents catastrophic wildland fire through land restoration in a watershed or rehabilitation of an area infested with invasive species that:

- (a) is impacted by cheatgrass or other invasive species; or
- (b) has a fuel load that may contribute to a catastrophic wildland fire.

(2) (a) There is created a restricted account within the General Fund known as the "Invasive Species Mitigation Account."

(b) The restricted account shall consist of:

- (i) money appropriated by the Legislature;
- (ii) grants from the federal government; and
- (iii) grants or donations from a person.

(3) (a) After consulting with the Department of Natural Resources and the Conservation Commission, the department may expend money in the restricted account:

(i) on a project implemented by:

- (A) the department; or
- (B) the Conservation Commission; or

(ii) by giving a grant for a project to:

- (A) a state agency;
- (B) a federal agency; ~~[or]~~
- (C) a federal, state, tribal, or private landowner~~[-];~~ or
- (D) a political subdivision.

(b) A grant to a federal landowner shall be matched with at least an equal amount of money by the federal landowner.

(c) In expending the money authorized by Subsection (3)(a)(i), the department shall use

58 existing infrastructure and employees to plan and implement the project.

59 (4) In giving a grant, the department shall consider the effectiveness of a project in
60 preventing:

61 (a) first, the risk to public safety and health from:

62 (i) air pollution;

63 (ii) flooding; [~~and~~]

64 (iii) reduced visibility on a highway; or

65 (iv) increasing encroachment of an invasive species;

66 (b) second, damage to the environment, including:

67 (i) soil erosion;

68 (ii) degraded water quality; and

69 (iii) release of carbon; and

70 (c) third, damage to:

71 (i) a local economy; and

72 (ii) habitat for wildlife or livestock.

73 **Section 2. Appropriation.**

74 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
75 following sums of money are appropriated from resources not otherwise appropriated, or
76 reduced from amounts previously appropriated, out of the funds or accounts indicated for the
77 fiscal year beginning July 1, 2012 and ending June 30, 2013. These are additions to any amount
78 previously appropriated for fiscal year 2013.

79 To Invasive Species Mitigation Fund

80 From General Fund for fiscal year 2013, ongoing \$1,000,000

81 Schedule of Programs:

82 Rehabilitation \$1,000,000

83 To Department of Agriculture

84 From Invasive Species Mitigation Fund \$1,000,000

85 Schedule of Programs:

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Invasive species mitigation

\$1,000,000

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The Legislature intends that no more than 10 percent of the appropriation may be used

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for administrative costs. The Legislature also intends that, under Section 63J-1-603 of the Utah

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Code, appropriations under this section do not lapse at the close of fiscal year 2013.