

Representative Gage Froerer proposes the following substitute bill:

WATER CONSERVATION AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: Jacob L. Anderegg

LONG TITLE

General Description:

This bill modifies provisions related to water conservation plans.

Highlighted Provisions:

This bill:

- ▶ modifies the required contents of a water conservation plan; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

73-10-32, as last amended by Laws of Utah 2007, Chapter 329

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

Section 1. Section **73-10-32** is amended to read:

73-10-32. Definitions -- Water conservation plan required.

(1) As used in this section:



26 (a) "Board" means the Board of Water Resources created under Section 73-10-1.5.

27 (b) "Division" means the Division of Water Resources created under Section 73-10-18.

28 (c) "Retail" means the level of distribution of culinary water that supplies culinary
29 water directly to the end user.

30 (d) "Retail water provider" means an entity which:

31 (i) supplies culinary water to end users; and

32 (ii) has more than 500 service connections.

33 (e) "Water conservancy district" means an entity formed under Title 17B, Chapter 2a,
34 Part 10, Water Conservancy District Act.

35 (f) "Water conservation plan" means a written document that contains existing and
36 proposed water conservation measures describing what will be done by retail water providers,
37 water conservancy districts, and the end user of culinary water to help conserve water and limit
38 or reduce its use in the state in terms of per capita consumption so that adequate supplies of
39 water are available for future needs.

40 (2) (a) Each water conservancy district and each retail water provider shall ensure that
41 each water conservation plan [shall contain] contains:

42 (i) (A) [a] clearly stated overall water use reduction [goal and] goals for residential,
43 commercial, and industrial uses;

44 (B) water conservation measures for residential, commercial, and industrial uses,
45 including landscaping; and

46 (C) an implementation plan for each of the water conservation measures it chooses to
47 use, including a timeline for action and an evaluation process to measure progress;

48 (ii) a requirement that each water conservancy district and retail water provider devote
49 part of at least one regular meeting every five years of its governing body to a discussion and
50 formal adoption of the water conservation plan, and allow public comment on it;

51 (iii) a requirement that a notification procedure be implemented that includes the
52 delivery of the water conservation plan to the media and to the governing body of each
53 municipality and county served by the water conservancy district or retail water provider; ~~and~~

54 (iv) a copy of the minutes of the meeting and the notification procedure required in
55 Subsections (2)(a)(ii) and (iii) which shall be added as an appendix to the plan~~[-]; and~~

56 ~~[(b) A water conservation plan may include]~~

57 (v) except as provided in Subsection (2)(c), information regarding:

58 [(i)] (A) the installation and use of water efficient fixtures and appliances, including
59 toilets, shower fixtures, and faucets;

60 [(ii)] (B) residential and commercial landscapes and irrigation that require less water to
61 maintain;

62 [(iii)] (C) more water efficient industrial and commercial processes involving the use
63 of water;

64 [(iv)] (D) water reuse systems, both potable and not potable;

65 [(v)] (E) distribution system leak repair;

66 [(vi)] (F) dissemination of public information regarding more efficient use of water,
67 including public education programs, customer water use audits, and water saving
68 demonstrations;

69 [(vii)] (G) ~~H~~→ **retail** ←~~H~~ water rate structures designed to encourage more efficient use of
69a water;

70 [(viii)] (H) existing or ~~H~~→ **[potential] proposed** ←~~H~~ statutes, ordinances, codes, or
70a regulations designed to
71 encourage more efficient use of water by means such as water efficient fixtures and water
72 efficient landscapes, including restrictions on grass landscaping;

73 [(ix)] (I) incentives to implement water efficient techniques, including rebates to water
74 users to encourage the implementation of more water efficient measures; and

75 [(x)] (J) other measures designed to conserve water.

76 [(c)] (b) The Division of Water Resources may be contacted for information and
77 technical resources regarding measures listed in [~~Subsections (2)(b)(i) through (2)(b)(x)]~~
78 Subsection (2)(a)(v).

79 ~~H~~→ **[(c) The requirements described in Subsections (2)(a)(v)(B) through (D) and**
80 **Subsections (2)(a)(v)(G) through (I) do not apply to a water conservancy district.** ←~~H~~

81 (3) (a) Before April 1, 1999, each water conservancy district and each retail water
82 provider shall:

83 (i) (A) prepare and adopt a water conservation plan if one has not already been
84 adopted; or

85 (B) if the district or provider has already adopted a water conservation plan, review the
86 existing water conservation plan to determine if it should be amended and, if so, amend the
87 water conservation plan; and

88 (ii) file a copy of the water conservation plan or amended water conservation plan with
89 the division.

90 (b) Before adopting or amending a water conservation plan, each water conservancy
91 district or retail water provider shall hold a public hearing with reasonable, advance public
92 notice.

93 (4) (a) The board shall:

94 (i) provide guidelines and technical resources to retail water providers and water
95 conservancy districts to prepare and implement water conservation plans;

96 (ii) investigate alternative measures designed to conserve water; and

97 (iii) report regarding its compliance with the act and impressions of the overall quality
98 of the plans submitted to the Natural Resources, Agriculture, and Environment Interim
99 Committee of the Legislature at its meeting in November 2004.

100 (b) The board shall publish an annual report in a paper of state-wide distribution
101 specifying the retail water providers and water conservancy districts that do not have a current
102 water conservation plan on file with the board at the end of the calendar year.

103 (5) A water conservancy district or retail water provider may only receive state funds
104 for water development if they comply with the requirements of this act.

105 (6) Each water conservancy district and retail water provider specified under
106 Subsection (3)(a) shall:

107 (a) update its water conservation plan no less frequently than every five years; and

108 (b) follow the procedures required under Subsection (3) when updating the water
109 conservation plan.

110 (7) It is the intent of the Legislature that the water conservation plans, amendments to
111 existing water conservation plans, and the studies and report by the board be handled within the
112 existing budgets of the respective entities or agencies.