

Carl R. Albrecht proposes the following substitute bill:

State Water Policy Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl R. Albrecht

Senate Sponsor: Scott D. Sandall

2

3 **LONG TITLE**

4 **General Description:**

5 This bill amends the state water policy.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ addresses water quality in groundwater;
- 9 ▶ references saved water;
- 10 ▶ encourages monitoring of watersheds in consultation with watershed councils;
- 11 ▶ promotes state water planning;
- 12 ▶ accounts for regionally appropriate water reuse; and
- 13 ▶ makes technical changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **73-1-21**, as last amended by Laws of Utah 2024, Chapter 37

21

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

23 Section 1. Section **73-1-21** is amended to read:

24 **73-1-21 . State water policy.**

25 (1) It is the policy of the state that:

- 26 (a) Utah shall pursue adequate, reliable, affordable, sustainable, and clean water
- 27 resources, recognizing that Utah is one of the most arid states in the nation and as
- 28 such, there is, and will continue to be, a need to ensure Utah's finite water resources

- 29 are used beneficially;
- 30 (b) Utah will promote:
- 31 (i) water conservation, efficiency, and the optimal use of water resources, while
- 32 identifying intended and unintended consequences to ensure appropriate choice
- 33 and implementation of particular strategies;
- 34 (ii) water resource development and the creation of new water infrastructure
- 35 necessary to meet the state's growing demand and promote economic development;
- 36 (iii) compliance with state statutes regarding Lake Powell pipeline development and
- 37 Bear River development;
- 38 (iv) the timely replacement of aging or inefficient water resource, drinking water,
- 39 wastewater, and storm water infrastructure;
- 40 (v) the optimal use of agricultural water to sustain and improve food production and
- 41 the productive capacity of agricultural lands;
- 42 (vi) water quality in rivers~~[-and]~~ , lakes, and groundwater that:
- 43 (A) complies with state clean water and safe drinking water statutes; and
- 44 (B) protects public health;
- 45 (vii) water pricing and funding mechanisms that:
- 46 (A) provide revenue stability while encouraging conservation, efficiency, and
- 47 optimization efforts;
- 48 (B) adequately cover infrastructure needs; and
- 49 (C) balance social, economic, public interest, and environmental values;
- 50 (viii) respect for water rights;
- 51 (ix) standards for accurate water use measurement, telemetry, tracking, enforcement,
- 52 and reporting;
- 53 (x) efforts to educate and engage the public in:
- 54 (A) individual actions that protect water quality, including preventing and
- 55 mitigating water pollution; and
- 56 (B) conservation practices and the efficient and optimal use of water resources;
- 57 (xi) the implementation of cyber security and physical security measures for water
- 58 infrastructure;
- 59 (xii) the study and consideration of mechanisms for increased flexibility in water use
- 60 such as water banking, saved water, and split season uses;
- 61 (xiii) the monitoring, in consultation with watershed councils created under Chapter
- 62 10g, Part 3, Watershed Councils Act, of activities in watersheds that provide water

63 to drinking water systems to protect the watersheds;
64 [~~(xiii)~~] (xiv) continued improvements in the management of water resources through
65 protection, restoration, and science-based evaluation of Utah watersheds,
66 increased reservoir capacity, and aquifer recharge or aquifer storage and recovery;
67 [~~(xiv)~~] (xv) the development and beneficial use of Utah's allocated share of interstate
68 rivers, including Utah's allocations under the 1922 and 1948 Colorado River
69 Compacts and the 1980 Amended Bear River Compact;
70 [~~(xv)~~] (xvi) the study and development of strategies and practices necessary to address
71 declining water levels and protect the water quality and quantity of the Great Salt
72 Lake, Utah Lake, and Bear Lake, taking into consideration natural climate change,
73 natural weather systems and patterns, and normal cyclic water level change over
74 time, while balancing economic, social, and environmental needs;
75 [~~(xvi)~~] (xvii) regulations and practices, including voluntary practices, that maintain
76 sufficient stream flows and lake levels to provide reasonable access to recreational
77 activities and protect and restore water quality, quantity, and healthy ecosystems,
78 including protecting groundwater and surface water sources from pollution;
79 [~~(xvii)~~] (xviii) equitable access to safe, affordable, and reliable drinking water to
80 protect public health;
81 [~~(xviii)~~] (xix) regulations and practices that encourage effective treatment of
82 wastewater to maximize its availability for beneficial use and minimize depletion
83 and the further degradation of other waters;
84 [~~(xix)~~] (xx) the control of invasive species that threaten or degrade waters of the state;
85 [~~(xx)~~] (xxi) coordination among the state, water providers, water users, local
86 governments, government agencies, and researchers in the study of ways weather
87 and climate will impact future water supplies, demand, and quality;
88 (xxii) state water planning, including the formation of the state water plan as
89 provided in Section 73-10-15;
90 (xxiii) water reuse with appropriate conditions for the region in which the water reuse
91 occurs;
92 [~~(xxi)~~] (xxiv) water laws, rules, and enforcement that are consistent with this
93 Subsection (1) and encourage transparency, order, and certainty in the use of
94 public water;
95 [~~(xxii)~~] (xxv) the support and funding of research, science, and technology necessary
96 to achieve the provisions of this Subsection (1); and

97 [~~xxiii~~] (xxvi) the collaboration, cooperation, and engagement of stakeholders in the
98 identification and advancement of actions that support the provisions of this
99 Subsection (1); and

100 (c) Utah supports the timely and appropriate negotiated settlement of federally reserved
101 water right claims for both Native American trust lands and other existing federal
102 reservations, and opposes any future designation of public lands that does not
103 quantify any associated federally reserved water rights.

104 (2) State agencies are encouraged to conduct agency activities consistent with Subsection
105 (1) and implement policies established by the Legislature that promote the near- and
106 long-term stewardship of water quality and water resources.

107 (3) This section does not create a cause of action against the state's or a state agency's action
108 that is inconsistent with Subsection (1) and does not waive governmental immunity
109 under Title 63G, Chapter 7, Governmental Immunity Act of Utah.

110 (4) The Natural Resources, Agriculture, and Environment Interim Committee shall review
111 the state water policy annually and recommend priority balancing and any other changes
112 to the Legislature.

113 Section 2. **Effective date.**

114 This bill takes effect on May 7, 2025.