

1 **Water Commitment Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Nate Blouin

2 **LONG TITLE**

3 **General Description:**

4 This bill addresses water commitments by water providers.

5 **Highlighted Provisions:**

6 This bill:

7 ▶ defines a term;

8 ▶ permits a commitment of available water to uses on sovereign lands to be included in a
9 water conservation plan; and

10 ▶ makes technical changes.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 AMENDS:

17 **73-10-32**, as last amended by Laws of Utah 2023, Chapters 238, 435

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

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

20 **73-10-32 . Definitions -- Water conservation plan required.**

21 (1) As used in this section:

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

23 (b) "Sovereign lands" means the same as that term is defined in Section 65A-1-1.

24 [(b)] (c) "Water conservancy district" means an entity formed under Title 17B, Chapter
25 2a, Part 10, Water Conservancy District Act.

26 [(e)] (d) "Water conservation plan" means a written document that contains existing and
27 proposed water conservation measures describing what will be done by a water
28 provider, and the end user of culinary water to help conserve water in the state in
29 terms of per capita use of water provided through culinary water infrastructure owned
30
31

32 or operated by the water provider so that adequate supplies of water are available for
33 future needs.

34 [~~(d)~~] (e) "Water provider" means:

35 (i) a retail water supplier, as defined in Section 19-4-102; or

36 (ii) a water conservancy district.

37 (2)(a) A water conservation plan shall contain:

38 (i)(A) a clearly stated overall water use reduction goal that is consistent with
39 Subsection (2)(d); and

40 (B) an implementation plan for each water conservation measure a water provider
41 chooses to use, including a timeline for action and an evaluation process to
42 measure progress;

43 (ii) a requirement that a notification procedure be implemented that includes the
44 delivery of the water conservation plan to the media and to the governing body of
45 each municipality and county served by the water provider;

46 (iii) a copy of the minutes of the meeting regarding a water conservation plan and the
47 notification procedure required in Subsection (2)(a)(ii) that shall be added as an
48 appendix to the water conservation plan; and

49 (iv) for a retail water supplier, as defined in Section 19-4-102, the retail water
50 supplier's rate structure that is:

51 (A) adopted by the retail water supplier's governing body in accordance with
52 Section 73-10-32.5; and

53 (B) current as of the day the retail water supplier files a water conservation plan.

54 (b) A water conservation plan may include information regarding:

55 (i) the installation and use of water efficient fixtures and appliances, including toilets,
56 shower fixtures, and faucets;

57 (ii) residential and commercial landscapes and irrigation that require less water to
58 maintain;

59 (iii) more water efficient industrial and commercial processes involving the use of
60 water;

61 (iv) water reuse systems, both potable and not potable;

62 (v) distribution system leak repair;

63 (vi) dissemination of public information regarding more efficient use of water,
64 including public education programs, customer water use audits, and water saving
65 demonstrations;

- 66 (vii) water rate structures designed to encourage more efficient use of water;
- 67 (viii) statutes, ordinances, codes, or regulations designed to encourage more efficient
- 68 use of water by means such as water efficient fixtures and landscapes;
- 69 (ix) incentives to implement water efficient techniques, including rebates to water
- 70 users to encourage the implementation of more water efficient measures;
- 71 (x) regional conservation planning and shared shortage agreements; ~~and~~
- 72 (xi) the commitment of available water to uses on sovereign lands; and
- 73 ~~[(xi)]~~ (xii) other measures designed to conserve water.
- 74 (c) The division may be contacted for information and technical resources regarding
- 75 measures listed in Subsection (2)(b).
- 76 (d)(i) The division shall adopt by rule, made in accordance with Title 63G, Chapter
- 77 3, Utah Administrative Rulemaking Act, regional water conservation goals that:
- 78 (A) are developed by the division;
- 79 (B) take into consideration goals established in the Colorado River management
- 80 plan adopted pursuant to Section 63M-14-204;
- 81 (C) for areas in the Great Salt Lake watershed, take into consideration the Great
- 82 Salt Lake, including the water budget associated with the integrated surface
- 83 and ground water assessment described in Section 73-10g-402;
- 84 (D) take into consideration how growth and regional conservation goals impact
- 85 agriculture water use;
- 86 (E) are reevaluated by December 31, 2030, and every 10 years after December 31,
- 87 2030; and
- 88 (F) define what constitutes "water being conserved" under a water conservation
- 89 goal after considering factors such as depletion, diversion, use, consumption,
- 90 or return flows.
- 91 (ii) As part of a water conservation plan, a water provider shall adopt one of the
- 92 following:
- 93 (A) the regional water conservation goal applicable to the water provider;
- 94 (B) a water conservation goal that would result in more water being conserved
- 95 than would be conserved under the regional water conservation goal; or
- 96 (C) a water conservation goal that would result in less water being conserved than
- 97 would be conserved under the regional water conservation goal with a
- 98 reasonable justification as to why the different water conservation goal is
- 99 adopted and an explanation of the factors supporting the reasonable

100 justification, such as demographics, geography, lot sizes, make up of water
101 service classes, or availability of secondary water.

102 (3)(a) A water provider shall:

- 103 (i) prepare and adopt a water conservation plan; and
- 104 (ii) file a copy of the water conservation plan with the division.

105 (b)(i) Before adopting or amending a water conservation plan, a water provider shall
106 hold a public hearing with reasonable, advance public notice in accordance with
107 this Subsection (3)(b).

108 (ii) The water provider shall provide public notice at least 14 days before the date of
109 the public hearing.

110 (iii) A water provider meets the requirements of reasonable notice required by this
111 Subsection (3)(b) if the water provider posts notice of the public hearing:

112 (A) for the service area of the water provider, as a class A notice under Section
113 63G-30-102, for at least 14 days; and

114 (B) if the water provider is a private entity and has a public website, on the water
115 provider's public website.

116 (iv) Proof that notice described in Subsection (3)(b)(iii) was given is prima facie
117 evidence that notice was properly given.

118 (v) If notice given under authority of this Subsection (3)(b) is not challenged within
119 30 days from the date of the public hearing for which the notice was given, the
120 notice is considered adequate and proper.

121 (c) A water provider shall:

- 122 (i) post the water provider's water conservation plan on a public website; or
- 123 (ii) if the water provider does not have a public website, make the water provider's
124 water conservation plan publicly available for inspection upon request.

125 (4)(a) The division shall:

126 (i) provide guidelines and technical resources to help water providers prepare and
127 implement water conservation plans;

128 (ii) assist water providers by identifying water conservation methods upon request;
129 and

130 (iii) provide an online submission form that allows for an electronic copy of the water
131 conservation plan to be filed with the division under Subsection (3)(a)(ii).

132 (b) The division shall post an annual report at the end of a calendar year listing water
133 providers in compliance with this section.

- 134 (5) A water provider may only receive state funds for water development if the water
135 provider complies with the requirements of this section.
- 136 (6) A water provider specified under Subsection (3)(a) shall:
- 137 (a) update the water provider's water conservation plan no less frequently than every five
138 years; and
- 139 (b) follow the procedures required under Subsection (3) when updating the water
140 conservation plan.
- 141 (7) It is the intent of the Legislature that the water conservation plans, amendments to
142 existing water conservation plans, and the studies and report by the division be handled
143 within the existing budgets of the respective entities or agencies.

144 Section 2. **Effective Date.**

145 This bill takes effect on May 7, 2025.