

Great Salt Lake Amendments
2025 FIRST SPECIAL SESSION
STATE OF UTAH
Chief Sponsor: Jill Koford
Senate Sponsor: Scott D. Sandall

LONG TITLE

General Description:

This bill addresses issues related to the Great Salt Lake.

Highlighted Provisions:

This bill:

- modifies provisions related to management of berms; and
- makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

65A-17-201, as last amended by Laws of Utah 2025, Chapter 151

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

Section 1. Section **65A-17-201** is amended to read:

65A-17-201 . Great Salt Lake -- Management responsibilities of the division.

The division has the following powers and duties:

- (1) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the management of the Great Salt Lake that recognize the division's duty to manage public trust assets and balance the following public interest benefits and policies:
 - (a) strategies to effectively and efficiently manage the Great Salt Lake based on the Great Salt Lake's fluctuating lake levels;
 - (b) development of the Great Salt Lake that balances, in a manner that promotes a

- 29 healthy physical and ecological condition:
- 30 (i) migratory and shorebirds habitats;
- 31 (ii) wetlands;
- 32 (iii) brines, minerals or elements, chemicals, and petro-chemicals;
- 33 (iv) brine shrimp;
- 34 (v) the protection of wildlife and wildlife habitat;
- 35 (vi) the protection of recreational access and facilities; and
- 36 (vii) search and rescue efforts;
- 37 (c) promote water quality management for the Great Salt Lake and the Great Salt Lake's
- 38 tributary streams;
- 39 (d) public access to the Great Salt Lake for recreation, hunting, and fishing;
- 40 (e) temperature moderation, a stable role in the water cycle, and dust mitigation;
- 41 (f) maintain the Great Salt Lake's flood plain as a hazard zone;
- 42 (g) maintain the Great Salt Lake and the marshes as important shorebirds, waterfowl,
- 43 and other waterbird flyway system;
- 44 (h) promote and maintain recreation areas on and surrounding the Great Salt Lake; and
- 45 (i) maintain and protect state, federal, and private marshlands, rookeries, and wildlife
- 46 refuges.
- 47 (2)(a) The division shall prepare and maintain a comprehensive management plan for the
- 48 Great Salt Lake that is consistent with:
- 49 (i) the management duty and public interest benefits described in Subsection (1);
- 50 (ii) policies established by rule made under Subsection (1); and
- 51 (iii) the Great Salt Lake strategic plan adopted under Section 73-32-204.
- 52 (b) The comprehensive management plan described in this section shall integrate the
- 53 land within the Great Salt Lake meander line regardless of whether the land has been
- 54 excluded from water within the Great Salt Lake because of a berm or other
- 55 infrastructure on sovereign land associated with the Great Salt Lake.
- 56 (c) The division shall prepare the comprehensive management plan in consultation with
- 57 the Great Salt Lake commissioner.
- 58 (3) The division may employ personnel and purchase equipment and supplies that the
- 59 Legislature authorizes through appropriations for the purposes of this chapter and
- 60 Chapter 10, Management of Sovereign Lands.
- 61 (4) The division may initiate studies of the Great Salt Lake and the Great Salt Lake's related
- 62 resources.

- (5) The division may publish scientific and technical information concerning the Great Salt Lake.
- (6) The division shall define the Great Salt Lake's flood plain.
- (7) The division may qualify for, accept, and administer grants, gifts, or other funds from the federal government and other sources, for carrying out any functions under this chapter and Chapter 10, Management of Sovereign Lands.
- (8) The division shall determine the need for public works and utilities for the lake area.
- (9) The division may implement the comprehensive plan described in Subsection (2) through state and local entities or agencies.
- (10) The division shall coordinate the activities of the various divisions within the Department of Natural Resources with respect to the Great Salt Lake.
- (11) The division shall retain and encourage the continued activity of the Great Salt Lake technical team.
- (12) The division shall administer Chapter 16, Great Salt Lake Watershed Enhancement Program.
- (13) The division shall administer Section 65A-17-202 when the Great Salt Lake emergency trigger is reached.
- (14)(a) The division:
- (i) shall manage the adaptive management berm in the UP causeway breach to keep salinity of Gilbert Bay within target ranges, raising and lowering the adaptive management berm as needed to achieve that goal[.];
 - (ii) may raise the adaptive management berm to 4,192 feet in consideration of the ~~[(b) In pursuing the goal described in Subsection (14)(a), the division shall:]~~
 - ~~[(i) consider the other]~~ management objectives enumerated in this section, including the preservation of Gunnison Bay; and
 - ~~[(ii)]~~ (iii) shall raise the adaptive management berm if the Great Salt Lake elevation is 4,190 feet or lower[; and]
 - ~~[(iii) comply with a plan and schedule required by Subsection (14)(c)].~~
 - ~~[(e)]~~ (b) Before raising the adaptive management berm, the division shall have a plan and shall comply with the plan that includes a schedule to lower the adaptive management berm by no later than 18 months after raising the adaptive management berm, with an objective of equalizing the elevations of Gilbert Bay and Gunnison Bay to be within two feet of each other.
 - ~~[(d)]~~ (c) The division ~~[will]~~ shall consult with the Great Salt Lake commissioner:

(i) before modifying the adaptive management berm; and

(ii) concerning the adoption of the plan and schedule described in Subsection [(14)(c)]

(14)(b).

(15) Notwithstanding a statute to the contrary and except for activities that interfere with the authority granted the state engineer under Title 73, Water and Irrigation, the division may construct, operate, modify, or maintain infrastructure related to protecting the Great Salt Lake and adjacent wetlands and may engage in planning and provide staff to manage the infrastructure.

(16) The division may perform acts other than those described in Subsections (1) through (15) that are reasonably necessary to carry out this chapter and Chapter 10, Management of Sovereign Lands.

(17) The division shall complete an analysis to determine the infrastructure and engineering needs related to salinity management within the Great Salt Lake meander line.

(18) The division shall consult with the Division of Wildlife Resources to identify projects on sovereign lands that benefit wildlife habitat through the improved flow of water and management of both native and invasive plant species.

(19) This chapter may not be interpreted to override, supersede, or modify any water right within the state, or the role and authority of the state engineer.

Section 2. **Effective Date.**

This bill takes effect:

(1) except as provided in Subsection (2), December 6, 2025; or

(2) if approved by two-thirds of all members elected to each house:

(a) upon approval by the governor;

(b) without the governor's signature, the day following the constitutional time limit of Utah Constitution, Article VII, Section 8; or

(c) in the case of a veto, the date of veto override.