

28 **Part 12. Utility Scale Renewable Energy Facility Wildlife Review**

29 **54-17-1201 . Wildlife consultation required for utility scale renewable energy**
30 **facilities.**

31 (1) As used in this section:

32 (a) "Division of Wildlife Resources" means the Division of Wildlife Resources created
33 in Section 23A-2-201.

34 (b) "Solar power plant" means a facility that:

35 (i) has a nameplate generating capacity in excess of 10 megawatts; and

36 (ii) converts sunlight into electricity.

37 (c) "Utility scale renewable energy facility" means a solar power plant or wind power
38 plant.

39 (d) "Wind power plant" means a facility that:

40 (i) has a nameplate generating capacity in excess of 10 megawatts; and

41 (ii) converts wind energy into electricity.

42 (2) As part of an application for a permit to the appropriate local jurisdiction, an owner or
43 operator of a utility scale renewable energy facility shall consult with the Division of
44 Wildlife Resources regarding potential impacts to wildlife and wildlife habitat.

45 (3) The consultation described in Subsection (2) shall include:

46 (a) submission by the owner or operator to the Division of Wildlife Resources of project
47 location, layout, timeline, and any wildlife surveys conducted;

48 (b) a meeting between the owner or operator and Division of Wildlife Resources
49 personnel; and

50 (c) the Division of Wildlife Resources' recommendations for avoiding, minimizing, or
51 mitigating potential impacts to wildlife and wildlife habitat.

52 (4) The Division of Wildlife Resources shall:

53 (a) within 30 days after the day on which the Division of Wildlife Resources receives a
54 complete consultation request, provide the owner or operator with written
55 recommendations; and

56 (b) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
57 Rulemaking Act, establishing consultation procedures and standards.

58 (5) An owner or operator shall include with an application to the appropriate local
59 jurisdiction proof of consultation with the Division of Wildlife Resources and a
60 description of measures the owner or operator will implement to address the Division of
61 Wildlife Resources' recommendations.

62 (6) The appropriate local jurisdiction shall consider the Division of Wildlife Resources'
63 recommendations when evaluating a permit application for a utility scale renewable
64 energy facility.

65 (7) This section does not:

66 (a) grant the Division of Wildlife Resources authority to approve or deny a permit
67 application;

68 (b) require an owner or operator to implement the Division of Wildlife Resources'
69 recommendations; or

70 (c) limit local jurisdiction authority to approve or deny a permit application.

71 Section 2. **Effective Date.**

72 This bill takes effect on May 6, 2026.

73 Section 3. **Coordinating H.B. 412 with H.B. 16.**

74 If H.B. 412, Energy Development Planning Amendments, and H.B. 16, Solar Power
75 Plant Amendments, both pass and become law, the Legislature intends that, on May 6, 2026:

76 (1) Section 54-17-1201 enacted in H.B. 412 be renumbered to Section 54-17-1301; and

77 (2) Section 54-17-1203 enacted in H.B. 16 be amended to read:

78 "54-17-1203. Consultation requirements.

79 The owner or operator of a solar power plant shall consult with the Division of Wildlife
80 Resources as required by Section 54-17-1301 regarding how the solar power plant could
81 potentially impact wildlife on affected land."