

HB0509 compared with HB0509S03

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **79-2-406** , as last amended by Laws of Utah 2024, Chapter 88

23

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

25 Section 1. Section **79-2-406** is amended to read:

26 **79-2-406. Wetlands {study} -- Study.**

26 ~~[(1) As used in this section, "committee" means the Natural Resources, Agriculture, and Environment Interim Committee.]~~

28 (2){(1)} Before October 30, 2027, the department shall complete a study on the status of wetlands in ~~{the state} counties of the first or second class, as described in Section 17-60-104.~~

30 (3){(2)} The study described in Subsection ~~{(2)}~~ (1) shall include:

31 ~~{(a) {a determination on how wetland acreage in the state has changed within the previous five years;}}~~
}

33 (b){(a)} a determination on how wetlands have changed or may change, including any reclassification or potential reclassification of wetlands ~~{in the previous five years}~~ based on changes to federal law;

35 ~~{(e) {the impact of wetland loss on:}}~~

36 (i){(b)} the impact or potential impact of wetland changes on outdoor recreation, including:

37 (A){(i)} the hunting of duck and other {migratory} game birds; and

38 ~~{(B) {any loss of recreational opportunities on lakes and rivers in the state;}}~~

39 (ii) water quality in rivers and lakes adjacent to wetlands; and

40 ~~{(iii) {aquatic species in greatest need of conservation; and}}~~

41 (d){(c)} recommendations for legislative and administration action {to:} .

42 ~~{(i) {improve the health of wetlands in the state; and}}~~

43 ~~{(ii) {mitigate wetland loss and degradation.}}~~

44 (4){(3)} The department shall report to the ~~{committee}~~ Natural Resources, Agriculture, and Environment Interim Committee:

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- (a) before November 30, 2026, a progress report of the study findings and recommendations described in Subsection ~~{(3)}~~ (2); and
- 47 (b) before October 30, 2027, a complete report of the study findings and recommendations described in
Subsection ~~{(3)}~~ (2).
- 49 ~~[(2)]~~ (4) {The department shall publish, on the department's website, the land use permits collected by
the Utah Geological Survey } ~~[pursuant to]~~ in accordance with { Subsection 79-3-202(1)(q).}
- 51 ~~[(3)]~~
- (a) ~~The department shall study and make recommendations to the committee on the viability of an in-lieu fee program for wetland mitigation, including:]~~
- 53 ~~[(i) the viability of the state establishing and administering an in-lieu fee program; and]~~
- 54 ~~[(ii) the viability of the state partnering with a private organization to establish and administer an in-lieu fee program.]~~
- 56 ~~[(b) As part of the study described in Subsection (3)(a), the department shall consult with public and private individuals and entities that may be necessary or helpful to the establishment or administration of an in-lieu fee program for wetland mitigation, which may include:]~~
- 60 ~~[(i) the Utah Department of Environmental Quality;]~~
- 61 ~~[(ii) the United States Army Corps of Engineers;]~~
- 62 ~~[(iii) the United States Fish and Wildlife Service;]~~
- 63 ~~[(iv) the United States Environmental Protection Agency; or]~~
- 64 ~~[(v) a non-profit entity that has experience with the establishment and administration of in-lieu fee programs.]~~
- 66 ~~[(c) The department shall provide a report on the status of the department's study during or before the committee's November interim meeting in 2022.]~~
- 68 ~~[(d) The department shall provide a final report of the department's study and recommendations, including any recommended legislation, during or before the committee's first interim meeting in 2023.]~~

68 Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

3-2-26 1:40 PM