

# HB0509S02 compared with HB0509S01

~~{Omitted text}~~ shows text that was in HB0509S01 but was omitted in HB0509S02  
inserted text shows text that was not in HB0509S01 but was inserted into HB0509S02

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1 **Wetlands Study Amendments**  
2026 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Doug Owens**  
Senate Sponsor:

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2  
3 **LONG TITLE**

4 **General Description:**

5 This bill creates a study related to wetland health and protection.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ directs the Department of Natural Resources to:

9 • complete a study on wetlands in ~~{the state}~~ counties of the first or second class;

10 • make recommendations for legislative and administrative action on improving wetland health and mitigating wetland loss; and

12 • report the study findings and recommendations to the Natural Resources, Agriculture, and Environment Interim Committee; and

14 ▶ makes technical and conforming changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

HB0509S01

## HB0509S01 compared with HB0509S02

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **79-2-406** , as last amended by Laws of Utah 2024, Chapter 88

22

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

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

25 **79-2-406. Wetlands study.**

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

28 (2) 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) The study described in Subsection (2) shall include:

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

33 (b) any reclassification or potential reclassification of wetlands in the previous five years based on  
changes to federal law;

35 (c) the impact of wetland loss on:

36 (i) outdoor recreation, including:

37 (A) 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) 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) The department shall report to the committee:

45 (a) before November 30, 2026, a progress report of the study findings and recommendations described  
in Subsection (3); and

47 (b) before October 30, 2027, a complete report of the study findings and recommendations described in  
Subsection (3).

49 [~~(2) The department shall publish, on the department's website, the land use permits collected by the  
Utah Geological Survey pursuant to Subsection 79-3-202(1)(q).]~~

## HB0509S01 compared with HB0509S02

- 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.]~~

70         Section 2. **Effective date.**

       Effective Date.

This bill takes effect on May 6, 2026.

2-17-26 2:20 PM