

Keven J. Stratton proposes the following substitute bill:

**Water Usage Modifications**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Clinton D. Okerlund**

Senate Sponsor: Michael K. McKell

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**LONG TITLE**

**General Description:**

This bill addresses the use of overhead spray irrigation to irrigate turf that is not functional turf.

**Highlighted Provisions:**

This bill:

- defines terms;
- permits municipalities and counties to provide notice of a prohibition on the use of overhead irrigation under certain circumstances;
- encourages municipalities and counties to take certain actions related to land use regulation; and
- prohibits an owner of specified land who undertakes new development or redevelopment of specified land from using overhead irrigation under certain circumstances, with exceptions.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

ENACTS:

**10-20-625**, Utah Code Annotated 1953

**17-79-621**, Utah Code Annotated 1953

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

Section 1. Section **10-20-625** is enacted to read:

**10-20-625 . Regulation of use of overhead spray irrigation.**

- 29 (1) As used in this section:
- 30 (a) "Active use" means regular use for a community purpose, playing, exercise,
- 31 recreation, or regular outdoor activities, such as:
- 32 (i) a sports field;
- 33 (ii) a social gathering area;
- 34 (iii) an amphitheater;
- 35 (iv) a park;
- 36 (v) the playing area, including a rough, driving range, or chipping or putting green of
- 37 a golf course; or
- 38 (vi) a cemetery.
- 39 (b) "Agricultural land" means "land in agricultural use" as defined in Section 59-2-502.
- 40 (c) "Common interest community" means the same as that term is defined in Section
- 41 57-25-102.
- 42 (d) "Functional turf" means turf that:
- 43 (i) is dedicated to active use; or
- 44 (ii)(A) is installed or maintained on an area with a slope of not more than 25%;
- 45 (B) is at least eight feet wide at the turf's narrowest point;
- 46 (C) is a native plant, has been hybridized for arid conditions, or has been
- 47 designated as low water use by the Utah State University Extension; and
- 48 (D) is watered to the plant's needs and does not require overhead spray irrigation
- 49 unless the overhead spray irrigation system has activated weather or soil based
- 50 monitoring technology.
- 51 (e) "Great Salt Lake drainage" means the area within:
- 52 (i) the surveyed meander line of the Great Salt Lake;
- 53 (ii) the drainage areas of the Bear River or the Bear River's tributaries;
- 54 (iii) the drainage areas of Bear Lake or Bear Lake's tributaries;
- 55 (iv) the drainage areas of the Weber River or the Weber River's tributaries;
- 56 (v) the drainage areas of the Jordan River or the Jordan River's tributaries;
- 57 (vi) the drainage areas of Utah Lake or Utah Lake's tributaries;
- 58 (vii) other water drainages lying between the Bear River and the Jordan River that are
- 59 tributary to the Great Salt Lake and not included in the drainage areas described in
- 60 Subsections (1)(e)(ii) through (vi); and
- 61 (viii) the drainage area of Tooele Valley.
- 62 (f) "Landscaped area" means those portions of specified land that are not, or will not be,

- 63           occupied by:
- 64           (i) a permanent structure; or
- 65           (ii) an impervious surface associated with vehicular or pedestrian access or use, such
- 66           as a driveway, sidewalk, or parking lot.
- 67           (g) "Land use application" means the same as that term is defined in Section 10-20-102.
- 68           (h) "Land use permit" means the same as that term is defined in Section 10-20-102.
- 69           (i) "New development" means a project for the conversion in use of previously
- 70           undeveloped land into a developed state.
- 71           (j) "Overhead spray irrigation" means above ground irrigation heads that spray water
- 72           through a nozzle.
- 73           (k) "Redevelopment" means a project for renovation, alteration, improvement, or repair
- 74           of developed land that affects more than 25% of the landscaped area existing before
- 75           the redevelopment.
- 76           (l)(i) Subject to Subsection (1)(l)(ii), "specified land" means real property within the
- 77           Great Salt Lake drainage on which the owner proposes new development or
- 78           redevelopment, including real property:
- 79           (A) in a common interest community; or
- 80           (B) in a commercial, industrial, institutional, mixed use, or multifamily project.
- 81           (ii) "Specified land" does not mean:
- 82           (A) agricultural land;
- 83           (B) a landscaped area within a common interest community that is not a common
- 84           area;
- 85           (C) new development or redevelopment of a single-family detached residential
- 86           dwelling;
- 87           (D) local entity property as defined in Section 11-39-108;
- 88           (E) school property as defined in Section 53G-7-225;
- 89           (F) state government grounds as defined in Section 63A-5b-1108; or
- 90           (G) landscaping in a highway construction project governed by Section 72-7-112.
- 91           (m) "Turf" means a natural living ground cover that:
- 92           (i) produces a dense cover of contiguous plant coverage and an interconnected
- 93           subsurface root network;
- 94           (ii) is installed or maintained on nonagricultural land; and
- 95           (iii) is closely mowed, managed grasses.
- 96           (n) "Weather or soil based monitoring technology" means one of the following

97 technologies that allow watering schedules to better match a plant's water needs:

98 (i) a weather-based irrigation controller that uses local weather and landscape  
99 conditions to tailor watering schedules; or

100 (ii) a soil moisture-based irrigation controller or soil moisture sensor that monitors  
101 moisture levels in the soil to prevent irrigation when water is not needed.

102 (2)(a) A municipality may include a notice on or with a land use approval or land use  
103 permit for specified land stating, "Section 10-20-625 of the Utah Code may prohibit  
104 the use of overhead spray irrigation for your project to irrigate turf that is not  
105 functional turf unless the overhead spray irrigation system has activated weather or  
106 soil based monitoring technology."

107 (b) A municipality is encouraged to:

108 (i) review and either approve or disapprove a plan for new development or  
109 redevelopment of specified land with turf that is not functional turf for which the  
110 municipality approves a land use application or issues a land use permit;

111 (ii) inspect specified land for compliance with this section upon completion of new  
112 development or redevelopment; and

113 (iii) address noncompliance with this section.

114 (3)(a) An owner of specified land who undertakes new development or redevelopment  
115 of the specified land on or after January 1, 2028, may not install, maintain, or use  
116 overhead spray irrigation unless the overhead spray irrigation system has activated  
117 weather or soil based monitoring technology to irrigate turf that is not functional turf  
118 in a landscaped area of the specified land.

119 (b) This Subsection (3) does not prohibit an owner from using a reasonable amount of  
120 water to spray a landscaped area for a non-irrigation purpose, such as dust control for  
121 a specific event.

122 (4) This section does not apply to a business activity regulated under Title 40, Mines and  
123 Mining.

124 Section 2. Section **17-79-621** is enacted to read:

125 **17-79-621 . Regulation of use of overhead spray irrigation.**

126 (1) As used in this section:

127 (a) "Active use" means regular use for a community purpose, playing, exercise,  
128 recreation, or regular outdoor activities, such as:

129 (i) a sports field;

130 (ii) a social gathering area;

- 131            (iii) an amphitheater;  
132            (iv) a park;  
133            (v) the playing area, including a rough, driving range, or chipping or putting green of  
134            a golf course; or  
135            (vi) a cemetery.
- 136            (b) "Agricultural land" means "land in agricultural use" as defined in Section 59-2-502.  
137            (c) "Common interest community" means the same as that term is defined in Section  
138            57-25-102.
- 139            (d) "Functional turf" means turf that:  
140            (i) is dedicated to active use; or  
141            (ii)(A) is installed or maintained on an area with a slope of not more than 25%;  
142            (B) is at least eight feet wide at the turf's narrowest point;  
143            (C) is a native plant, has been hybridized for arid conditions, or has been  
144            designated as low water use by the Utah State University Extension; and  
145            (D) is watered to the plant's needs and does not require overhead spray irrigation  
146            unless the overhead spray irrigation system has activated weather or soil based  
147            monitoring technology.
- 148            (e) "Great Salt Lake drainage" means the area within:  
149            (i) the surveyed meander line of the Great Salt Lake;  
150            (ii) the drainage areas of the Bear River or the Bear River's tributaries;  
151            (iii) the drainage areas of Bear Lake or Bear Lake's tributaries;  
152            (iv) the drainage areas of the Weber River or the Weber River's tributaries;  
153            (v) the drainage areas of the Jordan River or the Jordan River's tributaries;  
154            (vi) the drainage areas of Utah Lake or Utah Lake's tributaries;  
155            (vii) other water drainages lying between the Bear River and the Jordan River that are  
156            tributary to the Great Salt Lake and not included in the drainage areas described in  
157            Subsections (1)(e)(ii) through (vi); and  
158            (viii) the drainage area of Tooele Valley.
- 159            (f) "Landscaped area" means those portions of specified land that are not, or will not be,  
160            occupied by:  
161            (i) a permanent structure; or  
162            (ii) an impervious surface associated with vehicular or pedestrian access or use, such  
163            as a driveway, sidewalk, or parking lot.
- 164            (g) "Land use application" means the same as that term is defined in Section 17-79-102.

- 165 (h) "Land use permit" means the same as that term is defined in Section 17-79-102.
- 166 (i) "New development" means a project for the conversion in use of previously
- 167 undeveloped land into a developed state.
- 168 (j) "Overhead spray irrigation" means above ground irrigation heads that spray water
- 169 through a nozzle.
- 170 (k) "Redevelopment" means a project for renovation, alteration, improvement, or repair
- 171 of developed land that affects more than 25% of the landscaped area existing before
- 172 the redevelopment.
- 173 (l)(i) Subject to Subsection (1)(l)(ii), "specified land" means real property within the
- 174 Great Salt Lake drainage on which the owner proposes new development or
- 175 redevelopment, including real property:
- 176 (A) in a common interest community; or
- 177 (B) in a commercial, industrial, institutional, mixed use, or multifamily project.
- 178 (ii) "Specified land" does not mean:
- 179 (A) agricultural land;
- 180 (B) a landscaped area within a common interest community that is not a common
- 181 area;
- 182 (C) new development or redevelopment of a single-family detached residential
- 183 dwelling;
- 184 (D) local entity property as defined in Section 11-39-108;
- 185 (E) school property as defined in Section 53G-7-225;
- 186 (F) state government grounds as defined in Section 63A-5b-1108; or
- 187 (G) landscaping in a highway construction project governed by Section 72-7-112.
- 188 (m) "Turf" means a natural living ground cover that:
- 189 (i) produces a dense cover of contiguous plant coverage and an interconnected
- 190 subsurface root network;
- 191 (ii) is installed or maintained on nonagricultural land; and
- 192 (iii) is closely mowed, managed grasses.
- 193 (n) "Weather or soil based monitoring technology" means one of the following
- 194 technologies that allow watering schedules to better match a plant's water needs:
- 195 (i) a weather-based irrigation controller that uses local weather and landscape
- 196 conditions to tailor watering schedules; or
- 197 (ii) a soil moisture-based irrigation controller or soil moisture sensor that monitors
- 198 moisture levels in the soil to prevent irrigation when water is not needed.

- 199 (2)(a) A county may include a notice on or with a land use approval or land use permit  
200 for specified land stating, "Section 17-79-621 of the Utah Code may prohibit the use  
201 of overhead spray irrigation for your project to irrigate turf that is not functional turf  
202 unless the overhead spray irrigation system has activated weather or soil based  
203 monitoring technology."
- 204 (b) A county is encouraged to:
- 205 (i) review and either approve or disapprove a plan for new development or  
206 redevelopment of specified land with turf that is not functional turf for which the  
207 county approves a land use application or issues a land use permit;
- 208 (ii) inspect specified land for compliance with this section upon completion of new  
209 development or redevelopment; and
- 210 (iii) address noncompliance with this section.
- 211 (3)(a) An owner of specified land who undertakes new development or redevelopment  
212 of the specified land on or after January 1, 2028, may not install, maintain, or use  
213 overhead spray irrigation unless the overhead spray irrigation system has activated  
214 weather or soil based monitoring technology to irrigate turf that is not functional turf  
215 in a landscaped area of the specified land.
- 216 (b) This Subsection (3) does not prohibit an owner from using a reasonable amount of  
217 water to spray a landscaped area for a non-irrigation purpose, such as dust control for  
218 a specific event.
- 219 (4) This section does not apply to a business activity regulated under Title 40, Mines and  
220 Mining.
- 221 **Section 3. Effective Date.**
- 222 This bill takes effect on May 5, 2027.