

1 **Energy Development Planning Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Doug Owens**

Senate Sponsor: Derrin R. Owens

2  
3 **LONG TITLE**

4 **General Description:**

5 This bill requires consultation with the Division of Wildlife Resources before approval of  
6 utility scale solar and wind power plants.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ defines terms;
- 10 ▶ requires consultation with the Division of Wildlife Resources (division) as part of local  
11 government approval of utility scale solar and wind power plant projects;
- 12 ▶ specifies consultation requirements; and
- 13 ▶ provides rulemaking authority to the division.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 ENACTS:

20 **54-17-1201**, Utah Code Annotated 1953

21  
22 *Be it enacted by the Legislature of the state of Utah:*

23 Section 1. Section **54-17-1201** is enacted to read:

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

25 **54-17-1201 . Wildlife consultation required for utility scale renewable energy**  
26 **facilities.**

27 (1) As used in this section:

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

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

- 31           (i) has a nameplate generating capacity in excess of one megawatt; and  
32           (ii) converts sunlight into electricity for the primary purpose of wholesale or retail  
33                 sales of generated electricity.
- 34           (c) "Utility scale renewable energy facility" means a solar power plant or wind power  
35                 plant.
- 36           (d) "Wind power plant" means a facility that:  
37                 (i) has a nameplate generating capacity in excess of one megawatt; and  
38                 (ii) converts wind energy into electricity for the primary purpose of wholesale or  
39                         retail sales of generated electricity.
- 40           (2) As part of an application for a permit to the appropriate local jurisdiction, an owner or  
41                 operator of a utility scale renewable energy facility shall consult with the Division of  
42                 Wildlife Resources regarding potential impacts to wildlife and wildlife habitat.
- 43           (3) The consultation described in Subsection (2) shall include:  
44                 (a) submission by the owner or operator to the Division of Wildlife Resources of project  
45                         location, layout, timeline, and any wildlife surveys conducted;  
46                 (b) a meeting between the owner or operator and Division of Wildlife Resources  
47                         personnel; and  
48                 (c) the Division of Wildlife Resources' recommendations for avoiding, minimizing, or  
49                         mitigating potential impacts to wildlife and wildlife habitat.
- 50           (4) The Division of Wildlife Resources shall:  
51                 (a) within 30 days after the day on which the Division of Wildlife Resources receives a  
52                         complete consultation request, provide the owner or operator with written  
53                         recommendations; and  
54                 (b) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative  
55                         Rulemaking Act, establishing consultation procedures and standards.
- 56           (5) An owner or operator shall include with an application to the appropriate local  
57                 jurisdiction proof of consultation with the Division of Wildlife Resources and a  
58                 description of measures the owner or operator will implement to address the Division of  
59                 Wildlife Resources' recommendations.
- 60           (6) The appropriate local jurisdiction shall consider the Division of Wildlife Resources'  
61                 recommendations when evaluating a permit application for a utility scale renewable  
62                 energy facility.
- 63           (7) This section does not:  
64                 (a) grant the Division of Wildlife Resources authority to approve or deny a permit

- 65            application;
- 66            (b) require an owner or operator to implement the Division of Wildlife Resources'
- 67            recommendations; or
- 68            (c) limit local jurisdiction authority to approve or deny a permit application.
- 69            **Section 2. Effective Date.**
- 70            This bill takes effect on May 6, 2026.