

## Energy Development Planning Amendments

## 2026 GENERAL SESSION

# STATE OF UTAH

## **Chief Sponsor: Doug Owens**

**Senate Sponsor:**

## LONG TITLE

### **General Description:**

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

## **Highlighted Provisions:**

This bill:

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

### **Money Appropriated in this Bill:**

None

## Other Special Clauses:

None

## Utah Code Sections Affected:

## ENACTS:

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

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

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

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

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

(1) As used in this section:

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

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

- (i) has a nameplate generating capacity in excess of one megawatt; and
- (ii) converts sunlight into electricity for the primary purpose of wholesale or retail sales of generated electricity.

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

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

- (i) has a nameplate generating capacity in excess of one megawatt; and
- (ii) converts wind energy into electricity for the primary purpose of wholesale or retail sales of generated electricity.

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

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

- (a) submission by the owner or operator to the Division of Wildlife Resources of project location, layout, timeline, and any wildlife surveys conducted;
- (b) a meeting between the owner or operator and Division of Wildlife Resources personnel; and
- (c) the Division of Wildlife Resources' recommendations for avoiding, minimizing, or mitigating potential impacts to wildlife and wildlife habitat.

(4) The Division of Wildlife Resources shall:

- (a) within 30 days after the day on which the Division of Wildlife Resources receives a complete consultation request, provide the owner or operator with written recommendations; and
- (b) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing consultation procedures and standards.

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

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

(7) This section does not:

- (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.