



# 1<sup>st</sup> Sub. H.B. 65 – Active Transportation & Canal Trail Amendments

Rep. Lesser | Policy Analyst: Rachel Brooks | January 17, 2024

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## Summary

The goal of this legislation is to coordinate efforts to conserve water and enhance trail networks statewide. This bill directs UDOT to study the feasibility of including high priority canal corridors in active transportation plans and inventory the state's canals.

## Background

Rep. Lesser presented on this issue to the Transportation Interim Committee at its [September 18 meeting](#). The committee voted unanimously to open a committee bill file on the issue.

Rep. Lesser presented the draft legislation to the Transportation Interim Committee at its [November 15 meeting](#). The committee voted unanimously to support the legislation.

Rep. Lesser presented the draft legislation to the Water Development Task Force at its [December 11 meeting](#). The Task Force feedback was incorporated into the substitute.

## Proposed Changes in this Bill (1<sup>st</sup> Substitute)

- Line 69: Modifies an existing requirement for a canal owner to notify the county and municipal governments of intent to abandon a prescriptive easement to add notification to UDOT and the MPO (if applicable)
- Line 96: Directs UDOT, in coordination with UDAF and DNR, to:
  - Develop a toolkit for political subdivisions to develop and maintain canal trails, including sample license agreements, funding resources, and best practices;
  - Identify which canal corridors in the state are suitable for inclusion in the statewide active transportation plan; and
  - Create an inventory of the identified high priority canal corridors, including the type of land ownership and easement, feasibility and cost of acquiring necessary rights, willingness of canal operator to have a trail or allow piping of the canal, and maximum operating flow rate of the canal.
- Line 190: Directs UDOT to provide the Transportation Commission with information on a project's potential water savings or improvements to canal infrastructure when prioritizing funding
- Line 447: Directs DNR to compile a list and map of the larger canals in the state and provide that information to UDOT by October 31, 2024

## 1<sup>st</sup> Substitute vs. Original bill

- Removes the right of first refusal sections which gave municipalities, counties, MPOs, and UDOT the first right to purchase abandoned canals or portions of canals
- Modifies the list DNR is compiling to include canals 40 cubic feet per second (cfs) or greater, increased from 20 cfs
- Adds a requirement for UDOT to coordinate with UDAF and DNR on the toolkit and inventory