

## **Chapter 10**

### **Management of Sovereign Lands**

#### **65A-10-1 Authority of division to manage sovereign lands.**

- (1) Subject to Title 73, Chapter 32, Great Salt Lake Commissioner Act, the division is the management authority for sovereign lands, and may exchange, sell, or lease sovereign lands but only in the quantities and for the purposes as serve the public interest and do not interfere with the public trust.
- (2) Nothing in this section shall be construed as asserting state ownership of the beds of nonnavigable lakes, bays, rivers, or streams.
- (3) A lease for the construction of a highway facility over sovereign lakebed lands shall comply with the requirements described in Subsection 65A-7-5(5).

Amended by Chapter 205, 2023 General Session

#### **65A-10-3 Establishment of sovereign land boundaries.**

- (1) The division, after consultation with the attorney general and affected state agencies, shall develop plans for the resolution of disputes over the location of sovereign land boundaries.
- (2) The division, after notice to affected state agencies and any person with an ownership interest in the land, may enter into agreements with owners of land adjoining navigable lakes and streams to establish sovereign land boundaries.

Amended by Chapter 294, 1994 General Session

#### **65A-10-5 Utah Lake study.**

- (1) The division shall conduct a study to determine how to enhance the following benefits associated with Utah Lake in a manner consistent with the division's management authority over sovereign lands under Section 65A-10-1:
  - (a) improving the clarity and quality of the water in Utah Lake;
  - (b) conserving water resources in and around Utah Lake;
  - (c) removing invasive plant and animal species, including phragmites and carp, from Utah Lake;
  - (d) restoring and improving littoral zone and other plant communities in and around Utah Lake;
  - (e) restoring and conserving native fish and other aquatic species in Utah Lake, including Bonneville cutthroat trout and June Sucker;
  - (f) increasing the suitability of Utah Lake and its surrounding areas for shore birds, waterfowl, and other avian species;
  - (g) maximizing, enhancing, and ensuring recreational access and opportunities on Utah Lake;
  - (h) otherwise improving the use of Utah Lake for residents and visitors;
  - (i) substantially accommodating an existing use on land in or around Utah Lake; and
  - (j) providing any other benefits identified by the division.
- (2) To begin the study, the division shall review available information, literature, and data concerning improving Utah Lake, and assess the scientific, technical, measurement, and other informational needs for determining methods to enhance Utah Lake.
- (3)
  - (a) After complying with Subsection (2), the division shall study the needs identified under Subsection (2) that help to inform and improve discussions about Utah Lake and the enhancement of Utah Lake.

- (b) As part of the study under this Subsection (3), the division shall:
  - (i) respect the need to preserve water rights and interests related to water collection, storage, or delivery and projects for water collection, storage, or delivery associated with Utah Lake; and
  - (ii) consult with the state engineer to identify conditions associated with Utah Lake that may affect the state's ability to deliver water from Utah Lake to the Great Salt Lake under an approved instream flow change application described in Subsection 73-3-30(2).
- (4) The division shall consult with other state agencies and a wide range of stakeholders with diverse interests to assist the division in conducting the study under this section.
- (5) The division shall complete the study under this section by no later than November 1, 2025.
- (6) The division shall report the findings of the study and a proposed plan to implement the findings to the Natural Resources, Agriculture, and Environment Interim Committee by no later than the November 2025 interim meeting of that committee.
- (7) This section may not be interpreted to override, supersede, or modify any water right within the state, or the role and authority of the state engineer.

Enacted by Chapter 384, 2024 General Session