

73-26-103 Definitions.

As used in this chapter:

- (1) "Board" means the Board of Water Resources.
- (2)
 - (a) "Construction costs" means all costs related to the development of a project, except the costs of environmental mitigation.
 - (b) Construction costs include:
 - (i) planning;
 - (ii) engineering and legal work;
 - (iii) permitting;
 - (iv) acquisition of land and rights-of-way;
 - (v) rebuilding and relocation of highways or other facilities affected by the project;
 - (vi) compensation for impairment of existing water rights;
 - (vii) construction of the dam, reservoir, and associated facilities; and
 - (viii) expenses of the division related to the project.
- (3) "Developed waters" means surface water developed by projects authorized under this chapter.
- (4) "Division" means the Division of Water Resources.
- (5) "Environmental mitigation costs" means costs that may be required by federal, state, or local governmental agencies for project environmental permitting, including:
 - (a) planning;
 - (b) environmental and engineering studies;
 - (c) permitting;
 - (d) acquisition of land and rights-of-way; and
 - (e) operation, maintenance, and repair of facilities associated with project environmental mitigation.
- (6) "Preconstruction costs" means any of the following costs incurred before project construction begins:
 - (a) planning;
 - (b) design;
 - (c) engineering studies;
 - (d) legal work;
 - (e) permitting;
 - (f) acquisition of land and rights-of-way;
 - (g) compensation for impairment of existing water rights;
 - (h) environmental studies; or
 - (i) any combination of Subsections (6)(a) through (h).
- (7) "Project costs" include preconstruction costs, construction costs, environmental mitigation costs, and costs of operation, maintenance, repair, and replacement.

Amended by Chapter 84, 2006 General Session