

1 **WATER CONSERVATION PLAN UPDATES**

2 1999 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Judy Ann Buffmire**

5 AN ACT RELATING TO WATER AND IRRIGATION; REQUIRING WATER
6 CONSERVATION PLANS TO BE UPDATED AT LEAST EVERY FIVE YEARS.

7 This act affects sections of Utah Code Annotated 1953 as follows:

8 AMENDS:

9 **73-10-32**, as enacted by Chapter 305, Laws of Utah 1998

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

11 Section 1. Section **73-10-32** is amended to read:

12 **73-10-32. Water conservation plan required.**

13 (1) As used in this section:

14 (a) "Board" means the Board of Water Resources created under Section 73-10-1.5.

15 (b) "Division" means the Division of Water Resources created under Section 73-10-18.

16 (c) "Retail" means the level of distribution of culinary water that supplies culinary water
17 directly to the end user.

18 (d) "Retail water provider" means a supplier of culinary water to the end user.

19 (e) (i) "Water conservation plan" means a written document that contains ideas,
20 suggestions, or recommendations as to what can be done by state and local governments, retail
21 water providers, and the end user of culinary water to help conserve water and limit or reduce its
22 use in the state in terms of per capita consumption so that adequate supplies of water are available
23 for future needs.

24 (ii) Each "water conservation plan" shall contain recommendations for water saving
25 measures that may include:

26 (A) the installation and use of water efficient fixtures and appliances, including toilets,
27 shower fixtures, and faucets;

28 (B) residential and commercial landscapes and irrigation that require less water to
29 maintain;

30 (C) more water efficient industrial and commercial processes involving the use of water;

31 (D) water reuse systems, both potable and not potable;

32 (E) distribution system leak repair;

33 (F) dissemination of public information regarding more efficient use of water, including
34 public education programs, customer water use audits, and water saving demonstrations;

35 (G) water rate structures designed to encourage more efficient use of water;

36 (H) statutes, ordinances, codes, or regulations designed to encourage more efficient use
37 of water by means such as water efficient fixtures and landscapes;

38 (I) incentives to implement water efficient techniques, including rebates to water users to
39 encourage the implementation of more water efficient measures; and

40 (J) other measures designed to conserve water.

41 (2) (a) Before April 1, 1999, each water conservancy district under Title 17A, Chapter 2,
42 Part 14, Water Conservancy Districts, and each retail water provider shall:

43 (i) (A) prepare or adopt a water conservation plan if one has not already been adopted; or

44 (B) if the district or provider has already adopted a water conservation plan, review the
45 existing water conservation plan to determine if it should be amended and, if so, amend the water
46 conservation plan; and

47 (ii) file a copy of the water conservation plan or amended water conservation plan with the
48 division.

49 (b) Before adopting or amending a water conservation plan, each water conservancy
50 district or retail water provider shall hold a public hearing with reasonable, advance public notice.

51 (3) (a) The board shall:

52 (i) study ways to implement the water conservation plans of the water conservancy districts
53 and the retail water providers;

54 (ii) develop recommendations on how to implement those plans; and

55 (iii) report its recommendations to the Natural Resources, Agriculture, and Environment
56 Interim Committee of the Legislature at its meeting in November 1999.

57 (b) The board's report to the Natural Resources, Agriculture, and Environment Interim
58 Committee may include a recommendation:

59 (i) that each water conservancy district and retail water provider devote part of at least one
60 regular meeting of its governing body to a discussion of the water conservation plan and allow
61 public comment on it;

62 (ii) to implement a notification procedure that includes the delivery of the water
63 conservation plan to the media and to the governing body of each municipality and county served
64 by the water conservancy district or retail water provider;

65 (iii) that certain eligibility requirements, including the adoption of a water conservation
66 plan, be met before a water conservancy district or retail water provider may receive any state
67 funds for water development;

68 (iv) for the coordination of conservation and drought management plans; and

69 (v) regarding any other measure designed to conserve water.

70 (4) Each water conservancy district and retail water provider specified under Subsection

71 (2)(a) shall:

72 (a) update its water conservation plan no less frequently than every five years; and

73 (b) follow the procedures required under Subsection (2) when updating the water
74 conservation plan.

75 [(4)] (5) It is the intent of the Legislature that the water conservation plans, amendments
76 to existing water conservation plans, and the study and recommendations by the board be handled
77 within the existing budgets of the respective entities or agencies.

Legislative Review Note

as of 1-27-99 1:20 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel