

1 **WATER CONSERVATION PLANS**

2 2004 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Judy Ann Buffmire**

6 **LONG TITLE**

7 **General Description:**

8 This bill amends certain provisions related to water conservation plans.

9 **Highlighted Provisions:**

10 This bill:

11 ▶ requires that water conservation plans contain existing and proposed water
12 conservation measures;

13 ▶ requires that water conservation plans contain an evaluation of the extent to which a
14 retail provider will use certain measures to achieve its conservation goals;

15 ▶ requires that water conservation plans contain a clearly stated water use reduction
16 goal and implementation plan for each conservation measure, including a timeline
17 for action and an evaluation process to measure progress; and

18 ▶ requires that the Board of Water Resources' report be presented to the interim
19 committee at its November 2004 meeting.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **73-10-32**, as last amended by Chapter 119, Laws of Utah 1999



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

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

30 **73-10-32. Definitions -- Water conservation plan required.**

31 (1) As used in this section:

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

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

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

36 (d) "Retail water provider" means a person who:

37 (i) supplies culinary water to end users; and

38 (ii) has more than 500 service connections.

39 (e) (i) "Water conservation plan" means a written document that contains [~~ideas,~~
40 ~~suggestions, or recommendations as to~~] existing and proposed water conservation measures
41 describing what [~~can~~] will be done by state and local governments, retail water providers, and
42 the end user of culinary water to help conserve water and limit or reduce its use in the state in
43 terms of per capita consumption so that adequate supplies of water are available for future
44 needs.

45 (ii) Each "water conservation plan" shall contain [~~recommendations for~~] water saving
46 measures that [~~may~~] shall include an evaluation of the extent to which the retail water provider
47 will utilize the following measures to achieve its conservation goals:

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

50 (B) residential and commercial landscapes and irrigation that require less water to
51 maintain;

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

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

55 (E) distribution system leak repair;

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

- 59 (G) water rate structures designed to encourage more efficient use of water;
- 60 (H) statutes, ordinances, codes, or regulations designed to encourage more efficient use
- 61 of water by means such as water efficient fixtures and landscapes;
- 62 (I) incentives to implement water efficient techniques, including rebates to water users
- 63 to encourage the implementation of more water efficient measures; ~~and~~
- 64 (J) a clearly stated water use reduction goal and an implementation plan for each
- 65 conservation measure, including a timeline for action and an evaluation process to measure
- 66 progress; and
- 67 ~~(J)~~ (K) other measures designed to conserve water.

68 (2) (a) Before April 1, 1999, each water conservancy district under Title 17A, Chapter

69 2, Part 14, Water Conservancy Districts, and each retail water provider shall:

- 70 (i) (A) prepare or adopt a water conservation plan if one has not already been adopted;
- 71 or
- 72 (B) if the district or provider has already adopted a water conservation plan, review the
- 73 existing water conservation plan to determine if it should be amended and, if so, amend the
- 74 water conservation plan; and
- 75 (ii) file a copy of the water conservation plan or amended water conservation plan with
- 76 the division.

77 (b) Before adopting or amending a water conservation plan, each water conservancy

78 district or retail water provider shall hold a public hearing with reasonable, advance public

79 notice.

80 (3) (a) The board shall:

- 81 (i) study ways to implement the water conservation plans of the water conservancy
- 82 districts and the retail water providers;
- 83 (ii) develop recommendations on how to implement those plans; and
- 84 (iii) report its recommendations to the Natural Resources, Agriculture, and
- 85 Environment Interim Committee of the Legislature at its meeting in November ~~[1999]~~ 2004.

86 (b) The board's report to the Natural Resources, Agriculture, and Environment Interim

87 Committee ~~[may]~~ shall include a ~~[recommendation]~~ provision:

- 88 (i) that each water conservancy district and retail water provider devote part of at least
- 89 one regular meeting of its governing body to a discussion of the water conservation plan and

90 allow public comment on it;

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

94 (iii) that certain eligibility requirements, including the adoption of a water conservation
95 plan that meets the minimum criteria outlined in Subsection (1)(e)(ii), including a timeline and
96 process for plan implementation and evaluation, be met before a water conservancy district or
97 retail water provider may receive any state funds for water development;

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

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

100 (4) Each water conservancy district and retail water provider specified under
101 Subsection (2)(a) shall:

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

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

105 (5) It is the intent of the Legislature that the water conservation plans, amendments to
106 existing water conservation plans, and the study and recommendations by the board be handled
107 within the existing budgets of the respective entities or agencies.

Legislative Review Note
as of 1-8-04 7:32 AM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0071

Water Conservation Plans

21-Jan-04

5:14 PM

State Impact

No fiscal impact.

Individual and Business Impact

This bill may add costs to water providers to update and implement their water conservation plans.

Office of the Legislative Fiscal Analyst