

1 **CONCURRENT RESOLUTION ON SUSTAINABLE**
2 **MANAGEMENT OF UTAH'S WATER QUALITY**

3 2017 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Timothy D. Hawkes**

6 Senate Sponsor: Margaret Dayton

8 **LONG TITLE**

9 **General Description:**

10 This concurrent resolution of the Legislature and the Governor expresses support for
11 managing wastewater treatment in a holistic and sustainable manner that allows for cost
12 benefit analyses and contemplates ecological impacts associated with treatment.

13 **Highlighted Provisions:**

14 This resolution:

- 15 ▶ encourages water quality standards to be based on the best available research and
16 science to improve and protect Utah's water quality;
- 17 ▶ encourages the Division of Water Quality, stakeholders, and local elected officials
18 to conduct water quality research on a mutually agreed collaborative process; and
- 19 ▶ urges the Division of Water Quality to work in partnership with the publicly owned
20 treatment works and local elected officials to develop the best available science and
21 research regarding Utah's unique water systems.

22 **Special Clauses:**

23 None

25 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

26 WHEREAS, the state of Utah has delegated authority from the Environmental
27 Protection Agency to implement the Clean Water Act;



28 WHEREAS, the state of Utah has a robust and protective statutory and regulatory
29 framework to oversee Utah's water quality;

30 WHEREAS, the Utah Department of Environmental Quality has the responsibility to
31 protect Utah's water, air, and land;

32 WHEREAS, the Great Salt Lake, Utah Lake, and the Jordan River have unique water
33 quality constraints and each body of water has qualities that add value to Utah's economy,
34 recreation opportunities, and wildlife habitat;

35 WHEREAS, the publicly owned treatment works are part of the solution to water
36 pollution and play a vital role in assuring that wastewater is treated before discharge;

37 WHEREAS, the state Division of Water Quality has flexibility in setting standards for
38 nutrients and the Environmental Protection Agency supports adaptive management;

39 WHEREAS, the setting of water quality standards should be done under consideration
40 of the effectiveness of the standards to improve water quality, water quantity, and the cost
41 burden to Utah's citizens;

42 WHEREAS, standards should be set based on the best available research and science
43 and such standards should have an acceptable level of certainty to improve and protect Utah's
44 water quality;

45 WHEREAS, water quality research that informs policy should follow standard
46 scientific protocols for study development, data collection and management, modeling, and
47 analyses;

48 WHEREAS, water quality research should be conducted in a collaborative process
49 among the Division of Water Quality, stakeholders, and local elected officials, and should be
50 conducted using a mutually agreed upon collaborative process; and

51 WHEREAS, the cost of complying with potential new standards could be high for the
52 publicly owned treatment works and could impact Utah's communities if compliance requires
53 process upgrades or plant facility rebuilds, making it paramount that Utah's elected officials
54 understand and participate in the decision-making process as appropriate:

55 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
56 Governor concurring therein, finds that having the Division of Water Quality work in
57 partnership with the publicly owned treatment works and local elected officials to develop the
58 best available science and research regarding Utah's unique water systems is of paramount

59 importance.

60 BE IT FURTHER RESOLVED that regulations to protect Utah's water quality should
61 weigh water quality benefits against any resulting negative impact to Utah's land, water, or air
62 resources.

63 BE IT FURTHER RESOLVED that local communities and the publicly owned
64 treatment works are partners in addressing water quality through regulation, funding, and
65 oversight.

66 BE IT FURTHER RESOLVED that the publicly owned treatment works and the
67 Division of Water Quality need to establish mutually agreeable processes for conducting
68 research.

69 BE IT FURTHER RESOLVED that future standards and permit requirements should be
70 based on the best research and information produced from these joint processes.

71 BE IT FURTHER RESOLVED that when the costs of compliance with proposed
72 standards are significant, the Legislature should be informed of the prospective costs and
73 benefits of that compliance.

Legislative Review Note
Office of Legislative Research and General Counsel