

WATER CONSERVATION REVISIONS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to water conservation plans.

Highlighted Provisions:

This bill:

- ▶ modifies definitions and defines terms;
- ▶ modifies the required contents of a water conservation plan; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

73-10-32, as last amended by Laws of Utah 2007, Chapter 329

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

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

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

(1) As used in this section:

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



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

29 (c) "Retail" means the level of distribution of culinary and secondary water that
30 supplies culinary water directly to the end user.

31 (d) "Retail water provider" means an entity which:

32 (i) supplies culinary or secondary water to end users; and

33 (ii) has more than 500 service connections.

34 (e) "Secondary water provider" means an entity that:

35 (i) provides pressurized secondary water to end users; and

36 (ii) has 500 or more service connections.

37 [~~e~~] (f) "Water conservancy district" means an entity formed under Title 17B, Chapter
38 2a, Part 10, Water Conservancy District Act.

39 [~~f~~] (g) "Water conservation plan" means a written document that contains existing
40 and proposed water conservation measures describing what will be done by a retail water
41 [~~providers,]~~ provider, a water conservancy [~~districts,]~~ district, a water district, and the end user
42 of culinary or secondary 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 (h) "Water district" means an entity that wholesales culinary or secondary water to a
46 retailer with 500 or more connections.

47 (2) (a) [~~Each~~] A water conservancy district, water district, or retail water provider shall
48 have a water conservation plan [~~shall contain~~] that contains:

49 (i) (A) [~~a~~] clearly stated overall water use reduction [~~goal and~~] goals for residential,
50 commercial, and industrial uses;

51 (B) water conservation measures for residential, commercial, and industrial uses,
52 including landscaping; and

53 (C) an implementation plan for each of the water conservation measures it chooses to
54 use, including a timeline for action and an evaluation process to measure progress;

55 (ii) a requirement that each water conservancy district, water district, and retail water
56 provider devote part of at least one regular meeting every five years of its governing body to a
57 discussion and formal adoption of the water conservation plan, and allow public comment on
58 [~~it~~] the water conservation plan;

59 (iii) a requirement that a notification procedure be implemented that includes the
60 delivery of the water conservation plan to the media and to the governing body of each
61 municipality and county served by the water conservancy district, water district, or retail water
62 provider; ~~[and]~~

63 (iv) a copy of the minutes of the meeting and the notification procedure required in
64 Subsections (2)(a)(ii) and (iii) which shall be added as an appendix to the plan~~[-];~~ and

65 ~~[(b) A water conservation plan may include]~~

66 (v) except as provided in Subsection (2)(b), information regarding:

67 ~~[(i)]~~ (A) the installation and use of water efficient fixtures and appliances, including
68 toilets, shower fixtures, and faucets;

69 ~~[(ii)]~~ (B) residential and commercial landscapes and irrigation that require less water to
70 maintain;

71 ~~[(iii)]~~ (C) more water efficient industrial and commercial processes involving the use
72 of water;

73 ~~[(iv)]~~ (D) water reuse systems, both potable and not potable;

74 ~~[(v)]~~ (E) distribution system leak repair;

75 ~~[(vi)]~~ (F) dissemination of public information regarding more efficient use of water,
76 including public education programs, customer water use audits, and water saving
77 demonstrations;

78 ~~[(vii)]~~ (G) water rate structures designed to encourage more efficient use of water;

79 ~~[(viii)]~~ (H) existing or potential statutes, ordinances, codes, or regulations designed to
80 encourage more efficient use of water by means such as water efficient fixtures and water
81 efficient landscapes, including restrictions on grass landscaping;

82 ~~[(ix)]~~ (I) incentives to implement water efficient techniques, including rebates to water
83 users to encourage the implementation of more water efficient measures; and

84 ~~[(x)]~~ (J) other measures designed to conserve water.

85 ~~[(e)]~~ (b) The Division of Water Resources may be contacted for information and
86 technical resources regarding measures listed in ~~[Subsections (2)(b)(i) through (2)(b)(x)]~~
87 Subsection (2)(a)(v).

88 (3) (a) Before April 1, 1999, each water conservancy district and each retail water
89 provider shall:

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

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

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

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

100 (4) (a) The board shall:

101 (i) provide guidelines and technical resources to [~~retail water providers and~~] water
102 conservancy districts, water districts, and retail water providers to prepare and implement water
103 conservation plans;

104 (ii) investigate alternative measures designed to conserve water; and

105 (iii) report regarding its compliance with the act and impressions of the overall quality
106 of the plans submitted to the Natural Resources, Agriculture, and Environment Interim
107 Committee of the Legislature at its meeting in November 2004.

108 (b) The board shall publish an annual report in a paper of state-wide distribution
109 specifying the [~~retail water providers and~~] water conservancy districts, water districts, and retail
110 water providers that do not have a current water conservation plan on file with the board at the
111 end of the calendar year.

112 (5) A water conservancy district, water district, or retail water provider may only
113 receive state funds for water development if [~~they comply~~] the water conservancy district,
114 water district, or retail water provider complies with the requirements of this act.

115 (6) Each water conservancy district, water district, and retail water provider specified
116 under Subsection (3)(a) shall:

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

118 (b) follow the procedures required under Subsection (3) when updating the water
119 conservation plan.

120 (7) It is the intent of the Legislature that the water conservation plans, amendments to

121 existing water conservation plans, and the studies and report by the board be handled within the
122 existing budgets of the respective entities or agencies.

Legislative Review Note
Office of Legislative Research and General Counsel