

AGRICULTURAL WATER OPTIMIZATION FUND

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Timothy D. Hawkes

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the Agricultural Water Optimization Task Force.

Highlighted Provisions:

This bill:

- ▶ creates the Agricultural Water Optimization Task Force;
- ▶ describes the duties of the Agricultural Water Optimization Task Force, including reporting requirements;
- ▶ creates the Agricultural Water Optimization Fund; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2019:

- ▶ to the Agricultural Water Optimization Fund as a one-time appropriation:
 - from the General Fund, one-time, \$75,000;
 - from the Agriculture Resource Development Fund, one-time, \$500,000;
 - from the Water Resources Conservation and Development Fund, one-time, \$500,000; and
 - from Nonlapsing Balances - Utah State University Cooperative Extension, one-time, \$100,000.

Other Special Clauses:

This bill provides a special effective date.



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **73-10g-101**, as enacted by Laws of Utah 2015, Chapter 458

31 ENACTS:

32 **73-10g-201**, Utah Code Annotated 1953

33 **73-10g-202**, Utah Code Annotated 1953

34 **73-10g-203**, Utah Code Annotated 1953

35 **73-10g-204**, Utah Code Annotated 1953



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

38 Section 1. Section **73-10g-101** is amended to read:

39 **CHAPTER 10g. WATER INFRASTRUCTURE AND LONG-TERM PLANNING**

40 **73-10g-101. Title.**

41 (1) This chapter is known as "Water Infrastructure and Long-Term Planning."

42 (2) This part is known as "Funding."

43 Section 2. Section **73-10g-201** is enacted to read:

44 **Part 2. Agricultural Water Optimization**

45 **73-10g-201. Title.**

46 This part is known as "Agricultural Water Optimization."

47 Section 3. Section **73-10g-202** is enacted to read:

48 **73-10g-202. Agricultural Water Optimization Task Force.**

49 (1) There is created the Agricultural Water Optimization Task Force, consisting of:

50 (a) the following voting members:

51 (i) one person representing the Department of Agriculture and Food;

52 (ii) one person representing the board or division;

53 (iii) one person representing the Division of Water Rights;

54 (iv) one person representing the Division of Water Quality;

55 (v) one person representing the interests of the agriculture industry;

56 (vi) one person representing environmental interests; and

57 (vii) one person representing water conservancy districts; and

58 (b) one nonvoting member from the higher education community with a background in

59 research.

60 (2) (a) The commissioner of the Department of Agriculture and Food shall appoint the
61 members described in Subsections (1)(a)(i), (v), and (vii).

62 (b) The executive director of the Department of Natural Resources shall appoint the
63 members described in Subsections (1)(a)(ii), (iii), and (vi).

64 (3) The division shall provide administrative support to the task force.

65 (4) The task force shall select a chair from among its membership.

66 (5) Service on the task force is voluntary and members may not be compensated for
67 their service on the task force but may receive per diem and travel expenses as allowed in
68 Sections [63A-3-106](#) and [63A-3-107](#), and relevant Division of Finance rules.

69 Section 4. Section **73-10g-203** is enacted to read:

70 **73-10g-203. Duties of the task force.**

71 (1) The task force created in Section [73-10g-202](#) shall:

72 (a) identify critical issues facing the state's long-term water supply, particularly in
73 regard to how the state should optimize agricultural water supply and use in light of future
74 population growth, and the future water needs of Utah agriculture;

75 (b) identify current obstacles to, and constraints upon, quantification of agricultural
76 water use, and recommend means, methods, technologies, or other opportunities to improve the
77 quantification of agricultural water use on a basin level; and

78 (c) identify means, methods, systems, or technologies with the potential to maintain or
79 increase agricultural production while reducing the agriculture industry's water diversion and
80 consumption.

81 (2) The task force shall issue requests for proposals and award grants to study the
82 issues identified in Subsection (1), prioritizing proposals and grants as necessary.

83 (3) In identifying critical issues as described in Subsection (1), and prioritizing requests
84 for proposals and grants as described in Subsection (2), the task force shall:

85 (a) identify, develop, and apply sound science and relevant research on optimizing
86 agricultural water use;

87 (b) measure gains at the basin level;

88 (c) take into account the variety of agricultural products, opportunities to improve
89 water use practices, and local needs;

90 (d) address and account for farm economics at the enterprise and community level;

91 (e) work within existing agricultural markets or encourage market behavior that

92 financially rewards improved practices;

93 (f) recognize established water rights;

94 (g) create meaningful benefits for farmers to optimize water use and protect water

95 quality;

96 (h) monitor funded research projects and evaluate the efficacy of completed research;

97 and

98 (i) disseminate research findings.

99 (4) The task force shall report on its progress under this section by November 30, 2019,

100 to:

101 (a) the Legislative Water Development Commission;

102 (b) the Natural Resources, Agriculture, and Environment Interim Committee; and

103 (c) the Executive Water Task Force.

104 Section 5. Section **73-10g-204** is enacted to read:

105 **73-10g-204. Agricultural Water Optimization Fund.**

106 (1) There is created an expendable special revenue fund called the Agricultural Water
107 Optimization Fund.

108 (2) The Agricultural Water Optimization Fund consists of appropriations from the
109 Legislature.

110 (3) The task force created in Section [73-10g-202](#) may expend money in the
111 Agricultural Water Optimization Fund to fulfill the duties of Section [73-10g-203](#).

112 **Section 6. Appropriation.**

113 The following sums of money are appropriated for the fiscal year beginning July 1,
114 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for
115 fiscal year 2019. The Legislature has reviewed the following expendable funds. The Legislature
116 authorizes the State Division of Finance to transfer amounts between funds and accounts as
117 indicated. Outlays and expenditures from the funds or accounts to which the money is
118 transferred may be made without further legislative action, in accordance with statutory
119 provisions relating to the funds or accounts.

120 To Agricultural Water Optimization Fund

121	<u>From General Fund, one-time</u>	<u>\$75,000</u>
122	<u>From Agricultural Resource Development Fund, one-time</u>	<u>\$500,000</u>
123	<u>From Water Resources Conservation and Development Fund,</u>	
124	<u>one-time</u>	<u>\$500,000</u>
125	<u>From Nonlapsing Balances - Utah State University Cooperative</u>	
126	<u>Extension, one-time</u>	<u>\$100,000</u>
127	<u>Schedule of Programs:</u>	
128	<u>Agricultural Water Optimization</u>	<u>\$1,175,000</u>
129	<u>Under Section 63J-1-603, the Legislature intends that appropriations provided under</u>	
130	<u>this section not lapse at the close of fiscal year 2019. The use of any nonlapsing funds is</u>	
131	<u>limited to the purposes described in Section 73-10g-203.</u>	
132	Section 7. Effective date.	
133	<u>This bill takes effect on July 1, 2018.</u>	

Legislative Review Note
Office of Legislative Research and General Counsel