

**Representative Timothy D. Hawkes** proposes the following substitute bill:

**AGRICULTURAL WATER OPTIMIZATION**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Timothy D. Hawkes**

Senate Sponsor: Margaret Dayton

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**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 Restricted Account; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2019:

- ▶ to the Agricultural Water Optimization Restricted Account 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,



26 one-time, \$100,000; and

27 ▶ to the Department of Natural Resources -- Water Resources as a one-time  
28 appropriation:

29 • from the Agricultural Water Optimization Restricted Account, \$1,275,000.

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **73-10g-101**, as enacted by Laws of Utah 2015, Chapter 458

35 ENACTS:

36 **73-10g-201**, Utah Code Annotated 1953

37 **73-10g-202**, Utah Code Annotated 1953

38 **73-10g-203**, Utah Code Annotated 1953

39 **73-10g-204**, Utah Code Annotated 1953



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

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

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

44 **73-10g-101. Title.**

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

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

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

48 **Part 2. Agricultural Water Optimization**

49 **73-10g-201. Title.**

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

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

52 **73-10g-202. Agricultural Water Optimization Task Force.**

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

54 (a) the following voting members:

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

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

- 57 (iii) one person representing the Division of Water Rights;
- 58 (iv) one person representing the Division of Water Quality;
- 59 (v) one person representing the interests of the agriculture industry;
- 60 (vi) one person representing environmental interests; and
- 61 (vii) one person representing water conservancy districts; and
- 62 (b) one nonvoting member from the higher education community with a background in
- 63 research.

64 (2) (a) The commissioner of the Department of Agriculture and Food shall appoint the

65 members described in Subsections (1)(a)(i), (v), and (vii).

66 (b) The executive director of the Department of Natural Resources shall appoint the

67 members described in Subsections (1)(a)(ii), (iii), and (vi).

68 (c) The governor shall appoint the members described in Subsections (1)(a)(iv) and

69 (2)(b).

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

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

72 (5) Service on the task force is voluntary and members may not be compensated for

73 their service on the task force but may receive per diem and travel expenses as allowed in

74 Sections [63A-3-106](#) and [63A-3-107](#), and relevant Division of Finance rules.

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

76 **73-10g-203. Duties of the task force.**

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

78 (a) identify critical issues facing the state's long-term water supply, particularly in

79 regard to how the state should optimize agricultural water supply and use in light of future

80 population growth, and the future water needs of Utah agriculture;

81 (b) identify current obstacles to, and constraints upon, quantification of agricultural

82 water use, and recommend means, methods, technologies, or other opportunities to improve the

83 quantification of agricultural water use on a basin level; and

84 (c) identify means, methods, systems, or technologies with the potential to maintain or

85 increase agricultural production while reducing the agriculture industry's water diversion and

86 consumption.

87 (2) The task force shall issue requests for proposals and award grants to study the

88 issues identified in Subsection (1), prioritizing proposals and grants as necessary.

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

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

93 (b) measure gains at the basin level;

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

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

97 (e) work within existing agricultural markets or encourage market behavior that  
98 financially rewards improved practices;

99 (f) recognize established water rights;

100 (g) create meaningful benefits for farmers to optimize water use and protect water  
101 quality;

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

103 and

104 (i) disseminate research findings.

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

106 to:

107 (a) the Legislative Water Development Commission;

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

109 (c) the Executive Water Task Force.

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

111 **73-10g-204. Agricultural Water Optimization Account.**

112 (1) There is created a restricted account within the General Fund called the Agricultural  
113 Water Optimization Account.

114 (2) The Agricultural Water Optimization Account consists of appropriations from the  
115 Legislature and donations.

116 (3) The task force created in Section [73-10g-202](#) may, subject to appropriation, expend  
117 money in the Agricultural Water Optimization Account to fulfill the duties of Section

118 [73-10g-203](#).

119 Section 6. **Appropriation.**

120 The following sums of money are appropriated for the fiscal year beginning July 1,  
121 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for  
122 fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
123 Act, the Legislature appropriates the following sums of money from the funds or accounts  
124 indicated for the use and support of the government of the state of Utah.

125 ITEM 1

126 To General Fund Restricted - Agricultural Water Optimization Account

127	<u>From General Fund, one-time</u>	<u>\$75,000</u>
128	<u>From Agricultural Resource Development Fund, one-time</u>	<u>\$500,000</u>
129	<u>From Water Resources Conservation and Development Fund,</u>	
130	<u>one-time</u>	<u>\$500,000</u>
131	<u>From Nonlapsing Balances - Utah State University Cooperative</u>	
132	<u>Extension, one-time</u>	<u>\$100,000</u>
133	<u>Schedule of Programs:</u>	
134	<u>Agricultural Water Optimization Account</u>	<u>\$1,175,000</u>

135 ITEM 2

136 To Department of Natural Resources -- Water Resources

137	<u>From Agricultural Water Optimization Restricted Account,</u>	
138	<u>one-time</u>	<u>\$1,275,000</u>
139	<u>Schedule of Programs:</u>	
140	<u>Funding projects and research</u>	<u>\$1,275,000</u>

141 Under Section [63J-1-603](#), the Legislature intends that appropriations provided under  
142 this section not lapse at the close of fiscal year 2019. The use of any nonlapsing funds is  
143 limited to the purposes described in Section [73-10g-203](#).

144 Section 7. **Effective date.**

145 If approved by two-thirds of all the members elected to each house, this bill takes effect  
146 upon approval by the governor, or the day following the constitutional time limit of Utah  
147 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,  
148 the date of veto override.