

WATER CONSERVATION PLAN AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Suzanne Harrison

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses water conservation plans.

Highlighted Provisions:

This bill:

- ▶ modifies what is required to be included in a water conservation plan; and
- ▶ makes technical 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**.
- (b) "Division" means the Division of Water Resources created under Section **73-10-18**.



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

30 (d) "Retail water provider" means an entity [~~which~~] that:

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

32 (ii) has more than 500 service connections.

33 (e) "Water conservancy district" means an entity formed under Title 17B, Chapter 2a,
34 Part 10, Water Conservancy District Act.

35 (f) "Water conservation plan" means a written document that contains existing and
36 proposed water conservation measures describing what will be done by retail water providers,
37 water conservancy districts, and the end user of culinary water to help conserve water and limit
38 or reduce [~~its~~] water use in the state in terms of per capita consumption so that adequate
39 supplies of water are available for future needs.

40 (2) (a) [~~Each~~] A water conservation plan shall contain:

41 (i) a clearly stated overall water use reduction goal and an implementation plan for
42 each of the water conservation measures [~~it~~] the water conservation plan chooses to use,
43 including a timeline for action and an evaluation process to measure progress;

44 (ii) by no later than the date the retail water provider or water conservancy district
45 updates the water conservation plan after May 14, 2019, an evaluation of:

46 (A) what specific measures the retail water provider or water conservancy district
47 would have to enact to reduce per capita water use to 175 gallons per capita day or less and
48 how much it would cost to do so; and

49 (B) how much it would cost the retail water provider or water conservancy district to
50 not reduce water use to 175 gallons per capita day through consideration of the retail water
51 provider's or water conservancy district's operation and maintenance costs, treatment costs,
52 delivery costs, new water source acquisition costs, and any other substantial expense;

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

57 [~~(iii)~~] (iv) a requirement that a notification procedure be implemented that includes the
58 delivery of the water conservation plan to the media and to the governing body of each

59 municipality and county served by the water conservancy district or retail water provider; and
60 ~~[(iv)]~~ (v) a copy of the minutes of the meeting and the notification procedure required
61 in Subsections (2)(a)~~[(ii)]~~(iii) and ~~[(iii)]~~ (iv), which shall be added as an appendix to the plan.

62 (b) A water conservation plan may include information regarding:

63 (i) the installation and use of water efficient fixtures and appliances, including toilets,
64 shower fixtures, and faucets;

65 (ii) residential and commercial landscapes and irrigation that require less water to
66 maintain;

67 (iii) more water efficient industrial and commercial processes involving the use of
68 water;

69 (iv) water reuse systems, both potable and not potable;

70 (v) distribution system leak repair;

71 (vi) dissemination of public information regarding more efficient use of water,
72 including public education programs, customer water use audits, and water saving
73 demonstrations;

74 (vii) water rate structures designed to encourage more efficient use of water;

75 (viii) statutes, ordinances, codes, or regulations designed to encourage more efficient
76 use of water by means such as water efficient fixtures and landscapes;

77 (ix) incentives to implement water efficient techniques, including rebates to water
78 users to encourage the implementation of more water efficient measures; and

79 (x) other measures designed to conserve water.

80 (c) The ~~[Division of Water Resources]~~ division may be contacted for information and
81 technical resources regarding measures listed in Subsections (2)(b)(i) through (2)(b)(x).

82 (3) (a) ~~[Before April 1, 1999, each]~~ A water conservancy district and each retail water
83 provider shall:

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

86 (B) if the district or provider has already adopted a water conservation plan, review the
87 existing water conservation plan to determine if ~~[it]~~ the water conservation plan should be
88 amended and, if so, amend the water conservation plan; and

89 (ii) file a copy of the water conservation plan or amended water conservation plan with

90 the division.

91 (b) Before adopting or amending a water conservation plan, ~~[each]~~ a water conservancy
92 district or retail water provider shall hold a public hearing with reasonable, advance public
93 notice.

94 (4) (a) The board shall:

95 (i) provide guidelines and technical resources to retail water providers and water
96 conservancy districts to prepare and implement water conservation plans; and

97 (ii) investigate alternative measures designed to conserve water~~[, and]~~.

98 ~~[(iii) report regarding its compliance with the act and impressions of the overall quality
99 of the plans submitted to the Natural Resources, Agriculture, and Environment Interim
100 Committee of the Legislature at its meeting in November 2004.]~~

101 (b) The board shall publish an annual report in a paper of state-wide distribution
102 specifying the retail water providers and water conservancy districts that do not have a current
103 water conservation plan on file with the board at the end of the calendar year.

104 (5) A water conservancy district or retail water provider may only receive state funds
105 for water development if they comply with the requirements of this ~~[act]~~ chapter.

106 (6) ~~[Each]~~ A water conservancy district and retail water provider specified under
107 Subsection (3)(a) shall:

108 (a) update ~~[its]~~ the water conservancy district's or retail water provider's water
109 conservation plan no less frequently than every five years; and

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

112 (7) It is the intent of the Legislature that the water conservation plans, amendments to
113 existing water conservation plans, and the studies and report by the board be handled within the
114 existing budgets of the respective entities or agencies.