

UTAH LAKE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Keven J. Stratton

Senate Sponsor: Curtis S. Bramble

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8	Gay Lynn Bennion	Rosemary T. Lesser	Stephen L. Whyte
9	Joel K. Briscoe	Jefferson Moss	
10	Jefferson S. Burton	Doug Owens	

LONG TITLE

General Description:

This bill modifies provisions of the Utah Lake Restoration Act.

Highlighted Provisions:

This bill:

- ▶ modifies the authority given to the Division of Forestry, Fire, and State Lands, with respect to the disposal of Utah Lake land in exchange for the comprehensive restoration of Utah Lake under a restoration proposal, from authority to dispose of land to authority to make a recommendation for the disposal of the land;
- ▶ requires the approval of the Legislature and governor for the disposal of Utah Lake land in exchange for the comprehensive restoration of Utah Lake under a restoration proposal; and
- ▶ requires the division to prepare recommendations on objectives of the Utah Lake restoration and report those recommendations to the Natural Resources, Agriculture, and Environment Interim Committee.

Money Appropriated in this Bill:

None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **65A-15-201**, as enacted by Laws of Utah 2018, Chapter 381



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

36 Section 1. Section **65A-15-201** is amended to read:

37 **65A-15-201. Division recommendation on disposal of state land in exchange for**
38 **Utah Lake restoration project -- Approval of Legislature and governor required --**
39 **Criteria -- Division recommendations for defining and meeting objectives.**

40 (1) (a) [~~Subject to the approval of the Legislative Management Committee, the~~] The
41 division may [~~dispose~~] recommend the disposal of appropriately available state land in and
42 around Utah Lake as compensation for the comprehensive restoration of Utah Lake under a
43 restoration proposal if the division finds that the restoration project will enhance the following
44 public benefits:

45 [~~(a)~~] (i) [~~restore~~] restoring the clarity and quality of the water in Utah Lake;

46 [~~(b)~~] (ii) [~~conserve~~] conserving water resources in and around Utah Lake;

47 [~~(c)~~] (iii) [~~preserve~~] preserving the water storage and water supply functions of Utah
48 Lake;

49 [~~(d)~~] (iv) [~~remove~~] removing invasive plant and animal species, including phragmites
50 and carp, from Utah Lake;

51 [~~(e)~~] (v) [~~restore~~] restoring littoral zone and other plant communities in and around
52 Utah Lake;

53 [~~(f)~~] (vi) [~~restore~~] restoring and [~~conserve~~] conserving native fish and other aquatic
54 species in Utah Lake, including Bonneville cutthroat trout and June Sucker;

55 [~~(g)~~] (vii) [~~increase~~] increasing the suitability of Utah Lake and its surrounding areas
56 for shore birds, waterfowl, and other avian species;

57 ~~(h)~~ (viii) ~~[improve]~~ improving navigability of Utah Lake;

58 ~~(i)~~ (ix) ~~[maximize, enhance, and ensure]~~ maximizing, enhancing, and ensuring

59 recreational access and opportunities on Utah Lake;

60 ~~(j)~~ (x) ~~[preserve]~~ preserving current water rights related to water associated with Utah

61 Lake; ~~and~~

62 ~~(k)~~ (xi) otherwise ~~[improve]~~ improving the use of Utah Lake for residents and

63 visitors[-];

64 (xii) substantially accommodating an existing use on land in or around Utah Lake; and

65 (xiii) providing any other benefits identified by the division.

66 **(b) If the division chooses to make a recommendation under Subsection (1)(a), the**

67 **division shall make the recommendation in writing to the Legislature and governor.**

68 (2) In determining whether to ~~[dispose]~~ recommend the disposal of state land in

69 exchange for the execution of a restoration project, as provided in Subsection (1)(a) and

70 pursuant to a restoration proposal, the division shall consider:

71 (a) the potential that the restoration project presents for additional revenue to state and

72 local government entities;

73 (b) the ability of the proposed use of the state land given in exchange for the restoration

74 project to enhance state property adjacent to Utah Lake;

75 (c) the proposed timetable for completion of the restoration project;

76 (d) the ability of the person who submits a restoration project to execute and complete

77 the restoration project satisfactorily; and

78 (e) the desirability of the proposed use of Utah Lake and the surrounding areas as a

79 result of the restoration project.

80 **(3) The Legislature and governor may, through the adoption of a concurrent resolution,**

81 **authorize the disposal of state land in and around Utah Lake as compensation for the**

82 **comprehensive restoration of Utah Lake under a restoration proposal if:**

83 **(a) the division recommends the disposal as provided in Subsection (1); and**

84 **(b) the Legislature and governor make a determination, in a concurrent resolution**

85 adopted under this Subsection (3), that:

86 (i) the restoration project will accomplish the objectives listed in Subsection (1)(a); and

87 (ii) the disposal is:

88 (A) a fiscally sound and fair method of providing for the comprehensive restoration of

89 Utah Lake; and

90 (B) constitutionally sound and legal.

91 (4) In support of the required permitting application for a restoration project, the

92 division shall:

93 (a) prepare recommendations for standards, criteria, and thresholds to define more

94 specifically the objectives listed in Subsections (1)(a) and (3)(b)(ii) and how and when those

95 objectives are to be met;

96 (b) report on the division's efforts under Subsection (4)(a) to the Natural Resources,

97 Agriculture, and Environment Interim Committee, as requested by the committee chairs; and

98 (c) upon completion of recommendations under Subsection (4)(a), present the

99 recommendations to the Natural Resources, Agriculture, and Environment Interim Committee.