

1                                   **WATERSHED RESTORATION INITIATIVE**

2   2022 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Gay Lynn Bennion**

5                                   Senate Sponsor: Evan J. Vickers

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7 **LONG TITLE**

8 **General Description:**

9           This bill creates the Watershed Restoration Initiative within the Department of Natural  
10 Resources.

11 **Highlighted Provisions:**

12           This bill:

- 13           ▶ defines terms;
- 14           ▶ creates the Watershed Restoration Initiative within the Department of Natural  
15 Resources;
- 16           ▶ sets the policies and objectives of the initiative;
- 17           ▶ describes how the initiative will be administered and funded;
- 18           ▶ requires the initiative to submit an annual report to the Natural Resources,  
19 Agriculture, and Environment Interim Committee; and
- 20           ▶ creates the Watershed Restoration Expendable Special Revenue Fund.

21 **Money Appropriated in this Bill:**

22           None

23 **Other Special Clauses:**

24           None

25 **Utah Code Sections Affected:**

26 ENACTS:

27           **79-2-601**, Utah Code Annotated 1953



- 28 [79-2-602](#), Utah Code Annotated 1953
- 29 [79-2-603](#), Utah Code Annotated 1953
- 30 [79-2-604](#), Utah Code Annotated 1953
- 31 [79-2-605](#), Utah Code Annotated 1953
- 32 [79-2-606](#), Utah Code Annotated 1953

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

35 Section 1. Section **79-2-601** is enacted to read:

36 **Part 6. WATERSHED RESTORATION INITIATIVE**

37 **79-2-601. Definitions.**

38 As used in this part:

39 (1) "Administrative costs" means the costs of administering the initiative, including  
40 costs for staffing, rent, data processing, legal, finance, accounting, travel, maintenance, and  
41 office supplies.

42 (2) "Director" means the director of the initiative who is appointed under Section  
43 [79-2-602](#).

44 (3) "Division" means the Division of Wildlife Resources created in Section [23-14-1](#).

45 (4) "Initiative" means the Watershed Restoration Initiative created in Section [79-2-602](#).

46 (5) "Restoration" means to assist the recovery of ecosystems and ecosystem services  
47 that have been mismanaged, degraded, or destroyed.

48 (6) "Watershed" means the geographical surface area that drains water into a stream,  
49 river, or other body of water.

50 Section 2. Section **79-2-602** is enacted to read:

51 **79-2-602. Watershed Restoration Initiative -- Creation -- Objectives.**

52 (1) There is created within the department the Watershed Restoration Initiative under  
53 the general supervision of the executive director.

54 (2) The policies and objectives of the initiative are to manage, restore, and improve  
55 watershed ecosystems throughout the state by focusing on improving:

56 (a) watershed health and biological diversity;

57 (b) water quality and yield; and

58 (c) opportunities for sustainable uses of natural resources.

59 (3) Consistent with this part, the initiative may integrate, coordinate, or partner with  
60 federal, state, local, private, and non-profit plans and programs to further the initiative's  
61 objectives.

62 (4) To achieve and implement the policies and objectives under Subsection (2), the  
63 initiative shall:

64 (a) develop and oversee a watershed restoration project proposal process to develop  
65 statewide watershed restoration priorities, including ranking criteria;

66 (b) maintain a website that includes:

67 (i) an events calendar;

68 (ii) tracking of watershed restoration projects;

69 (iii) a description of the watershed restoration project proposal process, including  
70 applicable ranking criteria; and

71 (iv) the name and contact information of each person with decision-making  
72 responsibilities related to ranking and selecting watershed restoration project proposals;

73 (c) organize and oversee a biennial statewide watershed restoration workshop;

74 (d) assign funding to watershed restoration projects, and manage and track project  
75 budgets;

76 (e) provide initiative partners with contract support, reporting, and tracking assistance  
77 regarding incoming and outgoing watershed restoration project funds;

78 (f) ensure that watershed restoration projects meet applicable cultural resource  
79 requirements;

80 (g) upon request and as appropriate, provide performance reporting and initiative  
81 information to the media, partners, and the executive and legislative branches of state  
82 government;

83 (h) prepare and provide training and technical support for watershed restoration project  
84 managers; and

85 (i) provide the executive director with reports and recommendations regarding the  
86 initiative's performance and funding.

87 Section 3. Section **79-2-603** is enacted to read:

88 **79-2-603. Director -- Appointment -- Qualifications -- Staff.**

89 (1) The executive director shall appoint a director to administer the initiative.

- 90           (2) The director shall:
- 91           (a) be the executive and administrative head of the initiative; and
- 92           (b) have demonstrated the necessary administrative and professional ability through
- 93 education and experience to efficiently and effectively manage the initiative's affairs.
- 94           (3) The director is appointed by the executive director.
- 95           (4) (a) The department shall staff the initiative.
- 96           (b) With approval of the executive director and the division director, and under the
- 97 direction of the director, division staff with relevant expertise or experience may assist the
- 98 director with administering the initiative.

99           Section 4. Section **79-2-604** is enacted to read:

100           **79-2-604. Funding.**

101           The initiative is funded from the following sources:

- 102           (1) appropriations made to the initiative by the Legislature; and
- 103           (2) contributions, including in-kind assistance, from other public and private sources.

104           Section 5. Section **79-2-605** is enacted to read:

105           **79-2-605. Reporting.**

106           The initiative shall prepare and submit to the Natural Resources, Agriculture, and

107 Environment Interim Committee, on or before November 1 of each year, an annual report that

108 includes:

- 109           (1) by source, the initiative's total annual resources, including partner funds;
- 110           (2) the initiative's historical annual funding amounts from year to year;
- 111           (3) the total amount of state funding used to leverage non-state partner resources;
- 112           (4) the total administrative costs related to the initiative, including the costs of each
- 113 initiative partner that receives funds through the initiative; and
- 114           (5) performance metrics that demonstrate the initiative's impact and effectiveness.

115           Section 6. Section **79-2-606** is enacted to read:

116           **79-2-606. Watershed Restoration Expendable Special Revenue Fund -- Creation --**

117 **Source of funds -- Use of funds.**

- 118           (1) As used in this section, "fund" means the Watershed Restoration Expendable
- 119 Special Revenue Fund created in Subsection (2).
- 120           (2) There is created an expendable special revenue fund known as the "Watershed

121 Restoration Expendable Special Revenue Fund."  
122       (3) The fund consists of:  
123       (a) gifts, grants, donations, contributions, or any other conveyance of money that may  
124 be made to the fund from public or private sources; and  
125       (b) interest and earnings on fund money.  
126       (4) The state treasurer shall:  
127       (a) invest money in the fund in accordance with the Title 51, Chapter 7, State Money  
128 Management Act; and  
129       (b) deposit interest and earnings derived from investing fund money into the fund.  
130       (5) The director may only use fund money for a watershed restoration project  
131 designated or approved by the donor.