

Senator Scott D. Sandall proposes the following substitute bill:

WATER AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott D. Sandall

House Sponsor: Casey Snider

LONG TITLE

General Description:

This bill addresses coordination of planning related to water.

Highlighted Provisions:

This bill:

- ▶ provides for a study;
- ▶ addresses grants for environmental improvement projects;
- ▶ requires certain municipal and county planning commissions to consult with the Division of Water Resources in development of general plans;
- ▶ addresses consultation with the Department of Agriculture and Food;
- ▶ requires notification of irrigation and canal companies in certain circumstances;
- ▶ requires counties to notify certain public water systems and request feedback on how elements of the general plan affect certain water planning;
- ▶ requires counties to consider planning for regionalization of public water systems;
- ▶ provides for action by the director of the Division of Drinking Water to establish regional source and storage minimum sizing standards or adjust system-specific sizing standards;
- ▶ provides what may be included in a water conservation plan;
- ▶ modifies requirements related to the Division of Water Resources making rules for



26 regional water conservation goals;

27 ▶ requires the Division of Water Resources to consult with watershed councils under
28 certain circumstances;

29 ▶ changes the membership of the Water Development Coordinating Council;

30 ▶ directs the Water Development Coordinating Council to take actions related to the
31 coordination of growth and conservation planning; and

32 ▶ makes technical changes.

33 **Money Appropriated in this Bill:**

34 This bill appropriates in fiscal year 2024:

35 ▶ to the Department of Natural Resources -- Water Resources -- Planning, as a
36 one-time appropriation:

37 • from the General Fund, One-time, \$500,000;

38 ▶ to the Department of Natural Resources -- Water Resources -- Planning, as an
39 ongoing appropriation:

40 • from the General Fund, \$130,000;

41 ▶ to the Department of Environmental Quality – Drinking Water, System Assistance,
42 as an ongoing appropriation:

43 • from the General Fund, \$130,000; and

44 ▶ to the Department of Agriculture and Food -- Resource Conservation, as an ongoing
45 appropriation:

46 • from the General Fund, \$130,000.

47 **Other Special Clauses:**

48 None

49 **Utah Code Sections Affected:**

50 AMENDS:

51 **4-18-108**, as last amended by Laws of Utah 2022, Chapter 79

52 **10-9a-403**, as last amended by Laws of Utah 2022, Chapters 282, 406 and last amended
53 by Coordination Clause, Laws of Utah 2022, Chapter 406

54 **17-27a-403**, as last amended by Laws of Utah 2022, Chapters 282, 406

55 **19-4-106**, as last amended by Laws of Utah 2020, Chapter 256

56 **19-4-114**, as last amended by Laws of Utah 2020, Chapter 256

57 73-10-32, as last amended by Laws of Utah 2022, Chapter 90

58 73-10-36, as enacted by Laws of Utah 2022, Chapter 282

59 73-10c-3, as last amended by Laws of Utah 2022, Chapter 66

60 ENACTS:

61 73-10c-11, Utah Code Annotated 1953



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

64 Section 1. Section 4-18-108 is amended to read:

65 **4-18-108. Grants for environmental improvement projects -- Criteria for award**
66 **-- Duties of commission.**

67 (1) The commission may make a grant from the Agriculture Resource Development
68 Fund, or from funds appropriated by the federal government, Legislature, or another entity, to
69 an eligible entity, as defined by the department by rule made in accordance with Title 63G,
70 Chapter 3, Utah Administrative Rulemaking Act, for:

71 (a) control or eradication of noxious weeds and invasive plant species in cooperation
72 and coordination with a local weed board;

73 (b) the costs of plans or projects to improve manure management, control surface water
74 runoff, or address other environmental issues on a farm or ranch operation, including the costs
75 of preparing or implementing a nutrient management plan;

76 (c) the improvement of water quality;

77 (d) the improvement of water quantity and flows;

78 [~~(d)~~] (e) the development of watershed plans; or

79 [~~(e)~~] (f) a program to address other environmental issues.

80 (2) (a) In awarding a grant, the commission shall consider the following criteria:

81 (i) the ability of the grantee to pay for the costs of proposed plans or projects;

82 (ii) the availability of:

83 (A) matching funds provided by the grantee or another source; or

84 (B) material, labor, or other items of value provided in lieu of money by the grantee or
85 another source; and

86 (iii) the benefits that accrue to the general public by the awarding of a grant.

87 (b) The commission may establish by rule additional criteria for the awarding of a

88 grant.

89 (3) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah
90 Administrative Rulemaking Act, to implement this section.

91 (4) The commission may appoint an advisory board to:

92 (a) assist with the grant process;

93 (b) make recommendations to the commission regarding grants; and

94 (c) establish policies and procedures for awarding loans or grants.

95 Section 2. Section **10-9a-403** is amended to read:

96 **10-9a-403. General plan preparation.**

97 (1) (a) The planning commission shall provide notice, as provided in Section
98 [10-9a-203](#), of the planning commission's intent to make a recommendation to the municipal
99 legislative body for a general plan or a comprehensive general plan amendment when the
100 planning commission initiates the process of preparing the planning commission's
101 recommendation.

102 (b) The planning commission shall make and recommend to the legislative body a
103 proposed general plan for the area within the municipality.

104 (c) The plan may include areas outside the boundaries of the municipality if, in the
105 planning commission's judgment, those areas are related to the planning of the municipality's
106 territory.

107 (d) Except as otherwise provided by law or with respect to a municipality's power of
108 eminent domain, when the plan of a municipality involves territory outside the boundaries of
109 the municipality, the municipality may not take action affecting that territory without the
110 concurrence of the county or other municipalities affected.

111 (2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts,
112 and descriptive and explanatory matter, shall include the planning commission's
113 recommendations for the following plan elements:

114 (i) a land use element that:

115 (A) designates the long-term goals and the proposed extent, general distribution, and
116 location of land for housing for residents of various income levels, business, industry,
117 agriculture, recreation, education, public buildings and grounds, open space, and other
118 categories of public and private uses of land as appropriate;

119 (B) includes a statement of the projections for and standards of population density and
120 building intensity recommended for the various land use categories covered by the plan;

121 (C) except for a city of the fifth class or a town, is coordinated to integrate the land use
122 element with the water use and preservation element; and

123 (D) except for a city of the fifth class or a town, accounts for the effect of land use
124 categories and land uses on water demand;

125 (ii) a transportation and traffic circulation element that:

126 (A) provides the general location and extent of existing and proposed freeways, arterial
127 and collector streets, public transit, active transportation facilities, and other modes of
128 transportation that the planning commission considers appropriate;

129 (B) for a municipality that has access to a major transit investment corridor, addresses
130 the municipality's plan for residential and commercial development around major transit
131 investment corridors to maintain and improve the connections between housing, employment,
132 education, recreation, and commerce;

133 (C) for a municipality that does not have access to a major transit investment corridor,
134 addresses the municipality's plan for residential and commercial development in areas that will
135 maintain and improve the connections between housing, transportation, employment,
136 education, recreation, and commerce; and

137 (D) correlates with the population projections, the employment projections, and the
138 proposed land use element of the general plan;

139 (iii) for a specified municipality as defined in Section 10-9a-408, a moderate income
140 housing element that:

141 (A) provides a realistic opportunity to meet the need for additional moderate income
142 housing within the next five years;

143 (B) selects three or more moderate income housing strategies described in Subsection
144 (2)(b)(iii) for implementation, including one additional moderate income housing strategy as
145 provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public
146 transit station; and

147 (C) includes an implementation plan as provided in Subsection (2)(c); and

148 (iv) except for a city of the fifth class or a town, a water use and preservation element
149 that addresses:

150 (A) the effect of permitted development or patterns of development on water demand
151 and water infrastructure;

152 (B) methods of reducing water demand and per capita consumption for future
153 development;

154 (C) methods of reducing water demand and per capita consumption for existing
155 development; and

156 (D) opportunities for the municipality to modify the municipality's operations to
157 eliminate practices or conditions that waste water.

158 (b) In drafting the moderate income housing element, the planning commission:

159 (i) shall consider the Legislature's determination that municipalities shall facilitate a
160 reasonable opportunity for a variety of housing, including moderate income housing:

161 (A) to meet the needs of people of various income levels living, working, or desiring to
162 live or work in the community; and

163 (B) to allow people with various incomes to benefit from and fully participate in all
164 aspects of neighborhood and community life;

165 (ii) for a town, may include, and for a specified municipality as defined in Section
166 [10-9a-408](#), shall include, an analysis of how the municipality will provide a realistic
167 opportunity for the development of moderate income housing within the next five years;

168 (iii) for a town, may include, and for other municipalities, shall include, a
169 recommendation to implement three or more of the following moderate income housing
170 strategies:

171 (A) rezone for densities necessary to facilitate the production of moderate income
172 housing;

173 (B) demonstrate investment in the rehabilitation or expansion of infrastructure that
174 facilitates the construction of moderate income housing;

175 (C) demonstrate investment in the rehabilitation of existing uninhabitable housing
176 stock into moderate income housing;

177 (D) identify and utilize general fund subsidies or other sources of revenue to waive
178 construction related fees that are otherwise generally imposed by the municipality for the
179 construction or rehabilitation of moderate income housing;

180 (E) create or allow for, and reduce regulations related to, internal or detached accessory

181 dwelling units in residential zones;

182 (F) zone or rezone for higher density or moderate income residential development in
183 commercial or mixed-use zones near major transit investment corridors, commercial centers, or
184 employment centers;

185 (G) amend land use regulations to allow for higher density or new moderate income
186 residential development in commercial or mixed-use zones near major transit investment
187 corridors;

188 (H) amend land use regulations to eliminate or reduce parking requirements for
189 residential development where a resident is less likely to rely on the resident's own vehicle,
190 such as residential development near major transit investment corridors or senior living
191 facilities;

192 (I) amend land use regulations to allow for single room occupancy developments;

193 (J) implement zoning incentives for moderate income units in new developments;

194 (K) preserve existing and new moderate income housing and subsidized units by
195 utilizing a landlord incentive program, providing for deed restricted units through a grant
196 program, or, notwithstanding Section [10-9a-535](#), establishing a housing loss mitigation fund;

197 (L) reduce, waive, or eliminate impact fees related to moderate income housing;

198 (M) demonstrate creation of, or participation in, a community land trust program for
199 moderate income housing;

200 (N) implement a mortgage assistance program for employees of the municipality, an
201 employer that provides contracted services to the municipality, or any other public employer
202 that operates within the municipality;

203 (O) apply for or partner with an entity that applies for state or federal funds or tax
204 incentives to promote the construction of moderate income housing, an entity that applies for
205 programs offered by the Utah Housing Corporation within that agency's funding capacity, an
206 entity that applies for affordable housing programs administered by the Department of
207 Workforce Services, an entity that applies for affordable housing programs administered by an
208 association of governments established by an interlocal agreement under Title 11, Chapter 13,
209 Interlocal Cooperation Act, an entity that applies for services provided by a public housing
210 authority to preserve and create moderate income housing, or any other entity that applies for
211 programs or services that promote the construction or preservation of moderate income

212 housing;

213 (P) demonstrate utilization of a moderate income housing set aside from a community
214 reinvestment agency, redevelopment agency, or community development and renewal agency
215 to create or subsidize moderate income housing;

216 (Q) create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3,
217 Part 6, Housing and Transit Reinvestment Zone Act;

218 (R) eliminate impact fees for any accessory dwelling unit that is not an internal
219 accessory dwelling unit as defined in Section [10-9a-530](#);

220 (S) create a program to transfer development rights for moderate income housing;

221 (T) ratify a joint acquisition agreement with another local political subdivision for the
222 purpose of combining resources to acquire property for moderate income housing;

223 (U) develop a moderate income housing project for residents who are disabled or 55
224 years old or older;

225 (V) develop and adopt a station area plan in accordance with Section [10-9a-403.1](#);

226 (W) create or allow for, and reduce regulations related to, multifamily residential
227 dwellings compatible in scale and form with detached single-family residential dwellings and
228 located in walkable communities within residential or mixed-use zones; and

229 (X) demonstrate implementation of any other program or strategy to address the
230 housing needs of residents of the municipality who earn less than 80% of the area median
231 income, including the dedication of a local funding source to moderate income housing or the
232 adoption of a land use ordinance that requires 10% or more of new residential development in a
233 residential zone be dedicated to moderate income housing; and

234 (iv) in addition to the recommendations required under Subsection (2)(b)(iii), for a
235 municipality that has a fixed guideway public transit station, shall include a recommendation to
236 implement:

237 (A) the strategy described in Subsection (2)(b)(iii)(V); and

238 (B) a strategy described in Subsection (2)(b)(iii)(G), (H), or (Q).

239 (c) (i) In drafting the implementation plan portion of the moderate income housing
240 element as described in Subsection (2)(a)(iii)(C), the planning commission shall establish a
241 timeline for implementing each of the moderate income housing strategies selected by the
242 municipality for implementation.

- 243 (ii) The timeline described in Subsection (2)(c)(i) shall:
- 244 (A) identify specific measures and benchmarks for implementing each moderate
245 income housing strategy selected by the municipality, whether one-time or ongoing; and
246 (B) provide flexibility for the municipality to make adjustments as needed.
- 247 (d) In drafting the land use element, the planning commission shall:
- 248 (i) identify and consider each agriculture protection area within the municipality;
- 249 (ii) avoid proposing a use of land within an agriculture protection area that is
250 inconsistent with or detrimental to the use of the land for agriculture; and
- 251 (iii) consider and coordinate with any station area plans adopted by the municipality if
252 required under Section 10-9a-403.1.
- 253 (e) In drafting the transportation and traffic circulation element, the planning
254 commission shall:
- 255 (i) (A) consider and coordinate with the regional transportation plan developed by the
256 municipality's region's metropolitan planning organization, if the municipality is within the
257 boundaries of a metropolitan planning organization; or
- 258 (B) consider and coordinate with the long-range transportation plan developed by the
259 Department of Transportation, if the municipality is not within the boundaries of a
260 metropolitan planning organization; and
- 261 (ii) consider and coordinate with any station area plans adopted by the municipality if
262 required under Section 10-9a-403.1.
- 263 (f) In drafting the water use and preservation element, the planning commission:
- 264 (i) shall consider:
- 265 (A) applicable regional water conservation goals recommended by the Division of
266 Water Resources; and
- 267 (B) if Section 73-10-32 requires the municipality to adopt a water conservation plan
268 pursuant to Section 73-10-32, the municipality's water conservation plan;
- 269 (ii) shall include a recommendation for:
- 270 (A) water conservation policies to be determined by the municipality; and
- 271 (B) landscaping options within a public street for current and future development that
272 do not require the use of lawn or turf in a parkstrip;
- 273 (iii) shall review the municipality's land use ordinances and include a recommendation

274 for changes to an ordinance that promotes the inefficient use of water;

275 (iv) shall consider principles of sustainable landscaping, including the:

276 (A) reduction or limitation of the use of lawn or turf;

277 (B) promotion of site-specific landscape design that decreases stormwater runoff or

278 runoff of water used for irrigation;

279 (C) preservation and use of healthy trees that have a reasonable water requirement or

280 are resistant to dry soil conditions;

281 (D) elimination or regulation of ponds, pools, and other features that promote

282 unnecessary water evaporation;

283 (E) reduction of yard waste; and

284 (F) use of an irrigation system, including drip irrigation, best adapted to provide the

285 optimal amount of water to the plants being irrigated;

286 (v) shall consult with the public water system or systems serving the municipality with

287 drinking water regarding how implementation of the land use element and water use and

288 preservation element may affect:

289 (A) water supply planning, including drinking water source and storage capacity

290 consistent with Section 19-4-114; and

291 (B) water distribution planning, including master plans, infrastructure asset

292 management programs and plans, infrastructure replacement plans, and impact fee facilities

293 plans;

294 (vi) shall consult with the Division of Water Resources for information and technical

295 resources regarding regional water conservation goals, including how implementation of the

296 land use element and the water use and preservation element may affect the Great Salt Lake;

297 [~~(vi)~~] (vii) may include recommendations for additional water demand reduction

298 strategies, including:

299 (A) creating a water budget associated with a particular type of development;

300 (B) adopting new or modified lot size, configuration, and landscaping standards that

301 will reduce water demand for new single family development;

302 (C) providing one or more water reduction incentives for existing development such as

303 modification of existing landscapes and irrigation systems and installation of water fixtures or

304 systems that minimize water demand;

305 (D) discouraging incentives for economic development activities that do not adequately
306 account for water use or do not include strategies for reducing water demand; and

307 (E) adopting water concurrency standards requiring that adequate water supplies and
308 facilities are or will be in place for new development; and

309 [~~(vii)~~] (viii) for a town, may include, and for another municipality, shall include, a
310 recommendation for low water use landscaping standards for a new:

311 (A) commercial, industrial, or institutional development;

312 (B) common interest community, as defined in Section 57-25-102; or

313 (C) multifamily housing project.

314 (3) The proposed general plan may include:

315 (a) an environmental element that addresses:

316 (i) the protection, conservation, development, and use of natural resources, including
317 the quality of:

318 (A) air;

319 (B) forests;

320 (C) soils;

321 (D) rivers;

322 (E) groundwater and other waters;

323 (F) harbors;

324 (G) fisheries;

325 (H) wildlife;

326 (I) minerals; and

327 (J) other natural resources; and

328 (ii) (A) the reclamation of land, flood control, prevention and control of the pollution
329 of streams and other waters;

330 (B) the regulation of the use of land on hillsides, stream channels and other
331 environmentally sensitive areas;

332 (C) the prevention, control, and correction of the erosion of soils;

333 (D) the preservation and enhancement of watersheds and wetlands; and

334 (E) the mapping of known geologic hazards;

335 (b) a public services and facilities element showing general plans for sewage, water,

336 waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for them,
337 police and fire protection, and other public services;

338 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and
339 programs for:

340 (i) historic preservation;

341 (ii) the diminution or elimination of a development impediment as defined in Section
342 17C-1-102; and

343 (iii) redevelopment of land, including housing sites, business and industrial sites, and
344 public building sites;

345 (d) an economic element composed of appropriate studies and forecasts, as well as an
346 economic development plan, which may include review of existing and projected municipal
347 revenue and expenditures, revenue sources, identification of basic and secondary industry,
348 primary and secondary market areas, employment, and retail sales activity;

349 (e) recommendations for implementing all or any portion of the general plan, including
350 the adoption of land and water use ordinances, capital improvement plans, community
351 development and promotion, and any other appropriate action;

352 (f) provisions addressing any of the matters listed in Subsection 10-9a-401(2) or (3);
353 and

354 (g) any other element the municipality considers appropriate.

355 Section 3. Section 17-27a-403 is amended to read:

356 **17-27a-403. Plan preparation.**

357 (1) (a) The planning commission shall provide notice, as provided in Section
358 17-27a-203, of the planning commission's intent to make a recommendation to the county
359 legislative body for a general plan or a comprehensive general plan amendment when the
360 planning commission initiates the process of preparing the planning commission's
361 recommendation.

362 (b) The planning commission shall make and recommend to the legislative body a
363 proposed general plan for:

364 (i) the unincorporated area within the county; or

365 (ii) if the planning commission is a planning commission for a mountainous planning
366 district, the mountainous planning district.

367 (c) (i) The plan may include planning for incorporated areas if, in the planning
368 commission's judgment, they are related to the planning of the unincorporated territory or of
369 the county as a whole.

370 (ii) Elements of the county plan that address incorporated areas are not an official plan
371 or part of a municipal plan for any municipality, unless the county plan is recommended by the
372 municipal planning commission and adopted by the governing body of the municipality.

373 (2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts,
374 and descriptive and explanatory matter, shall include the planning commission's
375 recommendations for the following plan elements:

376 (i) a land use element that:

377 (A) designates the long-term goals and the proposed extent, general distribution, and
378 location of land for housing for residents of various income levels, business, industry,
379 agriculture, recreation, education, public buildings and grounds, open space, and other
380 categories of public and private uses of land as appropriate;

381 (B) includes a statement of the projections for and standards of population density and
382 building intensity recommended for the various land use categories covered by the plan;

383 (C) is coordinated to integrate the land use element with the water use and preservation
384 element; and

385 (D) accounts for the effect of land use categories and land uses on water demand;

386 (ii) a transportation and traffic circulation element that:

387 (A) provides the general location and extent of existing and proposed freeways, arterial
388 and collector streets, public transit, active transportation facilities, and other modes of
389 transportation that the planning commission considers appropriate;

390 (B) addresses the county's plan for residential and commercial development around
391 major transit investment corridors to maintain and improve the connections between housing,
392 employment, education, recreation, and commerce; and

393 (C) correlates with the population projections, the employment projections, and the
394 proposed land use element of the general plan;

395 (iii) for a specified county as defined in Section [17-27a-408](#), a moderate income
396 housing element that:

397 (A) provides a realistic opportunity to meet the need for additional moderate income

398 housing within the next five years;

399 (B) selects three or more moderate income housing strategies described in Subsection
400 (2)(b)(ii) for implementation; and

401 (C) includes an implementation plan as provided in Subsection (2)(e);

402 (iv) a resource management plan detailing the findings, objectives, and policies
403 required by Subsection 17-27a-401(3); and

404 (v) a water use and preservation element that addresses:

405 (A) the effect of permitted development or patterns of development on water demand
406 and water infrastructure;

407 (B) methods of reducing water demand and per capita consumption for future
408 development;

409 (C) methods of reducing water demand and per capita consumption for existing
410 development; and

411 (D) opportunities for the county to modify the county's operations to eliminate
412 practices or conditions that waste water.

413 (b) In drafting the moderate income housing element, the planning commission:

414 (i) shall consider the Legislature's determination that counties should facilitate a
415 reasonable opportunity for a variety of housing, including moderate income housing:

416 (A) to meet the needs of people of various income levels living, working, or desiring to
417 live or work in the community; and

418 (B) to allow people with various incomes to benefit from and fully participate in all
419 aspects of neighborhood and community life; and

420 (ii) shall include an analysis of how the county will provide a realistic opportunity for
421 the development of moderate income housing within the planning horizon, including a
422 recommendation to implement three or more of the following moderate income housing
423 strategies:

424 (A) rezone for densities necessary to facilitate the production of moderate income
425 housing;

426 (B) demonstrate investment in the rehabilitation or expansion of infrastructure that
427 facilitates the construction of moderate income housing;

428 (C) demonstrate investment in the rehabilitation of existing uninhabitable housing

429 stock into moderate income housing;

430 (D) identify and utilize county general fund subsidies or other sources of revenue to
431 waive construction related fees that are otherwise generally imposed by the county for the
432 construction or rehabilitation of moderate income housing;

433 (E) create or allow for, and reduce regulations related to, internal or detached accessory
434 dwelling units in residential zones;

435 (F) zone or rezone for higher density or moderate income residential development in
436 commercial or mixed-use zones, commercial centers, or employment centers;

437 (G) amend land use regulations to allow for higher density or new moderate income
438 residential development in commercial or mixed-use zones near major transit investment
439 corridors;

440 (H) amend land use regulations to eliminate or reduce parking requirements for
441 residential development where a resident is less likely to rely on the resident's own vehicle,
442 such as residential development near major transit investment corridors or senior living
443 facilities;

444 (I) amend land use regulations to allow for single room occupancy developments;

445 (J) implement zoning incentives for moderate income units in new developments;

446 (K) preserve existing and new moderate income housing and subsidized units by
447 utilizing a landlord incentive program, providing for deed restricted units through a grant
448 program, or establishing a housing loss mitigation fund;

449 (L) reduce, waive, or eliminate impact fees related to moderate income housing;

450 (M) demonstrate creation of, or participation in, a community land trust program for
451 moderate income housing;

452 (N) implement a mortgage assistance program for employees of the county, an
453 employer that provides contracted services for the county, or any other public employer that
454 operates within the county;

455 (O) apply for or partner with an entity that applies for state or federal funds or tax
456 incentives to promote the construction of moderate income housing, an entity that applies for
457 programs offered by the Utah Housing Corporation within that agency's funding capacity, an
458 entity that applies for affordable housing programs administered by the Department of
459 Workforce Services, an entity that applies for services provided by a public housing authority

460 to preserve and create moderate income housing, or any other entity that applies for programs
461 or services that promote the construction or preservation of moderate income housing;

462 (P) demonstrate utilization of a moderate income housing set aside from a community
463 reinvestment agency, redevelopment agency, or community development and renewal agency
464 to create or subsidize moderate income housing;

465 (Q) create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3,
466 Part 6, Housing and Transit Reinvestment Zone Act;

467 (R) eliminate impact fees for any accessory dwelling unit that is not an internal
468 accessory dwelling unit as defined in Section 10-9a-530;

469 (S) create a program to transfer development rights for moderate income housing;

470 (T) ratify a joint acquisition agreement with another local political subdivision for the
471 purpose of combining resources to acquire property for moderate income housing;

472 (U) develop a moderate income housing project for residents who are disabled or 55
473 years old or older;

474 (V) create or allow for, and reduce regulations related to, multifamily residential
475 dwellings compatible in scale and form with detached single-family residential dwellings and
476 located in walkable communities within residential or mixed-use zones; and

477 (W) demonstrate implementation of any other program or strategy to address the
478 housing needs of residents of the county who earn less than 80% of the area median income,
479 including the dedication of a local funding source to moderate income housing or the adoption
480 of a land use ordinance that requires 10% or more of new residential development in a
481 residential zone be dedicated to moderate income housing.

482 (iii) If a specified county, as defined in Section 17-27a-408, has created a small public
483 transit district, as defined in Section 17B-2a-802, on or before January 1, 2022, the specified
484 county shall include as part of the specified county's recommended strategies under Subsection
485 (2)(b)(ii) a recommendation to implement the strategy described in Subsection (2)(b)(ii)(Q).

486 (c) In drafting the land use element, the planning commission shall:

487 (i) identify and consider each agriculture protection area within the unincorporated area
488 of the county or mountainous planning district;

489 (ii) avoid proposing a use of land within an agriculture protection area that is
490 inconsistent with or detrimental to the use of the land for agriculture; and

491 (iii) consider and coordinate with any station area plans adopted by municipalities
492 located within the county under Section 10-9a-403.1.

493 (d) In drafting the transportation and traffic circulation element, the planning
494 commission shall:

495 (i) (A) consider and coordinate with the regional transportation plan developed by the
496 county's region's metropolitan planning organization, if the relevant areas of the county are
497 within the boundaries of a metropolitan planning organization; or

498 (B) consider and coordinate with the long-range transportation plan developed by the
499 Department of Transportation, if the relevant areas of the county are not within the boundaries
500 of a metropolitan planning organization; and

501 (ii) consider and coordinate with any station area plans adopted by municipalities
502 located within the county under Section 10-9a-403.1.

503 (e) (i) In drafting the implementation plan portion of the moderate income housing
504 element as described in Subsection (2)(a)(iii)(C), the planning commission shall establish a
505 timeline for implementing each of the moderate income housing strategies selected by the
506 county for implementation.

507 (ii) The timeline described in Subsection (2)(e)(i) shall:

508 (A) identify specific measures and benchmarks for implementing each moderate
509 income housing strategy selected by the county; and

510 (B) provide flexibility for the county to make adjustments as needed.

511 (f) In drafting the water use and preservation element, the planning commission:

512 (i) shall consider applicable regional water conservation goals recommended by the
513 Division of Water Resources;

514 (ii) shall consult with the Division of Water Resources for information and technical
515 resources regarding regional water conservation goals, including how implementation of the
516 land use element and water use and preservation element may affect the Great Salt Lake;

517 (iii) shall notify the community water systems serving drinking water within the
518 unincorporated portion of the county and request feedback from the community water systems
519 about how implementation of the land use element and water use and preservation element may
520 affect:

521 (A) water supply planning, including drinking water source and storage capacity

522 consistent with Section 19-4-114; and

523 (B) water distribution planning, including master plans, infrastructure asset
524 management programs and plans, infrastructure replacement plans, and impact fee facilities
525 plans;

526 (iv) shall consider the potential opportunities and benefits of planning for
527 regionalization of public water systems;

528 (v) shall consult with the Department of Agriculture and Food for information and
529 technical resources regarding the potential benefits of agriculture conservation easements and
530 potential implementation of agriculture water optimization projects that would support regional
531 water conservation goals;

532 (vi) shall notify an irrigation or canal company located in the county so that the
533 irrigation or canal company can be involved in the protection and integrity of the irrigation or
534 canal company's delivery systems;

535 ~~[(ii)]~~ (vii) shall include a recommendation for:

536 (A) water conservation policies to be determined by the county; and

537 (B) landscaping options within a public street for current and future development that
538 do not require the use of lawn or turf in a parkstrip;

539 ~~[(iii)]~~ (viii) shall review the county's land use ordinances and include a
540 recommendation for changes to an ordinance that promotes the inefficient use of water;

541 ~~[(iv)]~~ (ix) shall consider principles of sustainable landscaping, including the:

542 (A) reduction or limitation of the use of lawn or turf;

543 (B) promotion of site-specific landscape design that decreases stormwater runoff or
544 runoff of water used for irrigation;

545 (C) preservation and use of healthy trees that have a reasonable water requirement or
546 are resistant to dry soil conditions;

547 (D) elimination or regulation of ponds, pools, and other features that promote
548 unnecessary water evaporation;

549 (E) reduction of yard waste; and

550 (F) use of an irrigation system, including drip irrigation, best adapted to provide the
551 optimal amount of water to the plants being irrigated;

552 ~~[(v)]~~ (x) may include recommendations for additional water demand reduction

553 strategies, including:

554 (A) creating a water budget associated with a particular type of development;

555 (B) adopting new or modified lot size, configuration, and landscaping standards that
556 will reduce water demand for new single family development;

557 (C) providing one or more water reduction incentives for existing landscapes and
558 irrigation systems and installation of water fixtures or systems that minimize water demand;

559 (D) discouraging incentives for economic development activities that do not adequately
560 account for water use or do not include strategies for reducing water demand; and

561 (E) adopting water concurrency standards requiring that adequate water supplies and
562 facilities are or will be in place for new development; and

563 [~~(vi)~~] (xi) shall include a recommendation for low water use landscaping standards for
564 a new:

565 (A) commercial, industrial, or institutional development;

566 (B) common interest community, as defined in Section 57-25-102; or

567 (C) multifamily housing project.

568 (3) The proposed general plan may include:

569 (a) an environmental element that addresses:

570 (i) to the extent not covered by the county's resource management plan, the protection,
571 conservation, development, and use of natural resources, including the quality of:

572 (A) air;

573 (B) forests;

574 (C) soils;

575 (D) rivers;

576 (E) groundwater and other waters;

577 (F) harbors;

578 (G) fisheries;

579 (H) wildlife;

580 (I) minerals; and

581 (J) other natural resources; and

582 (ii) (A) the reclamation of land, flood control, prevention and control of the pollution
583 of streams and other waters;

- 584 (B) the regulation of the use of land on hillsides, stream channels and other
- 585 environmentally sensitive areas;
- 586 (C) the prevention, control, and correction of the erosion of soils;
- 587 (D) the preservation and enhancement of watersheds and wetlands; and
- 588 (E) the mapping of known geologic hazards;
- 589 (b) a public services and facilities element showing general plans for sewage, water,
- 590 waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for them,
- 591 police and fire protection, and other public services;
- 592 (c) a rehabilitation, redevelopment, and conservation element consisting of plans and
- 593 programs for:
 - 594 (i) historic preservation;
 - 595 (ii) the diminution or elimination of a development impediment as defined in Section
 - 596 17C-1-102; and
 - 597 (iii) redevelopment of land, including housing sites, business and industrial sites, and
 - 598 public building sites;
 - 599 (d) an economic element composed of appropriate studies and forecasts, as well as an
 - 600 economic development plan, which may include review of existing and projected county
 - 601 revenue and expenditures, revenue sources, identification of basic and secondary industry,
 - 602 primary and secondary market areas, employment, and retail sales activity;
 - 603 (e) recommendations for implementing all or any portion of the general plan, including
 - 604 the adoption of land and water use ordinances, capital improvement plans, community
 - 605 development and promotion, and any other appropriate action;
 - 606 (f) provisions addressing any of the matters listed in Subsection 17-27a-401(2) or
 - 607 (3)(a)(i); and
 - 608 (g) any other element the county considers appropriate.

609 Section 4. Section 19-4-106 is amended to read:

610 **19-4-106. Director -- Appointment -- Authority.**

- 611 (1) The executive director shall appoint the director. The director shall serve under the
- 612 administrative direction of the executive director.
- 613 (2) The director shall:
 - 614 (a) develop programs to promote and protect the quality of the public drinking water

615 supplies of the state;

616 (b) advise, consult, and cooperate with other agencies of this and other states, the
617 federal government, and with other groups, political subdivisions, and industries in furtherance
618 of the purpose of this chapter;

619 (c) review plans, specifications, and other data pertinent to proposed or expanded water
620 supply systems to ensure proper design and construction; and

621 (d) subject to the provisions of this chapter, enforce rules made by the board through
622 the issuance of orders that may be subsequently revoked, which orders may require:

623 (i) discontinuance of use of unsatisfactory sources of drinking water;

624 (ii) suppliers to notify the public concerning the need to boil water; or

625 (iii) suppliers in accordance with existing rules, to take remedial actions necessary to
626 protect or improve an existing water system; and

627 (e) as authorized by the board and subject to the provisions of this chapter, act as
628 executive secretary of the board under the direction of the chair of the board.

629 (3) The director may authorize employees or agents of the department, after reasonable
630 notice and presentation of credentials, to enter any part of a public water system at reasonable
631 times to inspect the facilities and water quality records required by board rules, conduct
632 sanitary surveys, take samples, and investigate the standard of operation and service delivered
633 by public water systems.

634 (4) As provided in this chapter and in accordance with rules made by the board, the
635 director may:

636 (a) [~~the director may~~] issue and enforce a notice of violation and an administrative
637 order; and

638 (b) [~~the director may~~] assess and make a demand for payment of an administrative
639 penalty arising from a violation of this chapter, a rule or order issued under the authority of this
640 chapter, or the terms of a permit or other administrative authorization issued under the
641 authority of this chapter.

642 (5) (a) The director shall study how water providers, municipalities, counties, and state
643 agencies may find greater efficiencies through improved coordination, consolidation, and
644 regionalization related to:

645 (i) water use and conservation; and

- 646 (ii) administrative and economic efficiencies.
- 647 (b) The study under this Subsection (5) shall consider recommendations including
- 648 incentives, funding, regulatory changes, and statutory changes to promote greater coordination
- 649 and efficiency and to help meet water infrastructure needs statewide.
- 650 (c) The director shall:
- 651 (i) conduct the study in conjunction with the Division of Water Resources; and
- 652 (ii) consult with a diverse group consisting of water providers, state agencies, local
- 653 governments, and relevant stakeholders to help the director conduct the study and develop
- 654 recommendations described in this Subsection (5).
- 655 (d) On or before October 30, 2024, the director shall provide a written report of the
- 656 study's findings, including any recommended legislative action, to the Natural Resources,
- 657 Agriculture, and Environment Interim Committee.

658 Section 5. Section **19-4-114** is amended to read:

659 **19-4-114. Source and storage minimum sizing requirements for public water**
660 **systems.**

- 661 (1) (a) Except as provided in Subsection (1)(b), upon submission of plans for a
- 662 substantial addition to or alteration of a community water system, the director shall establish
- 663 system-specific source and storage minimum sizing requirements for a community water
- 664 system serving a population of more than 3,300 based on at least the most recent three years of
- 665 a community water system's actual water use data submitted in accordance with Subsections
- 666 **19-4-104(1)(c)(iv)** and (v).
- 667 (b) If the water use data required under Subsection **19-4-104(1)(c)(iv)** is not available
- 668 to the division, or if the community water system determines that the data submitted does not
- 669 represent future system use, the director may establish source and storage minimum sizing
- 670 requirements for the community water system based on:
- 671 (i) an engineering study submitted by the community water system and accepted by the
- 672 director; or
- 673 (ii) at least three years of historical water use data that is:
- 674 (A) submitted by the community water system; and
- 675 (B) accepted by the director.
- 676 (c) A community water system serving a population of more than 3,300 shall provide

677 the information necessary to establish the system-specific standards described in this
678 Subsection (1) by no later than March 1, 2019.

679 (2) (a) By no later than October 1, 2023, and except as provided in Subsection (2)(b),
680 the director shall establish system-specific source and storage minimum sizing requirements for
681 a community water system serving a population of between 500 and no more than 3,300 based
682 on at least the most recent three years of a community water system's actual water use data
683 submitted in accordance with Subsections 19-4-104(1)(c)(iv) and (v).

684 (b) If the water use data required under Subsection 19-4-104(1)(c)(iv) is not available
685 to the division, or if the community water system determines that the data submitted does not
686 represent future system use, the director may establish source and storage minimum sizing
687 requirements for the community water system based on:

688 (i) an engineering study submitted by the community water system and accepted by the
689 director; or

690 (ii) at least three years of historical water use data that is:

691 (A) submitted by the community water system; and

692 (B) accepted by the director.

693 (c) A community water system serving a population of between 500 and no more than
694 3,300 shall provide the information necessary to establish system-specific standards described
695 in this Subsection (2) by no later than March 1, 2023.

696 (3) The director shall establish system-specific source and storage minimum sizing
697 requirements for a community water system serving a population of fewer than 500 based on:

698 (a) at least the most recent three years of a community water system's actual water use
699 data submitted to the division and accepted by the director;

700 (b) an engineering study submitted by the community water system and accepted by the
701 director;

702 (c) standards, comparable to those of established community water systems, as
703 determined by the director; or

704 (d) relevant information, as determined by the director.

705 (4) The director shall:

706 (a) for community water systems described in Subsection (3), establish a schedule to
707 transition from statewide sizing standards to system-specific standards;

708 (b) establish minimum sizing standards for public water systems that are not
709 community water systems;
710 (c) provide for the routine evaluation of changes to the system-specific standards; and
711 (d) include, as part of system-specific standards, necessary fire storage capacity in
712 accordance with the state fire code adopted under Section [15A-1-403](#) and as determined by the
713 local fire code official.

714 (5) The director may adjust system-specific sizing standards, established under this
715 section for a public water system, based on information submitted by the public water system
716 addressing the effect of any wholesale water deliveries or other system-specific conditions
717 affecting infrastructure needs.

718 (6) ~~[A]~~ Except as provided for under Subsection (7), a wholesale water supplier is
719 exempt from this section if the wholesale water supplier serves:

720 (a) a total population of more than 10,000; and

721 (b) a wholesale population that is 75% or more of the total population served.

722 (7) Upon request of a wholesale water supplier and the community water systems
723 receiving water from the wholesale water supplier, the director may establish regional source
724 and storage minimum sizing standards for community water systems receiving water from the
725 wholesale water supplier using actual water use data submitted by the wholesale water supplier
726 and the community water systems served by the wholesale water supplier.

727 (8) The director may adjust system-specific sizing standards established under this
728 section for a public water system based on adopted enforceable water conservation measures
729 that are consistent with regional water conservation goals adopted pursuant to Subsection
730 [73-10-32](#) (2)(d)(ii)(A) or (B).

731 Section 6. Section **73-10-32** is amended to read:

732 **73-10-32. Definitions -- Water conservation plan required.**

733 (1) As used in this section:

734 (a) "Division" means the Division of Water Resources created under Section [73-10-18](#).

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

737 (c) "Water conservation plan" means a written document that contains existing and
738 proposed water conservation measures describing what will be done by a water provider, and

739 the end user of culinary water to help conserve water in the state in terms of per capita use of
740 water provided through culinary water infrastructure owned or operated by the water provider
741 so that adequate supplies of water are available for future needs.

742 (d) "Water provider" means:

743 (i) a retail water supplier, as defined in Section 19-4-102; or

744 (ii) a water conservancy district.

745 (2) (a) A water conservation plan shall contain:

746 (i) (A) a clearly stated overall water use reduction goal that is consistent with

747 Subsection (2)(d); and

748 (B) an implementation plan for each water conservation measure a water provider
749 chooses to use, including a timeline for action and an evaluation process to measure progress;

750 (ii) a requirement that a notification procedure be implemented that includes the
751 delivery of the water conservation plan to the media and to the governing body of each
752 municipality and county served by the water provider;

753 (iii) a copy of the minutes of the meeting regarding a water conservation plan and the
754 notification procedure required in Subsection (2)(a)(ii) that shall be added as an appendix to the
755 water conservation plan; and

756 (iv) for a retail water supplier, as defined in Section 19-4-102, the retail water
757 supplier's rate structure that is:

758 (A) adopted by the retail water supplier's governing body in accordance with Section
759 73-10-32.5; and

760 (B) current as of the day the retail water supplier files a water conservation plan.

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

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

764 (ii) residential and commercial landscapes and irrigation that require less water to
765 maintain;

766 (iii) more water efficient industrial and commercial processes involving the use of
767 water;

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

769 (v) distribution system leak repair;

770 (vi) dissemination of public information regarding more efficient use of water,
771 including public education programs, customer water use audits, and water saving
772 demonstrations;

773 (vii) water rate structures designed to encourage more efficient use of water;
774 (viii) statutes, ordinances, codes, or regulations designed to encourage more efficient
775 use of water by means such as water efficient fixtures and landscapes;

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

778 (x) regional conservation planning and shared shortage agreements; and
779 ~~(x)~~ (xi) other measures designed to conserve water.

780 (c) The division may be contacted for information and technical resources regarding
781 measures listed in Subsection (2)(b).

782 (d) (i) The division shall adopt by rule, made in accordance with Title 63G, Chapter 3,
783 Utah Administrative Rulemaking Act, regional water conservation goals that:

784 (A) are developed by the division;

785 (B) take into consideration goals established in the Colorado River management plan
786 adopted pursuant to Section [63M-14-204](#);

787 (C) for areas in the Great Salt Lake watershed, take into consideration the Great Salt
788 Lake, including the water budget associated with the integrated surface and ground water
789 assessment described in Section [73-10g-402](#);

790 (D) take into consideration how growth and regional conservation goals impact
791 agriculture water use;

792 ~~(B)~~ (E) are reevaluated by December 31, 2030, and every 10 years after December
793 31, 2030; and

794 ~~(C)~~ (F) define what constitutes "water being conserved" under a water conservation
795 goal after considering factors such as depletion, diversion, use, consumption, or return flows.

796 (ii) As part of a water conservation plan, a water provider shall adopt one of the
797 following:

798 (A) the regional water conservation goal applicable to the water provider;

799 (B) a water conservation goal that would result in more water being conserved than
800 would be conserved under the regional water conservation goal; or

801 (C) a water conservation goal that would result in less water being conserved than
802 would be conserved under the regional water conservation goal with a reasonable justification
803 as to why the different water conservation goal is adopted and an explanation of the factors
804 supporting the reasonable justification, such as demographics, geography, lot sizes, make up of
805 water service classes, or availability of secondary water.

806 (3) (a) A water provider shall:

807 (i) prepare and adopt a water conservation plan; and

808 (ii) file a copy of the water conservation plan with the division.

809 (b) (i) Before adopting or amending a water conservation plan, a water provider shall
810 hold a public hearing with reasonable, advance public notice in accordance with this
811 Subsection (3)(b).

812 (ii) The water provider shall provide public notice at least 14 days before the date of
813 the public hearing.

814 (iii) A water provider meets the requirements of reasonable notice required by this
815 Subsection (3)(b) if the water provider posts notice of the public hearing in at least three public
816 places within the service area of the water provider and:

817 (A) if the water provider is a public entity, posts notice on the Utah Public Notice
818 Website, created in Section 63A-16-601; or

819 (B) if the water provider is a private entity and has a public website, posts notice on the
820 water provider's public website.

821 (iv) Proof that notice described in Subsection (3)(b)(iii) was given is prima facie
822 evidence that notice was properly given.

823 (v) If notice given under authority of this Subsection (3)(b) is not challenged within 30
824 days from the date of the public hearing for which the notice was given, the notice is
825 considered adequate and proper.

826 (c) A water provider shall:

827 (i) post the water provider's water conservation plan on a public website; or

828 (ii) if the water provider does not have a public website, make the water provider's
829 water conservation plan [~~publically~~] publicly available for inspection upon request.

830 (4) (a) The division shall:

831 (i) provide guidelines and technical resources to help water providers prepare and

832 implement water conservation plans;

833 (ii) assist water providers by identifying water conservation methods upon request; and

834 (iii) provide an online submission form that allows for an electronic copy of the water
835 conservation plan to be filed with the division under Subsection (3)(a)(ii).

836 (b) The division shall post an annual report at the end of a calendar year listing water
837 providers in compliance with this section.

838 (5) A water provider may only receive state funds for water development if the water
839 provider complies with the requirements of this section.

840 (6) A water provider specified under Subsection (3)(a) shall:

841 (a) update the water provider's water conservation plan no less frequently than every
842 five years; and

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

845 (7) It is the intent of the Legislature that the water conservation plans, amendments to
846 existing water conservation plans, and the studies and report by the division be handled within
847 the existing budgets of the respective entities or agencies.

848 Section 7. Section **73-10-36** is amended to read:

849 **73-10-36. Division to provide technical assistance in local government planning.**

850 (1) As used in this section:

851 (a) "Division" means the Division of Water Resources.

852 (b) "General plan":

853 (i) for a municipality, means the same as that term is defined in Section [10-9a-103](#); and

854 (ii) for a county, means the same as that term is defined in Section [17-27a-103](#).

855 (c) "Local government" means a county or a municipality, as defined in Section
856 [10-1-104](#).

857 (d) "Watershed council" means a council created under Chapter 10g, Part 3, Watershed
858 Councils Act.

859 (2) The division [~~may~~] shall provide technical assistance to a local government to
860 support the local government's adoption of a water use and preservation element in a general
861 plan.

862 (3) When consulted by a local government for information and technical resources

863 regarding regional water conservation goals under Subsection 10-9a-403(2)(f)(vi) or
864 17-27a-403(2)(f)(ii), the division may seek input from the appropriate watershed council or
865 councils.

866 Section 8. Section **73-10c-3** is amended to read:

867 **73-10c-3. Water Development Coordinating Council created -- Purpose --**
868 **Members.**

869 (1) (a) There is created within the Department of Natural Resources a Water
870 Development Coordinating Council. The council is comprised of:

871 (i) the director of the Division of Water Resources;

872 (ii) the executive secretary of the Water Quality Board;

873 (iii) the executive secretary of the Drinking Water Board;

874 (iv) the director of the Housing and Community Development Division or the director's
875 designee; ~~and~~

876 (v) the state treasurer or the state treasurer's designee~~[-];~~ and

877 (vi) the commissioner of the Department of Agriculture and Food, or the
878 commissioner's designee.

879 (b) The council shall choose a chair and vice chair from among ~~its~~ the council's own
880 members.

881 (c) A member may not receive compensation or benefits for the member's service, but
882 may receive per diem and travel expenses in accordance with:

883 (i) Section **63A-3-106**;

884 (ii) Section **63A-3-107**; and

885 (iii) rules made by the Division of Finance pursuant to Sections **63A-3-106** and
886 **63A-3-107**.

887 (2) The purposes of the council are to:

888 (a) coordinate the use and application of the funds available to the state to give
889 financial assistance to political subdivisions of this state so as to promote the conservation,
890 development, treatment, restoration, and protection of the waters of this state;

891 (b) promote the coordination of the financial assistance programs administered by the
892 state and the use of the financing alternative most economically advantageous to the state and
893 its political subdivisions;

894 (c) promote the consideration by the Board of Water Resources, Drinking Water
895 Board, and Water Quality Board of regional solutions to the water and wastewater needs of
896 individual political subdivisions of this state;

897 (d) assess the adequacy and needs of the state and its political subdivisions with respect
898 to water-related infrastructures and advise the governor and the Legislature on those funding
899 needs; and

900 (e) conduct reviews and reports on water-related infrastructure issues as directed by
901 statute.

902 Section 9. Section **73-10c-11** is enacted to read:

903 **73-10c-11. Actions related to coordination of growth and conservation planning.**

904 (1) (a) The council shall identify how different agencies may work together to assist the
905 following in coordinating growth and conservation planning related to water:

906 (i) municipalities, as defined in Section [10-1-104](#);

907 (ii) counties;

908 (iii) water conservancy districts, as defined in Section [17B-1-102](#); and

909 (iv) public water systems, as defined in Section [19-4-102](#).

910 (b) To comply with Subsection (1)(a), the council shall consider Sections [10-9a-403](#),
911 [17-27a-403](#), [19-4-114](#), and [73-10-32](#).

912 (2) The council shall identify incentives that are most effective to help the entities
913 described in Subsection (1) to, where feasible:

914 (a) develop and implement conservation plans; and

915 (b) regionalize water systems.

916 Section 10. **Appropriation.**

917 The following sums of money are appropriated for the fiscal year beginning July 1,
918 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for
919 fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
920 Act, the Legislature appropriates the following sums of money from the funds or accounts
921 indicated for the use and support of the government of the state of Utah.

922 ITEM 1

923 To the Department of Natural Resources -- Water Resources

924 From General Fund

\$130,000

925 From General Fund, One-time \$500,000

926 Schedule of Programs:

927 Planning \$630,000

928 The Legislature intends that:

929 (1) the Division of Water Resources use the one-time appropriation included in this
930 item to provide water conservation planning grants to cities, counties, districts, and water
931 providers, and to fund technical support for coordinated planning;

932 (2) the one-time appropriation be nonlapsing; and

933 (3) the ongoing General Fund included in this item be used by the Division of Water
934 Resources to assist cities, counties, districts, and water providers with coordinated water
935 planning.

936 ITEM 2

937 To the Department of Environmental Quality -- Drinking Water

938 From General Fund \$130,000

939 Schedule of Programs:

940 System Assistance \$130,000

941 The Legislature intends that the ongoing General Fund included in this item be used by
942 the Division of Drinking Water to assist cities, counties, districts, and water providers with
943 coordinated water planning.

944 ITEM 3

945 To the Department of Agriculture and Food -- Resource Conservation

946 From General Fund \$130,000

947 Schedule of Programs:

948 Resource Conservation \$130,000

949 The Legislature intends that the ongoing General Fund included in this item be used by
950 the Division of Conservation to assist cities, counties, districts, and water providers with
951 coordinated water planning.