

**BEAR LAKE PRESERVATION AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Chris H. Wilson**

House Sponsor: \_\_\_\_\_

**LONG TITLE**

**General Description:**

This bill addresses development of Bear Lake.

**Highlighted Provisions:**

This bill:

- ▶ outlines the considerations for development of Bear Lake;
- ▶ addresses scope of provisions related to development of Bear Lake;
- ▶ provides for coordination with other state agencies; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**65A-2-7**, as enacted by Laws of Utah 2015, Chapter 295

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

Section 1. Section **65A-2-7** is amended to read:

**65A-2-7. Development of Bear Lake.**

(1) The division shall:



28           ~~[(1)]~~ (a) designate state lands along Highway 30 from the Ideal Beach RV Park and  
29 Spinnaker Marina southward approximately four miles to Rendezvous Beach State Park, which  
30 lands are located in Township 13N, Range 5E, Sections 003, 010, 015, 022, and 023, as an area  
31 for the ongoing development of facilities for boating, fishing, beach going, swimming, parking,  
32 picnicking, and other recreational activities; and

33           ~~[(2)]~~ (b) develop the area described in Subsection (1)~~(a)~~:

34           ~~[(a)]~~ (i) consistent with the division's Bear Lake comprehensive management plan; and

35           ~~[(b)]~~ (ii) as funding allows.

36           (2) (a) As an opportunity arises for development related to Bear Lake, the division shall  
37 consider the following:

38           (i) Bear Lake is a natural lake acquired at statehood and retains the basic form and  
39 inherent qualities that make Bear Lake distinctive, desirable, and valuable to the state;

40           (ii) the policy of the state is to preserve Bear Lake and Bear Lake's inherent qualities  
41 described in Subsection (2)(a)(i);

42           (iii) the policy of the state is to preserve current and historic uses of Bear Lake;

43           (iv) as the state holds Bear Lake in the public trust, the policy of the state requires  
44 prevention of degradation in quality and function around Bear Lake, including the condition of:

45           (A) native fish and wildlife;

46           (B) unique water quality;

47           (C) native lakebed;

48           (D) navigation; and

49           (E) reasonable lake-related recreation;

50           (v) the state supports enhancement of the operations of Bear Lake that benefit current  
51 uses and lake preservation; and

52           (vi) when prudent and possible, the division's planning, actions, and methods of  
53 managing Bear Lake shall promote preserving Bear Lake by mitigating use of Bear Lake as a  
54 reservoir and essential supply of irrigation water.

55           (b) This Subsection (2) may not be interpreted as:

56           (i) impairing or constraining the operation of Bear Lake in providing critically valuable  
57 irrigation, hydropower, and flood control benefits; or

58           (ii) appropriating water rights.

59           (3) The division shall work with other executive branch state agencies to consider the  
60 elements described in Subsection (2) in implementing development of Bear Lake.