

1 **STATE WATER PROGRAM REPORTING REQUIREMENTS**

2 2024 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Raymond P. Ward**

5 Senate Sponsor: Todd D. Weiler

6

7 **LONG TITLE**

8 **General Description:**

9 This bill addresses reporting regarding legislative water optimization efforts.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ requires the Division of Water Resources (division) to monitor state legislative
- 14 water optimization efforts;
- 15 ▶ requires the division to work with other state entities;
- 16 ▶ directs the division to annually report specific findings;
- 17 ▶ specifies the legislative committees to which the report is to be given;
- 18 ▶ requires posting of the report;
- 19 ▶ requires state agencies to assist upon request;
- 20 ▶ provides a sunset date; and
- 21 ▶ makes technical changes.

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 None

26 **Utah Code Sections Affected:**

27 AMENDS:



28 **63I-1-273**, as last amended by Laws of Utah 2023, Chapters 205, 261

29 **73-10-18**, as last amended by Laws of Utah 2023, Chapter 140

30 ENACTS:

31 **73-10-39**, Utah Code Annotated 1953



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

34 Section 1. Section **63I-1-273** is amended to read:

35 **63I-1-273. Repeal dates: Title 73.**

36 (1) Title 73, Chapter 27, Legislative Water Development Commission, is repealed
37 January 1, 2031.

38 (2) Section 73-10-39, which requires reporting related to state legislative water
39 optimization efforts, is repealed July 1, ~~H~~→ [2034] 2030 ←~~H~~ .

40 [~~2~~] (3) Title 73, Chapter 10g, Part 2, Agricultural Water Optimization, is repealed
41 July 1, 2028.

42 [~~3~~] (4) Section **73-18-3.5**, which authorizes the Division of Outdoor Recreation to
43 appoint an advisory council that includes in the advisory council's duties advising on boating
44 policies, is repealed July 1, 2024.

45 [~~4~~] (5) In relation to Title 73, Chapter 31, Water Banking Act, on December 31,
46 2030:

- 47 (a) Subsection **73-1-4(2)(e)(xi)** is repealed;
- 48 (b) Subsection **73-10-4(1)(h)** is repealed; and
- 49 (c) Title 73, Chapter 31, Water Banking Act, is repealed.

50 [~~5~~] (6) Sections **73-32-302** and **73-32-303**, related to the Great Salt Lake Advisory
51 Council, are repealed July 1, 2027.

52 Section 2. Section **73-10-18** is amended to read:

53 **73-10-18. Division of Water Resources -- Creation -- Power and authority.**

54 (1) There is created the Division of Water Resources, which shall be within the
55 Department of Natural Resources under the administration and general supervision of the
56 executive director of the Department of Natural Resources and under the policy direction of the
57 Board of Water Resources.

58 (2) Except for the waters of the Colorado River system that are governed by Title 63M,

59 Chapter 14, Colorado River Authority of Utah Act, or state representation under the Bear River
60 Compact or Columbia Interstate Compact, the Division of Water Resources shall:

61 (a) be the water resource authority for the state; and

62 (b) assume all of the functions, powers, duties, rights, and responsibilities of the Utah
63 water and power board except those which are delegated to the board by this act and is vested
64 with such other functions, powers, duties, rights and responsibilities as provided in this act and
65 other law.

66 (3) The Division of Water Resources shall report on state legislative water
67 optimization efforts in accordance with Section 73-10-39.

68 Section 3. Section 73-10-39 is enacted to read:

69 **73-10-39. State legislative water optimization efforts.**

70 (1) As used in this section:

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

72 (b) "State agency" means a department, division, board, council, committee, institution,
73 office, bureau, or other similar administrative unit of the executive branch of state government.

74 (c) "State legislative water optimization effort" means the following as it affects the
75 waters of the state:

76 (i) the agricultural water optimization program under Chapter 10g, Part 2, Agricultural
77 Water Optimization;

78 (ii) the use of water banks or other water marketing efforts consistent with Chapter 31,
79 Water Banking Act;

80 (iii) the grant program funding the installation of secondary water meters under
81 Sections 73-10-34 and 73-10-34.5; or

82 (iv) any other legislatively directed water optimization effort, including a $\hat{H} \rightarrow$ state $\leftarrow \hat{H}$
82a program that
83 uses state funding for water optimization.

84 (2) (a) The division shall monitor each state legislative water optimization effort and
85 annually prepare a report in coordination with:

86 (i) the Division of Water Rights;

87 (ii) the Colorado River Authority of Utah, created under Title 63M, Chapter 14,
88 Colorado River Authority of Utah Act;

89 (iii) the Department of Agriculture and Food; and

90 (iv) the Office of the Great Salt Lake Commissioner, created under Chapter 32, Great
91 Salt Lake Commissioner Act.

92 (b) The report required under this Subsection (2) shall provide:

93 (i) a statewide summary of each state legislative water optimization effort, including a
94 summary for each of the following:

95 (A) the Great Salt Lake basin;

96 (B) the Colorado River basin; and

97 (C) the Sevier River basin;

98 (ii) a quantification of water made available through each state legislative water
99 optimization effort for the intended purposes identified in the state legislative water
100 optimization effort, including quantification of water made available for the Great Salt Lake
101 basin, Colorado River basin, and Sevier River basin;

102 (iii) a reasonable estimate of where the water made available went, including an
103 explanation if, and why, an amount of additional water cannot be reported; and

104 (iv) if a state legislative water optimization effort did not result in water being made
105 available for the intended purpose identified in the state legislative water optimization effort,
106 recommendations for changes to the state legislative water optimization effort that would better
107 result in water being made available as intended by the state legislative water optimization
108 effort.

109 (3) The division shall annually:

110 (a) provide the report required by this section to the Natural Resources, Agriculture,
111 and Environment Interim Committee and the Legislative Water Development Commission by
112 no later than the November interim meetings of the Legislature; and

113 (b) post the report required by this section on a public website.

114 (4) At the request of the division, a state agency shall provide the division assistance in
115 preparing the report required by this section.

116 Section 4. **Effective date.**

117 This bill takes effect on May 1, 2024.