

Senator Chris H. Wilson proposes the following substitute bill:

BEAR LAKE PRESERVATION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Chris H. Wilson

House Sponsor: _____

LONG TITLE

General Description:

This bill addresses Bear Lake.

Highlighted Provisions:

This bill:

- ▶ provides that development of Bear Lake be consistent with certain principles;
- ▶ recognizes certain principles related to Bear Lake; 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 -- Bear Lake principles.



26 (1) The division shall:

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

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

33 [~~(a)~~] (i) consistent with the division's Bear Lake comprehensive management plan and
34 Subsection (2); and

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

36 (2) The state recognizes the following:

37 (a) Bear Lake was a natural and navigable lake at the time Utah gained statehood and
38 remains a highly valued resource for Bear Lake's native fisheries, recreation, and distinctive
39 characteristics, including water clarity and mineral and chemical uniqueness, giving Bear Lake
40 the intense turquoise blue color for which Bear Lake is known all over the world.

41 (b) It is the desire and expectation of the state that Bear Lake and Bear Lake's inherent
42 qualities and characteristics be preserved for future generations and to balance the impacts
43 from the use of Bear Lake as a reservoir.

44 (c) The state desires to promote public trust values on Bear Lake, inclusive of
45 navigation, commerce, and fishing.

46 (d) The state desires to prevent Bear Lake's further degradation in quality and functions
47 to maintain Bear Lake's unique characteristics, including operating as a quality fishery,
48 protecting Bear Lake's native fish and wildlife, unique water quality, native lake bed, littoral
49 rights, lake-related recreation, public access, and irrigation storage.

50 (e) Bear Lake has been operated as a reservoir since the early 1900s to store water for
51 irrigation, flood control, and incidental power generation, which has enhanced agricultural
52 productivity and prosperity in the Bear River Basin, and will remain an essential irrigation
53 water supply into the future. The state supports the operational utility of Bear Lake for
54 irrigation storage purposes.

55 (f) To achieve the goals of this Subsection (2), the state encourages collaboration
56 among agencies and stakeholders to help preserve and enhance such interests.

57 (g) Nothing in this Subsection (2) is intended to:

58 (i) impair or constrain the authority of the state engineer or the operation of Bear Lake;

59 (ii) interfere with or change any water rights; or

60 (iii) appropriate any water.

61 Section 2. **Effective date.**

62 This bill takes effect on May 1, 2024.