

WATER CONSERVATION PLANS

2004 GENERAL SESSION

STATE OF UTAH

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LONG TITLE

General Description:

This bill amends certain provisions related to water conservation plans.

Highlighted Provisions:

This bill:

- ▶ provides for publishing of a report identifying entities who do not have a current water conservation plan;
- ▶ requires that water conservation plans contain existing and proposed water conservation measures;
- ▶ requires that water conservation plans contain a description of the extent to which a retail provider will use certain measures to achieve its conservation goals;
- ▶ requires that water conservation plans contain a clearly stated water use reduction goal and implementation plan for each conservation measure, including a timeline for action and an evaluation process to measure progress; and
- ▶ requires that the Board of Water Resources' report be presented to the Natural Resources, Agriculture, and Environment Interim Committee at its November 2004 meeting.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

73-10-32, as last amended by Chapter 119, Laws of Utah 1999

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

Section 1. Section 73-10-32 is amended to read:

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

(1) As used in this section:

(a) "Board" means the Board of Water Resources created under Section 73-10-1.5.

(b) "Division" means the Division of Water Resources created under Section 73-10-18.

(c) "Retail" means the level of distribution of culinary water that supplies culinary water directly to the end user.

(d) "Retail water provider" means ~~[a person who]~~ an entity which:

(i) supplies culinary water to end users; and

(ii) has more than 500 service connections.

(e) "Water conservancy district" means an entity formed under Title 17A, Chapter 2, Part 14, Water Conservancy Districts.

~~[(e)-(i)]~~ (f) "Water conservation plan" means a written document that contains [ideas, suggestions, or recommendations as to] existing and proposed water conservation measures describing what [can] will be done by [state and local governments,] retail water providers, water conservancy districts, and the end user of culinary water to help conserve water and limit or reduce its use in the state in terms of per capita consumption so that adequate supplies of water are available for future needs.

~~[(ii)]~~ (2) (a) Each ^["]water conservation plan^["] shall contain ~~[recommendations for water saving measures that may include]:~~

(i) a clearly stated overall water use reduction goal and an implementation plan for each of the water conservation measures it chooses to use, including a timeline for action and an evaluation process to measure progress;

(ii) a requirement that each water conservancy district and retail water provider devote

part of at least one regular meeting every five years of its governing body to a discussion and formal adoption of the water conservation plan, and allow public comment on it;

(iii) a requirement that a notification procedure be implemented that includes the delivery of the water conservation plan to the media and to the governing body of each municipality and county served by the water conservancy district or retail water provider; and

(iv) a copy of the minutes of the meeting and the notification procedure required in Subsections (2)(a)(ii) and (iii) which shall be added as an appendix to the plan.

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

~~[(A)]~~ (i) the installation and use of water efficient fixtures and appliances, including toilets, shower fixtures, and faucets;

~~[(B)]~~ (ii) residential and commercial landscapes and irrigation that require less water to maintain;

~~[(C)]~~ (iii) more water efficient industrial and commercial processes involving the use of water;

~~[(D)]~~ (iv) water reuse systems, both potable and not potable;

~~[(E)]~~ (v) distribution system leak repair;

~~[(F)]~~ (vi) dissemination of public information regarding more efficient use of water, including public education programs, customer water use audits, and water saving demonstrations;

~~[(G)]~~ (vii) water rate structures designed to encourage more efficient use of water;

~~[(H)]~~ (viii) statutes, ordinances, codes, or regulations designed to encourage more efficient use of water by means such as water efficient fixtures and landscapes;

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

(x) other measures designed to conserve water.

~~[(J) other measures designed to conserve water.]~~

(c) The Division of Water Resources may be contacted for information and technical resources regarding measures listed in Subsections (2)(b)(i) through (2)(b)(x).

~~[(2)]~~ (3) (a) Before April 1, 1999, each water conservancy district under Title 17A, Chapter 2, Part 14, Water Conservancy Districts, and each retail water provider shall:

(i) (A) prepare ~~[or]~~ and adopt a water conservation plan if one has not already been adopted; or

(B) if the district or provider has already adopted a water conservation plan, review the existing water conservation plan to determine if it should be amended and, if so, amend the water conservation plan; and

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

(b) Before adopting or amending a water conservation plan, each water conservancy district or retail water provider shall hold a public hearing with reasonable, advance public notice.

~~[(3)]~~ (4) (a) The board shall:

~~[(i) study ways to implement the water conservation plans of the water conservancy districts and the retail water providers;]~~

~~[(ii) develop recommendations on how to implement those plans; and]~~

(i) provide guidelines and technical resources to retail water providers and water conservancy districts to prepare and implement water conservation plans;

(ii) investigate alternative measures designed to conserve water; and

(iii) report [its recommendations] regarding its compliance with the act and impressions of the overall quality of the plans submitted to the Natural Resources, Agriculture, and Environment Interim Committee of the Legislature at its meeting in November [1999] 2004.

~~[(b) The board's report to the Natural Resources, Agriculture, and Environment Interim Committee may include a recommendation:]~~

~~[(i) that each water conservancy district and retail water provider devote part of at least one regular meeting of its governing body to a discussion of the water conservation plan and allow public comment on it;]~~

~~[(ii) to implement a notification procedure that includes the delivery of the water conservation plan to the media and to the governing body of each municipality and county served]~~

by the water conservancy district or retail water provider;]

~~[(iii) that certain eligibility requirements, including the adoption of a water conservation plan, be met before a water conservancy district or retail water provider may receive any state funds for water development;]~~

~~[(iv) for the coordination of conservation and drought management plans; and]~~

~~[(v) regarding any other measure designed to conserve water.]~~

(b) The board shall publish an annual report in a paper of state-wide distribution specifying the retail water providers and water conservancy districts that do not have a current water conservation plan on file with the board at the end of the calendar year.

(5) A water conservancy district or retail water provider may only receive state funds for water development if they comply with the requirements of this act.

~~[(4)]~~ (6) Each water conservancy district and retail water provider specified under Subsection ~~[(2)]~~ (3)(a) shall:

(a) update its water conservation plan no less frequently than every five years; and

(b) follow the procedures required under Subsection ~~[(2)]~~ (3) when updating the water conservation plan.

~~[(5)]~~ (7) It is the intent of the Legislature that the water conservation plans, amendments to existing water conservation plans, and the ~~[study]~~ studies and ~~[recommendations]~~ report by the board be handled within the existing budgets of the respective entities or agencies.