

Representative Gay Lynn Bennion proposes the following substitute bill:

RIPARIAN AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gay Lynn Bennion

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses riparian areas.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ directs the creation of a state position related to riparian areas with a sunset date on the position;
- ▶ requires the division to publish information related to riparian areas;
- ▶ directs the creation of a repository where geographic layers useful for delineating riparian areas can be publicly accessed; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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



26 ENACTS:

27 **73-10-39**, Utah Code Annotated 1953



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

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

31 **63I-1-273. Repeal dates: Title 73.**

32 (1) Title 73, Chapter 27, Legislative Water Development Commission, is repealed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

34 (2) Subsection 73-10-39(2), creating a position related to riparian areas, is repealed
35 July 1, 2029.

36 [~~2~~] (3) Title 73, Chapter 10g, Part 2, Agricultural Water Optimization, is repealed
37 July 1, 2028.

38 [~~3~~] (4) Section 73-18-3.5, which authorizes the Division of Outdoor Recreation to
39 appoint an advisory council that includes in the advisory council's duties advising on boating
40 policies, is repealed July 1, 2024.

41 [~~4~~] (5) In relation to Title 73, Chapter 31, Water Banking Act, on December 31,
42 2030:

- 43 (a) Subsection 73-1-4(2)(e)(xi) is repealed;
- 44 (b) Subsection 73-10-4(1)(h) is repealed; and
- 45 (c) Title 73, Chapter 31, Water Banking Act, is repealed.

46 [~~5~~] (6) Sections 73-32-302 and 73-32-303, related to the Great Salt Lake Advisory
47 Council, are repealed July 1, 2027.

48 Section 2. Section **73-10-39** is enacted to read:

49 **73-10-39. Riparian areas efforts.**

50 (1) As used in this section:

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

52 (b) "Local government" means a county or municipality, as defined in Section
53 10-1-104.

54 (c) "Watershed council" means a council created under Chapter 10g, Part 3, Watershed
55 Councils Act.

56 (2) The Department of Natural Resources shall create a position that:

57 (a) coordinates with the division, the Division of Forestry, Fire, and State Lands, and
58 the Utah Geological Survey to provide expertise, specialized knowledge, and education and
59 outreach efforts with regard to the management and improvement of riparian areas;

60 (b) provides assistance to local governments who request assistance with regard to the
61 management and improvement of riparian areas;

62 (c) supports initiatives under Title 79, Chapter 2, Part 6, Watershed Restoration
63 Initiative, that benefit riparian areas;

64 (d) assists with projects related to tributaries to sovereign lands;

65 (e) facilitates efforts to create more resilience in riparian areas; and

66 (f) seeks discussions on the management and improvement of riparian areas with the
67 appropriate watershed council or councils.

68 (3) The division shall publish on a public website tools available for the management
69 or improvement of a riparian area, such as tools published by federal, state, or local
70 government agencies, including interlocal entities, and examples of local government efforts to
71 manage or improve riparian areas.

72 (4) By no later than July 1, 2025, the Utah Geological Survey shall make publicly
73 accessible a compilation of geographic data layers that facilitate delineation of riparian areas
74 within the state.

75 Section 3. **Effective date.**

76 This bill takes effect on May 1, 2024.