

Bill: HB 446 – Great Salt Lake Amendments

Sponsor: Representative Jill Koford

For Sponsor: Undeclared

UASD Position: Tracking

This Bill addresses issues related to the Great Salt Lake.

Discussion: The sponsor said that HB 446 is essentially a clean-up Bill that will allow more water to reach the Great Salt Lake (“Lake”). It clarifies the definition of metalliferous compounds in relation to severance tax issues, offering clearer guidelines for taxation. The Bill revises the requirements for feasibility assessments related to activities on the Lake, streamlining the process to improve efficiency. It also updates provisions concerning adaptive management berms, likely to enhance environmental management practices. Additionally, the Bill introduces an exception from procurement provisions, specifying that it does not apply to the acquisition or disposal of real property or any interest in real property, including the acquisition or lease of water or water rights for the Great Salt Lake. The Great Salt Lake Commissioner ("Commissioner") is empowered to negotiate agreements, leases, or other arrangements to acquire or lease water or water rights for the Lake using this exception, providing greater flexibility in certain situations. HB 446 further expands the powers and duties of the Commissioner, including the requirement to consult on projects funded by state appropriations aimed at acquiring or leasing water or water rights for the Lake, ensuring these projects align with the strategic plan. A change application for a water right acquired or leased under Subsection (2)(f) for use on sovereign lands in the Great Salt Lake must be administered in accordance with Section 73-3-30. The Commissioner is also required to consult with the Commissioner of the Department of Agriculture and Food regarding the terms and conditions for leasing agricultural water for the Lake.

Tim Davis, Deputy Great Salt Lake Commissioner, stated that the Bill clarifies the process the Commissioner’s Office will follow for voluntary water right leases to bring water to the Great Salt Lake. When asked about the requirements for potentially making the Lake a state park and whether that would be beneficial, Mr. Davis explained that there are already two state parks on the Lake—Antelope Island and the Great Salt Lake Park, which includes the marina on the southern part of the Lake. He expressed uncertainty about whether designating the entire Lake as a state park would help increase water levels. The Deputy Commissioner was encouraged to explore the possibility of making the salt flats a state park to generate revenue for the Authority.

The Utah Rivers Council expressed opposition to the change made in line 423. This change requires that, before raising the adaptive management berm, the Division must have a plan and schedule in place to lower the berm no later than eighteen months after it is raised, instead of the previously established nine months. The reason for the extension is to allow sufficient time to complete a full water year to assess whether water management efforts are effective.

Yeas: 9

Nays: 0
N/V: 5

Outcome: 2nd substitute HB 407, as amended, passed out of the Committee with a favorable recommendation.

UNASSD