AGRICULTURAL WATER OPTIMIZATION

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Timothy D. Hawkes

Senate Sponsor: Margaret Dayton

LONG TITLE

General Description:

This bill creates the Agricultural Water Optimization Task Force.

Highlighted Provisions:

This bill:

- creates the Agricultural Water Optimization Task Force;
- describes the duties of the Agricultural Water Optimization Task Force, including reporting requirements;
- creates the Agricultural Water Optimization Restricted Account; and
- makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2019:

- to the Agricultural Water Optimization Restricted Account as a one-time appropriation:
  - from the General Fund, one-time, $75,000;
  - from the Agriculture Resource Development Fund, one-time, $500,000;
  - from the Water Resources Conservation and Development Fund, one-time, $500,000; and
  - from Nonlapsing Balances - Utah State University Cooperative Extension, one-time, $100,000; and
- to the Department of Natural Resources -- Water Resources as a one-time appropriation:
H.B. 381

from the Agricultural Water Optimization Restricted Account, $1,275,000.

Other Special Clauses:
This bill provides a special effective date.

Utah Code Sections Affected:
AMENDS:
73-10g-101, as enacted by Laws of Utah 2015, Chapter 458
ENACTS:
73-10g-201, Utah Code Annotated 1953
73-10g-202, Utah Code Annotated 1953
73-10g-203, Utah Code Annotated 1953
73-10g-204, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:
Section 1. Section 73-10g-101 is amended to read:
CHAPTER 10g. WATER INFRASTRUCTURE AND LONG-TERM PLANNING
73-10g-101. Title.
(1) This chapter is known as "Water Infrastructure and Long-Term Planning."
(2) This part is known as "Funding."
Section 2. Section 73-10g-201 is enacted to read:
Part 2. Agricultural Water Optimization
73-10g-201. Title.
This part is known as "Agricultural Water Optimization."
Section 3. Section 73-10g-202 is enacted to read:
(1) There is created the Agricultural Water Optimization Task Force, consisting of:
(a) the following voting members:
(i) one person representing the Department of Agriculture and Food;
(ii) one person representing the board or division;
(iii) one person representing the Division of Water Rights;
(iv) one person representing the Division of Water Quality;
(v) one person representing the interests of the agriculture industry;
(vi) one person representing environmental interests; and
(vii) one person representing water conservancy districts; and
(b) one nonvoting member from the higher education community with a background in
research.

(2) (a) The commissioner of the Department of Agriculture and Food shall appoint the
members described in Subsections (1)(a)(i), (v), and (vii).
(b) The executive director of the Department of Natural Resources shall appoint the
members described in Subsections (1)(a)(ii), (iii), and (vi).
(c) The governor shall appoint the members described in Subsections (1)(a)(iv) and
(1)(b).

(3) The division shall provide administrative support to the task force.
(4) The task force shall select a chair from among its membership.
(5) Service on the task force is voluntary and members may not be compensated for
their service on the task force but may receive per diem and travel expenses as allowed in
Sections 63A-3-106 and 63A-3-107, and relevant Division of Finance rules.

Section 4. Section 73-10g-203 is enacted to read:

73-10g-203. Duties of the task force.

(1) The task force created in Section 73-10g-202 shall:
(a) identify critical issues facing the state's long-term water supply, particularly in
regard to how the state should optimize agricultural water supply and use in light of future
population growth, and the future water needs of Utah agriculture;
(b) identify current obstacles to, and constraints upon, quantification of agricultural
water use, and recommend means, methods, technologies, or other opportunities to improve the
quantification of agricultural water use on a basin level; and

(c) identify means, methods, systems, or technologies with the potential to maintain or
increase agricultural production while reducing the agriculture industry's water diversion and
consumption.

(2) The task force shall issue requests for proposals and award grants to study the
issues identified in Subsection (1), prioritizing proposals and grants as necessary.

(3) In identifying critical issues as described in Subsection (1), and prioritizing requests
for proposals and grants as described in Subsection (2), the task force shall:

(a) identify, develop, and apply sound science and relevant research on optimizing
agricultural water use;

(b) measure gains at the basin level;

(c) take into account the variety of agricultural products, opportunities to improve
water use practices, and local needs;

(d) address and account for farm economics at the enterprise and community level;

(e) work within existing agricultural markets or encourage market behavior that
financially rewards improved practices;

(f) recognize established water rights;

(g) create meaningful benefits for farmers to optimize water use and protect water
quality;

(h) monitor funded research projects and evaluate the efficacy of completed research;

and

(i) disseminate research findings.

(4) The task force shall report on its progress under this section by November 30, of
each year, to:

(a) the Legislative Water Development Commission;

(b) the Natural Resources, Agriculture, and Environment Interim Committee; and

(c) the Executive Water Task Force.
Section 5. Section 73-10g-204 is enacted to read:

73-10g-204. Agricultural Water Optimization Account.

(1) There is created a restricted account within the General Fund called the Agricultural Water Optimization Account.

(2) The Agricultural Water Optimization Account consists of appropriations from the Legislature and donations.

(3) The task force created in Section 73-10g-202 may, subject to appropriation, expend money in the Agricultural Water Optimization Account to fulfill the duties of Section 73-10g-203.

Section 6. Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1, 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To General Fund Restricted - Agricultural Water Optimization Account

- From General Fund, one-time $75,000
- From Agricultural Resource Development Fund, one-time $500,000
- From Water Resources Conservation and Development Fund, one-time $500,000
- From Nonlapsing Balances - Utah State University Cooperative Extension, one-time $100,000

Schedule of Programs:

- Agricultural Water Optimization Account $1,175,000

ITEM 2

To Department of Natural Resources -- Water Resources
From Agricultural Water Optimization Restricted Account, one-time $1,275,000

Schedule of Programs:

Funding projects and research $1,275,000

Under Section 63J-1-603, the Legislature intends that appropriations provided under this section not lapse at the close of fiscal year 2019. The use of any nonlapsing funds is limited to the purposes described in Section 73-10g-203.

Section 7. Effective date.

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.