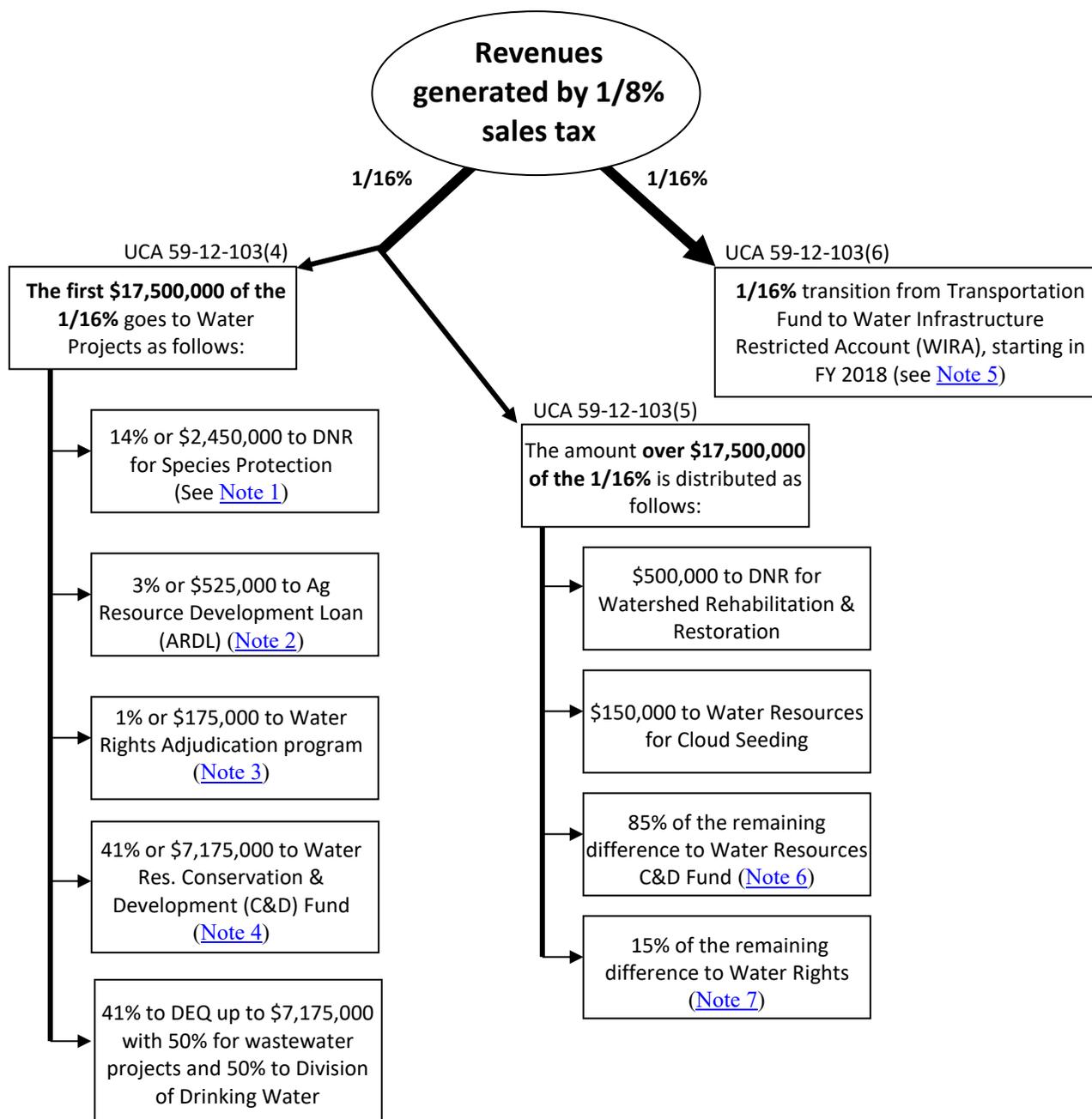


# **Appendix E: 1/16<sup>th</sup> of a Percent Sales Tax Distribution**

# Distribution of Sales Tax for Water

## UCA 59-12-103



Last updated: **September 2017**

### **Note 1: Species Protection Program**

UCA 59-12-103(4)(b) directs the transfer of \$2,450,000 Dedicated Credits to be used to protect sensitive plant and animal species, see 79-2-303(3)(a) through (d) and may not be used to assist the United States Fish and Wildlife Service or any other person to list or attempt to have listed a species as threatened or endangered.

**Note 2: Agriculture Resource Development Loan (ARDL) Fund**

[UCA 59-12-103\(4\)\(c\)](#) directs \$525,000 to go to ARDL, a revolving loan fund governed by [4-18-106](#). The Conservation Commission issues the ARDL loans based on criteria established in [4-18-105\(1\)\(e\)\(i\)](#) through (iv).

**Note 3: Division of Water Rights' Adjudication Program**

[UCA 59-12-103\(4\)\(d\)](#) transfers \$175,000 as Dedicated Credits to the Division of Water Rights for legal and technical staff of water rights adjudication. In addition, the Adjudication program has been receiving an annual appropriation of approximately \$500,000 from the General Fund.

**Note 4: Water Resources Conservation and Development (C&D) Fund**

[UCA 59-12-103\(4\)\(e\)](#) transfers \$7,175,000 to the Conservation and Development (C&D) Fund governed by [73-10-24](#) and administered by the [Board of Water Resources](#). The C&D Fund helps finance large water projects, multipurpose dams, and water systems. \$3,800,000 is transferred to the Revolving Construction Fund for Dam Safety Grants. These grants are used to provide upgrades to dams as a result of the 1990 Dam Safety Act.

**Note 5: 1/16% Transition from Transportation Fund to Water Infrastructure Restricted Account (WIRA)**

[S.B. 80](#) (2016 General Session) created the [Water Infrastructure Restricted Account \(73-10g-104\)](#) and modified the distribution of the 1/16% from the Transportation Fund to the WIRA, as follows:

- FY 2018: 80% to the Transportation Fund and 20% to the WIRA;
- FY 2019: 60% to the Transportation Fund and 40% to the WIRA;
- FY 2020: 40% to the Transportation Fund and 60% to WIRA;
- FY 2021: 20% to the Transportation Fund and 80% to WIRA; and
- FY 2022 and thereafter: 100% to WIRA.

Subject to legislative approval, the WIRA funding is to be used for the development of the state's undeveloped share of the Bear and Colorado rivers; and for the repair, replacement, or improvement of federal water projects when federal funds are not available.

**Note 6: 85% of the Remaining Difference to Water Resources C&D Fund**

After transferring the \$500,000 to DNR for watershed and \$150,000 to Water Resources for Cloudseeding, 85% of the remaining funds are deposited in the Water Resources' C&D Fund for [preconstruction](#) of the Bear River Development Act ([73-26](#)) and the Lake Powell Pipeline Development Act ([73-28](#)), and the cost of a civil engineer to oversee the Bear River Development Project and the Lake Powell Pipeline Project. The funds are nonlapsing.

**Note 7: 15% of the Remaining Difference to Water Rights**

After transferring the \$500,000 to DNR watershed and \$150,000 to Water Resources for Cloudseeding, 15% of the remaining funds will be transferred each year as Dedicated Credits to Water Rights to cover the costs of additional technical staff for the administration of water rights. The unexpended funds over \$150,000 will lapse to the Water Resources C&D Fund.