



H.B. 240 Utah Lake Amendments

LEGISLATIVE SUMMARY | August 9, 2022

Executive Summary

Before public land in and around Utah Lake may be disposed of as part of a restoration project, H.B. 240, Utah Lake Amendments, sponsored by Representative Stratton, requires two things: (1) a recommendation from the Division of Forestry, Fire, and State Lands (FFSL); and (2) the authorization of the Legislature and governor, made in connection with a determination that the disposal of state land is fiscally, constitutionally, and legally sound and a fair means of restoration.

The Utah Lake Restoration Act

Background

HB 272, Utah Lake Restoration Act, passed in 2018 following a proposal by [Lake Restoration Solutions](#) to dredge the bottom of Utah Lake and use the sediment to build islands for private development. The Act acknowledged remediation needs to be addressed in a proposal, set the initial requirements for allowing projects that involve the disposal of state land in and around Utah Lake, and granted disposal authority to FFSL.

Amendments (Enacted 2022)

H.B. 240 requires that a restoration project that includes the disposal of Utah Lake land must be determined to be “a fiscally sound and fair method of providing for the comprehensive restoration of Utah Lake” and “constitutionally sound and legal” (Utah Code §65A-15-201(ii)). In addition, the Act added to the required enhancement objectives.

Upon finding a qualifying project, FFSL may recommend, in writing, the disposal of state land to the Legislature and governor. While FFSL determines if thresholds established by H.B. 240 have been achieved, the Legislature and governor must adopt a concurrent resolution to approve the disposal of state land. FFSL is also required to prepare recommendations for standards, criteria, and thresholds defining the objectives in the Act, and to report to the Natural Resources, Agriculture, and Environment Interim Committee on the preparation of those recommendations.

Related Legislation

The Utah Lake Authority

H.B. 232, Utah Lake Authority, established an independent and nonprofit body designated to work with government entities, private parties, stakeholders, and others to “encourage, facilitate, and implement the management of Utah Lake” (Utah Code §11-65-201(3)). The Utah Lake Authority may coordinate land use and rehabilitation planning but does not have authority regarding land disposal.