



State of Utah

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Informal Comment Period on Proposed Rules: R317-16. Great Salt Lake Mineral Extraction Facility Operator Certification Approval.

The Division of Water Quality (DWQ) is providing an opportunity for the public to provide informal comment on proposed new rules required by House Bill 513 (codified as amended Utah Code § 65A-6-4), which outlines the application process for mineral leases and royalty agreements for certain elements and minerals related specifically to Great Salt Lake, modifies FFSL's management responsibilities for Great Salt Lake (GSL), and among other things, establishes emergency management responsibilities and powers. As part of the application for new operations, Utah Code § 65A-6-4(6)(b)(iii) requires the review and approval of the Department of Environmental Quality to ensure that the operations will not negatively impact the biota or chemistry of GSL. This unique aspect of the Code requires DWQ to develop specific rule language, since existing Clean Water Act authority does not adequately address the specific nature of potential negative impacts to the biota and chemistry of GSL, the industry sector applying for mineral leases and royalties, or the wider considerations of the legislation (e.g. water depletion, mitigation, project footprint, etc.)

Therefore, to address the requirements of the self-certification and approval process, DWQ has drafted rules (R317-16. Great Salt Lake Mineral Extraction Facility Operator Certification Approval.) which outline the required information and review process for operators applying for mineral leases on GSL. The Water Quality Board has approved this informal rulemaking process and will be engaging with stakeholders to refine and strengthen the draft rules. Once a final draft is developed, DWQ will return to the Board for formal approval to engage in rulemaking, upon which there will be additional opportunity for the public to provide formal comments. Although an informal comment period, DWQ appreciates the public's input in this process of improving its draft rule language and making the certification approval process more efficient and transparent.

To facilitate this comment period, which will be open until November 30th 2023, DWQ has created an online form which will assist in submitting and collating public feedback ([found here](#)).

If you have any questions please contact James Harris, jamesharris@utah.gov, (801) 541-3069.