



State of Utah

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Office of the Governor

PUBLIC LANDS POLICY COORDINATION OFFICE

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Report for NRAE Committee

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Public Lands Policy Coordinating Office (PLPCO)

PLPCO's mission is to preserve and defend rights to access, use, and benefit from public lands within the State of Utah. This mission keeps us constantly engaged with federal land management and environmental agencies as we respond to federal proposals and policies which impact, or have the potential to impact, Utah's critical interests related to public lands.

The Office expects to be steeped in sage-grouse matters for the next several years at least. Currently, we are awaiting the release of the Final EIS for Utah Greater Sage-Grouse Land Use Plan Amendment. Once released, there will be a 30-day public comment period followed by a 60-day Governor's Consistency Review. This office will work closely with the Governor to prepare and submit his review comments and then wait to see the Land Use Plan Amendments finalized by the end of August. The timing is intended to allow the US Fish and Wildlife Service to give full consideration to the federal land management plans and their protections for sage-grouse as they move to finalize their determination as to the future status of the species as warranted or not warranted for listing under ESA. Presently, such a decision cannot be made until after September 30, 2015 due to a congressional rider attached to the 2015 CR-Omnibus Bill passed last year. Regardless of how the decision goes, litigation will follow and this office will remain engaged with the Attorney General's Office in litigation preparation.

Additionally, PLPCO anticipates the need to remain vigilant regarding federal rules, plans, and policies, and will stand prepared to engage with every available tool to challenge as appropriate and necessary to protect the state's interests. Some of the issues we are presently working on will carry over into the next year or beyond such as monitoring the progress of the Grand Staircase-Escalante Livestock Grazing Management Plan Amendment EIS and the Moab Master Lease Plan EIS. Emerging issues might include continued proposals to list plant species for federal protection under ESA as well as the numerous BLM Travel Management Plans currently underway in the state.

Regarding RS 2477, PLPCO attorneys are wrapping up Block 4 of its testimony preservation depositions. Some 225 such depositions will have been taken over the past two years. We are proposing that another 225 depositions be taken over the next two years of witnesses over the

age of 60 or in poor health. These additional depositions have been made even more necessary as a result of a recent court ruling that RS 2477 claims cannot be made until there is a "title dispute" regarding the road, such as an actual closure, or at least a specific conflict as to title. This ruling, if it stands, could have the effect of significantly delaying resolution on many of the claimed roads.

PLPCO is also handling a number of pending and potential lawsuits regarding issues related to federal management and administration of lands in Utah. These issues include endangered species (both plant and animal), "wildlands" or "lands with wilderness characteristics," resource management plans, wildfire threats and grazing rights. In addition, PLPCO continues to work on the myriad issues involved in the Transfer of Lands and Public Lands Initiative efforts.

Presumably, due to our background, knowledge, and history of defending public lands, the Legislature saw fit to have PLPCO coordinate county resource management plans with the passage of HB323. This requires our office to work closely with the counties and facilitate access to data, technical support, and training as needed.