

# Commission for the Stewardship of Public Lands

## CHAIRS' 2015 INTERIM REPORT

The Commission for the Stewardship of Public Lands was authorized by 2014 General Session H.B. 151. The following is a chairs' summary of the commission's findings and actions over the 2015 Interim.

### Findings

#### Soil Carbon Sequestration

Soil carbon sequestration is a process that removes atmospheric carbon and sequesters it in the soil through specific land management policies, including effective livestock grazing practices. 2015 General Session HCR 8 calls on the President of the United States to direct federal agencies to implement management practices that increase soil carbon sequestration. Representatives of the Rangeland Restoration Academy explained that:

- research indicates that the world's former and current rangelands alone could sequester all the carbon emitted by human activities for the last 10,000 years; and
- although President Obama's Executive Order 13653 calls on federal agencies to increase carbon sequestration and make changes in regulation, policies and programs to reduce the sources of climate change, the healing grazing and forest management processes called for in HCR 8 are largely prohibited on federally managed lands.

A deputy regional forester from the U.S. Forest Service addressed the commission on how the agency is implementing forest, rangeland, grazing, agricultural, and other management practices that increase soil carbon sequestration. She explained that the agency is:

- conducting research on these processes;
- using programs such as the Watershed Restoration Initiative and the new authorities provided through the Farm Bill to work in close coordination with the Utah State Forester to improve wildlife habitat, manage timber projects, and compete fuel reduction; and

- using state and private forestry programs, in partnership with the Utah State Forester, to support efforts of private landowners to keep privately owned ranching and forested lands intact and productive.

A representative of the Rangeland Restoration Academy asserted that the Federal Government is not approaching the issue of carbon sequestration with enough urgency. He explained that forest fires, largely occurring on federally managed public land, produce 90 million tons of carbon dioxide per year, yet the Obama Administration's goal to reduce carbon emissions by 2025 only works out to 1.7 million tons of carbon reduction per year.

#### National Monument Designations

In July of this year, President Obama designated three new national monuments in California, Texas, and Nevada. A representative of the Governor's office explained that:

- with these new designations, President Obama will have used the Antiquities Act to establish or expand 19 national monuments covering more than 260 million acres of land and water, which is more than any other President;
- although there is a common misperception that Utah's most precious scenic destinations are being developed and destroyed, the reality is that there are more federally managed conservation lands in Utah than private lands;
- roughly 35% of all land in Utah is currently under some form of protected status; and
- Utah is on the Obama Administration's monument target list.

#### Recapture Canyon ATV Ride

The commission discussed the legal aftermath of a recent ATV protest ride through Recapture Canyon. Some commission members expressed a belief that the judicial process has treated San Juan County Commissioner Lyman unfairly and suggested the commission offer a motion expressing support of Commissioner Lyman to the Constitutional Defense Council (see actions section).

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### Utah Public Land Policy Management Act

The commission discussed potential legislation on the management of Utah's public lands. The commission discussed an approach to developing the legislation that would include separating the issues to be addressed upon the transfer of public lands into potential uses such as grazing, mineral rights, and recreation.

### Congressman Bishop's Public Lands Initiative

Representatives of Congressman Bishop, Congressman Chaffetz, Senator Lee, and the Governor explained that:

- the Public Lands Initiative is a joint effort between Utah's congressional delegation, the Governor, counties, and other stakeholders to build consensus and designate certain lands in eastern Utah for conservation and development;
- 7 counties are involved (Summit, Duchesne, Uintah, Carbon, Emery, Grand, and San Juan); and
- the counties' asks in the negotiation include designated energy zones, Antiquities Act exemptions, release of existing Wilderness Study Areas, utility corridors, local management of conservation areas, protection of historic uses, and land for economic development.

### Federal Water Rules and Directives

The Chief Executive Officer of the Utah Farm Bureau Federation explained that recent federal regulatory actions encroach on state's water rights.

The Commission considered a proposed resolution to express disapproval of the expansion of the term "waters of the United States" and expresses support for Attorney General Sean Reyes in seeking to vacate the expansive rule. The Commission did not take action due to consideration regarding converting the proposed concurrent resolution to a constitutional resolution.

### Sage Grouse

The director of the Public Lands Policy Coordinating Office updated the commission on the sage grouse conservation efforts and indicated that listing the sage grouse as an endangered species may be avoided, but

the U.S. Bureau of Land Management sage grouse plans impose significant regulatory burdens.

## Actions

### Request for proposals (RFP) for legal consulting services and relations services associated with obtaining certain public lands from the federal government

Voted to approve awarding the contracts.

### Recapture Canyon ATV Ride

Voted to support a San Juan County commissioner in his legal dispute regarding public lands and dual sovereignty, after determining that there is a public interest in doing so, and requested that the Constitutional Defense Council evaluate the appropriate way to further this public interest.

### Implementation of Transfer of Public Lands Legislation

Voted to direct commission staff to prepare a list of Utah laws that address the transfer of public lands and to invite the executive branch to provide an update to the commission on its efforts to implement those laws.

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Additional information, including agendas, minutes, and materials considered by the commission, are available at:

<http://le.utah.gov/asp/interim/Commit.asp?Year=2015&Com=SPESPL>.