

Chapter 20

Rangeland Improvement Act

4-20-1 Title -- Definitions.

- (1) This chapter is known as the "Rangeland Improvement Act."
- (2) As used in this chapter:
 - (a) "Cooperative weed management association" means a multigovernmental association cooperating together to control noxious weeds in a geographic area that includes some portion of Utah.
 - (b) "Fees" mean the revenue collected by the United States Secretary of Interior from assessments on livestock using public lands.
 - (c) "Grazing district" means an administrative unit of land:
 - (i) designated by the commissioner as being valuable for grazing and for raising forage crops; and
 - (ii) which consists of any combination of the following:
 - (A) public land;
 - (B) private land;
 - (C) state land; and
 - (D) school and institutional trust land as defined in Section 53C-1-103.
 - (d) "Public lands" mean vacant, unappropriated, reserved, and unreserved federal lands.
 - (e) "Regional board" means a regional grazing advisory board whose members are appointed under Section 4-20-1.6.
 - (f) "Restricted account" means the Rangeland Improvement Account created in Section 4-20-2.
 - (g) "Sales" or "leases" mean the sale or lease, respectively, of isolated or disconnected tracts of public lands by the United States Secretary of Interior.
 - (h) "State board" means the State Grazing Advisory Board created under Section 4-20-1.5.

Amended by Chapter 278, 2010 General Session

4-20-1.5 State Grazing Advisory Board -- Duties.

- (1)
 - (a) There is created within the department the State Grazing Advisory Board.
 - (b) The commissioner shall appoint the following members:
 - (i) one member from each regional board;
 - (ii) one member from the Conservation Commission, created in Section 4-18-104;
 - (iii) one representative of the Department of Natural Resources;
 - (iv) two livestock producers at-large; and
 - (v) one representative of the oil, gas, or mining industry.
- (2) The term of office for a state board member is four years.
- (3) Members of the state board shall elect a chair, who shall serve for two years.
- (4) A member may not receive compensation or benefits for the member's service but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (5) The state board shall:
 - (a) receive:

- (i) advice and recommendations from a regional board concerning:
 - (A) management plans for public lands, state lands, and school and institutional trust lands as defined in Section 53C-1-103, within the regional board's region; and
 - (B) any issue that impacts grazing on private lands, public lands, state lands, or school and institutional trust lands as defined in Section 53C-1-103, in its region; and
- (ii) requests for restricted account money from the entities described in Subsections (5)(c)(i) through (iv);
- (b) recommend state policy positions and cooperative agency participation in federal and state land management plans to the department and to the Public Lands Policy Coordinating Office, created under Section 63J-4-602; and
- (c) advise the department on the requests and recommendations of:
 - (i) regional boards;
 - (ii) county weed control boards, created in Section 4-17-4;
 - (iii) cooperative weed management associations; and
 - (iv) conservation districts created under the authority of Title 17D, Chapter 3, Conservation District Act.

Amended by Chapter 227, 2013 General Session

4-20-1.6 Regional Grazing Advisory Boards -- Duties.

- (1) The commissioner shall appoint members to a regional board for each grazing district from nominations submitted by:
 - (a) the Utah Cattlemen's Association;
 - (b) the Utah Woolgrower's Association;
 - (c) the Utah Farm Bureau Federation; and
 - (d) a conservation district, if the conservation district's boundaries include some portion of the grazing district.
- (2) Regional boards:
 - (a) shall provide advice and recommendations to the state board; and
 - (b) may receive money from the Rangeland Improvement Account created in Section 4-20-2.
- (3) If a regional board receives money as authorized by Subsection (2)(b), the regional board shall elect a treasurer to expend the money:
 - (a) as directed by the regional board; and
 - (b) in accordance with Section 4-20-3.

Amended by Chapter 336, 2011 General Session

4-20-2 Rangeland Improvement Account -- Administered by department.

- (1)
 - (a) There is created a restricted account within the General Fund known as the "Rangeland Improvement Account."
 - (b) The restricted account shall consist of:
 - (i) money received by the state from the United States Secretary of Interior under the Taylor Grazing Act, 43 U.S.C. Section 315 et seq., for sales, leases, and fees;
 - (ii) grants or appropriations from the state or federal government; and
 - (iii) grants from private foundations.
 - (c) Interest earned on the restricted account shall be deposited into the General Fund.
- (2) The department shall:

- (a) administer the restricted account;
- (b) obtain from the United States Department of Interior the receipts collected from:
 - (i) fees in each grazing district; and
 - (ii) the receipts collected from the sale or lease of public lands; and
- (c) distribute restricted account money in accordance with Section 4-20-3.

Amended by Chapter 303, 2011 General Session

4-20-3 Rangeland Improvement Account distribution.

- (1) The department shall distribute restricted account money as provided in this section.
 - (a) The department shall:
 - (i) distribute pro rata to each school district the money received by the state under Subsection 4-20-2(1)(b)(i) from the sale or lease of public lands based upon the amount of revenue generated from the sale or lease of public lands within the district; and
 - (ii) ensure that all money generated from the sale or lease of public lands within a school district is credited and deposited to the general school fund of that school district.
 - (b)
 - (i) After the commissioner approves a request from a regional board, the department shall distribute pro rata to each regional board money received by the state under Subsection 4-20-2(1)(b)(i) from fees based upon the amount of revenue generated from the imposition of fees within that grazing district.
 - (ii) The regional board shall expend money received in accordance with Subsection (2).
 - (c)
 - (i) The department shall distribute or expend money received by the state under Subsections 4-20-2(1)(b)(ii) and (iii) for the purposes outlined in Subsection (2).
 - (ii) The department may require entities seeking funding from sources outlined in Subsections 4-20-2(1)(b)(ii) and (iii) to provide matching funds.
- (2) The department shall ensure that restricted account distributions or expenditures under Subsections (1)(b) and (c) are used for:
 - (a) range improvement and maintenance;
 - (b) the control of predatory and depredating animals;
 - (c) the control, management, or extermination of invading species, range damaging organisms, and poisonous or noxious weeds;
 - (d) the purchase or lease of lands or a conservation easement for the benefit of a grazing district;
 - (e) watershed protection, development, distribution, and improvement;
 - (f) the general welfare of livestock grazing within a grazing district; and
 - (g) subject to Subsection (3), costs to monitor rangeland improvement projects.
- (3) Annual account distributions or expenditures for the monitoring costs described in Subsection (2)(g) may not exceed 10% of the annual receipts of the fund.

Amended by Chapter 189, 2014 General Session

4-20-8 Audit of grazing districts -- State auditor to coordinate with Department of Interior in conduct of audit.

The state auditor is authorized to coordinate with the Department of Interior in auditing the books of the several advisory boards.

Enacted by Chapter 2, 1979 General Session

4-20-9 Commissioner to supervise distribution of undistributed funds if United States alters or discontinues funding leaving funds or resources available.

If the United States alters or discontinues funding under the Taylor Grazing Act or the operation of advisory boards, leaving funds or other resources undistributed or otherwise without means for continuation, the commissioner shall supervise and control the distribution of such undistributed funds or other resources.

Enacted by Chapter 2, 1979 General Session

4-20-10 Promotion of multiple use of rangeland resources.

- (1) The department shall work cooperatively to promote efficient multiple-use management of the rangeland resources of the public lands administered by the federal Bureau of Land Management within the state to benefit the overall public interest.
- (2) The department may serve as an independent resource for mediating disputes concerning permit issues within the scope of Subsection (1).

Enacted by Chapter 383, 2011 General Session