

57 (5) "National monument" means a national monument designated or declared in  
 58 accordance with the Antiquities Act of 1906, 16 U.S.C. Sec. 431 et seq.

59 (6) "National recreation area" means a recreation area designated by an act of  
 60 Congress.

61 ~~[(5)]~~ (7) "Political subdivision" means a municipality or county.

62 Section 2. Section **11-51-103** is amended to read:

63 **11-51-103. Local jurisdiction related to federally managed land -- Written notice**  
 64 **-- Mitigation action.**

65 (1) (a) The authority of a chief executive officer of a political subdivision or county  
 66 sheriff to exercise jurisdiction ~~[over]~~ on federally managed land, a national monument, or a  
 67 national recreation area in the state that is ~~[encompassed by or adjacent to the]~~ wholly or  
 68 partially situated within a political subdivision includes the following:

69 ~~[(1)]~~ (i) if the action or inaction of a federal agency related to federally managed land,  
 70 ~~H→ [the] a ←H~~ national monument, or ~~H→ [the] a ←H~~ national recreation area threatens to  
 70a adversely ~~[affects or~~  
 71 constitutes an imminent threat to] affect the health, safety, or welfare of the people of the  
 72 political subdivision, the chief executive officer or county sheriff may, after consulting with the  
 73 attorney general, provide written notice to the federal agency, which notice shall:

74 ~~[(a)]~~ (ii) be delivered to the federal agency by hand or by certified mail and a copy  
 75 provided by certified mail to the governor, the ~~[state]~~ attorney general, and the state's  
 76 ~~H→ [Congressional] congressional ←H~~ delegation;

77 ~~[(b)]~~ (iii) include a detailed explanation of how the action or inaction of the federal  
 78 agency related to federally managed land, ~~H→ [the] a ←H~~ national monument, or  
 78a ~~H→ [the] a ←H~~ national recreation  
 79 area threatens to adversely ~~[affects or constitutes an imminent threat to]~~ affect the health,  
 80 safety, or welfare of the people of the political subdivision;

81 ~~[(c)]~~ (iv) include a detailed description of the action the federal agency should take to  
 82 mitigate the risk to the health, safety, or welfare of the people of the political subdivision; and

83 ~~[(d)]~~ (v) provide a specific date by which time the federal agency should respond to the  
 84 notice; and

85 ~~[(2)]~~ (b) if after receiving notice as described in Subsection (1)(a)(ii), the federal  
 86 agency does not respond by the date requested in the notice, or otherwise indicates that it is  
 87 unwilling to take action to mitigate the risk to the health, safety, or welfare of the people of the

88 political subdivision described in the notice[;]:

89 (i) the chief executive officer or county sheriff [may take action to mitigate the risk to  
90 the health, safety, or welfare of the people of the political subdivision.] shall consult with the  
91 county attorney and attorney general; and

92 (ii) the attorney general shall send within 20 days of consulting with the chief  
93 executive officer or county sheriff a written notice to the federal agency stating what legal  
94 steps, if any, the attorney general will take to protect the people of the political subdivision  
95 from the threat to their health, safety, or welfare.

96 (2) (a) If an action or inaction of a federal agency related to federally managed land, a  
97 national monument, or a national recreation area constitutes an imminent threat to the health,  
98 safety, or welfare of the people of the political subdivision, the chief executive officer or  
99 county sheriff may, after consulting with the attorney general, provide written notice to the  
100 federal agency.

101 (b) The chief executive officer or county sheriff shall:

102 (i) deliver the notice described in Subsection (2)(a) to the federal agency in person or  
103 by certified mail;

104 (ii) provide a copy of the notice by certified mail to the governor, the attorney general,  
105 and the state's ~~H~~→ [Congressional] congressional ←~~H~~ delegation; and

106 (iii) include in the notice:

107 (A) a detailed explanation of how the federal agency's action or inaction constitutes an  
108 imminent threat to the health, safety, or welfare of the people of the political subdivision;

109 (B) a detailed description of the action that the federal agency should take to eliminate  
110 the imminent threat; and

111 (C) provide a specific date by which the federal agency should respond to the notice,  
112 either with action or by written communication.

113 (3) If a federal agency does not respond, either with action or in written  
114 communication, to a notice described in Subsection (2)(b) by the date described in Subsection  
115 (2)(b)(iii)(C), or otherwise indicates that the agency is unwilling to take action, the chief  
116 executive officer or county sheriff may, after additional consultation with the county attorney  
117 and attorney general, take action and exercise necessary jurisdictional authority to mitigate the  
118 risk to the health, safety, or welfare of the people of the political subdivision.