

**Representative Michael E. Noel** proposes the following substitute bill:

**UTAH PUBLIC LAND MANAGEMENT ACT AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael E. Noel**

Senate Sponsor: Margaret Dayton

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**LONG TITLE**

**General Description:**

This bill modifies provisions in the Utah Public Land Management Act.

**Highlighted Provisions:**

This bill:

- ▶ states that public land shall be managed, as much as possible, to promote multiple uses of the land, including hunting;
- ▶ describes the process to sell or exchange a parcel of public land;
- ▶ states that a county sheriff is the primary law enforcement authority on public land;
- ▶ creates the prospective Department of Land Management;
- ▶ describes the procedure to select the director of the Department of Land Management; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



- 26            **63L-8-102**, as enacted by Laws of Utah 2016, Chapter 317
- 27            **63L-8-103**, as enacted by Laws of Utah 2016, Chapter 317
- 28            **63L-8-104**, as enacted by Laws of Utah 2016, Chapter 317
- 29            **63L-8-105**, as enacted by Laws of Utah 2016, Chapter 317
- 30            **63L-8-302**, as enacted by Laws of Utah 2016, Chapter 317
- 31            **63L-8-304**, as enacted by Laws of Utah 2016, Chapter 317
- 32            **63L-8-308**, as enacted by Laws of Utah 2016, Chapter 317
- 33            **63L-8-402**, as enacted by Laws of Utah 2016, Chapter 317
- 34            **63L-8-602**, as enacted by Laws of Utah 2016, Chapter 317
- 35            **79-2-201**, as last amended by Laws of Utah 2016, Chapter 317

36 ENACTS:

- 37            **63L-8-204**, Utah Code Annotated 1953
- 38            **63L-9-106**, Utah Code Annotated 1953

39 RENUMBERS AND AMENDS:

- 40            **63L-9-101**, (Renumbered from 79-6-101, as enacted by Laws of Utah 2016, Chapter
- 41 317)
- 42            **63L-9-102**, (Renumbered from 79-6-102, as enacted by Laws of Utah 2016, Chapter
- 43 317)
- 44            **63L-9-103**, (Renumbered from 79-6-103, as enacted by Laws of Utah 2016, Chapter
- 45 317)
- 46            **63L-9-104**, (Renumbered from 79-6-104, as enacted by Laws of Utah 2016, Chapter
- 47 317)
- 48            **63L-9-105**, (Renumbered from 79-6-105, as enacted by Laws of Utah 2016, Chapter
- 49 317)



51 *Be it enacted by the Legislature of the state of Utah:*

52            Section 1. Section **63L-8-102** is amended to read:

53            **63L-8-102. Definitions.**

54            As used in this chapter:

- 55            (1) "Board" means the board created in Section **79-6-104**.
- 56            (2) "Commissioner" means the commissioner of the Department of Agriculture and

57 Food, or the commissioner's designee.

58 (3) "DAF" means the Department of Agriculture and Food.

59 (4) "Director" means the director of the [~~Division~~] Department of Land Management or  
60 the director's designee.

61 (5) "DLM" means the [~~Division~~] Department of Land Management, [~~a division~~]  
62 created [~~within the Department of Natural Resources~~] in Section [~~79-6-102~~] 63L-9-102.

63 (6) "Grazing permit" means a document, issued by the [~~Division~~] Department of Land  
64 Management, authorizing use of public land for the purpose of grazing domestic livestock.

65 (7) "Land use authorization" means an easement, lease, permit, or license to occupy,  
66 use, or traverse public land granted for a particular purpose.

67 (8) "Minerals" means all classes of inorganic material upon, within, or beneath the  
68 surface of public land, including silver, gold, copper, lead, zinc, uranium, gemstones, potash,  
69 gypsum, clay, salts, sand, rock, gravel, oil, oil shale, oil sands, gas, coal, and all carboniferous  
70 materials.

71 (9) "Multiple use" means:

72 (a) the management of the public land and the public land's various resource values so  
73 resources are best utilized in the combination that will meet the present and future needs of the  
74 citizens of Utah;

75 (b) making the most judicious use of land for some or all of the resources or related  
76 services over areas large enough to provide sufficient latitude for periodic adjustments in use to  
77 conform to changing needs and conditions;

78 (c) a combination of balanced and diverse resource uses that take into account the  
79 long-term needs of future generations for renewable and nonrenewable resources, including  
80 recreation, hunting, fishing, trapping, range, timber, minerals, watershed, wildlife and fish, and  
81 natural scenic, scientific, and historic values; and

82 (d) harmonious and coordinated management of the various resources without  
83 permanent impairment of the productivity of the land and the quality of the environment with  
84 consideration being given to the relative values of the resources.

85 (10) "Public land" means any land or land interest acquired by the state from the  
86 federal government pursuant to Section 63L-6-103, except:

87 (a) areas subsequently designated as a protected wilderness area, as described in Title

88 63L, Chapter 7, Utah Wilderness Act; and

89 (b) lands managed by the School and Institutional Trust Lands Administration pursuant  
90 to Title 53C, School and Institutional Trust Lands Management Act.

91 (11) "Rangeland" means open public land used for grazing domestic livestock.

92 (12) "Sustained yield" means the achievement and maintenance in perpetuity of a  
93 high-level annual or regular periodic output of the various renewable resources of the public  
94 land consistent with multiple use.

95 (13) "Wilderness" means the same as that term is defined in Section [63L-7-103](#).

96 Section 2. Section **63L-8-103** is amended to read:

97 **63L-8-103. Principal or major use.**

98 Each parcel of public land in this state shall be managed, as much as possible, to  
99 promote the following principal or major uses of the land, consistent with the principles of  
100 multiple use and sustained yield:

101 (1) domestic livestock grazing;

102 (2) fish and wildlife development and utilization, including hunting, fishing, and  
103 trapping;

104 (3) mineral exploration and production;

105 (4) rights-of-way;

106 (5) outdoor recreation;

107 (6) timber production; and

108 (7) wilderness conservation.

109 Section 3. Section **63L-8-104** is amended to read:

110 **63L-8-104. Declaration of policy -- Sales and exchanges.**

111 (1) The Legislature declares that it is the policy of the state that:

112 (a) public land be retained in state ownership consistent with the provisions of this  
113 chapter for the enjoyment and betterment of the public and the state;

114 (b) public land may not be sold, except:

115 (i) as consistent with Section [63L-8-204](#) and the other provisions of this chapter;

116 (ii) as consistent with local land use plans;

117 (iii) with the approval of the director and the board;

118 (iv) after sufficient opportunity for public comment; and

- 119 (v) for an important public interest;
- 120 (c) goals and objectives be established by law as guidelines for public land use
- 121 planning, and that management be on the basis of multiple use and sustained yield, unless
- 122 otherwise provided by statute; and
- 123 (d) the public land be managed in a manner that will:
  - 124 (i) recognize the state's need for domestic sources of minerals, food, timber, and fiber;
  - 125 (ii) protect the quality of scientific, scenic, historical, ecological, environmental, air
  - 126 and atmospheric, water resource, and archeological values;
  - 127 (iii) where appropriate, preserve and protect certain public land in its natural condition;
  - 128 (iv) provide food and habitat for fish, wildlife, and domestic animals; and
  - 129 (v) provide for hunting, fishing, trapping, outdoor recreation, human occupancy, and
  - 130 other human use, including the general enjoyment of nature and solitude.

131 (2) All rules made to effectuate the purposes of this chapter shall be made in  
132 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

133 Section 4. Section **63L-8-105** is amended to read:

134 **63L-8-105. Interdepartmental cooperation.**

135 (1) The director, subject to periodic review of the Legislature, may establish programs  
136 to conduct projects, planning, permitting, leasing, contracting and other activities on public  
137 land.

138 (2) (a) The director shall provide management policies and programs for all uses of  
139 public land, including the principal or major uses described in Section [63L-8-103](#).

140 (b) The director shall consult with the commissioner, who may make recommendations  
141 to the director on rangeland management issues on public land, including:

- 142 (i) determining the number of domestic animals that may be sustained on a tract of land
- 143 while maintaining that land for wildlife and fish use and future grazing use; and
- 144 (ii) issuing grazing permits.

145 (c) The director shall consult with other state agencies having management  
146 responsibility over natural resources that may be impacted by management decisions and  
147 actions on public land, including the Department of Natural Resources, the Department of  
148 Agriculture and Food, and the Division of Wildlife Resources.

149 Section 5. Section **63L-8-204** is enacted to read:

150 63L-8-204. Exchanges and sales.

151 (1) (a) It is the policy of this state that exchanges of public land are preferred to any  
152 sale of public land, and that when pursuing an exchange, an exchange with the School and  
153 Institutional Trust Lands Administration is preferred to an exchange with any other party.

154 (b) If the DLM proposes an exchange of public land for a different parcel of land, the  
155 land the DLM seeks to acquire shall be larger in acreage or considered more valuable for one or  
156 more of the principal or major uses described in Section 63L-8-103 than the land the DLM is  
157 offering in exchange.

158 (c) The state may exchange a parcel of public land with the federal government, the  
159 School and Institutional Trust Lands Administration, or a private party for a similarly valued  
160 parcel of land if:

161 (i) no more than 1,000 acres of public land is exchanged with the federal government,  
162 the School and Institutional Trust Lands Administration, or the private party in one calendar  
163 year; or

164 (ii) the exchange is approved by a two-thirds vote of the Legislature.

165 (2) The DLM may execute a sale of a parcel of public land if:

166 (a) the requirements of Subsection 63L-8-104(1)(b) have been met;

167 (b) the following information is made available on the DLM's website for 30 days  
168 before the day on which the director executes the sale:

169 (i) the legal description of the parcel;

170 (ii) the local land use plan governing the parcel;

171 (iii) the proposed purchaser of the parcel;

172 (iv) the DLM's findings that the sale will further an important public objective,  
173 including expansion of a local community;

174 (v) the minutes or a recording of a meeting in which the public comment was taken on  
175 the proposed sale; and

176 (vi) the purchase price, which may not be less than fair market value;

177 (c) the director, having completed the land use planning process described in Section  
178 63L-8-202, has determined that the parcel in question:

179 (i) is not suitable for long-term management by the DLM or another state agency  
180 because of the parcel's location or other characteristics; and

- 181 (ii) has minimal value for hunting, fishing, or other outdoor recreation;
- 182 (d) the parcel is 100 acres or smaller;
- 183 (e) the director has determined an exchange, as described in Subsection (1), is not
- 184 possible;

- 185 (f) a competitive bidding process is used to determine the purchaser of the parcel;
- 186 (g) the sale is approved by a two-thirds vote of the Legislature; and
- 187 (h) the sale is approved by the governor.

188 (3) All proceeds of a sale under Subsection (2) shall be:

- 189 (a) deposited in the Public Land Management Fund created in Section [63L-8-308](#); and
- 190 (b) used to:

191 (i) acquire additional land that the DLM has determined would be appropriate for  
192 public purposes;

193 (ii) improve existing public land for one or more principal or major uses, as described  
194 in Section [63L-8-103](#); and

195 (iii) increase the utilization of the public land by the public.

196 Section 6. Section **63L-8-302** is amended to read:

197 **63L-8-302. Department of Land Management.**

198 Except as otherwise provided by law, the [~~Division~~] Department of Land Management,  
199 created in Section [~~79-6-102~~] [63L-9-102](#), shall provide necessary staff support for the  
200 implementation of this chapter.

201 Section 7. Section **63L-8-304** is amended to read:

202 **63L-8-304. Enforcement authority.**

203 (1) The director shall issue rules as necessary to implement the provisions of this  
204 chapter with respect to the management, use, and protection of the public land and property  
205 located on the public land.

206 (2) At the request of the director, the attorney general may institute a civil action in a  
207 district court for an injunction or other appropriate remedy to prevent any person from utilizing  
208 public land in violation of this chapter or rules issued by the director under this chapter.

209 (3) The use, occupancy, or development of any portion of the public land contrary to  
210 any rule issued by the DLM in accordance with this chapter, and without proper authorization,  
211 is unlawful and prohibited.

212 (4) (a) ~~[Except as provided in Subsections (4)(b) and (c), the local]~~ The locally elected  
213 county sheriff is the primary law enforcement authority with jurisdiction on public land to  
214 enforce;

215 (i) all the laws of this state; and

216 (ii) this chapter and rules issued by the director pursuant to Subsection (1).

217 ~~[(b) The director may employ and utilize within the DLM certified peace officers that,~~  
218 ~~if and when deployed, will be the primary law enforcement authority with jurisdiction on~~  
219 ~~public land to enforce this chapter and rules issued pursuant to Subsection (1).]~~

220 ~~[(c)]~~ (b) Conservation officers employed by the Division of Wildlife Resources ~~[are the~~  
221 ~~primary law enforcement authority with jurisdiction on public land]~~ have authority to enforce  
222 the laws and regulations under Title 23, Wildlife Resources Code of Utah, for the sake of any  
223 protected wildlife.

224 (c) A conservation officer shall work cooperatively with the locally elected county  
225 sheriff to enforce the laws and regulations under Title 23, Wildlife Resources Code of Utah, for  
226 the sake of protected wildlife.

227 (d) Nothing herein shall be construed as enlarging or diminishing the responsibility or  
228 authority of a state certified peace officer in performing the officer's duties on public land.

229 Section 8. Section **63L-8-308** is amended to read:

230 **63L-8-308. Public Land Management Fund.**

231 (1) There is created an expendable special revenue fund known as the "Public Land  
232 Management Fund."

233 (2) The fund shall consist of:

234 (a) fees collected by the DLM under this chapter;

235 (b) money appropriated to the fund by the Legislature;

236 (c) money collected under Section [63L-8-505](#);

237 (d) money voluntarily donated or contributed to the fund; ~~[and]~~

238 (e) proceeds, as described in Subsection [63L-8-104\(3\)](#); and

239 ~~[(e)]~~ (f) interest earned on the fund.

240 (3) The DLM may expend money in the fund on:

241 (a) administration costs;

242 (b) project planning;



243 (c) a payment authorized by this chapter; and

244 (d) other duties required under this chapter, including the acquisition and improvement  
245 of public land, as described in Section 63L-8-104.

246 (4) The DLM shall annually expend money in the fund to pay a county in lieu of taxes  
247 the county cannot levy on public land owned by the state:

248 (a) in an amount no less than the highest amount ever fully authorized by Congress for  
249 payment to the county under the federal Payments in Lieu of Taxes and Secure Rural Schools  
250 programs, according to the most recent federal formulas before the effective date of this  
251 chapter, as described in Section 63L-8-602; and

252 (b) as funding allows.

253 Section 9. Section 63L-8-402 is amended to read:

254 **63L-8-402. Grazing fees -- Feasibility study -- Contents -- Submission of report --**  
255 **Annual distribution and use of range betterment funds -- Nature of distributions.**

256 (1) As used in this section:

257 (a) "Animal unit" means one mature 1,000 pound cow and the cow's suckling calf.

258 (b) "Animal unit month" means the amount of forage needed by an animal unit grazing  
259 for one month.

260 (c) "Forage" means the food and water necessary to sustain a cow, according to the  
261 cow's metabolic weight.

262 [(1)] (2) The Legislature finds that, as of 2016, a substantial amount of the rangelands  
263 on the public land is deteriorating in quality due to federal mismanagement, and that  
264 installation of additional range improvements could arrest much of the continuing deterioration  
265 and lead to substantial betterment of forage conditions with resulting benefits to wildlife,  
266 watershed protection, and livestock production.

267 [(2)] (3) The director, in consultation with the commissioner, shall ~~[(a) conduct a~~  
268 ~~study to determine necessary range improvements on public land; and (b)]~~ establish a fee, in  
269 accordance with Section 63J-1-504, to be charged for domestic livestock grazing on public  
270 land that is equitable to the:

271 [(i)] (a) state and the state's citizens; and

272 [(ii)] (b) holders of grazing permits and leases on rangeland.

273 ~~[(3) The director shall report the result of the study described in Subsection (2)(a) to~~

274 the Natural Resources, Agriculture, and Environment Interim Committee, together with  
 275 recommendations to implement a reasonable grazing fee schedule.]

276 (4) Subject to Subsection (5), the fee described in Subsection (3) shall be:

277 (a) determined using the following indices:

278 (i) the rental charge of pasturing cattle on private rangeland, or the forage value index  
 279 (FVI);

280 (ii) the average annual sales price of beef cattle, or the beef cattle price index (BCPI);

281 and

282 (iii) the cost of livestock production, or the prices paid index (PPI); and

283 (b) calculated as follows: ((FVI + BCPI - PPI)/100).

284 (5) (a) The minimum grazing fee shall be \$1.35 per animal unit month.

285 (b) The annual fee adjustment may not exceed 25% of the grazing fee from the  
 286 previous fiscal year.

287 ~~[(4)]~~ (6) (a) Fifty percent of all money received by the state as fees for grazing  
 288 domestic livestock on public land shall be deposited into the Grazing Land Fund created in  
 289 Section 63L-8-310.

290 (b) Fifty percent of money received by the state as fees for grazing domestic livestock  
 291 on the public land shall be deposited into the Public Land Management Fund created in Section  
 292 63L-8-308.

293 Section 10. Section **63L-8-602** is amended to read:

294 **63L-8-602. Effective date.**

295 This chapter becomes effective upon the day the state receives title to at least [~~100,000~~]  
 296 250,000 acres of public land from the federal government pursuant to Section **63L-6-103**.

297 Section 11. Section **63L-9-101**, which is renumbered from Section 79-6-101 is  
 298 renumbered and amended to read:

299 **CHAPTER 9. DEPARTMENT OF LAND MANAGEMENT**

300 ~~[79-6-101].~~ **63L-9-101. Title.**

301 This chapter is known as the "[~~Division~~] Department of Land Management."

302 Section 12. Section **63L-9-102**, which is renumbered from Section 79-6-102 is  
 303 renumbered and amended to read:

304 ~~[79-6-102].~~ **63L-9-102. Creation of the Department of Land Management.**

305 (1) There is created a [~~Division of Land Management within the Department of Natural~~  
 306 ~~Resources, created in Section 79-2-201~~] Department of Land Management.

307 (2) The [~~division~~] department shall be staffed:

308 (a) upon the state receiving title to at least [~~100,000~~] 250,000 acres of public land from  
 309 the federal government pursuant to Section 63L-6-103; and

310 (b) as funding [~~is~~] appropriated by the Legislature [~~and~~] allows[~~;~~and].

311 [~~(c) as determined by the director of the Department of Natural Resources.~~]

312 (3) The [~~division~~] department may sue and be sued as required to carry out the  
 313 purposes of this chapter and Title 63L, Chapter 8, Utah Public Land Management Act.

314 Section 13. Section 63L-9-103, which is renumbered from Section 79-6-103 is  
 315 renumbered and amended to read:

316 [~~79-6-103~~]. 63L-9-103. Director.

317 (1) Upon the requirements described in Subsection [~~79-6-102~~] 63L-9-102(2) being  
 318 fulfilled, [~~the executive director of the Department of Natural Resources shall appoint a~~  
 319 ~~director of the Division of Land Management~~] a director shall be elected as described in  
 320 Section 63L-9-106, and thereafter hire personnel to staff the [~~division~~] department.

321 (2) The director shall:

322 (a) be the executive and administrative head of the [~~Division~~] Department of Land  
 323 Management;

324 (b) have demonstrated ability and experience in the administration and management of  
 325 state or federal lands; and

326 (c) not hold any other public office or be involved in a political party or organization.

327 (3) The director [~~of the Division of Land Management, under administrative direction~~  
 328 ~~of the executive director,~~] shall have:

329 (a) executive authority and control of the [~~Division~~] Department of Land Management;  
 330 and

331 (b) authority over all personnel matters.

332 Section 14. Section 63L-9-104, which is renumbered from Section 79-6-104 is  
 333 renumbered and amended to read:

334 [~~79-6-104~~]. 63L-9-104. Public Land Management Advisory Board.

335 (1) There is created the Public Land Management Advisory Board.

- 336 (2) The board consists of the following 11 members:
- 337 (a) the lieutenant governor, or the lieutenant governor's designee;
- 338 (b) one representative, appointed by the governor, who represents the interests of oil,  
339 gas, and mining;
- 340 (c) one representative, appointed by the governor, who represents the interests of  
341 agriculture;
- 342 (d) one representative, appointed by the governor, who represents the interests of  
343 outdoor recreation;
- 344 (e) one representative, appointed by the governor, who represents the interests of  
345 environmental groups;
- 346 (f) three representatives, appointed by the governor, who represent the interests of  
347 county commissioners;
- 348 (g) one representative, appointed by the governor, who represents the interests of rural  
349 transportation;
- 350 (h) one representative, appointed by the governor, who represents the interests of  
351 wildlife management; and
- 352 (i) one representative, appointed by the governor, who represents the interests of forest  
353 management.
- 354 (3) (a) Members shall be appointed for a term of four years.
- 355 (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the  
356 time of appointment or reappointment, adjust the length of terms of the members described in  
357 Subsections (2)(b) through (i) to ensure that the terms of board members are staggered so that  
358 half of the appointed board is appointed every two years.
- 359 (4) A member may serve more than one term.
- 360 (5) A member shall hold office until the expiration of the member's term and until the  
361 member's successor is appointed, but not more than 90 days after the expiration of the  
362 member's term.
- 363 (6) When a vacancy occurs in the membership for any reason, a replacement shall be  
364 appointed for the unexpired term.
- 365 (7) The board shall elect annually a chair and a vice chair from the board's members.
- 366 (8) (a) The board shall meet at least quarterly.

367 (b) Special meetings may be called by the chair upon the chair's own initiative, upon  
368 the request of the director, or upon the request of three members of the board.

369 (c) Three days' notice shall be given to each member of the board before a meeting.

370 (9) Six members constitute a quorum at a meeting, and the action of a majority of  
371 members present is the action of the board.

372 (10) A member may not receive compensation or benefits for the member's service, but  
373 may receive per diem and travel expenses in accordance with:

374 (a) Section 63A-3-106;

375 (b) Section 63A-3-107; and

376 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
377 63A-3-107.

378 Section 15. Section 63L-9-105, which is renumbered from Section 79-6-105 is  
379 renumbered and amended to read:

380 ~~[79-6-105].~~ **63L-9-105. Department of Land Management duties.**

381 ~~[Under the direct supervision of the executive director and in consultation with the~~  
382 ~~board, the division]~~ The department shall manage and administer all public land, as defined in  
383 Section 63L-8-102, consistent with the procedures, policies, and directives in Title 63L,  
384 Chapter 8, Utah Public Land Management Act.

385 Section 16. Section 63L-9-106 is enacted to read:

386 **63L-9-106. Selection of the department director.**

387 (1) (a) The chief administrative officer of the department is a director, selected as  
388 described in this section.

389 (b) The director shall be nominated by the governor from a list of three candidates  
390 chosen by a vote of county commissioners and county council members, as described in  
391 Subsection (1)(c), and confirmed by the Senate.

392 (c) (i) Each county shall have one vote, cast by a simple majority of the county's  
393 commissioners or council members.

394 (ii) If a county's commissioners or council members cannot achieve consensus on the  
395 individual for whom the county will be casting the county's vote, the county forfeits the vote.

396 (iii) The county commissioners and council members shall submit the names of the  
397 three individuals receiving the highest number of votes to the governor for the governor's

398 consideration.

399 (iv) Except as provided in Subsection (1)(c)(v), the top three choices shall be chosen  
400 by 5:00 p.m. the day after a general election.

401 (v) If the governor removes the director, as described in Subsection (1)(d), the county  
402 commissioners and county council members shall have 30 days from the day on which the  
403 director is removed to submit three candidates for the new director.

404 (d) The director may be removed at the will of the governor.

405 (e) The director shall receive a salary established by the governor within the salary  
406 range fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.

407 (2) The director shall:

408 (a) administer and supervise the department and provide for coordination and  
409 cooperation among the boards, divisions, councils, and committees of the department;

410 (b) approve the budget of each board and division;

411 (c) participate in regulatory proceedings as appropriate for the functions and duties of  
412 the department;

413 (d) report at the end of each fiscal year to the governor on department and board  
414 activities; and

415 (e) perform other duties as provided by statute.

416 (3) By following the procedures and requirements of Title 63J, Chapter 5, Federal  
417 Funds Procedures Act, the director may accept an executive or legislative provision that is  
418 enacted by the federal government, whereby the state may participate in the distribution,  
419 disbursement, or administration of a fund or service from the federal government for purposes  
420 consistent with the powers and duties of the department.

421 Section 17. Section **79-2-201** is amended to read:

422 **79-2-201. Department of Natural Resources created.**

423 (1) There is created the Department of Natural Resources.

424 (2) The department comprises the following:

425 (a) Board of Water Resources, created in Section [73-10-1.5](#);

426 (b) Board of Oil, Gas, and Mining, created in Section [40-6-4](#);

427 (c) Board of Parks and Recreation, created in Section [79-4-301](#);

428 (d) Wildlife Board, created in Section [23-14-2](#);

- 429 (e) Board of the Utah Geological Survey, created in Section 79-3-301;
- 430 (f) Water Development Coordinating Council, created in Section 73-10c-3;
- 431 (g) Division of Water Rights, created in Section 73-2-1.1;
- 432 (h) Division of Water Resources, created in Section 73-10-18;
- 433 (i) Division of Forestry, Fire, and State Lands, created in Section 65A-1-4;
- 434 (j) Division of Oil, Gas, and Mining, created in Section 40-6-15;
- 435 (k) Division of Parks and Recreation, created in Section 79-4-201;
- 436 (l) Division of Wildlife Resources, created in Section 23-14-1;
- 437 [~~(m) Division of Land Management, created in Section 79-6-102;~~]
- 438 [~~(n)~~] (m) Utah Geological Survey, created in Section 79-3-201;
- 439 [~~(o)~~] (n) Heritage Trees Advisory Committee, created in Section 65A-8-306;
- 440 [~~(p)~~] (o) Recreational Trails Advisory Council, authorized by Section 79-5-201;
- 441 [~~(q)~~] (p) Boating Advisory Council, authorized by Section 73-18-3.5;
- 442 [~~(r)~~] (q) Wildlife Board Nominating Committee, created in Section 23-14-2.5; and
- 443 [~~(s)~~] (r) Wildlife Regional Advisory Councils, created in Section 23-14-2.6.