

1 **Natural Resources Survey Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Doug Owens

Senate Sponsor:

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses a survey and inventory of natural resources.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ requires the Department of Natural Resources (department) every two years to:
- 9 • survey all state-owned and federally-managed land in this state; and
- 10 • create and maintain an inventory of land that the state may develop as outdoor

11 recreation infrastructure;

12 ▶ requires the department to identify and recommend federally-managed land that the state

13 may acquire or manage for outdoor recreation infrastructure;

14 ▶ allows the department to request assistance from state and federal entities to complete the

15 survey and inventory;

16 ▶ requires the department to submit a report to the Natural Resources, Agriculture, and

17 Environmental Interim Committee in each survey year; and

- 18 ▶ makes technical and conforming changes.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **53C-1-303**, as last amended by Laws of Utah 2012, Chapter 224

26 **79-2-202**, as last amended by Laws of Utah 2022, Chapter 68

27 ENACTS:

28 **79-2-409**, Utah Code Annotated 1953

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

31 Section 1. Section **53C-1-303** is amended to read:

32 **53C-1-303 . Responsibilities of director -- Budget review -- Legal counsel --**

33 **Contract for services.**

34 (1) In carrying out the policies of the board of trustees and in establishing procedures and
35 rules the director shall:

- 36 (a) take an oath of office before assuming any duties as the director;
- 37 (b) adopt procedures and rules necessary for the proper administration of matters
38 entrusted to the director by state law and board policy;
- 39 (c) submit to the board for its review and concurrence on any rules necessary for the
40 proper management of matters entrusted to the administration;
- 41 (d) faithfully manage the administration under the policies established by the board;
- 42 (e) submit to the board for public inspection an annual management budget and financial
43 plan for operations of the administration and, after approval by the board, submit the
44 budget to the governor;
- 45 (f) direct and control the budget expenditures as finally authorized and appropriated;
- 46 (g) establish job descriptions and employ, within the limitation of the budget, staff
47 necessary to accomplish the purposes of the office subject to Section 53C-1-201;
- 48 (h) establish, in accordance with generally accepted principles of fund accounting, a
49 system to identify and account for the assets and vested interests of each beneficiary;
- 50 (i) notify the primary beneficiary representative's designee regarding the trusts listed in
51 Subsection 53C-1-103(7) on major items that the director knows may be useful to the
52 primary beneficiary representative's designee in protecting beneficiary rights;
- 53 (j) permit the primary beneficiary representative's designee regarding a trust listed in
54 Subsection 53C-1-103(7) reasonable access to inspect records, documents, and other
55 trust property pertaining to that trust, provided that the primary beneficiary
56 representative's designee shall maintain confidentiality if confidentiality is required
57 of the director;
- 58 (k) maintain appropriate records of trust activities to enable auditors appointed by
59 appropriate state agencies or the board to conduct periodic audits of trust activities;
- 60 (l) complete a survey of trust lands and submit a description of trust lands to the
61 Department of Natural Resources, as requested, in accordance with Subsection
62 79-2-409(2)(a);
- 63 [(H)] (m) provide that all leases, contracts, and agreements be submitted to legal counsel
64 for review of compliance with applicable law and fiduciary duties prior to execution

- 65 and utilize the services of the attorney general as provided in Section 53C-1-305;
- 66 ~~[(m)]~~ (n) keep the board, beneficiaries, governor, Legislature, and the public informed
- 67 about the work of the director and administration by reporting to the board in a public
- 68 meeting at least once during each calendar quarter; and
- 69 ~~[(n)]~~ (o) respond in writing within a reasonable time to a request by the board or the
- 70 primary beneficiary representative's designee regarding a trust listed in Subsection
- 71 53C-1-103(7) for responses to questions on policies and practices affecting the
- 72 management of the trust.
- 73 (2) The administration shall be the named party in substitution of the Division of State
- 74 Lands and Forestry or its predecessor agencies, with respect to all documents affecting
- 75 trust lands from the effective date of this act.
- 76 (3) The director may:
- 77 (a) with the consent of the state risk manager and the board, manage lands or interests in
- 78 lands held by any other public or private party pursuant to policies established by the
- 79 board and may make rules to implement these board policies;
- 80 (b) sue or be sued as the director of school and institutional trust lands;
- 81 (c) contract with other public agencies for personnel management services;
- 82 (d) contract with any public or private entity to make improvements to or upon trust
- 83 lands and to carry out any of the responsibilities of the office, so long as the contract
- 84 requires strict adherence to trust management principles, applicable law and
- 85 regulation, and is subject to immediate suspension or termination for cause; and
- 86 (e) with the approval of the board enter into joint ventures and other business
- 87 arrangements consistent with the purposes of the trust.
- 88 (4) Any application or bid required for the lease, permitting, or sale of lands in a
- 89 competitive process or any request for review pursuant to Section 53C-1-304 shall be
- 90 considered filed or made on the date received by the appropriate administrative office,
- 91 whether transmitted by United States mail or in any other manner.

92 Section 2. Section **79-2-202** is amended to read:

93 **79-2-202 . Executive director -- Appointment -- Removal -- Compensation --**
 94 **Responsibilities.**

- 95 (1)(a) The chief administrative officer of the department is an executive director
- 96 appointed by the governor with the advice and consent of the Senate.
- 97 (b) The executive director may be removed at the will of the governor.
- 98 (c) The executive director shall receive a salary established by the governor within the

- 99 salary range fixed by the Legislature in Title 67, Chapter 22, State Officer
 100 Compensation.
- 101 (2) The executive director shall:
- 102 (a) administer and supervise the department and provide for coordination and
 103 cooperation among the boards, divisions, councils, and committees of the department;
- 104 (b) approve the budget of each board and division;
- 105 (c) participate in regulatory proceedings as appropriate for the functions and duties of
 106 the department;
- 107 (d) report at the end of each fiscal year to the governor on department, board, and
 108 division activities;
- 109 (e) ensure the completion of the survey and inventory of state natural resources required
 110 in Section 79-2-409;
- 111 [~~e~~] (f) ensure that any training or certification required of a public official or public
 112 employee, as those terms are defined in Section 63G-22-102, complies with Title
 113 63G, Chapter 22, State Training and Certification Requirements, if the training or
 114 certification is required:
- 115 (i) under this title;
- 116 (ii) by the department; or
- 117 (iii) by an agency or division within the department; and
- 118 [~~f~~] (g) perform other duties as provided by statute.
- 119 (3) By following the procedures and requirements of Title 63J, Chapter 5, Federal Funds
 120 Procedures Act, the executive director, may accept an executive or legislative provision
 121 that is enacted by the federal government, whereby the state may participate in the
 122 distribution, disbursement, or administration of a fund or service from the federal
 123 government for purposes consistent with the powers and duties of the department.
- 124 (4)(a) The executive director, in cooperation with the governmental entities having
 125 policymaking authority regarding natural resources, may engage in studies and
 126 comprehensive planning for the development and conservation of the state's natural
 127 resources.
- 128 (b) The executive director shall submit any plan to the governor for review and approval.
- 129 (5) The executive director may coordinate and enter agreements with other state agencies
 130 regarding state conservation efforts as defined in Section 4-46-102.

131 Section 3. Section **79-2-409** is enacted to read:

132 **79-2-409 . Survey of state natural resources -- Inventory -- Report.**

- 133 (1) As used in this section:
- 134 (a) "Outdoor recreation infrastructure" means the same as that term is defined in Section
- 135 51-9-901.
- 136 (b) "Survey year" means a year:
- 137 (i) in which the department shall complete a survey and update the inventory
- 138 described in Subsection (2); and
- 139 (ii) occurring every even numbered year after the year described in Subsection (2).
- 140 (2) By no later than June 30, 2026, the department shall:
- 141 (a) complete a survey of all state-owned and federally-managed land in this state; and
- 142 (b) create and maintain an inventory of land surveyed under Subsection (2)(a) that the
- 143 state may develop:
- 144 (i) to improve access to federally-managed lands;
- 145 (ii) as a visitor center;
- 146 (iii) as a state park;
- 147 (iv) as a trail;
- 148 (v) as a campground;
- 149 (vi) as a boat marina;
- 150 (vii) for hunting and fishing; or
- 151 (viii) for other outdoor recreation infrastructure as determined by the department.
- 152 (3) For federally-managed land surveyed by the department under Subsection (2)(a), the
- 153 department may recommend land for the state to:
- 154 (a) acquire for development as outdoor recreation infrastructure; or
- 155 (b) manage in agreement with a federal agency as outdoor recreation infrastructure.
- 156 (4) To complete the survey and inventory described in Subsection (2), the department may
- 157 request assistance from:
- 158 (a) the School and Institutional Trust Lands Administration, created in Section
- 159 53C-1-201, for land owned or managed by the School and Institutional Trust Lands
- 160 Administration; and
- 161 (b) a state or federal agency that manages or owns land described in Subsection (2).
- 162 (5) The department shall complete the survey and update the inventory described in
- 163 Subsection (2) on or before June 30 of each survey year.
- 164 (6)(a) The department shall submit a report to the Natural Resources, Agriculture, and
- 165 Environmental Interim Committee on or before October 31 of each survey year.
- 166 (b) The report described in this Subsection (6) shall include:

- 167 (i) the results of the survey;
- 168 (ii) land added to the inventory; and
- 169 (iii) any development or construction on outdoor recreation or infrastructure on land
- 170 included in the inventory.

171 Section 4. **Effective Date.**

172 This bill takes effect on May 7, 2025.