

CONTACT US

Division of Forestry, Fire and State Lands

1594 West North Temple, Suite 3520

Salt Lake City, UT 84114-5703

(801) 538-5418

Jamie Barnes, *Director*

Ben Stireman, *Sovereign Lands Program Administrator*



SOVEREIGN LANDS POCKET GUIDE



Scott Baxter

- Website** ffsl.utah.gov
- Instagram** [@utahffsl](https://www.instagram.com/utahffsl)
- Twitter** [@UtahFFSL](https://twitter.com/UtahFFSL)
- Facebook** [@UtahForestryFireStateLands](https://www.facebook.com/UtahForestryFireStateLands)

Department of Natural Resources
Division of Forestry, Fire and State Lands

SOVEREIGN LANDS & THE PUBLIC TRUST DOCTRINE



What are sovereign lands?

Sovereign lands are those lands lying below the ordinary high water mark of navigable bodies of water at the date of Statehood and owned by the State by virtue of its sovereignty (Utah Code §65A-1-1(6)).

The Division of Forestry, Fire and State Lands has management authority over all sovereign lands in the State of Utah under Utah Code §65A-10-1. These lands include the beds of Great Salt Lake, Utah Lake, Bear Lake, Bear River, Jordan River, and portions of the Green and Colorado Rivers.

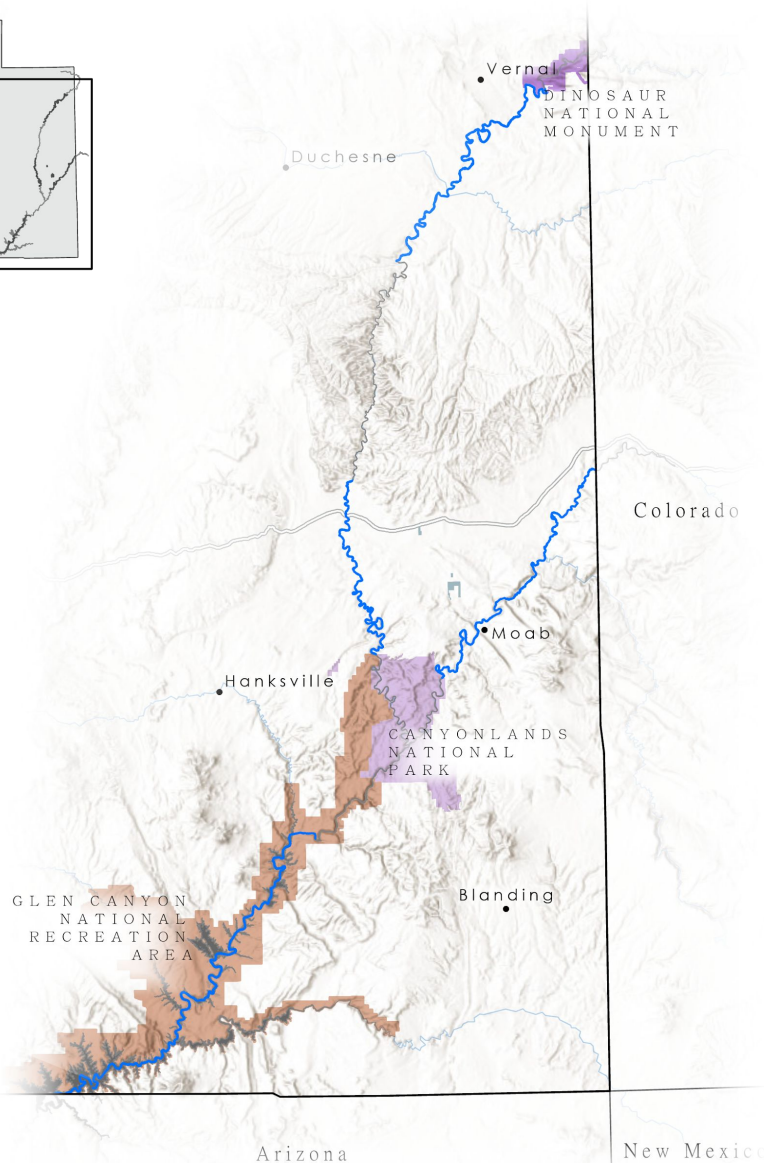
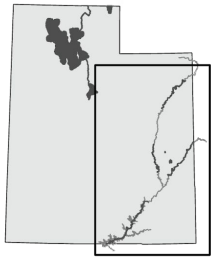
Why does the State own sovereign lands?

Under the Equal Footing Doctrine of the U.S. Constitution, states entering the Union after 1896 were admitted on an equal footing with the original 13 colonies. Under this doctrine, the United States held the lands under navigable waters in the territories in trust for the future states. Absent a prior conveyance by the federal government to third parties, each state acquired fee title to sovereign lands upon entering the Union on an “equal footing” with the original 13 states.



- 2022 seasonal employee program increased worker-days from 40 to over 185, without budget increases while retaining County and Conservation Corps partnerships, equating to over a 400% increase in completed work and outreach
- Administer nearly 100 commercial river tour permits annually in addition to regulating infrastructure on and adjacent to the rivers, manage recreation, and implement habitat restoration projects
- Leverage restricted account appropriations against grants for both habitat management (Watershed Restoration Initiative) and visitor education (Boater Access Grant)
- Works cooperatively with partners to help fund and implement fuel reduction, flood preparedness and law enforcement.
- Participate in the Colorado River Authority of Utah's Central Advisory Council, Wild & Scenic Rivers Act Working Group, Utah Partners for Conservation Development
- Lead field trips for local, state and federal representatives to demonstrate projects being planned and implemented to address issues surrounding the rivers.

GREEN & COLORADO RIVERS



9 counties
294 river miles
2 BLM Districts
3 FFSL Management Areas

What does “navigable at the time of statehood” mean?

For the purposes of determining whether a state holds title to the bed of a waterbody, a navigable body of water is one that was used, or is susceptible of being used, in its ordinary condition, as a highway of commerce, over which trade and travel are or may be conducted. Examples of use as evidence of navigability are log drives down rivers, transportation of livestock and/or transportation of people.

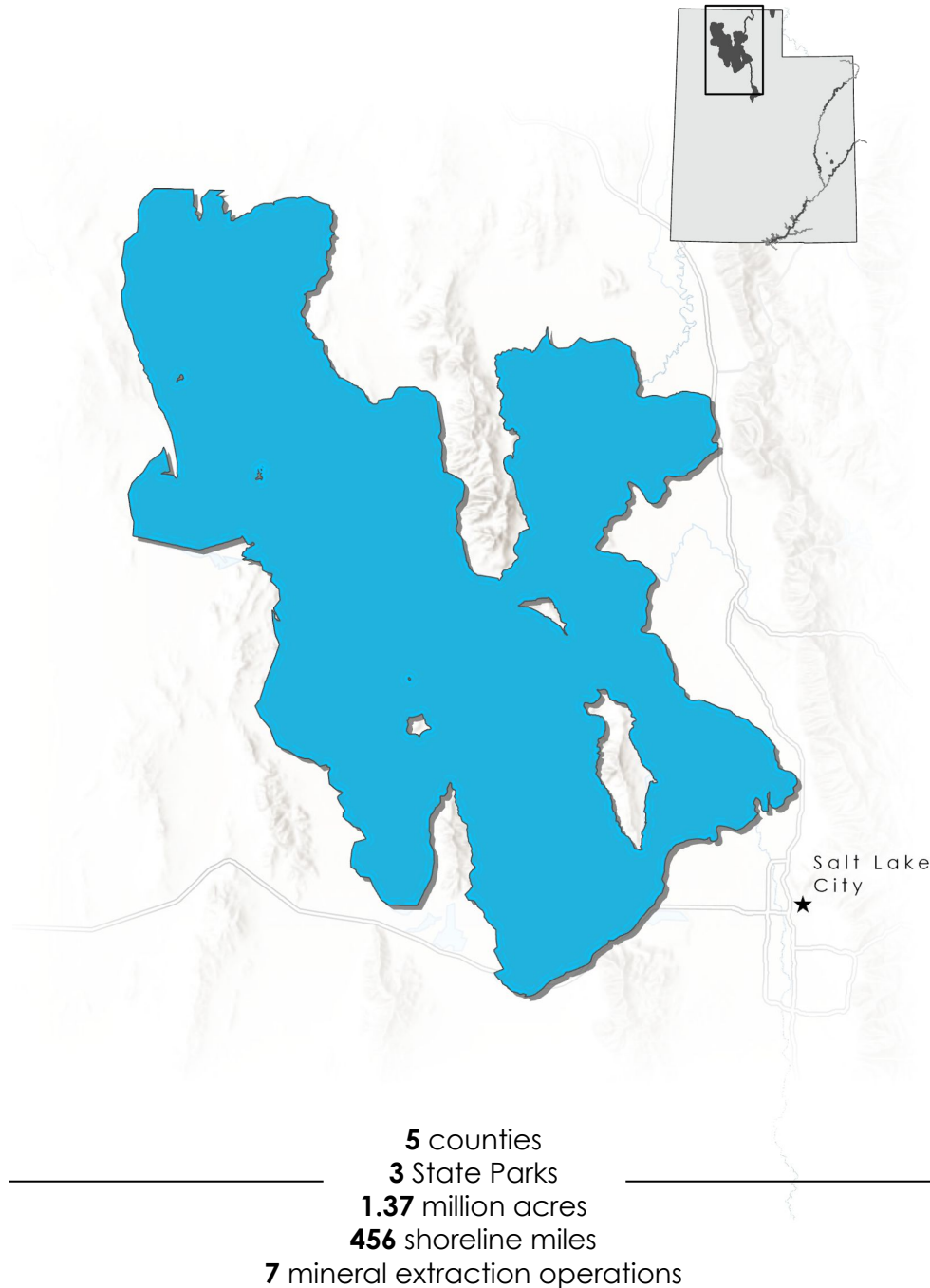
How is management of sovereign lands different from other state or federal public lands?

Sovereign lands are different from other public land, such as land owned and managed by the federal government, because it must be managed pursuant to the Public Trust Doctrine. The Division must manage and regulate uses on, beneath or above the beds of navigable lakes and streams for the public’s benefit. In doing so, the Division must consider and balance navigation, fish and wildlife habitat, aquatic beauty, public recreation and water quality against the navigational or economic necessity or benefit derived from any proposed use (Utah Admin. Code R652-2-200). Under Utah Code §65A-1-4, the Division of Forestry, Fire & State Lands is the executive authority for management of all sovereign lands in the State of Utah.

What is the Public Trust Doctrine?

Under this doctrine, the State is the trustee of sovereign lands and the public is the beneficiary. The beds of navigable bodies of water must be managed in a way that does not interfere with navigation, commerce, fishing, and the ecological value of the waterbody. The Public Trust Doctrine also creates a restraint on the State's abdication of complete control of sovereign lands.

GREAT SALT LAKE

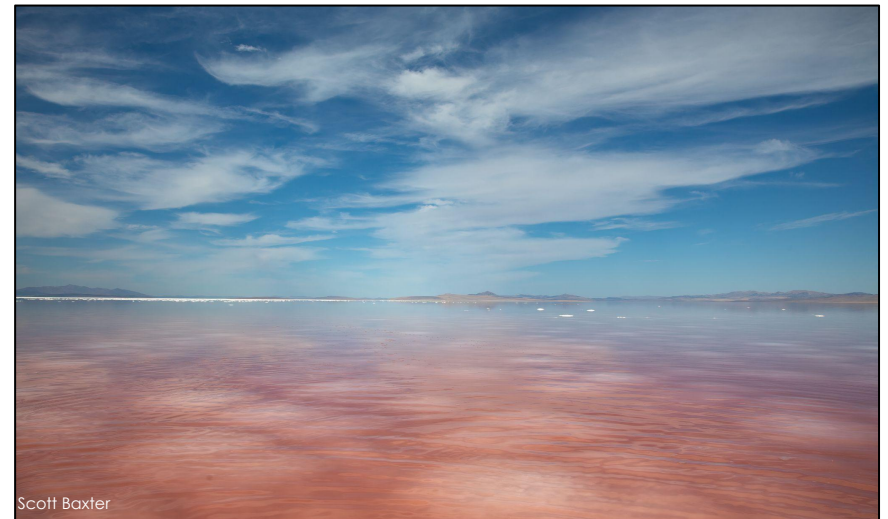


- Fund Jordan River Recreation and Restoration Projects from legislative appropriations
 - More than 2 million dollars dispersed for Jordan River recreation, conservation, bank stabilization, and overall improvement projects
 - Funding recipients include multi-year projects such as the West Jordan Big Bend Project and Tracy Aviary Nature Center
- Conduct resource monitoring and maintenance on over 100 miles of shoreline on the Jordan River
- Administer permits to contractors, landowners, agencies, and local entities in accordance with the Jordan River Comprehensive Management Plan
- Currently entering into an agreement with the Jordan River Commission for a shared employee to administer Cooperative Weed Management Area funding and conservation oriented projects along the entire Jordan River corridor
- Continually improving our approach to enhance trail and river corridor maintenance and security, while working with our local and state law enforcement to increase safety and provide solutions to the challenges facing the corridor
- Many pilot projects are currently underway to establish best management practices for controlling phragmites on the river

JORDAN RIVER

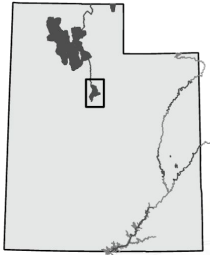


14 cities
3 counties
53 river miles
106 miles of shoreline



- Over 12,000 acres of invasive Phragmites have been treated since 2016
- Collect between \$5 million - \$10 million in royalties from Great Salt Lake mineral extraction annually for the benefit of sovereign lands
- Implement management recommendations from the Salinity Advisory Committee to raise the Union Pacific Railroad Causeway adaptive management berm to keep the saltier north arm water from flowing into the south arm with positive results
- Employ a sovereign lands-specific law enforcement officer
- Administer the “Hot Topic” Great Salt Lake Tech Team research grants
- Awarded and contracted a \$40 million grant to The Nature Conservancy and National Audubon Society, Inc. for the operation of a Great Salt Lake Water Trust
- Host and organizes Great Salt Lake Technical Team and Salinity Advisory Committee meetings, and provides staff and support to the Great Salt Lake Advisory Council
- Collaborate with State, Federal and Non-profit agencies as well as Academic Partners, industry and various Councils & Committees to coordinate management activities and identify research opportunities around GSL

UTAH LAKE

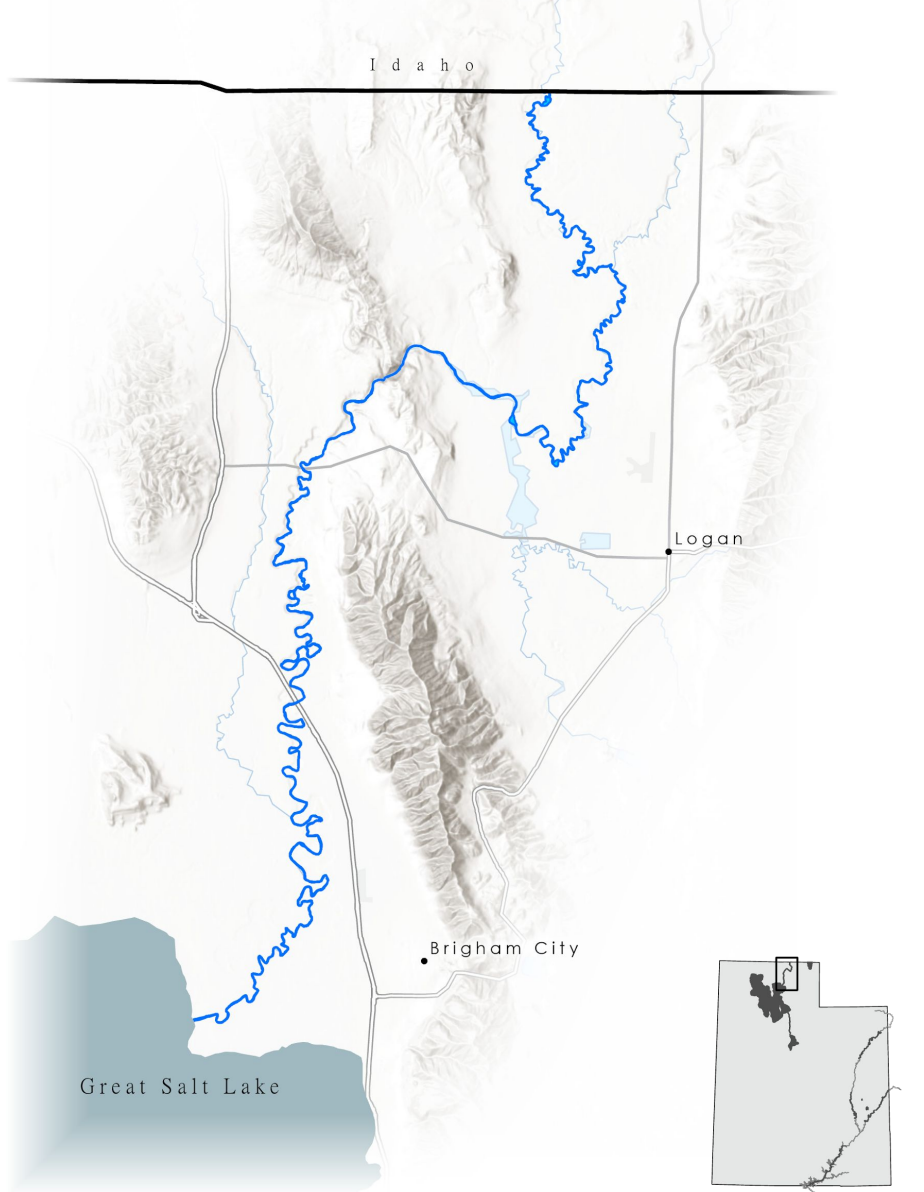


1 county
1 State Park
89,689 acres
89 shoreline miles

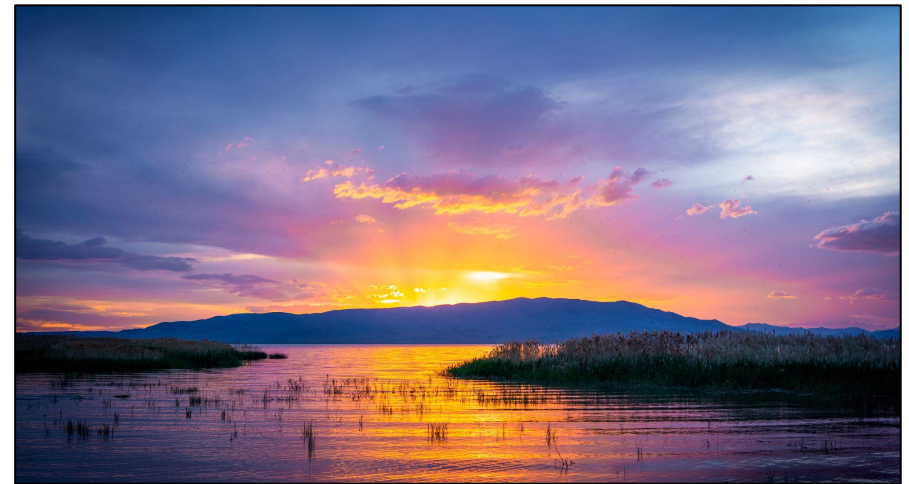


- Administer permits, leases and easements to contractors, landowners, agencies and local entities in accordance with the Bear River Comprehensive Management Plan
- Provide expertise and guidance to local entities to ensure development and restoration project goals are in concert with the Bear River Comprehensive Management Plan
- Contribute funding and work closely with Cache County and Box Elder County Weed Departments to treat and monitor invasive weeds on riverbed and adjacent upland parcels
- Collaborate with Cache County, Box Elder County, and other entities to build more river access opportunities
 - i.e. Trenton Boat Ramp
- Provide up to \$50,000 annually in project funding through a grant program to address bank stabilization and erosion issues along the river
- Conduct resource monitoring along river to address issues related to safety, restoration, and infrastructure

BEAR RIVER

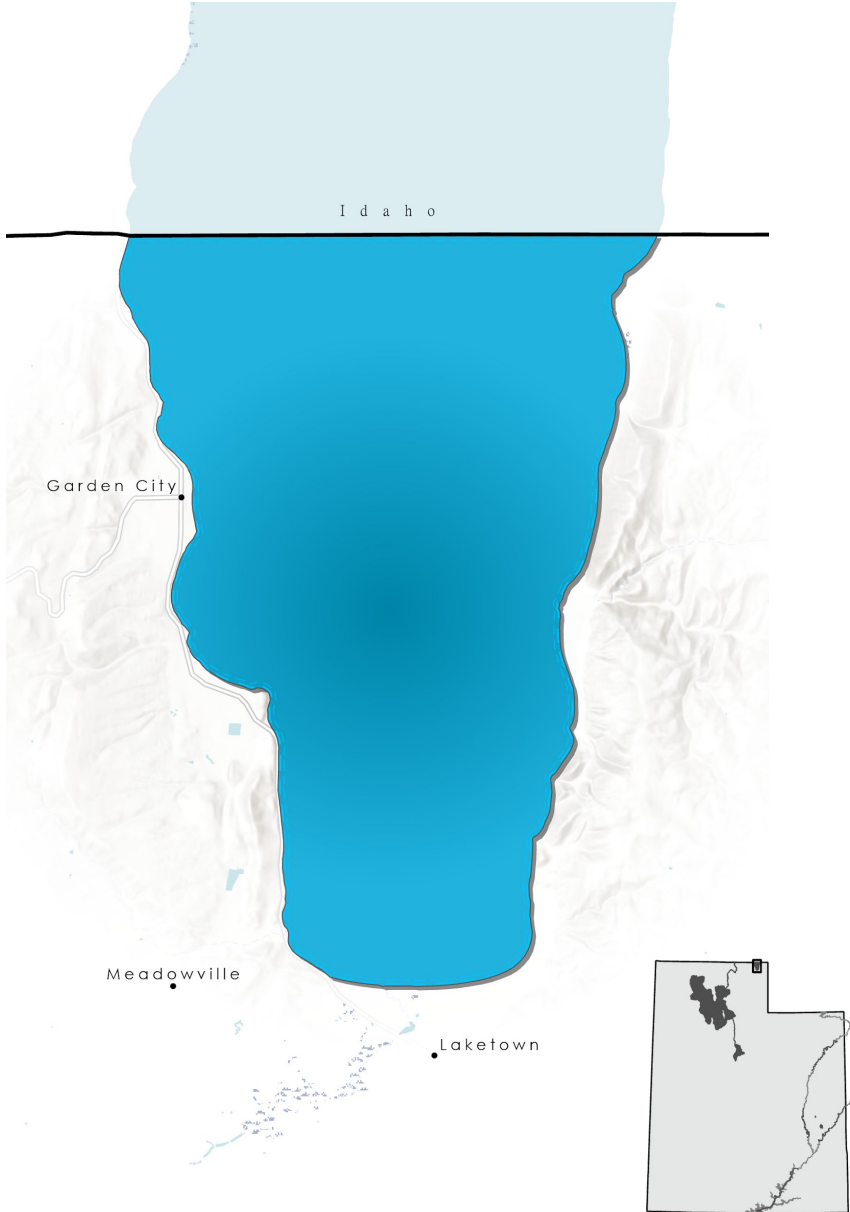


102 river miles
205 shoreline miles
10 cities



- Phragmites cover has been reduced by approximately 74% (as of 2022) through partnerships with the Utah Lake Commission and Utah County
- Over \$3 million was awarded through grant programs for marina enhancements, shoreline restoration, and soil assessments for projects that are complete, or in the process of implementation
- Partner with federal, state, local, and non-governmental entities to provide expertise and funding, coordinate, and permit infrastructure and lake improvement projects
i.e. Walkara Way Conservation Project, Utah Lake Shoreline Trail, Sandy Beach public recreation site, and the Knolls boat launch
- Coordinate and partner with the Division of Water Quality, Timpanogos Special Services District, and Utah Valley University to fund water quality studies and Harmful Algal Bloom (HAB) treatments at the Utah Lake marinas
- Provide lakeshore adjacent landowners and local entities with best management practices related to native vegetation planting and invasive species removal
- Participates on the Utah Lake Authority (ULA) Board and the planning team for the ULA Management Plan. ULA and Board acts as a coordinating and facilitating agency with the Division of Forestry, Fire and State Lands' mandate

BEAR LAKE



35,486 acres (Utah)
26 shoreline miles (Utah)

- Updated and implemented the Bear Lake Comprehensive Management Plan during 2022
- Identify, manage, monitor, and treat noxious weeds along shoreline and on lakebed with specific attention to Eurasian watermilfoil and phragmites
- Coordinate with Idaho Department of Agriculture, Utah State Parks, Utah State University, Utah Department of Agriculture and Food, and other government entities on treatment, monitoring, and mapping of invasive Eurasian Watermilfoil
- Build and extend the Bear Lake Legacy Pathway around the Utah portion of Bear Lake in conjunction with Rich County, Garden City, UDOT, and other groups
- Partner with Rich County Sheriff Department and the Utah Division of State Parks to patrol Bear Lake Sovereign Lands and assist with enforcement, safety, and sanitation concerns
- Meet with the Bear Lake Plan Implementation and Review Group (PIRG) annually to assist with local planning and management concerns
- Uphold a cooperative agreement with Utah Division of State Parks to provide a system for upland landowners to acquire launch, buoy, and dock permits