

# Professional Services - Public Lands Issues

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## Requester Information

**Legislator: Albrecht, Carl R.**

Creation Date: 2024-01-03

Submission Date: 2024-01-03

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## Section 1: Request Details

### Description:

Grant to PLPCO to procure professional services of a qualified Utah nonprofit corporation to provide over a five and a half year period (7-1-24 - 12-31-29) legal counsel and representation for the following disadvantaged five counties in Southern Utah: Beaver, Garfield, Kane, Piute and Wayne Counties, and their allied public lands stakeholders, in public lands related NEPA and other administrative matters and judicial challenges and litigation

### Legislative designee contact information:

- Name: Redge Johnson
  - Organization: Public Lands Policy Coordinating Office
  - Position: Director
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## Section 2: Funding Information

**How will the appropriation be used?**

	One-time	Ongoing
Personnel Services	2024: \$0.00 2025: \$0.00	\$0.00
In-State Travel	2024: \$0.00 2025: \$0.00	\$0.00
Out-of-state Travel	2024: \$0.00 2025: \$0.00	\$0.00
Supplies and Equipment	2024: \$0.00 2025: \$0.00	\$0.00
Technology Purchases	2024: \$0.00 2025: \$0.00	\$0.00
Infrastructure/Capital Investments	2024: \$0.00 2025: \$0.00	\$0.00
Other Charges/Pass Thru	2024: \$0.00 2025: \$650,000.00	\$0.00
Expenditure Total		
One-time 2024	One-time 2025	Ongoing 2025
\$0.00	\$650,000.00	\$0.00

## Funding Sources:

### General Fund

- Amount Requested 2024 (One-time) \$0.00
- Amount Requested 2025 (One-time) \$650,000.00
- Amount Requested 2025 (Ongoing) \$0.00

### Revenue Total

One-time 2024  
\$0.00

One-time 2025  
\$650,000.00

Ongoing 2025  
\$0.00

**Should unused funding be returned to the state at the end of the fiscal year?**

No

**Is this project scalable if the Legislature does not fund the full requested amount?**

Yes

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## **A short explanation describing how the project might be scaled**

The budget portion of page 1 indicates the annualized estimate of this 5.5 year \$650,000 grant is \$118,200. The challenge with scaling, however, is that public lands litigation, both administrative and judicial, is often multi-year and can transcend a presidential administration.

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## **Section 3: Agency Information**

### **Subjects:**

Land and Environment

### **Agency:**

560 / Natural Resources

### **Type of entity to receive pass-through funding**

- State Government
  - Local Government
  - Private Not for Profit
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## **Section 4: Performance Outcome Measurement**

**Who would benefit from this request (who is the target audience)?**

The goals and objectives of the Utah Public Lands Policy Coordinating Office (PLPCO) will be enhanced as economically disadvantaged rural counties in Southern Utah are enabled to engage legal services to complement PLPCO's public lands advocacy efforts.

**What is this project or program intended to accomplish?**

This project will increase the ability of economically disadvantaged counties in Southern Utah to be more effective in NEPA planning efforts and NEPA projects involving Federal land management agencies, as well as be more effective in administrative tribunals and the courts in litigation that inevitably follows NEPA decision making.

**How will the Legislature know whether the project or program achieved its intended purpose?**

Annual detailed report of activity to be rendered by the vendor retained for the project, describing the vendor's activities in all administrative and court matters in which the vendor is engaged for the applicable time period. Success rate of administrative tribunals and litigation could be measured.

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## **Section 5: Other Supporting Documents**

### **Intent Language**

The Legislature intends that \$650,000 from the General Fund provided by this item be used by the Utah Public Lands Policy Coordinating Office (PLPCO) to procure the professional services of a private Utah nonprofit corporation to provide legal counsel and representation to the following five disadvantaged rural counties in Southern Utah, Beaver, Garfield, Kane, Piute, and Wayne, in public lands NEPA related matters and other public lands related controversies.

### **Previous State Funding**

Previous similar state funding occurred in the 2016 and 2018 general sessions:  
<https://cobi.utah.gov/2016/68/issues/9539> <https://cobi.utah.gov/2018/502/issues/12131>  
<https://cobi.utah.gov/2018/502/issues/12011>