

SB0221S01 compared with SB0221

~~{deleted text}~~ shows text that was in SB0221 but was deleted in SB0221S01.

inserted text shows text that was not in SB0221 but was inserted into SB0221S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Senator Ralph Okerlund proposes the following substitute bill:

STATE OF UTAH RESOURCE MANAGEMENT PLAN FOR
~~{CERTAIN NONWILDERNESS STUDY AREA BUREAU OF LAND~~
~~MANAGEMENT}~~ FEDERAL LANDS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ralph Okerlund

House Sponsor: _____

Cosponsors:
David P. Hinkins

Dennis E. Stowell

Kevin T. Van Tassell

LONG TITLE

General Description:

This bill establishes a state land use planning and management program.

Highlighted Provisions:

This bill:

- ▶ provides definitions, including the lands subject to the state land use planning and management program; and
- ▶ adopts a multiple use policy for the specified lands, including:

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- opposing the federal designation, management, or treatment of specified lands ~~{as}~~ in a manner that resembles wilderness or ~~{lands with wilderness characteristics}~~ wilderness study areas, including the use of the non-impairment standard applicable to wilderness study areas;
- achieving and maintaining at the highest ~~{reasonable}~~ reasonably sustainable levels a continuing yield of energy, hard rock, and natural resources in specified lands;
- achieving and maintaining livestock grazing in the specified lands at the highest reasonably sustainable levels;
- managing the watershed in the specific lands to achieve and maintain water resources at the highest ~~{reasonable}~~ reasonably sustainable levels;
- achieving and maintaining traditional access to outdoor recreational opportunities in the specified lands;
- managing the specified lands so as to protect prehistoric rock art, artifacts, and other culturally important items found on the specified lands;
- managing the specified lands so as ~~{to}~~ not to interfere with the property rights of adjacent property owners;
- managing the specified lands so as not to interfere with school trust lands; and
- discouraging a federal classification of specified lands as areas of critical environmental concern or areas with visual resource management class I or II rating.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an immediate effective date.

Utah Code Sections Affected:

ENACTS:

63J-8-101, Utah Code Annotated 1953

63J-8-102, Utah Code Annotated 1953

63J-8-103, Utah Code Annotated 1953

63J-8-104, Utah Code Annotated 1953

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[63J-8-105, Utah Code Annotated 1953](#)

[63J-8-106, Utah Code Annotated 1953](#)

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

Section 1. Section **63J-8-101** is enacted to read:

**CHAPTER 8. STATE OF UTAH RESOURCE MANAGEMENT PLAN FOR
~~{CERTAIN NONWILDERNESS STUDY AREA BUREAU OF LAND
MANAGEMENT}~~FEDERAL LANDS**

63J-8-101. Title.

This chapter is known as "State of Utah Resource Management Plan for ~~{Certain
Nonwilderness Study Area Bureau of Land Management}~~Federal Lands."

Section 2. Section **63J-8-102** is enacted to read:

63J-8-102. Definitions.

As used in this chapter:

- (1) "ACEC" means an area of critical environmental concern.
- (2) "AUM" means animal unit months, a unit of grazing forage.
- (3) "BLM" means the United States Bureau of Land Management.
- (4) "FLPMA" means the Federal Land Policy Management Act of 1976, 43 U.S.C. Sec.

1701 et seq.

(5) "Forest service" means the United States Forest Service within the United States
Department of Agriculture.

(6) "Multiple use" means proper stewardship of the subject lands pursuant to Section
1031(C) of FLPMA, 43 U.S.C. 170(C).

(7) "OHV" means off-highway vehicle as defined in Section 41-22-2.

(8) "SITLA" means the School and Institutional Trust Lands Administration as created
in Section 53C-1-201.

~~{6}~~9 (a) "Subject lands" means the following non-WSA BLM lands:

~~{a}~~i in Beaver County:

~~{i}~~A Mountain Home Range South, Jackson Wash, The Toad, North Wah Wah
Mountains, Central Wah Wah Mountains, and San Francisco Mountains according to the
region map entitled "Great Basin Central" linked in the ~~{web page}~~webpage entitled "Citizen's

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Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011; and

~~(fii)B~~ White Rock Range, South Wah Wah Mountains, and Granite Peak according to the region map entitled "Great Basin South" linked in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;

~~(fb)ii~~ in Box Elder County: Little Goose Creek, Grouse Creek Mountains North, Grouse Creek Mountains South, Bald Eagle Mountain, Central Pilot Range, Pilot Peak, Crater Island West, Crater Island East, Newfoundland Mountains, and Grassy Mountains North according to the region map entitled "Great Basin North" linked in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;

~~(fc)iii~~ in Carbon County: Desbrough Canyon and Turtle Canyon according to the region map entitled "Book Cliffs" linked in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;

~~(fd)iv~~ in Daggett County: Goslin Mountain, Home Mountain, Red Creek Badlands, O-wi-yu-kuts, Lower Flaming Gorge, Crouse Canyon, and Diamond Breaks according to the region map entitled "Dinosaur" linked in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17, 2011;

(v) in Duchesne County: Desbrough Canyon according to the region map entitled "Book Cliffs" linked in the webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17, 2011;

(vi) in Emery County:

(A) San Rafael River and Sweetwater Reef, according to the region map entitled "Canyonlands Basin" linked in the webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage

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existed on February 17, 2011:

~~(f)B~~ ~~{in Duchesne County: Desbrough Canyon}~~ Flat Tops according to the region map entitled ~~{Book Cliffs linked in the web page}~~ "Glen Canyon", which is available by clicking the link entitled "Dirty Devil" at the webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011; and

~~(ff)C~~ ~~{in Emery County:— (i) San Rafael River and Sweetwater Reef}~~ Price River, Lost Spring Wash, Eagle Canyon, Upper Muddy Creek, Molen Reef, Rock Canyon, Mussentuchit Badland, and Muddy Creek, according to the region map entitled ~~{Canyonlands Basin}~~ "San Rafael Swell" linked at the webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17, 2011;

(vii) in Garfield County:

(A) Pole Canyon, according to the region map entitled "Great Basin South" linked in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;

~~(fii) Flat Tops}~~ B) Dirty Devil, Fiddler Butte, Little Rockies, Cane Spring Desert, and Cane Spring Desert Adjacents, according to the region map entitled "Glen Canyon", which is available by clicking the link entitled "Dirty Devil" at the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;

(C) Lampstand, Wide Hollow, Steep Creek, Brinkerhof Flats, Little Valley Canyon, Death Hollow, Studhorse Peaks, Box Canyon, Heaps Canyon, North Escalante Canyon, Colt Mesa, East of Bryce, Slopes of Canaan Peak, Horse Spring Canyon, Muley Twist Flank, Pioneer Mesa, Slopes of Bryce, Blue Hills, Mud Springs Canyon, Carcass Canyon, Willis Creek North, Kodachrome Basin, and Kodachrome Headlands, according to the region map entitled "Grand Staircase Escalante" linked at the webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17, 2011; and

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~~(fiii) Price River, Lost Spring Wash, Eagle Canyon, Upper Muddy Creek, Molen Reef, Rock Canyon, Mussentuchit Badland, and Muddy Creek}~~ D) Notom Bench, Mount Ellen, Bull Mountain, Dogwater Creek, Ragged Mountain, Mount Pennell, Mount Hillers, Bullfrog Creek, and Long Canyon, according to the region map entitled ~~{San Rafael Swell}~~ "Henry Mountains" linked at the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011; ~~{and}~~

~~(fiv) the following lands that are the subject of consideration for a possible federal lands bill and should be managed according to Emery County's position: — (A) Turtle Canyon and Desolation Canyon}~~ viii) in Iron County: Needle Mountains, Steamboat Mountain, Broken Ridge, Paradise Mountains, Crook Canyon, Hamlin, North Peaks, Mount Escalante, and Antelope Ridge, according to the region map entitled ~~{Book Cliffs}~~ "Great Basin South" linked in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://protectwildutah.org/www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;

~~(fB) Labyrinth Canyon, Duma Point, and Horseshoe Point}~~ ix) in Juab County: Deep Creek Mountains, Essex Canyon, Kern Mountains, Wild Horse Pass, Disappointment Hills, Granite Mountain, Middle Mountains, Tule Valley, Fish Springs Ridge, Thomas Range, Drum Mountains, Dugway Mountains, Keg Mountains West, Keg Mountains East, Lion Peak, and Rockwell Little Sahara, according to the region map entitled ~~{Canyonlands}~~ "Great Basin Central" linked in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://protectwildutah.org/www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011; ~~{and}~~

~~(fC) Devil's Canyon, Sid's Mountain, Mexican Mountain, San Rafael Reef, Hondu Country, Cedar Mountain, and Wild Horse}~~ x) in Kane County:

(A) Willis Creek North, Willis Creek, Kodachrome Badlands, Mud Springs Canyon, Carcass Canyon, Scorpion, Bryce Boot, Paria-Hackberry Canyons, Fiftymile Canyon, Hurricane Wash, Upper Kanab Creek, Timber Mountain, Nephi Point, Paradise Canyon, Wahweap Burning Hills, Fiftymile Bench, Forty Mile Gulch, Sooner Bench 1, 2, & 3, Rock Cove, Warm Bench, Andalex Not, Vermillion Cliffs, Ladder Canyon, The Cockscomb, Nipple Bench, Moquith Mountain, Bunting Point, Glass Eye Canyon, and Pine Hollow, according to

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the region map entitled ~~{San Rafael Swell Linked}~~ "Grand Staircase Escalante" linked at the ~~{web page entitled "Citizen's Proposal for Wilderness in Utah" at~~ <http://protectwildutah.org/proposal/index.html> as the web page existed on February 17, 2011;
~~_____ (g) in Garfield County: _____ (i) Pole Canyon, according to the region map entitled~~ Great Basin South linked in the web page ~~{webpage~~ entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011; and

~~(fii)B) {Dirty Devil, Fiddler Butte, Little Rockies, Cane Spring Desert, and Cane Spring Desert Adjacents}~~ Orderville Canyon, Jolley Gulch, and Parunuweap Canyon, according to the region map entitled ~~{Glen Canyon, which is available by clicking the link entitled Dirty Devil at the web page}~~ "Zion/Mohave" linked at the webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;

~~(fiii) Lampstand, Wide Hollow, Steep Creek, Brinkerhof Flats, Little Valley Canyon, Death Hollow, Studhorse Peaks, Box Canyon, Heaps Canyon, North Escalante Canyon, Colt Mesa, East of Bryce, Slopes of Canaan Peak, Horse Spring Canyon, Muley Twist Flank, Pioneer Mesa, Slopes of Bryce, Blue Hills, Mud Springs Canyon, Carcass Canyon, Willis Creek North, Kodachrome Basin, and Kodachrome Headlands}~~ xi) in Millard County: Kern Mountains, Wild Horse Pass, Disappointment Hills, Granite Mountain, Middle Mountains, Tule Valley, Swasey Mountain, Little Drum Mountains North, Little Drum Mountains South, Drum Mountains, Snake Valley, Coyote Knoll, Howell Peak, Tule Valley South, Ledger Canyon, Chalk Knolls, Orr Ridge, Notch View, Bullgrass Knoll, Notch Peak, Barn Hills, Cricket Mountains, Burbank Pass, Middle Burbank Hills, King Top, Barn Hills, Red Tops, Middle Burbank Hills, Juniper, Painted Rock Mountain, Black Hills, Tunnel Springs, Red Canyon, Sand Ridge, Little Sage Valley, Cat Canyon, Headlight Mountain, Black Hills, Mountain Range Home North, Tweedy Wash, North Wah Wah Mountains, Jackson Wash, and San Francisco Mountains, according to the region map entitled ~~{Grand Staircase Escalante linked at the web page}~~ "Great Basin Central" linked in the webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17, 2011;

(xii) in Piute County: Kingston Ridge, Rocky Ford, and Phonolite Hill, according to

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the region map entitled "Great Basin South" linked in the webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;~~{and}~~

~~(iv) Notom Bench, Mount Ellen, Bull Mountain, Dogwater Creek, Ragged Mountain, Mount Pennell, Mount Hillers, Bullfrog Creek, and Long Canyon}~~ xiii) in San Juan County:

(A) Horseshoe Point, Deadhorse Cliffs, Gooseneck, Demon's Playground, Hatch Canyon, Lockhart Basin, Indian Creek, Hart's Point, Butler Wash, Bridger Jack Mesa, and Shay Mountain, according to the region map entitled ~~{Henry Mountains}~~ "Canyonlands Basin" linked ~~{at}~~ in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011:

~~{h} in Iron County: Needle Mountains, Steamboat Mountain, Broken Ridge, Paradise Mountains, Crook Canyon, Hamlin, North Peaks, Mount Escalante, and Antelope Ridge}~~ B) Dark Canyon, Copper Point, Fortknocker Canyon, White Canyon, The Needle, Red Rock Plateau, Upper Red Canyon, and Tuwa Canyon, according to the region map entitled ~~{Great Basin South linked in the web page}~~ "Glen Canyon", which is available by clicking the link entitled "Dirty Devil" at the webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011:

~~{i} in Juab County: Deep Creek Mountains, Essex Canyon, Kern Mountains, Wild Horse Pass, Disappointment Hills, Granite Mountain, Middle Mountains, Tule Valley, Fish Springs Ridge, Thomas Range, Drum Mountains, Dugway Mountains, Keg Mountains West, Keg Mountains East, Lion Peak, and Rockwell Little Sahara}~~ C) Hunters Canyon, Behind the Rocks, Mill Creek, and Coyote Wash, according to the region map entitled ~~{Great Basin Central}~~ "Moab/La Sal" linked ~~{in}~~ at the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011; and

(D) Hammond Canyon, Allen Canyon, Mancos Jim Butte, Arch Canyon, Monument Canyon, Tin Cup Mesa, Cross Canyon, Nokai Dome, Grand Gulch, Fish and Owl Creek Canyons, Comb Ridge, Road Canyon, The Tabernacle, Lime Creek, San Juan River, and Valley of the Gods, according to the region map entitled "San Juan" linked at the webpage

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entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17, 2011;

~~(j) xiv~~ in ~~{Kane County: (i) Willis Creek North, Willis Creek, Kodachrome Badlands, Mud Springs Canyon, Carcass Canyon, Scorpion, Bryce Boot, Paria-Hackberry Canyons, Fiftymile Canyon, Hurricane Wash, Upper Kanab Creek, Timber Mountain, Nephi Point, Paradise Canyon, Wahweap Burning Hills, Fiftymile Bench, Forty Mile Gulch, Sooner Bench 1, 2, & 3, Rock Cove, Warm Bench, Andalex Not, Vermillion Cliffs, Ladder Canyon, The Cockscomb, Nipple Bench, Moquith Mountain, Bunting Point, Glass Eye Canyon, and Pine Hollow}~~Sevier County: Rock Canyon, Mussentuchit Badland, Limestone Cliffs, and Jones' Bench, according to the region map entitled ~~{Grand Staircase Escalante}~~"San Rafael Swell" linked at the ~~{web page}~~webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~webpage existed on February 17, 2011;~~{ and }~~

~~(ii) Orderville Canyon, Jolley Gulch, and Parunuweap Canyon}~~xv in Tooele County: (A) Silver Island Mountains, Crater Island East, Grassy Mountains North, Grassy Mountains South, Stansbury Island, Cedar Mountains North, Cedar Mountains Central, Cedar Mountains South, North Stansbury Mountains, Quirrh Mountains, and Big Hollow, according to the region map entitled ~~{Zion/Mohave}~~"Great Basin North" linked ~~{at}~~in the ~~{web page}~~webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~webpage existed on February 17, 2011; and

~~{k}~~ in Millard County: Kern Mountains, Wild Horse Pass, Disappointment Hills, Granite Mountain, Middle Mountains, Tule Valley, Swasey Mountain, Little Drum Mountains North, Little Drum Mountains South, Drum Mountains, Snake Valley, Coyote Knoll, Howell Peak, Tule Valley South, Ledger Canyon, Chalk Knolls, Orr Ridge, Notch View, Bullgrass Knoll, Notch Peak, Barn Hills, Cricket Mountains, Burbank Pass, Middle Burbank Hills, King Top, Barn Hills, Red Tops, Middle Burbank Hills, Juniper, Painted Rock Mountain, Black Hills, Tunnel Springs, Red Canyon, Sand Ridge, Little Sage Valley, Cat Canyon, Headlight Mountain, Black Hills, Mountain Range Home North, Tweedy Wash, North Wah Wah Mountains, Jackson Wash, and San Francisco Mountains}B) Ochre Mountain, Deep Creek

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Mountains, Dugway Mountains, Indian Peaks, and Lion Peak, according to the region map entitled "Great Basin ~~{Central}~~ Central" linked in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;

~~(~~{i}~~xvi)~~ in ~~{Piute County: Kingston Ridge, Rocky Ford, and Phonolite Hill}~~ Uintah County:

(A) White River, Lower Bitter Creek, Sunday School Canyon, Dragon Canyon, Wolf Point, Winter Ridge, Seep Canyon, Bitter Creek, Hideout Canyon, Sweetwater Canyon, and Hell's Hole, according to the region map entitled ~~{Great Basin South}~~ "Book Cliffs" linked in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011; and

~~(~~{m}~~)~~ in San Juan County: — ~~(i) Horseshoe Point, Deadhorse Cliffs, Gooseneck, Demon's Playground, Hatch Canyon, Lockhart Basin, Indian Creek, Hart's Point, Butler Wash, Bridger Jack Mesa, and Shay Mountain}~~ (B) Lower Flaming Gorge, Crouse Canyon Stone Bridge Draw, Diamond Mountain, Wild Mountain, Split Mountain Benches, Vivas Cake Hill, Split Mountain Benches South, Beach Draw, Stuntz Draw, Moonshine Draw, Bourdette Draw, and Bull Canyon, according to the region map entitled ~~{Canyonlands Basin}~~ "Dinosaur" linked in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;

~~(~~{ii}~~xvii)~~ ~~{Dark Canyon, Copper Point, Fortknocker Canyon, White Canyon, The Needle, Red Rock Plateau, Upper Red Canyon, and Tuwa Canyon}~~ in Washington County: Cougar Canyon, Docs Pass, Slaughter Creek, Butcher Knife Canyon, Square Top, Scarecrow Creek, Beaver Dam Wash, Beaver Dam Mountains North, Beaver Dam Mountains South, Joshua Tree, Beaver Dam Wilderness Expansion, Red Mountain, Cottonwood Canyon, Taylor Canyon, LaVerkin Creek, Beartrap Canyon, Deep Creek, Black Ridge, Red Butte, Kolob Creek, Goose Creek, Dry Creek, Zion National Park Adjacents, Crater Hill, The Watchman, and Canaan Mountain, according to the region map entitled ~~{Glen Canyon, which is available by clicking the link entitled Dirty Devil at the web page}~~ "Zion/Mohave" linked at the webpage entitled "Citizen's Proposal for Wilderness in Utah" at

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<http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011, excluding the areas that Congress designated as wilderness and conservation areas under the Omnibus Public Lands Management Act of 2009; and

~~(iii) Hunters Canyon, Behind the Rocks, Mill Creek, and Coyote Wash}~~ xviii) in Wayne County:

(A) Sweetwater Reef, Upper Horseshoe Canyon, and Labyrinth Canyon, according to the region map entitled ~~{Moab/La Sal}~~ "Canyonlands Basin" linked ~~{at}~~ in the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at

<http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011; ~~{and}~~

~~(iv) Hammond Canyon, Allen Canyon, Mancos Jim Butte, Arch Canyon, Monument Canyon, Tin Cup Mesa, Cross Canyon, Nokai Dome, Grand Gulch, Fish and Owl Creek Canyons, Comb Ridge, Road Canyon, The Tabernacle, Lime Creek, San Juan River, and Valley of the Gods}~~ B) Flat Tops and Dirty Devil, according to the region map entitled ~~{San Juan}~~ linked at the web page} "Glen Canyon", which is available by clicking the link entitled

"Dirty Devil" at the webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011;

~~{n}~~ C) {in Sevier County: Rock Canyon, Mussentuchit Badland, Limestone Cliffs, and Jone's Bench} Fremont Gorge, Pleasant Creek Bench, Notom Bench, Mount Ellen, and Bull Mountain, according to the region map entitled ~~{San Rafael Swell}~~ "Henry Mountains" linked at the ~~{web page}~~ webpage entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17, 2011; and

(D) Capital Reef Adjacents, Muddy Creek, Wild Horse Mesa, North Blue Flats, Red Desert, and Factory Butte, according to the region map entitled "San Rafael Swell" linked at the webpage entitled "Citizen's Proposal for Wilderness in Utah" at

<http://www.protectwildutah.org/proposal/index.html> as the ~~{web page}~~ webpage existed on February 17, 2011; ~~{; (o) in Tooele County: (i) Silver Island Mountains, Crater Island~~

~~East, Grassy Mountains North, Grassy Mountains South, Stansbury Island, Cedar Mountains North, Cedar Mountains Central, Cedar Mountains South, North Stansbury Mountains, Oquirrh~~

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~~Mountains, and Big Hollow.}~~

(b) "Subject lands" also includes all BLM and Forest Service lands in the state that are not Wilderness Area or Wilderness Study Areas;

(c) "Subject lands" does not include the following lands that are the subject of consideration for a possible federal lands bill and should be managed according to Emery County's position:

(i) Turtle Canyon and Desolation Canyon according to the region map entitled ~~{Great Basin North}~~"Book Cliffs" linked in the ~~{web page}~~webpage entitled "Citizen's Proposal for Wilderness in Utah" at http://www.protectwildutah.org/proposal/index.html as the ~~{web page}~~webpage existed on February 17, 2011;~~{and}~~

(ii) ~~{Ochre Mountain, Deep Creek Mountains, Dugway Mountains, Indian Peaks, and Lion Peak}~~Labyrinth Canyon, Duma Point, and Horseshoe Point, according to the region map entitled ~~{Great}~~"Canyonlands Basin~~{ Central}~~" linked in the ~~{web page}~~webpage entitled "Citizen's Proposal for Wilderness in Utah" at http://www.protectwildutah.org/proposal/index.html as the ~~{web page}~~webpage existed on February 17, 2011; and

(~~{p}~~) in Uintah County: — (i) White River, Lower Bitter Creek, Sunday School Canyon, Dragon Canyon, Wolf Point, Winter Ridge, Seep Canyon, Bitter Creek, Hideout Canyon, Sweetwater Canyon, and Hell's Hole;iii) Devil's Canyon, Sid's Mountain, Mexican Mountain, San Rafael Reef, Hondu Country, Cedar Mountain, and Wild Horse, according to the region map entitled ~~{Book Cliffs}~~"San Rafael Swell" linked ~~{in}~~at the ~~{web page}~~webpage entitled "Citizen's Proposal for Wilderness in Utah" at http://www.protectwildutah.org/proposal/index.html as the ~~{web page}~~webpage existed on February 17, 2011; and — (ii) Lower Flaming Gorge, Crouse Canyon Stone Bridge Draw, Diamond Mountain, Wild Mountain, Split Mountain Benches, Vivas Cake Hill, Split Mountain Benches South, Beach Draw, Stuntz Draw, Moonshine Draw, Bourdette Draw, and Bull Canyon, according to the region map entitled Dinosaur linked in the web page entitled "Citizen's Proposal for Wilderness in Utah" at http://www.protectwildutah.org/proposal/index.html as the web page existed on February 17, 2011;

(~~{q}~~) in Washington County: Cougar Canyon, Docs Pass, Slaughter Creek, Butcher

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~~Knife Canyon, Square Top, Scarecrow Creek, Beaver Dam Wash, Beaver Dam Mountains North, Beaver Dam Mountains South, Joshua Tree, Beaver Dam Wilderness Expansion, Red Mountain, Cottonwood Canyon, Taylor Canyon, Laverkin Creek, Beartrap Canyon, Deep Creek, Black Ridge, Red Butte, Kolob Creek, Goose Creek, Dry Creek, Zion National Park Adjacents, Crater Hill, The Watchman, and Canaan Mountain, according to the region map entitled Zion/Mohave linked at the web page entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the web page existed on February 17, 2011, excluding the areas which Congress designated as wilderness and conservation areas under the Omnibus Public Lands Management Act of 2009; and — (r) in Wayne County: — (i) Sweetwater Reef, Upper Horseshoe Canyon, and Labyrinth Canyon, according to the region map entitled Canyonlands Basin linked in the web page entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the web page existed on February 17, 2011; — (ii) Flat Tops and Dirty Devil, according to the region map entitled Glen Canyon, which is available by clicking the link entitled Dirty Devil at the web page entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the web page existed on February 17, 2011; — (iii) Fremont Gorge, Pleasant Creek Bench, Notom Bench, Mount Ellen, and Bull Mountain, according to the region map entitled Henry Mountains linked at the web page entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the web page existed on February 17, 2011; and — (iv) Capital Reef Adjacents, Muddy Creek, Wild Horse Mesa, North Blue Flats, Red Desert, and Factory Butte, according to the region map entitled San Rafael Swell linked at the web page entitled "Citizen's Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the web page existed on February 17, 2011. (7)(10) "Wilderness area" means those BLM and Forest Service lands added to the National Wilderness Preservation System by an act of Congress.~~

(11) "WSA" and "Wilderness Study Area" mean the BLM lands in Utah that were identified as having the necessary wilderness character and were classified as wilderness study areas during the BLM wilderness review conducted between 1976 and 1993 by authority of Section 603 of FLPMA and labeled as Wilderness Study Areas within the final report of the President of the United States to the United States Congress in 1993.

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Section 3. Section 63J-8-103 is enacted to read:

63J-8-103. State participation in managing public lands.

In view of the requirement in FLPMA, 43 U.S.C. 1712, that BLM must work through a planning process that is coordinated with other federal, state, and local planning efforts before making decisions about the present and future uses of public lands, the requirement in FLPMA, 43 U.S.C. 1714 that BLM may not withdraw or otherwise designate BLM lands for specific purposes without congressional approval, and the requirement in the Forest Service Multiple-Use Sustained Yield Act of 1960, 16 U.S.C. 528, that lands within the national forests be managed according to the principles of multiple use, and in view of the right which FLPMA, the National Environmental Policy Act, 42 U.S.C. 4321 et seq. and the Federal Advisory Committee Act, 5 U.S.C. Appendix 2, give to state and local governments to participate in all BLM and the Forest Service efforts to plan for the responsible use of BLM and Forest Service lands and the requirement that BLM and the Forest Service coordinate planning efforts with those of state and local government, the state adopts the following policy for the management of the subject lands:

(1) Pursuant to the proper allocation of governmental authority between the several states and the federal government, the implementation of congressional acts concerning the subject lands must recognize the concurrent jurisdiction of the states and accord full recognition to state interpretation of congressional acts, as reflected in state law, plans, programs, and policies, insofar as the interpretation does not violate the Supremacy Clause, U.S. Constitution, Article VI, Clause 2.

(2) Differences of opinion between the state's plans and policies on use of the subject lands and any proposed decision concerning the subject lands pursuant to federal planning or other federal decision making processes should be resolved between the authorized federal official, including federal officials from other federal agencies advising the authorized federal official in any capacity, and the governor of Utah.

(3) The subject lands managed by the BLM are to be managed to the basic standard of the prevention of undue and unnecessary degradation of the lands, as required by FLPMA. A more restrictive management standard should not apply except through duly adopted statutory or regulatory processes wherein each specific area is evaluated pursuant to the provisions of the BLM's planning process and those of the National Environmental Policy Act.

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(4) The subject lands should not be segregated into separate geographical areas for management which resembles the management of wilderness, wilderness study areas, wildlands, lands with wilderness characteristics, or the like.

(5) The BLM and the Forest Service should make plans for the use of the subject lands and resources subject to their management pursuant to statutorily authorized processes, with due regard for the provisions of the National Environmental Policy Act, by:

(a) recognizing that the duly adopted Resource Management Plan or Forest Service equivalent is the fundamental planning document, which may be revised or amended from time to time:

(b) avoiding and eliminating any form of guidance or policy that has the effect of prescreening, segregating, or imposing any form of management requirements upon any of the subject lands and resources prior to any of the planning processes subject to Subsection (5)(a); and

(c) avoiding and eliminating all forms of planning that parallel or duplicate the planning processes subject to Subsection (5)(a).

Section ~~{3}~~4. Section ~~{63J-8-103}~~63J-8-104 is enacted to read:

~~{63J-8-103}~~63J-8-104. **State land use planning and management program.**

~~{In view of the requirement in FLPMA, 43 U.S.C. Sec. 1712(c)(9) that}~~The BLM and Forest Service land use plans ~~{shall be}~~should produce planning documents consistent with state and local land use plans to the maximum extent consistent with federal law and FLPMA's purposes, by incorporating the ~~{state adopts the following state}~~state's land use planning and management program for the subject lands which is as follows:

(1) preserve traditional multiple use and sustained yield management on the subject lands to:

(a) achieve and maintain in perpetuity a high-level annual or regular periodic output of agricultural, mineral, and various other resources from the subject lands;

(b) support valid existing transportation, mineral, and grazing privileges in the subject lands at the highest reasonably sustainable levels;

(c) produce and maintain the desired vegetation for ~~{the}~~ watersheds, timber, food, fiber, livestock forage, wildlife forage, and minerals that are necessary to meet present needs and future economic growth and community expansion in each county where the subject lands

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are situated without permanent impairment of the productivity of the land;

(d) meet the recreational needs and the personal and business-related transportation needs of the citizens of each county where the subject lands are situated by providing access throughout each such county;

(e) meet the needs of wildlife, provided that ~~{wildlife populations are kept at a reasonable minimum so as to not interfere with originally permitted AUM levels under the Taylor Grazing Act, 43 U.S.C. Sec. 315, et seq.}~~ the respective forage needs of wildlife and livestock are balanced according to the provisions of Subsection 63J-4-401(6)(m);

(f) protect against ~~{direct and substantial impacts to nationally recognized cultural resources, both historical and archaeological}~~ adverse effects to historic properties, as defined by 36 C.F.R. 800;

(g) meet the needs of economic development;

(h) meet the needs of community development; ~~{and}~~

(i) provide for the protection of existing water rights and the reasonable development of additional water rights; and

~~{(2) (a) without Congressional designation through a county-specific land bill that has the support of the specific county where}~~ i) provide for reasonable and responsible development of electrical transmission and energy pipeline infrastructure on the subject lands ~~{are located}~~;

~~{(2) (a) do not designate, establish, manage, or treat any of the subject lands as {wilderness, lands with wilderness characteristics, wildlands, or the like as provided in Subsection 63J-4-401(6)(b); (ii) do not manage the subject lands for}~~ an area with management prescriptions which parallel, duplicate, or resemble the management prescriptions established for wilderness areas or wilderness study areas, including the non-impairment ~~{of so-called wilderness characteristics; and~~ (iii) do not manage the subject lands in a way that resembles how a wilderness unit or WSA may be managed under BLM guidelines for managing wilderness and WSAs; and (b) a management standard or designation described in Subsection (2)(a) violates FLPMA and the 2003 settlement agreement and the 2005 revised settlement} standard applicable to WSAs or anything that parallels, duplicates, or resembles that nonimpairment standard; and

(b) recognize, follow, and apply the agreement between the state and the Department of

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the Interior in the 2003 settlement agreement (revised in 2005) in the case of State of Utah v. Gale Norton, Secretary of Interior (United States District Court, D. Utah, Case No. 2:96cv0870), which effectively prohibits the actions listed in Subsection (2)(a):

(3) achieve and maintain at the highest reasonably sustainable levels a continuing yield of energy, hard rock, and nuclear resources in those subject lands with economically recoverable amounts of such resources as follows:

(a) ~~{The}~~the development of the solid, fluid, and gaseous mineral resources in portions of the subject lands is an important part of the state's economy and the economies of the respective counties~~{. It}~~, recognizing that it is technically feasible to access mineral and energy resources in portions of the subject lands while preserving or, as necessary, restoring non-mineral and non-energy resources~~{.}~~;

(b) ~~{All}~~all available, ~~{economically}~~ recoverable solid, fluid, gaseous, and nuclear mineral resources in the subject lands should be seriously considered for ~~{their}~~ contribution or potential contribution to the state's economy and the economies of the respective counties~~{.}~~;

(c) ~~{Those}~~those portions of the subject lands shown to have reasonable mineral, energy, and nuclear potential should be open to leasing, drilling, and other access with reasonable stipulations and conditions, including mitigation, reclamation, and bonding measures where necessary, that will protect the lands against ~~{unreasonable}~~unnecessary and ~~{irreparable}~~undue damage to other significant resource values~~{. This should include reasonable and effective mitigation and reclamation measures, and bonding for such, where necessary.}~~

~~(d) The waste of fluid and gaseous minerals within developed areas of the subject lands, except for those necessary for production, such as flaring, should be prohibited.~~

~~(e) Any~~;

(d) federal oil and gas existing lease conditions and restrictions should not be modified, waived, or removed unless the lease conditions or restrictions are no longer necessary or effective;

(e) any prior existing lease restrictions in the subject lands that are no longer necessary or effective should be modified, waived, or removed~~{.}~~;

(f) ~~{Restrictions}~~restrictions against surface occupancy should be eliminated, modified, ~~{waived, or, if necessary, removed where it is shown that}~~or waived, where reasonable;

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(g) in the case of surface occupancy restrictions that cannot be reasonably eliminated, modified, or waived, directional drilling ~~is not ecologically necessary, not feasible from an economic or engineering standpoint, or where it is shown that directional drilling will, in effect, sterilize~~ should be considered where the mineral and energy resources beneath the area ~~(g) Applications~~ can be reached employing available directional drilling technology;

(h) applications for permission to drill in the subject lands that meet standard qualifications, including reasonable and effective mitigation and reclamation requirements, should be expeditiously processed and granted ~~;~~ and

~~(h)i~~ any moratorium that may exist against the issuance of ~~additional~~ qualified mining patents and oil and gas leases in the subject lands, and any barriers that may exist against developing unpatented mining claims and filing for new claims, should be carefully evaluated for removal ~~;~~ ;

(4) achieve and maintain livestock grazing in the subject lands at the highest reasonably sustainable levels ~~as follows:—~~ (a) Domestic livestock forage in the subject lands expressed in AUMs for permitted active use, as well as the wildlife forage included in that amount, should be no less than the maximum number of AUMs sustainable by range conditions in grazing districts and allotments in the subject lands based on an on-the-ground and scientific analysis. — (b) Where once-available grazing forage in the subject lands has succeeded to pinyon, juniper, and other woody vegetation and associated biomass, or where rangeland health in the subject lands has suffered for any other reason, a vigorous program of mechanical treatments such as chaining, logging, seeding, lopping, thinning, and burning and other mechanical treatments should be applied to remove this woody vegetation and biomass and stimulate the return of the grazing forage to its historic levels for the mutual benefit of livestock, wildlife, and other agricultural industries in a county surrounding the subject lands. — (c) The state regards the land which comprises the grazing districts and allotments in the subject lands as more valuable for grazing than for a competing use which might exclude livestock grazing, including the conversion of grazing animal AUMs to wildlife or wilderness uses. AUMs in the subject lands should not be relinquished or retired in favor of conservation, wildlife, or other uses. — (d) The state recognizes that from time-to-time, a bona fide livestock permittee in the subject lands, acting in good faith and not to circumvent the intent of the BLM's grazing regulations, may temporarily cease grazing operations without losing the

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~~permitted AUMs. BLM-imposed suspensions of use or other reductions in domestic livestock AUMs in the subject lands should be temporary and scientifically based on rangeland conditions. (e) The transfer of AUMs to wildlife for supposed reasons of rangeland health is opposed by the state, as there is already imputed in each AUM a reasonable amount of forage for the wildlife component. (f) Any AUM that may have been reduced in the subject lands due to rangeland health concerns should be restored to livestock when rangeland conditions improve and should not be converted to wildlife use.~~ by adhering to the policies, goals, and management practices set forth in Subsection 63J-4-401(6)(m);

(5) manage the watershed in the subject lands to achieve and maintain water resources at the highest reasonably sustainable levels as follows:

~~(a) All water resources that derive in the subject lands are the property of the state in trust for the citizens of the state. (b) The state has a strong interest in seeing that all~~

~~reasonable steps are taken to preserve, maintain, and develop water resources of the state.~~

~~(c) With increased demands on water resources, it is imperative that~~ adhere to the policies, goals, and ~~management practices be employed in the subject lands to restore, maintain, and maximize water resources and water yield in the subject lands. If water resources in the subject lands have diminished because once-existing grasses have succeeded to pinyon, juniper, and other woody vegetation and associated biomass, a vigorous program of mechanical treatments should be applied to promptly remove this woody vegetation and biomass, stimulate the return of the grasses to historic levels, and provide a watershed that maximizes water yield and water quality for livestock, wildlife, and human use. (d) The state's strategy and plan for protecting the watersheds of the subject lands is to~~ set forth in Subsection 63J-4-401(6)(m);

(b) deter unauthorized cross-country OHV use in the subject lands by establishing a reasonable system of roads and trails in the subject lands for the use of an OHV ~~Closing~~ , as

closing the subject lands to all OHV use will only spur increased and unauthorized

~~cross-country OHV use to the detriment of the subject lands' watersheds. (e) Any road and~~ use; and

(c) keep open any road or trail in the subject lands ~~which~~ that historically has been open to OHV use, as identified on respective county road maps ~~, should remain open.~~

(6) achieve and maintain traditional access to outdoor recreational opportunities

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available in the subject lands as follows:

(a) ~~{Hunting}~~hunting, trapping, fishing, hiking, family and group parties, family and group campouts and campfires, rock hounding, OHV travel, geological exploring, pioneering, recreational vehicle parking, or just touring in personal vehicles are activities that are important to the traditions, customs, and character of the state and individual counties where the subject lands are located~~{,}~~ and should continue;

(b) ~~{Traditional levels of}~~ wildlife hunting, trapping, and fishing should continue~~{,~~ consistent with sustainability of the resource as} at levels determined by the Wildlife Board and the Division of Wildlife Resources~~{, Traditional}~~ and traditional levels of group camping, group day use, and ~~{all}~~ other traditional forms of outdoor recreation, both motorized and ~~{non-motorized}~~nonmotorized, should continue~~{,}~~ and

(c) the broad spectrum of outdoor recreational ~~{access in}~~activities available on the subject lands should ~~{not discriminate in favor of one particular mode of recreation to the exclusion of others. Traditionally, outdoor recreational opportunities in the subject lands have been open and accessible to working class families, to families with small children, to the sick and persons with disabilities, to the middle-aged and elderly, to persons of different cultures for whom a "primitive solitary hike" may not be the preferred form of recreating, and to the economically disadvantaged and underprivileged who lack the money and ability to take the time off work necessary to get outfitted for a multi-day "primitive hike" to reach those destinations. Society should not be forced to participate in a "solitude experience" or a "primitive experience" as the one and only, or primary, mode of outdoor recreation in the subject lands. Any segment of society that wants to recreate in the subject lands, should have motorized access to that recreation if they so desire.}~~ (d) ~~The state's plan for the subject lands calls for continued historical public motorized or mechanized access on state and county roads to all traditional outdoor recreational destinations in all areas of the subject lands for all such segments of the public. The state opposes restricting outdoor recreation in the subject lands to just one form available for those who have enough time, money, and athletic ability to hike into the destinations of the subject lands for a so-called "solitude wilderness experience."~~

~~(7) (a) }~~be available to citizens for whom a primitive, nonmotorized, outdoor experience is not preferred, affordable, or physically achievable;

(7) (a) keep open to motorized travel, any road in the subject lands that is part of the

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~~respective counties' duly adopted transportation plan~~ ~~{ should remain open to motorized travel.~~
~~All county claimed R.S. 2477 roads~~};

~~(b) provide that R.S. 2477 rights-of-way should be recognized by the BLM~~ ~~{ A county road should not be closed other than by action of each respective county. Each respective county should have the continued~~};

~~(c) provide that a county road may be temporarily closed or permanently abandoned only by statutorily authorized action of the county or state;~~

~~(d) provide that BLM and Forest Service must recognize and not unduly interfere with a county's ability to maintain and repair~~ ~~{ those } roads, and where reasonably necessary, make improvements to the roads~~ ~~{ Any route in the subject lands that has been open to OHV use should continue to remain open. — (b) }~~; ~~and~~

~~(e) recognize that additional roads and trails may be needed in the subject lands from~~ ~~{ time-to-time } time to time to facilitate reasonable access to a broad range of resources and opportunities throughout the subject lands, including livestock operations and improvements, solid, fluid, and gaseous mineral operations, recreational opportunities and operations, search and rescue needs, other public safety needs, access to public lands for people with disabilities and the elderly, and access to Utah school and institutional trust lands for the accomplishment of the purposes of those lands~~ ~~{ The BLM should work with the respective county to provide such access where needed. }~~};

~~(8) manage the subject lands so as to protect prehistoric rock art, three dimensional structures, and other artifacts and sites recognized as culturally important and significant by the state historic preservation officer or each respective county~~ ~~{ as follows: — (a) Reasonable mineral development in the subject lands can occur while at the same time protecting prehistoric rock art, three dimensional structures, and other artifacts and sites recognized as culturally important and significant by the state historic preservation officer. — (b) Reasonable~~ ~~} by imposing reasonable and effective stipulations and conditions~~ ~~{ to protect against damage to the cultural resources described in Subsection (8)(a) should accompany decisions to issue mineral leases, permit drilling, permit seismic activities, or allow other mineral development activities in the subject lands. Such drilling and seismic activities should not be disallowed merely because they are in the immediate vicinity of the cultural resources described in Subsection (8)(a) if it is shown that the drilling or seismic activity will not~~

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irreparably damage the resources.} reached by agreement between the federal agency and the state authorized officer pursuant to the authority granted by the National Historic Preservation Act, 16 U.S.C. 470 et seq.;

(9) manage the subject lands so as to not interfere with the property rights of private landowners as follows:

(a) {The}the state {recognizes}recognize that there are parcels of private fee land {located in portions of}throughout the subject lands {.};

(b) {Land}land management policies and standards in the subject lands should not interfere with the property rights of any private landowner {in the region } to enjoy and engage in {traditional} uses and activities on an individual's private property consistent with controlling county zoning and land use laws {.}; and

(c) {A}a private landowner or a guest or client of a private landowner should not be denied the right of motorized access to the private landowner's property consistent with past uses of the private property {.};

(10) manage the subject lands {so as to not interfere with the fiduciary responsibility of the State School and Institutional Trust Lands Administration (SITLA) as follows:} (a) scattered throughout the subject lands are sections of}in a manner which supports the fiduciary agreement made between the state and the federal government concerning the school and institutional trust lands, as managed according to state law, by:

(a) formally recognizing, by duly authorized federal proclamation, the duty of the federal government to support the purposes of the school and institutional trust {land}lands owned by the state and administered by SITLA in trust for the benefit of public schools and other institutions {(school trust lands)} as mandated in the Utah Constitution and the Utah Enabling Act of 1894, 28, Stat.107;

(b) {as trustee, SITLA has a}actively seeking to support SITLA's fiduciary responsibility to manage the school trust lands to {generate maximum}optimize revenue by making the school trust lands available for sale and private development and for other multiple and consumptive use activities such as mineral development, grazing, recreation, timber, and agriculture {, all for the financial benefit of Utah's public schools and other institutional beneficiaries};

(c) {land management policies and standards on BLM land in the subject lands should}

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not ~~interfere~~ interfering with SITLA's ability to carry out its fiduciary responsibilities; ~~and~~
~~— (d) SITLA not be denied the right of motorized~~ by the creation of geographical areas
burdened with management restrictions that prohibit or discourage the optimization of revenue,
without just compensation;

(d) recognizing SITLA's right of economic access to the school trust lands to enable
SITLA to put those sections to use in ~~order to carry out~~ its fiduciary responsibilities; ~~(f)~~
and

(e) recognizing any management plan enacted by SITLA pursuant to Section
53C-2-201;

(11) designating ~~the~~ subject BLM lands as ~~an area~~ areas of critical environmental
concern (ACEC) ~~would contradict~~ is generally not compatible with the state's plan and policy
for managing the subject lands, ~~unless the following criteria is met:~~ — (a) no part of the
subject lands should be designated an ACEC unless it is clearly demonstrated that the proposed
ACEC satisfies the requirements of but special cases may exist where such a designation is
appropriate if compliance with FLPMA, 43 U.S.C. Sec. 1702(a) ~~,~~ which are as follows: (i)
the proposed ACEC is limited in geographic size and that the proposed management
prescriptions are limited in scope is clearly demonstrated and where the proposed designation
and protection:

(a) is limited to the geographic size to the minimum necessary to ~~:~~ (A) protect
and prevent irreparable damage to values that are objectively shown to be relevant and
important; or (B) protect human life or safety from natural hazards; (ii) the proposed
ACEC is limited only to areas that are already developed or used or to areas where no
development is required; (iii) the proposed ACEC designation and protection meet the
standards required by Section 63J-4-401;

(b) is necessary to protect not just a temporary change in ground conditions or visual
resources that can be reclaimed or reversed ~~eventually, such as reclaiming a natural gas well~~
site after pumping operations are complete, but rather the damage must be shown in all respects
to be truly irreparable and justified on a short-term and a long-term basis; (iv) the proposed
ACEC designation and protection will not be applied redundantly over existing protections
available under FLPMA directed multiple-use sustained yield management; and (v) the
proposed ACEC designation is not a substitute for a wilderness suitability determination nor is

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~~it offered as a means to manage a non-WSA for so-called~~naturally, but is clearly shown as necessary to protect against visible damage on the ground that will persist on a time scale beyond that necessary to find an area meets the requirements for an inventory of wilderness characteristics ~~or as wildlands; — (12) };~~

(c) will not be applied in a geographic area already protected by other protective designations available pursuant to law; and

(d) is not a substitute for the non-impairment management requirements of wilderness study areas; and

(12) recognize that a BLM visual resource management class I or II rating ~~{for any part of the subject lands would contradict the state's public land policy and the policy of each county where the subject lands are situated as follows: — (a) The objective of BLM class I visual resource management is not compatible with and would frustrate and interfere}~~is generally not compatible with the state's plan and policy for managing the subject lands ~~{;~~ — ~~(b) The objective of BLM class II visual resource management is generally not compatible with and would frustrate and interfere with the state's plan and policy for the subject lands. There are certain limited exceptions where a class II objective would be compatible and shall be considered by the state on a case-by-case basis. — (c) The state's plan and policy for managing the subject lands are generally consistent with either BLM class III or class IV visual resource management standards depending on the precise}~~, but special cases may exist where such a rating is appropriate if jointly considered and created by state, local and federal authorities as part of an economic development plan for a region of the state, with due regard for school trust lands and private lands within the area.

Section ~~{4}~~5. Section ~~{63J-8-104}~~63J-8-105 is enacted to read:

63J-8-105. Maps available for public review.

A printed copy of the maps referenced in Subsection 63J-8-102(9) shall be available for inspection by the public at the offices of the Utah Association of Counties.

Section 6. Section 63J-8-106 is enacted to read:

~~{63J-8-104}~~63J-8-106. Miscellaneous provisions.

~~{(1) The fact that the subject lands do not include any WSAs does not mean the state agrees that any WSA land should be designated by Congress}~~Notwithstanding the provisions in the previous sections of this chapter, the state believes that some WSAs and other BLM or

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Forest Service lands may be considered for permanent inclusion in the National Wilderness Preservation System. ~~(2) (a) Certain non-WSA BLM land units in Grand County have also been proposed for Congressional wilderness designation in the perennially introduced but as yet unpassed America's Redrock Wilderness Act, a bill which the Utah Legislature opposes. These units of land are shown on two region maps entitled Book Cliffs and Moab/La Sal which are linked in a web page entitled "Citizen's Proposal for Wilderness in Utah" at <http://protectwildutah.org/proposal/index.html> as the web page existed on February 17, 2011.~~

~~(b) The 2008 BLM Vernal Field Office Approved Resource Management Plan and Record of Decision (Vernal RMP) and the 2008 BLM Moab Field Office Approved Resource Management Plan and Record of Decision (Moab RMP) evaluated all of the Grand County non-WSA BLM lands proposed for wilderness designation to determine which of these lands, if any, should be managed for wilderness characteristics. The Moab RMP determined that only three units, referenced as the Beaver Creek Unit, Fisher Towers Unit, and Mary Jane Canyon Unit, all located east of State Highway 128, would be managed for wilderness characteristics.~~

~~(c) All other non-WSA BLM land units in Grand County that had been proposed for wilderness designation were determined by the Vernal RMP and the Moab RMP to not be managed for wilderness characteristics. The state supports this determination. Section 5} as part of county specific proposals for Congress to consider if driven by a local process that includes all interested stakeholders.~~

Section 7. Effective date.

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override. †

~~Legislative Review Note as of 2-23-11 9:42 AM~~

~~Office of Legislative Research and General Counsel}~~