

ESCALANTE REGION GRAZING ZONE

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael E. Noel

Senate Sponsor: Ralph Okerlund

LONG TITLE

General Description:

This bill amends Title 63J, Chapter 8, State of Utah Resource Management Plan for Federal Lands, by creating the Escalante Region Grazing Zone.

Highlighted Provisions:

This bill:

- ▶ defines the term "Escalante Region Grazing Zone";
- ▶ adopts a livestock grazing and rangeland management policy for the Escalante Region Grazing Zone;
- ▶ promotes local, state, and federal collaboration to develop grazing resources in the Escalante Region Grazing Zone; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an immediate effective date.

Utah Code Sections Affected:

AMENDS:

63J-8-102, as last amended by Laws of Utah 2012, Chapters 165, 189, and 369

63J-8-105, as last amended by Laws of Utah 2012, Chapters 165 and 189

ENACTS:



28 **63J-8-105.6**, Utah Code Annotated 1953



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

31 Section 1. Section **63J-8-102** is amended to read:

32 **63J-8-102. Definitions.**

33 As used in this chapter:

34 (1) "ACEC" means an area of critical environmental concern as defined in 43 U.S.C.
35 Sec. 1702.

36 (2) "AUM" means animal unit months, a unit of grazing forage.

37 (3) "BLM" means the United States Bureau of Land Management.

38 (4) "BLM recommended wilderness" means a wilderness study area recommended for
39 wilderness designation in the final report of the president of the United States to the United
40 States Congress in 1993.

41 (5) "Escalante Region Grazing Zone" means BLM, Forest Service, and SITLA lands
42 situated in the following townships in Garfield and Kane Counties, as more fully illustrated in
43 the map jointly prepared by the Garfield and Kane Counties GIS Department in February 2013,
44 entitled "Escalante Region Grazing Zone":

45 (a) in Garfield County, Township 32S Range 6E, Township 32S Range 7E, Township
46 33S Range 5E, Township 33S Range 6E, Township 33S Range 7E, Township 34S Range 3E,
47 Township 34S Range 4E, Township 34S Range 5E, Township 34S Range 6E, Township 34S
48 Range 7E, Township 35S Range 1E, Township 35S Range 2E, Township 35S Range 3E,
49 Township 35S Range 4E, Township 35S Range 5E, Township 35S Range 6E, Township 35S
50 Range 7E, Township 35S Range 8E, Township 36S Range 1W, Township 36S Range 2W,
51 Township 36S Range 3W, Township 36S Range 1E, Township 36S Range 2E, Township 36S
52 Range 3E, Township 36S Range 4E, Township 36S Range 5E, Township 36S Range 6E,
53 Township 36S Range 7E, Township 36S Range 8E, Township 37S Range 1W, Township 37S
54 Range 2W, Township 37S Range 3W, Township 37S Range 4W, Township 37S Range 1E,
55 Township 37S Range 2E, Township 37S Range 3E, Township 37S Range 4E, Township 37S
56 Range 5E, Township 37S Range 6E, Township 37S Range 7E, Township 37S Range 8E, and
57 Township 37S Range 9E; and

58 (b) in Kane County, Township 38S Range 1W, Township 38S Range 2W, Township

59 38S Range 3W, Township 38S Range 4W, Township 38S Range 1E, Township 38S Range 2E,
60 Township 38S Range 3E, Township 38S Range 4E, Township 38S Range 5E, Township 38S
61 Range 6E, Township 38S Range 7E, Township 38S Range 8E, Township 38S Range 9E,
62 Township 39S Range 1W, Township 39S Range 2W, Township 39S Range 3W, Township 39S
63 Range 4W, Township 39S Range 1E, Township 39S Range 2E, Township 39S Range 3E,
64 Township 39S Range 4E, Township 39S Range 5E, Township 39S Range 6E, Township 39S
65 Range 7E, Township 39S Range 8E, Township 39S Range 9E, Township 40S Range 1W,
66 Township 40S Range 2W, Township 40S Range 3W, Township 40S Range 4W, Township 40S
67 Range 4.5W, Township 40S Range 5W, Township 40S Range 1E, Township 40S Range 2E,
68 Township 40S Range 3E, Township 40S Range 4E, Township 40S Range 5E, Township 40S
69 Range 6E, Township 40S Range 7E, Township 40S Range 8E, Township 40S Range 9E,
70 Township 40.5S Range 9E, Township 41S Range 1W, Township 41S Range 2W, Township
71 41S Range 3W, Township 41S Range 4W, Township 41S Range 4.5W, Township 41S Range
72 5W, Township 41S Range 1E, Township 41S Range 2E, Township 41S Range 3E, Township
73 41S Range 4E, Township 41S Range 5E, Township 41S Range 6E, Township 41S Range 7E,
74 Township 41S Range 8E, Township 41S Range 9E, Township 42S Range 1W, Township 42S
75 Range 2W, Township 42S Range 3W, Township 42S Range 4W, Township 42S Range 4.5W,
76 Township 42S Range 5W, Township 42S Range 1E, Township 42S Range 2E, Township 42S
77 Range 3E, Township 42S Range 4E, Township 42S Range 5E, Township 42S Range 6E,
78 Township 42S Range 7E, Township 42S Range 8E, Township 42S Range 9E, Township 43S
79 Range 1W, Township 43S Range 2W, Township 43S Range 3W, Township 43S Range 4W,
80 Township 43S Range 4.5W, Township 43S Range 5W, Township 43S Range 1E, Township
81 43S Range 2E, Township 43S Range 3E, Township 43S Range 4E, Township 43S Range 5E,
82 Township 43S Range 6E, Township 44S Range 1W, Township 44S Range 2W, Township 44S
83 Range 3W, Township 44S Range 4W, Township 44S Range 4.5W, Township 44S Range 5W,
84 Township 44S Range 1E, Township 44S Range 2E, Township 44S Range 3E, Township 44S
85 Range 4E, and Township 44S Range 5E.

86 [~~5~~] (6) "FLPMA" means the Federal Land and Policy Management Act of 1976, 43
87 U.S.C. Sec. 1701 et seq.

88 [~~6~~] (7) "Federal land use designation" means one or a combination of the following
89 congressional or federal actions included in proposed congressional land use legislation:

- 90 (a) designation of wilderness within the National Wilderness Preservation System;
- 91 (b) designation of a national conservation area;
- 92 (c) designation of a watercourse within the National Wild and Scenic River System;
- 93 (d) designation of an ACEC;
- 94 (e) designation of a national monument in accordance with the Antiquities Act of 1906,
- 95 16 U.S.C. Sec. 431 et seq. or by Congress;
- 96 (f) designation of a national park within the National Park System;
- 97 (g) designation of a national recreational area; or
- 98 (h) any other designation, classification, categorization, reservation, withdrawal, or
- 99 similar action that has the purpose or effect of eliminating, restricting, or reducing energy and
- 100 mineral development, motorized travel, grazing, active vegetation management, or any other
- 101 traditional multiple use on public land.

102 [~~(7)~~] (8) "Forest service" means the United States Forest Service within the United
103 States Department of Agriculture.

104 [~~(8)~~] (9) "Multiple use" means proper stewardship of the subject lands pursuant to
105 Section 103(c) of FLPMA, 43 U.S.C. Sec. 1702(c).

106 [~~(9)~~] (10) "National conservation area" means an area designated by Congress and
107 managed by the BLM.

108 [~~(10)~~] (11) "National wild and scenic river" means a watercourse:

- 109 (a) identified in a BLM or Forest Service planning process; or
- 110 (b) designated as part of the National Wild and Scenic River System.

111 [~~(11)~~] (12) "National Wild and Scenic River System" means the National Wild and
112 Scenic River System established in 16 U.S.C. Sec. 1271 et seq.

113 [~~(12)~~] (13) "Office" means the Public Lands Policy Coordinating Office created in
114 Section 63J-4-602.

115 [~~(13)~~] (14) "OHV" means off-highway vehicle as defined in Section 41-22-2.

116 [~~(14)~~] (15) "Proposed congressional land use legislation" means a draft or a working
117 document of congressional legislation prepared by a person that includes a federal land use
118 designation.

119 [~~(15)~~] (16) "RARE II" means the second United States Forest Service Roadless Area
120 Review and Evaluation report of 1984.

121 [~~(16)~~] (17) "R.S. 2477 right-of-way" means a right-of-way established in accordance
122 with 43 U.S.C. Sec. 932 repealed by FLPMA 1976.

123 [~~(17)~~] (18) "Settlement Agreement" means the written agreement between the state and
124 the Department of the Interior in 2003 (revised in 2005) that resolved the case of State of Utah
125 v. Gale Norton, Secretary of Interior (United States District Court, D. Utah, Case No.
126 2:96cv0870).

127 [~~(18)~~] (19) "SITLA" means the School and Institutional Trust Lands Administration as
128 created in Section 53C-1-201.

129 [~~(19)~~] (20) (a) "Subject lands" means the following non-WSA BLM lands:

130 (i) in Beaver County:

131 (A) Mountain Home Range South, Jackson Wash, The Toad, North Wah Wah
132 Mountains, Central Wah Wah Mountains, and San Francisco Mountains according to the
133 region map entitled "Great Basin Central" linked in the webpage entitled "Citizen's Proposal
134 for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage
135 existed on February 17, 2011; and

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

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

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

150 (iv) in Daggett County: Goslin Mountain, Home Mountain, Red Creek Badlands,
151 O-wi-yu-kuts, Lower Flaming Gorge, Crouse Canyon, and Diamond Breaks according to the

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

155 (v) in Duchesne County: Desbrough Canyon according to the region map entitled
156 "Book Cliffs" linked in the webpage entitled "Citizen's Proposal for Wilderness in Utah" at
157 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
158 2011;

159 (vi) in Emery County:

160 (A) San Rafael River and Sweetwater Reef, according to the region map entitled
161 "Canyonlands Basin" linked in the webpage entitled "Citizen's Proposal for Wilderness in
162 Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on
163 February 17, 2011;

164 (B) Flat Tops according to the region map entitled "Glen Canyon," which is available
165 by clicking the link entitled "Dirty Devil" at the webpage entitled "Citizen's Proposal for
166 Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage
167 existed on February 17, 2011; and

168 (C) Price River, Lost Spring Wash, Eagle Canyon, Upper Muddy Creek, Molen Reef,
169 Rock Canyon, Mussentuchit Badland, and Muddy Creek, according to the region map entitled
170 "San Rafael Swell" linked at the webpage entitled "Citizen's Proposal for Wilderness in Utah"
171 at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
172 2011;

173 (vii) in Garfield County:

174 (A) Pole Canyon, according to the region map entitled "Great Basin South" linked in
175 the webpage entitled "Citizen's Proposal for Wilderness in Utah" at
176 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
177 2011;

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

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

191 (D) Notom Bench, Mount Ellen, Bull Mountain, Dogwater Creek, Ragged Mountain,
192 Mount Pennell, Mount Hillers, Bullfrog Creek, and Long Canyon, according to the region map
193 entitled "Henry Mountains" linked at the webpage entitled "Citizen's Proposal for Wilderness
194 in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on
195 February 17, 2011;

196 (viii) in Iron County: Needle Mountains, Steamboat Mountain, Broken Ridge, Paradise
197 Mountains, Crook Canyon, Hamlin, North Peaks, Mount Escalante, and Antelope Ridge,
198 according to the region map entitled "Great Basin South" linked in the webpage entitled
199 "Citizen's Proposal for Wilderness in Utah" at
200 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
201 2011;

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

209 (x) in Kane County:

210 (A) Willis Creek North, Willis Creek, Kodachrome Badlands, Mud Springs Canyon,
211 Carcass Canyon, Scorpion, Bryce Boot, Paria-Hackberry Canyons, Fiftymile Canyon,
212 Hurricane Wash, Upper Kanab Creek, Timber Mountain, Nephi Point, Paradise Canyon,
213 Wahweap Burning Hills, Fiftymile Bench, Forty Mile Gulch, Sooner Bench 1, 2, & 3, Rock

214 Cove, Warm Bench, Andalex Not, Vermillion Cliffs, Ladder Canyon, The Cockscomb, Nipple
215 Bench, Moquith Mountain, Bunting Point, Glass Eye Canyon, and Pine Hollow, according to
216 the region map entitled "Grand Staircase Escalante" linked at the webpage entitled "Citizen's
217 Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the
218 webpage existed on February 17, 2011; and

219 (B) Orderville Canyon, Jolley Gulch, and Parunuweap Canyon, according to the region
220 map entitled "Zion/Mohave" linked at the webpage entitled "Citizen's Proposal for Wilderness
221 in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on
222 February 17, 2011;

223 (xi) in Millard County: Kern Mountains, Wild Horse Pass, Disappointment Hills,
224 Granite Mountain, Middle Mountains, Tule Valley, Swasey Mountain, Little Drum Mountains
225 North, Little Drum Mountains South, Drum Mountains, Snake Valley, Coyote Knoll, Howell
226 Peak, Tule Valley South, Ledger Canyon, Chalk Knolls, Orr Ridge, Notch View, Bullgrass
227 Knoll, Notch Peak, Barn Hills, Cricket Mountains, Burbank Pass, Middle Burbank Hills, King
228 Top, Barn Hills, Red Tops, Middle Burbank Hills, Juniper, Painted Rock Mountain, Black
229 Hills, Tunnel Springs, Red Canyon, Sand Ridge, Little Sage Valley, Cat Canyon, Headlight
230 Mountain, Black Hills, Mountain Range Home North, Tweedy Wash, North Wah Wah
231 Mountains, Jackson Wash, and San Francisco Mountains, according to the region map entitled
232 "Great Basin Central" linked in the webpage entitled "Citizen's Proposal for Wilderness in
233 Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on
234 February 17, 2011;

235 (xii) in Piute County: Kingston Ridge, Rocky Ford, and Phonolite Hill, according to
236 the region map entitled "Great Basin South" linked in the webpage entitled "Citizen's Proposal
237 for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage
238 existed on February 17, 2011;

239 (xiii) in San Juan County:

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

245 2011;

246 (B) Dark Canyon, Copper Point, Fortknocker Canyon, White Canyon, The Needle, Red
247 Rock Plateau, Upper Red Canyon, and Tuwa Canyon, according to the region map entitled
248 "Glen Canyon," which is available by clicking the link entitled "Dirty Devil" at the webpage
249 entitled "Citizen's Proposal for Wilderness in Utah" at
250 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
251 2011;

252 (C) Hunters Canyon, Behind the Rocks, Mill Creek, and Coyote Wash, according to
253 the region map entitled "Moab/La Sal" linked at the webpage entitled "Citizen's Proposal for
254 Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage
255 existed on February 17, 2011; and

256 (D) Hammond Canyon, Allen Canyon, Mancos Jim Butte, Arch Canyon, Monument
257 Canyon, Tin Cup Mesa, Cross Canyon, Nokai Dome, Grand Gulch, Fish and Owl Creek
258 Canyons, Comb Ridge, Road Canyon, The Tabernacle, Lime Creek, San Juan River, and
259 Valley of the Gods, according to the region map entitled "San Juan" linked at the webpage
260 entitled "Citizen's Proposal for Wilderness in Utah" at
261 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
262 2011;

263 (xiv) in Sevier County: Rock Canyon, Mussentuchit Badland, Limestone Cliffs, and
264 Jones' Bench, according to the region map entitled "San Rafael Swell" linked at the webpage
265 entitled "Citizen's Proposal for Wilderness in Utah" at
266 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
267 2011;

268 (xv) in Tooele County:

269 (A) Silver Island Mountains, Crater Island East, Grassy Mountains North, Grassy
270 Mountains South, Stansbury Island, Cedar Mountains North, Cedar Mountains Central, Cedar
271 Mountains South, North Stansbury Mountains, Oquirrh Mountains, and Big Hollow, according
272 to the region map entitled "Great Basin North" linked in the webpage entitled "Citizen's
273 Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the
274 webpage existed on February 17, 2011, excluding the areas that Congress designated as
275 wilderness under the National Defense Authorization Act for Fiscal Year 2006; and

276 (B) Ochre Mountain, Deep Creek Mountains, Dugway Mountains, Indian Peaks, and
277 Lion Peak, according to the region map entitled "Great Basin Central" linked in the webpage
278 entitled "Citizen's Proposal for Wilderness in Utah" at
279 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
280 2011;

281 (xvi) in Uintah County:

282 (A) White River, Lower Bitter Creek, Sunday School Canyon, Dragon Canyon, Wolf
283 Point, Winter Ridge, Seep Canyon, Bitter Creek, Hideout Canyon, Sweetwater Canyon, and
284 Hell's Hole, according to the region map entitled "Book Cliffs" linked in the webpage entitled
285 "Citizen's Proposal for Wilderness in Utah" at
286 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
287 2011; and

288 (B) Lower Flaming Gorge, Crouse Canyon Stone Bridge Draw, Diamond Mountain,
289 Wild Mountain, Split Mountain Benches, Vivas Cake Hill, Split Mountain Benches South,
290 Beach Draw, Stuntz Draw, Moonshine Draw, Bourdette Draw, and Bull Canyon, according to
291 the region map entitled "Dinosaur" linked in the webpage entitled "Citizen's Proposal for
292 Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage
293 existed on February 17, 2011;

294 (xvii) in Washington County: Cougar Canyon, Docs Pass, Slaughter Creek, Butcher
295 Knife Canyon, Square Top, Scarecrow Creek, Beaver Dam Wash, Beaver Dam Mountains
296 North, Beaver Dam Mountains South, Joshua Tree, Beaver Dam Wilderness Expansion, Red
297 Mountain, Cottonwood Canyon, Taylor Canyon, LaVerkin Creek, Beartrap Canyon, Deep
298 Creek, Black Ridge, Red Butte, Kolob Creek, Goose Creek, Dry Creek, Zion National Park
299 Adjacents, Crater Hill, The Watchman, and Canaan Mountain, according to the region map
300 entitled "Zion/Mohave" linked at the webpage entitled "Citizen's Proposal for Wilderness in
301 Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on
302 February 17, 2011, excluding the areas that Congress designated as wilderness and
303 conservation areas under the Omnibus Public Lands Management Act of 2009; and

304 (xviii) in Wayne County:

305 (A) Sweetwater Reef, Upper Horseshoe Canyon, and Labyrinth Canyon, according to
306 the region map entitled "Canyonlands Basin" linked in the webpage entitled "Citizen's Proposal

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

309 (B) Flat Tops and Dirty Devil, according to the region map entitled "Glen Canyon,"
310 which is available by clicking the link entitled "Dirty Devil" at the webpage entitled "Citizen's
311 Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the
312 webpage existed on February 17, 2011;

313 (C) Fremont Gorge, Pleasant Creek Bench, Notom Bench, Mount Ellen, and Bull
314 Mountain, according to the region map entitled "Henry Mountains" linked at the webpage
315 entitled "Citizen's Proposal for Wilderness in Utah" at
316 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
317 2011; and

318 (D) Capital Reef Adjacents, Muddy Creek, Wild Horse Mesa, North Blue Flats, Red
319 Desert, and Factory Butte, according to the region map entitled "San Rafael Swell" linked at
320 the webpage entitled "Citizen's Proposal for Wilderness in Utah" at
321 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,
322 2011.

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

325 (c) "Subject lands" does not include the following lands that are the subject of
326 consideration for a possible federal lands bill and should be managed according to the 2008
327 Price BLM Field Office Resource Management Plan until a federal lands bill provides
328 otherwise:

329 (i) Turtle Canyon and Desolation Canyon according to the region map entitled "Book
330 Cliffs" linked in the webpage entitled "Citizen's Proposal for Wilderness in Utah" at
331 <http://protectwildutah.org/proposal/index.html> as the webpage existed on February 17, 2011;

332 (ii) Labyrinth Canyon, Duma Point, and Horseshoe Point, according to the region map
333 entitled "Canyonlands Basin" linked in the webpage entitled "Citizen's Proposal for Wilderness
334 in Utah" at <http://protectwildutah.org/proposal/index.html> as the webpage existed on February
335 17, 2011; and

336 (iii) Devil's Canyon, Sid's Mountain, Mexican Mountain, San Rafael Reef, Hondu
337 Country, Cedar Mountain, and Wild Horse, according to the region map entitled "San Rafael

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

340 ~~[(20)]~~ (21) "Uintah Basin Energy Zone" means BLM, Forest Service, and SITLA lands
341 situated in the following townships in Daggett, Duchesne, and Uintah Counties, as more fully
342 illustrated in the map prepared by the Uintah County GIS Department in February 2012 entitled
343 "Uintah Basin Utah Energy Zone":

344 (a) in Daggett County, Township 3N Range 17 E, Township 3N Range 18E, Township
345 3N Range 19E, Township 3N Range 20E, Township 3N Range 22E, Township 3N Range 23E,
346 Township 3N Range 24E, Township 3N Range 25E, Township 2N Range 17E, Township 2N
347 Range 18E, Township 2N Range 19E, Township 2N Range 20E, Township 2N Range 21E, and
348 Township 2S Range 25E;

349 (b) in Duchesne County, Township 3N Range 4W, Township 3N Range 3W, Township
350 3N Range 2W, Township 3N Range 1W, Township 2N Range 6W, Township 2N Range 5W,
351 Township 2N Range 4W, Township 2N Range 3W, Township 2N Range 1W, Township 1N
352 Range 9W, Township 1N Range 8W, Township 1N Range 7W, Township 1N Range 6W,
353 Township 1S Range 9W, Township 1S Range 8W, Township 4S Range 9W, Township 4S
354 Range 3W, Township 4S Range 2W, Township 4S Range 1W, Township 8S Range 15E,
355 Township 8S Range 16E, Township 8S Range 17E, Township 5S Range 9W, Township 5S
356 Range 3W, Township 9S Range 15E, Township 9S Range 16E, Township 9S Range 17E,
357 Township 6S Range 9W, Township 6S Range 8W, Township 6S Range 7W, Township 6S
358 Range 6W, Township 6S Range 5W, Township 6S Range 3W, Township 10S Range 15E,
359 Township 10S Range 16E, Township 10S Range 17E, Township 7S Range 9W, Township 7S
360 Range 8W, Township 7S Range 7W, Township 7S Range 6W, Township 7S Range 5W,
361 Township 7S Range 4W, Township 10S Range 11E, Township 10S Range 12E, Township 10S
362 Range 13E, Township 10S Range 14E, Township 10S Range 15E, Township 10S Range 16E,
363 Township 10S Range 17E, Township 11S Range 10E, Township 11S Range 11E, Township
364 11S Range 12E, Township 11S Range 13E, Township 11S Range 14E, Township 11S Range
365 15E, Township 11S Range 16E, and Township 11S Range 17E; and

366 (c) in Uintah County: Township 2S Range 18E, Township 2S Range 19E, Township
367 2S Range 20E, Township 2S Range 21E, Township 2S Range 22E, Township 2S Range 23E,
368 Township 2S Range 24E, Township 2N Range 1W, Township 2N Range 1E, Township 2N

369 Range 2E, Township 3S Range 18E, Township 3S Range 19E, Township 3S Range 20E,
 370 Township 3S Range 21E, Township 3S Range 22E, Township 3S Range 23E, Township 3S
 371 Range 24E, Township 4S Range 19E, Township 4S Range 20E, Township 4S Range 21E,
 372 Township 4S Range 22E, Township 4S Range 23E, Township 4S Range 24E, Township 4S
 373 Range 25E, Township 5S Range 19E, Township 5S Range 20E, Township 5S Range 21E,
 374 Township 5S Range 22E, Township 5S Range 23E, Township 5S Range 24E, Township 5S
 375 Range 25E, Township 6S Range 19E, Township 6S Range 20E, Township 6S Range 21E,
 376 Township 6S Range 22E, Township 6S Range 23E, Township 6S Range 24E, Township 6S
 377 Range 25E, Township 7S Range 19E, Township 7S Range 20E, Township 7S Range 21E,
 378 Township 7S Range 22E, Township 7S Range 23E, Township 7S Range 24E, Township 7S
 379 Range 25E, Township 8S Range 17E, Township 8S Range 18E, Township 8S Range 19E,
 380 Township 8S Range 20E, Township 8S Range 21E, Township 8S Range 22E, Township 8S
 381 Range 23E, Township 8S Range 24E, Township 8S Range 25E, Township 9S Range 17E,
 382 Township 9S Range 18E, Township 9S Range 19E, Township 9S Range 20E, Township 9S
 383 Range 21E, Township 9S Range 22E, Township 9S Range 23E, Township 9S Range 24E,
 384 Township 9S Range 25E, Township 10S Range 17E, Township 10S Range 18E, Township 10S
 385 Range 19E, Township 10S Range 20E, Township 10S Range 21E, Township 10S Range 22E,
 386 Township 10S Range 23E, Township 10S Range 24E, Township 10S Range 25E, Township
 387 11S Range 17E, Township 11S Range 18E, Township 11S Range 19E, Township 11S Range
 388 20E, Township 11S Range 21E, Township 11S Range 22E, Township 11S Range 23E,
 389 Township 11S Range 24E, Township 11S Range 25E, Township 12S Range 20E, Township
 390 12S Range 21E, Township 12S Range 22E, Township 12S Range 23E, Township 12S Range
 391 24E, Township 12S Range 25E, Township 13S Range 20E, Township 13S Range 21E,
 392 Township 13S Range 22E, Township 13S Range 23E, Township 13S Range 24E, Township
 393 13S Range 25E, Township 13S Range 26 E, Township 14S Range 21E, Township 14S Range
 394 22E, Township 14S Range 23E, Township 14S Range 24E, Township 14S Range 25E, and
 395 Township 14S Range 26E.

396 ~~[(21)]~~ (22) "Wilderness" is as defined in 16 U.S.C. Sec. 1131.

397 ~~[(22)]~~ (23) "Wilderness area" means those BLM and Forest Service lands added to the
 398 National Wilderness Preservation System by an act of Congress.

399 ~~[(23)]~~ (24) "Wilderness Preservation System" means the Wilderness Preservation

400 System established in 16 U.S.C. Sec. 1131 et seq.

401 ~~[(24)]~~ (25) "WSA" and "Wilderness Study Area" mean the BLM lands in Utah that
402 were identified as having the necessary wilderness character and were classified as wilderness
403 study areas during the BLM wilderness review conducted between 1976 and 1993 by authority
404 of 43 U.S.C. Sec. 1782 and labeled as Wilderness Study Areas within the final report of the
405 President of the United States to the United States Congress in 1993.

406 Section 2. Section **63J-8-105** is amended to read:

407 **63J-8-105. Maps available for public review.**

408 A printed copy of the maps referenced in Subsections 63J-8-102~~[(11) and (19)]~~(5), (20),
409 ~~and (21)~~ shall be available for inspection by the public at the offices of the Utah Association of
410 Counties.

411 Section 3. Section **63J-8-105.6** is enacted to read:

412 **63J-8-105.6. Escalante Region Grazing Zone established -- Findings --**
413 **Management and land use priorities.**

414 (1) There is established the Escalante Region Grazing Zone in Garfield and Kane
415 Counties for the purpose of:

416 (a) recognizing and preserving the significant history, culture, custom, and values of
417 the grazing industry within the designation; and

418 (b) maximizing efficient and responsible preservation, enhancement, and development
419 of grazing practices and affected natural, historical, and cultural activities within the
420 designation.

421 (2) The land area and boundaries of the Escalante Region Grazing Zone are described
422 in Subsection 63J-8-102(5) and illustrated on the map described in Section 63J-8-105.

423 (3) The state finds that:

424 (a) grazing on the lands comprising the Escalante Region Grazing Zone has provided a
425 significant contribution to the history, customs, culture, and values of the area for more than
426 100 years;

427 (b) abundant natural and vegetative resources exist within the Escalante Region
428 Grazing Zone to support and expand continued, responsible grazing activities;

429 (c) grazing and its associated historic resources, its long and dignified human history,
430 its shaping of human endeavors in the American West, its variety of cultural resources,

431 affiliation, type and distribution, its landmarks, structures, and other objects of historic or
432 scientific interest are worthy of and have been recognized for protection by local, state, and
433 federal governments;

434 (d) the highest management priorities for lands within the Escalante Region Grazing
435 Zone are responsible management, enhancement, and development of existing and future
436 grazing resources in order to provide protection for the resources, objects, customs, culture, and
437 values identified above;

438 (e) responsible development of abundant deposits of energy and mineral resources,
439 including oil, natural gas, oil shale, oil sands, coal, phosphate, gold, uranium, and copper, as
440 well as areas with high wind and solar energy potential, are compatible with grazing activities
441 in the Escalante Region Grazing Zone; and

442 (f) responsible development of abundant recreation resources, including roads,
443 campgrounds, water resources, trails, OHV use, sightseeing, canyoneering, and hiking are
444 compatible with grazing activities in the Escalante Region Grazing Zone.

445 (4) The state supports:

446 (a) efficient and responsible full development of all permitted existing and future
447 grazing resources in the Escalante Region Grazing Zone; and

448 (b) a cooperative management approach by federal agencies, the state of Utah, and
449 local governments to achieve broadly supported management plans for the full development of
450 all grazing resources within the Escalante Region Grazing Zone.

451 (5) The state requests that the federal agencies that administer lands within the
452 Escalante Region Grazing Zone:

453 (a) fully cooperate and coordinate with the state of Utah and with Garfield and Kane
454 Counties to develop, amend, and implement land and resource management plans and
455 implement management decisions that are consistent with the purposes, goals, and policies
456 described in this section to the maximum extent allowed under federal law;

457 (b) expedite the processing, granting, and streamlining of grazing permits, range
458 improvements, and applications to enhance and otherwise develop all existing and permitted
459 grazing resources located within the Escalante Region Grazing Zone, including renewable
460 vegetative resources;

461 (c) allow continued maintenance and increased development of roads, power lines,

462 pipeline infrastructure, and other utilities necessary to achieve the goals, purposes, and policies
463 described in this section and consistent with multiple use/sustained yield principles;

464 (d) refrain from any planning decisions and management actions that will undermine,
465 restrict, or diminish the goals, purposes, and policies for the Escalante Region Grazing Zone as
466 stated in this section; and

467 (e) refrain from implementing a policy that is contrary to the goals and purposes
468 described within this section.

469 (6) The state calls upon Congress to establish an intergovernmental standing
470 commission, with membership consisting of representatives from the United States
471 government, the state of Utah, and local governments to guide and control planning decisions
472 and management actions in the Escalante Region Grazing Zone in order to achieve the goals,
473 purposes, and policies described in this section.

474 (7) Notwithstanding the provisions of this section, the state's mineral, oil, gas, and
475 energy policies and plans on land within the Escalante Region Grazing Zone shall continue to
476 be governed by Sections 63J-4-401 and 63J-8-104.

477 Section 4. **Effective date.**

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

Legislative Review Note
as of 2-27-13 9:29 AM

Office of Legislative Research and General Counsel