

- 28 63L-7-101, Utah Code Annotated 1953
- 29 63L-7-102, Utah Code Annotated 1953
- 30 63L-7-103, Utah Code Annotated 1953
- 31 63L-7-104, Utah Code Annotated 1953
- 32 63L-7-105, Utah Code Annotated 1953
- 33 63L-7-106, Utah Code Annotated 1953
- 34 63L-7-107, Utah Code Annotated 1953
- 35 63L-7-108, Utah Code Annotated 1953
- 36 63L-7-109, Utah Code Annotated 1953

37 

---

---

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

39 Section 1. Section 63L-7-101 is enacted to read:

40 **CHAPTER 7. UTAH WILDERNESS ACT**

41 **63L-7-101. Title.**

42 This chapter is known as the "Utah Wilderness Act."

43 Section 2. Section 63L-7-102 is enacted to read:

44 **63L-7-102. Purpose.**

45 (1) The purpose of this chapter is to:

46 (a) secure for the people of Utah, present and future generations, as well as for visitors  
47 to Utah, the benefits of an enduring resource of wilderness on designated state-owned lands;

48 ~~Ĥ→ [(b) recognize and protect in perpetuity areas where the earth and its community of life~~  
49 ~~are untrammelled by humans and where humans are visitors that do not remain;~~

50 ~~———(c)] (b) ←Ĥ provide a window into the natural world, into which our pioneer forebears~~  
50a ~~ventured~~

51 ~~and formed our collective story and character;~~

52 ~~Ĥ→ [(d)] (c) ←Ĥ recognize that the preservation of wilderness shall be part of a balanced~~  
52a ~~pattern of~~

53 ~~multiple land uses;~~

54 ~~Ĥ→ [(e)] (d) ←Ĥ demonstrate the proper stewardship of certain primitive lands by~~  
54a ~~providing the~~

55 ~~protection to allow natural forces to operate; and~~

56 ~~Ĥ→ [(f)] (e) ←Ĥ create a Utah wilderness preservation system.~~

57 ~~(2) No state-owned lands may be designated as a protected wilderness area except as~~  
58 ~~provided in this chapter.~~

59 (3) This chapter does not apply to lands owned or acquired by the School and  
 60 Institutional Trust Lands Administration.

61 Section 3. Section **63L-7-103** is enacted to read:

62 **63L-7-103. Definitions.**

63 As used in this chapter:

64 (1) "Acquisition date" means the day on which the state received title to land.

65 (2) "Conservation area" means an area that potentially has wilderness characteristics.

66 (3) "DNR" means the Department of Natural Resources.

67 (4) "PLPCO" means the Public Lands Policy Coordination Office.

68 (5) "Protected wilderness area" means an area of wilderness that has been designated  
 69 under this chapter as part of the Utah wilderness preservation system.

70 (6) "Road" means a road classified as either a class B road, as described in Section  
 71 72-3-103, or a class D road, as described in Section 72-3-105.

72 (7) "Roadless area" means an area without a road, as defined in Subsection (6).

73 (8) "Wilderness" means a roadless area of undeveloped state-owned land, other than  
 74 land owned by the School and Institutional Trust Lands Administration, that:

75 (a) is acquired by the state from the federal government through purchase, exchange,  
 76 grant, or any other means of conveyance of title after May 13, 2014;

77 (b) retains its primeval character and influence, without permanent improvements or  
 78 human habitation;

79 (c) generally appears to have been affected primarily by the forces of nature, with  
 80 minimal human impact;

81 ~~Ĥ→ [(d) is an area where the earth and its community of life are untrammelled by humans,~~  
 82 ~~where humans are visitors who do not remain, and where the imprint of human work is~~  
 83 ~~substantially unnoticeable;~~

84 ~~——~~ ~~(e)] (d) ←Ĥ~~ has at least 5,000 contiguous acres of land, or is of sufficient size as to make  
 85 practicable its preservation and use in an unimpaired condition;

86 ~~Ĥ→ [(f)] (e) ←Ĥ~~ has outstanding opportunities for solitude, or a primitive and  
 86a unconfined type of  
 87 recreation; and

88 ~~Ĥ→ [(g)] (f) ←Ĥ~~ may contain ecological, geological, or other features of scientific,  
 88a educational,  
 89 scenic, or historical value.

90 Section 4. Section **63L-7-104** is enacted to read:

91 **63L-7-104. Identification of a potential wilderness area.**

92 (1) (a) Subject to Subsection (1)(b), the director of PLPCO, within one year of the  
 93 acquisition date, shall identify within a parcel of acquired land any conservation areas.

94 (b) Before identifying a parcel of land as a conservation area, the director of PLPCO  
 95 shall:

96 (i) inform ~~H~~→ [the board of trustees of] ←~~H~~ the School and Institutional Trust Lands  
 97 Administration that a parcel is being considered for designation as a conservation area; and

98 (ii) provide ~~H~~→ [the board of trustees of] ←~~H~~ the School and Institutional Trust Lands  
 99 Administration with the opportunity to trade out land owned by the School and Institutional  
 100 Trust Lands Administration for the parcel in question ~~H~~→ , subject to reaching an exchange  
 100a agreement with the agency that manages the parcel ←~~H~~ .

101 (2) The director of PLPCO shall:

102 (a) file a map and legal description of each identified conservation area with the  
 103 governor, the Senate, and the House of Representatives;

104 (b) maintain, and make available to the public, records pertaining to identified  
 105 conservation areas, including:

106 (i) maps;

107 (ii) legal descriptions;

108 (iii) copies of proposed regulations governing the conservation area; and

109 (iv) copies of public notices of, and reports submitted to the Legislature, regarding  
 110 pending additions, eliminations, or modifications to a conservation area; and

111 (c) within five years of the date of acquisition:

112 (i) review each identified conservation area for its suitability to be classified as a  
 113 protected wilderness area; and

114 (ii) report the findings under Subsection (2)(c)(i) to the governor.

115 (3) The records described in Subsection (2)(b) shall be available for inspection at:

116 (a) the PLPCO office;

117 (b) the main office of DNR;

118 (c) a regional office of the Division of Forestry, Fire, and State Lands for any record  
 119 that deals with an identified conservation area in that region; and

120 (d) the Division of Parks and Recreation.

183 (c) scenic, scientific, educational, and historical use.

184 (4) Commercial services may be performed within a protected wilderness area to the  
 185 extent necessary to support the activities described in Subsection (3).

186 (5) Within an area designated as a protected wilderness area by this chapter:

187 (a) subject to the rules established by DNR, the use of a motor vehicle, aircraft, or  
 188 motorboat is authorized where:

189 (i) the use of a motor vehicle, aircraft, or motorboat is already established;

190 (ii) the motor vehicle, aircraft, or motorboat is used by the Division of Wildlife  
 191 Resources in furtherance of its wildlife management responsibilities, as described in Title 23,  
 192 Wildlife Resources Code of Utah; or

193 (iii) the use of a motor vehicle, aircraft, or motorboat is necessary for emergency  
 194 services or law enforcement purposes; and

195 (b) measures may be taken, under the direction of the director of the Division of  
 196 Forestry, Fire, and State Lands, as necessary to ~~H→~~ ~~[suppress and maintain]~~ ~~manage~~ ~~←H~~ fire,  
 196a insects, ~~H→~~ ~~habitat~~, ~~←H~~ and  
 197 diseases.

198 (6) Nothing in this chapter shall prevent, within a designated protected wilderness area,  
 199 any activity, including prospecting, if the activity is conducted in a manner compatible with the  
 200 preservation of the wilderness environment, subject to such conditions as the executive director  
 201 of DNR considers desirable.

202 (7) The executive director of DNR shall develop and conduct surveys of wilderness  
 203 areas:

204 (a) on a planned, recurring basis;

205 (b) in a manner consistent with wildlife management and preservation principles;

206 (c) in order to determine the mineral values, if any, that may be present in wilderness  
 207 areas; and

208 (d) make a completed survey available to the public, the governor, and the Legislature.

209 (8) Notwithstanding any other provision of this chapter, until midnight December 31,  
 210 2034:

211 (a) state laws pertaining to mining and mineral leasing shall, to the extent applicable  
 212 before May 13, 2014, extend to wilderness areas designated under this chapter, subject to  
 213 reasonable regulation governing ingress and egress as may be prescribed by the executive

245 (1) In case where privately owned land is completely surrounded by lands within  
 246 areas designated by this chapter as protected wilderness:

247 (a) the private landowner shall be given rights as may be necessary to ensure adequate  
 248 access to the privately owned land by the private owner and any successors in interest; or

249 (b) the privately owned land shall be exchanged for state-owned land of approximately  
 250 equal value.

250a **Ĥ→ (2) If the School Institutional Trust Lands Administration owns land that is completely**  
 250b **surrounded by lands within areas designated by this chapter as protected wilderness:**

250c (a) the School Institutional Trust Lands Administration shall be given rights as may be  
 250d necessary to ensure adequate access to the land owned by the School Institutional Trust Lands  
 250e Administration and any successors in interest; or

250f (b) the land owned by the School Institutional Trust Lands Administration may be  
 250g exchanged for state-owned land of approximately equal value.

251 ~~[(2)]~~ **(3) ←Ĥ** If a valid mining claim or other valid occupancy is located wholly within a  
 252 protected wilderness area, the executive director of DNR shall, by reasonable regulations  
 253 consistent with the preservation of the area as wilderness, permit ingress and egress to such  
 254 surrounded areas by means which have been, or are being, customarily enjoyed with respect to  
 255 other similarly situated areas.

256 **Ĥ→** ~~[(3)]~~ **(4) ←Ĥ** Subject to available funds, PLPCO is authorized to acquire land, or  
 256a interest in land,  
 257 through purchase from a private landowner.

258 Section 8. Section **63L-7-108** is enacted to read:

259 **63L-7-108. Gifts, bequests, and contributions.**

260 (1) The executive director of DNR may accept gifts or bequests of land:

261 (a) within protected wilderness areas designated pursuant to this chapter for  
 262 preservation as wilderness; and

263 (b) adjacent to designated protected wilderness areas, if the executive director of DNR  
 264 gives 60 days advance notice to the governor.

265 (2) Land accepted by the executive director of DNR under this section:

266 (a) shall become part of the protected wilderness area involved; and

267 (b) is subject to:

268 (i) the same regulations made under this chapter; and

269 (ii) any conditions that were made at the time the gift or bequest was made that are  
 270 consistent with the regulations made under this chapter.

271 Section 9. Section **63L-7-109** is enacted to read:

272 **63L-7-109. Annual reports.**

273 (1) The director of PLPCO shall report to the governor, for transmission to the  
 274 Legislature, on:

275 (a) the status of the Utah wilderness preservation system;