

1 SENTINEL LANDSCAPE DESIGNATION

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: John Knotwell

5 Senate Sponsor: _____

6
7 LONG TITLE

8 General Description:

9 This bill establishes the West Traverse Sentinel Landscape Act.

10 Highlighted Provisions:

11 This bill:

- 12 ▶ creates the West Traverse Sentinel Landscape Coordinating Committee;
- 13 ▶ provides for membership of the committee;
- 14 ▶ describes the purpose of the committee as facilitating a buffer zone around Camp
- 15 Williams in order to maintain the mission of the base;
- 16 ▶ requires an annual report to the governor and Legislature; and
- 17 ▶ creates the West Traverse Sentinel Landscape Fund.

18 Money Appropriated in this Bill:

19 None

20 Other Special Clauses:

21 None

22 Utah Code Sections Affected:

23 ENACTS:

24 39-10-101, Utah Code Annotated 1953

25 39-10-102, Utah Code Annotated 1953

26 39-10-103, Utah Code Annotated 1953

27 39-10-104, Utah Code Annotated 1953



28 [39-10-105](#), Utah Code Annotated 1953



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

31 Section 1. Section **39-10-101** is enacted to read:

32 **CHAPTER 10. WEST TRAVERSE SENTINEL LANDSCAPE ACT**

33 **39-10-101. Title -- West Traverse Sentinel Landscape Act -- Purpose.**

34 (1) This chapter is known as "West Traverse Sentinel Landscape Act."

35 (2) The purpose of this act is to:

36 (a) identify lands adjacent to Camp Williams that are important to the nation's defense
37 mission;

38 (b) preserve and enhance the relationship between adjacent landowners and Camp
39 Williams; and

40 (c) create incentives to encourage adjacent landowners to adopt land management
41 practices consistent with Camp Williams's military mission.

42 Section 2. Section **39-10-102** is enacted to read:

43 **39-10-102. Area designation -- West Traverse Sentinel Landscape.**

44 (1) The compatible use buffer area surrounding Camp Williams shall be known as the
45 West Traverse Sentinel Landscape.

46 (2) Lands designated by the committee established in Section [39-10-103](#) and lands
47 acquired or encumbered through the Camp Williams Army Compatible Use Buffer (ACUB)
48 Program shall be added to the buffer area.

49 Section 3. Section **39-10-103** is enacted to read:

50 **39-10-103. West Traverse Sentinel Landscape Coordinating Committee.**

51 (1) There is created the West Traverse Sentinel Landscape Coordinating Committee.

52 (2) The committee shall be composed of the following members:

53 (a) the adjutant general of the Utah National Guard or the adjutant general's designee;

54 (b) the executive director of the Department of Veterans and Military Affairs or the
55 director's designee;

56 (c) a landowner, selected by the chair, who owns property within the sentinel landscape
57 area;

58 (d) a representative from a land conservation organization in Utah recognized as

59 accredited under the standards and practices of the Land Trust Accreditation Commission;

60 (e) a representative from each municipality adjacent to Camp Williams, at the
61 discretion of the municipality;

62 (f) one representative each from Salt Lake, Utah, and Tooele counties, at the discretion
63 of the county governing body;

64 (g) a representative from a nongovernmental land management organization; and

65 (h) three members selected from state or local government agencies that participate in
66 land management activities.

67 (3) Committee members shall be selected and serve in accordance with this Subsection
68 (3).

69 (a) The committee member representing Subsection (2)(c) shall be selected by the chair
70 from a list of nominees presented by local officials.

71 (b) The committee members representing Subsections (2)(d) and (g) shall be invited to
72 participate by the chair with the approval of a majority of the committee.

73 (c) Each incorporated municipality bordering Camp Williams shall, at its discretion no
74 later than July 1 of each year, provide the chair with the name of the individual who will
75 represent the municipality on the committee, as provided in Subsection (2)(e). If the
76 municipality declines to be represented on the committee, it shall send a letter to the chair on
77 the municipality's letterhead stating that no individual will be appointed.

78 (d) If a county, as provided in Subsection (2)(f), declines to be represented on the
79 committee, it shall send a letter to the chair on the county's letterhead not later than July 1 of
80 each year stating that no individual will be appointed.

81 (e) The committee chair shall request the appointment of members representing
82 Subsection (2)(h) from:

83 (i) the governor if the request is for a member from a state agency; or

84 (ii) the mayor or governing body of a local government entity if the request is for a
85 member from a local government agency.

86 (4) The committee shall meet at the call of the chair, but not less than once each
87 quarter.

88 (5) A member may not receive compensation or benefits for the member's service but
89 may receive per diem and travel expenses in accordance with:

- 90 (a) Section 63A-3-106;
91 (b) Section 63A-3-107; and
92 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
93 63A-3-107.
- 94 (6) The Utah National Guard shall provide staff support for the committee.
95 Section 4. Section **39-10-104** is enacted to read:
96 **39-10-104. Committee responsibilities.**
- 97 (1) The committee shall:
98 (a) identify lands to be included in the designated sentinel landscape;
99 (b) develop strategies and recommendations to encourage landowners within the
100 sentinel landscape to voluntarily participate in and begin or continue land uses compatible with
101 Camp Williams's military mission;
102 (c) in conjunction with the Utah National Guard, develop policies and procedures to
103 administer the fund created in Section 39-10-105; and
104 (d) publish any policies and procedures as administrative rules in accordance with Title
105 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 106 (2) In designating sentinel lands, the coordinating committee shall include all working
107 or natural lands that the coordinating committee believes contribute to the long-term
108 sustainability of the military missions conducted at Camp Williams.
- 109 (3) The committee shall determine the appropriate level of state resources required to
110 adequately protect Camp Williams's military mission and may apply for grants from the LeRay
111 McAllister Critical Lands Conservation Fund to aid in securing those resources.
- 112 (4) In determining lands to designate, the coordinating committee shall seek input
113 from:
- 114 (a) the director of the Department of Defense Readiness and Environmental Protection
115 Integration Program;
116 (b) the director of the National Guard Bureau Army Compatible Use Buffer Program,
117 as authorized under 10 U.S.C. Sec. 2684(a);
118 (c) the adjutant general of the Utah National Guard;
119 (d) the Utah National Guard construction and facilities management officer;
120 (e) the commander of Camp Williams;

- 121 (f) the commissioner of the Department of Agriculture;
- 122 (g) the executive director of the Department of Natural Resources;
- 123 (h) county officials from any county where proposed lands are located;
- 124 (i) city officials from communities surrounding Camp Williams; and
- 125 (j) any other persons or organizations the adjutant general considers appropriate.

126 (5) The committee will conduct and coordinate public awareness and education efforts
 127 to ensure surrounding communities are informed and given the opportunity to provide input.

128 (6) The committee will provide recommendations to conduct studies and engineering
 129 and design services.

130 (7) The committee shall provide a written report of its activities no later than October
 131 31 annually to:

- 132 (a) the governor;
- 133 (b) the Government Operations Interim Committee; and
- 134 (c) the Executive Offices and Criminal Justice Appropriations Subcommittee.

135 Section 5. Section **39-10-105** is enacted to read:

136 **39-10-105. West Traverse Sentinel Landscape Fund.**

137 (1) As used in this section:

138 (a) "Committee" means the West Traverse Sentinel Landscape Coordinating
 139 Committee created in Section [39-10-103](#).

140 (b) "Fund" means the West Traverse Sentinel Landscape Fund.

141 (2) There is created a restricted account within the General Fund known as the West
 142 Traverse Sentinel Landscape Fund.

143 (3) The fund shall consist of:

- 144 (a) appropriations from the Legislature; and
- 145 (b) grants or donations from other public or private sources.

146 (4) The fund shall be administered by the Utah National Guard and the committee.

147 (5) The purpose of the fund shall be to provide:

148 (a) matching funds for established federal funding programs concerning sentinel
 149 landscapes;

150 (b) matching funds for local and private funding programs that assist with sentinel
 151 landscape designations; and

152 (c) incentives for landowners who voluntarily participate in land management practices
153 that are consistent with Camp Williams's military missions.

154 (6) The committee shall determine annually an appropriate level of resources required
155 to adequately protect Camp Williams's military mission and make an appropriation request
156 through the Utah National Guard to the Legislature for necessary funds to carry out the
157 committee's purpose.

158 (7) Funds may only be used for landscapes that qualify under:

159 (a) the Army Compatible Use Buffer Program guidelines or similar regulations as a
160 federal program whose purpose is to secure landscapes that serve to buffer military
161 installations;

162 (b) Internal Revenue Code guidelines in 26 U.S.C. Sec. 170(h); or

163 (c) local municipal or county guidelines established through the committee and
164 consistent with Camp Williams's military mission.

165 (8) Funds used for projects with matching federal funding may not exceed a
166 one-to-four match with federal funds.

Legislative Review Note
Office of Legislative Research and General Counsel