

LIVESTOCK GRAZING AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl R. Albrecht

Senate Sponsor: Scott D. Sandall

LONG TITLE

General Description:

This bill makes changes to provisions relating to grazing under the Utah Public Land Management Act.

Highlighted Provisions:

This bill:

- ▶ recognizes a federal grazing ~~H→~~ [permit or lease] allotment ~~←H~~ as a valid existing right in range management; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63L-11-302, as enacted by Laws of Utah 2021, Chapter 382

ENACTS:

63L-8-404, Utah Code Annotated 1953

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

Section 1. Section **63L-8-404** is enacted to read:



28 **63L-8-404. Valid existing right.**

29 (1) As used in this section, "valid existing right" means an interest in property that a
 30 person secures by meeting the requirements of this section.

31 (2) A property right associated with a ~~H→ [permit or lease to graze domestic livestock]~~
 31a **grazing allotment ←H** on
 32 public lands is a valid existing right if the ~~H→ [permit or lease holder]~~ **owner of the grazing**
 32a **allotment ←H** :

33 (a) has a valid permit or lease issued by a federal agency that authorizes the permit or
 34 lease holder to use the public lands for grazing domestic livestock;

35 (b) grazes the land in a manner consistent with sustained yield;

36 (c) is able to demonstrate that the ~~H→ [resources of the land can support continued grazing]~~
 36a **lands included in the grazing allotment covered by the permit are chiefly valuable for grazing**
 36b **←H** ;

37 and

38 (d) obtains ~~H→ the preference rights to ←H~~ the lease or permit ~~H→ described in~~
 38a **Subsection (2)(a) ←H** and begins grazing
 38b livestock on the public lands before a
 39 final decision by a federal agency to withdraw the public lands from use for livestock grazing.

40 Section 2. Section **63L-11-302** is amended to read:

41 **63L-11-302. Principles to be recognized and promoted.**

42 The office shall recognize and promote the following principles when preparing any
 43 policies, plans, programs, processes, or desired outcomes relating to federal lands and natural
 44 resources on federal lands under Section 63L-11-301:

45 (1) (a) the citizens of the state are best served by applying multiple-use and
 46 sustained-yield principles in public land use planning and management; and

47 (b) multiple-use and sustained-yield management means that federal agencies should
 48 develop and implement management plans and make other resource-use decisions that:

49 (i) achieve and maintain in perpetuity a high-level annual or regular periodic output of
 50 mineral and various renewable resources from public lands;

51 (ii) support valid existing transportation, mineral, and grazing privileges at the highest
 52 reasonably sustainable levels;

53 (iii) support the specific plans, programs, processes, and policies of state agencies and
 54 local governments;

55 (iv) are designed to produce and provide the desired vegetation for the watersheds,
 56 timber, food, fiber, livestock forage, wildlife forage, and minerals that are necessary to meet
 57 present needs and future economic growth and community expansion without permanent
 58 impairment of the productivity of the land;

121 governor for that purpose; and

122 (iii) the state favors quickly and effectively adjusting wildlife population goals and
 123 population census numbers in response to variations in the amount of available forage caused
 124 by drought or other climatic adjustments, and state agencies responsible for managing wildlife
 125 population goals and population census numbers will, when making those adjustments, give
 126 due regard to both the needs of the livestock industry and the need to prevent the decline of
 127 species to a point of listing under the terms of the Endangered Species Act;

128 (d) the state opposes the transfer of grazing animal unit months to wildlife for
 129 supposed reasons of rangeland health;

130 (e) reductions in domestic livestock animal unit months must be temporary and
 131 scientifically based upon rangeland conditions;

132 (f) policies, plans, programs, initiatives, resource management plans, and forest plans
 133 may not allow the placement of grazing animal unit months in a suspended use category unless
 134 there is a rational and scientific determination that the condition of the rangeland allotment or
 135 district in question will not sustain the animal unit months sought to be placed in suspended
 136 use;

137 (g) any grazing animal unit months that are placed in a suspended use category should
 138 be returned to active use when range conditions improve;

139 (h) policies, plans, programs, and initiatives related to vegetation management should
 140 recognize and uphold the preference for domestic grazing over alternate forage uses in
 141 established grazing districts while upholding management practices that optimize and expand
 142 forage for grazing and wildlife in conjunction with state wildlife management plans and
 143 programs in order to provide maximum available forage for all uses; and

144 (i) in established grazing districts, animal unit months that have been reduced due to
 145 rangeland health concerns should be restored to livestock when rangeland conditions improve,
 146 and should not be converted to wildlife use[-]; and

147 (14) a ~~H~~→ [permit or lease to graze livestock on] grazing allotment on federal ←~~H~~ public
 147a lands is a valid existing right for
 148 purposes of federal land withdrawals when the ~~H~~→ [permit or lease holder] owner of the grazing
 148a allotment ←~~H~~ meets the requirements
 149 described in Section 63L-8-404.

150 Section 3. **Effective date.**

151 This bill takes effect on May 1, 2024.