



30 **63J-4-401**, as last amended by Laws of Utah 2009, Chapter 121

31 **63J-8-102**, as enacted by Laws of Utah 2011, Chapter 49

32 **63J-8-105**, as enacted by Laws of Utah 2011, Chapter 49

33 ENACTS:

34 **63J-8-105.5**, Utah Code Annotated 1953



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

37 Section 1. Section **63J-4-401** is amended to read:

38 **63J-4-401. Planning duties of the planning coordinator and office.**

39 (1) The state planning coordinator shall:

40 (a) act as the governor's adviser on state, regional, metropolitan, and local  
41 governmental planning matters relating to public improvements and land use;

42 (b) counsel with the authorized representatives of the Department of Transportation,  
43 the State Building Board, the Department of Health, the Department of Workforce Services,  
44 the Labor Commission, the Department of Natural Resources, the School and Institutional  
45 Trust Lands Administration, and other proper persons concerning all state planning matters;

46 (c) when designated to do so by the governor, receive funds made available to Utah by  
47 the federal government;

48 (d) receive and review plans of the various state agencies and political subdivisions  
49 relating to public improvements and programs;

50 (e) when conflicts occur between the plans and proposals of state agencies, prepare  
51 specific recommendations for the resolution of the conflicts and submit the recommendations  
52 to the governor for a decision resolving the conflict;

53 (f) when conflicts occur between the plans and proposals of a state agency and a  
54 political subdivision or between two or more political subdivisions, advise these entities of the  
55 conflict and make specific recommendations for the resolution of the conflict;

56 (g) act as the governor's planning agent in planning public improvements and land use  
57 and, in this capacity, undertake special studies and investigations;

58 (h) provide information and cooperate with the Legislature or any of its committees in  
59 conducting planning studies;

60 (i) cooperate and exchange information with federal agencies and local, metropolitan,  
61 or regional agencies as necessary to assist with federal, state, regional, metropolitan, and local  
62 programs;

63 (j) make recommendations to the governor that the planning coordinator considers  
64 advisable for the proper development and coordination of plans for state government and  
65 political subdivisions; and

66 (k) oversee and supervise the activities and duties of the public lands policy  
67 coordinator.

68 (2) The state planning coordinator may:

69 (a) perform regional and state planning and assist state government planning agencies  
70 in performing state planning;

71 (b) provide planning assistance to Indian tribes regarding planning for Indian  
72 reservations; and

73 (c) assist city, county, metropolitan, and regional planning agencies in performing  
74 local, metropolitan, and regional planning, provided that the state planning coordinator and the  
75 state planning coordinator's agents and designees recognize and promote the plans, policies,  
76 programs, processes, and desired outcomes of each planning agency whenever possible.

77 (3) When preparing or assisting in the preparation of plans, policies, programs, or  
78 processes related to the management or use of federal lands or natural resources on federal  
79 lands in Utah, the state planning coordinator shall:

80 (a) incorporate the plans, policies, programs, processes, and desired outcomes of the  
81 counties where the federal lands or natural resources are located, to the maximum extent  
82 consistent with state and federal law, provided that this requirement shall not be interpreted to  
83 infringe upon the authority of the governor;

84 (b) identify inconsistencies or conflicts between the plans, policies, programs,  
85 processes, and desired outcomes prepared under Subsection (3)(a) and the plans, programs,

86 processes, and desired outcomes of local government as early in the preparation process as  
87 possible, and seek resolution of the inconsistencies through meetings or other conflict  
88 resolution mechanisms involving the necessary and immediate parties to the inconsistency or  
89 conflict;

90 (c) present to the governor the nature and scope of any inconsistency or other conflict  
91 that is not resolved under the procedures in Subsection (3)(b) for the governor's decision about  
92 the position of the state concerning the inconsistency or conflict;

93 (d) develop, research, and use factual information, legal analysis, and statements of  
94 desired future condition for the state, or subregion of the state, as necessary to support the  
95 plans, policies, programs, processes, and desired outcomes of the state and the counties where  
96 the federal lands or natural resources are located;

97 (e) establish and coordinate agreements between the state and federal land management  
98 agencies, federal natural resource management agencies, and federal natural resource  
99 regulatory agencies to facilitate state and local participation in the development, revision, and  
100 implementation of land use plans, guidelines, regulations, other instructional memoranda, or  
101 similar documents proposed or promulgated for lands and natural resources administered by  
102 federal agencies; and

103 (f) work in conjunction with political subdivisions to establish agreements with federal  
104 land management agencies, federal natural resource management agencies, and federal natural  
105 resource regulatory agencies to provide a process for state and local participation in the  
106 preparation of, or coordinated state and local response to, environmental impact analysis  
107 documents and similar documents prepared pursuant to law by state or federal agencies.

108 (4) The state planning coordinator shall comply with the requirements of Subsection  
109 63C-4-102(8) before submitting any comments on a draft environmental impact statement or  
110 on an environmental assessment for a proposed land management plan, if the governor would  
111 be subject to Subsection 63C-4-102(8) if the governor were submitting the material.

112 (5) The state planning coordinator shall cooperate with and work in conjunction with  
113 appropriate state agencies and political subdivisions to develop policies, plans, programs,

114 processes, and desired outcomes authorized by this section by coordinating the development of  
115 positions:

116 (a) through the Resource Development Coordinating Committee;

117 (b) in conjunction with local government officials concerning general local government  
118 plans;

119 (c) by soliciting public comment through the Resource Development Coordinating  
120 Committee; and

121 (d) by working with the Public Lands Policy Coordinating Office.

122 (6) The state planning coordinator shall recognize and promote the following principles  
123 when preparing any policies, plans, programs, processes, or desired outcomes relating to  
124 federal lands and natural resources on federal lands pursuant to this section:

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

127 (ii) multiple-use and sustained-yield management means that federal agencies should  
128 develop and implement management plans and make other resource-use decisions that:

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

131 (B) support valid existing transportation, mineral, and grazing privileges at the highest  
132 reasonably sustainable levels;

133 (C) support the specific plans, programs, processes, and policies of state agencies and  
134 local governments;

135 (D) are designed to produce and provide the desired vegetation for the watersheds,  
136 timber, food, fiber, livestock forage, and wildlife forage, and minerals that are necessary to  
137 meet present needs and future economic growth and community expansion without permanent  
138 impairment of the productivity of the land;

139 (E) meet the recreational needs and the personal and business-related transportation  
140 needs of the citizens of the state by providing access throughout the state;

141 (F) meet the recreational needs of the citizens of the state;

- 142 (G) meet the needs of wildlife;
- 143 (H) provide for the preservation of cultural resources, both historical and
- 144 archaeological;
- 145 (I) meet the needs of economic development;
- 146 (J) meet the needs of community development; and
- 147 (K) provide for the protection of water rights;
- 148 (b) managing public lands for "wilderness characteristics" circumvents the statutory
- 149 wilderness process and is inconsistent with the multiple-use and sustained-yield management
- 150 standard that applies to all Bureau of Land Management and U.S. Forest Service lands that are
- 151 not wilderness areas or wilderness study areas;
- 152 (c) all waters of the state are:
- 153 (i) owned exclusively by the state in trust for its citizens;
- 154 (ii) are subject to appropriation for beneficial use; and
- 155 (iii) are essential to the future prosperity of the state and the quality of life within the
- 156 state;
- 157 (d) the state has the right to develop and use its entitlement to interstate rivers;
- 158 (e) all water rights desired by the federal government must be obtained through the
- 159 state water appropriation system;
- 160 (f) land management and resource-use decisions which affect federal lands should give
- 161 priority to and support the purposes of the compact between the state and the United States
- 162 related to school and institutional trust lands;
- 163 (g) development of the solid, fluid, and gaseous mineral resources of the state is an
- 164 important part of the economy of the state, and of local regions within the state;
- 165 (h) the state should foster and support industries that take advantage of the state's
- 166 outstanding opportunities for outdoor recreation;
- 167 (i) wildlife constitutes an important resource and provides recreational and economic
- 168 opportunities for the state's citizens;
- 169 (j) proper stewardship of the land and natural resources is necessary to ensure the

170 health of the watersheds, timber, forage, and wildlife resources to provide for a continuous  
171 supply of resources for the people of the state and the people of the local communities who  
172 depend on these resources for a sustainable economy;

173 (k) forests, rangelands, timber, and other vegetative resources:

174 (i) provide forage for livestock;

175 (ii) provide forage and habitat for wildlife;

176 (iii) provide resources for the state's timber and logging industries;

177 (iv) contribute to the state's economic stability and growth; and

178 (v) are important for a wide variety of recreational pursuits;

179 (l) management programs and initiatives that improve watersheds, forests, and increase  
180 forage for the mutual benefit of wildlife species and livestock, logging, and other agricultural  
181 industries by utilizing proven techniques and tools are vital to the state's economy and the  
182 quality of life in Utah; and

183 (m) (i) land management plans, programs, and initiatives should provide that the  
184 amount of domestic livestock forage, expressed in animal unit months, for permitted, active  
185 use as well as the wildlife forage included in that amount, be no less than the maximum  
186 number of animal unit months sustainable by range conditions in grazing allotments and  
187 districts, based on an on-the-ground and scientific analysis;

188 (ii) the state opposes the relinquishment or retirement of grazing animal unit months in  
189 favor of conservation, wildlife, and other uses;

190 (iii) (A) the state favors the best management practices that are jointly sponsored by  
191 cattlemen's, sportsmen's, and wildlife management groups such as chaining, logging, seeding,  
192 burning, and other direct soil and vegetation prescriptions that are demonstrated to restore  
193 forest and rangeland health, increase forage, and improve watersheds in grazing districts and  
194 allotments for the mutual benefit of domestic livestock and wildlife;

195 (B) when practices described in Subsection (6)(m)(iii)(A) increase a grazing  
196 allotment's forage beyond the total permitted forage use that was allocated to that allotment in  
197 the last federal land use plan or allotment management plan still in existence as of January 1,

198 2005, a reasonable and fair portion of the increase in forage beyond the previously allocated  
199 total permitted use should be allocated to wildlife as recommended by a joint, evenly balanced  
200 committee of livestock and wildlife representatives that is appointed and constituted by the  
201 governor for that purpose;

202 (C) the state favors quickly and effectively adjusting wildlife population goals and  
203 population census numbers in response to variations in the amount of available forage caused  
204 by drought or other climatic adjustments, and state agencies responsible for managing wildlife  
205 population goals and population census numbers will give due regard to both the needs of the  
206 livestock industry and the need to prevent the decline of species to a point where listing under  
207 the terms of the Endangered Species Act when making such adjustments;

208 (iv) the state opposes the transfer of grazing animal unit months to wildlife for  
209 supposed reasons of rangeland health;

210 (v) reductions in domestic livestock animal unit months must be temporary and  
211 scientifically based upon rangeland conditions;

212 (vi) policies, plans, programs, initiatives, resource management plans, and forest plans  
213 may not allow the placement of grazing animal unit months in a suspended use category unless  
214 there is a rational and scientific determination that the condition of the rangeland allotment or  
215 district in question will not sustain the animal unit months sought to be placed in suspended  
216 use;

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

219 (viii) policies, plans, programs, and initiatives related to vegetation management  
220 should recognize and uphold the preference for domestic grazing over alternate forage uses in  
221 established grazing districts while upholding management practices that optimize and expand  
222 forage for grazing and wildlife in conjunction with state wildlife management plans and  
223 programs in order to provide maximum available forage for all uses; and

224 (ix) in established grazing districts, animal unit months that have been reduced due to  
225 rangeland health concerns should be restored to livestock when rangeland conditions improve,



226 and should not be converted to wildlife use.

227 (7) The state planning coordinator shall recognize and promote the following findings  
228 in the preparation of any policies, plans, programs, processes, or desired outcomes relating to  
229 federal lands and natural resources on federal lands under this section:

230 (a) as a coholder of R.S. 2477 rights-of-way with the counties, the state supports its  
231 recognition by the federal government and the public use of R.S. 2477 rights-of-way and urges  
232 the federal government to fully recognize the rights-of-way and their use by the public as  
233 expeditiously as possible;

234 (b) it is the policy of the state to use reasonable administrative and legal measures to  
235 protect and preserve valid existing rights-of-way granted by Congress under R.S. 2477, and to  
236 support and work in conjunction with counties to redress cases where R.S. 2477 rights-of-way  
237 are not recognized or are impaired; and

238 (c) transportation and access routes to and across federal lands, including all  
239 rights-of-way vested under R.S. 2477, are vital to the state's economy and to the quality of life  
240 in the state, and must provide, at a minimum, a network of roads throughout the resource  
241 planning area that provides for:

242 (i) movement of people, goods, and services across public lands;

243 (ii) reasonable access to a broad range of resources and opportunities throughout the  
244 resource planning area, including:

245 (A) livestock operations and improvements;

246 (B) solid, fluid, and gaseous mineral operations;

247 (C) recreational opportunities and operations, including motorized and nonmotorized  
248 recreation;

249 (D) search and rescue needs;

250 (E) public safety needs; and

251 (F) access for transportation of wood products to market;

252 (iii) access to federal lands for people with disabilities and the elderly; and

253 (iv) access to state lands and school and institutional trust lands to accomplish the

254 purposes of those lands.

255 (8) The state planning coordinator shall recognize and promote the following findings  
256 in the preparation of any plans, policies, programs, processes, or desired outcomes relating to  
257 federal lands and natural resources on federal lands pursuant to this section:

258 (a) the state's support for the addition of a river segment to the National Wild and  
259 Scenic Rivers System, 16 U.S.C. Sec. 1271 et seq., will be withheld until:

260 (i) it is clearly demonstrated that water is present and flowing at all times;

261 (ii) it is clearly demonstrated that the required water-related value is considered  
262 outstandingly remarkable within a region of comparison consisting of one of the three  
263 physiographic provinces in the state, and that the rationale and justification for the conclusions  
264 are disclosed;

265 (iii) it is clearly demonstrated that the inclusion of each river segment is consistent  
266 with the plans and policies of the state and the county or counties where the river segment is  
267 located as those plans and policies are developed according to Subsection (3);

268 (iv) the effects of the addition upon the local and state economies, agricultural and  
269 industrial operations and interests, outdoor recreation, water rights, water quality, water  
270 resource planning, and access to and across river corridors in both upstream and downstream  
271 directions from the proposed river segment have been evaluated in detail by the relevant federal  
272 agency;

273 (v) it is clearly demonstrated that the provisions and terms of the process for review of  
274 potential additions have been applied in a consistent manner by all federal agencies;

275 (vi) the rationale and justification for the proposed addition, including a comparison  
276 with protections offered by other management tools, is clearly analyzed within the multiple-use  
277 mandate, and the results disclosed;

278 (vii) it is clearly demonstrated that the federal agency with management authority over  
279 the river segment, and which is proposing the segment for inclusion in the National Wild and  
280 Scenic River System will not use the actual or proposed designation as a basis to impose  
281 management standards outside of the federal land management plan;

282 (viii) it is clearly demonstrated that the terms and conditions of the federal land and  
283 resource management plan containing a recommendation for inclusion in the National Wild  
284 and Scenic River System:

285 (A) evaluates all eligible river segments in the resource planning area completely and  
286 fully for suitability for inclusion in the National Wild and Scenic River System;

287 (B) does not suspend or terminate any studies for inclusion in the National Wild and  
288 Scenic River System at the eligibility phase;

289 (C) fully disclaims any interest in water rights for the recommended segment as a result  
290 of the adoption of the plan; and

291 (D) fully disclaims the use of the recommendation for inclusion in the National Wild  
292 and Scenic River System as a reason or rationale for an evaluation of impacts by proposals for  
293 projects upstream, downstream, or within the recommended segment;

294 (ix) it is clearly demonstrated that the agency with management authority over the river  
295 segment commits not to use an actual or proposed designation as a basis to impose Visual  
296 Resource Management Class I or II management prescriptions that do not comply with the  
297 provisions of Subsection (8)(t); and

298 (x) it is clearly demonstrated that including the river segment and the terms and  
299 conditions for managing the river segment as part of the National Wild and Scenic River  
300 System will not prevent, reduce, impair, or otherwise interfere with:

301 (A) the state and its citizens' enjoyment of complete and exclusive water rights in and  
302 to the rivers of the state as determined by the laws of the state; or

303 (B) local, state, regional, or interstate water compacts to which the state or any county  
304 is a party;

305 (b) the conclusions of all studies related to potential additions to the National Wild and  
306 Scenic River System, 16 U.S.C. Sec. 1271 et seq., are submitted to the state for review and  
307 action by the Legislature and governor, and the results, in support of or in opposition to, are  
308 included in any planning documents or other proposals for addition and are forwarded to the  
309 United States Congress;

310 (c) the state's support for designation of an Area of Critical Environmental Concern  
311 (ACEC), as defined in 43 U.S.C. Sec. 1702, within federal land management plans will be  
312 withheld until:

313 (i) it is clearly demonstrated that the proposed area satisfies all the definitional  
314 requirements of the Federal Land Policy and Management Act of 1976, 43 U.S.C. Sec.  
315 1702(a);

316 (ii) it is clearly demonstrated that the area proposed for designation as an ACEC is  
317 limited in geographic size and that the proposed management prescriptions are limited in scope  
318 to the minimum necessary to specifically protect and prevent irreparable damage to the relevant  
319 and important values identified, or limited in geographic size and management prescriptions to  
320 the minimum required to specifically protect human life or safety from natural hazards;

321 (iii) it is clearly demonstrated that the proposed area is limited only to areas that are  
322 already developed or used or to areas where no development is required;

323 (iv) it is clearly demonstrated that the proposed area contains relevant and important  
324 historic, cultural or scenic values, fish or wildlife resources, or natural processes which are  
325 unique or substantially significant on a regional basis, or contain natural hazards which  
326 significantly threaten human life or safety;

327 (v) the federal agency has analyzed regional values, resources, processes, or hazards for  
328 irreparable damage and its potential causes resulting from potential actions which are  
329 consistent with the multiple-use, sustained-yield principles, and the analysis describes the  
330 rationale for any special management attention required to protect, or prevent irreparable  
331 damage to the values, resources, processes, or hazards;

332 (vi) it is clearly demonstrated that the proposed designation is consistent with the plans  
333 and policies of the state and of the county where the proposed designation is located as those  
334 plans and policies are developed according to Subsection (3);

335 (vii) it is clearly demonstrated that the proposed ACEC designation will not be applied  
336 redundantly over existing protections provided by other state and federal laws for federal lands  
337 or resources on federal lands, and that the federal statutory requirement for special management

338 attention for a proposed ACEC will discuss and justify any management requirements needed  
339 in addition to those specified by the other state and federal laws;

340 (viii) the difference between special management attention required for an ACEC and  
341 normal multiple-use management has been identified and justified, and that any determination  
342 of irreparable damage has been analyzed and justified for short and long-term horizons;

343 (ix) it is clearly demonstrated that the proposed designation:

344 (A) is not a substitute for a wilderness suitability recommendation;

345 (B) is not a substitute for managing areas inventoried for wilderness characteristics  
346 after 1993 under the BLM interim management plan for valid wilderness study areas; and

347 (C) it is not an excuse or justification to apply de facto wilderness management  
348 standards; and

349 (x) the conclusions of all studies are submitted to the state, as a cooperating agency, for  
350 review, and the results, in support of or in opposition to, are included in all planning  
351 documents;

352 (d) sufficient federal lands are made available for government-to-government  
353 exchanges of school and institutional trust lands and federal lands without regard for a  
354 resource-to-resource correspondence between the surface or mineral characteristics of the  
355 offered trust lands and the offered federal lands;

356 (e) federal agencies should support government-to-government exchanges of land with  
357 the state based on a fair process of valuation which meets the fiduciary obligations of both the  
358 state and federal governments toward trust lands management, and which assures that revenue  
359 authorized by federal statute to the state from mineral or timber production, present or future, is  
360 not diminished in any manner during valuation, negotiation, or implementation processes;

361 (f) agricultural and grazing lands should continue to produce the food and fiber needed  
362 by the citizens of the state and the nation, and the rural character and open landscape of rural  
363 Utah should be preserved through a healthy and active agricultural and grazing industry,  
364 consistent with private property rights and state fiduciary duties;

365 (g) the resources of the forests and rangelands of the state should be integrated as part

366 of viable, robust, and sustainable state and local economies, and available forage should be  
367 evaluated for the full complement of herbivores the rangelands can support in a sustainable  
368 manner, and forests should contain a diversity of timber species, and disease or insect  
369 infestations in forests should be controlled using logging or other best management practices;

370 (h) the state opposes any additional evaluation of national forest service lands as  
371 "roadless" or "unroaded" beyond the forest service's second roadless area review evaluation and  
372 opposes efforts by agencies to specially manage those areas in a way that:

373 (i) closes or declassifies existing roads unless multiple side by side roads exist running  
374 to the same destination and state and local governments consent to close or declassify the extra  
375 roads;

376 (ii) permanently bars travel on existing roads;

377 (iii) excludes or diminishes traditional multiple-use activities, including grazing and  
378 proper forest harvesting;

379 (iv) interferes with the enjoyment and use of valid, existing rights, including water  
380 rights, local transportation plan rights, R.S. 2477 rights, grazing allotment rights, and mineral  
381 leasing rights; or

382 (v) prohibits development of additional roads reasonably necessary to pursue  
383 traditional multiple-use activities;

384 (i) the state's support for any forest plan revision or amendment will be withheld until  
385 the appropriate plan revision or plan amendment clearly demonstrates that:

386 (i) established roads are not referred to as unclassified roads or a similar classification;

387 (ii) lands in the vicinity of established roads are managed under the multiple-use,  
388 sustained-yield management standard; and

389 (iii) no roadless or unroaded evaluations or inventories are recognized or upheld  
390 beyond those that were recognized or upheld in the forest service's second roadless area review  
391 evaluation;

392 (j) the state's support for any recommendations made under the statutory requirement to  
393 examine the wilderness option during the revision of land and resource management plans by

394 the U.S. Forest Service will be withheld until it is clearly demonstrated that:

395 (i) the duly adopted transportation plans of the state and county or counties within the  
396 planning area are fully and completely incorporated into the baseline inventory of information  
397 from which plan provisions are derived;

398 (ii) valid state or local roads and rights-of-way are recognized and not impaired in any  
399 way by the recommendations;

400 (iii) the development of mineral resources by underground mining is not affected by  
401 the recommendations;

402 (iv) the need for additional administrative or public roads necessary for the full use of  
403 the various multiple-uses, including recreation, mineral exploration and development, forest  
404 health activities, and grazing operations is not unduly affected by the recommendations;

405 (v) analysis and full disclosure is made concerning the balance of multiple-use  
406 management in the proposed areas, and that the analysis compares the full benefit of  
407 multiple-use management to the recreational, forest health, and economic needs of the state and  
408 the counties to the benefits of the requirements of wilderness management; and

409 (vi) the conclusions of all studies related to the requirement to examine the wilderness  
410 option are submitted to the state for review and action by the Legislature and governor, and the  
411 results, in support of or in opposition to, are included in any planning documents or other  
412 proposals that are forwarded to the United States Congress;

413 (k) the invasion of noxious weeds and undesirable invasive plant species into the state  
414 should be reversed, their presence eliminated, and their return prevented;

415 (l) management and resource-use decisions by federal land management and regulatory  
416 agencies concerning the vegetative resources within the state should reflect serious  
417 consideration of the proper optimization of the yield of water within the watersheds of the  
418 state;

419 (m) (i) it is the policy of the state that:

420 (A) mineral and energy production and environmental protection are not mutually  
421 exclusive;

422 (B) it is technically feasible to permit appropriate access to mineral and energy  
423 resources while preserving nonmineral and nonenergy resources;

424 (C) resource management planning should seriously consider all available mineral and  
425 energy resources;

426 (D) the development of the solid, fluid, and gaseous mineral resources of the state and  
427 the renewable resources of the state should be encouraged;

428 (E) the waste of fluid and gaseous minerals within developed areas should be  
429 prohibited; and

430 (F) requirements to mitigate or reclaim mineral development projects should be based  
431 on credible evidence of significant impacts to natural or cultural resources;

432 (ii) the state's support for mineral development provisions within federal land  
433 management plans will be withheld until the appropriate land management plan environmental  
434 impact statement clearly demonstrates:

435 (A) that the authorized planning agency has:

436 (I) considered and evaluated the mineral and energy potential in all areas of the  
437 planning area as if the areas were open to mineral development under standard lease  
438 agreements; and

439 (II) evaluated any management plan prescription for its impact on the area's baseline  
440 mineral and energy potential;

441 (B) that the development provisions do not unduly restrict access to public lands for  
442 energy exploration and development;

443 (C) that the authorized planning agency has supported any closure of additional areas  
444 to mineral leasing and development or any increase of acres subject to no surface occupancy  
445 restrictions by adhering to:

446 (I) the relevant provisions of the Federal Land Policy and Management Act of 1976, 43  
447 U.S.C. Sec. 1701 et seq.;

448 (II) other controlling mineral development laws; and

449 (III) the controlling withdrawal and reporting procedures set forth in the Federal Land



450 Policy and Management Act of 1976, 43 U.S.C. Sec. 1701 et seq.;

451 (D) that the authorized planning agency evaluated whether to repeal any moratorium  
452 that may exist on the issuance of additional mining patents and oil and gas leases;

453 (E) that the authorized planning agency analyzed all proposed mineral lease  
454 stipulations and considered adopting the least restrictive necessary to protect against damage to  
455 other significant resource values;

456 (F) that the authorized planning agency evaluated mineral lease restrictions to  
457 determine whether to waive, modify, or make exceptions to the restrictions on the basis that  
458 they are no longer necessary or effective;

459 (G) that the authorized federal agency analyzed all areas proposed for no surface  
460 occupancy restrictions, and that the analysis evaluated:

461 (I) whether directional drilling is economically feasible and ecologically necessary for  
462 each proposed no surface occupancy area;

463 (II) whether the directional drilling feasibility analysis, or analysis of other  
464 management prescriptions, demonstrates that the proposed no surface occupancy prescription,  
465 in effect, sterilizes the mineral and energy resources beneath the area; and

466 (III) whether, if the minerals are effectively sterilized, the area must be reported as  
467 withdrawn under the provisions of the Federal Land Policy and Management Act; and

468 (H) that the authorized planning agency has evaluated all directional drilling  
469 requirements in no surface occupancy areas to determine whether directional drilling is feasible  
470 from an economic, ecological, and engineering standpoint;

471 (n) motorized, human, and animal-powered outdoor recreation should be integrated  
472 into a fair and balanced allocation of resources within the historical and cultural framework of  
473 multiple-uses in rural Utah, and outdoor recreation should be supported as part of a balanced  
474 plan of state and local economic support and growth;

475 (o) off-highway vehicles should be used responsibly, the management of off-highway  
476 vehicles should be uniform across all jurisdictions, and laws related to the use of off-highway  
477 vehicles should be uniformly applied across all jurisdictions;

478 (p) (i) rights-of-way granted and vested under the provisions of R.S. 2477 should be  
479 preserved and acknowledged;

480 (ii) land use management plans, programs, and initiatives should be consistent with  
481 both state and county transportation plans developed according to Subsection (3) in order to  
482 provide a network of roads throughout the planning area that provides for:

483 (A) movement of people, goods, and services across public lands;

484 (B) reasonable access to a broad range of resources and opportunities throughout the  
485 planning area, including access to livestock, water, and minerals;

486 (C) economic and business needs;

487 (D) public safety;

488 (E) search and rescue;

489 (F) access for people with disabilities and the elderly;

490 (G) access to state lands; and

491 (H) recreational opportunities;

492 (q) transportation and access provisions for all other existing routes, roads, and trails  
493 across federal, state, and school trust lands within the state should be determined and  
494 identified, and agreements should be executed and implemented, as necessary to fully authorize  
495 and determine responsibility for maintenance of all routes, roads, and trails;

496 (r) the reasonable development of new routes and trails for motorized, human, and  
497 animal-powered recreation should be implemented;

498 (s) (i) forests, rangelands, and watersheds, in a healthy condition, are necessary and  
499 beneficial for wildlife, livestock grazing, and other multiple-uses;

500 (ii) management programs and initiatives that are implemented to increase forage for  
501 the mutual benefit of the agricultural industry, livestock operations, and wildlife species should  
502 utilize all proven techniques and tools;

503 (iii) the continued viability of livestock operations and the livestock industry should be  
504 supported on the federal lands within the state by management of the lands and forage  
505 resources, by the proper optimization of animal unit months for livestock, in accordance with

506 the multiple-use provisions of the Federal Land Policy and Management Act of 1976, 43  
507 U.S.C. 1701 et seq., the provisions of the Taylor Grazing Act of 1934, 43 U.S.C. 315 et seq.,  
508 and the provisions of the Public Rangelands Improvement Act of 1978, 43 U.S.C. 1901 et seq.;

509 (iv) provisions for predator control initiatives or programs under the direction of state  
510 and local authorities should be implemented; and

511 (v) resource-use and management decisions by federal land management and  
512 regulatory agencies should support state-sponsored initiatives or programs designed to stabilize  
513 wildlife populations that may be experiencing a scientifically demonstrated decline in those  
514 populations; and

515 (t) management and resource use decisions by federal land management and regulatory  
516 agencies concerning the scenic resources of the state must balance the protection of scenery  
517 with the full management requirements of the other authorized uses of the land under  
518 multiple-use management, and should carefully consider using Visual Resource Management  
519 Class I protection only for areas of inventoried Class A scenery or equivalent.

520 (9) Notwithstanding any provision of Section 63J-8-105.5, the state is committed to  
521 establishing and administering an effective statewide conservation strategy for greater sage  
522 grouse.

523 [~~9~~] (10) Nothing contained in this section may be construed to restrict or supersede  
524 the planning powers conferred upon state departments, agencies, instrumentalities, or advisory  
525 councils of the state or the planning powers conferred upon political subdivisions by any other  
526 existing law.

527 [~~10~~] (11) Nothing in this section may be construed to affect any lands withdrawn  
528 from the public domain for military purposes, which are administered by the United States  
529 Army, Air Force, or Navy.

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

531 **63J-8-102. Definitions.**

532 As used in this chapter:

533 (1) "ACEC" means an area of critical environmental concern.

- 534 (2) "AUM" means animal unit months, a unit of grazing forage.
- 535 (3) "BLM" means the United States Bureau of Land Management.
- 536 (4) "FLPMA" means the Federal Land Policy Management Act of 1976, 43 U.S.C. Sec.  
537 1701 et seq.
- 538 (5) "Forest service" means the United States Forest Service within the United States  
539 Department of Agriculture.
- 540 (6) "Multiple use" means proper stewardship of the subject lands pursuant to Section  
541 1031(C) of FLPMA, 43 U.S.C. Sec. 170(C).
- 542 (7) "OHV" means off-highway vehicle as defined in Section 41-22-2.
- 543 (8) "Settlement Agreement" means the written agreement between the state and the  
544 Department of the Interior in 2003 (revised in 2005) that resolved the case of State of Utah v.  
545 Gale Norton, Secretary of Interior (United States District Court, D. Utah, Case No.  
546 2:96cv0870).
- 547 (9) "SITLA" means the School and Institutional Trust Lands Administration as created  
548 in Section 53C-1-201.
- 549 (10) (a) "Subject lands" means the following non-WSA BLM lands:
- 550 (i) in Beaver County:
- 551 (A) Mountain Home Range South, Jackson Wash, The Toad, North Wah Wah  
552 Mountains, Central Wah Wah Mountains, and San Francisco Mountains according to the  
553 region map entitled "Great Basin Central" linked in the webpage entitled "Citizen's Proposal  
554 for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage  
555 existed on February 17, 2011; and
- 556 (B) White Rock Range, South Wah Wah Mountains, and Granite Peak according to the  
557 region map entitled "Great Basin South" linked in the webpage entitled "Citizen's Proposal for  
558 Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage  
559 existed on February 17, 2011;
- 560 (ii) in Box Elder County: Little Goose Creek, Grouse Creek Mountains North, Grouse  
561 Creek Mountains South, Bald Eagle Mountain, Central Pilot Range, Pilot Peak, Crater Island

562 West, Crater Island East, Newfoundland Mountains, and Grassy Mountains North according to  
563 the region map entitled "Great Basin North" linked in the webpage entitled "Citizen's Proposal  
564 for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage  
565 existed on February 17, 2011;

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

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

575 (v) in Duchesne County: Desbrough Canyon according to the region map entitled  
576 "Book Cliffs" linked in the webpage entitled "Citizen's Proposal for Wilderness in Utah" at  
577 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
578 2011;

579 (vi) in Emery County:

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

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

588 (C) Price River, Lost Spring Wash, Eagle Canyon, Upper Muddy Creek, Molen Reef,  
589 Rock Canyon, Mussentuchit Badland, and Muddy Creek, according to the region map entitled

590 "San Rafael Swell" linked at the webpage entitled "Citizen's Proposal for Wilderness in Utah"  
591 at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
592 2011;

593 (vii) in Garfield County:

594 (A) Pole Canyon, according to the region map entitled "Great Basin South" linked in  
595 the webpage entitled "Citizen's Proposal for Wilderness in Utah" at  
596 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
597 2011;

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

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

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

616 (viii) in Iron County: Needle Mountains, Steamboat Mountain, Broken Ridge, Paradise  
617 Mountains, Crook Canyon, Hamlin, North Peaks, Mount Escalante, and Antelope Ridge,

618 according to the region map entitled "Great Basin South" linked in the webpage entitled  
619 "Citizen's Proposal for Wilderness in Utah" at  
620 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
621 2011;

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

629 (x) in Kane County:

630 (A) Willis Creek North, Willis Creek, Kodachrome Badlands, Mud Springs Canyon,  
631 Carcass Canyon, Scorpion, Bryce Boot, Paria-Hackberry Canyons, Fiftymile Canyon,  
632 Hurricane Wash, Upper Kanab Creek, Timber Mountain, Nephi Point, Paradise Canyon,  
633 Wahweap Burning Hills, Fiftymile Bench, Forty Mile Gulch, Sooner Bench 1, 2, & 3, Rock  
634 Cove, Warm Bench, Andalex Not, Vermillion Cliffs, Ladder Canyon, The Cockscomb, Nipple  
635 Bench, Moquith Mountain, Bunting Point, Glass Eye Canyon, and Pine Hollow, according to  
636 the region map entitled "Grand Staircase Escalante" linked at the webpage entitled "Citizen's  
637 Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the  
638 webpage existed on February 17, 2011; and

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

643 (xi) in Millard County: Kern Mountains, Wild Horse Pass, Disappointment Hills,  
644 Granite Mountain, Middle Mountains, Tule Valley, Swasey Mountain, Little Drum Mountains  
645 North, Little Drum Mountains South, Drum Mountains, Snake Valley, Coyote Knoll, Howell

646 Peak, Tule Valley South, Ledger Canyon, Chalk Knolls, Orr Ridge, Notch View, Bullgrass  
647 Knoll, Notch Peak, Barn Hills, Cricket Mountains, Burbank Pass, Middle Burbank Hills, King  
648 Top, Barn Hills, Red Tops, Middle Burbank Hills, Juniper, Painted Rock Mountain, Black  
649 Hills, Tunnel Springs, Red Canyon, Sand Ridge, Little Sage Valley, Cat Canyon, Headlight  
650 Mountain, Black Hills, Mountain Range Home North, Tweedy Wash, North Wah Wah  
651 Mountains, Jackson Wash, and San Francisco Mountains, according to the region map entitled  
652 "Great Basin Central" linked in the webpage entitled "Citizen's Proposal for Wilderness in  
653 Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on  
654 February 17, 2011;

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

659 (xiii) in San Juan County:

660 (A) Horseshoe Point, Deadhorse Cliffs, Gooseneck, Demon's Playground, Hatch  
661 Canyon, Lockhart Basin, Indian Creek, Hart's Point, Butler Wash, Bridger Jack Mesa, and Shay  
662 Mountain, according to the region map entitled "Canyonlands Basin" linked in the webpage  
663 entitled "Citizen's Proposal for Wilderness in Utah" at  
664 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
665 2011;

666 (B) Dark Canyon, Copper Point, Fortknocker Canyon, White Canyon, The Needle, Red  
667 Rock Plateau, Upper Red Canyon, and Tuwa Canyon, according to the region map entitled  
668 "Glen Canyon," which is available by clicking the link entitled "Dirty Devil" at the webpage  
669 entitled "Citizen's Proposal for Wilderness in Utah" at  
670 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
671 2011;

672 (C) Hunters Canyon, Behind the Rocks, Mill Creek, and Coyote Wash, according to  
673 the region map entitled "Moab/La Sal" linked at the webpage entitled "Citizen's Proposal for



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

676 (D) Hammond Canyon, Allen Canyon, Mancos Jim Butte, Arch Canyon, Monument  
677 Canyon, Tin Cup Mesa, Cross Canyon, Nokai Dome, Grand Gulch, Fish and Owl Creek  
678 Canyons, Comb Ridge, Road Canyon, The Tabernacle, Lime Creek, San Juan River, and  
679 Valley of the Gods, according to the region map entitled "San Juan" linked at the webpage  
680 entitled "Citizen's Proposal for Wilderness in Utah" at  
681 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
682 2011;

683 (xiv) in Sevier County: Rock Canyon, Mussentuchit Badland, Limestone Cliffs, and  
684 Jones' Bench, according to the region map entitled "San Rafael Swell" linked at the webpage  
685 entitled "Citizen's Proposal for Wilderness in Utah" at  
686 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
687 2011;

688 (xv) in Tooele County:

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

696 (B) Ochre Mountain, Deep Creek Mountains, Dugway Mountains, Indian Peaks, and  
697 Lion Peak, according to the region map entitled "Great Basin Central" linked in the webpage  
698 entitled "Citizen's Proposal for Wilderness in Utah" at  
699 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
700 2011;

701 (xvi) in Uintah County:

702 (A) White River, Lower Bitter Creek, Sunday School Canyon, Dragon Canyon, Wolf  
703 Point, Winter Ridge, Seep Canyon, Bitter Creek, Hideout Canyon, Sweetwater Canyon, and  
704 Hell's Hole, according to the region map entitled "Book Cliffs" linked in the webpage entitled  
705 "Citizen's Proposal for Wilderness in Utah" at  
706 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
707 2011; and

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

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

724 (xviii) in Wayne County:

725 (A) Sweetwater Reef, Upper Horseshoe Canyon, and Labyrinth Canyon, according to  
726 the region map entitled "Canyonlands Basin" linked in the webpage entitled "Citizen's Proposal  
727 for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the webpage  
728 existed on February 17, 2011;

729 (B) Flat Tops and Dirty Devil, according to the region map entitled "Glen Canyon,"

730 which is available by clicking the link entitled "Dirty Devil" at the webpage entitled "Citizen's  
731 Proposal for Wilderness in Utah" at <http://www.protectwildutah.org/proposal/index.html> as the  
732 webpage existed on February 17, 2011;

733 (C) Fremont Gorge, Pleasant Creek Bench, Notom Bench, Mount Ellen, and Bull  
734 Mountain, according to the region map entitled "Henry Mountains" linked at the webpage  
735 entitled "Citizen's Proposal for Wilderness in Utah" at  
736 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
737 2011; and

738 (D) Capital Reef Adjacents, Muddy Creek, Wild Horse Mesa, North Blue Flats, Red  
739 Desert, and Factory Butte, according to the region map entitled "San Rafael Swell" linked at  
740 the webpage entitled "Citizen's Proposal for Wilderness in Utah" at  
741 <http://www.protectwildutah.org/proposal/index.html> as the webpage existed on February 17,  
742 2011.

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

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

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

752 (ii) Labyrinth Canyon, Duma Point, and Horseshoe Point, according to the region map  
753 entitled "Canyonlands Basin" linked in the webpage entitled "Citizen's Proposal for Wilderness  
754 in Utah" at <http://protectwildutah.org/proposal/index.html> as the webpage existed on February  
755 17, 2011; and

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

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

760 (11) "Uintah Basin Energy Zone" means BLM, Forest Service, and SITLA lands  
761 situated in the following townships in Daggett, Duchesne, and Uintah counties, as more fully  
762 illustrated in the map prepared by the Uintah County GIS Department in February 2012 entitled  
763 "Uintah Basin Utah Energy Zone":

764 (a) in Daggett County, Township 3N Range 17 E, Township 3N Range 18E, Township  
765 3N Range 19E, Township 3N Range 20E, Township 3N Range 22E, Township 3N Range 23E,  
766 Township 3N Range 24E, Township 3N Range 25E, Township 2N Range 17E, Township 2N  
767 Range 18E, Township 2N Range 19E, Township 2N Range 20E, Township 2N Range 21E, and  
768 Township 2S Range 25E;

769 (b) in Duchesne County, Township 3N Range 4W, Township 3N Range 3W, Township  
770 3N Range 2W, Township 3N Range 1W, Township 2N Range 6W, Township 2N Range 5W,  
771 Township 2N Range 4W, Township 2N Range 3W, Township 2N Range 1W, Township 1N  
772 Range 9W, Township 1N Range 8W, Township 1N Range 7W, Township 1N Range 6W,  
773 Township 1S Range 9W, Township 1S Range 8W, Township 4S Range 9W, Township 4S  
774 Range 3W, Township 4S Range 2W, Township 4S Range 1W, Township 8S Range 15E,  
775 Township 8S Range 16E, Township 8S Range 17E, Township 5S Range 9W, Township 5S  
776 Range 3W, Township 9S Range 15E, Township 9S Range 16E, Township 9S Range 17E,  
777 Township 6S Range 9W, Township 6S Range 8W, Township 6S Range 7W, Township 6S  
778 Range 6W, Township 6S Range 5W, Township 6S Range 3W, Township 10S Range 15E,  
779 Township 10S Range 16E, Township 10S Range 17E, Township 7S Range 9W, Township 7S  
780 Range 8W, Township 7S Range 7W, Township 7S Range 6W, Township 7S Range 5W,  
781 Township 7S Range 4W, Township 10S Range 11E, Township 10S Range 12E, Township 10S  
782 Range 13E, Township 10S Range 14E, Township 10S Range 15E, Township 10S Range 16E,  
783 Township 10S Range 17E, Township 11S Range 10E, Township 11S Range 11E, Township  
784 11S Range 12E, Township 11S Range 13E, Township 11S Range 14E, Township 11S Range  
785 15E, Township 11S Range 16E, and Township 11S Range 17E; and

786            (c) in Uintah County: Township 2S Range 18E, Township 2S Range 19E, Township  
787 2S Range 20E, Township 2S Range 21E, Township 2S Range 22E, Township 2S Range 23E,  
788 Township 2S Range 24E, Township 2N Range 1W, Township 2N Range 1E, Township 2N  
789 Range 2E, Township 3S Range 18E, Township 3S Range 19E, Township 3S Range 20E,  
790 Township 3S Range 21E, Township 3S Range 22E, Township 3S Range 23E, Township 3S  
791 Range 24E, Township 4S Range 19E, Township 4S Range 20E, Township 4S Range 21E,  
792 Township 4S Range 22E, Township 4S Range 23E, Township 4S Range 24E, Township 4S  
793 Range 25E, Township 5S Range 19E, Township 5S Range 20E, Township 5S Range 21E,  
794 Township 5S Range 22E, Township 5S Range 23E, Township 5S Range 24E, Township 5S  
795 Range 25E, Township 6S Range 19E, Township 6S Range 20E, Township 6S Range 21E,  
796 Township 6S Range 22E, Township 6S Range 23E, Township 6S Range 24E, Township 6S  
797 Range 25E, Township 7S Range 19E, Township 7S Range 20E, Township 7S Range 21E,  
798 Township 7S Range 22E, Township 7S Range 23E, Township 7S Range 24E, Township 7S  
799 Range 25E, Township 8S Range 17E, Township 8S Range 18E, Township 8S Range 19E,  
800 Township 8S Range 20E, Township 8S Range 21E, Township 8S Range 22E, Township 8S  
801 Range 23E, Township 8S Range 24E, Township 8S Range 25E, Township 9S Range 17E,  
802 Township 9S Range 18E, Township 9S Range 19E, Township 9S Range 20E, Township 9S  
803 Range 21E, Township 9S Range 22E, Township 9S Range 23E, Township 9S Range 24E,  
804 Township 9S Range 25E, Township 10S Range 17E, Township 10S Range 18E, Township 10S  
805 Range 19E, Township 10S Range 20E, Township 10S Range 21E, Township 10S Range 22E,  
806 Township 10S Range 23E, Township 10S Range 24E, Township 10S Range 25E, Township  
807 11S Range 17E, Township 11S Range 18E, Township 11S Range 19E, Township 11S Range  
808 20E, Township 11S Range 21E, Township 11S Range 22E, Township 11S Range 23E,  
809 Township 11S Range 24E, Township 11S Range 25E, Township 12S Range 20E, Township  
810 12S Range 21E, Township 12S Range 22E, Township 12S Range 23E, Township 12S Range  
811 24E, Township 12S Range 25E, Township 13S Range 20E, Township 13S Range 21E,  
812 Township 13S Range 22E, Township 13S Range 23E, Township 13S Range 24E, Township  
813 13S Range 25E, Township 13S Range 26 E, Township 14S Range 21E, Township 14S Range

814 22E, Township 14S Range 23E, Township 14S Range 24E, Township 14S Range 25E, and  
815 Township 14S Range 26E.

816 ~~[(H)]~~ (12) "Wilderness area" means those BLM and Forest Service lands added to the  
817 National Wilderness Preservation System by an act of Congress.

818 ~~[(H)]~~ (13) "WSA" and "Wilderness Study Area" mean the BLM lands in Utah that  
819 were identified as having the necessary wilderness character and were classified as wilderness  
820 study areas during the BLM wilderness review conducted between 1976 and 1993 by authority  
821 of Section 603 of FLPMA and labeled as Wilderness Study Areas within the final report of the  
822 President of the United States to the United States Congress in 1993.

823 Section 3. Section **63J-8-105** is amended to read:

824 **63J-8-105. Maps available for public review.**

825 A printed copy of the maps referenced in ~~[Subsection]~~ Subsections 63J-8-102(10) and  
826 (11) shall be available for inspection by the public at the offices of the Utah Association of  
827 Counties.

828 Section 4. Section **63J-8-105.5** is enacted to read:

829 **63J-8-105.5. Uintah Basin Energy Zone established -- Findings -- Management**  
830 **and land use priorities.**

831 (1) There is established the Uintah Basin Energy Zone in Daggett, Uintah, and  
832 Duchesne Counties for the purpose of maximizing efficient and responsible development of  
833 energy and mineral resources.

834 (2) The land area and boundaries of the Uintah Basin Energy Zone are described in  
835 Subsection 63J-8-102(11) and illustrated on the map described in Section 63J-8-105.

836 (3) The state finds that:

837 (a) the lands comprising the Uintah Basin Energy Zone contain abundant, world-class  
838 deposits of energy and mineral resources, including oil, natural gas, oil shale, oil sands,  
839 gilsonite, coal, phosphate, gold, uranium, and copper, as well as areas with high wind and solar  
840 energy potential; and

841 (b) the highest management priority for all lands within the Uintah Basin Energy Zone

842 is responsible management and development of existing energy and mineral resources in order  
843 to provide long-term domestic energy and supplies for Utah and the United States.

844 (4) The state supports:

845 (a) efficient and responsible full development of all existing energy and mineral  
846 resources located within the Uintah Basin Energy Zone, including oil, oil shale, natural gas, oil  
847 sands, gilsonite, phosphate, gold, uranium, copper, solar, and wind resources; and

848 (b) a cooperative management approach among federal agencies, state, and local  
849 governments to achieve broadly supported management plans for the full development of all  
850 energy and mineral resources within the Uintah Basin Energy Zone.

851 (5) The state calls upon the federal agencies who administer lands within the Uintah  
852 Basin Energy Zone to:

853 (a) fully cooperate and coordinate with the state and with Daggett, Uintah, and  
854 Duchesne Counties to develop, amend, and implement land and resource management plans  
855 and to implement management decisions that are consistent with the purposes, goals, and  
856 policies described in this section to the maximum extent allowed under federal law;

857 (b) expedite the processing, granting, and streamlining of mineral and energy leases  
858 and applications to drill, extract, and otherwise develop all existing energy and mineral  
859 resources located within the Uintah Basin Energy Zone, including oil, natural gas, oil shale, oil  
860 sands, gilsonite, phosphate, gold, uranium, copper, solar, and wind resources;

861 (c) allow continued maintenance and increased development of roads, power lines,  
862 pipeline infrastructure, and other utilities necessary to achieve the goals, purposes, and policies  
863 described in this section;

864 (d) refrain from any planning decisions and management actions that will undermine,  
865 restrict, or diminish the goals, purposes, and policies for the Uintah Basin Energy Zone as  
866 stated in this section; and

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

869 (6) The state calls upon Congress to establish an intergovernmental standing

870 commission among federal, state, and local governments to guide and control planning  
871 decisions and management actions in the Uintah Basin Energy Zone in order to achieve and  
872 maintain the goals, purposes, and policies described in this section.

873 (7) Notwithstanding the provisions of this section, the state's grazing and livestock  
874 policies and plans on land within the Uintah Basin Energy Zone shall continue to be governed  
875 by Sections 63J-4-401 and 63J-8-104.

876 Section 5. **Effective date.**

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