

**CONCURRENT RESOLUTION OPPOSING UNITED STATES
SECRETARY OF INTERIOR'S WILDERNESS
RE-INVENTORY**

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael E. Noel

Senate Sponsor: Dennis E. Stowell

LONG TITLE

General Description:

This concurrent resolution of the Legislature and the Governor urges the United States Secretary of the Interior to honor the 2003 Settlement Agreement and abandon the "Wild Lands" wilderness re-inventory, and urges Congress to honor longstanding commitments to multiple use public lands management.

Highlighted Provisions:

This resolution:

- urges the United States Secretary of the Interior to honor the 2003 Settlement Agreement and abandon the "Wild Lands" wilderness re-inventory; and
- urges the United States Congress to honor the longstanding commitment to multiple use management of public lands in Utah and the Western United States.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, the wise multiple use of the public lands in Utah and in the Western United States is necessary for economic stability, is critical to the state's future, and is an important part of Utah's culture and heritage;

WHEREAS, prudent application of sustainable multiple use principles allows the state's renewable and abundant natural resources to be of value to all Americans, while protecting the

many unique and sensitive parts of the state;

WHEREAS, the federal government controls two of every three acres of the state of Utah, second only to Nevada among the contiguous 48 states;

WHEREAS, the multiple use management of the lands held in common in Utah has contributed to the well being of the state and nation through energy development, mineral development, production of food and fiber, and recreational opportunities;

WHEREAS, the creation of new wealth is tied directly to the land and the judicious development of the state's natural resources;

WHEREAS, ownership and private property rights are the catalyst to increasing wealth and improving society's standard of living, and is a belief central to capitalism and a successful free enterprise system;

WHEREAS, risk and investment capital seek market opportunities that exhibit political and policy stability, the hallmarks of Utah's business climate, but are adversely affected by the political posturing and disregard for state input related to management of 23,000,000 acres of land administered by the United States Department of Interior's Bureau of Land Management;

WHEREAS, Revised Statute 2477, effective for more than 100 years and purposely protected in the Federal Land Policy Management Act of 1976, provided for the development of Utah's natural resources;

WHEREAS, the Taylor Grazing Act of 1934 established the legal obligation and responsibility of the federal government to safeguard livestock grazing rights as part of the cultural and social fabric of the West, ultimately upheld as the "chiefly valuable for grazing doctrine";

WHEREAS, generations of economically viable livestock grazing operations in Utah have been forged to families combining private and public land resources that ultimately contribute to local economies and are the catalyst for preserving open space in many rapidly developing areas;

WHEREAS, management of the unreserved federal lands administered by the Interior Department are obligated under the Federal Land Policy Management Act (FLPMA) to

58 incorporate into agency management plans "consistency" in partnership with state and local
59 planning;

60 WHEREAS, a fundamental principle espoused by the nation's Founders called for
61 equality among the states and is referred to as the "Equal Footing Doctrine," a principle that
62 calls for each state to enter the Union equal in their sovereign power;

63 WHEREAS, the Interior Department's "Treasured Landscapes" internal planning
64 document reveals an agency bias, and outside influences identified as much as 130,000,000
65 acres of Bureau of Land Management (BLM)-administered lands for special "Wild Lands"
66 designation;

67 WHEREAS, the "Treasured Landscapes" internal document also recommends that the
68 Secretary of the Interior circumvent congressional mandates related to wilderness designations,
69 calling for wilderness protection through Presidential Proclamations;

70 WHEREAS, on December 23, 2010, the Secretary of the Interior announced Secretarial
71 Order 3310, calling for a re-inventory of Bureau of Land Management lands with "wilderness
72 characteristics" under a new Secretarial definition of "Wild Lands" and diverting funds from
73 critical agency needs;

74 WHEREAS, the BLM has inventoried lands with wilderness characteristics, following
75 the National Environmental Policy Act requirements, as part of the agency's Resource
76 Management Planning process;

77 WHEREAS, Secretarial Order 3310 seeks to establish new wilderness study areas in
78 Utah and throughout the West based on the new wild lands definition and BLM inventory
79 guidance providing the BLM broader authority to stop energy development, livestock grazing,
80 mineral extraction, and recreational activities;

81 WHEREAS, jobs generated through multiple use activities on the public lands provide
82 family sustaining, well paying jobs to hundreds of thousands of Utahns and are the economic
83 backbone of Utah's rural communities;

84 WHEREAS, in recent testimony before Congress's House Natural Resources
85 Committee, the Director of the BLM indicated that he lacked the statutory authority to

86 implement the policies of Secretarial Order 3310; and

87 WHEREAS, the Secretary of the Interior's decision to withdraw from the 2003
88 Utah--Interior Settlement Agreement is an insult to Utahns, and Secretarial Order 3310 is a
89 violation of the spirit and the letter of the Wilderness Act of 1964, ultimately undermining the
90 goodwill and collaborative efforts currently underway in Utah to find mutually agreeable land
91 use solutions:

92 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
93 Governor concurring therein, urge the United States Secretary of the Interior to honor the 2003
94 Settlement Agreement and abandon the "Wild Lands" wilderness re-inventory.

95 BE IT FURTHER RESOLVED that the Legislature and the Governor urge the United
96 States Congress to honor the longstanding commitment to multiple use management of public
97 lands in Utah and the Western United States.

98 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority
99 Leader of the United States Senate, the Speaker of the United States House of Representatives,
100 the United States Secretary of the Interior, the President of the United States, and to the
101 members of Utah's congressional delegation.

971

UTAH STATE SENATE
59th LEGISLATURE
2011 GENERAL SESSION

HCR 12
PASSAGE 2 & 3 UNDER SUSP. RULES
2nd Reading

RCS# 971
3/10/2011 11:08:06 PM

Concurrent Resolution Opposing United States
Secretary of Interior's Wilderness Re-inventory
Noel

20 YEAS 5 NAYS 4 ABSENT PASSED

YEAS 20

Adams	Hinkins	Niederhauser	Stowell
Bramble	Jenkins	Okerlund	Thatcher
Buttars	Knudson	Reid	Urquhart
Dayton	Liljenquist	Stephenson, H.	Van Tassell
Hillyard	Mayne	Stevenson, J.	Waddoups

NAYS 5

Davis	McAdams	Romero
Jones	Robles	

ABSENT 4

Christensen	Madsen	Morgan	Valentine
-------------	--------	--------	-----------

429

SEQUENCE #429

STATE OF UTAH
HOUSE OF REPRESENTATIVES
2011 General Session of the 59th Legislature
VOTE TABULATION

HCR 12
BY Noel

Concurrent Resolution Opposing United States
Secretary of Interior's Wilderness Re-inventory

MARCH 3, 2011
4:33:45 PM

Lockhart
SPEAKER OF THE HOUSE

Amended

YEAS - 56

Anderson	Edwards	Kiser	Powell
Barrus	Eliason	Last	Ray
Bird	Fisher, Julie	Mathis	Richardson
Brown, D	Galvez	McIff	Sagers
Brown, M	Gibson	Menlove	Sandstrom
Butterfield	Grover	Morley	Sanpei
Christensen	Handy	Newbold	Sumsion
Clark	Harper	Nielson	Vickers
Cox	Hendrickson	Noel	Watkins
Daw	Herrod	Oda	Webb
Dee	Hughes	Perry	Wilcox
Dougall	Hutchings	Peterson, J	Wiley
Draxler	Ipson	Peterson, V	Wimmer
Dunnigan	Ivory	Pitcher	Wright

NAYS - 8

Arent	Briscoe	Cosgrove	King
Biskupski	Chavez-Houck	Fisher, Janice	Seelig

ABSENT OR NOT VOTING - 11

Duckworth, S	Hemingway	Painter	Wilson
Froerer	Litvack	Poulson	Lockhart
Greenwood	Moss	Wheatley	