

PROTECTING OUR PUBLIC LAND RIGHTS

UTAH TAKES ACTION ON UNAPPROPRIATED LAND



The federal government controls nearly 70% of the land in Utah. In comparison, the federal government controls less than 1% of the land in Connecticut, New York, and Rhode Island, and less than 3% of the land in Delaware, Maine, Massachusetts, Ohio, and Pennsylvania. While half of this public land has been designated as national parks, national forests, national conservation areas, or the like, the other half is “unappropriated” land, meaning that the United States simply holds the land without any designated purpose.

Utah has filed a landmark public lands lawsuit asking the U.S. Supreme Court to address whether the federal government can simply hold unappropriated lands within a state indefinitely. The “unappropriated” land in question is approximately 18.5 million acres, or 34% of land in Utah, controlled by the Bureau of Land Management (BLM) under the Federal Land Policy Management Act (FLPMA).

****This lawsuit WILL NOT impact the millions of “appropriated” acres already designated as national parks, national monuments, wilderness areas, national forests, Tribal lands, or military properties.**

Why is Utah Taking Action?

- The BLM Public Lands Rule redefines conservation to adopt a restrictive, museum-type management approach to conservation, limiting public access and use, impacting recreation and local economies, and allowing the issuance of Restoration and Mitigation Leases that close leased lands to other uses. This is contrary to the BLM's legal obligation to promote multiple-use and sustained yield.
- The BLM recently closed over 317 miles of popular roads and trails in Grand County against Utah’s wishes. This action has significantly limited public access to these areas, impacting recreational activities and local businesses that rely on tourism. The BLM is proposing closures on thousands of additional miles of roads on federal land in Utah, which could further restrict public access and use.
- The new management plans for the Bears Ears and Grand Staircase-Escalante National Monuments will impose severe restrictions on access, recreation, and the ability to build the infrastructure needed to accommodate increased visitation and use.
- Recent decisions by the federal government impose heavy restrictions on developing our energy portfolio and necessary infrastructure.



The State of Utah has proven itself as a good steward of our public lands. The intention of the lawsuit is to keep public lands public and actively managed.

Stand for Our Land

Utah’s preference is that public land remain public and remain open for responsible and sustainable use and recreation, including hunting, fishing, camping, biking, off-highway vehicle travel, and rock climbing. We are committed to ensuring that the lands and resources are used sustainably to benefit both current and future generations of Utahns and visitors.

A History of Utah's Public Lands and Who Controls Them

1847-1850s: Pioneers settled in the Salt Lake Valley and surrounding areas, establishing the State of Deseret. The federal government took control of the Utah Territory in 1850.

1862: President Abraham Lincoln signed the Homestead Act, allowing settlers to claim land in Utah and the American West.

1896: Utah became the 45th state of the United States on January 4, 1896, after a long and complex journey to statehood.

1916: President Woodrow Wilson signed the Organic Act, creating the National Park Service and establishing Bryce Canyon and Capitol Reef in Utah.

1946: The Bureau of Land Management (BLM) was created during the Truman Administration, succeeding the General Land Office and U.S. Grazing Service, to manage and dispose of lands managed by the federal estate lands government.

Early 20th Century: The Antiquities Act of 1906 granted the President authority to designate national monuments to the smallest size compatible with preserving the objects that require protection. Zion National Park and Natural Bridges National Monument were established during this period.

1964: 1964 Congress established the Public Land Law Review Commission (PLLRC) to reform federal land laws. The PLLRC's report emphasized cohesive planning and state cooperation.

1976: The Federal Land Policy and Management Act (FLPMA) reaffirms federal authority over public lands while allowing for greater state and local involvement in land management decisions through coordination, cooperation, consultation, and consistency requirements.

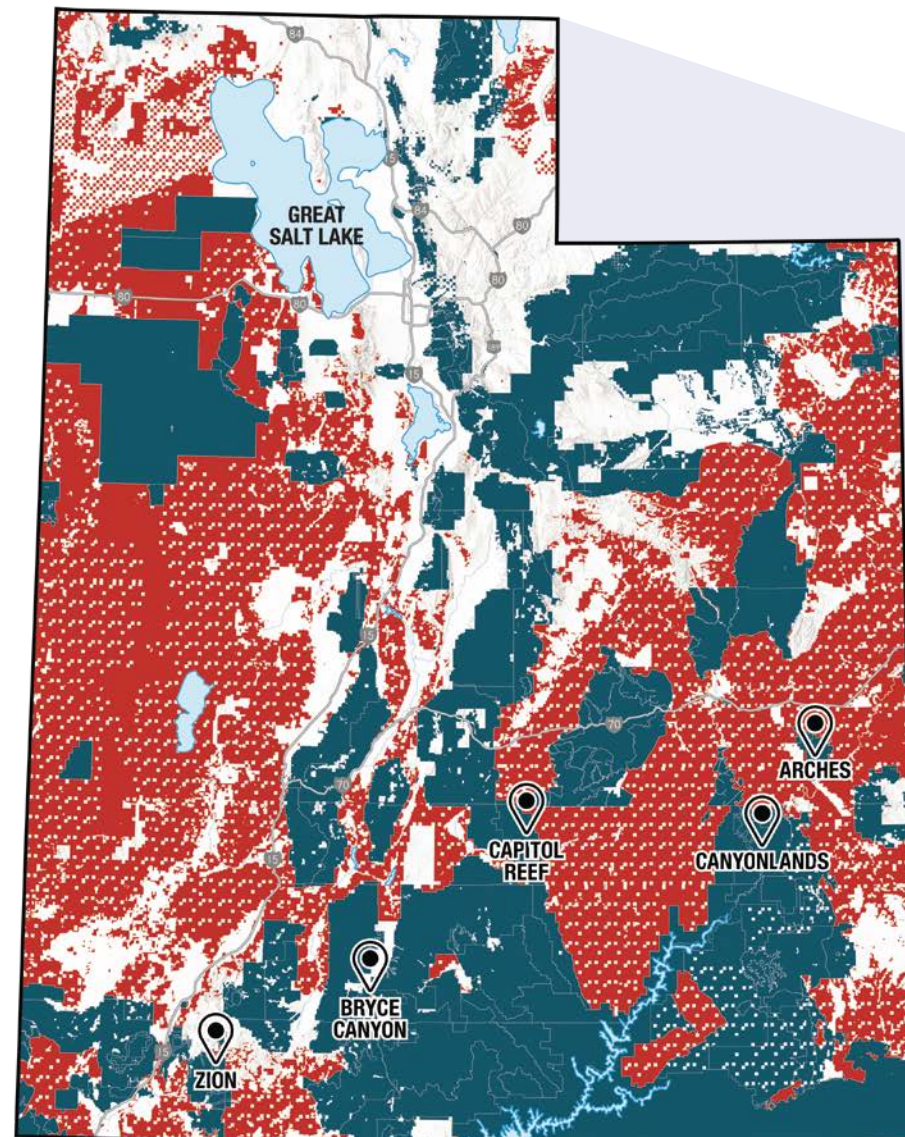
Aug. 20, 2024: Utah filed a landmark public lands lawsuit asking the U.S. Supreme Court to address whether the federal government can hold unappropriated lands within a State indefinitely without a clearly designated purpose.

LANDS IN LAWSUIT

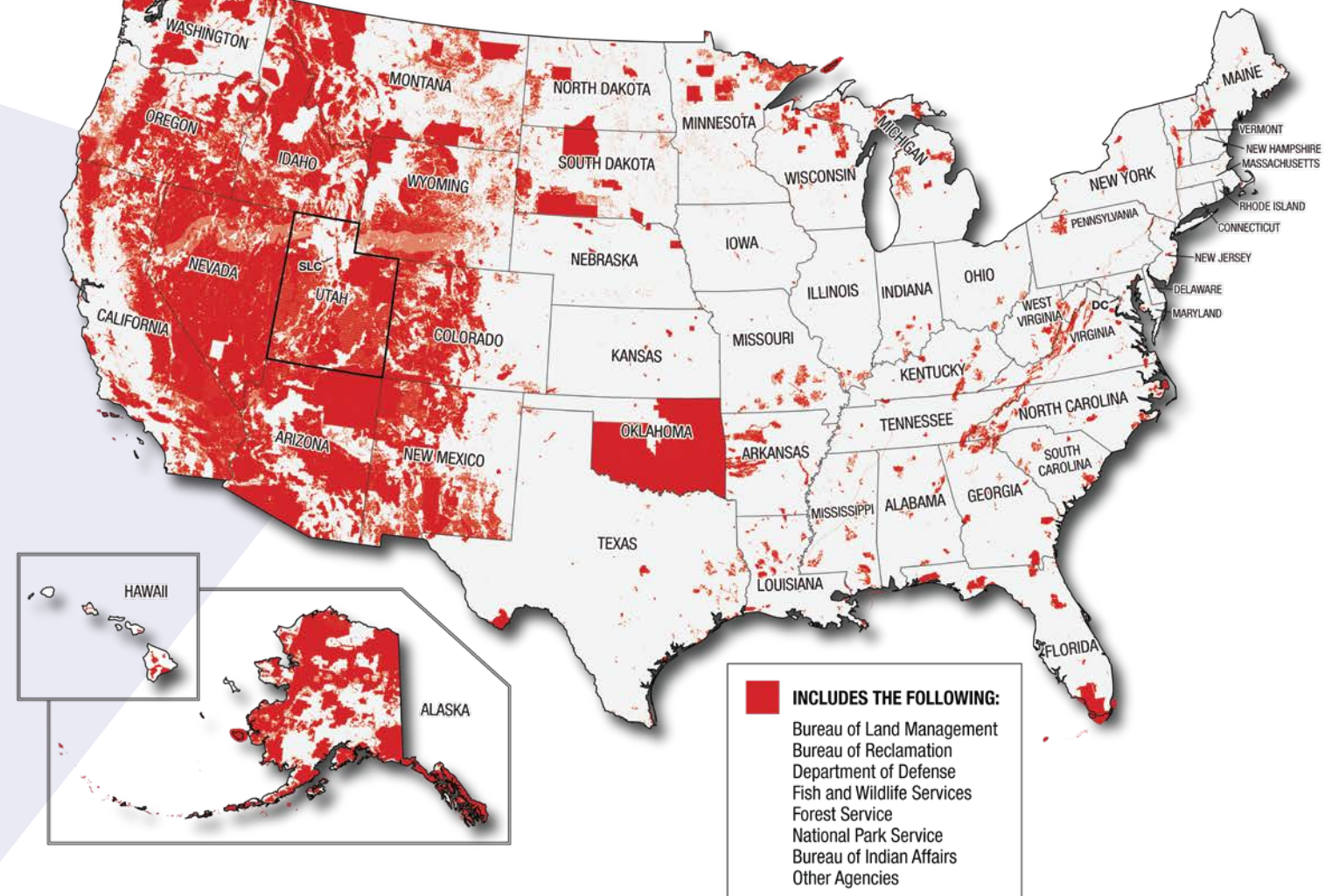
Unappropriated BLM Lands
18.5M ACRES

LANDS NOT IN LAWSUIT

All other Federal and Tribal Lands (national parks, monuments, forests, and wilderness areas)
18.8M ACRES



FEDERALLY CONTROLLED LANDS IN THE U.S.



State Plans to Keep Public Lands in Public Hands

If the lawsuit is successful, Utah intends to take steps to acquire these BLM lands and actively manage them for public use. Should Utah acquire these lands, the State will manage them for multiple uses: to balance recreation, wildlife habitat, and conservation with other responsible uses such as energy production, livestock grazing, and sustainable resource development.

The Utah legislature created the Utah Department of Land Management in 2017 (Utah State Code 63L-9-102), which would come into existence if Utah were to acquire 250,000 or more acres of federal lands. The Utah Department of Land Management would manage these newly acquired lands under the Utah Public Lands Management Act (Utah State Code, Title 62L, Chapter 8), which outlines management processes and includes a prohibition against the privatization of these public lands, except in rare situations (Utah State Code 63L-8-104).



Firefighters from the Utah DNR Lone Peak Conservation Center removing hazardous fuels for wildland fire risk reduction

Actively Managing Our Lands

Utah's Proven Leadership and Practices

Utah has a long history of working in partnership with local and federal agencies to improve and provide stewardship for Utah's public lands. Recent actions by the BLM undercut these efforts, making collaborative restoration projects increasingly difficult to implement. Under state management of unappropriated BLM land, Utah would expand the scale of these successful restoration efforts.

Grazing Improvement Program

Utah's Grazing Improvement Program (GIP) is dedicated to improving the health and sustainability of Utah's rangeland. It provides grants and funding resources for ranchers, directs rangeland improvement programs and projects, and supports grazing management plan development. This program helps prevent the decline of public lands by using sustainable management practices.

Utah has invested over \$35 million in GIP projects, benefiting over 12 million acres statewide by working cooperatively with private landowners, local and federal agencies, and local partners to promote multiple-use management of public lands.



Wildlife Management Areas

For over 100 years, the state has provided winter ranges with feed and shelter to help deer and other big game animals survive in the snowy winter months through Wildlife/Waterfowl Management Areas (WMAs). The state and partners manage these lands and implement habitat projects to maintain healthy wildlife populations. Currently, there are 194 WMAs throughout Utah, totaling over 500,000 acres. WMAs are primarily managed for wildlife purposes and may offer multiple-use opportunities different from other public lands in Utah.

Public Lands Law Enforcement

The state has approximately 150 DNR law enforcement officers (LEO) statewide, more than double the law enforcement presence of all the federal land management agencies combined. Our Utah Department of Natural Resources (DNR) LEOs have excellent working relationships with local law enforcement agencies across the state and are more dispersed so there are LEOs in nearly every corner of the state closer to the resources and recreation areas.