

**A RESOLUTION OF THE CARBON COUNTY BOARD OF COMMISSIONERS TO PROPOSE THAT CONGRESS DESIGNATE CERTAIN LANDS WITHIN CARBON COUNTY, UTAH AS WILDERNESS, WILD AND SCENIC, AND NATIONAL CONSERVATION AREAS, AND TO PROPOSE THAT CONGRESS FORMALLY RECOGNIZE CARBON COUNTY'S ENERGY ZONE**

WHEREAS, the Carbon County Board of Commissioners has been invited by Congressman Rob Bishop of Utah to make recommendations to him pertaining to the permanent designation of Federal public lands within Carbon County; and

WHEREAS, the Carbon County Board of Commissioners believes that a final designation of Federal public lands will be beneficial to the citizens of Carbon County, in that it will protect cultural resources, will protect private property interests, and will benefit equally those who use such lands, including persons and entities using such lands for educational, commercial, industrial, agricultural, and recreational purposes; and

WHEREAS, Carbon County recognizes that its citizens and public officials, as well as business interests operating in the County, are uniquely situated to identify and analyze the potential effects of permanent Federal land use designations within Carbon County, and therefore requests that Congress give special and heightened attention to the recommendations made by Carbon County; and

WHEREAS, Carbon County recognizes that assigning Federal land use designations upon Carbon County lands may permanently and irrevocably affect the activities that take place on such lands by its residents, businesses, and visitors to the County, and that the allowance or curtailment of such activities will have long term effects on the economy of Carbon County; and

WHEREAS, Carbon County assembled a committee of citizens, staff and public land users and consultants to help formulate and draft Carbon County's Public Land Initiative and associated maps, and has prepared legislative language and land designation proposals which it believes will best protect sensitive areas, including areas which would benefit from designation as Wilderness and areas with historical and cultural resources, while balancing the historical and ongoing use of the lands for industrial, commercial, agricultural, and recreational purposes, and promoting to the greatest extent possible multiple use consistent with the underlying purposes of the Federal Lands Policy & Management Act (FLPMA); and

WHEREAS, Carbon County has received a favorable recommendation from the Carbon County Planning Commission with respect to these proposals, and has received the public input of Carbon County residents by hosting an open house on March 12 at which information regarding the proposals was provided, and by holding a public hearing on Carbon County's proposals on March 18, 2015, and by considering written comments submitted to the Board of Commissioners;

NOW THEREFORE, CARBON COUNTY does hereby publicly declare Carbon

LD COMMENTS submitted  
ad approved  
LD in favor

County's official position with respect to the designation of lands within its boundaries by any bill considered in the Congress of the United States as follows:

1. That the Congress of the United States designate the portion of the Green River flowing through Carbon County, Utah as a Wild and Scenic River, at the level of "Wild";
2. That the Congress of the United States designate and set aside 51,153 acres within Carbon County as Wilderness, as identified on the map accompanying this Resolution and attached to this Resolution as **Exhibit "A"**. The area recommended to be considered as Wilderness by Carbon County is colored green on **Exhibit "A"** and roughly follows the contour of the Green River along the Eastern boundary of the County, subject to currently existing grazing and access rights;
3. That the Congress of the United States designate the following as National Conservation Areas (NCAs) within Carbon County's Energy Zone, as set forth on the map attached as **Exhibit "A"**, and consistent with management guidelines summarized in **Exhibit "C"**:

- a. The Jacks Canyon NCA, consisting of 9,289 acres, located in the area shaded yellow on the attached map;
- b. The Nine Mile Canyon NCA, consisting of 26,210 acres, located in the area shaded dark brown at the top of the attached map;
- c. The Range Creek Canyon NCA, consisting of 4,203 acres, located in the area cross-hatched in orange at the bottom of the attached map.

4. That Carbon County's recommendation that Congress make the above designations be contingent upon Congress permanently and irrevocably releasing all Carbon County lands from Wilderness Study Areas, consisting of approximately 21,601 acres, including but not limited to the Jack's Canyon WSA; and agreeing to forever waive the right to designate within the boundaries of Carbon County any other areas for Wilderness, Wildlands, Wilderness Study Areas, National Conservation Areas, Areas of Critical Environmental Concern, National Monuments, or other special land withdrawals, set asides, reservations or designations.

5. That the Carbon County Energy Zone, which is an amendment to the Carbon County Master Plan, be fully and formally recognized by Congress and all economic activities, including mineral extraction and production activities, which the Energy Zone favors and placed a priority upon for land use purposes, not be curtailed but be accorded the status proposed in the Energy Zone.

6. That all designations and legislation effected by Congress be made as proposed in that certain February 26, 2015 document entitled "Carbon County Public Land Initiative - General Language Document," and subject to the recommendations contained therein, which are attached hereto as **Exhibit "B"**.

7. Carbon County reserves the right to modify and amend the recommendations and proposals contained herein, as additional information is received by the County, for the purpose of securing the best possible situation for the County and its interests.

PASSED AND ADOPTED by the Carbon County Board of Commissioners on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Casey Hopes, Chairman

Commissioner Hopes voted  yea \_\_\_\_\_ nay \_\_\_\_\_  
Commissioner Potter voted  yea \_\_\_\_\_ nay \_\_\_\_\_  
Commissioner Mellor voted  yea \_\_\_\_\_ nay \_\_\_\_\_

ATTEST

Seth Oveson, County Clerk/Auditor

**Carbon County Public Land Initiative  
General Legislative Language Document  
Approved by Committee: February 26<sup>th</sup>, 2015**

Written by Connie Brooks and amended by Carbon County Staff, the purpose of this document is to propose the legislative language to be incorporated as part of a potential bill regarding the County Public Land Initiative (CPLI). This document does not consider language to be used in county resolutions, does not detail county plans, and does not discuss future actions to be taken by the County.

The legislative language is presented by issue. It is important to note that some issues will intertwine with others and thus certain provisions or language may be redundant. To avoid redundancy, larger issues that carry through the entire CPLI are developed first and are specifically referenced later as necessary. Each issue includes specific language followed by an explanation that appears in the immediately following box of text.

**I. Special Designation Areas**

A. All land designations in the CPLI or management agreements executed as part thereof, including but not limited to, Wilderness, National Conservation Areas, and Wild and Scenic Rivers, Watershed Protection Areas, Sage Grouse Priority areas are hereby referred to as "Special Designation Areas" and are, without qualification, subject to and controlled by the terms below.

**EXPLANATION:** Each of the areas designated in the CPLI as "wilderness" or "national conservation areas" or "wild and scenic" are gathered under this single term – "Special Designation Areas" so that every piece of the CPLI is controlled by the terms of the language developed in this document. This ensures that no matter the name attached to the designation, the management matches this document.

**II. Hard Release and No Future Consideration of Special Designation Areas**

A. If any land is designated as a Special Designation Area as part of the CPLI, all other lands in the County, excluding lands already designated by Congress as "Wilderness" pursuant to the Wilderness Act of 1964, shall be released in perpetuity from any further consideration as wilderness, roadless areas, national monument, national parks, national wildlife refuge, national conservation area, area of critical environmental concern that reflect similar restrictive management principles, or any other protective management classification as stated in the, Utah Public Lands Management Act of 1995" [Such lands shall not be managed for the purpose of protecting their suitability for wilderness designation or their wilderness character and shall remain available for nonwilderness multiple uses, subject to the requirements of other federal laws.]

B. The parties expressly acknowledge that no further consideration for wilderness or wilderness character of the lands in the County is necessary and all other lands classified as having wilderness characteristics or being roadless are to be released; Congress hereby finds that the lands to be released do possess outstanding energy, mineral, timber, grazing, dispersed recreation, or other values and which should be available for non-Special Designation and for land management planning process and other applicable laws, consistent with the, "Multiple Use - Sustained Yield Act of 1960" [Public Law 86-517].

C. Special Designation Areas do not include and all parties expressly disclaim designation

or creation of any protective perimeter or buffer zone around any Special Designation Area. The fact that activities or uses can be seen or heard from areas within Special Designation Areas shall not preclude such activities or uses up to the boundary of the Special Designation Area.

EXPLANATION: The purpose of this section is to ensure that if any land is designated as wilderness or a national conservation area, or wild and scenic as part of the CPL, all land in the County will be barred in perpetuity from any further consideration of watershed protection zones, wilderness, national conservation areas, or wild and scenic rivers by Congress and federal land agencies. Also, the above language preemptively precludes any argument that there is actually any wilderness, national conservation area, or wild and scenic quality left in the County. Finally, the language prevents those areas designated under the CPL from affecting areas that are not actually within the designated area but could be seen or heard from within the designated area (i.e. roads through the wilderness, near wild and scenic river segments, etc.). The Designation language in the Bill must the grazing use of these Special Designation Areas in a manner that a court could not prohibit, reduce or restrict this use under judicial decree.

IN SUMMARY; Carbon County would like to see strong language put into the Bill referencing multiple use and sustained yield consistent with the, "Hard Release" Language of Section 9(b) of the Utah Public Lands Management Act of 1995.

### III. Conservation of Special Designation Areas

A. Special Designation Areas, including wilderness, shall be actively managed as valid existing rights by state, local, and federal entities as well as grazing permit holders and other affected parties employing a full range of management techniques, including but not limited to, mechanical, chemical, agricultural, natural, or other methods as deemed necessary. Permittees, state, local, and federal entities, as stewards of Special Designation Areas, shall fully cooperate and coordinate management efforts to ensure that water, soil, vegetation, timber, mineral, recreation, wildlife, and other resources are properly managed in a cohesive and collaborative use stewardship effort. As set forth in V, this authority shall include fuel reduction and salvage harvests.

EXPLANATION: This section sets out the overarching principle of "active management" that is applied through each of the following sections. Active management allows land managers and permittees the ability to do vegetation treatments, habitat alterations, water improvements, predator control, or a suite of management actions on a regular, if not day-to-day basis, or as needed by the resources in the area. For example, U.S. Forest Service Officials have expressed profound concerns that the fuel loads in the forested areas present a significant risk to municipal water resources and overall watershed health due to wildfire. The risk of wildfire also poses significant risk to wildlife habitat and recreation. Thus, it is important to introduce an active management principle combined with a full range of management tools early in the language to ensure that fire is suppressed in Special Designation Areas, including wilderness.

### IV. Livestock Grazing

A. The grazing of livestock in Special Designation Areas shall continue to be regulated by rules, regulations, manuals, and handbooks or other guidance that might apply to national forest or public domain lands without implementation of rules,

regulations, manuals or handbooks that apply to livestock grazing in wilderness

areas, or areas classified as roadless or having wilderness characteristics, or other limited use designations. Livestock grazing shall be entitled to continue as a valid existing right and entitled to renewal consistent with the following:

1. Grazing levels and season of use shall remain at the same level per Permittee when the affected allotment is designated as a Special Designation Area. Grazing levels may increase upon monitoring data developed for a minimum of five (5) years showing that there is additional forage and the increases will not adversely affect vegetation resources.
2. There shall be no reductions in grazing numbers of both active and suspended AUM's, or in the season of use in Special Designation Areas simply because an area is, or has been designated as such, nor should any special designation be used by administrators to slowly "phase out" grazing. Any changes in grazing use shall only be temporary. AUM reductions due to drought or other natural occurrences and shall be based on monitoring data of at least five (5) years duration from studies designed to measure change over time and which document a causal link between livestock grazing and resource deterioration. No permanent grazing reductions shall occur if the data fail show that livestock grazing is a causal factor and do not distinguish livestock impacts from those of wildlife or natural forces, such as drought, wildfire or flood, or other multiple uses such as recreation. All monitoring shall be conducted in close cooperation, consultation, and coordination with the permittees in any affected allotment.
3. The administration of grazing permits shall include the right to access the allotments and private lands using motorized vehicles if applicable and to apply the same full range of active management techniques on all range improvements including roads and trails as any non-Special Designation Area. The term "administration" is not limited to the grazing season and includes access to check on status of range projects and range resource conditions, research and monitoring, maintenance, repair, construction, reconstruction, and installation of range improvements, trailing and moving livestock according to existing allotment management plans or established grazing practices. Special Designation Areas, in no way, limit administration of grazing permits.
4. Grazing permits shall be fully transferrable under the same Acts, rules and policies that apply to transfers of grazing permits located in non-Special Designation Areas.
5. Special Designation Areas within the National Forest System shall not be managed to give priority or preference to wildlife populations or wildlife habitat over livestock grazing. Livestock grazing permits shall not be reduced, discontinued or suspended due to big horn sheep populations, existing or re-introduced, elk, moose, mule deer, mountain goat, or any other wildlife species in Special Designation Areas.
6. Livestock permits shall be renewed for a term of ten (10) years according to existing terms and permits consistent with the above or incorporation of new regulation changes that lengthen the term of the renewal.

## VI. Wildlife and Fish Habitat and Population Management

A. Notwithstanding creation of a Special Designation Area and in accord with the Conservation principle at III (A), the Permittee, state, local, or federal agency shall be entitled to engage in a full range of active habitat management practices, including those vegetation treatments discussed at Section V above as well as installation of physical water guzzlers or troughs, fences, gates, or other improvements for purposes of benefiting fish or wildlife habitat.

EXPLANATION: This section incorporates the overarching Conservation Principle discussed above and will be used. The section also explicitly recognizes the purpose of this "full range" of methods by discussing the timber resource in the County. It also recognizes that noxious and invasive species represent a clear threat to all resources and the status of Special Designation Areas will not impair or impede efforts to suppress or eliminate noxious weeds.

C. Vegetation management shall also include methods to control nonnative, noxious, and invasive plan species.

B. The parties expressly acknowledge the potentially catastrophic state of the timber resource in the County and agree that the proper management of that resource, as well as the myriad resources that will be adversely affected by a wildfire, requires logging, motorized access, mechanical and chemical treatments, as well as monitoring, reclamation, and seeding.

A. Parallel to the Conservation principle at III(A) above, permittees, state, local, and federal entities shall cooperate, consult and coordinate in order to actively manage vegetation with a full range of management tools and techniques including, but not limited to, mechanical, chemical, agricultural, natural, or other methods as deemed necessary.

## V. Vegetation Management

EXPLANATION: The language above, to the maximum extent possible, characterizes grazing permits in wilderness and national conservation areas as a protected legal right and not merely as a privilege that may be changed or cancelled for any reason. The language specifies no net loss of AUMs, but draws an added protection for each Permittee (no net loss per Permittee). Similarly, it gives livestock operators the ability to actually manage the rangeland resource and the livestock using a full suite of methods including motorized access and mechanical vegetation treatments for pinion-juniper top and scatter, timber logging, or similar actions. Permits would be renewable for 10 years on existing terms, and could be increased if monitoring data establishes such a possibility. Permits and AUMs are protected from reduction or cancellation due to wildlife (including endangered species, which is discussed later) and permittees are also given year-round access to maintain, improve, and administer the permit.

1. Nothing in this legislation shall have any impact on the certification,

A. No Special Designation Areas include any water rights or the presumption of a water right, whether reserved, unreserved, absolute, conditional or otherwise, for any purpose relating to said designations.

### VII. Water Rights

EXPLANATION: Both the management of wildlife habitat and the actual animals themselves are addressed in this section. Once again, habitat management, much like vegetation management, will be actively accomplished with a full range of methods. Those animals that are managed directly through removal (predators and wild horses) are specifically addressed. Finally, this section prevents the possibility that a threatened or endangered species will immediately end existing uses. Instead, the conservation agreement delays a listing until causes are determined; a plan can be developed, and ensures that management is kept local. If Private landowners are managing their land in a manner that supports good conservation; agreements that compromise the property rights of their land and permits will not be used under the guise of habitat needs for any species.

B. Prior to listing any species as threatened or endangered pursuant to the Endangered Species Act, the U.S. Fish and Wildlife Service and the parties to the CPLI agree to exhaust all potential conservation efforts to prevent listing of the species. Conservation efforts may include, but are not limited to, Conservation Plans or Conservation Agreements between federal agencies, the state, and private landowners and permittees. All Conservation Plans and Agreements must be granted a minimum term of ten (10) years to show improvements in habitat or population numbers. Demonstrable improvement will automatically extend the agreement for a further five (5) year period until the species is stable. The MOU with APHIS will be acknowledged and used for predator control. FWS will acknowledge this authority and accept state management under this and its Sovereign right.

1. Motorized vehicle access and the use of mechanical equipment shall be permitted.
2. Habitat improvement and vegetation management shall include reduction in fuel loads, removal or control of invasive non-native species, removal of decadent or undesirable vegetation to improve habitat or biological diversity.
3. Wild horses, if any, shall be kept within their AML and shall be removed from any Special Designation Area immediately upon notice by any Permittee, state, local, or federal entity if those wild horses have strayed from any applicable Herd Management Area, and to prevent the negative environmental effects on the range, wildlife habitat, riparian areas, and other resources.
4. Special Designation Area management will not impair or impede predator control and a full range of methods shall be used to protect and actively manage wildlife and livestock in this effort. Areas set in county plans for habitat management will be counted as conservation acres for special designation mitigation.



development, use, change, maintenance, or expansion of water rights to any existing or future use or permit as per Utah State Code within a Special Designation Area whether held by a person or other entity.

2. No Special Designation Area shall impair or impede construction of facilities to develop, divert, change, store, apply, or otherwise use water.

3. Canals, ditches, springs and all other water structures must be accessible for maintenance and protection purposes by motorized travel and equipment access.

a. All canals, ditches, and water structures should be protected by an adequate buffer of at least one-half mile on either side of the center seam of the structure, whereby management prescriptions, if any, associated with the Special Designation Area do not apply.

b. Stock ponds, watering holes, fencing or and or placing troughs on springs etc. must be considered "improvements."

B. Any in-stream water right created by designation as Wild and Scenic River is junior to all absolute and conditional water rights existing before the CPLI is finalized.

C. Nothing in this Act shall be construed to take or reduce the State of Utah's Sovereign authority over all waters within the State and to make and enforce all laws, rules or regulations or Utah's rights and authority pertaining to the Colorado River Compact of 1922 Statutized in Public Law, Title 43 Chapter 12B § 620.

EXPLANATION: This section focuses on preventing the U.S. Forest Service or BLM or another federal agency from claiming a reserved or unreserved water right for wilderness or conservation purposes. It also allows existing water rights to be moved or expanded (i.e. changed) without any interference from wilderness, conservation, or wild and scenic designation. It also permits the development of new water rights and beneficial uses. The State of Utah has not full developed its water rights in the Green River and any Special Designation Areas should not interfere with future projects whereby water users need to develop water rights. Finally, it ensures that even if a water right is created by wild and scenic designation, that water right is junior to all absolute and conditional water rights.

## VIII. Watershed Protection

A. Notwithstanding creation of a Special Designation Area and in accord with the Conservation principle at III(A), the Permittee, state, local, or federal agency shall actively manage and employ a full range of management techniques to protect water development and domestic and agricultural water resources in a watershed area and to promote watershed health. This acreage shall be counted as conservation use under and a Special Designation Area. This includes Carbon County's Watershed zone.

C. In accord with Section V(B) above, responding to wildfire, state, federal and local government agencies shall be entitled to use motorized vehicles and mechanical equipment and any other means deemed necessary to protect the watershed. Special Designation Areas shall be a priority for fire suppression and control to protect water quality and water quantity.

enhance water flows.

EXPLANATION: Much like the sections on vegetation and habitat management above, this section again incorporates a full suite of management actions available to the land managers and also ties in the concept that watershed health is tightly woven with timber, vegetation, fire, and active management of those resources.

## IX. Transportation

A. All roads, two-tracks, and historic trails in the County within, bordering, or reaching a Special Designation Area will continue to be open and accessible by all methods of travel including motorized vehicles and shall not be closed or obliterated or blocked. This is consistent with the active management of Special Designation Areas and access necessary to facilitate a full range of management tools.

B. Pursuant to the Act of July 26, 1866, ch. 262, § 8, 14 Stat. 251, 253, codified at

43 U.S.C. § 932, all public trails, roads, livestock byways, and other rights-of-way shall remain open and accessible to historic uses and shall not be closed or obliterated or blocked.

EXPLANATION: This section ensures that all roads, regardless of classification, will not be closed or obliterated (i.e. blocked with dirt piles, rocks, timber, etc.) in order to preserve administrative access. Some roads may be given up if it suits the CPLI but only to the extent specifically agreed upon on a road-by-road basis.

## X. Recreation Uses

A. All existing recreational uses, including hunting, fishing, off-road use, snowmobiling, and cycling shall continue to the same degree and in the same manner, and such continued right of use shall include the use of motorized vehicles and mechanical equipment along existing roads and trails.

B. Consistent with Section 2(C) above, camping along any and all campsites, roads, or road spurs shall include a 300 foot buffer along the edge of the road to allow a safe and healthy environment for camping and associated recreational activities.

**XI. Other Provisions**

**EXPLANATION:** Recreational uses must be protected where they have traditionally occurred, for example, camp grounds. Recreational uses also must be protected as they have been historically developed. For example hiking trails, biking trails, horseback riding, fishing and hunting access points all need to be preserved as they have existed up to this point.

A. Any decision made by the BLM, U.S. Forest Service, or other federal agency with regards to the lands and resources in the CPLI shall be subject to mediation before the Utah Department of Agriculture. Upon a determination by the Utah Department of Agriculture, the BLM and U.S. Forest Service agree to accept the determination as a final determination of the issue.

**EXPLANATION:** This provision ensures that permittees and other users are granted a remedy without seeking judicial review.

B. The provisions in this bill are part of a historic agreement between several counties, environmental groups and the State of Utah. If any provision is omitted or later amended or dropped without the agreement of all of the original parties, then this agreement is null and void.

**EXPLANATION:** This provision ensures that as the bill moves through the legislative process, if it is amended in any way, the agreement no longer holds and the deal is done.

EXHIBIT "C"

The purposes for which the NCAs have been proposed has been accepted by the Board of Commissioners of Carbon County as a part of the Resolution. Any guidelines, rules and or regulations by which the Advisory Board recommends for management plans to BLM for each NCAs should be based on this framework as follows:

**Nine Mile Canyon National Conservation Area**

The designation area involved will encapsulate the boundary of what is presently the Nine Mile Canyon ACEC. The ACEC designation and management plan will be dropped in lieu of the Congressional NCA designation and management guidelines as directed below.

It is deemed that;

- Utility corridors will be allowed; right of ways for the construction and monitoring of utility and mineral extraction within corridors including pipelines, power and communication lines surface or sub-surface including maintenance and repairs of all infrastructure. It includes roads together with all sub-structure, drainage, bridges and the adjacent maintenance facilities:

- The continued use of all roads deemed public by Carbon County and the State of Utah shall be recognized as their property and management under RS 2477. All rights-of-way to private lands over federal land shall be permanently left open to use and maintained as needed to allow safe use. No loss of access by any means shall be allowed.

OHV use on designated routes will be allowed consistent with county ordinances and state statute. Ongoing planning and implementation opportunities will be allowed through county coordination and cooperation.

- VRM shall be Class III in this area.
- No added restrictions or stipulations shall be imposed on energy exploration, production, or the infrastructure or actual transmission of the products to market or on any type of development opportunities. Oil and gas development will be allowed under stipulations for avoidance and setback requirements as needed on a case-by-case basis and open to disposal of mineral materials.

Oil and gas parcel nomination, leasing and development in the Nine Mile Canyon National Heritage Area in compliance with the FIS and NHPA shall be allowed. Leases and or parcels that were cancelled will be returned to the present operator

- Ongoing agricultural operations as a historic cultural occupation shall function freely with the owner's ability to pass on untaxed the lands and businesses to their heirs without regulatory or legislative impacts or actions that reduce the economic benefits of farming and ranching and that all too often contributes to the cultural demise of this lifestyle. Split

estate will be open to oil and gas leasing subject to minor constraints provided private property owner's surface rights are not infringed or they have expressly given their permission to the use of their property.

- Public land grazing use shall be recognized as an ongoing historic cultural occupation and as a valid existing right. It will continue with no additional restrictions or permanent reductions in numbers or season of use. The right-of-ways established to move livestock from one accustomed grazing land to another or to market will continue to be recognized as a historic livestock trail consistent with Utah Statute without impediment.

- The ongoing identification, inventorying, and classifying of archaeological finds will continue within this area, as will the support and promotion of educational and research efforts to study these finds. Finds will continue to be added to the register under the oversight of the State Historic Preservation Office, consistent with the West Tavaputs Programmatic Agreement.

- Tourism opportunities will continue and be promoted by the local tourism infrastructure. BLM will manage and maintain their facilities at Daddy Canyon and other areas and continue to oversee the cultural resources on the federal land within this designation with the Utah State Historic Preservation Office local county knowledge, cooperation and coordination.

- Special status and recognition will be placed on the fact that all of these land uses function together and will be equally treated under the law.

- Members chosen for the Jacks Canyon National Conservation Area Advisory Board shall also be approved by the Board of County Commissioners of Carbon County, Utah. Board members will only be allowed to make recommendations within scope of these guidelines.

**This area contains 26,210 acres.**

## **Jacks Canyon National Conservation Area**

Congress deems this conservation area shall be in multiple use but protected by:

- Utilizing grazing management that historically has and is an intricate part of the ecosystem health of this area as well as a tool to reduce biomass buildup and enhance wildlife habitat and watershed areas shall continue without interruption and be considered a valid existing right of the grazing permit holder.
- All grazing management fuel reduction will be covered by language consistent with Congressional designation of this entire region.

- All activities and measures to manage this area will be done in cooperation and coordination with the State of Utah and the local involved counties.
- Oil and gas development shall be allowed subject to minor constraints, No Surface Occupancy.
- All trails or ways existing to manage the land for grazing, watershed wildlife in the NCA will be permanently left open for use. Maintenance to whatever degree needed shall be allowed to ensure safe use. No loss of access or users ability to maintain property access by any means shall be allowed.
- Members chosen for the Jacks Canyon National Conservation Area Advisory Board shall also be approved by the Board of County Commissioners of Carbon County, Utah. Board members will only be allowed to make recommendations within scope of these guidelines.
- Special status and recognition will be placed on the fact that all of the land uses of this area function together and will be viewed as and treated equally under the law.

This area contains 9,289 acres.

### Range Creek Canyon National Conservation Area.

This area has been found by Utah State Fire and Forestry to have a high probability for catastrophic fire.

Congress deems this conservation area shall be protected by;

- Utilizing grazing management that historically has and is an intricate part of the ecosystem health of this area as well as a tool to reduce biomass buildup and enhance wildlife habitat and watershed areas shall continue without interruption and be considered a valid existing right of the grazing permit holder.
- All grazing management fuel reduction will be covered by language consistent with Congressional designation of this entire region.

Management will also include commercial timbering and the use of controlled burns as a means to reduce the hazard to relict values in Range Creek Canyon.

- All activities and measures to manage this area will be done in cooperation and coordination with the State of Utah and the local involved counties.

Oil and gas development shall be allowed under stipulations for avoidance and setback requirements as needed on a case-by-case basis and open to disposal of mineral materials. Split estate will be open to oil and gas leasing subject to minor constraints provided

- private property owner's surface rights are not infringed or they have expressly given their permission to the use of their property.
- The continued use of all roads deemed public by Carbon County and the State of Utah shall be recognized as their property and shall be management under RS 2477. All rights-of-way to private lands over federal land will be permanently left open to use. Maintenance to whatever degree needed shall be allowed to ensure safe use. No loss of access or users ability to maintain property access by any means shall be allowed.
- Members chosen for the Jacks Canyon National Conservation Area Advisory Board shall also be approved by the Board of County Commissioners of Carbon County, Utah. Board members will only be allowed to make recommendations within scope of these guidelines.
- Special status and recognition will be placed on the fact that all of the land uses of this area function together and will be viewed as and treated equally under the law.

This area contains: 4,203 Acres

WYOMIN

