



Nov. 16, 2021

President Joseph R. Biden, Jr.  
The White House  
Washington, D.C. 20500

Dear President Biden,

We write to respectfully offer feedback on your Executive Order 14008, issued on Jan. 27, 2021 and titled “Tackling the Climate Crisis at Home and Abroad” (Order). Section 216 of that Order focuses on conserving the nation’s land and water resources with the goal of conserving at least 30% of land and water by 2030 and is commonly referred to as the “30x30 Initiative.” On May 6, the *Conserving and Restoring America the Beautiful* Report (Report) was released outlining initial efforts, goals, concerns, and barriers to implementing the Order.

We want you and your agency leaders to understand both our commitment to conservation and our concerns regarding the administration’s stated goals and policies. We are interested in finding common ground, but doing so will require clear, candid, and constant communication with us and our staff and agency leaders.

Perhaps most importantly, the Report lacks a clear definition for the term “conservation,” creating drastically divergent viewpoints on the administration’s policy intentions. Many special interest groups conflate “conservation” with “protection” when it suits their organizations’ public lands objectives. Since “conservation” has not been more narrowly defined, the public has been left to speculate as to what changes they can expect to their lands upon which they rely for their livelihoods and their emotional well-being. We are not alone in finding this disconcerting. The Report notes that various stakeholders have raised “important questions and concerns” and have “differing views...of how broadly or narrowly to define “conservation” and how to measure progress toward a 2030 conservation goal.” We echo this sentiment. Without a clear definition of conservation, appropriate meaningful progress cannot be measured.

Utah currently has a substantial amount of its total land mass in a conservation or preservation status. Approximately 23% of the state, 12,628,600 acres, receives the highest level of protection available (e.g., national parks, wilderness, national monuments, etc.). Another 48% of Utah, 25,949,790 acres, is public lands managed by the Bureau of Land Management (BLM) and the U.S. Forest Service which administer various restrictive laws, rules, and regulations that govern

conservation designations including but not limited to, wilderness study areas, lands with wilderness characteristics, wild and scenic rivers, areas of critical environmental concern, special recreation management areas, research natural areas, inventoried roadless areas and visual resource management classifications. In addition, federal lands in Utah are protected by the National Environmental Policy Act, Federal Land Policy and Management Act, Endangered Species Act, Archaeological Resources Protection Act, Paleontological Resources Preservation Act, National Historic Preservation Act, Native American Graves Protection and Repatriation Act, Federal Cave Resources Protection Act, among others.

Private lands in non-public lands states are not subject to these same restrictions. In total, a conservative estimate of Utah's protected, working landscapes, and conserved habitats total over 38,578,390 acres, or 71% of Utah. A separate third-party publication confirms the significant amount of land currently under some protected or conserved status within the state. It is understood that the current U.S. Geological Survey (USGS) Gap Analysis Project, the *Protected Areas Database of the United States* (PAD-US), is the nation's official inventory of public open space and private protected areas. We have determined the current dataset to be incomplete, with significant variations in what qualifies as protected lands. We request the rebuilding of the Conservation and Stewardship Atlas and we stand ready to provide expertise and resources in working with the interagency committee to realize this need. Categorization of "protected areas" within the PAD-US should account for the disparities in public lands ownership between the eastern and western United States – the standard under which privately-owned working lands in the central and eastern United States are deemed "protected" in the PAD-US should be equitably applied to public working landscapes in the western United States. For example, a BLM parcel in Utah employed for sustainable livestock grazing should be categorized under the same level of protection as private ranch lands in Texas which also employ sustainable livestock grazing practices.

Despite what some may portray, Utah has a long and successful history of managing and improving our lands and waters in partnership with federal agencies, landowners, local governments, and other stakeholders. Healthy, resilient landscapes, ecosystems, and wildlife populations are the result of these efforts. Such success almost always requires hands-on active management of lands and waters to achieve desired outcomes. As you consider the goals of the 30x30 Initiative, it is imperative that you acknowledge Utah's conservation successes and recognize that the state has already gone above and beyond the stated goals of the 30x30 Initiative and has valuable first-hand experience on how to conserve Utah's lands effectively.

To maintain critical sectors of our economy *and* meet the president's objectives, Utah and its partners need greater flexibility to actively manage our public lands. Swift and dependable NEPA analysis, and open communication with our federal partners are critical components of any success. Misguided attempts to simply draw additional boundaries on a map to restrict more

of Utah's land and waters could be detrimental to current and previous efforts and may ultimately harm Utah's lands, waters, and wildlife. We look forward to working with the Administration to find ways to support, rather than deter, these successful efforts.

We have made past efforts to engage this administration on this topic and we once again reach out in the spirit of partnership and collaboration to make the best decisions possible for Utah's unique public lands and its citizens who rely on them. We ask you to consider the following concerns and desired outcomes, as well as existing programs that are making a significant difference on the ground.

### **Pursue a Collaborative and Inclusive Approach to Conservation**

#### ***Tourism During the COVID-19 Pandemic***

Throughout the COVID-19 pandemic, "parks, playgrounds, riverfronts, and open spaces offered refuge to families seeking fresh air and [a] safe place to unwind." This was particularly true in Utah. Utah opened its doors to tourism while several of our neighbors locked their gates. Unfortunately, the funds paid into the National Parks and Public Land Legacy Restoration Fund (LRF) created under the Great American Outdoors Act were not adequately reallocated to National Parks within Utah in fiscal year 2021. We would like to encourage the administration to equitably allocate those funds in the future to assist Utah in its desire to continue to provide Americans with safe outdoor recreation especially through these trying times.

#### ***National Monuments***

As Gov. Cox emphasized to Interior Secretary Haaland during her visit in April 2021, it is imperative that a collaborative and inclusive approach be utilized in future decisions regarding all national monuments to avoid monument designation "ping pong" that does nothing for the land and fosters contention among the people. We are disappointed in the president's recent decision to expand both monuments and forgo the chance for a collaborative solution that could offer real protections for the lands and antiquities that are threatened by the attention and increased visitation the monument designation created. However, that decision only increased the importance of meaningful ongoing coordination with us and our staff regarding the management of both monuments. We also request that livestock grazing, and other cultural and historic uses be allowed to continue within the monuments along with active management of vegetation and fuel loads.

### ***Critical Minerals and Rare Earth Elements***

Both of Utah's most contentious monuments contain large reserves of valuable natural resources including, but not limited to, critical minerals and rare earth elements (REEs) that could easily prove essential to United States' national security, economic prosperity, and to the administration's energy policies. Utah is home to 28 of the 35 critical minerals and rare earth elements and more research is being conducted to better identify these resources. Helium, uranium, vanadium, cobalt, lithium, and potash are just a few of the many critical minerals and REEs that are known to exist within the original national monument boundaries. Please note that it is not possible to develop a green economy without these critical resources. Given the expansion of the monuments we request that access to historic rights-of-way and access to critical minerals be protected and pre-planned in a manner that permits those resources to be available to future generations of Americans without endangering nearby cultural or historic resources.

### ***Conserve America's Lands and Waters for the Benefit of All People***

The Report highlights the "...oversized contributions that farmers, ranchers, forest owners, fishers, hunters, rural communities, and Tribal Nations already make in safeguarding wildlife and open spaces for the benefit of the rest of the country, and therefore recognizing and encouraging these remarkable efforts." We recognize that agricultural producers understand the importance of conservation goals and have, in many cases, already implemented active management practices that lead to improved and more sustainable use.

Conservation goals should not be achieved through wilderness designations, monument designations, or any other actions that restrict multiple-use and active management on public lands. Instead of restricting access and multiple use, there should be increased adaptive management aimed at achieving conservation goals. It is vital that farmers and ranchers can adapt to new circumstances and make collaborative decisions with government agencies that result in the maximum sustainable use of the land. Decisions should be made collaboratively between government agencies, and with those whom the decisions will affect. The concept of multiple-use needs to be a priority and focus to both achieve collaboration and conservation goals.

### ***Support Locally Led and Locally Designed Conservation Efforts***

Land management planning is most effective when federal, state, local, and tribal partners communicate and cooperate. The Federal Land Policy and Management Act of 1976 (FLPMA)

directs the secretary to “coordinate the land use inventory, planning, and management activities ... with the land use planning and management programs of ... the State, Local and Tribal governments within which the lands are located.”] Despite this being very clearly outlined in statute, meaningful cooperation is not a standard that is met in a large portion of land management efforts.

Beyond coordination, FLPMA directs the secretary to make land use plans “consistent with state and local plans to the maximum extent he finds consistent with federal law and the purposes of this Act.” Utah leads the nation in state and local resource management planning. Utah and all 29 of its counties have a resource management plan. These plans are uniquely suited to inform federal decision-making within Utah. No review of potential conservation lands can be complete if the secretary disregards the state’s formal land management policies and previous land planning efforts. Coordination with the state, with the goal of consistency between state and federal plans, is the ideal land management structure. Utahns value our working lands and multiple-use and sustainable yield land management practices that have brought enjoyment and economic stability to Utah’s unique communities and cultures for more than 125 years. We need your assistance in ensuring this process is meaningful and productive throughout implementation of the 30x30 Initiative.

### ***Honor Tribal Sovereignty and Support the Priorities of Tribal Nations***

The name “Utah” is believed to be a Native American reference to the Ute Tribe that means “people of the mountains” or “those that are higher up.” In addition to the Utes, which include members of the Ute Indian Tribe of the Uintah and Ouray Reservation and the Utah Mountain Ute and its White Mesa Community, six other sovereign tribal nations also call Utah home. Each has a unique heritage that can be found among Utah’s many sacred places. These tribes include the Navajo Nation, the Confederated Tribes of Goshute, the Skull Valley Band of Goshute, the Paiute Indian Tribe of Utah, the San Juan Southern Paiute Tribe, and the Northwestern Band of Shoshone Nation.

We recognize that Tribal members are not only citizens of their own sovereign Tribal Nations, but also citizens of the state. Thus, it is critical for state and Tribal Nation leaders to openly and honestly discuss issues that affect Utah’s Native American population, including issues regarding public lands and waters claimed historically and used currently by Utah’s tribal members. As we recognize the sovereignty of the various tribal nations, we encourage the federal government to recognize the sovereignty of the state and Tribal Nations to the maximum extent possible and not elevate one sovereign over the other.

Recognizing the need for regular and meaningful consultation with Tribal Nations for proposed state actions with tribal implications, on July 30, 2014, former Gov. Gary R. Herbert issued a gubernatorial Executive Order 2014/005 titled *Executive Agency Consultation with Federally-Recognized Tribes*. (EO). The EO formalized the state’s recognition of the government-to-

government relationship with tribal nations, as set forth in the Constitution of the United States, the Utah Constitution, and treaties, statutes, and case law. It acknowledges the right of Tribes to self-govern, and it expresses a desire to work with Tribes on a government-to-government basis. It states:

When an agency intends to implement a state action with tribal implications, consultation should occur as part of a meaningful and comprehensive process that promotes effective communication between the tribe and the agency. The agency should make every effort to ensure that consultation with the tribe is conducted as early as possible, is carried out in good faith, and that honesty and integrity are maintained by the agency at all stages of the consultation process.

To ensure compliance, the EO requires each executive agency to establish a policy providing an opportunity for meaningful consultation with Tribes, including contacting Tribal officials at the earliest possible time when developing or implementing state action with tribal implications.

The Utah Division of Indian Affairs (DIA) plays a key role in ensuring that agencies develop and comply with their policies by, among other things, providing training for agency officials and employees who are required to comply with the EO, and requiring an annual compliance report to the lieutenant governor. Beyond this, DIA also promotes a positive intergovernmental relationship between the state and Utah's American Indian Tribes. DIA hosts annual meetings, such as the Annual Governor's Native American Summit and the American Indian Caucus Day, which bring together state and Tribal leaders, legislators, community members and partners to maintain and strengthen relationships and discuss issues of Tribal importance. DIA also provided tribal consultation training for state agencies and leads the state in celebrating, honoring, and recognizing the countless contributions of Utah's American Indian community at its annual Indigenous Day celebration.

The state is committed to working with Tribal governments to conserve and restore the natural resources that sustain us, as well as the cultural resources that impart meaning to human existence. We encourage your administration to respect the sovereignty of Utah's Tribal governments and work with us to provide the resources and institutional support necessary to conserve the natural and cultural resources critical to Tribal nations.

***Pursue Conservation and Restoration Approaches that Create Jobs and Support Healthy Communities***

Utah's oil and gas industry is important to Utah's economy, especially in rural Utah. The oil and gas ("O&G") industry supports over 32,000 jobs in Utah, many of which are located outside urban areas. As such, we opposed your administration's "pause" on new O&G leases found in Executive Order 14008. As we have stated in previous communications with you and your administration, there is no doubt that any *de facto* moratorium would negatively impact Utah families and communities. The state requests that the federal land management agencies immediately resume its oil and gas leasing program on federally managed public lands.

In addition to jobs, the state has lost royalties from the administration's leasing "pause." Under federal law the royalty rate from the production of minerals on federal lands is 12.5%. Of those royalties, 50% are allocated to the host state (minus a 2% administrative fee) and 50% are allocated to the BLM. Most of these royalties go directly to supporting Utah schools and local governments, as well as health, safety, and environmental projects statewide. Utah ranks fourth and fifth in the nation for public land production of natural gas and oil respectively. As such, royalty revenues are significant, amounting to millions of dollars annually. These royalties directly support jobs, economic vitality, and healthy communities.

We encourage your administration to resume the congressionally mandated leasing program and to reach out to state and local governments to find common ground on areas where oil and gas leasing could be deferred to protect specific and localized resource concerns. This will ensure better care for the environment and disadvantaged communities and families.

### ***Honor Private Property Rights and Support Voluntary Stewardship Efforts of Private Landowners and Fishers***

For decades voluntary stewardship of private lands and fisheries has been identified as a priority and implemented in Utah. As such, we are grateful that the Report recognizes that "farmers, ranchers, and forest owners have built vibrant rural communities that supply food and fiber to the world, while also developing strong and lasting stewardship traditions that are a proud cornerstone of America's conservation heritage." It is important that public lands continue to be made available for food, fiber, lumber, energy and mineral production.

In furtherance of the goal of supporting voluntary stewardship efforts, we echo the statement from the American Farmland Trust found in the Report which states "[t]o be successful, these policies must embrace USDA's legacy of voluntary, incentive-based, and locally-led conservation and be strategically targeted." Utah farmers and ranchers are some of the best land and resource stewards anywhere in the world. When given the opportunity, they will do their utmost to properly tend to and manage the land and resources in their care, and from which they derive their livelihoods for generations. Time and again, it has been shown that incentives are important to improving environmental practices. As such, the state would encourage the federal government to focus on strategically targeted, incentive-based, and locally led initiatives.

### ***Use Science as a Guide***

Using science to guide our efforts is critical to address climate change and promote biodiversity. The Report concludes that "science can provide information about the places that are most rich in wildlife, that store the most carbon, or that are most rare or imperiled, but data alone should not be the sole guide or measure of success for how the nation protects, conserves, or restores its

lands and waters.” The state diligently works to study and improve habitat for a whole host of species found on both public and private lands by incorporating the best science and working with public and private partners.

Federal land management agencies should ensure that the scientific data used to guide management decisions reflects unique local circumstances and data collection. A prime example of this need occurs with Utah’s population of greater sage-grouse, which, unique among western states, occur in isolated populations throughout Utah in a variety of different ecological zones. These unique characteristics of Utah’s greater sage-grouse populations require specialized management responses to the various challenges facing the species. Biologists from Utah State University, Brigham Young University, and other institutions have produced a tremendous amount of scientific research regarding Utah’s greater sage-grouse populations, and such locally-produced research represents the best available scientific data for the species within Utah. BLM and USFS decision-making for Utah’s greater sage-grouse habitat must incorporate local scientific data and cannot rely solely on range-wide scientific studies, which fail to capture the nuances of Utah’s greater sage-grouse population. The situation with Utah’s greater sage-grouse is but one example of how federal agencies must seek out and utilize locally produced scientific research in their decision-making process.

Wildlife does not follow property or administrative boundaries and biodiversity is impacted to some extent by anthropogenic impacts on the landscape like urban sprawl and population increases throughout the West. The Report recognizes that “the Trump administration launched a promising effort to enhance the winter range and migration corridor habitat of elk, deer, and pronghorn on DOI-managed lands. This initiative could be expanded to include other land managers, to build partnerships with working ranches and other landowners, and to conserve corridors and seasonal ranges for other species.”

We lament that many of the scientifically proven management practices needed to improve wildlife habitat and biodiversity are not easily applied to federal lands because of federal designations and multiple layers of federal regulation. The state and federal government need to develop a better method for overcoming these unfortunate hurdles so we can apply the best science on the ground.

### ***Build on Existing Tools and Strategies with an Emphasis on Flexibility and Adaptive Approaches***

We support the creation and adaptive utilization of the American Conservation and Stewardship Atlas with the caveat that a definition for the term “conservation” can be agreed upon. The Report states that, “this discussion should start with a recognition that, at its core, President Biden’s conservation vision is about doing better for people, for fish and wildlife, and for the planet. There is no single metric—including a percentage target—that could fully measure progress toward the fulfillment of those interrelated goals. Similarly, there is no single database



that could capture the texture and nuance of the economic and social values of every restoration or conservation action.”

We are grateful for the Biden administration’s recognition that USGS’s Protected Area Dataset (PAD) is incomplete and should “include information about the conservation strategies of Tribal Nations, and many other effective conservation tools that farmers, ranchers, and other private landowners are deploying to conserve the health of working lands.” Voluntary conservation measures should count toward nationwide goals and private landowners should be incentivized to participate, and be rewarded in kind, for their contributions.

Lastly, livestock grazing is not just a permitted use on public lands or a type of agricultural production on private lands, it is an important and effective tool used to create positive environmental outcomes and achieve conservation goals. America was grazed for centuries by native bison. Livestock grazing today emulates those same grazing patterns. Your administration should recognize livestock grazing as an effective management tool and use livestock grazing to achieve conservation goals. Conservation goals should not come at the expense of restricting multiple uses on public lands and should not imply the need for the federal government to own more land. There are better and more collaborative approaches that can be taken to encourage conservation. Many successful conservation approaches are already practiced by agricultural producers and these successes should be encouraged.

### **Utah’s Local Conservation Efforts**

#### ***The Highly Successful Watershed Restoration Initiative***

Utah’s Watershed Restoration Initiative (WRI) focuses on improving three ecosystem values: 1) watershed health and biological diversity, 2) water quality and yield, and 3) opportunities for sustainable uses of natural resources. Significant investments have been made through WRI to improve rangeland health and watershed conditions. Since the program’s creation in 2006, WRI has improved nearly 2 million acres of habitat in Utah. In fiscal year 2020, the Utah Legislature contributed \$6.2 million to WRI. Eighty-six participating partners completed restoration of 110,041 acres of uplands and 166 miles of stream and riparian areas, leveraging state legislative funds by a factor of 14-to-1.

Sportsman-generated funding plays an important role in WRI. On average, sportsman groups contribute more than \$3,500,000 to habitat projects on an annual basis in Utah. Over the 15-year life of WRI, over 1.2 million acres of land and water have been restored to a more natural and resilient state. The long-term results of WRI will be measured in reduced wildfire and associated costs, reduced soil loss from erosion, reduced sedimentation, and loss of storage capacity in reservoirs, improved water quality and yield, improved wildlife populations, reduced listings under the Endangered Species Act, improved agricultural production, and ecosystems that are more resilient to invasive plant species. Utah’s WRI has restored nearly 2 million acres of land

across the state since 2005 and has been lauded as a huge success by local and regional BLM and Forest Service leadership.

### ***Endangered Species Mitigation Fund***

Local wildlife managers and partners constantly work together to improve conditions enough to have wildlife and plant species delisted under the Endangered Species Act (ESA) and to prevent the potential for listing. Efforts to prevent additional ESA listings are outlined and prioritized in the Utah Wildlife Action Plan. The Endangered Species Mitigation Fund, matched with state Wildlife Grant funding, provides the funding cornerstone for these efforts.

As for recent progress on down grading and delisting threatened and endangered species, the state of Utah can report on the following:

- June Sucker - After many years of dedicated, hard work by the June Sucker Recovery Implementation Program, the June sucker population in Utah Lake was reclassified by the U.S. Fish & Wildlife Service in 2021 from an endangered species to threatened under ESA. While this is a very significant step in the conservation of this species, the Recovery Program is already working with the U.S. Fish & Wildlife Service to define benchmarks for this species that, when met, will allow it to be removed from ESA. The June Sucker Recovery Program is a diverse partnership that works toward recovery of June sucker while allowing continued water development and economic growth in Utah County.
- Colorado River Fishes - The Humpback Chub and Razorback Sucker also have been reclassified or proposed for reclassification from endangered to threatened under ESA within the past 2 years, showing the progress the Upper Colorado River Endangered Fish Recovery Program has contributed to the conservation of these species in the Green and Colorado river drainages. The Upper Colorado River Endangered Fish Recovery Program has dual objectives of recovering ESA listed fish and allowing the states in the Upper Colorado River watershed to continue developing their allotted water allocation within the basin.
- Kanab Ambersnail - The Kanab Ambersnail was delisted in 2021 due to the efforts of the Utah Division of Wildlife Resources and partners. The state pushed to have this species delisted beginning in 2017 when genetic work on this species demonstrated that it was part of a broader group and not valid as a species under ESA.
- Deseret Milkvetch - The Deseret Milkvetch was delisted in 2018 when partners working on this species demonstrated that the threats identified for this species were not as significant as proposed at the time of listing and that the species population was much greater than realized at the time of listing under ESA.
- Utah Prairie Dog - The state and partners are wrapping up a conservation strategy for this species in 2021 that will outline the benchmarks for delisting. Our hope is to continue

working with partners to secure Utah Prairie Dog populations to where they will be permanently delisted from the ESA.

### ***Wild Horse Populations***

The state has played a key role in the success of the non-partisan Path Forward Organization which is a collection of diverse stakeholders who have come together to solve the Wild Horse and Burro issue. Through these efforts, funding for implementation of the Path Forward Plan has been secured which will provide BLM the opportunity to make significant gains to reduce the overpopulation of wild horses and burros. Over the past few years significant strides have been made by the Bureau of Land Management (BLM) and other partners to reduce the number of excess free-roaming horses and burros on Utah's Horse Management Areas (HMAs). Recently, excess horses above the Appropriate Management Level (AML) were removed from the Onaqui Mountain HMA. Many of the gathered mares were treated with contraceptives and released back into the wild to allow for healthy and controlled populations. The BLM reports that the statewide AML for all 19 combined HMAs is 1,956 horses. It is only through the combined efforts of the BLM and other partners that these horse populations will be able to be maintained at AML and reduce conflict surrounding horse populations and range habitat degradation. These efforts are appreciated by the state of Utah, wildlife managers, and private landowners. With a stronger partnership with the state and increased funding, wild horse and burro habitat can be conserved through creative strategies such as the recent use of contraceptives and maintaining herds at appropriate management levels.

### ***Shared Stewardship***

Shared Stewardship is a cooperative approach to managing Utah's forests. It enables land managers to confront the urgent forest health challenges that no one agency can face by itself. Utah's Shared Stewardship agreement provides a framework for the state of Utah and the U.S. Forest Service to work together to engage partners, identify forest health priorities, and comanage wildfire risks to support forest restoration projects. The primary goals of the projects are protecting communities and watersheds from the threat of large unwanted wildfires. Active conservation efforts provide numerous ecosystem benefits including improving air quality, water quality, and increased water quantity. Through Shared Stewardship we are opening our conversations to include not only the state and the Forest Service, but communities, industry, organizations and users of our national forests. Shared Stewardship is about working with partners to do the right work, in the right place, at the right scale.

Program highlights include, but are not limited to, appropriating over \$15,000,000 to projects in all the National Forests within the state since 2019 and the completion of dozens of projects that help accomplish the goals of the program and inform key performance indicators to monitor the progress of Shared Stewardship projects. The program received three times more requests in the

past year than it has the funding to complete. This program is currently operating under a four-year agreement with the U.S. Forest Service and has been widely supported by the Utah Legislature, Utah counties, and other partners. It is essential that this program be renewed and that this partnership continues to grow and meet the needs of the resources and communities around the state of Utah.

Reducing the risk of uncharacteristic wildfire should be an essential focus of the Biden administration throughout the country, but especially in western states. Every year wildfire causes devastation throughout numerous states and puts fellow Americans at risk. This situation calls for active management rather than reactive management, or no management due to overly restrictive landscape designations. Many management actions exist to reduce the risk of uncharacteristic wildfire and to help control the fires when they occur. Fuels reduction projects, targeted livestock grazing, vegetation treatment, fuel break projects, and prescribed burns are just a few of the effective management options available to reduce the risk of uncharacteristic wildfire. The Biden administration should support, and explicitly articulate these management policies.

The extreme drought conditions in 2021 that exist throughout Utah have endangered water supplies for both farms and residents and threaten to do serious harm to Utah's economy and way of life. Such drought conditions expedite the need for a more adaptive forest management to improve water quantity and quality and to prevent catastrophic fires across the state, particularly along the densely populated Wasatch Front. The vast majority of Utah's drinking and agricultural water originates in Utah's forested mountains; thus forest conditions have a direct and immediate impact on the lives of Utahns. Close coordination between the state and federal land management agencies is essential to mitigate the impacts of drought as Utah's population continues to grow.

### ***The Utah Migration Initiative***

In April 2017, the Utah Division of Wildlife Resources began a statewide initiative to identify, preserve and enhance essential movement corridors for terrestrial and aquatic wildlife species in Utah. The mission is to document, preserve and enhance wildlife movement for species throughout Utah using state-of-the-art tracking and data management technologies, strong collaborative partnerships and compelling outreach. The initiative aims to identify migration and movement patterns, wildlife stopover sites, priority areas that can reconnect fragmented habitat ranges and locations that allow wildlife species to safely move from one large habitat area to another.

Utah is home to some of the country's first wildlife overpasses. The recently completed Parleys Canyon Wildlife overpass now allows a variety of animals to follow their traditional migration patterns while avoiding busy Interstate 80. The state would like to once again encourage the

federal government to work with Utah to invest in wildlife conservation, overpasses or underpasses along major roads, and corridors to increase biodiversity and to protect human life. These types of collaborative efforts have proven very successful in Utah, and with adequate funding, greater efforts could be accomplished in a timely manner.

Although the initiative is relatively new, to date there have been over 6,900 animals collared and movement tracked, and 60 wildlife-friendly highway crossings installed. Diverse partnerships have already been established with over 35 different partners with more partnerships coming. These accomplishments have been significant and are being achieved through the following conservation efforts:

- A newly installed fish passage structure allows native cutthroat trout to migrate from the Weber River to Strawberry Creek for the first time in 60 years.
- Utah is currently one of the fastest growing states in the country, and Eagle Mountain is one of the fastest growing cities in Utah. A mule deer migration corridor runs right through the currently undeveloped western portion of the emerging city. With careful planning, it is possible to preserve the migration corridor as Eagle Mountain City grows. Partners involved in this effort include, but are not limited to, Eagle Mountain City, Bureau of Land Management, Utah Department of Transportation, Mule Deer Foundation, Sportsmen for Fish and Wildlife, and Eagle Mountain Nature, and the Wildlife Alliance. Wildlife fencing, animal detection/warning signs, habitat improvements along and around known migration routes and identification of migration routes added to Eagle Mountain City Parks and Open Space Master Plan and this joint effort.
- Terrestrial wildlife research biologists are tracking deer, elk, bison and pronghorn movements in areas of concern and public interest — such as the Book Cliffs, Paunsaugunt Plateau and on the Parker Mountain range. The more the state learns about these migrations, the better the populations can be managed for current and future generations.
- Researchers are studying temperature and thermal habitat distribution in Utah waterbodies and modeling current and future water quality and availability. Understanding the relationships between water and wildlife will be essential as we work together to combat climate change effects and situations.

We encourage your administration to work with us to address habitat fragmentation issues through similar corridor initiatives and mitigation efforts.

### ***The Grazing Improvement Program***

The Grazing Improvement Program (GIP) administered by the Utah Department of Agriculture and Food (UDAF) seeks to improve the productivity, health, and sustainability of our rangelands

and watersheds. The state believes that well planned and managed livestock grazing is the most important landscape-scale tool for maintaining healthy rangelands, watersheds, and wildlife habitats. Healthy rangelands contribute to a healthy livestock industry and productive rural economies. The program's goals are to strengthen Utah's livestock industry, improve rural economies, and to enhance the environment.

Measuring the success of the GIP program is achieved by three main processes: 1) Monitoring on the ground results of projects and land management changes, which is done using both on-the-ground and remote sensing techniques; 2) Tracking the economic viability of the livestock industry and rural economies related to ranching in Utah to include tracking federal, state and private forage allocation over time; and 3) Partnering with others to improve resource health and preserve livestock grazing on public lands.

GIP Projects have had a positive effect on management on over 6 million acres of rangeland in Utah since the program began in 2006. Most of these projects have improved water distribution on the landscape which in turn improves livestock distribution and use patterns. In addition, thousands of new watering points have been added to the environment that benefit not only livestock, but wildlife as well. When ranchers are successful in their grazing management, the operations remain viable, and land remains open and undeveloped. The pressure to sell land to developers is reduced and ranching operations continue to support rural economies.

### ***Catastrophic Wildfire***

Catastrophic wildfires significantly impact our landscapes, economy, and infrastructure and are considered the most preventable natural disaster facing Utah. Reducing large fires in Utah will protect life, property, communities, economies, and our environment. The goals of the Catastrophic Wildfire Reduction Strategy (CatFire) are resilient landscapes, fire adapted communities, and strong and effective local wildfire responses.

Following the record-breaking 2012 Utah wildfire season, Gov. Gary R. Herbert tasked state land managers with developing “a comprehensive and systematic strategy to reduce the size, intensity and frequency of catastrophic wildland fires in Utah.” That mandate, followed by a year-long, interagency planning effort, led to the creation of the governor's Catastrophic Wildfire Reduction Strategy (CatFire or Strategy) and associated Statewide Steering Committee (Committee). The governor accepted the Strategy in December 2013 and implementation responsibility was then given to the Division of Forestry, Fire and State Lands within the Department of Natural Resources. Immediately following, during the 2014 General Session, the Utah Legislature unanimously passed Senate Concurrent Resolution 7 expressing support for CatFire and strongly urging its implementation. Both the Executive and Legislative branches in Utah are committed to reducing the risk of catastrophic wildfire in the state.

In 2021, because of the CatFire efforts and the very proactive Fire Sense campaign, the number and size of human-caused wildfires has decreased during a period of extreme statewide drought. Reducing the extent of catastrophic wildfires not only benefits the environment and communities, but it also reduces the burden of expensive firefighting operations through various funding sources including the federal government.

Unfortunately, the state can't control wildfires in other western states (e.g., California and Oregon). Utah has been inundated with wildfire smoke all summer and Salt Lake City has experienced the worst air quality in recorded history because of smoke from other states. This is a recurring problem that needs to be addressed. For health and environmental reasons, many people were required to stay home to avoid the particulates in the air and the state implemented "Surge Workdays," which when triggered, cause most state employees to telework on days with deteriorated air quality.

### ***Wildlife Management Areas and Easements***

Since the first property acquisition in 1909, the Utah Division of Wildlife Resources (DWR) has been acquiring and managing land across Utah for wildlife, habitat, and wildlife-related recreation opportunities. DWR owns approximately 355,000 acres of property, which includes Wildlife Management Areas, Waterfowl Management Areas, and access points for hunting and fishing across 28 of the state's 29 counties. DWR also holds access and conservation easements as well as management agreements on over 150,000 acres across the state. This type of land conservation allows private landowners to maintain ownership and control of their land, while allowing DWR to manage the property for critical habitat and wildlife purposes.

DWR also carries out a successful walk-in access program, consisting of agreements with private landowners to allow their property to be open to hunters, anglers and wildlife recreators. The walk-in access program brings recreational opportunities to over 38,000 land acres and almost 40 miles of stream of access. Additionally, DWR holds an access agreement that keeps 3.4 million acres of Utah trust lands open to hunters and anglers. Property acquisition and land management efforts are funded by Utah state hunting and fishing license sales, federal excise tax on equipment, wildlife-oriented grants, outside group partnerships, or generous donations. Each year, DWR works on dozens of new land projects, partnering with private landowners, other state agencies and wildlife-focused organizations to acquire or preserve land for wildlife purposes. DWR is committed to the continuous efforts to serve the people of Utah as trustee and guardian of the state's protected wildlife and habitat.

### **Current Federal Conservation Programs**

We currently partner with a variety of federally funded and operated programs intended to promote conservation and ecosystem restoration. These programs are critical to meeting Utah's goal of accomplishing as much environmental restoration as possible.

### ***Emergency Watershed Protection (EWP) Program***

The Emergency Watershed Protection (EWP) Program which provides technical assistance and funding to protect life and property from damage created by natural disasters (floods, fires, windstorms, and other natural occurrences). To date EWP has protected 18 communities and has contributed over 57 million dollars in this effort.

### ***Environmental Quality Incentives Program (EQIP)***

The Environmental Quality Incentives Program (EQIP) is a voluntary conservation program that helps agricultural producers in a manner that promotes agricultural production and environmental quality as compatible goals. Through EQIP, agricultural producers receive financial and technical assistance to implement structural and management conservation practices that optimize environmental benefits on working agricultural land. To date EQIP has expended nearly 75 million dollars impacting 906,872 acres of land.

### ***Conservation Stewardship Program (CSP)***

The Conservation Stewardship Program (CSP) is a voluntary conservation program that encourages producers to address resource concerns in a comprehensive manner by undertaking additional conservation activities and improving, maintaining, and managing existing conservation activities. To date CSP has spent \$16 million improving 1,811,437 acres of land.

### ***Agricultural Management Assistance (AMA) Program***

The Agricultural Management Assistance (AMA) helps agricultural producers manage financial risk through diversification, marketing or natural resource conservation practices. NRCS administers the conservation provisions while Agricultural Marketing Service and Risk Management Agency implement the production diversification and marketing provisions. AMA has contributed over \$700,000 to projects improving 796 acres.

### ***Agricultural Conservation Easement Program (ACEP)***

The Agricultural Conservation Easement Program (ACEP) provides financial and technical assistance to help conserve agricultural lands and wetlands and their related benefits. Under the Agricultural Land Easements component, NRCS helps Indian tribes, state and local governments and non-governmental organizations protect working agricultural lands and limit non-agricultural uses of the land. This helps the state retain agriculture lands which in turn keeps



spaces open for wildlife thereby reducing habitat fragmentation. This program has contributed \$24 million dollars affecting 3,475 acres of land.

### ***Watershed Flood and Prevention Operations Program***

The Watershed Flood and Prevention Operations Program provides for cooperation between the federal government and the states and their political subdivisions to work together to prevent erosion; floodwater and sediment damage; to further the conservation development, use and disposal of water; and to further the conservation and proper use of land in authorized watersheds. To date this program has contributed \$24 million across 37 watershed projects.

### **Conclusion**

The key to the success or failure of this effort will ultimately depend on your administration's recognition of existing successful conservation, and its willingness to coordinate with all stakeholders to develop tribal, state, and local government supported solutions. Utah has far more than 30% of its land in various forms of conservation status, but the state would be very grateful to have federal partners willing to acknowledge what is working well and cut red tape where necessary.

Comprehensive stakeholder outreach must occur, and in a meaningful way, bringing people together to find locally agreed upon conservation solutions. The *Conserving and Restoring America the Beautiful* efforts should not be done in a manner to further divide people and stakeholders. Any solutions proposed under Executive Order 14008 must be supported by tribal, state and local government stakeholders. As stated on page 13 of the Report: "renewed national commitment to land and water conservation can and must strive to honor the needs and priorities of all communities in America, help address the climate crisis, and help to strengthen the foundation of the nation's economy."

Cooperation and frequent communication are the best paths forward and we stand ready to participate in this nationwide effort. Alternatively, ignoring the state's input and the adopted State and County Resource Management Plans will unnecessarily create an adversarial relationship, discourage future participation, and hinder the likelihood of achieving the goals and objectives outlined in the *Conserving and Protecting America the Beautiful* Report.

We appreciate the opportunity to provide comments and look forward to continually working together to increase adaptive management and achieve conservation goals in a responsible way. Finally, we respectfully request a meeting at your earliest convenience with staff from the Department of Interior, Department of Agriculture, Department of Commerce, and the Council on Environmental Quality to discuss the current and future conservation efforts envisioned for state, private and federal lands located in Utah.

As Utah continues to foster healthy and resilient landscapes and watersheds across our state, we encourage your administration to explore the contributing factors to Utah's accomplishments. Effective conservation and protection of our lands, waters, and wildlife will require greater support and assistance from the Federal level, not additional roadblocks. The goals and objectives of both the 30x30 initiative and the Conserving and Restoring America the Beautiful Report can be met as the administration works in concert with the state of Utah to support the ongoing success of our current work and augment the state's efforts.

Sincerely,



Spencer J. Cox  
Governor



Deidre M. Henderson  
Lieutenant Governor

CC: Deb Haaland, Secretary, U.S. Department of the Interior  
Thomas J. Vilsack, Secretary, U.S. Department of Agriculture  
Gina M. Raimondo, Secretary, U.S. Department of Commerce  
Brenda Mallory, Chair, White House Council on Environmental Quality  
Gina McCarthy, White House National Climate Advisor