



Sen. Hatch and Rep. Curtis have a Factsheet for the
Emery County Public Lands Act of 2018.
IT'S REALLY NOT ACCURATE, SO WE FIXED IT FOR THEM

Their Intro:

“For over two decades, Emery County, Utah has fine-tuned this broadly supported public lands legislation, which resolves longstanding questions about federal land management in the region and brings desired certainty to a broad range of local, conservationist, recreationist, and scientific stakeholders. Co-lead by Senator Orrin Hatch and Representative John Curtis, this bill is a model for how Utahns can work together to solve public land management questions in some of the most unique areas of the country. After years of input and stakeholder engagement, this bill resolves a number of access and permitted-use issues, while establishing nearly one-million acres of permanent conservation—via wilderness designations, a national monument, and a National Conservation Area.”

Our take

From the get-go, this legislation allowed local county commissioners to control the process and the proposal, with no input from American public lands owners. Despite repeated requests from the Utah Wilderness Coalition for a fair hearing on America’s Red Rock Wilderness Act—and despite having 30-plus years of on-the-ground expertise about the area and its deserving wilderness—we were largely cut out of the process and discussions. Furthermore, the drafters of this bill (the Utah congressional delegation and Emery County) failed to consult or otherwise reach out to Native American tribes with cultural ties to the region. Not surprisingly, as a result of the bill’s one-sided development, the bill effectively legislates Emery County’s wish list of motorized routes and trails by taking the highly unprecedented approach of excluding all motorized routes and trails from the National Conservation Areas and designated Wilderness boundaries. It also permits the State of Utah to continue its RS2477 roads litigation in protected areas, thereby potentially undermining long-term preservation of these conservation areas and belying claims that the bill “resolves longstanding questions about federal land management in the region and brings desired certainty to a broad range of . . . stakeholders.”

This legislation is:

- *Locally-driven by Emery County and local stakeholders; Written without regard to Utahns outside of Emery County, Native American tribes with cultural ties to the area, or the millions of Americans who have an interest in these lands.*
- *Drafted using legislative precedent and previously passed laws, particularly P.L. 111-11; Except when it’s not, such as effectively legislating routes from a travel plan that was found illegal in court, or modifying critical public safeguards from proposed bi-partisan legislation that addresses how land exchanges occur in Utah.*
- *Brings an uncommon coalition of stakeholders to the table, including conservation organizations, motorized recreation, non-motorized recreation, local officials and governments, the State of Utah, the Congressional delegation, and many more. Uncommon is one word for it; unbalanced is another.*

Major Provisions:

- *Establishes a conservation area to protect the recreational, cultural, historical, educational, natural, scenic and wildlife resources of the San Rafael Swell region; Establishes a “conservation area” chopped up with “cherry-stemmed” motorized vehicle routes and trails.*
- *Converts over 97% of Wilderness Study Areas into Wilderness, with a net increase of wilderness level protection of over 140,000 acres; Rolls back existing wilderness protections for over 30,000 acres of lands already managed by BLM for the protection of wilderness values (Wilderness Study Areas and Natural Areas), including removing nearly 15,000 acres of Wilderness Study Areas (WSAs) to, in part,*

facilitate new coal mining. Chops up the Sids Mountain WSA with off-road vehicle routes, and opens currently-closed motorized routes in the Mexican Mountain and Horseshoe Canyon WSAs. Fails to protect as Wilderness more than 900,000 additional acres of BLM lands determined by the agency to qualify as wilderness. Fails to give any level of conservation protection to 83% of Forest Service Inventoried Roadless Areas.

- Exchanges nearly 100,000 acres of Utah School and Institutional Trust Lands Administration (SITLA) land to help fund Utah's schools; **Modifies language from currently-proposed bi-partisan legislation addressing land exchanges in Utah (i.e., Advancing Conservation and Education (ACE) Act) by removing protective standards. Specifically, it omits important provisions that would require public notice and comment on any proposed land exchange, fails to require Tribal consultation prior to land exchanges, and removes critical sideboards that would ensure that wilderness-quality lands are not subject to state acquisition.**
- Empowers Utah State Parks to manage areas in critical need of improved management surrounding Goblin Valley State Park via a Recreation & Public Purposes agreement. **Hands control and development of public lands in the San Rafael Reef—including popular locations such as Crack and Chute Canyons—to the State of Utah and authorizes entrance fees to access lands owned by all American taxpayers. Allows proceeds of any fees generated on these public lands to be shared with the State of Utah.**

The Numbers:

They start by **undercounting existing protections** for BLM lands in the county. For some reason, they say there are 436,643 acres of Wilderness Study Areas (WSAs). **But actually, WSAs account for 442,881 acres in Emery County**. This will start to matter, because they want you to think they're protecting a lot, but in fact, they end up rolling back existing protections.

When they talk about existing protections, they always **leave out the 97,200 acres of Natural Areas**, which are wilderness-quality lands managed by the BLM for protection of those wilderness values. These lands are managed in virtually the same way as WSAs.

That's why it's accurate to say that there are 540,081 acres of BLM-managed public lands that are already protected in Emery County.

It's also important to consider what should be protected. **We think the answer is 1,382,400 acres of BLM land—that's what's proposed in America's Red Rock Wilderness Act**. In addition to existing WSAs and Natural Areas, **the BLM has identified an additional 887,033 acres of unprotected land as having wilderness characteristics**. **That means if you designated all the BLM-managed public land that is already protected, plus the land the BLM itself says qualifies under the requirements of the Wilderness Act, you'd get 1,427,114 acres**.

So how much is the delegation trying to protect as Wilderness? Just 509,361 acres of BLM-managed public land. See the problem? It's less than the BLM is currently protecting for wilderness values—which is also far less than what qualifies and deserves Wilderness protection.

The numbers problem repeats itself on Forest Service-managed public land. **There are 114,286 acres of Forest Service Inventoried Roadless Areas**. **The Forest Service Citizens' Unified Proposal—or what conservationists believe deserves protection—is 156,334 acres**. The Emery County bill doesn't even come close. It protects just 19,785 acres of Forest Service land.

All told, of the more than 1.5 million acres of BLM and Forest Service land that is proposed for Wilderness protection in Emery County, this bill would only protect 577,986 acres. It simply does not go far enough.