

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

**SUNSET RESOLUTIONS FOR CONSIDERATION
2020 UACD CONFERENCE
NOVEMBER 4-5, 2020
DIXIE CONFERENCE CENTER
ST GEORGE, UTAH**

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UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET LU #1

TITLE: Noxious Weed Control

SPONSOR: Zone 1 Districts

COMMITTEE RECOMMENDATION:

RE-ADOPT X RE-ADOPT WITH CHANGES RETIRE

WHEREAS, 24 of 29 county resource assessments listed noxious weeds among their top 5 priorities in 2014 and,

WHEREAS, noxious weeds detrimentally impact natural resources and revenues derived from them and,

WHEREAS, noxious weeds are a shared problem spread readily via publicly owned transportation corridors, waterways, and wildlife across private and public land alike and,

WHEREAS, once established, noxious weeds become extremely difficult to eradicate.

BE IT THEREFORE RESOLVED, that the UACD advocates more targeted approaches to weed control including:

- Prioritized treatment of novel introductions while they are small
- Prioritized treatment of particular areas where there is high risk of spread to new areas
- Selective treatment along transportation corridors, focused on noxious weeds of highest concern,
- Secure consistent and adequate funding to promote education and eradication and/or control of invasive species,

AND BE IT FURTHER RESOLVED, that the UACD promote more vigilant stewardship of real estate development sites against noxious weed invasion and spread to surrounding areas,

AND BE IT FURTHER RESOLVED, that the UACD and conservation districts advocate increased resources be made available for the purpose of controlling noxious weeds in counties and cooperative weed management areas,

AND BE IT FURTHER RESOLVED, that UACD and conservation districts support county weed boards and their enforcement of compliance to control state and county noxious weeds.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET LU #2
TITLE: Wildfire Prevention on Public Lands
SPONSOR: UACD Board of Directors

COMMITTEE RECOMMENDATION:

RE-ADOPT RE-ADOPT WITH CHANGES RETIRE X

WHEREAS, the condition and health of Utah public forest lands and rangeland managed by the U.S. Forest Service and BLM have and are deteriorating.

WHEREAS, the federal agency's investment to implement best-management-practices needed to improve resource conditions and health are inadequate and environmental compliance regulations are overly burdensome delaying and often preventing resource extraction or practices beneficial to healthy forests and rangelands.

WHEREAS, in Utah two thirds of the state is managed either by the Forest Service or BLM. Like other western public lands U.S. forests have and are at significant risk from insect and disease mortality. Forests and rangeland are under attack by non-native invasive plants. Hazardous fuel buildup and the number of wildland forest fires have been unusually high and millions of acres are at risk to catastrophic wildfire. The nation's resources, public property, and local economies are at risk and damages are in the billions of dollars annually. The resource values are lost annually on millions of acres that provide for and benefit wildlife, recreation, protect soil, clean water, and produce wood.

WHEREAS, the public pays billions for fire suppression and post fire restoration when a better policy would be to invest in pre-fire resource best management practices to improve our natural resources condition and health.

THEREFORE BE IT RESOLVED, the Utah Association of Conservation Districts supports:

- ✓ increased funding for wildfire prevention, management and restoration of our public forests and rangelands.
- ✓ improved agency rules that expedite environmental clearance.
- ✓ legislation that expedites analysis required by the National Environmental Policy Act.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET LU #3
TITLE: Wild Management Policies Amendment
SPONSOR: San Juan Conservation District

COMMITTEE RECOMMENDATION:

RE-ADOPT RE-ADOPT WITH CHANGES X RETIRE

WHEREAS, much of the federal and state land in Utah and the western states is in close proximity to private land, and,

WHEREAS, wildlife, including big game species, utilize both federal, state and private land for feed and protective habitat, and,

WHEREAS, all of the species of wildlife are managed by and are protected by federal or state agencies, and,

WHEREAS, there is documented evidence of over use of this public resource by these wildlife species, and there seems to be considerable disregard for the private property rights of landowners who provide feed and habitat for these wildlife species, and,

WHEREAS, it is the feeling of many landowners that much of the problem exists because wildlife management agencies do not seem to take these landowner concerns into consideration when making management decisions, and,

WHEREAS, Districts need to be involved in the Utah Conservation and Development Local Workgroup meetings, concerning these issues.

WHEREAS, there is increasing damage and depredation from these wildlife species throughout this and other western states which to a large extent seems to be ignored by management agencies.

BE IT RESOLVED, that we seek the enactment of legislation or administrative directive which will:

1. Require wildlife management agencies to pay total actual damages resulting from depredation by wildlife caused by their wildlife management actions as appraised by a third-party qualified, licensed appraiser and require said payments be made in a timely manner.
2. Require that wildlife management agencies adhere to a designated allotment management plan, particularly as they relate to numbers for use of the resource by wildlife species, and not submit to public pressures for increased numbers of wildlife.
- ~~3. Require that wildlife management agencies consider an allotment of zero animals in areas where the resident herd is causing significant monetary and physical damage to local land owners and businesses.~~

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4.3. Require that when trespass by wildlife on private property is reported, the agency managing such wildlife take steps immediately to remove such wildlife from the private property and arrange for payment of total actual damages as stated above.

~~5. Require notification in person by wildlife management agencies to private landowners before any action is taken.~~

~~6. Involve landowners in the decisions of what actions are to be taken to remediate the problems, and that property owners should have the final say in actions taken on their land.~~

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET LU #4
TITLE: Streamlining of Cultural Resources Clearances
SPONSOR: Grantsville & Shambip Conservation Districts

COMMITTEE RECOMMENDATION:

RE-ADOPT RE-ADOPT WITH CHANGES RETIRE X

WHEREAS, the need for and cost of cultural resources surveys and clearances has become an impasse for many range improvement projects. Projects are being delayed or becoming cost-prohibitive to the detriment of agriculture, the environment, and the ARDL program;

WHEREAS, there is a need for better understanding, clarification, and standardization of policy and procedures among agencies and landowners;

WHEREAS, there is a lack of archaeologists available to do cultural resources surveys and the cost of using consultants is high enough that additional archaeologists could be hired with the same money;

THEREFORE BE IT RESOLVED, that UACD take action to make the cultural resources clearance process more efficient and less costly.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET LU #5
TITLE: Increased Federal and State Funding for Pest Control
SPONSOR: Land Use Committee

COMMITTEE RECOMMENDATION:

RE-ADOPT X RE-ADOPT WITH CHANGES RETIRE

WHEREAS, the vast majority of Mormon crickets and grasshoppers currently being fought migrated from public lands, and;

WHEREAS, it is estimated that Utah's Mormon cricket and grasshopper populations will be larger and cause additional damages to crops, residential property, and increasing the danger on highways;

THEREFORE BE IT RESOLVED, that the Conservation Districts and the Utah Association of Conservation Districts support efforts to have the Utah Legislature and the U.S. Congress allocate regular, adequate funding for insect control on Utah's public and private lands.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET LU #6
TITLE: Local Input on Public Land Issue
SPONSOR: Land Use Committee

COMMITTEE RECOMMENDATION:

RE-ADOPT X RE-ADOPT WITH CHANGES RETIRE

WHEREAS, current proposals before Congress are attempting to change public land policy by administrative rule on legislation such as the endangered species act, grazing fee formula, designation of wilderness areas, wild and scenic river designation, RS 2477 rights of way across public land, federal reserved water rights and many other public land issues without proper consideration for local input from local Conservation Districts.

THEREFORE BE IT RESOLVED, that the Utah Association of Conservation Districts supports the requirement that adequate and ongoing communication between Congress and /or federal agencies and local Conservation Districts take place when any public land issues are involved before any final decisions are made which may adversely affect the quality of life for those constituents which the Conservation Districts represent.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET LU #7
TITLE: Land Resource and Development
SPONSOR: Land Use Committee

COMMITTEE RECOMMENDATION:

RE-ADOPT X RE-ADOPT WITH CHANGES RETIRE

WHEREAS, the Federal Land Policy and Management Act of 1976 (FLPMA) repealed Revised Statute “RS 2477” which provided: “The right-of-way for the construction of highways over public lands, not reserved for public uses is hereby granted”, and;

WHEREAS, under this section “RS 2477” many of the roads, paths and ways on public lands were constructed, serving as trails, mining and timber roads, recreation access roads, ingress and egress roads to state and private lands, (even those state and private lands captured within federal reservation areas), and are roads, paths and ways which remain under the jurisdiction of the highway authorities of the states, counties, cities or towns where they are located, and;

WHEREAS, the repeal of this section has caused the Bureau of Land Management (BLM) to inventory these roads, paths and ways described above and to determine if they are valid right-of-ways.

THEREFORE BE IT RESOLVED, that the Utah Association of Conservation Districts will seek a definitive ruling which will protect and adequately define these valid traditional right-of-way over public lands.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET LU #8

TITLE: Fiscal responsibility attached to litigation & appeals brought against resource management decisions, practices and projects on public lands.

SPONSOR: Land Use Committee

COMMITTEE RECOMMENDATION:

RE-ADOPT X RE-ADOPT WITH CHANGES RETIRE

WHEREAS, resource management is being negatively impacted by frivolous lawsuits and appeals, and;

WHEREAS, frivolous lawsuits and appeals with surrogate motives are interfering with legitimate decisions, practices and projects, thereby delaying or stopping prudent resource management on public lands, and;

WHEREAS, frivolous lawsuits and appeals are resulting in the reduction of sustained productivity and conservation of our natural resources, and;

WHEREAS, the ripple effect of frivolous lawsuits and appeals negatively impacts our whole society as to building materials, food, coal, petroleum, and minerals, as well as recreation and wildlife management;

THEREFORE BE IT RESOLVED, UACD recommends that the National Association of Conservation Districts use its influence whereby laws may be enacted that require plaintiffs and appellants to be financially responsible for all legal fees, and for the associated environmental and societal costs resulting from the inordinate delay or stoppage of prudent resource management decisions, practices, projects, or actions.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET LU #9
TITLE: Maintain Current Formula for Determining Grazing Prices on Public Land
SPONSOR: Land Use Committee

COMMITTEE RECOMMENDATION:

RE-ADOPT X RE-ADOPT WITH CHANGES RETIRE

WHEREAS, grazing on public lands has been scientifically regulated and managed since 1936, and;

WHEREAS, this regulation has resulted in both the improvement of the public rangelands and the foundation of the economy of many rural communities, and;

WHEREAS, the current formula for determining public land grazing prices reflects prices paid for livestock products, and;

WHEREAS, public ranges are generally less productive than privately owned range; and operating costs are much higher, and;

WHEREAS, the increase in the cost of grazing on public lands would have a catastrophic effect on many rural areas dependent on livestock ranching;

THEREFORE BE IT RESOLVED, that the Utah Association of Conservation Districts (UACD) use its influence to insure that any increase in grazing fees be used to improve the range resource, and;

BE IT FURTHER RESOLVED, that UACD engage in efforts to educate the public regarding the positive aspects of grazing on public lands, and;

BE IT FURTHER RESOLVED, that UACD continue to support the grazing fee on public lands based upon the formula mandated in the Public Rangeland Improvement Act (PRIA) of 1978, and;

BE IT FURTHER RESOLVED, that UACD strongly oppose the proposed administrative rules which have been published by the Department of Interior in their publication "Rangeland 94 Reform", or any other publication in or out of the Federal Register, or which would dramatically increase the grazing fees on public lands and create severe economic hardship on many livestock operations in the west.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET Land Use #10

TITLE: Penalties for theft and/or killing of Livestock

SPONSOR: Timp-Nebo Conservation District

COMMITTEE RECOMMENDATION:

RE-ADOPT RE-ADOPT WITH CHANGES X RETIRE

WHEREAS, livestock are an integral part of the agricultural industry in the State of Utah and,

WHEREAS, the livestock industry is a crucial component of the Utah economy and,

WHEREAS, livestock are the livelihood of ranchers and livestock producers,

THEREFORE BE IT RESOLVED, that UACD support the passage of legislation that would impose the same maximum penalties for the illegal killing of livestock as for the poaching of big game. In addition, those convicted of theft, mutilation, unauthorized release of animals or other crimes against livestock would be responsible for the payment of fines and treble damages.

THEREFORE BE IT RESOLVED, that UACD support the passage of legislation that would compensate those who investigate theft, mutilation and/or poaching of livestock at the same rate of pay as those doing the same for wildlife crimes.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET Strengthening Districts/Education #1

TITLE: CD Support Services

SPONSOR: Strengthening Districts/Education Committee

COMMITTEE RECOMMENDATION:

RE-ADOPT RE-ADOPT WITH CHANGES X RETIRE

WHEREAS, The Utah Association of Conservation Districts (UACD) is the state voice for Utah's conservation districts and works to educate and support the work of 190 ~~locally-elected~~ appointed and/or elected supervisors and their staff.

WHEREAS, Conservation Districts (CD) recognize value in combined support services through an association. UACD services are needed to benefit Utah's CDs and enable district supervisors' associations and education.

WHEREAS, UACD support services include and are not limited to:

- providing supervisor training and education
- representation at the state and federal level
- information and education outreach
- youth education and outreach
- reporting and legal requirements
- group errors and omissions insurance policy
- and any other services requested by the CDs

THEREFORE BE IT RESOLVED, that the Conservation Districts are committed to support UACD's efforts which include but are not limited to:

- providing supervisor training and education
- representation at the state and federal level
- information and education outreach
- youth education and outreach
- reporting and legal requirements
- and any other services requested by the CDs

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET SD/ED #2
TITLE: USDA Funding for Conservation
SPONSOR: Davis Conservation District

COMMITTEE RECOMMENDATION:

RE-ADOPT RE-ADOPT WITH CHANGES X RETIRE

WHEREAS, Utah’s Conservation Districts support and champion the importance and value of grass-root input or erosion control or erosion prevention on Private Lands, and;

WHEREAS, the Conservation Districts were formed by law to perform such action on Private Lands, and five supervisors in each District were duly elected and/or appointed to administer the erosion control and/or erosion prevention projects within their boundaries, (see section 8, paragraph 9 in the Standard State Conservation District’s Law, which has been adopted by all of the fifty states and possessions of the United States of America), and;

WHEREAS, the Natural Resources Conservation Service, (NRCS), program entitled the Environmental Quality Incentive Program, (EQIP) is an erosion control, erosion prevention, and water conservation program to be implemented on Private Lands, and;

WHEREAS, the nation’s Conservation Districts had little recognition on how and where these projects take place, and;

WHEREAS, water, wind, and land management have an impact on the erosion of soil, and;

WHEREAS, the duly elected/appointed local CD Supervisors are available and are the best informed persons to administer the projects reducing erosion or managing resources, and;

WHEREAS, the Conservation Districts are not just another group interested in conservation, but are the legal and elected and/or appointed entity to carry out erosion prevention and control, and have, for the past 70 years had an excellent track record in such actions, and;

WHEREAS, NRCS continues to provide technical support of EQIP funded projects so that engineering standards and specifications are met, and;

WHEREAS, the funding for EQIP should continue to come from the Federal Government (see footnote #12 in Section 7, page 29, Standard State Conservation District Law), and;

WHEREAS, Section 8 of the Standard State Conservation District Law, gives power and authority to the local conservation district supervisors to, “... *carry out soil conservation erosion prevention projects within its boundaries and to expend such money, services, materials, and/or other contributions in carrying on its operation,*” and;

THEREFORE BE IT RESOLVED, Conservation Districts are encouraged to become engaged in leading their local work groups and to also become involved in reviewing of NRCS projects.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

Formatted: No widow/orphan control

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET SD/ED #3
TITLE: UACD Support of Education Programs
SPONSOR: Education Committee

COMMITTEE RECOMMENDATION:

~~RE-ADOPT~~ X ~~RE-ADOPT WITH CHANGES~~ ~~RETIRE~~

COMMITTEE RECOMMENDATION:

~~RETIRE~~ ~~RE-ADOPT~~ ~~RE-ADOPT WITH CHANGES~~

WHEREAS, one of our most important goals is the education of our children in Agricultural and Natural Resource issues, and;

WHEREAS, the Agriculture-In-The-Classroom Program provides educational materials that fit into the educational core curriculum of Utah schools, and;

WHEREAS, the Envirothon Program, a National Association of Conservation Districts supported activity, provides education opportunities for Utah students, and;

WHEREAS, conservation education programs which provide educational materials and lessons that are needed in all levels of Utah schools;

THEREFORE BE IT RESOLVED, that the Utah Association of Conservation Districts (UACD) supports conservation education programs.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET Water Resources #1
TITLE: Support for Water Protection
CO-SPONSORS: San Rafael Conservation District and Price Watershed Conservation District

COMMITTEE RECOMMENDATION:

RE-ADOPT RE-ADOPT WITH CHANGES RETIRE

WHEREAS, Utah is blessed with numerous and varied natural resources and Water is the most valued resource and is necessary to the development of all resources.

WHEREAS, streams in Utah are fully and in some cases over appropriated. The water flowing in streams is a finite amount and needs for water have been defined by the amount of the water resources available.

WHEREAS, since every stream is fully appropriated, if water is moved from the drainage that the water right was perfected on, in the form of a water right transfer or a change application, a present use would have to cease to exist in order for another use to be established.

WHEREAS, the lifestyle and livelihoods in Utah are dependent on the water that is currently allocated. It is good policy for the entire state to protect the source of our dispersed water rights as well as rural Utah and its resources.

WHEREAS, Irrigation companies, who hold the majority of the water rights, should be able to serve their shareholders with confidence. The company's assets are its water rights, held collectively by their shareholders. Deterioration of these assets will decrease the value of the remaining shares. Individual shareholders retain a higher value of their shares when the integrity of the company is maintained and protected.

WHEREAS when a water right is allowed to be transferred out of the basin of its source, both the original users and the adjoining users to the proposed change lose. The "original user" because a present use must cease, and the "adjoining users" because they must share in satisfying the proposed new use or obtain a new source of water.

THEREFORE BE IT RESOLVED, that UACD supports policy that clearly states that water rights are attached to their source and should not be moved outside the drainage that supplies water to a perfected right.

THEREFORE BE IT RESOLVED, that UACD supports policy that ensures water is available to maintain the historic agricultural lifestyle and industries of Utah.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET WR #2
TITLE: Recreational use of public water on Private Property
SPONSOR: Kamas Valley Conservation District

COMMITTEE RECOMMENDATION:

RE-ADOPT X RE-ADOPT WITH CHANGES RETIRE

WHEREAS, the 2010 Utah Legislature passed H.B. 141 (Recreational Use of Public Water on Private Property), that recognizes a limited recreational floating right on public water, and Governor Herbert signed the bill into law that took effect on May 11, 2010;

WHEREAS, the new law does not allow recreational water users (including anglers, kayakers, tubers, hunters and others) to walk on the private bed of a public water body. However, the right to float includes being able to incidentally touch private property as required for safe passage and continued movement of the recreational user and his vessel, and portage around a dangerous obstruction in the water, as long as the most direct route is used that follows closest to the water;

WHEREAS, the law states that public recreational access is established when the private property has been used by the public for recreational access requiring the use of the public water for a period of at least 10 consecutive years that begins after September 22, 1982,

WHEREAS, the owner of a public access area adjacent to and lying beneath a public water has the right to place a fence or obstruction across public water for agricultural, livestock, or other lawful purposes, as long as the fence does not create unreasonable dangerous conditions to the public lawfully using the public water,

WHEREAS, the owner of a public access area may allow the placement of a ladder, gate, or other facility to allow portage around a fence or obstruction,

WHEREAS, Utah's Conservation Districts have a stewardship responsibility to protect the natural resources of the State of Utah,

THEREFORE BE IT RESOLVED, the Utah Association of Conservation Districts supports H.B. 141 and opposes any legislation that would alter the ability for private land owners to conduct agricultural purposes on their land, including the inclusion of livestock; and UACD supports the protection of the water quality.

UTAH ASSOCIATION OF CONSERVATION DISTRICTS

NUMBER: 2020 SUNSET WR #3
TITLE: Tamarisk and Woody Invasive Species Removal and Re-vegetation in Riparian and other areas.
SPONSOR: Grand Conservation District

COMMITTEE RECOMMENDATION:

RE-ADOPT X RE-ADOPT WITH CHANGES RETIRE

WHEREAS Tamarisk and Russian olive have dramatically altered habitat in riparian corridors and other areas and

WHEREAS other woody invasive tree species are already present in many tamarisk dominated areas and may easily spread as tamarisk dies out in some locations, especially riparian areas, creating new large scale woody weed stands with associated biomass removal problems, and

WHEREAS all counties have active noxious weed programs in Utah that are experienced with and effectively monitoring and controlling noxious weeds in Utah, and

WHEREAS non woody invasive species control projects are logistically easier to manage and best management techniques are largely known, and

WHEREAS there are many large and small scale tamarisk and Russian olive removal projects underway on public and private lands in Utah,

THEREFORE, BE IT RESOLVED that the Utah Association of Conservation Districts support research, monitoring and removal of woody invasives and re-vegetation where necessary by encouraging UPCD, WRI, and other programs such as GIP, in funding tamarisk and other invasive species removal and re-vegetation projects, especially those projects with active and coordinated monitoring efforts designed to evaluate success and inform future management practices, providing technical assistance and direction to private land owners seeking to do this work encouraging the Utah Dept. of Agriculture and Food to prohibit the sale of Russian olive, tamarisk, Siberian elm, tree of heaven and other invasive tree species in the state.

THEREFORE, BE IT RESOLVED that the Russian olive, Tamarisk, Siberian Elm and Tree of Heaven be included on the County lists of noxious plants.