

RESOLUTION 2013-11

A RESOLUTION SUPPORTING IMPLEMENTATION OF THE TRANSFER OF PUBLIC LANDS ACT (UTAH HB148 2012)

WHEREAS, at statehood, the federal government promised all states that it would transfer title to the public lands with newly created states; and

WHEREAS, the U.S. Supreme Court has called these promises “solemn compacts,” “bilateral agreements,” and “trusts” that must be performed “in a timely fashion”; and

WHEREAS, Utah and the other western states are still waiting for the federal government to keep the promises that it made and has kept with all states east of Colorado; and

WHEREAS, states like Illinois, Missouri, Indiana, Florida, Louisiana, Arkansas, Alabama, and Mississippi were once as much as 90% federally controlled for decades; and

WHEREAS, these “western states” (as they called themselves at the time) succeeded in compelling the federal government to transfer their public lands because they understood the history of the public lands and the duty of the federal government to dispose of the same, and they banded together and refused to take “No” for an answer because federally controlled public lands prevented them from (i) generating tax revenues to educate their children, (ii) growing their economies, and (iii) responsibility of their abundant natural resources (See www.AmericanLandsCouncil.org for more information); and

WHEREAS, despite the fact that the promise is the same to dispose of the public lands upon being admitted as states, states east of Colorado have less than 5% federally controlled lands, while the Western States (excluding Hawaii) have more than 50% federally controlled lands; and

WHEREAS, in Utah, the federal government controls nearly 65% of our lands; and

WHEREAS, withdrawals of public lands from use and economic activity, through such federal action as monuments and wilderness designations, constricts the value of Utah's School Trust and reduces the funds available for education for our children; and

WHEREAS, state and local government officials have a crucial responsibility to manage our abundant lands and resources strategically and prudently for health, safety, and welfare of their citizens; and

WHEREAS, in the 2012 session, the Utah House and Senate passed by supermajorities the Transfer of Public Lands Act and Joint Resolution on Federal Transfer of Public Lands to establish the framework and a deadline for the orderly transfer of federal public lands to the State; and

WHEREAS, under the Transfer of Public Lands Act, federal public lands will become state public lands to be managed through local planning for multiple-use (including traditional uses like hunting, fishing, recreation, grazing, open space, economic activities, Native American needs and uses, such as wood gathering, herb gathering, and other sacred rituals, etc.) and the sustained yield of our abundant natural resources on state public lands; and

WHEREAS, the Transfer of Public Lands Act has received broad support from the Utah Governor, Attorney General, State Legislators, members of Utah's congressional delegation and other public officials, and private individuals and organizations within the state and in our neighboring western states and counties; and

WHEREAS, the implementation of the Transfer of Public Lands Act will require the persistent efforts of Utah's Governor, Attorney General, and Legislature, along with the unwavering support of local governments and public and private individuals and organizations.

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE COUNTY COMMISSION that Tooele County, Utah whole heartedly supports the passage of the Transfer of

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Public Lands Act in order to hold the federal government to its long-overdue promise to transfer title to public lands to the State, to protect the State's public education system and economic vitality, and to preserve the important historical and cultural contribution that our public lands provide to the State of Utah, the nation, and the world; and

BE IT FUTHER RESOLVED, that copies of this resolution be sent to the Utah Governor, Attorney General, Senate President, Speaker of the House, each member of Utah's Congressional Delegation, the Utah Association of Counties, the Utah League of Cities and Towns, the American Lands Council, Local State Legislation, Executive Director of School and Institutional Trust Lands Administration (SITLA), the Utah State Chamber of Commerce, the Tooele County Chamber of Commerce, Grantsville City, Ophir, Rush Valley, Stockton, Tooele City, Vernon, Wendover City, the Tooele County School District, and other local organizations.

EFFECTIVE DATE: This resolution shall take effect immediately upon passage.

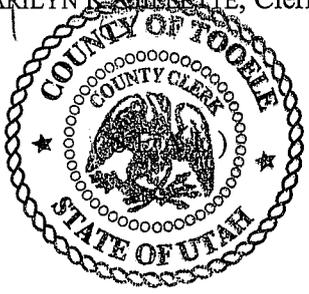
DATED this 14th day of May 2013.

ATTEST:


MARILYN K. GILLETTE, Clerk

TOOELE COUNTY COMMISSION:


J. BRUCE CLEGG, Chairman



Commissioner Clegg voted aye
Commissioner Hurst voted aye
Commissioner Milne voted aye

APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney