



# EMERY COUNTY GENERAL PLAN

## County Policies, Objectives, and Policies

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#### **REVIEW NOTE:**

Text highlighted in yellow  
contains proposed changes.

Adopted Autumn 1996

Revised 1999, 2012, 2016, & 2025

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DRAFT

# 1. INTRODUCTION

Utah State statute provides for the development of county level plans under Title 17-27a-301 and 401 et seq. Components that may be addressed within these plans include the following: land use, transportation, environmental issues, public services and facilities, rehabilitation and redevelopment, economic concerns, recommendations for plan implementation, and “any other elements that the County considers appropriate”. The county plan contains a resource management plan as defined by UCA 17-27a-401(3)(a) and (b). In its plan, Emery County has focused on issues identified by county residents during several public work sessions.

These issues are addressed in the plan through “Value/Goal” statements (findings) adopted by Emery County. Issues identified as “County priorities” (objectives) are further developed through “County Policy Statements” and “Action and Implementation Steps” (policies and guidelines).

As part of Emery County’s mid-1990s planning project, the Emery County Profile was prepared, which contains information, data, and maps covering Emery County demographics, economics, land use, history, and public facilities and services. The document is a valuable resource for Emery County officials, county residents, and persons interested in the status of Emery County.

## Historical Background

Emery County is located “where the desert meets the mountains,” at the border of the Colorado Plateau and the High Plateaus. On the western side of Emery County is the Wasatch Plateau, which is the county’s major water source. The San Rafael Swell dominates the county’s center, with its rugged reefs, “castles,” and gorges. East of the San Rafael Swell is the Green River Desert, an arid district that has been historically important to ranching operations located in the lower San Rafael Valley. The eastern border of the county is generally formed by the Green River. However, the incorporated area of Green River City east of the Green River is also part of Emery County.

Jedediah Smith passed through what is now Emery County in 1826, leaving the oldest written description of the area, which characterizes Castle Valley as “very barren and rocky”. The Old Spanish Trail reached its northernmost point in Emery County, offering one of the few routes through the west until the California Gold Rush of 1848 spurred the development of more direct routes to California, which ran to the north and south of present-day Emery County.

In the mid-1870s, ranchers and stockmen began bringing their herds into Emery County from the valleys of the Great Basin, and a few of them settled permanently. Emery County’s settlement era began in full force in 1877, when Brigham Young issued a final call for settlement in the area. By 1880 there were enough families settled in Emery County to justify the establishment of a county government. The name proposed by the settlers was “Castle County,” but the Territorial Legislature chose instead to name the county after Utah Territory Governor George C. Emery. As originally established, Emery County included areas that later became Grand County (in 1890) and Carbon County (in 1894).

Settlers established irrigated farming and ranching operations, but the population remained small until the Denver and Rio Grande Western Railroad reached Emery County in 1883 and profoundly impacted regional development. Coal production expanded rapidly in the late 1800s, but Emery County remained primarily a farming and stock-raising area, where residents worked in the mines in the off seasons. Shortly after the turn of the 20th century, Emery County reached an economic plateau when all available water had been appropriated, and the region seemed to reach its carrying capacity. The City of Green River continued to grow, establishing a strong agricultural base in melon production.

The demand for coal during World War II stimulated the development of several mines in Emery County. After the war, between 1950 and 1970, there came a time of economic stagnation and decline. The uranium boom and missile-tracking facility built in Green River gave the county a temporary lift. With the completion of the Emery County Water Project, Emery County finally had a stable, industrial water source, which was crucial to Utah Power and Light Company's decision to build two major generating plants in the county. However, the county now faces a new economic dilemma. Recent national and global trends and political actions, which affect coal mining and coal-powered electricity generation, have caused a critical need for greater economic opportunity diversification in the county. Prospects are bright, however, for well-planned and well-managed recreational development and some degree of continuation of the county's present industries, combined with innovative new industries and businesses and the established agricultural base, Emery County will persist and prosper with its rural spirit and the work ethic of its citizens.

## Scope

The area encompassed by this plan is the entire area of Emery County, over 2.86 million acres. Approximately 92 percent of this area is public land administered by federal and state agencies. The US Bureau of Land Management's (BLM's) Price Resource Area and the United States Forest Service (USFS) Price and Ferron Ranger Districts of the Manti-La Sal National Forest are located at least partially within Emery County. State-owned public lands within Emery County are managed by the State of Utah School and Institutional Trust Lands Administration (SITLA), the Utah Division of Forestry, Fire and State Lands (FFSL), Utah Division of Wildlife Resources (UDWR), and the Utah Division of State Parks. Due to the county's dependence on public land and the accompanying resources, it is extremely important that Emery's input is considered by federal and state agencies and reflected in the resource management plans that are developed for these lands and resources. It is the intent of Emery County that this plan clearly and concisely establishes its findings, objectives, policies, and guidelines in accordance with UCA 17-27a-401(3). This document will be used by Emery County and federal and state public land-management agencies during public land-planning efforts and decision-making processes.

Landowner	Percent of Emery County
BLM	75%
USFS	7%
SITLA	9%
Other State Lands	1%
Private	8%

The incorporated cities and towns within Emery County each have a statutory responsibility to draft, prepare, and approve their own general plans in accordance with Utah law. Therefore, this document does not supersede the plans prepared by those incorporated cities and towns. Instead, Emery County intends that this general plan will serve as a catalyst and guide for the incorporated cities and towns to ensure that proper planning activities are followed throughout the county. Emery County will work with the cities and towns to develop best planning practices countywide.

## 2. PROCESS AND VISION

### General Plan Purpose and Process

Under Utah State law (UCA 17-27a-401), a county's general plan should address certain social, economic, and environmental needs and issues. This plan establishes the basis for communicating and coordinating with federal and state government entities on land- and resource-management issues.

Utah State law also requires public participation. Emery County's "Value/Goal" statements (findings), "County Objectives" (priorities), "County Policy Statements," and "Action Implementation Steps" (policies and guidelines) are formally presented to the citizens of Emery County through this plan. As

outlined in Utah State statute, this plan has been subject to review by the Emery County Planning Commission and the Emery County Commission and adopted through a process of open public meetings and hearings.

## **Using and Amending the Emery County General Plan**

It is intended that this general plan will serve as a framework for Emery County as it considers future private and public land-use decisions. This plan is also designed to provide a policy foundation for the present and future needs of Emery County, development of infrastructure, community and human services, and the pursuit of economic development opportunities for all and any part of the land within the unincorporated portions of the county.

## **Community Vision**

### ***Maintaining Emery County's Rural Character***

Emery County's rural lifestyle is one of its greatest assets. Residents enjoy the "small town" atmosphere, good moral climate, and community spirit. Residents also feel a deep appreciation for the county's unique landscape, natural setting, and amenities such as clean air, pure water, and uninterrupted views of the desert and mountains. The county's century-long dependence on the land and its accompanying resources has engendered feelings of appreciation and stewardship. These deep-rooted values are manifest today as Emery County participates in the natural-resource and land-use management decisions that affect it. These county values and characteristics make Emery County what it is today—"a great place to live and work." Residents feel that all future development decisions made within the county should be consistent with these interests.

Specific elements include:

- protecting/preserving Emery County's open spaces and landscapes with planned development;
- continuing to support and actively develop the energy industry that has served as the economic backbone of the county for over a century;
- maintaining the quality of current public services, tax base, and facilities through proper planning practices;
- ensuring that development decisions are sensitive to the needs of all parties within the county, including agricultural, commercial, industrial, residential, and governmental interests;
- maintaining the county's public land heritage, historical uses, accessibility, and involvement in planning and management decisions;
- maintaining zoning ordinances and development regulations that are consistent with the county's general plan development goals, state laws, and state administrative rules; and
- maintaining and expanding economic vitality and opportunities in a manner consistent with this plan.

### ***Public Lands/Federal and State Agencies***

Approximately 92 percent of Emery County consists of public land managed by federal or state agencies. Industries within Emery County, such as agriculture, mining, tourism, gas and oil development, and recreation, depend on the continued use and availability of these publicly managed lands and their accompanying resources for economic growth and stability.

Emery County recognizes that federal agencies are mandated to manage public lands according to federal laws, policies, and regulations established within the framework of the U. S. Constitution, including but not limited to the Endangered Species Act (ESA), Federal Land Policy and Management Act (FLPMA), Multiple Use Sustained Yield Act (MUSYM), National Environmental Policy Act (NEPA), and National Forest Management Act (NFMA).

These laws also specifically identify opportunities for local governments to participate in the public land-management decision-making processes. Emery County expects that federal and state agencies will consider and address the county's concerns, interests, and objectives as stated in this general plan when fulfilling their responsibilities.

In response to these interests and concerns, Emery County will:

- actively participate in all relevant state and federal public land-management decisions by serving as a cooperating agency in land-use planning processes;
- support multiple-use management by the BLM and USFS in their properly adopted management plans;
- support continued access to natural resources including but not limited to coal, natural gas, uranium, and gypsum;
- support continued access and development of lands managed by SITLA and other state lands;
- support responsible use of public land resource; and
- work to preserve and maintain public land access routes as adopted in the Emery County Off-Highway Vehicle (OHV) Travel Map.

### **3. HUMAN AND COMMUNITY SERVICES**

#### **Education**

Emery County schools are recognized statewide for their solid academic curriculum and athletic prowess. Continuing to build on this foundation is a top priority of the county, and it is committed to working with the Emery County School District to improve and maintain the quality of all educational facilities, instructional materials, trained personnel, and outreach programs necessary to pursue this agenda.

#### **Emergency Services/Law Enforcement**

Emery County is dedicated to maintaining the professional nature of its emergency services/law-enforcement personnel and agencies. The county supports emergency planning to prepare for any potential disaster. Emery County's emergency-management responsibilities are under the jurisdiction of the Emery County Sheriff's Office. The mission of Emery County Emergency Management is to "Provide leadership and support to prevent or minimize the impact of major emergencies and disasters on the health, safety, and property of the citizens of Emery County, their businesses and environment, through a comprehensive, integrated emergency management program." The Emery County Emergency Operations Plan has been developed to address multiple hazards that threaten the county or its citizens (Emery County Emergency Operation Plan, August 2025). The Emery County Emergency Operations Plan is incorporated into this general plan through reference. Additionally, Emery County has an active Local Emergency Planning Committee and an Emergency Management System website, accessible at the Emery County Homepage or from <https://www.emerycounty.com/ems>. The Emergency Management System website provides links to Utah Department of Public Safety Emergency Management, Emery

County Fire Protection Special Service District, as well as potential hazard maps, including floodplain, earthquake, and landslide maps. If the results of a disaster in Emery County exceed the county and state's emergency-management capabilities, Emery County will obtain federal assistance through the Federal Emergency Management Agency (FEMA) Public Assistance Program.

## **Medical Facilities**

Emery County residents desire and need to maintain a high level of health care. The county supports upgrading and expanding its medical facilities and services at all possible locations according to demographic demands and economic feasibility.

In 2020, the Emery County Commission established the Emery Emergency Medical Special Service District, also known as the "Emery County Ambulance". The special service district's role is to provide and coordinate 911 ambulance and emergency medical services (EMS) for Emery County.

## **Senior Citizen Services**

Emery County acknowledges the need to provide adequate senior citizen care facilities and services. County residents are committed to expanding recreational, educational, and medical services and opportunities targeted for this sector of the population.

## **Moderate-income Housing**

Section 17-27a-401(2)(f) of the Utah State Code establishes the availability of moderate-income housing as a statewide concern, and it directs all counties in the state to propose plans for moderate-income housing as a part of their general plans. "Moderate-income housing" is defined as housing that is affordable for households with gross incomes equal to or less than 80 percent of the median gross income of the county, or in other words, 80 percent of the area median income. Median incomes are based on household size and are established for counties by the US Department of Housing and Urban Development.

Guidelines also state that no more than 30 percent of a household's income should be spent on housing costs, including utilities. Additional guidance is provided at Section 17- 27a-403(2)(a)(iii) and (2)(b)(ii). The purpose of the statute is to ensure that people with moderate incomes who desire to live in the state can do so. The Emery County Housing Authority has been established in an effort to offer reasonable opportunities for those persons with low or moderate incomes to obtain housing in the county and to fully participate in all aspects of neighborhood and community life during all stages of their lives. Information regarding Emery County Housing Authority policies and procedures is available at <https://www.emerycounty.com/housing/>.

## ***Moderate-income Housing Goals, Objectives, and Policies***

***Goal:*** Provide a mix of housing types available to residents of income levels throughout the county.

***Objective 1:*** Support a mix of quality housing opportunities to support economic development.

### ***Policies:***

1. Promote and maintain housing with a range of types and affordability.
2. Promote reinvestment in and upgrading existing housing stock and neighborhoods.
3. Encourage multifamily residential and higher-density, single-family housing development to occur within cities when feasible.



**Objective 2:** Encourage and monitor the availability of affordable housing.

**Policies:**

1. Collaborate with municipalities and the Southeastern Utah Association of Local Governments to promote affordable housing.
2. Support the development of viable opportunities for affordable housing and home ownership through alternative housing products.
3. Maximize the utilization of state and federal assistance programs designed to assist individuals who earn low and moderate incomes.
4. Work with local financial institutions to promote low- and moderate-income financing opportunities for construction and acquisition of housing.

**Objective 3:** Encourage the development of housing units suitable for people with special needs, including but not limited to the elderly and disabled.

**Policies:**

1. Monitor housing development for the Americans with Disabilities Act and Fair Housing Law Compliance through Emery County's development-review process.
2. Work with other jurisdictions (local, state, and federal) and private and nonprofit entities to leverage resources to address special needs countywide.
3. Consistently enact and enforce building codes that keep all residential construction in compliance with current codes.

**Objective 4:** Promote quality residential development in well-designed subdivisions.

**Policies:**

1. Establish criteria for manufactured and modular housing to promote placement in a wider array of zoning districts.
2. Enforce codes and ordinances to ensure maintenance of neighborhood integrity as the housing stock ages.
3. Enforce subdivision designs that protect environmentally sensitive areas or unique property characteristics.
4. Facilitate well-planned expansion of city boundaries and the appurtenant infrastructure requisite for essential services, as the need develops.

## **4. ASSET MANAGEMENT**

### **Transportation**

Transportation provides mobility to sustain social, economic, and recreational activities, and to facilitate firefighting and emergency management throughout Emery County on public and private lands. An improperly developed or out-of-balance transportation system can result in ineffective mobility and cause adverse and undesirable conditions such as safety hazards, delays, unnecessary energy consumption, unnecessary economic costs, and frustrations for residents and visitors. It is the desire of Emery County to

shape and maintain a transportation system that improves its residents' quality of life and their ability to move throughout the county's public and private lands.

The county's position is that roads should be upgraded and improved to allow more-convenient routes that are passable in all types of weather. The county recognizes three primary types of roads or transportation networks. These include federal roads and designated routes, state roads and routes, and the county road system. The county desires that roads on public lands remain open, well-maintained, and accessible for a variety of multiple-use purposes. Road upgrades and improvements should consider the recreational value of roads and their condition.

Emery County has adopted an airport plan. This document includes recommendations for expanding, upgrading, and maintaining the existing facilities. It is anticipated that this document will be updated on a five-year cycle.

## **Private Land Use and Development**

Emery County supports developing, adopting, and implementing the land-use and development regulations necessary to maintain and protect its existing rural character and scenic environment. The planning process shall include but is not limited to:

- Watershed protection (addressed in the Water Resource section)
- Open space/agricultural land preservation
- Adequate industrial and commercial zones
- Appropriate residential planning processes
- Administration of the conditional-use permit process for all activities
- Consistent application and enforcement of building codes

## **Open Space and Agricultural Land Preservation**

Emery County recognizes the value of preserving agricultural land as well as the natural open space that defines the county as a truly unique landscape. As a result, the county will continue to adopt policies and zoning ordinances that reinforce this ethic. This will be balanced with a reasonable, growth-focused approach that recognizes the value of expanded residential and commercial development in the county.

## **Industrial Zoning**

Emery County's position is that the existing zoning ordinances should include an appropriate number of industrial zones. The ordinance should clearly identify the purpose of each zone, permitted and conditional uses allowed, and appropriate levels of county staff or planning commission review necessary for approval.

## **Residential Zoning**

Emery County recognizes the need for residential development in its unincorporated areas and that such development should complement the uses within the cities. Residential uses are a conditional use and do not supersede permitted or other conditional uses within the individual zones. For example, in the agricultural zone, the primary, permitted activities are agriculture, grazing, and related activities. Residential activities will be permitted so long as the activity does not create conflicts with existing agriculture activities.

### ***Mining, Grazing, and Recreational Zoning***

The majority of the private land within Emery County is surrounded by state or federally managed land. In order to preserve the character of the sensitive private in-holdings, the mining, grazing, and recreation zoning designation will be used to provide a mechanism to facilitate vastly different uses. Within this zone, the primary activity will be mining, mineral extraction, forestry, grazing, and recreation. Other activities may be allowed under an established and well-defined conditional use process as deemed appropriate. Uses such as permanent residential housing are not primary activities in this zone and will be discouraged. Recreational homes, however, are in keeping with the intent of this plan.

## **5. ECONOMIC DEVELOPMENT**

In addition to maintaining a strong economic base related to mineral extraction, energy, coal mining, gas and oil development, and power production, Emery County strives to diversify its economy and build a broad employment and industry profile. The county will explore opportunities for diversifying economic drivers as they arise, including traditional and emerging innovative industrial, manufacturing, production, extraction, and service-providing arenas. This includes traditional energy production and development, nuclear, and yet-to-be-developed energy production at large and small scales, for generating electricity for sale or use on public and private lands throughout the county.

To guide these efforts, Emery County has completed several economic development planning initiatives, including the 2025 Emery County Economic Development Blueprint Plan, which outlines strategies for strengthening and expanding the local economy. The county supports expanding businesses through these economic-development plans and through small-business assistance programs and will continue these efforts. The county seeks to attract and support retail businesses, foster economic growth within its borders, and actively promote development opportunities.

The county supports wise utilization of all its existing and potential natural resources (e.g., renewable energy, rare earth elements). This will be accomplished in accordance with proper planning processes and adequate and effective opportunities for public input.

The county seeks and supports jobs that are family-sustaining and that have positive environmental, social, and public-service impacts.

### **Business Expansion and Retention**

The county supports business through a number of economic development plans and small-business assistance programs and will continue these efforts. The county recognizes the value of a regional approach to economic development and will continue to support regional economic development programs that extend beyond Emery County borders when it can be demonstrated that the county can benefit from these initiatives. This includes potential regional renewable energy resource development.

### **Small-business Assistance**

Emery County residents feel that additional economic growth will come from within the county and from the small-business sector. County entrepreneurs have several resources available for assistance, including the Emery County Economic Development Department, neighboring colleges and universities, and state economic development resources.

## **Value-added Agriculture**

Emery County residents feel that local agricultural operations produce high-quality agricultural products. The county feels that this agricultural strength should be further developed, and expresses an interest in pursuing “value-added agriculture” options as a subsection of business expansion and retention.

## **Telecommunications**

Adequate telecommunications technology is vital to the future of Emery County. Technology will increasingly affect numerous aspects of life in rural Utah, including business, employment opportunities, education, health care, banking and finance, government services, and entertainment.

The policy of Emery County is to give first priority to supporting local providers of telecommunications technology and services whenever feasible in order to strengthen local technological capacity as well as to strengthen the local economy.

## **Recreation and Tourism**

Because of its unique and varied landscape, Emery County provides a number of diverse recreational opportunities.

The county has and will continue to implement promotional and infrastructure practices that mitigate recreational impacts and will consider policies to address impacts as they occur. When evaluating potential recreational developments and investments, the county will consider (but will not be limited to):

- the county’s ability to provide essential services (law enforcement, emergency services, water and waste management, search and rescue);
- impacts on traditional recreational uses (e.g., OHV trail development at the expense of traditional hiking or riding trails.);
- providing opportunities for youth and family-related activities;
- targeting sectors of the tourist population for additional economic benefits; and
- making all appropriate facilities consistent with the requirements of the Americans with Disabilities Act.

## ***Position Statement (Findings) of the Emery County Travel Bureau***

Tourism development in Emery County must be carefully planned and managed as defined by local government and private industry and supported by state, federal, and regional partners. Regional, state, and federal coordination is vital.

Tourism efforts in Emery County will focus on each of the following areas, but will not be limited to:

- Tourism assessment
- Promotion
- Impact mitigation
- Industry development

### ***Tourism Promotion***

Emery County seeks to promote developed tourism sites and events throughout the county and promote undeveloped sites. The Emery County Travel Bureau will be responsible for promoting these areas and will work to coordinate its efforts with federal, state, and regional agencies involved in promotion.

### ***Tourism Mitigation***

Emery County seeks to mitigate the negative impacts of tourism. Mitigation implies management of impacts such as:

- the cost of providing services, including maintenance of roads and trails;
- the degradation of natural, cultural, and archaeological resources; and
- negative impacts on local quality of life.

Emery County realizes that tourism mitigation also implies visitor management and may consider the following actions to manage the activities of people using public lands:

- Direct access (guide people to areas of least impact)
- Designate camping areas

The scenic and recreation attractions of Emery County contribute to its quality of life. Several significant attractions have the potential to attract many visitors, but as visitation increases, there will be unavoidable impacts and conflicts. The county will work to develop plans and policies to minimize these conflicts while promoting tourism.

## **6. RESOURCE MANAGEMENT PLAN**

Utah State Code §17-27a-401(3)(b) states that county general plans shall contain a resource management plan for public lands within each county. For each resource topic/item, the resource management plan shall establish findings pertaining to the item; establish defined objectives; and outline general policies and guidelines on how the objectives are to be accomplished (§17-27a-401(3)(d)). The Emery County Resource Management Plan is used to define goals, objectives, and policies for managing natural resources on public lands within the county.

### **Agriculture**

#### ***Findings***

Agriculture is important for the environmental, cultural, social and economic benefits it provides. Agriculture successfully balances those benefits and continues to be a valuable source of jobs and income in Emery County.

The Emery County Public Lands Council finds that the customs, culture and heritage associated with agricultural production in Emery County are necessary to the livelihood and well-being of its residents.

Agriculture in Emery County provides jobs, a local tax base, a variety of environmental benefits, scenic beauty, and food and fiber for human consumption. Agriculture also provides fuels management by controlling the amount and distribution of grasses and removing small-diameter live fuels that encourage the spread of fire and increase flame height.

Properly managed agriculture practices also provides public benefits such as the creation and maintenance of wildlife habitat; visually appealing landscapes; water for urban, industrial and agricultural users; soil stabilization; and desirable wildland vegetation communities which, in turn, serve to reduce the potential for catastrophic wildland fires.

## ***Goals, Objectives, and Policies***

### ***Goals:***

- Emery County is committed to protecting historic uses of agricultural land and promoting the continuation and expansion of agricultural pursuits.
- Opportunities for agriculture on federal and state lands should be continued at levels consistent with historic customs and culture. Further, those levels should be sufficient to ensure protection against catastrophic fire, sound resource-management practices, and sustained-yield renewable resources.

### ***Objective:***

- Emery County seeks to preserve and enhance both private and public working landscapes and agricultural lands.

### ***Policies:***

- Emery County will actively promote and protect working landscapes such as farms, ranches, and actively managed public lands.
- Emery County supports active, multiple-use management of federally and state-managed lands, continuation of private property rights, reliance on self-determination, and upholding open-market conditions.
- Federal and state governments should not obstruct agricultural opportunities on lands they manage or regulate.

## **Air Quality**

### ***Findings***

Emery County recognizes that one of the threats to the county's air quality is catastrophic wildfire. Therefore, the county encourages agencies to enact programs that allow prescribed burning, forest-improvement techniques such as forest thinning, pruning, and brush removal, removal of insect-killed trees, and other methods for reducing fire hazards, which ultimately protects air quality.

Regarding regional haze concerns, Emery County emphatically refutes the contention made by some that the Huntington and Hunter Power plants are significant contributors to regional haze. The county supports the currently approved (2015) Utah State Implementation Plan.

## ***Goals, Objectives, and Policies***

### ***Goal:***

- Emery County will continue to enjoy and benefit from extremely good air quality.

### ***Objective:***

- Emery County seeks to achieve and maintain all state and federal air-quality standards while recognizing economic and environmental impacts and working with the federal and state agencies.

***Policies:***

- Agencies should provide for the continuation of agricultural and prescribed burning as a resource-management tool in accordance with air-quality regulations.
- Agencies should establish forest-management programs that encourage fuel reduction within forests and wildlands by means other than burning, utilizing all means of fuel reduction, including but not limited to logging, forest thinning, chipping, brush mastication, livestock grazing, herbicide use, and public firewood utilization.
- Agencies should provide for an increased air quality-monitoring network that encompasses public and private lands to collect accurate, real-time measurements of pollutants to support prescribed-burning activities and assess the public's exposure to ambient air pollutants such as particulate matter and ozone.

## **Cultural and Historical**

***Findings***

Emery County has an abundance of prehistoric and archeological resources as well as a strong cultural heritage. Emery County's past includes dinosaurs, Native Americans, early settlers of the American West, and the mining industry, all of which is proudly displayed and depicted in numerous museums and points of interest. Emery County views the preservation of its heritage and culture, and its associated heritage and tourism industries, as critical parts of the planning process.

Much of Emery County's past is intertwined with public lands and resources. One reason pioneers and settlers came here is because of the abundance of natural resources. Farmers and ranchers, while grazing their animals on the land throughout the county, discovered coal, uranium, minerals, Native American rock art, and other unique aspects that comprise the natural treasures of Emery County. As a result, archeological, cultural, historic, and prehistoric resources that are found on private and public lands are integral parts of Emery County. The county is very proud and protective of these resources. They have factored into this community's daily life by providing employment, recreation, and family traditions.

Emery County shares the mission of the Utah State Historical Society, which is to "preserve and share the past for the present and future." Additionally, the county works closely with the Utah Division of State History and serves as a regional repository of the Utah State Archives. The county's heritage resource-management element in this plan invites citizens to help protect and enhance those aspects that first attracted them or kept them here, including Emery County's historic character and unique charm. This commitment is evidenced by the Emery County Historical Society and the Emery County Historic Preservation Commission, both of which were formally established under state statute. Taking part in preserving the past builds pride and creates good feelings about the future. These pieces of the past invite visitors to understand our history, appreciate its character, and learn its lessons. In the end, everyone benefits. For these reasons, efforts to identify, record, and preserve Emery County's heritage resources on public lands—a major part of our tangible links to the past—are being undertaken on behalf of future generations.

Emery County is a Certified Local Government, qualified under the National Park Service and the Utah State Historic Preservation Office. As a Certified Local Government, Emery County is able to nominate buildings and other structures for inclusion in the National Register of Historic Places (NRHP). Federal and state agencies must coordinate with the county to attain consistency with the heritage resources element of this plan and other relevant federal and state statutes.

## **Goals, Objectives, and Policies**

### **Goal:**

- Preserve and protect prehistoric and archeological resources as well as the cultural heritage of Emery County.

### **Objectives:**

- Emery County will work closely with the Utah Division of State History and Utah State Archives, serving as a regional repository for the Utah State Archives.
- The county will operate and maintain the Emery County Historical Society and Emery County Historic Preservation Commission, established in accordance with Utah State statute.
- The county will work with state and federal agencies to protect cultural and historical resources.

### **Policies:**

- The preservation of heritage and cultural resources, including access to the sites and settings of local history, has and will continue to have great significance for the citizens of Emery County.
- It is a policy of Emery County that any archeological survey or cultural-resource study required by federal or state agencies should be coordinated with the county itself, conducted professionally and expeditiously, paid for by the requesting agency, and completed in a timely manner.
- Significant paleontological resources are found throughout Emery County. The county expects that exploration for these resources, conducted by individuals or organized entities, will be coordinated with the county. The county's position is that planning, excavation, removal, and curation of paleontological resources will be conducted in accordance with relevant Emery County ordinances, and that coordination with the county will occur during all aspects of these recovery activities.
- Structures within or in association with grazing allotments should be maintained due to their critical importance to permittees and their historic significance. Such structures and improvements include but are not limited to cabins, corral facilities, fences, and developed watering facilities (including in Wilderness and other special-designation lands). Such structures and improvements are essential to the management of grazing land allotments and should be permitted to be maintained and enhanced where desired by permittees in good working order for their ongoing use.
- Cultural and historical resources within designated Wilderness:
  - Archeological and historical sites and structures that existed or were in use at the time of Wilderness designation should be permitted to remain within the Wilderness and may be excavated, stabilized, maintained, or improved for interpretation and continued use. Sites or structures that provided support for historic, traditional, cultural, and customary uses are included, as are those which qualify for inclusion on the NRHP.
  - Properties (including those within Wilderness areas and other special-designation lands) that qualify for inclusion on the NRHP, whether under current permit or not, should not be removed or demolished and may be maintained by public agencies, private organizations, and individual efforts.
  - The cultural resources associated with Native Americans in Emery County are integral to the customs, traditions, historic and cultural livelihood, and wellbeing of Native Americans. Therefore, it is the policy of Emery County to support and protect their inherent rights in addition to protecting private property rights and multiple uses on federal and state lands. Consistent with federal and state legislation, Emery County finds



that state and federal agencies should establish and implement consultation and coordination requirements with all federally recognized tribes with cultural ties to Emery County. Further, agencies should provide opportunity for joint coordination with the County and Tribes where appropriate.

- Native American tribal rights regarding access to federal land for Tribal activities, including spiritual, cultural, and traditional food-gathering activities should be allowed in Wilderness areas.

## **Energy**

### ***Findings***

Recent national and global trends and political actions that affect coal mining and coal-powered electricity generation have led to a critical need for greater diversification of economic opportunity in Emery County. Therefore, the county will explore opportunities to diversify as they arise. This may include traditional, emerging, and innovative opportunities in industry, manufacturing, production, extraction, and services.

Emery County desires to limit the visual effects of renewable energy developments on public lands. To that end, Emery County does not support solar or wind projects on public lands. Other renewable energy projects, such as geothermal or hydroelectric power projects, may be acceptable if they minimize visual and other resource impact. Other energy projects, such as nuclear power generation, should be directed towards previously impacted areas, such as retired coal power plants, where transmission infrastructure is already in place.

### ***Goals, Objectives, and Policies***

#### ***Goal:***

- Emery County desires to limit the visual effects of renewable energy developments on public lands.

#### ***Objectives:***

- Geothermal and hydropower projects on public lands minimize visual and resource impacts.
- Nuclear-power generation is directed to previously impacted areas provided safety concerns are considered.

#### ***Policies:***

- Emery County does not support solar or wind projects on public lands.
- The county will coordinate and participate with state and federal agencies on all renewable-energy developments on public lands.
- The county desires to participate and coordinate in renewable power projects. Project proponents are encouraged to present proposals to the county and gain required permits and approvals from Emery County.
- Large-scale nuclear projects should be located where transmission infrastructure is already in place.
- Modular-nuclear or battery-storage projects should be sited with consideration of impacts to visual, community, and natural-resource impacts.

# Fire Management

## ***Findings***

Fire protection services within Emery County are provided by the Emery County Fire Protection Special Service District in coordination with several agencies representing federal, state, and local jurisdictions, and with the assistance of the county's residents, who serve as volunteer firefighters. Some areas of the county comprise forested ecosystems. These include pinion pine and juniper stands at lower elevations and pine, fir, and aspen at higher elevations. The condition of some public lands in the county is dangerously overgrown with fire fuels, which represents a public nuisance and potential fire hazard. Drought, dense forest fuels, beetle infestation, and inadequate timber harvesting in these ecosystems have contributed to extreme fire-hazard conditions.

Reducing forest fuels is a cost-effective fire prevention and protection practice that can mitigate the likelihood of catastrophic wildfires.

## ***Goals, Objectives, and Policies***

### ***Goal:***

- Emery County acknowledges the need for action to reduce fire hazard in and adjacent to its lands and has established the following objectives and policies to facilitate such action.

### ***Objectives:***

- Emery County will support active forest thinning and increased timber production that preserves wildlife habitat, minimizes erosion, and does not irreparably harm watersheds or streams.
- State and federal agencies will manage public lands in a manner that reduces the fire threat and guard against fire's serious air-quality impacts.

### ***Policies:***

- State and federal agencies should work diligently to reduce the threat of wildfire on public lands to protect Emery County's water resources.
- Ladder fuels should be reduced and sound timber-management practices followed to avoid catastrophic fires.
- Federal and state agencies are encouraged to participate in, develop, implement, and update fire-protection plans and engage in public-outreach efforts by providing information and education about fire risk.
- Agencies should provide information to Emery County on their policies and practices related to fire use and fuels management, including but not limited to fire-use designation criteria, favorable and unfavorable prescribed burning parameters, fuel model inputs, fire personnel staffing levels, and public-road closures and re-openings.
- Agencies should coordinate planning, scheduling, implementation, and dissemination of public information concerning prescribed burns within Emery County.
- Agencies should avoid scheduling prescribed burns on or around major holiday weekends and whenever the region anticipates significant tourist inflows.
- If fires occur in Emery County on publicly or privately owned forests or grasslands, which threaten such destruction as would constitute a major disaster, the county expects the State of Utah to submit a request to FEMA for assistance through the Fire Management Assistance Grant Program.

# Forest Management

## ***Findings***

Emery County encourages federal and state agencies to adopt and maintain scientifically sound forest-management policies based on high-quality, recently acquired data and to pursue multiple-use policies for the use of public-forest resources to provide sustainable and continuous yield of timber, forage, firewood, wildlife, fisheries, recreation, and water.

Such actions are critically important and necessary to change existing forest surface, ladder, and crown-fuel profiles and reduce potential wildfire intensity and behavior, and to mitigate the consequences of large and potentially damaging wildfire on public lands and on private lands within and adjacent to agency-managed lands. The attainment of a more-sustainable forest condition via implementation of such prevention actions will benefit forest-related resources, including improved watershed conditions, improved wildlife habitat, and enhanced forest health.

## ***Goals, Objectives, and Policies***

### ***Goal:***

- Ensure the protection of forest, soil and water resources by preserving water quality and soil stability, preventing fire hazard and insect infestation, minimizing waste of timber resources, and protecting forest regeneration and production.

### ***Objectives:***

- Emery County will promote the continuation of a sustainable forest-products industry by encouraging the active management of forests on public lands.

### ***Policies:***

- State and federal agencies should adopt policies that promote and facilitate local manufacturing of forest products from public lands.
- Agencies should support a broad range of reforestation, timber-stand improvement tools, and timber-harvesting practices consistent with prudent resource protection practices.
- Agencies should adopt policies that promote and facilitate early detection and control of insect infestations through the use of biological and chemical agents, including salvage of dead and dying forest stands.
- Agencies should adopt policies that provide for the prevention of forest fires through thinning stand densities associated with the onset of competition as well as construction and maintenance of strategically located fuel breaks and other vegetation management.
- Emery County supports prescribed burns as a fuels-reduction management tool for resource enhancement when used in conjunction with forest thinning and post treatment salvage or in areas that physically cannot be mechanically thinned. Such burns should comply with air quality regulations.
- Agencies should encourage and provide for the prompt salvage and replanting of forested areas and forest losses due to fire, insect infestation, and other events.
- The county supports and encourages partnerships between state and federal agencies and the timber industry to implement treatments to maximize environmental benefits of forest-ecosystem health, diversity and sustainability, and to maximize social and economic benefits of industry and community infrastructure, increased employment, and improved tax base.

- The county encourages agencies to actively manage the watersheds in forested areas by reducing the threat of wildfire; thereby increasing water-supply security and quality, providing deeper, more-persistent snowpacks, longer runoff duration, and increased groundwater storage.
- The county recognizes that access is crucial for accomplishment of the listed management scenarios. Thus, Emery County expects that the managing agencies will ensure that adequate and reliable access is provided for these purposes.

Emery County supports the Utah Forest Practices Act, UCA 65A-8a, et seq., and its stated purpose.

## **Geological and Paleontological Resources**

### ***Findings***

Emery County contains a diverse range of geological formations, including stunning cliffs, canyons, and red-rock vistas beloved by residents and visitors alike. These same geological resources preserve millions of years of geologic history, including dinosaur footprints and the densest concentration of Jurassic-period fossils ever found. The county is home to the Cleveland Lloyd Dinosaur Quarry, part of the Jurassic National Monument.

### ***Goals, Objectives, and Policies***

#### ***Goal:***

- Emery County supports the investigation and evaluation of geologic and paleontological resources to promote local appreciation and identify opportunities for responsible extractive use.

#### ***Objectives:***

- Develop a strong understanding of Emery County's geologic and paleontological resources.

#### ***Policies:***

- Emery County supports responsible exploration and development of geologic and paleontological resources that contribute to the local economy, including extractive uses where appropriate.
- The county encourages partnerships with industry and land-management agencies to expand scientific understanding and promote local education and heritage tourism.
- Resource development should be balanced with conservation practices that preserve the integrity of historically and scientifically significant sites.

Additional policies addressing Geological and Paleontological Resources can be found in the Minerals and Mining section of this document.

## **Irrigation, Ditches and Canals**

### ***Findings***

Associated inherently with Emery County's water-storage facilities (see Water Quality and Hydrology section) is the system of canals, ditches, and pipelines that convey the water. These conveyance systems transport the water from the natural streams to irrigable ground, operate power plants, and provide water to the communities. The resulting network runs for hundreds of miles throughout Emery County. The county recognizes this system as necessary to our way of life. The county supports any effort that will improve its irrigation systems. The county-wide Colorado River Basin Salinity Control Program (CRBSCP) is an example of such improvement efforts.

Emery County acknowledges that the major canals have accompanying prescriptive rights-of-way that were established when the systems were constructed. These rights-of-way are not specifically defined widths and lengths, but rather are recognized as areas along one both sides of the canals necessary for access, maintenance, operation, and improvement of the associated canal or pipeline. In many locations, the CRBSCP projects have resulted in the placement of pipelines being within the same right-of-way as the canal being replaced, while other situations require entirely new routes and rights-of-way. Although some canals may no longer be in use, the associated rights-of-way remain until formally relinquished.

The current ownership, easement, and right-of-way system is not well understood, which may lead to maintenance and liability issues. The county desires a better understanding of the easement relinquishment process to free private lands from unnecessary encumbrances.

## ***Goals, Objectives, and Policies***

### ***Goal:***

- Emery County seeks to maximize the beneficial use of its limited water resources.

### ***Objectives:***

- Emery County will continue to support efforts to improve water-conveyance systems, decrease seepage losses, and promote better management practices.
- Emery County supports efforts to improve the integrity, functionality, and capacity of irrigation infrastructure through maintenance and modernization.
- The county encourages the development of strategies that mitigate flood risks from unused or abandoned canals and ditches.

### ***Policies:***

- Promote coordination between canal companies, landowners, local governments, and state and federal agencies to ensure efficient water delivery, resolve conflicts, and support shared infrastructure goals that serve both private and public interests.
- Support the efforts of canal companies, landowners, and water users to systematically inventory unused or abandoned canal features and the evaluation of these structures for potential reuse in flood mitigation, stormwater management, or ecological benefit—or for decommissioning if they pose risks to public safety or property.

## **Land Access**

### ***Findings***

Access to federal lands is critical so that the full benefits of multiple uses can be realized. Access to federally and state-managed land should not entail encumbrances or restrictions on private property rights, including all livestock business operations that must traverse state and federal byways in the course of livestock transport. Future uses and capacity increases should be a significant consideration in the evaluating process. Roads and trails should be permitted for all proper and lawful purposes, subject to compliance with rules and regulations governing the lands and roads in question.

Revised Statute 2477 (RS 2477) provides that rights-of-way for the construction of highways over public land not reserved for public uses, are thereby “granted”. Miners, ranchers, and others developed such rights-of-way in the form of roads and trails, many of which are still used today, although their usage is increasingly restricted. Emery County has identified such roads and is opposed to further limitation of public access to federally and state-managed lands.

Emery County opposes federal actions that intentionally or unintentionally reduce the scope of rights that are protected by the National Forest Management Act, FLPMA, and other federal statutes.

Balancing private-property interests with the public's need for access is critical when pursuing and maintaining rights-of-way. In-holders of private property require rights-of-way to access their property and exercise other activities and other rights associated with private property. Emery County supports the rights of these individuals.

All roads and trails that have been designated as "open" for multiple-use travel in agency planning processes should remain open to the applicable forms of motorized travel, unless sufficient, site-specific, environmentally or scientifically valid justification exists for the road or trail's closure.

Agency coordination with Emery County is critical for the maintenance of sound travel-management plans. Agencies are expected to attain consistency between proposed travel-management plans and local transportation plans of Emery County. The county supports an interconnected transportation system for OHVs using routes designated in the Emery County OHV Ordinance, BLM-designated routes, and routes identified by Manti-La Sal National Forest.

Emery County asserts that unless there is an existing or imminent public-safety hazard or catastrophic environmental damage, federal or state agencies may not temporarily close or permanently reroute a portion of a road or trail without consulting Emery County. Access opportunities, comparable and equal to those provided by any temporarily closed portion of a road or trail, shall be established concurrent with the temporary closure.

## ***Goals, Objectives, and Policies***

### ***Goal:***

- Emery County will continue to support agency efforts to maintain authorized roads on public land and access points with historic, cultural, and traditional importance to residents and visitors, and to rehabilitate unauthorized roads, trails, and access points.

### ***Objectives:***

- Emery County opposes administrative limitation of access to public lands through road or trail closures, decommissioning, and other limiting policies that are not consistent with agency land-use plans or county plans.
- Continuation of existing uses and patterns should be maintained unless reliable, scientific evidence that is specific to Emery County compels an agency to change those uses.

### ***Policies:***

- Emery County will work with federal and state land managers to ensure road management strategies support a broad range of uses and avoid unnecessary closures or access restrictions.
- The county supports agency efforts to maintain authorized roads, trails, and access points with historic, cultural, and traditional importance to residents and visitors.
- The county supports timely efforts to rehabilitate unauthorized roads, trails, and access points.
- The county opposes administrative limitation of access to public lands through road or trail closures, decommissioning, and other limiting policies that are not consistent with agency land-use plans or county plans.

- The county supports limited, seasonal road closures for resource protection when determined through coordination with the County and mutually agreed upon in terms of location and timing.
- RS 2477 roads that existed and may or may not have been shown on agency or Emery County maps are required to be part of the official, existing, and authorized trail and road system. Trails that do not appear on those official maps but can be demonstrated to have historic, traditional, cultural, or customary significance to Emery County residents and other public-land users should be evaluated for addition to the official system.
- Further, it is Emery County's position that:
  - historic uses, roads and routes will be maintained in specially designated areas—including Wilderness, roadless areas, Areas of Critical Environmental Concern (ACECs)—to the fullest extent permissible under such land designations by Congress;
  - vehicle access will be provided to all historically used campsites;
  - all authorized and unauthorized dispersed and developed campsite access routes will be evaluated for inclusion into the agency road/transportation systems;
  - light or intermittent use of a trail or route does not justify a change in designation, closure, or its removal from the transportation system;
  - roads and trails that have washed out or are otherwise impassable will not necessarily be closed as a result, nor will authorization be denied due to a state or federal agency's failure or inability to maintain them;
  - Manti-La Sal National Forest and BLM roads and trails will remain open unless there is scientifically defensible and significant reason to change the status;
  - state and federal agencies will maximize and protect access opportunities for Emery County residents and visitors who are physically unable to access dispersed camping areas via non-motorized means;
  - seasonal and wet-weather closures will reflect existing conditions, historic uses, and seasonal uses (such as hunting and fishing), permittee needs and requirements for access for livestock herding and removal purposes, and other local interests; and
  - seasonal and wet-weather closures will be based on current weather and road conditions, not calendar forecasts or predictions.

## Land Use

### *Findings*

It is the intention of Emery County to actively coordinate and cooperate with federal and state land-management agencies in the planning, development, and establishment of resource-management decisions and plans that will allow management entities to effectively fulfill their responsibilities to manage natural resources, while recognizing and addressing local needs and objectives, as stated in this General Plan. This will be accomplished through ongoing planning processes and forums, which provide the opportunity for local participation and partnerships of Emery County with various public-land-management entities. By utilizing a broad array of options, and by including local involvement in the decision-making processes, Emery County is confident that the natural values of the lands can be protected without endangering the economic and cultural future of county communities.

To enhance the County's role in public land management, Emery County will actively participate in planning and stewardship efforts through the Public Lands Council and the dedicated position of Public Lands Administrator. The Public Lands Council will be a forum for open and positive discussion of issues related to natural resources and public land. Emery County responses to proposed plans and recommendations for future policy will be well thought-out. Where applicable, conflicts between the Emery County and land-management agencies will be resolved at the county level.

#### Dingell Act

The 2019 John D. Dingell, Jr. Conservation, Management, and Recreation Act brought significant land use changes to Emery County. Tens of thousands of acres were exchanged between the federal government (primarily BLM lands) and the Utah School and Institutional Trust Lands Administration (SITLA), consolidating land ownership across the county. The Act also established new conservation and recreation designations, including the San Rafael Swell Recreation Area, Wild and Scenic River segments on the Green River, 17 designated wilderness areas, the Jurassic National Monument, and expansions to Goblin Valley State Park. After the Dingell Act, Emery County no longer has Wilderness Study Areas (WSAs).

#### Multiple-Use

Emery County's definition of multiple-use includes, but is not limited to, traditional consumptive and non-consumptive uses. These include grazing, all-season recreation, timber harvest, wilderness, mining, oil and gas exploration and development, agriculture, wildlife, hunting, fishing, camping, historic and prehistoric cultural resources, and watershed resources. Single-use management is acceptable only when its need has been legitimately documented such that relevancy to Emery County is conclusive.

Emery County industries, such as agriculture, timber, grazing, tourism, and mining, depend on the continued use and availability of access to public land and its resources. Because decisions to alter the management, access, and use of these resources directly impact its interests, Emery County will be an active partner in the preservation, protection, and prudent management of its natural resources, including local cultural and heritage resources. Emery County recognizes the urgency for properly focused planning and coordination among various entities during resource-management decision-making processes and to address increasing demands on public lands. These resources may be lost if appropriate actions and programs are not implemented. To help accomplish this goal, Emery County has established a series of memoranda of understanding (MOUs) between Emery County and the Utah Department of Natural Resources (UDNR), BLM, USFS, and SITLA. These MOUs are available at the office of the Emery County Clerk/Auditor.

Because the management of public land directly affects the lives and livelihoods of local citizens, Emery County asserts that public land-management agencies have an obligation to identify and address all environmental and economic impacts that might result from decisions to alter or discontinue traditional resource uses. Emery County will continue working to ensure that these impacts are fully considered by state and federal agencies during decision-making processes.

#### Areas of Critical Environmental Concern (ACECs)

An ACEC is an area with special resource values designated to receive special management. No such designations should be recommended by state or federal agencies where other designations or prescribed actions provide for adequate management. Emery County finds that ACECs may not promote the interests of local economies, public safety, private property ownership, or protection of local customs and culture. In addition, they may not readily allow active, adaptive management in response to arising environmental issues affecting wildlife, landscapes, or human communities. Therefore, any state or federal agency advancing a proposal for an ACEC in Emery County should actively coordinate and seek approval from the county prior to initiating any formal process.



### National Monuments

Emery County finds that landscape-scale national monuments may not promote the interests of local economies, public safety, private property ownership, or protection of local customs and culture. In addition, they do not readily allow active, adaptive management in response to arising environmental issues affecting wildlife, landscapes, or human communities. Therefore, any state or federal agency advancing a proposal for a national monument within Emery County should actively coordinate and seek approval from the county prior to initiating any formal process.. No such designation should be recommended by agencies where other designations or prescribed management actions provide for adequate management. Emery County supports designation of the Cleveland-Lloyd Dinosaur Quarry National Monument, as evidenced by County Resolution 09-15-15B.

### Adjacent Private Lands and Land Management

Emery County affirms the ability of county property owners to use and enjoy private lands located adjacent to Wilderness, WSAs, and all other special-designation public lands. Condemnation of private property in conjunction with special designations on public lands should not be initiated, nor should the imposition of involuntary conservation measures or easements for any purpose. Public lands should be managed with regard to their unique qualities, designations, and uses, and not as interlinking parts of larger wholes or regions. Emery County asserts that no protective perimeter or “buffer zone” exists around any Wilderness or WSA. The fact that an activity or use, on land outside any Wilderness, can be seen or heard within the Wilderness, shall not preclude such activity or use outside. Emery County believes it is possible to protect public lands without impacting its economy. Emery County also believes that the local economy can be developed and expanded without endangering the wilderness values present in some areas of its public lands.

### State Lands

State lands within Emery County include those owned by SITLA and UDWR, and Utah sovereign lands managed by FFSL. Emery County has cooperated and coordinated with UDWR on habitat-improvement projects on the UDWR lands, and will continue to do so. The State of Utah recognizes and declares that the beds of navigable waters within the state are sovereign lands and are owned by the state. The Utah State Legislature has designated FFSL as the executive authority for the management of sovereign lands, and the state’s mineral estates on lands other than SITLA lands. Sovereign lands are defined by the Utah State Legislature as “those lands lying below the ordinary high water mark of navigable bodies of water as of the date of statehood and owned by the state by virtue of its sovereignty.”

## ***Goals, Objectives, and Policies***

### ***Goals:***

- Aggressively preserve the community heritage of Emery County by vigorously participating in and influencing all public land-planning and decision-making processes on behalf of, and under authority of, the Emery County Commission.
- Emery County recognizes the need to protect and preserve the public lands for present and future generations. It is the stated position and belief of Emery County that there are many land-management tools available that provide protection to public land and its resources.
- All public land agency management plans and proposals will be reviewed according to Emery County’s multiple-use definition. The county will respond in a timely and appropriate manner to these management plans or resource-use decisions.

- Preserve and maintain public land-access routes, such as those recognized in legitimate land-planning processes, resource-management plans, travel-management plans, and local transportation plans.
- Participate in any effort to influence management of state lands within Emery County. The county will become involved in any future processes for the exchange of SITLA lands and also to achieve a reasonable and balanced management strategy.

***Objectives:***

- Actively participate in all relevant public land-management decisions.
- Support responsible use and protection of public land resources.
- Explore all available options and tools for public land management and apply those options that best fit the needs of local public lands on a case-by-case, area-by-area basis.
- Show continued support for multiple-use management of BLM, USFS, and state lands.
- Avoid land uses that effectively create single-use areas, such as Wilderness.

***Policies:***

- Emery County supports the Congressional intent letters associated with Part II Emery County public land management in the John D. Dingell Jr. Conservation, Management, and Recreation Act of March 12, 2019.
- Emery County will actively participate in public land use decision making through the Emery County Public Lands Council and Public Lands Administrator.
- The county will actively participate in federal and state land-management decisions by coordinating and cooperating in discussions of public land issues/problems and solutions with land managers and other stakeholders.
- The county will participate in federal and state land-use planning efforts, including the review of proposed land designations, acquisitions, dispositions, and administrative actions that affect the status or management of public lands within Emery County.
- The county will participate in the planning and decision-making process surrounding the creation of proposed special-designation lands (including federal legislation) for the purpose of advocating for county and local economic interests and the incorporation of economic-development activities within the management plan of special-designated areas, the continuation of grazing, oil and gas activities, mining and mineral rights, access issues, and other concerns it deems appropriate.
- The county opposes actual and de facto special-use designations via administrative action. It further opposes any special-use designations without the specific endorsement by Emery County. Before designation of any special area, public hearings should be held within Emery County. The appropriate cabinet secretary should fully comply with requirements of NEPA prior to making recommendations to the US President or Congress for any such designation.
- Proposed designation and conservation actions relative to special-designation lands should be coordinated with Emery County. Negative socioeconomic impacts to the county or its residents should be fully mitigated, and should be found to be consistent with the Emery County General Plan prior to designation by agencies, Congress, or the current administration.
- Once under consideration, lands within Emery County should undergo timely and expeditious review by appropriate agencies and Congress. It is the position of Emery County that, where lands and resources have been studied for special designation but have not been designated by Congress prior to renewal, major amendment, or modification of an extant federal-land or resource management plan, following the date of adoption of this Emery County General Plan,

such lands will be returned to the land-use status they held prior to initiation of the study for special designation. The return-to-previous-status will be reflected in the subsequently renewed, amended or modified management plan.

- To the extent allowed by state and federal laws and local laws and ordinances, Emery County will participate as a cooperator and stakeholder and will represent the interests as listed in this General Plan.
- Emery County reserves its right and ability to coordinate planning and management processes with state and federal agencies on the basis of the potential and actual consequences to the tax base and residents' continued interest in historic, traditional, cultural, economic, and natural resources.
- The county will adhere to the MOUs that have been established with land-management agencies and will follow up with those agencies to ensure they follow the management plans that have been approved.
- The county's policy is that public land should be managed under the "multiple-use and sustained yield" concept.
- The county supports multiple-use land management of public lands that balances resource protection with a broad range of uses, including grazing, recreation, mineral development, and traditional cultural practices. Emery County believes appropriate protection of scenic, cultural, and ecological values can be achieved without imposing single-use land restrictions.
- The county does not support the creation of additional special designations on federal or state lands or waterways, which includes Wilderness, WSAs, and Wild and scenic Rivers.
- The county supports the designation of recreation areas when compatible with existing multiple-use land management.
- The county supports the wise use, conservation, and protection of the nation's public lands and the resources associated with these lands, including prudent and appropriate management prescriptions established to achieve wise use. These prescriptions may include the designation of Wilderness.
- The county supports multiple uses relative to public and private recreational and cultural opportunities on special-designation lands that are compatible with local customs, historic practices, and traditions. Land use within special-designation lands should be managed within the constraints of private property rights.
- Given the significant number of acres within Emery County under public ownership and special designation, Emery County opposes designation of buffer zones between special-designation lands, multiple-use lands, and private property.
- Federal agencies should coordinate with Emery County as early as possible when considering administrative, special-use designations such as national parks, monuments or other designations that affect the use and status of public lands within Emery County.
- The State of Utah currently claims ownership to portions of the Green River and Colorado River. The sovereign portion of the Green River within Emery County begins at the southeast corner of the county boundary and continues upstream to Swasy's Rapids, near the center of Section 3, T20S, R16E SLB&M, which encompasses approximately 87.5 river miles.
- The county recognizes and supports the FFSL Mineral Leasing Plan for Sovereign Lands on the Green River and Colorado River, adopted August 7, 1998; Amended January 17, 2012.

- The county’s position is that boundaries that define special-designation lands will, to the maximum extent possible, be collocated with recognizable, natural topographic features, or human-influenced utilitarian features (e.g., roads, trails, fences, utility corridors):
  - Boundaries that relate to utilitarian features shall be set back such that efficacious maintenance access is provided. Boundaries along a federal or state highway shall be set back the greater of 300 feet from the center line of the highway or the distance from the center line of the highway to a boundary line.
  - Boundary setbacks along paved roads, which are not federal or state highways, or high-standard dirt or gravel roads (Emery County “B” Class Roads) shall be the greater of 100 feet from the center line of the road or the distance from the center line of the road to a boundary line.
  - Boundary setbacks along a low-standard dirt or gravel road shall be the greater of 40 feet from the center line of the road or the distance from the center line of the road to a boundary line.

## **Livestock and Grazing**

### ***Findings***

A viable rangeland and livestock industry is an essential component of Emery County’s economy, history, culture, customs, and traditions, and it is vital to the economy of affected communities. The county helps ensure that ranching remains an essential part of the community fabric and continues to contribute to the prosperity and resilience of affected communities. Good grazing practices are a necessary part of maintaining rangeland health and desired plant communities for the benefit of watershed, wildlife, water quality, recreation, and in reducing potential fire danger by keeping fuel loading to a minimum. Properly managed grazing practices also promote healthy rangelands, which provide lasting economic and cultural benefits to Emery County.

The following document is for livestock grazing on public lands within Emery County:  
Taylor Grazing Act

### ***Goals, Objectives, and Policies***

#### ***Goals:***

- Emery County seeks to protect viable rangeland and livestock industries through continued access to traditional grazing areas on public lands.
- The county desires active rangeland management and implementation of good grazing practices to maintain productive plant communities in healthy condition.
- The county desires to protect the traditional uses, appearance, existence, maintenance, and enhancement of structures and other improvements supportive of, or within grazing allotments due to their critical importance to permittees. Such structures and improvements include but are not limited to cabins, corral facilities, fences, cattle guards, and developed watering facilities (including in Wilderness and other special-designation lands).

#### ***Objectives:***

- Livestock grazing on public land is managed and regulated by state and federal agencies as defined in applicable land-use plans.
- Grazing plans are developed specifically and individually for each grazing allotment in order to achieve the desired result throughout Emery County.

- Manage rangelands to maintain and enhance desired plant communities for the benefit of watershed, wildlife, water quality, recreation, and livestock grazing, as required

***Policies:***

- The Emery County Council requests that federal and state agencies coordinate with the council (or its officially designated subcommittees) on matters affecting livestock grazing and farming on all federally and state-managed and regulated lands.
- To comply with multiple-use concepts, no individual resource value should be given priority in vegetation-management decisions.
- Transportation of livestock and equipment necessary for their effective management should be allowed over federal, state, and other roads and highways within Emery County and on public lands.
- Open-range conditions should exist on active grazing allotments behind allotment boundaries in alignment with the historic nature of grazing management on open range. Livestock may be transported on Emery County roads that cross both public and private property within active livestock-management practices.
- The county recognizes historic cattle movement on public lands and the nuisance it may pose to private property owners and the general public within public lands and allotment boundaries, and recognizes the need for private property owners and ranchers to work together to minimize that nuisance. Private property owners adjacent to active cattle allotments and established, historic trail corridors should hold permittees harmless for common grazing behavior and the agencies should not require permittees to restrict cattle movement while on said range (e.g., fencing, corralling).
- All traditional structures and improvements are essential to the management of grazing land allotments and should be permitted to be maintained in good working order for their ongoing use.
- State and federal agencies should recognize common maintenance practices may include motorized access to structures and improvements as well as the use of motorized equipment to perform maintenance activities (including in Wilderness and other special-designation lands).
- The county strongly opposes unilaterally imposed or unrealistic increases in grazing fees because they could seriously affect the ranching community and hurt businesses that are linked to the ranching industry.
- Agencies should coordinate with the Lands Council (and any officially identified subcommittee) on matters affecting livestock grazing and farming on all federally and state-managed lands and regulated resources.
- Agencies should consider establishment of grazing advisory boards.
- Livestock and grazing within Wilderness and WSAs:
  - Livestock grazing under permit should not be restricted to favor Wilderness visitor management. Further, existing and new permits for livestock grazing should be issued on allotments where grazing was established at the time the Wilderness was designated. Any regulation and/or removal of grazing allotments should be based on the following process:
    - Scientifically valid, peer-reviewed studies, directly applicable to Emery County, that demonstrate an irrefutable and direct correlation between the challenged use and the impact that validates the need for the proposed action, completion of comprehensive NEPA analyses quantifying economic and social costs of the

proposed action, and that establish an adaptive management-based monitoring and recovery strategy leading to reactivation of the allotment for grazing use.

- Livestock numbers or animal unit months (AUMs) should be limited only where such action is validated by scientific, peer-reviewed studies that demonstrate a direct correlation between the livestock numbers, AUMs, and an irrefutable adverse impact that validates the need for the proposed action, that conducts a comprehensive NEPA analysis quantifying economic and social costs of the proposed action, and that establish an adaptive, management-based monitoring and recovery strategy that leads to resumption of the allotment's grazing uses.
- The grazing of livestock in a Wilderness area shall be permitted to continue in accordance with section 4(d)(4) of the Wilderness Act; (16 U.S.C. 1133(d)(4); guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H.Rep. 101-405); H.R.5487 of the 96th Congress (H.Rep. 96-617); and the Taylor Grazing Act of 1934 (43 U.S.C. 315 et seq.).
- The continued use of motorized vehicles in Wilderness area where grazing of livestock is established shall be allowed if there is already a historic use of motorized vehicles and the use of motorized vehicles is strictly restricted to the purposes of:
  - maintaining fences, ponds, troughs, springs, or other structures or land features necessary to continue grazing of livestock in the area; or
  - retrieving wounded, crippled, sick, or otherwise movement-restricted livestock.

## **Mining and Mineral Resources**

### ***Findings***

Emery County recognizes that the development of its mineral resources, including critical mineral and rare earth elements, is both desirable and essential to the economic well-being of the county, state, and nation. Federal and state land laws and management plans provide oversight of mineral exploration and production on public lands, and Emery County supports responsible stewardship of the environment in conjunction with these activities.

The county supports extraction industries through a consistent conditional use permit process. It acknowledges the rights associated with mineral leases while also recognizing potential impacts on the landscape, subsurface, and environment, including roads, watersheds, grazing, wildlife habitat, viewsheds, hunting, recreation, and aquifers. Additional concerns include noise, dust, handling of contaminated water, mine refuse, coal ash, and safety hazards such as gases, fires, and explosions.

Emery County expects full compliance with existing regulations that require mitigation, minimization, and bonding for impacts associated with mining and mineral exploration, extraction, development, production, and transport. The county also requires binding commitments—such as contractual and bondable guarantees—for complete reclamation of all disturbances, both surface and subsurface, before permits or authorizations are issued.

## ***Goals, Objectives, and Policies***

### ***Goals:***

- Mineral resources, including critical mineral and rare earth elements, are developed in a responsible manner in order to contribute to the economic well-being of the county, state, and the nation.
- Mineral resources, including critical mineral and rare earth elements, are developed in a manner that balances economic benefits with protection of Emery County's scenic, cultural, and environmental assets.

### ***Objectives:***

- To support responsible development of mineral resources within Emery County for the economic well-being of the county, state, and nation.
- To support comprehensive reclamation of sites disturbed by mineral extraction and processing.

### ***Policies:***

- Emery County supports mineral exploration and development on public lands that is:
  - subject to permits issued by jurisdictional agencies;
  - consistent with Emery County ordinances;
  - consistent with local history, customs, traditions, and culture;
  - free from legally and scientifically invalid and unreasonable barriers;
  - is consistent with the Mining Act of 1872;
  - considers resource potential data that is available from industry, Utah Geological Survey, US Department of the Interior, USDA; and
  - consistent with sound economic and environmental practices.
- Emery County encourages Utah Division of Oil, Gas and Mining and federal land-management agencies to require comprehensive reclamation plans that include clear timelines, funding guarantees (e.g., bonds), and restoration goals aligned with pre-disturbance land use, visual quality, and ecological function.
- Emery County requests that all state and federal agencies coordinate their reclamation plans with the county. Any changes to the current system should reflect consultation with and consideration of the effects on private industry as well.
- Development of critical mineral and rare earth element resources should be guided by procedures that aim to minimize and mitigate impacts, recognizing that some level of impact may be unavoidable.
- Include visual-impact assessments and incorporate design standards (e.g., screening, siting, low-profile equipment) that minimize visual impacts on key view corridors, scenic byways, and recreation areas.
- Encourage the siting of mineral extraction and processing operations at previously disturbed sites when practical.
- Access to mining claims owned by individuals, groups, and businesses (including in Wilderness and other special-designation lands) should not be restricted. Roads that exist at the time of designation that serve mining claims should not be closed, nor should the agencies unreasonably withhold use permits for access to such roads.

## Noxious Weeds

### ***Findings***

A noxious weed is an unwanted plant specified by federal, state, or local laws as being undesirable, troublesome, and difficult to control. Noxious weeds grow and spread in places where they interfere with the growth and production of native plants and desired crops.

Emery County acknowledges that noxious weed infestation and growth constitutes a major threat to the public health, natural resource values, and the economic viability of the public lands and water courses, and should be a high priority of federal and state agency managers.

Emery County's Weed and Mosquito Department is involved in several cooperative weed-control actions, such as the Skyline Cooperative Weed Management Area (which includes the Emery Water Conservancy District, several adjacent counties and federal and state agencies) and the San Rafael River Tamarisk Removal Project, with UDWR and BLM.

Additionally, the county has declared Russian olive a noxious weed and is aggressively working with local land owners and various agencies to eradicate this species on private lands and along waterways within the county.

### ***Goals, Objectives, and Policies***

#### ***Goal:***

- Emery County desires to prevent the establishment of noxious weeds on public and private lands and waterways.

#### ***Objectives:***

- Eradicate Russian olive on private lands and along waterways within Emery County.

#### ***Policies:***

- Emery County advocates the control of noxious weeds on all lands and waterways within its boundaries.
- The county encourages the state and federal agencies to protect public lands bordering private lands from noxious weeds.
- Agencies should prepare and implement plans for controlling noxious weeds.
- Agencies should coordinate their noxious weed regulations and actions with Emery County

## Outdoor Recreation, Tourism, and Film

### ***Findings***

In times past, recreational use of land and water resources in Emery County typically involved Emery County residents, residents of neighboring counties, and a few visitors from locations outside the immediate area. That has changed dramatically in the last several decades. Located just a few hours from the Wasatch Front and the Western Slope of Colorado, Emery County is now a vacation destination for these and others from across the nation and internationally. Public lands within the county provide residents and visitors alike with opportunities for a wide variety of outdoor experiences. Influxes of tourists and recreational visitors come to enjoy OHVs (including snowmobiles) and skiing, snowboarding, hiking, horseback riding, biking, rock climbing, ice climbing, rock-hounding, bouldering,



fishing, hunting, camping, birding, wildlife viewing, rafting, canoeing, kayaking, water skiing, and wakeboarding. Visitors also come to Emery County to take part in other outdoor sports and local and western cultural events.

Some recreation areas should be readily accessible with good roads and should be adequately signed to inform the public of regulations, potential conflicting uses, and problems. Emery County recognizes that effective maintenance of roads and trails is crucial for a well-managed and robust recreation component of the local economy. Agencies should proactively mediate conflict between multiple uses, including non--recreational users. Emery County seeks to protect the existing uses on public land and advocates management that allows for and protects that use. State and federal agencies should enhance recreation opportunities and not place unreasonable and undue hardship and burdens on businesses through protracted and cumbersome analyses and permitting processes.

Recreational use creates increased demands on law enforcement, waste management, search and rescue, emergency medical services, road maintenance, and other resources. The Emery County Sheriff's Office and related services are heavily impacted by recreation user groups, yet there is almost no economic support of the services generated by recreational use. Agency identification of socioeconomic impacts for proposed recreation-related actions (including management or elimination of recreational facilities, such as OHV trails) should consider impacts to the county and provide for economic or other mitigation. While Emery County supports and encourages recreational uses. State and federal agencies should not encourage or promote activities that are incompatible with existing, permitted agricultural uses.

Federal and state budget cuts have placed a heavy burden on land-management agencies to maintain current levels of management activities. For this reason, the possible enactment of new or increased user fees is of concern.

### Camping

Dispersed camping is historically, traditionally, and culturally important to Emery County residents and visitors. Therefore, this activity should remain available for use and accessible via motor vehicle. Roads and trails for access to such areas should remain open. If undesignated, such roads should be left open and evaluated for inclusion into the system at the agency's earliest opportunity. In conjunction with dispersed camping, there should be ample opportunity to park off the road. Users should not have to leave their vehicle unprotected on the road and walk into historical campsites. Emery County supports locating camping areas a reasonable distance from streams to protect water quality. Recreational facilities such as campgrounds or elements of campgrounds, dispersed camping sites, restrooms, and other facilities traditionally used for camping and day use should not be decommissioned by state or federal agencies without reasonable notice and coordination with Emery County. Agencies decommissioning or temporarily closing facilities for urgent or emergency reasons should apprise the county of those actions at their earliest opportunity. Formal decommissioning should undergo NEPA review and should include detailed and comprehensive socioeconomic analysis and identification and selection of alternatives that achieve the agencies' desired outcomes and result in the fewest negative impacts on the human environment.

### Equestrian

Emery County supports equestrian and stock use in designated Wilderness and other special-designation areas. Any trend of restrictions or increasing restrictions directed toward the use of pack and saddle stock for recreational purposes is unacceptable. Further, utilization of complaints by non-stock users to restrict the use of pack and saddle stock in Wilderness should not justify management restrictions.

Restriction of pack and saddle stock is not viewed by Emery County as protecting the Wilderness character. The county supports Congressional intent of Wilderness designation for a "broad spectrum of

Americans” and desires to avoid increasing restrictions directed specifically at recreational opportunities intended in the Wilderness Act.

### **Trails and Transportation**

Emery County has observed reluctance by the Price Field Office to maintain trails and trail signage within Wilderness Areas. House Report 95-540 directed federal agencies to “maximize efforts to construct, maintain, and improve trails and trail systems in Wilderness areas, so as to facilitate access and recreational use, as well as to increase opportunities for a high quality Wilderness experience for the visiting public.” The report also acknowledges that “trails, trail signs, and necessary bridges are all permissible when designed in keeping with the Wilderness concept” and instructed the agency in its maintenance and construction efforts to “include the use of mechanical equipment where appropriate and/or necessary.”

## ***Goals, Objectives, and Policies***

### ***Goal:***

- Emery County seeks to protect the existing recreational uses on public land and advocates management that allows for and protects that use.

### ***Objectives:***

- Emery County will actively participate in all relevant public land-management decisions.
- Emery County supports responsible use and protection of public land resources.

### ***Policies:***

- State and federal agencies should not encourage or promote activities that are incompatible with existing permitted agricultural uses.
- State and federal agencies should allocate sufficient amounts of their budgets to recreation in order to accommodate increasing demands on recreational facilities and related infrastructure.
- Recreation funding should not be reallocated to other activities. Further, forest management and fire protection and prevention funding should not be reallocated to recreation activities.
- The county discourages augmenting agencies’ shrinking budgets by establishing new and increased user fees.
- When planning for future recreation needs (e.g., Forest Plan Revision, Special Recreation Management Area activity level planning), the agencies should coordinate with Emery County through its Public Lands Department to ensure local values and economic interests are preserved. Emery County has MOUs with federal and state agencies that govern the interaction with Emery County. Emery County desires cooperating agency status in all formal planning processes.
- State and federal agencies should enhance recreation opportunities on public lands without placing unreasonable and undue hardship and burdens on businesses through protracted and cumbersome analyses and permitting processes.
- Snowmobile use should be allowed on all USFS and BLM lands except where specifically restricted or prohibited by statute or land-use designation.
- Skiing, snowboarding, paraskiing, etc., represent established recreation uses. Areas utilized for these activities provide a unique access portal to public lands during winter that would be otherwise inaccessible to the public.

- Restrictions and prohibitions imposed on recreational equine use and incidental grazing should be exceptions rather than the rule and should be decided by site-specific analysis based on biological and physical criteria rather than subjective social preferences of other Wilderness users.
- Equestrian use within Wilderness areas
  - Restriction of pack and saddle stock is not viewed by the county as protecting Wilderness. Emery County supports Congressional intent of Wilderness designation for a “broad spectrum of Americans” and desires to avoid increasing restrictions directed specifically at recreational opportunities intended in the Wilderness Act.
  - Recreational pack and saddle stock use that is established at the time of Wilderness designation is recognized as an appropriate and historical use of Wilderness equal in importance to other uses including backpacking and hiking. No curtailments of recreational equine use or grazing incidental to that use should be restricted or removed simply because an area has been designated as Wilderness. Values, norms, and preferences of other Wilderness users should not be used as reasons to restrict, phase out, or terminate historical or permitted recreation uses.
- Recreational within Wilderness and WSAs
  - Recreational and historical uses should be recognized as appropriate purposes of designated Wilderness equal in importance to preservation of natural conditions. These uses and activities should not be restricted or excluded from Wilderness via utilization of any of the following direct and/or indirect actions by agencies or Wilderness purists:
  - removal or obliteration of campsite improvement, or evidence of dispersed camping;
  - removal of motorized or mechanized trails designated prior to Wilderness designation;
  - rerouting of primary transportation away from destination areas;
  - regulating use of saddle horses and/or pack stock; and
  - removal of other historic or cultural recreation activity that was enjoyed prior to Wilderness designation.
- Trails, Transportation, and User Amenities within Wilderness and WSAs
  - Trails should be maintained and managed to provide for all user types considered appropriate when the area was designated as Wilderness;
  - Federal agencies responsible for designated Wilderness must include the use of mechanical/motorized equipment for trail maintenance and reconstruction as an appropriate and necessary tool to accomplish trail maintenance;
  - Agencies must include the use of mechanical/motorized equipment for fire management on a case-by-case basis;
  - Trail signs, and necessary bridges are recognized as appropriate structures within Wilderness necessary to provide Wilderness opportunities for all Americans;
  - Trails must be managed to continue historic, traditional, customary, and cultural uses when the area was designated as Wilderness;
  - RS 2477 roads that existed and may or may not have been shown on agency and/or Emery County maps are required to be part of the official existing and authorized trail and road system. Trails that do not appear on those official maps but that can be demonstrated to have historic, traditional, cultural, or customary significance to Emery

County residents and other public land users should be evaluated for addition to the official system;

- When considering projects within Wilderness, analysis and/or tools should consider recreational and historical use, comprehensive economic and social analyses of the costs of closing trails and roads, and the physical and biological attributes of Wilderness character; and
- Facilities and/or improvements that existed at the time of Wilderness designation and/or that can be demonstrated to serve a permitted use that existed at the time of the Wilderness designation must be retained for historic, cultural, traditional, and customary uses. Improvised camping structures constructed by users should be permitted as temporary shelters (erected in response to conditions such as adverse weather) shall be dismantled by the user(s) upon the conclusion of the triggering conditions.

## **Predator Management**

### ***Findings***

Emery County advocates for the control of predatory animals, rodents, and disease-bearing vectors on all its lands.

### ***Goals, Objectives, and Policies***

#### ***Goal:***

- Emery County desires control of predatory animals, rodents, and disease-bearing vectors on all its lands.

#### ***Objective:***

- Control of predatory animals, rodents, and disease-bearing vectors on all Emery County lands.

#### ***Policies:***

- Emery County encourages state and federal agencies to protect public lands bordering private lands from predatory animals, rodents, and disease-bearing vectors.
- State and federal agencies should prepare and implement plans for controlling predatory animals, rodents, and insects in accordance with the practices advocated by the UDWR and the Utah Department of Food and Agriculture.
- State and federal agencies should coordinate their pest-control regulations and actions with Emery County.

## **Threatened and Endangered Species**

### ***Findings***

Emery County is home to several federally listed threatened and endangered species of plants, animals, and fish. The county supports proactive identification and management of sensitive species and their habitats to reduce the potential for future ESA listings.

## **Goals, Objectives, and Policies**

### **Goal:**

- Emery County encourages the proactive identification and management of Species of Greatest Conservation Need and their habitats to reduce the likelihood of future ESA listings.

### **Objectives:**

- Management of biological resources, including plants, fish, wildlife, and species designated as special-status, threatened, endangered, sensitive, candidate or indicator species under federal or state laws, on public lands, are based upon sound scientific evidence and local input.
- Conservation and management of Greater Sage-grouse, and the species' habitat, is a top priority for Utah wildlife managers, particularly because of efforts by some groups to have the Greater Sage-grouse protected under the ESA. Although sage-grouse populations and habitat are much less prevalent in Emery County than in other parts of Utah, Emery County recognizes that proactive involvement in conservation and management efforts is prudent. Therefore, Emery County has become aligned with Parker Mountain Adaptive Resource Management Local Working Group to form the Parker-Emery Local Working Group.

### **Policies:**

- Coordinate with the State of Utah and other appropriate agencies to manage wildlife and wildlife habitat according to the Utah Wildlife Action Plan.
- Encourage and incentivize landowners, when possible, to enter into voluntary conservation agreements to conserve threatened, endangered, and other species in need of conservation.
- Support voluntary intervention, habitat management, and collaborative mitigation efforts that balance ecological protection with responsible land use and development.

## **Utility Corridors and Infrastructure**

### **Findings**

Emery County has a long history of energy production, and its role as a power supplier to Utah and the broader western region is evident in the extensive network of utility corridors that cross the county. Transmission lines, pipelines, and other infrastructure developed over decades to support coal-generated energy projects have become defining features of the landscape. The existing utility corridors that have long served as conduits for coal-generated power now stand poised to accommodate a diversified energy portfolio—including renewables, natural gas, and potentially nuclear power.

## **Goals, Objectives, and Policies**

### **Goal:**

- Emery County seeks to proactively plan, coordinate, and support the maintenance of existing utility corridors and the strategic development of new corridors across federal and state lands to accommodate future growth and infrastructure needs.

### **Objective:**

- Actively participate in all relevant public land-management planning and policy decisions.

***Policy:***

- Emery County encourages the co-location of energy corridors, transmission lines, pipelines, communication sites, and related infrastructure to reduce visual impacts and minimize disruption to natural, cultural, and community resources.

## **Water Rights**

### ***Findings***

Emery County supports full development of the State of Utah's Portion of the Colorado River Allotment through adoption, implementation of water storage, distribution, and conservation plans and projects by State of Utah water-management agencies, irrigation companies, industrial users, and municipalities.

Emery County supports protection of private water rights from federal and state encroachment and/or coerced acquisition. Emery County asserts that efficacious access is crucial for the management of the area's water resources, and the county expects the managing state and federal agencies to facilitate such access.

Emery County's position is that private water rights should be protected from federal and state encroachment and/or coerced acquisition. To ensure that the county's water-resource issues and interests are adequately heard and addressed, the county will actively participate in all relevant federal and state water-resource planning efforts and decisions. Emery County endorses the Utah State Water Laws of Appropriation as the legal basis of all water use within its borders. Under Utah law, all water in the state, whether above or under the ground, is declared to be the property of the public, subject to all existing rights to the use thereof.

Beneficial use is the basis, the measure, and the limit of all rights to the acquisition, appropriation, and use of water in this state. The user who is first in time shall be first in right.

Water rights that have been appropriated in Emery County are on file at the Utah Division of Water Rights. When these rights exceed flow, the water right holder first in time of the appropriation is first to fill their water right. Emery County recognizes that the headwater areas of the four river systems in western Emery County are fully appropriated.

Emery County's position is that industry and municipalities should not claim or own more water than necessary to fulfill their anticipated needs, and that unused water should be made available for other uses. The county also feels that the costs associated with protection and recovery plans for endangered species and other "special interests" should be paid for by advocates of those purposes and uses.

The demand for water in western Emery County greatly exceeds the supply. Conservation practices have always been followed. Agriculture has used and reused this resource as it passes through the valleys. Reservoirs have been constructed and regulated to maximize the use of the highly variable water supply. Emery County promotes conservation as a way of life. Water conserved will be used to meet the demands of the county and its residents and maximize the use of this valuable resource. The concept of conservation plans is promoted, especially by industrial and municipal users who continually hold excess water rights against peak demands. As water conservation measures become economical, Emery County will encourage the use of these methods.

## ***Goals, Objectives, and Policies***

### ***Goals:***

- Emery County will continue to actively participate in all relevant local, regional, state, and federal water-management efforts.
- Emery County supports a fair allocation of water rights among water uses.

### ***Objective:***

- Protect private water rights from federal and state encroachment and/or coerced acquisition.

### ***Policies:***

- Emery County supports free-market economics in the use of water resources to promote development of agriculture, industrial, business, and municipal enterprises within its borders.
- Emery County supports full development of the State of Utah's portion of the Colorado River Allotment through adoption and implementation of water storage, distribution, and conservation plans and projects by Utah water-management agencies, irrigation companies, industrial and business users, and municipalities. However, Emery County unequivocally asserts that such development of water resources within Emery County's watershed system shall benefit the county and its residents.
- Benefits from conservation practices should go to those conserving the resource.
- Waste water and return-use practices and privileges should be maintained and protected.
- The designation of Wilderness, Wild and Scenic Rivers, and endangered species are federally legislated. These designations could adversely affect all rivers and streams in Emery County. The intent of these laws circumvents existing state water laws and are not favorable to the well-being of Emery County. The county's position is to oppose any taking of existing water rights, both diversion and storage, for such purposes.
- Emery County declares that any water dedicated to federal use must be appropriated under state law. The date of that appropriation will be set in accordance with state law. The county further declares that existing users have the right to fully develop their existing diversions and storage rights.
- Emery County recognizes in-stream flows as beneficial use. These uses may receive an appropriation with priority dates at the time of application. Any development of water resources for in-stream use must be financed solely by in-stream users or those groups who promote such use. The county further declares as its policy that water that is conserved through more-efficient conveyance or use will be committed to fulfilling present needs of existing water users.
- Emery County's position will be to continue to endorse practicable conservation measures that ensure the needs of the county water users are met—now and in the future. The county reiterates its position that water conserved will be used within the framework of present state laws and for purposes that are defined within the adjudication of existing water rights.
- Water rights within designated Wilderness and WSAs. Emery County is emphatic that designation of Wilderness in no way constitutes or shall be construed:
  - to constitute either an express or implied reservation by the United States of any water or water rights with respect to Wilderness areas;
  - to affect any water rights in the State of Utah existing on the date of Wilderness designation, including any water rights held by the United States;
  - as establishing a precedent with regard to any future Wilderness designations;

- as limiting, altering, modifying, or amending any interstate compact or equitable apportionment decree that apportions water among or between the State of Utah and other states.

Additional policies addressing Irrigation, Ditches and Canals can be found in the Water Quality and Hydrology section of this document.

## **Water Quality and Hydrology**

### ***Findings***

#### **Water Quality and Quantity**

Adequate water quality and availability is necessary for significant residential, industrial, commercial, agricultural, and recreational development. Emery County supports free-market economics in the use of water resources to promote development of agricultural, industrial, business, and municipal enterprises within its borders. There are 23 federal water agencies and 15 water-related state agencies whom water users in Emery County must work with, making water-related decision-making very complicated. Emery County has made efforts to coordinate with all pertinent water agencies and organizations in its water policy making and planning efforts and will continue to work with those agencies.

Emery County is experiencing over-utilization pressure and political pressure on its water resources. Portions of the streams and tributaries that provide the county's present water supply are fully appropriated. Any new uses of water in these areas must come from existing water supplies or the creation of additional storage facilities to capture and store annual spring runoff. Threats to water quality and quantity are numerous. They include unfunded political mandates (e.g., protection of endangered or sensitive species, wetland protection), federal and state in-stream requirements, subsidence due to mining activities, trans-basin movement of water by the mining industry, watershed damage due to invasive species, timber harvesting and mountain home subdivisions, uncontrolled trans-mountain diversions, groundwater interference by methane gas developers, and the retirement of agriculture production lands to provide water for industry. Emery County is emphatic in its position that these many interests and agencies acquire their rights to use water resources through the State of Utah's appropriation system. However, it is the county's position that parties causing resource damage are responsible to perform and/or finance adequate and appropriate mitigation measures. Emery County will resist any method of "taking without compensation."

#### **Watershed Protection**

Emery County protects watershed areas through its existing zoning ordinance. Two "critical environment" zone reclassifications cover the canyon, mountain, riparian, and watershed areas of the county. Emery County also imposes slope/grade building standards and requires that all sewer and water systems comply with Utah State Health Department standards.

Emery County's Weed and Mosquito Department is involved in several cooperative weed-control actions, such as the Skyline Cooperative Weed Management Area, which includes the Emery Water Conservancy District, several adjacent counties, federal agencies, and state agencies. Another example is the San Rafael River Tamarisk Removal Project with UDWR and the BLM. Additionally, the county has declared Russian olive a noxious weed and is aggressively working with local landowners and various agencies to eradicate this species on its private lands and along its waterways. The eradication efforts along waterways are intended to improve the stream and river ecosystems by reducing channel narrowing, down-cutting, and erosion, enabling the waterways to return to more geomorphologically natural and ecologically healthy systems.



Grazing can be used as a management tool to promote the health of a watershed. Proper grazing will rejuvenate grass growth and trample seeds for increased plant numbers. Emery County recognizes that agriculture depends economically on the use of public land, and that sustaining this area's rural lifestyle in turn depends on agriculture.

The Emery County Planning Commission will continue to identify watershed areas and the private and public interests who own or manage them. Working with all interested parties, the planning commission shall review the existing watershed protection and subdivision ordinances to determine whether these ordinances provide adequate watershed protection. Accomplishing this objective will include expanding the existing zoning resolution to include soil and slope analysis requirements and stream corridor and floodplain setbacks. Based upon the planning commission's findings and recommendations, a zoning map and accompanying ordinance has been developed. This information identifies "protection zones," corresponding levels of development (or non-development), and impact-mitigation requirements. Recommendations by the Emery County Planning Commission are to be reviewed by the public and recommended for adoption into Emery County's land-use ordinance.

### Groundwater

Countless mountain springs form the base flow of Emery County's water resources. As winter snows melt and run into reservoirs and then valleys, it enters the ground and recharges the aquifers, which then discharge water through springs and seeps later in summer.

Emery County recognizes that mining has long been one of its most important economic bases. However, the interruption of water flowing to these natural spring outlets, or significant degradation of historic water quality, cannot be tolerated. It is the policy of Emery County that any water interrupted by mining, subsidence, etc., shall be replaced in quantity, quality, kind, and/or compensated for. If studies or observations show a possibility of imminent interruption of water resources, or that it has already occurred, then mitigation of the interruption or possible interruption will be required concurrently with the mining activity or its cessation. Recent occurrences within the mining industry—locally, nationally, and internationally—have negatively affected coal mining in Emery County; therefore, Emery County must actively and aggressively assess whether any of the above scenarios have resulted and pursue resolution as necessary. The county considers this a priority concern.

Emery County endorses the water-monitoring program conducted by Emery Water Conservancy District. This provides a baseline record of Emery County water resources. All like information gathered by mining interests, government agencies, and others shall be made available to the conservancy district for its record.

The geology of Emery County is unique. The Wasatch Plateau rises sharply on the western boundary to elevations of 11,000 feet and forms the mountainous watershed. This region receives over 40 inches of precipitation per year and is the source of Emery County's water. The valley floor varies in elevation from 6,000 to 4,500 in its deepest canyons and receives less than 7 inches of precipitation per year. The valleys, which support farms, industry, and communities, sit on a marine shale deposit about 3,000 feet thick. This formation is called the Mancos Shale. Located deep below this shale layer are two sandstone aquifers ranging in depth from 500 to 1,000 feet and are found at about 6,000 to 7,000 feet in elevation. These aquifers surface 10–15 miles east of Emery County's communities and surrounding agricultural lands. Because of their great depth and the expense that would be required to develop them, these aquifers have never been tapped. However, these water-bearing zones are part of Emery County's water resources. The county's seeks to ensure that the quality of water within its aquifers is not degraded by injection wells or any other activity.

### Water Storage

The semi-arid climate of Emery County necessitates the wise use of water resources. Storage reservoirs, which catch runoff from melting winter snow and hold the water for year-round use, are vital to the existence of the county's communities, industry, and agriculture. Many of these storage reservoirs are located high in the watersheds.

Numerous other human-made reservoirs belonging to the UDWR, are used for recreation, and do not contribute to water-storage potential. However, they contribute greatly to the enjoyment and quality of life of Emery County residents. The county encourages the continuing maintenance of these facilities. The Emery County Project was completed by the BLM in 1965. The project's major feature was the construction of the Joe's Valley Dam. Water is stored in Joe's Valley Reservoir and used for agriculture, industry, and municipal needs on Cottonwood Creek and Huntington Creek. Emery County appreciates the fact that these facilities were provided and endorses management practices that utilize the facilities to the fullest extent in water storage and conveyance.

Emery County's position is that additional storage facilities are needed for the county to fully utilize its water resources. The county supports downstream and off-stream storage and would like to develop an adequate system of storage facilities that would allow excess spring runoff to be captured and utilized later in each growing season. A specific example is Muddy Creek. As an alternative to additional water-storage facilities, Emery County supports improved coordination between water users and those who manage the county's existing storage facilities.

### In-stream Flow

Traditional water management focuses on improving the resource to meet the needs of the users. Recently, the concept of water-resource development has been enlarged to include recreational and environmental uses. In 1986, the Utah State Legislature included in-stream flows as a beneficial use, subject to the laws of appropriation. In 1995, the state included parks and recreation as a beneficial use. This change of philosophy comes after the water-development period that occurred prior to 1980. Many streams in Utah have been controlled with storage reservoirs and diversion structures. Prior to the construction of these control structures, the natural stream flows were unpredictable and destructive. Without reservoirs, the mountain snows melted in spring and flowed down the canyons, eroding the channels, carrying rock, soil, and canal diversions downstream. The runoff would last for 4–8 weeks, and then the streams would revert to base flow. Diversions were precarious. Flows to farms and municipalities were unpredictable. The heavy flows were destructive both to man and the environment. After the streams were controlled, diversions became predictable, vegetation became established in association with the channels, riparian zones were healed, and people began to believe that this was the way nature intended things to be. A basic problem faced by Emery County rises from the recent changes to include recreational and environmental uses as beneficial. These new uses did not finance the initial water development. They were instead a favorable byproduct of development financed by agriculture, municipalities, and industry. Further, the general populace is no longer aware of excessive runoff flows going unused downstream. They see only placid lakes, quiet streams, and water coming out of their faucets.

It is with this basis of understanding that Emery County recognizes its dependency on the human-made structures that control water resources and make a rural lifestyle possible. The county recognizes the need for recreation and environmental uses. However, at present, Emery County's rivers are fully appropriated, and no new water is available for the new uses. Committing water to in-stream flows would prevent users within Emery County from fully utilizing their water rights and prevent an adequate water supply for culinary, industrial, and agriculture purposes. It is impractical for the county to establish a policy that favors leaving flows in our streams at the expense of providing basic water supply services to existing users (see the Water Rights section of this document regarding Emery County policies).

## Salinity

The rivers of western Emery County emerge from the mountainous canyons and run for miles across Cretaceous marine deposits known as the Mancos Shale. These marine deposits consist primarily of lenses of calcium sulfate, which is water soluble. When exposed to stream erosion both within the natural river channels and the myriad of human-made channels, salts are absorbed by the water. As the water is diverted to irrigate cropland and pasture, it percolates through the saline sediment, dissolving and transporting salts to the river system. The quantity of salts transported by our streams is measured as total dissolved solids (TDS) and expressed in milligrams per (mg/L) and parts per million (ppm). The TDS of our streams entering the valley is about 300 mg/L. The TDS of our streams leaving the Mancos Shale formation varies from 2,000 mg/L to 5,000 mg/L. Additionally, conveyance losses due to seepage and on-farm flood irrigation methods with the associated excess runoff (i.e., “waste water”) contribute to the salinity (i.e., TDS) of the return flows. However, they also contribute to the human-made wetlands and riparian areas in the county, both of which provide valuable wildlife habitat. This situation is consistent throughout the entire upper Colorado River drainage basin.

In June 1974, Congress enacted the Colorado River Basin Salinity Control Act (PL-93-320) (SCA). The SCA and subsequent, related legislation authorizes the USDA, acting through the Natural Resources Conservation Service (NRCS), to implement salinity control throughout the Colorado River Basin. For the most part, this consists of conservation measures. As prescribed by the SCA, impacts to wildlife habitat resulting from salinity-control implementation are evaluated to ensure that replacement of habitat is “concurrent and proportional” to the installation of salinity-control measures. With concurrence from the USFWS, habitat-replacement acreage is to exceed 2 percent of improved irrigation acreage.

In 1984, PL 98-569 amended the SCA, authorizing the Colorado River Salinity Control Program (SCP). In 1996, the Federal Agricultural Improvement and Reform Act (PL 104-127) combined four existing programs, including the SCP, into the Environmental Quality Incentives Program (EQIP).

All federal actions are governed by NEPA. Subject to NEPA, a planning report/final environmental impact statement was published in December 1993 by the US Department of Interior, Bureau of Reclamation (BOR) and the USDA’s Soil Conservation Services (which later became the NRCS), establishing the Price-San Rafael Rivers Unit of the SCP. The NRCS’ Price-San Rafael Rivers Salinity Control Unit/Project (PSR) encompasses 66,450 agricultural acres irrigated with water diverted from tributaries of the Price and San Rafael rivers in Carbon and Emery counties. “The EIS addressed 66,450 acres of agricultural land with water rights. Due to lack of water, 36,500 acres were actually irrigated in any given year.” (Price-San Rafael Rivers Unit Monitoring and Evaluation Report, FY2014, April 20, 2015). “For analysis, the acreage was divided into six sub-units, primarily by canal system. Over time, additional acreage was added in the Helper area, north of Price, Utah.” In 2007, NRCS and BOR reviewed available literature and came to a consensus agreement on the most reasonable annual salt contribution of 430,000 tons/year from agriculture. The majority (approximately 75%) of the PSR project area is within Emery County.

The Green River Salinity Control Unit (GR) was established by a 2009 Environmental Assessment (EA) and a finding of no significant impact. This SCP covers cropland along the Green River in both Emery and Grand Counties. The GR intends to treat approximately 2,080 acres with anticipated salt control of 6,540 tons per year.

The Muddy Creek Salinity Control Unit (MC) in the southern portion of Emery County encompasses 6,050 agricultural acres irrigated with water diverted from Muddy Creek and its tributaries. The MC was established by a 2004 EA and a finding of no significant impact. The 2004 EA anticipated treating 6,050

acres, building a small reservoir and two ponds, and replacing 28.66 miles of canal with pipeline, controlling 11,677 tons/year of salt.

The Fiscal Year 2023 (FY 2023) Monitoring and Evaluation Report (MER) published by the NRCS provides a snapshot of progress on the SCP goals for the three salinity control units in Emery County. Within the PSR, a total of 40,649 acres of cropland has been treated, controlling 118,433 tons of salt per year. The PSR unit was tasked with treating 36,050 acres and has therefor met its' initial treatment goal for this unit. Total habitat replacement through FY 2023 is 3,492 acres of the 813 acres required. Within the GR, the NRCS has implemented 1,034 acres of treatments (50 percent of the project goal), controlling 3,328 tons of salt annually. As of FY 2023, 0 acres of the 21 required acres have been implemented. For the MC, the 2023 MER reported 2,383 acres (39 percent of the project goal), with an estimated salt control of 4,376 tons of salt per year. As of FY 2023, 0 acres of the 48 acres required have been implemented.

### Weather Modification

Emery County water users have, for many years, participated financially in government-sponsored weather modification programs and conduct their own weather-modification programs.

### Water Resources Education

As the focus of water-management practices and projected needs change from traditional concerns to include environmental concerns, the need for water education becomes paramount. It is important that Emery County residents understand the necessity of the control structures that manage their water resources. It is equally as important that they understand that the state-appropriation laws protect water rights from being superseded by federal mandates and designations. It is important that Emery County residents and officials remember the conditions that existed prior to the development of the county's water resources and appreciate the reasons for the existing system of management. Education is necessary to so that Emery County residents understand where water resources come from, how they are managed, and how they can be conserved.

## **Goals, Objectives, and Policies**

### ***Goal:***

- Emery County seeks to protect the quality and quantity of its water resources.

### ***Objectives:***

- Emery County will continue to protect water quality and quantity by promoting watershed-protection measures and supporting the efficient management and use of water resources.
- Provide for the safe and reliable conveyance of water from one location to another for beneficial use and economic prosperity.
- Watershed protection measures will be aimed at a "no net loss of watershed" efficiency policy specific to areas upstream from communities, typically on land managed by the USFS.
- Emery County desires to protect and enhance the quality and quantity of usable water by promoting the efficient management of water resources and the protection of individual water rights.
- It shall be the county's policy to maintain excellent water quality of its streams.
- Springs and snowmelt feeding underground aquifers shall remain uninterrupted and of comparable historic quality.
- Increase the number of storage reservoirs within Emery County.

- More-efficient use of existing facilities and excess capacity.

***Policies:***

- Emery County supports the Utah Forest Practices Act, UCA 65A-8a, et seq., to ensure the protection of forest, soil, and water resources.
- Emery County urges a cooperative effort with the BOR to use their existing systems in a wise and efficient manner.
- Emery County supports full development of the State of Utah's portion of the Colorado River Allotment through adoption, and implementation of water storage, distribution, and conservation plans and projects by State of Utah water-management agencies, irrigation companies, industrial and business users, and municipalities. However, Emery County unequivocally asserts that such development of water resources within its watershed system shall benefit the county and its residents.
- Many important Emery County watersheds are located in adjacent counties. The county will consult, cooperate, and coordinate with those counties on watershed-management and water-quality issues.
- Any trans-basin water transfer will be considered contrary to the policies and interests of Emery County.
- Emery County promotes practices that decrease the growth of noxious weeds, deep-rooted, and high water-consuming vegetation and favors practices that increase erosion-preventing ground cover.
- Emery County supports effectively managed domestic livestock grazing on the watersheds.
- Emery County recognizes recreation as prominent in our society. However, recreationists must accept the responsibility of maintaining a clean, healthy watershed.
  - Facilities should be provided and maintained to control human waste, and trails and signs should be developed that guide recreationists away from delicate riparian zones.
  - Emery County supports the concept of motorized recreation occurring only on designated roadways or routes to control erosion and other resource impacts.
  - Mountain homes and campgrounds should be controlled to minimize the effect of septic tanks and waste facilities on groundwater.
  - Stream setback requirements for homes and campgrounds shall be sufficient to prevent any contamination to surface or underground water.
- Timber harvest, mining, and other surface development shall be controlled to the extent that the exposed ground shall be reseeded with grasses, forbs, shrubs, and tree seedlings to aid the natural re-growth and to protect the watershed.
- Open pit mining has not occurred within Emery County's watersheds and does not appear imminent in the future. However, any like activities will be conducted in a manner consistent with the watershed values stated herein.
- Any potential degradation or contamination of mountain water resources by sediment, chemicals, or waste will be mitigated prior to allowing any industrial activity.
- Emery County policy will be to ensure that the quality of aquifers is not degraded by injection wells or any other activity.
- Emery County recognizes in-stream flows as beneficial use. These uses may receive an appropriation with priority dates at the time of application. Any development of water resources

for in-stream use must be financed solely by in-stream users or the groups that promote such use. The county further declares as its policy that water that is conserved through more-efficient conveyance or use will be committed to fulfilling present needs of existing water users.

- Emery County encourages further participation and investigation of ways and measures of modifying our natural weather patterns for the benefit of the county.
- Emery County supports and encourages educational efforts in our schools and in our local media by Emery Water Conservancy District, Castle Valley Special Service District, and Utah Division of Water Resources Water Education Program.
- Emery County recognizes that completion of the Muddy Creek Salinity Control Unit is crucial to salinity control in Muddy Creek, and ultimately the Dirty Devil River.
- To avoid groundwater contamination in aquifers, it is the county's policy that carbon capture-related projects follow Utah Administrative Rule 644.

Additional policies addressing Water Quality and Hydrology can be found in the Irrigation, Ditches and Canals section of this document.

## **Wetlands, Riparian Areas, Floodplains and River Terraces**

### ***Findings***

The preservation of wetlands is federally mandated. The definition of wetlands is subject to federal wetlands designation definitions and judgment. The Desert Lake Waterfowl Management Area, near Elmo, in Emery County is one of only two managed wetlands in the West Colorado River Basin (Utah State Water Plan - West Colorado River Basin - August 2000). Other wetland areas and riparian areas in Emery County are associated with natural and human-made water-conveyance systems, storage systems, and irrigation practices. Wetland areas provide important food, cover, and nesting sites for wildlife. The Utah State Water Plan states, “The DWR should use best management practices to protect and enhance identified significant wetland and riparian areas.”

Riparian areas in Emery County, like wetlands, occur almost exclusively within floodplains associated with waterbodies. Floodplain locations are depicted on maps in the Emery County Zoning document, and in the Emergency Operation Plan, thus enabling Emery County to appropriately preclude improper activities within them. Inclusions of these areas in these two documents facilitate protection of valuable habitat resources as well as prevention and/or minimization of the impact of major emergencies and disasters on the health, safety, and property of the residents of Emery County, their businesses, and the environment.

Elevated above the historically and currently active floodplains are river terraces. These features provide productive agricultural croplands and grazing lands, and they are sources of commercially valuable sand, gravel, and boulder (riprap) material. Additionally, the terraces provide locations for residential, commercial and industrial building sites.

### ***Goals, Objectives, and Policies***

#### ***Goals:***

- Emery County seeks to protect valuable habitat resources found within wetlands, riparian areas, floodplains and river terraces.

- The county seeks to prevent and/or minimize the impact of major emergencies and disasters on the health, safety, and property of the residents of Emery County, their businesses, and the environment.

***Objective:***

- Emery County recognizes that conservation practices are important and endorses such practices within this plan.

***Policies:***

- Emery County declares that any water rights that are designated for wetland use must be obtained in compliance with Utah State water laws of appropriation.
- Emery County supports utilization of resources found in river terraces and addresses their significance in its Zoning Ordinance.

## **Wild and Scenic Rivers**

### ***Findings***

The National Wild and Scenic River Act was created by Congress in 1968 to preserve rivers with outstanding natural, cultural, and recreational values in free-flowing condition for the enjoyment of present and future generations.

The 2019 John D. Dingell, Jr. Conservation, Management, and Recreation Act designated a 63-mile stretch of the Green River in the following segments:

- Wild River Segment - the 5.3-mile segment from the boundary of the Uintah and Ouray Reservation, south to the Nefertiti boat ramp, as a wild river.
- Recreational River Segment - the 8.5-mile segment from the Nefertiti boat ramp, south to the Swasey's boat ramp, as a recreational river.
- Scenic River Segment- Labyrinth Canyon, the 49.2-mile segment from Bull Bottom, south to the county line between Emery and Wayne counties, as a scenic river.

The National Wild and Scenic River Act provides guidance for identification and designation of individual river segments for study, to provide balance with development, and to provide unique representation within the national system. Inaction by Congress on recommendations for designation should be interpreted as negative responses if no action is taken within 10 years of the recommendation. Either in that event or in the event Congress acts within 10 years to deny designation into the Wild and Scenic River system, state and federal agencies should seek release from special designation of the river corridor to allow full multiple-use management.

In 2008, the BLM and Price Field Office adopted a resource management plan that provides guidance for management for all natural resources, except state-managed fish and wildlife on BLM-administrated lands within Emery County. Development of the plan included an inventory of 38 river segments, many of them within Emery County, eligible for inclusion into the National Wild and Scenic River system. Of the eligible segments, four segments within Emery County were found suitable for inclusion within the system. All four segments are part of the Green River. Emery County finds that candidate river segments on BLM-administrated land have been inventoried as mandated by the Wild and Scenic Rivers Act and that those segments not found suitable will be managed according to the Emery County Resource Management Plan.

Manti-LaSal National Forest began an inventory of rivers within Emery County in 2002. Fifteen river segments were determined to be eligible for Wild and Scenic River designation. Subsequently, these river segments were evaluated for recommendation for inclusion in the National Wild and Scenic Rivers Systems as part of the Wild and Scenic River Suitability Study for National Forest System Lands in Utah. The study concluded that no segments within the Manti-LaSal National Forest were suitable for recommendation (Wild and Scenic River Suitability Study for National Forest System Lands in Utah Record of Decision and Forest Plan Amendments, 2008). The study concluded that “At this time the remaining [unsuitable] ... river segments ... in Utah located on National Forest System lands are no longer afforded agency interim protection under the Wild and Scenic River Act, and continue to be managed under direction from each respective Land and Resource Management Plan.” Emery County concurs with this decision.

## ***Goals, Objectives, and Policies***

### ***Goals:***

- Aggressively preserve the community heritage of Emery County by vigorously participating in and influencing all public land-planning and decision-making processes on behalf of and under authority of the Emery County Commission.
- Emery County recognizes the need to protect and preserve the public lands for present and future generations. It is the stated position and belief of Emery County that there are many land-management tools available that provide protection to public land and its resources in Emery County.
- All public land agency management plans and proposals will be reviewed according to the county’s multiple-use definition. The county will respond in a timely and appropriate manner to these management plans or resource-use decisions.

### ***Objectives:***

- Actively participate in all relevant public land-management decisions.
- Support responsible use and protection of public land resources.
- Explore all available options and tools for public land management and apply those options that best fit the needs of local public lands on a case-by-case, area-by-area basis.

### ***Policies:***

- Emery County does not support the creation of additional special designations on federal or state lands or waterways.
- Proposed designation and conservation actions relative to Wild and Scenic designation waterways should be coordinated with the County. Negative socioeconomic impacts to the County and/or its residents should be fully mitigated and should be found to be consistent with the County General Plan prior to designation by agencies, Congress, or the current administration.

## **Wilderness and Wilderness Study Areas**

### ***Findings***

The 1964 Wilderness Act gave Congress the authority to declare wilderness areas as part of a National Wilderness Preservation System. The Wilderness Act prescribes management to ensure that the land is “unimpaired for the future use and enjoyment as wilderness”. Only Congress may designate wilderness or change the status of wilderness areas. Wilderness designations generally preclude the use of motor



vehicles, motorized tools, mechanical transport, temporary roads, or the construction of permanent facilities or installations. Limited exceptions for motorized or mechanical equipment may be granted in situations such as search-and-rescue operations. The Wilderness Act also bans permanent roads and most commercial activity; however, commercial services can be authorized when they are necessary to support recreation or other purposes consistent with wilderness values. Livestock grazing is permitted within wilderness boundaries. The Act further recognizes that actions may be taken to address public safety, protect private property, manage insect outbreaks, and conduct wildfire suppression when needed.

Emery County recognizes the wisdom of Congress to “secure for the American People the benefits of an enduring resource of Wilderness” (Sec 2a, P.L. 88-577), which will be “devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use” (Sec 4b, P.L. 88-577). This intent was affirmed in a 1998 court case of Wilderness Watch, et al., v. F. Dale Robertson, et al., Civ. No. 92-740 (TFH). United States District Court for the District of Columbia, 1998 U.S. Dist. LEX IS 14457, August 31, 1998, which concludes that the statute clearly directs the USFS to administer the Wilderness not only for strict conservation, but also to ensure the use and enjoyment of the American people. Emery County affirms the purpose of the Wilderness Act as defined above; however, the county is gravely concerned about the potential degradation and loss of local heritage, customs, traditions, and culture negatively impacted as a result of revisionist interpretations of the Wilderness Act.

The 2019 John D. Dingell, Jr. Conservation Management, and Recreation Act designated 17 BLM Wilderness Areas and one Forest Service Wilderness Area. This legislation released non-designated portions of Wilderness Study Areas (WSAs) within Emery County. There are no Wilderness Study Areas in Emery County.

Wilderness Area Name	Acreage*	Wilderness Area Name	Acreage*
Big Wild Horse Mesa Wilderness	18,192	Lower Last Chance Wilderness	19,339
Cold Wash Wilderness	11,001	Mexican Mountain Wilderness	76,413
Desolation Canyon Wilderness	142,996	Middle Wild Horse Mesa Wilderness	16,343
Devil's Canyon Wilderness	8,675	Muddy Creek Wilderness	98,023
Eagle Canyon Wilderness	13,832	Nelson Mountain Wilderness (Forest Service)	7,179
Horse Valley Wilderness	12,201	Reds Canyon Wilderness	17,325
Labyrinth Canyon Wilderness	54,643	San Rafael Reef Wilderness	60,442
Little Ocean Draw Wilderness	20,660	Sid's Mountain Wilderness	49,130
Little Wild Horse Canyon Wilderness	5,479	Turtle Canyon Wilderness	29,029

\*Acreage from <https://wilderness.net/default.php>

## Goals, Objectives, and Policies

### Goals:

- Aggressively preserve the community heritage of Emery County by vigorously participating in and influencing all public land planning and decision-making processes on behalf of, and under authority of the Emery County Commission.
- Emery County recognizes the need to protect and preserve public lands for present and future generations. It is the stated position and belief of Emery County that there are many land-management tools available that provide protection to public land and its resources.
- All public land agency-management plans and proposals will be reviewed according to the county's multiple-use definition. The county will respond in a timely and appropriate manner to these management plans or resource-use decisions.

**Objectives:**

- Actively participate in all relevant public land-management decisions.
- Support responsible use and protection of public land resources.
- Explore all available options and tools for public land management and apply those options that best fit the needs of local public lands on a case-by-case, area-by-area basis.

**Policies:**

- Emery County asserts that, subject to valid existing rights, each Wilderness shall be administered by the US Secretary of Interior or US Secretary of Agriculture in accordance with the Wilderness Act (16 U.S.C. 1131 et seq).
- Proposed designation and conservation actions relative to Wilderness-designated lands should be coordinated with Emery County. Negative socioeconomic impacts to the county and/or its residents should be fully mitigated and should be found to be consistent with the Emery County General Plan prior to designation by agencies, Congress, or the current administration.
- Emery County opposes the imposition of the Purity Doctrine in Wilderness areas within its borders. Emery County does not desire Wilderness Study Areas within the County. Furthermore, it is The 2019 Dingell Act created 18 new Wilderness areas in Emery County releasing any non-designated lands from WSA. It is Emery County's position that if new WSAs are designated in the future and have been managed as such for a period of 10 years or longer should revert to multiple-use lands. Additionally, for the purposes of Section 603 of the FLPMA (43 U.S.C. 1782), the public lands in Emery County have been adequately studied for Wilderness designation. Any public lands not subsequently designated as Wilderness are no longer subject to section 603(c) of FLPMA and shall be managed in accordance with applicable law and land-management plans adopted under Section 202 of FLPMA (43 U.S.C. 1712).

Additional policies addressing resources within Wilderness can be found in the following sections of this document:

- Cultural and Historical
- Livestock and Grazing
- Mining and Mineral Resources
- Outdoor Recreation, Tourism, and Film
- Wildlife

## **Wildlife**

**Findings**

The UDWR, in accordance with UCA Title 23, Wildlife Code of Utah, is responsible for the management of wildlife within Emery County. In accordance with section 4(d)(7) of the Wilderness Act (16 21 U.S.C. 1133(d)(7)), the State of Utah has jurisdiction with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping in wilderness areas.

## **Goals, Objectives, and Policies**

### **Goal:**

- Support the UDWR's efforts to conserve, protect, and enhance fish, wildlife, and their habitats by managing wildlife populations, preventing further endangerment to species, recovering existing ones, protecting habitats, and providing public access for recreation. The UDWR's overarching goal is to ensure that native wildlife and their habitats are managed to prevent additional listings under the ESA.

### **Objectives:**

Coordinate with the State of Utah and other appropriate agencies to manage wildlife and wildlife habitat according to the Utah Wildlife Action Plan.

### **Policies:**

- Local input will be developed through the Emery County Public Lands Council, and provided to management entities for developing biological resource-management plans.
- In formulating biological resource-management plans, federal and state agencies should identify the potential negative impacts of those plans on the local economy, the environment, private property interests, and customary usage rights of the public land affected by the proposed plan.
- Agencies shall coordinate with the county before eliminating, introducing, or reintroducing any species onto public lands, or into waters within Emery County, and address potential impacts of such an action on private lands, customary use, and private property interests on public land, and the local economy.
- Emery County encourages state and federal agencies to develop biological resources-management plans that (1) provide for the enhancement of native fish, game species, and nongame species; (2) promote fishing and hunting on public lands; and (3) provide a private property compensation program for certain damages caused by wildlife. Emery County supports management actions that ensure long-term ecological sustainability, reduce resource conflicts, and protect the health of public rangelands.
- Hunting, fishing, and trapping are qualifying uses of Wilderness as allowed by Congress. To regulate and/or remove these uses from Wilderness, scientifically valid, peer-reviewed studies must demonstrate an irrefutable and direct correlation between the uses and the impact, validate the need for the proposed action, conduct a comprehensive NEPA analysis that includes economic and social costs of the proposed regulation or removal, and establish an adaptive management-based monitoring and recovery strategy leading to resumption of those uses as established by the criteria above.
- Fish-stocking of streams and lakes should be continued and encouraged unless scientifically valid, peer-reviewed studies show a direct correlation between fish stocking, predation on Threatened and Endangered species, and increasing user visits that create a negative impact on the Wilderness experience as defined by Congress.

Additional policies addressing Wildlife can be found in the Threatened and Endangered Species section of this document.

# Wild Horses and Burros

## ***Findings***

Wild horses and burros are not classified as wildlife and are therefore not managed by the State of Utah under state wildlife authorities. Instead, they are defined and regulated under the federal Wild Free-Roaming Horses and Burros Act of 1971. In Utah, management responsibility rests primarily with the BLM and, on some National Forest System lands, with the USFS.

Because wild horse and burro populations are protected from hunting and have few effective natural predators, their numbers can increase beyond the capacity of the landscape to sustain them without active management. In Emery County, the BLM manages these populations within designated Herd Management Areas (HMAs). Two HMAs occur within the county: Muddy Creek (horses) and Sinbad (burros).

## ***Goals, Objectives, and Policies***

### ***Goal:***

- Wild horse and burro populations are maintained at appropriate levels in balance with available forage, water, and habitat conditions.

### ***Objectives:***

- Emery County supports the active management of wild horse and burro herd populations at the lowest Appropriate Management Levels.

### ***Policies:***

- Wild horses and burros not part of designated HMA are considered feral. All feral horses found roaming on public lands in the county are trespassing and shall be removed.
- Support management actions related to wild horses and burros that ensure long-term ecological sustainability, reduce resource conflicts, and protect the health of public rangelands.