

Michael R. Brown, Chairman
Kevin S. Carter, Director

MINUTES OF THE MEETING OF THE
SCHOOL & INSTITUTIONAL TRUST LANDS ADMINISTRATION
BOARD OF TRUSTEES

DATE: DECEMBER 21, 2010

PLACE: SALT LAKE CITY, UTAH

ATTENDING: BOARD

Michael R. Brown
David Lambert - by phone
Dave Ure - - by phone
Mike Mower
Louis Conanelos

STAFF

Kevin S. Carter
LaVonne Garrison
John Andrews
Kay Burton
Doug Buchi
Ron Carlson
Dave Hebertson
Lynda Belnap

OTHERS IN ATTENDANCE:

Margaret Bird, State Office of Education
Tim Donaldson, State Office of Education

I N D E X

ITEM

PAGE NO.

- | | | |
|----|--|---|
| 1. | Request For Approval of Expedited Rulemaking to Permit Enhanced SITLA Participation in BLM Land Management Planning/Concurrence in Amendment to Rule R850-10 - - Planning Rule | 3 |
|----|--|---|

Chairman Brown welcomed everyone to the meeting and noted we are here today to address only one item.

1. Request For Approval of Expedited Rulemaking to Permit Enhanced SITLA Participation in BLM Land Management Planning/Concurrence in Amendment to Rule R850-10 - - Planning Rule

Director Carter reviewed this item with the Board through a Power-Point presentation as follows:

- * Expedited Rulemaking
 - * Statutorily Authorized - - 53C-1-201(3)(c)
 - * Process established in Rule - - R850-10
 - * Six-step process
 - * Timely provide material to Board
 - * Published agenda
 - * List of contacted individuals
 - * Written finding
 - * Presentation of proposed rule
 - * Effective date
- * Business Opportunity
 - * Federal Land Policy and Management Act (FLPMA)
 - * Coordinate planning efforts
 - * Resource Management Planning efforts
 - * Master leasing plan
 - * No mechanism to develop applicable TLA plan
 - * Create plans that
 - * Identify disposal/acquisition targets
 - * Identify desired access needs
- * Desired action
 - * Concur in proposed amendments to R850-100

The Board discussed this rule. Mr. Mower stated he visited with John Harja, who wanted to remind us that there is the RDCC process, etc., and asked how this would change our relationship with RDCC and the PLPCO office. Director Carter noted that the RDCC is basically the State's NEPA process. It is a process that gives other state agencies and others the opportunity to make comments on state actions. This will still have us submit any projects through RDCC. We will still coordinate with PLPCO. However, their statute states they do not supersede any other statutes.

1. Request For Approval of Expedited Rulemaking to Permit Enhanced SITLA Participation in BLM Land Management Planning/Concurrence in Amendment to Rule R850-10 - - Planning Rule (cont'd)

Mr. Brown asked who will head up the planning process in the agency. Director Carter stated that Mr. Burton will take a lead role. Mr. Christy will be heavily involved in some of the plans, and Ms. Garrison will be involved in mineral issues. Chairman Brown asked when will the Board see a draft plan. Director Carter stated we will start on the plan as soon as the rule is approved. The Board will see a draft plan probably in January. The effective date of this rule will be December 22, 2010.

Mr. Mower asked why we couldn't have done this in January through the regular rulemaking process. Director Carter stated that, if we waited, we wouldn't have a rule in place for many months. Mr. Ure indicated he knows that Iron and Beaver Counties already have land-use plans that have already been adopted. He thinks their plans would be parallel and close to what we are trying to accomplish on federal lands. We might want to review their plans. Director Carter stated we have met with the Iron County commissioners and talked about what we intend to do. We will continue to coordinate with them. In Beaver County we were heavily engaged with them to make a federal land plan. We will try to make our plans dovetail with their plans.

The proposed rule is as follows:

R850. School and Institutional Trust Lands, Administration.

R850-100. Trust Land Management Planning.

R850-100-100. Authorities.

This rule implements Sections 6, 8, 10, and 12 of the Utah Enabling Act, Articles X and XX of the Utah Constitution, and Subsections 53C-1-302(1)(a)(ii) and 53C-2-201(3) which require that planning procedures be developed for trust lands, and for the opportunity for interested parties to participate in the planning process.

R850-100-150. Scope.

Nothing in this rule is intended to supersede or replace the provisions of R850-21-150, R850-22-150, R850-23-150, R850-24-125, R850-30-150, R850-40-150, R850-41-150, R850-50-150, R850-70-150, R850-80-150, R850-90-150, R850-120-150, or R850-140-350.

1. Request For Approval of Expedited Rulemaking to Permit Enhanced SITLA Participation in BLM Land Management Planning/Concurrence in Amendment to Rule R850-10 - - Planning Rule (cont'd)

R850-100-175. Definitions.

The general definitions provided in R850-1-200 apply to this section. In addition, the words and terms used in Section R850-100-500 shall have the following-described meanings, unless otherwise indicated:

1. Public Lands: Lands and resources administered by the federal Bureau of Land Management or USDA Forest Service.

2. Interested Parties:

(a) The beneficiaries of the lands involved in any planning effort;

(b) local government officials.

3. Land Management, Tenure Adjustment, and Access Plans: A plan to evaluate and direct the management, disposal, and acquisition of lands in a specific area, and to provide for the establishment, maintenance, or both, of access to retained or acquired lands.

4. Local Government Officials: Elected county or municipal officials with jurisdiction over areas included in a planning effort.

R850-100-200. Simultaneous Use of Trust Land Assets.

The agency shall encourage the simultaneous use of compatible, revenue generating activities on trust lands.

R850-100-300. Joint Planning.

The agency may participate in joint planning with other land management agencies when the director determines that the commitment of agency resources is justified, and trust management obligations will be facilitated.

R850-100-400. Assessments of Natural and Cultural Resources.

1. The Resource Development Coordinating Committee (RDCC) process provides a natural resource assessment for purposes of trust land management. No other natural resource analysis is required beyond consultation with the RDCC. The public may comment on proposed trust land plans and uses through the RDCC process.

2. Cultural resource analysis on specific actions shall be conducted pursuant to R850-60.

1. Request For Approval of Expedited Rulemaking to Permit Enhanced SITLA Participation in BLM Land Management Planning/Concurrence in Amendment to Rule R850-10 - - Planning Rule (cont'd)

R850-100-500. Land Management, Tenure, and Access Plans.

1. The agency may develop land management, tenure adjustment, and access plans for selected geographical regions of the state.
2. The planning criteria, regions, and boundaries shall be established by the director.
3. Plans developed under this section may:
 - (a) Designate areas where particular uses will be permitted or denied;
 - (b) identify trust lands designated for disposal to the federal government or other entities;
 - (c) identify public lands desired for acquisition;
 - (d) identify other lands and assets for acquisition that are not located on public lands; and
 - (e) identify access routes across public lands necessary for the economic development of trust lands within the planning boundaries.
4. Before adopting a plan developed under this section, the agency shall submit the plan for approval by the board of trustees.
 - (a) Prior to presenting a plan to the board for approval, the agency shall solicit input from interested parties; and,
 - (b) submit the plan for review by the RDCC.

Cononelos / Lambert. Unanimously approved.

“I move we authorize expedited rulmaking and that we concur in the proposed rule.”

Roll Call:

Mr. Lambert - - yes	Mr. Ure - - yes
Mr. Cononelos - - yes	Mr. Mower - - yes
Mr. Brown - - yes	

Meeting adjourned at 8:28 a.m.